

Justice Committee**Criminal Justice (Scotland) Bill****Written submission from the Mental Welfare Commission for Scotland**

The Commission is grateful for the opportunity to comment on this Bill. Most of the Bill relates to matters not within our remit and on which we can offer no comment.

The one matter on which we wish to comment is the proposal to prescribe a statutory duty to provide an “appropriate adult”.

We warmly welcome sections 33 and 34 of the Bill. We have previously expressed concern that there was no statutory procedure in Scotland to provide an “appropriate adult” to support a vulnerable person held in custody. While it was custom and practice to do this, we considered that a statutory basis would be important to ensure that vulnerable individuals’ rights are protected.

We look forward to further consultation on regulations under section 34 after the Act is passed.

Donald Lyons
Chief Executive
Mental Welfare Commission for Scotland
August 2013