

MENTAL HEALTH (SCOTLAND) ACT 2015

EXPLANATORY NOTES

THE STRUCTURE & A SUMMARY OF THE ACT

Part Two – Criminal Cases

Section 43: Periods for compulsion orders

Amendment of sections 57A, 57B and 57D

124. Sections 57A to 57D of the 1995 Act make provision for compulsion orders (CO), which may be made by the courts after conviction if the court is satisfied on the written or oral evidence of two medical practitioners that the offender has a mental disorder.
125. Section 43 of the Act amends the timescales for COs to bring the computation of these timescales in line with practice in criminal procedure more generally. Section 43 amends sections 57A, 57B and 57D of the 1995 Act in the same way and for the same purposes as was the case with sections 39, 40, 41 and 42 of the Act.