

# Criminal Proceedings etc. (Reform) (Scotland) Act 2007

2007 asp 6

## PART 2

### PROCEEDINGS

#### *Other provisions*

#### **24 Reports about supervised persons**

In section 203 (reports) of the 1995 Act, after subsection (1) there is inserted—

“(1A) However, if there is available to the court a report from a local authority—

- (a) of the kind described in subsection (1)(b) above; and
- (b) which was prepared in relation to the person not more than 3 months before the person was convicted of the offence,

the court need not obtain another report of that kind before disposing of the case unless it considers, following representations made by or on behalf of the person as to the person's circumstances, that it is appropriate to obtain another report.

(1B) Nothing in subsection (1) or (1A) above requires the court to obtain a report if the court is satisfied, having regard to its likely method of dealing with the case before it for disposal, that the report would not be of any material assistance.”.

#### **25 Summary appeal time limit**

(1) In section 180 (leave to appeal against conviction etc.) of the 1995 Act—

- (a) in subsection (3)—
  - (i) after the word “below” there is inserted “ (and if that period is extended under subsection (4A) below before the period being extended expires, until the expiry of the period as so extended) ”,
  - (ii) for the words “that subsection” there is substituted “ subsection (4) below ”,

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*Changes to legislation: There are currently no known outstanding effects for the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Cross Heading: Other provisions. (See end of Document for details)*

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(b) after subsection (4) there is inserted—

“(4A) The High Court may, on cause shown, extend the period of 14 days mentioned in subsection (4) above, or that period as extended under this subsection, whether or not the period to be extended has expired (and if that period of 14 days has expired, whether or not it expired before section 25(1) of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6) came into force).”.

(2) In section 186 (appeals against sentence only) of that Act, in subsection (5), for the words from the beginning to “may” there is substituted “ The sheriff principal of the sheriffdom in which the judgment was pronounced may, on cause shown, ”.

(3) In section 187 (leave to appeal against sentence) of that Act—

(a) in subsection (2)—

(i) after the word “below” there is inserted “ (and if that period is extended under subsection (3A) below before the period being extended expires, until the expiry of the period as so extended) ”,

(ii) for the words “that subsection” there is substituted “ subsection (3) below ”,

(b) after subsection (3) there is inserted—

“(3A) The High Court may, on cause shown, extend the period of 14 days mentioned in subsection (3) above, or that period as extended under this subsection, whether or not the period to be extended has expired (and if that period of 14 days has expired, whether or not it expired before section 25(3) of the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6) came into force).”.

(4) In section 194 (computation of time) of that Act, in subsection (2), for the words from the beginning to “may” there is substituted “ The sheriff principal of the sheriffdom in which the judgment was pronounced may, on cause shown, ”.

**Changes to legislation:**

There are currently no known outstanding effects for the *Criminal Proceedings etc. (Reform) (Scotland) Act 2007*, Cross Heading: Other provisions.