

Appendix 1

Compulsory orders and legislative framework

Patients in secure care are detained under a section of the Mental Health Act (2003) ([Mental Health \(Care and Treatment\) \(Scotland\) Act 2003](#)). There are a range of orders, from remand orders (Assessment Order and Treatment Order) to ongoing treatment orders, i.e., a Compulsory Treatment Order (CTO), Transfer for Treatment Direction (TTD), Compulsion Order (CO), Hospital Direction (HD) or Compulsion Order with Restriction Order (CORO). In these circumstances, the patient's journey through the criminal justice system is diverted via hospital care and they are discharged from hospital at a time where they are deemed to be responding well to care and treatment and where there is a view that their risk can be managed in the community. The clinical team in secure care works with clinical and risk/offending behaviour which needs to ultimately achieve risk management in the community.

A proportion are Restricted Patients e.g. detained on a Compulsion Order and Restriction Order and their care has additional oversight via the Restricted Patients Team within Scottish Government. For further information on compulsory orders and legislative framework, and please click for the [Memorandum of Procedure for Restricted Patients](#).