SCOTTISH STATUTORY INSTRUMENTS

2025 No. 393 (C. 32)

CRIMINAL PROCEDURE

PRISONS

The Victims, Witnesses, and Justice Reform (Scotland) Act 2025 (Commencement No. 1 and Transitional Provision) Regulations 2025

Made - - - -	*9th December 2025*
Laid before the Scottish Parliament	*11th December 2025*
Coming into force - -	*1st January 2026*

The Scottish Ministers make the following Regulations in exercise of the power conferred by section 116(2) and (3)(a) and (b) of the Victims, Witnesses, and Justice Reform (Scotland) Act 2025(**a**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Victims, Witnesses, and Justice Reform (Scotland) Act 2025 (Commencement No. 1 and Transitional Provision) Regulations 2025 and come into force on 1 January 2026.

(2) In these Regulations, "the Act" means the Victims, Witnesses, and Justice Reform (Scotland) Act 2025.

Appointed days

2.—(1) 1 January 2026 is the day appointed for the coming into force of the following provisions of the Act—

(a) section 62 (jury size and quorum),

(b) section 65 (verdict of guilty or not guilty and majority required for guilty verdict),

(c) section 66 (verdict of guilty or not guilty),

(d) section 67 (research into juries),

(e) section 68 (research into juries by or on behalf of the Scottish Ministers: duty to report).

(2) 23 March 2026 is the day appointed for the coming into force of the following provisions of the Act—

(**a**) 2025 asp 12.

(a) section 55 (Parole Board rules: decisions where prisoner has information about victim's remains),

(b) section 56 (Parole Board rules: safety and security of victims and victims' family).

Transitional provision

3.—(1) Notwithstanding regulation 2(1), sections 62, 65 and 66 of the Act do not have effect in relation to trials which commenced prior to 1 January 2026.

(2) In this regulation, a trial is taken to have commenced—

(a) in summary proceedings, when the oath is administered to the first witness,

(b) in solemn proceedings, when the oath is administered to the jury.

ANGELA CONSTANCE
A member of the Scottish Government

St Andrew's House
Edinburgh
9th December 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force a number of sections of the Victims, Witnesses, and Justice Reform (Scotland) Act 2025 ("the Act").

Regulation 2(1) brings sections 62, 65, 66, 67 and 68 of the Act into force on 1 January 2026. As a result of regulation 3(1), however, section 62 (jury size and quorum), section 65 (verdict of guilty or not guilty and majority required for guilty verdict) and section 66 (verdict of guilty or not guilty) do not have effect where a trial has started before 1 January 2026.

Regulation 2(2) brings sections 55 and 56 of the Act into force, on 23 March 2026.

The Bill for the Act received Royal Assent on 30 October 2025 and sections 112 to 114, 116 and 117 came into force the following day.

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