



# Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

## PART 10

### FURTHER CRIMINAL MEASURES

#### *Restriction of liberty orders*

#### **121 Restriction of liberty orders**

- (1) Section 245A of the Criminal Procedure (Scotland) Act 1995 (c. 46) (restriction of liberty orders) shall be amended in accordance with subsections (2) and (3).
- (2) In subsection (1), the words “of 16 years of age or more” are repealed.
- (3) After subsection (11), there shall be inserted—
  - “(11A) A court shall not make a restriction of liberty order in respect of an offender who is under 16 years of age unless, having obtained a report on the offender from the local authority in whose area he resides, it is satisfied as to the services which the authority will provide for his support and rehabilitation during the period when he is subject to the order.”.

**Changes to legislation:**

Antisocial Behaviour etc. (Scotland) Act 2004, Cross Heading: Restriction of liberty orders is up to date with all changes known to be in force on or before 21 May 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 85B inserted by [2014 asp 14 s. 21\(1\)](#)