



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART VIII

APPEALS FROM SOLEMN PROCEEDINGS

108 Lord Advocate's appeal against sentence

Where a person has been convicted on indictment, the Lord Advocate may appeal against the sentence passed on conviction or against any probation order or any community service order or against the person's absolute discharge or admonition or against any order deferring sentence—

- (a) if it appears to the Lord Advocate that, as the case may be—
 - (i) the sentence is unduly lenient;
 - (ii) the making of the probation order or community service order is unduly lenient or its terms are unduly lenient;
 - (iii) to dismiss with an admonition or to discharge absolutely is unduly lenient; or
 - (iv) the deferment of sentence is inappropriate or on unduly lenient conditions; or
- (b) on a point of law.