



Crime and Punishment (Scotland) Act 1997

1997 CHAPTER 48

PART II

CRIMINAL PROCEDURE

Appeals

22 Appeal by prosecutor against hospital orders etc.

After section 60 of the 1995 Act there shall be inserted the following section—

“60A Appeal by prosecutor against hospital orders etc.

- (1) This section applies where the court, in respect of a person charged or brought before it, has made—
 - (a) an order under any of paragraphs (a) to (d) of subsection (2) of section 57 of this Act or such a decision as is mentioned in paragraph (e) of that subsection; or
 - (b) a hospital order, guardianship order, restriction order or a hospital direction.
- (2) Where this section applies, the prosecutor may appeal against any such order, decision or direction as is mentioned in subsection (1) above—
 - (a) if it appears to him that the order, decision or direction was inappropriate; or
 - (b) on a point of law,and an appeal under this section shall be treated in the same manner as an appeal against sentence under section 108 of this Act.”

Changes to legislation:

There are currently no known outstanding effects for the Crime and Punishment (Scotland) Act 1997, Section 22.