



Crime and Punishment (Scotland) Act 1997

1997 CHAPTER 48

PART I

SENTENCING

Mentally disordered offenders

10 Medical evidence in relation to mentally disordered offenders.

- (1) In section 53 of the 1995 Act (interim hospital orders)—
- (a) in subsection (1), the words “subsection (2) below and” shall cease to have effect; and
 - (b) subsection (2) shall cease to have effect.
- (2) In section 61 of the 1995 Act (requirements as to medical evidence)—
- (a) in subsection (1), for the words from “under” to “this Act” there shall be substituted the words “ in making a finding under section 54(1)(a) of this Act or under any of the relevant provisions ”;
 - (b) after subsection (1) there shall be inserted the following subsection—

“(1A) Of the medical practitioners whose evidence is taken into account under section 53(1), 54(1)(c), 58(1)(a)(i) or 59A(3)(a) and (b) of this Act, at least one shall be employed at the hospital which is to be specified in the order or, as the case may be, direction.”;
 - (c) in subsection (2), for the words “the said section 58(1)(a)” there shall be substituted the words “ any of the relevant provisions ”;
 - (d) in subsection (3), for the words “the said sections 54(1) and 58(1)(a)” there shall be substituted the words “ making a finding under section 54(1)(a) of this Act or of any of the relevant provisions ”; and
 - (e) after subsection (5) there shall be added the following subsection—

Changes to legislation: *There are currently no known outstanding effects for the Crime and Punishment (Scotland) Act 1997, Section 10. (See end of Document for details)*

“(6) In this section the “relevant provisions” means sections 53(1), 54(1)(c), 58(1)(a) and 59A(3)(a) and (b) of this Act.”.

Changes to legislation:

There are currently no known outstanding effects for the Crime and Punishment (Scotland) Act 1997, Section 10.