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SCHEDULE

Paragraph 2(7)(b)

PART 1

Form 19C.1-A

Rule 19C.1(1)

Form of notice of intention to apply for a risk assessment order under section 210B of the Criminal Procedure (Scotland) Act 1995

Prosecution reference.....
Court reference... ..

IMPORTANT NOTICE

The prosecutor in the case against you in the High Court of Justiciary intends to make a motion for a **RISK ASSESSMENT ORDER** within the meaning of section 210B of the Criminal Procedure (Scotland) Act 1995.

A risk assessment order is an order—

- (a) for you to be taken to a place specified in the order, so that there may be prepared there
 - (i) by a person accredited for the purposes of section 210B of the Criminal Procedure (Scotland) Act 1995 by the Risk Management Authority; and
 - (ii) in such manner as may be so accredited,
 a risk assessment report (that is to say, a report as to what risk your being at liberty presents to the safety of the public at large); and
- (b) providing for you to be remanded in custody there for so long as is necessary for those purposes and thereafter there or elsewhere until such date as is fixed for sentence.

(Signed)

Prosecutor

(Name, address, e-mail address and telephone number)

(Place and date)

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FORM 19C.1-B

Rule 19C.1(2)

Form of risk assessment order under section 210B of the Criminal Procedure (Scotland) Act 1995

Prosecution reference.....
Court reference.....

RISK ASSESSMENT ORDER

under section 210B of the Criminal Procedure (Scotland) Act 1995

HIGH COURT OF JUSTICIARY sitting at *[place]*

DATE:

OFFENDER:

Address:

Date of birth:

THE COURT having convicted the offender of (*specify offence or offences*), being an offence *[or offences]* to which section 210B(1) of the Criminal Procedure (Scotland) Act 1995 applies:

AND considering that the risk criteria set out in section 210E of that Act may be met;

ORDERS—

- 1. That the offender be taken to *[place]* so that there may be prepared there—
 - (a) by a person accredited for the purposes of section 210B of that Act; and
 - (b) in such manner as may be so accredited;

a risk assessment report (that is to say, a report as to what risk his being at liberty presents to the safety of the public at large); and

- 2. That the offender be remanded in custody there for so long as is necessary for those purposes and thereafter there or elsewhere until such date as is fixed for sentence; and

ADJOURNS the case against the offender until (*specify date not exceeding 90 days after date of order*) or such earlier date as may be fixed for the offender to be brought before the court following receipt of the risk assessment order.

(Signed)

Clerk of Court

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FORM 19C.1-B

Rule 19C.2

Form of risk assessment report under section 210C of the Criminal Procedure (Scotland) Act 1995

RISK ASSESSMENT REPORT

under section 210C of the Criminal Procedure (Scotland) Act 1995

Prosecution reference.....

Court reference.....

CONVICTED PERSON: *(name)*

DATE OF BIRTH: *(place)*

REMANDED AT: *(place)*

CASE ADJOURNED TO: *(date)*

HIGH COURT OF JUSTICIARY SITTING AT: *(place)*

REPORT INSTRUCTED BY: *(name and designation)*

Under section 210C [or 210D] of the Criminal Procedure (Scotland) Act 1995, I, *(name)* report to the High Court of Justiciary as follows:–

[here state terms of report]

IN WITNESS WHEREOF

(Signed)

Assessor

(Name, qualifications (including details of accreditation by the Risk Management Authority, address, e-mail address and telephone number)

(Place and date)

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FORM 19C.3

Rule 19C.3(1)

Form of notice of objection to risk assessment report under section 210C(7) of the Criminal Procedure (Scotland) Act 1995

NOTICE OF OBJECTION

by

[A.B.], (address)

[or, Prisoner in the Prison of *(place)* [or Patient at *(specify hospital)*]]

Prosecution reference.....

Court reference.....

I, [A.B.] object to the content or findings of the risk assessment report dated *(date)* by *(name of assessor)*.

The grounds of my objection are as follows:-

(Here state the grounds of objection in numbered paragraphs)

[Legal representative of] [A.B.]

(Name, address, e-mail address and telephone number)

(Place and date)

Paragraph 2(7)(c)

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PART 2

PART 2

Paragraph 2(7)(c)

Form 20.21

Rule 20.21

Form of order for lifelong restriction under section 210F of the Criminal Procedure (Scotland) Act 1995

ORDER FOR LIFELONG RESTRICTION

Prosecution reference.....
Court reference.....

HIGH COURT OF JUSTICIARY sitting at *[place]*

DATE:

OFFENDER:

Address:

Date of birth:

THE COURT, being satisfied that the risk criteria were met, makes this ORDER FOR LIFELONG RESTRICTION under section 210F of the Criminal Procedure (Scotland) Act 1995.

[ORDAINS the accused to be conveyed to and detained in the Prison of *(place)* *[or (specify hospital)]*]; and

GRANTS warrant to officers of law to convey the accused from the Bar to said prison *[or hospital]*, therein to be detained.

(Signed)

Clerk of Court