



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

[^{F1}PART XA

SCOTTISH CRIMINAL CASES REVIEW COMMISSION]

[^{F1}Special circumstances for disclosure

[^{F1}194T Final disclosure-related matters

- (1) If the Commission decide in pursuance of section 194M(1) to disclose the information—
 - (a) subsection (2) applies initially, and
 - (b) subsection (3) applies subsequently.
- (2) Before disclosing the information, the Commission must—
 - (a) so far as practicable, take reasonable measures to notify of the decision—
 - (i) each of the affected persons, and
 - (ii) to the same extent as they were consulted under section 194O(2)(b), the other interested persons, and
 - (b) allow the prescribed period for each of the affected and other interested persons involved to take steps (including legal action) in their own favour in relation to the decision.
- (3) In disclosing the information, the Commission must—
 - (a) explain the context in which the information is being disclosed by them (including by describing the background to the case), and
 - (b) where (for any reason) other information relating to the case remains undisclosed by them, explicitly state that fact,and do so along with the material by which the disclosure is made.
- (4) In subsection (2), the references to the affected and other interested persons are to be construed in accordance with section 194O(5).

Status: Point in time view as at 18/12/2013.

Changes to legislation: *Criminal Procedure (Scotland) Act 1995, Section 194T is up to date with all changes known to be in force on or before 11 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (5) In subsection (2)(b), the reference to the prescribed period in relation to a particular person is to—
- (a) the period of 6 weeks, or
 - (b) such longer period as the Commission may set,
starting with the date on which the notification was sent to the person.
- (6) Subsections (2)(b) and (5) are inapplicable in relation to a particular person if the Commission cannot reasonably ascertain the person's whereabouts.
- (7) In subsection (3)(b), the reference to other information is to any other information obtained by the Commission in the exercise of their functions.]

Textual Amendments

- F1** Ss. 194M-194T and cross-heading inserted (24.9.2012) by [Criminal Cases \(Punishment and Review\) \(Scotland\) Act 2012 \(asp 7\)](#), **ss. 3(3)**, 5(2); S.S.I. 2012/249, art. 2

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