



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART XI

SENTENCING

[^{F1}Order for lifelong restriction etc.

[^{F1}210F Order for lifelong restriction

- (1) The High Court, at its own instance or on the motion of the prosecutor, if it is satisfied, having regard to—
 - (a) a risk assessment report submitted under section 210C(4) or (5) of this Act;
 - (b) any report submitted by virtue of section 210D of this Act;
 - (c) any evidence given under section 210C(7) of this Act; and
 - (d) any other information before it,that, on a balance of probabilities, the risk criteria are met, shall make an order for lifelong restriction in respect of the convicted person.
- (2) An order for lifelong restriction constitutes a sentence of imprisonment, or as the case may be detention, for an indeterminate period.
- (3) The prosecutor may, on the grounds that on a balance of probabilities the risk criteria are met, appeal against any refusal of the court to make an order for lifelong restriction.]

Textual Amendments

- F1** Ss. 210B-210H and cross-headings inserted (19.6.2006 for specified purposes) by [Criminal Justice \(Scotland\) Act 2003 \(asp 7\)](#), [ss. 1, 89](#) (as amended with regards to ss. 210B, 210D and 210G (27.9.2005) by [S.S.I. 2005/465](#), [art. 2](#), [Sch. 1 para. 34\(2\)](#)); [S.S.I. 2006/332](#), [art. 2](#)

Status:

Point in time view as at 19/06/2006. This version of this provision has been superseded.

Changes to legislation:

Criminal Procedure (Scotland) Act 1995, Section 210F is up to date with all changes known to be in force on or before 04 April 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.