



Criminal Procedure (Scotland) Act 1995

1995 CHAPTER 46

PART X

APPEALS FROM SUMMARY PROCEEDINGS

Disposal of appeals

190 Disposal of appeal where appellant insane

- (1) In relation to any appeal under section 175(2) of this Act, the High Court shall, where it appears to it that the appellant committed the act charged against him but that he was insane when he did so, dispose of the appeal by—
 - (a) setting aside the verdict of the inferior court and substituting therefor a verdict of acquittal on the ground of insanity; and
 - (b) quashing any sentence imposed on the appellant as respects the complaint and—
 - (i) making, in respect of the appellant, any order mentioned in section 57(2)(a) to (d) of this Act; or
 - (ii) making no order.
- (2) Subsection (4) of section 57 of this Act shall apply to an order made under subsection (1)(b)(i) above as it applies to an order made under subsection (2) of that section.