
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 40

CRIMINAL LAW

**The Restorative Justice (Prescribed
Persons) (Scotland) Order 2021**

Made - - - - 22nd January 2021
*Laid before the Scottish
Parliament* - - - - 26th January 2021
Coming into force - - 24th February 2021

The Scottish Ministers make the following Order in exercise of the powers conferred by section 5(2) of the Victims and Witnesses (Scotland) Act 2014⁽¹⁾ and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Restorative Justice (Prescribed Persons) (Scotland) Order 2021 and comes into force on 24 February 2021.

(2) In this Order—

“support services”, in relation to an individual using restorative justice services, means any type of service or treatment which is intended to benefit the physical or mental health or wellbeing of the individual,

“victim support services” has the same meaning as in section 3D of the Victims and Witnesses (Scotland) Act 2014⁽²⁾.

Prescribed Persons

2. The following persons and description of persons are prescribed by the Scottish Ministers under section 5(2) of the Victims and Witnesses (Scotland) Act 2014—

- (a) the Scottish Ministers for the purposes of their functions relating to prisons and young offenders institutions and persons detained in them,
- (b) Community Justice Scotland,
- (c) a local authority,

(1) 2014 asp 1. Section 5 was amended by [S.S.I. 2015/444](#). This Order is being made under section 5(2) prior to the commencement of that section, in accordance with the Interpretation and Legislative Reform (Scotland) Act 2010 ([asp 10](#)), section 4.

(2) Section 3D was inserted by [S.S.I. 2015/444](#).

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- (d) any person who provides victim support services or other support services for individuals using restorative justice services, and
- (e) a person who provides restorative justice services.

St Andrew's House,
Edinburgh
22nd January 2021

HUMZA YOUSAF
A member of the Scottish Government

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes persons who must have regard to any guidance issued by the Scottish Ministers under section 5(1) of the Victims and Witnesses (Scotland) Act 2014 in relation to restorative justice.