



Mental Health (Amendment) Act 1982

1982 CHAPTER 51

PART III

PATIENTS CONCERNED IN CRIMINAL PROCEEDINGS ETC.

Mental condition of persons accused of murder

34 Amendments of Bail Act 1976 etc.

- (1) The Bail Act 1976 shall be amended in accordance with subsections (2) to (4) below.
- (2) After subsection (6) of section 3 (conditions of bail) there shall be inserted—
 - “(6A) In the case of a person accused of murder the court granting bail shall, unless it considers that satisfactory reports on his mental condition have already been obtained, impose as conditions of bail—
 - (a) a requirement that the accused shall undergo examination by two medical practitioners for the purpose of enabling such reports to be prepared; and
 - (b) a requirement that he shall for that purpose attend such an institution or place as the court directs and comply with any other directions which may be given to him for that purpose by either of those practitioners.
 - (6B) Of the medical practitioners referred to in subsection (6A) above at least one shall be a practitioner approved for the purposes of section 28 of the Mental Health Act 1959.”
- (3) In subsection (7) of that section (obligations of parent or guardian in respect of conditions of bail) for the words " subsection (6) above " there shall be substituted the words " subsection (6) or (6A) above ".
- (4) In paragraph 8(3) of Schedule 1 (exceptions from restriction of conditions of bail) after the words " shall not " there shall be inserted the words " apply to the conditions required to be imposed under section 3(6A) of this Act or ".

Status: This is the original version (as it was originally enacted).

- (5) Without prejudice to its powers under section 3 of the Costs in Criminal Cases Act 1973, the Crown Court may order the payment out of central funds of such sums as appear to it reasonably sufficient to compensate any medical practitioner for the expenses, trouble or loss of time properly incurred by him in preparing and making a report to the court on the mental condition of a person accused of murder.