



# Criminal Procedure (Scotland) Act 1995

## 1995 CHAPTER 46

### PART VI

#### MENTAL DISORDER

##### *[<sup>F1</sup>Compulsion orders*

#### **[<sup>F1</sup>57B Compulsion order authorising detention in hospital or requiring residence at place: ancillary provision**

- (1) Where a compulsion order—
  - (a) authorises the detention of an offender in a specified hospital; or
  - (b) imposes a requirement on an offender to reside at a specified place, this section authorises the removal, before the [<sup>F2</sup>end of the day following the] 7 days beginning with the day on which the order is made, of the offender to the specified hospital or place, by any of the persons mentioned in subsection (2) below.
- (2) Those persons are—
  - (a) a constable;
  - (b) a person employed in, or contracted to provide services in or to, the specified hospital who is authorised by the managers of that hospital to remove persons to hospital for the purposes of this section; and
  - (c) a specified person.
- (3) In this section, “specified” means specified in the compulsion order.]

#### **Textual Amendments**

- F1** Ss. 57A-57D and cross-heading inserted (21.3.2005 for certain purposes and otherwise 5.10.2005) by [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(asp 13\)](#), ss. **133**, 333(1)-(4); S.S.I. 2005/161, [arts. 2, 3](#), [Sch. 1](#) (as amended (27.9.2005) by S.S.I. 2005/465, art. 2, [Sch. 1 para. 32\(14\)](#))

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*Status: Point in time view as at 26/12/2023.*

**Changes to legislation:** *Criminal Procedure (Scotland) Act 1995, Section 57B is up to date with all changes known to be in force on or before 24 July 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. (See end of Document for details)*

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**F2** Words in s. 57B(1) substituted (30.9.2017) by Mental Health (Scotland) Act 2015 (asp 9), ss. 43(3), 61(2); S.S.I. 2017/197, art. 2, sch. (with art. 22(a))

**Status:**

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