

Status: Point in time view as at 01/01/1992.

Changes to legislation: There are currently no known outstanding effects for the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991, Cross Heading: Circumstances in which orders may be made. (See end of Document for details)

SCHEDULES

SCHEDULE 2

SUPERVISION AND TREATMENT ORDERS

PART II

MAKING AND EFFECT OF ORDERS

Circumstances in which orders may be made

- 2 (1) The court shall not make a supervision and treatment order unless it is satisfied—
- (a) that, having regard to all the circumstances of the case, the making of such an order is the most suitable means of dealing with the accused or appellant; and
 - (b) on the written or oral evidence of two or more registered medical practitioners, at least one of whom is duly approved, that the mental condition of the accused or appellant—
 - (i) is such as requires and may be susceptible to treatment; but
 - (ii) is not such as to warrant the making of an admission order within the meaning of Schedule 1 to this Act, or the making of a guardianship order within the meaning of the 1983 Act.
- (2) The court shall not make a supervision and treatment order unless it is also satisfied—
- (a) that the supervising officer intended to be specified in the order is willing to undertake the supervision; and
 - (b) that arrangements have been made for the treatment intended to be specified in the order (including arrangements for the reception of the accused or appellant where he is to be required to submit to treatment as a resident patient).
- (3) Subsections (2) and (3) of section 54 of the 1983 Act shall have effect with respect to proof of a person's mental condition for the purposes of sub-paragraph (1) above as they have effect with respect to proof of an offender's mental condition for the purposes of section 37(2)(a) of that Act.

Commencement Information

II Sch. 2 para. 2. wholly in force at 1.1.1992 see s. 9(2) and S.I. 1991/2488, art. 2.

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