



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART X

APPEALS FROM SUMMARY PROCEEDINGS

Miscellaneous

192 Appeals: miscellaneous provisions

- (1) Where an appellant has been granted bail, whether his appeal is under this Part of this Act or otherwise, he shall appear personally in court at the diet appointed for the hearing of the appeal.
- (2) Where an appellant who has been granted bail does not appear at such a diet, the High Court shall either—
 - (a) dispose of the appeal as if it had been abandoned (in which case subsection (5) of section 177 of this Act shall apply accordingly); or
 - (b) on cause shown permit the appeal to be heard in his absence.
- (3) No conviction, sentence, judgement, order of court or other proceeding whatsoever in or for the purposes of summary proceedings under this Act—
 - (a) shall be quashed for want of form; or
 - (b) where the accused had legal assistance in his defence, shall be suspended or set aside in respect of any objections to—
 - (i) the relevancy of the complaint, or to the want of specification therein; or
 - (ii) the competency or admission or rejection of evidence at the trial in the inferior court,unless such objections were timeously stated.
- (4) The provisions regulating appeals shall, subject to the provisions of this Part of this Act, be without prejudice to any other mode of appeal competent.
- (5) Any officer of law may serve any bill of suspension or other writ relating to an appeal.