

Justice Committee

Abusive Behaviour and Sexual Harm (Scotland) Bill

Supplementary written submission from Lord Carloway, The Lord Justice Clerk

Chapter 4: Sexual Risk Orders (SRO)

Further to my appearance at the Justice Committee on 8 December 2015 I write to confirm that I have considered these provisions. I note that these orders will replace Risk of Sexual Harm Orders (RSHO). RSHOs are currently sought by way of summary application and one can perhaps anticipate that that procedure will be replicated if the SRO provisions of the Bill become law. That, however, will be a matter for the Scottish Civil justice Council which is responsible for civil court rules.

As I indicated to the Committee, I do not think it appropriate that judges comment on the substantive content of chapter 4 as these provisions are very much a matter of policy for the government to determine.

Lord Carloway
15 December 2015