Suicide Act 1961

1961 CHAPTER 60 9 and 10 Eliz 2

E+W

An Act to amend the law of England and Wales relating to suicide, and for purposes connected therewith. [3rd August 1961]

1 Suicide to cease to be a crime. E+W

The rule of law whereby it is a crime for a person to commit suicide is hereby abrogated.

2 Criminal liability for complicity in another's suicide. E+W

[[F1](1) A person ("D") commits an offence if—

(a) D does an act capable of encouraging or assisting the suicide or attempted suicide of another person, and

(b) D's act was intended to encourage or assist suicide or an attempt at suicide.

(1A) The person referred to in subsection (1)(a) need not be a specific person (or class of persons) known to, or identified by, D.

(1B) D may commit an offence under this section whether or not a suicide, or an attempt at suicide, occurs.

(1C) An offence under this section is triable on indictment and a person convicted of such an offence is liable to imprisonment for a term not exceeding 14 years.**]**

(2) If on the trial of an indictment for murder or manslaughter **[**[F2]of a person it is proved that the deceased person committed suicide, and the accused committed an offence under subsection (1) in relation to that suicide, the jury may find the accused guilty of the offence under subsection (1). **]**

(3) The enactments mentioned in the first column of the First Schedule to this Act shall have effect subject to the amendments provided for in the second column (which preserve in relation to offences under this section the previous operation of those enactments in relation to murder or manslaughter).

(4) . . . . . [F3]no proceedings shall be instituted for an offence under this section except by or with the consent of the Director of Public Prosecutions.

Textual Amendments

F1 S. 2(1)-(1C) substituted for s. 2(1) (1.2.2010) by Coroners and Justice Act 2009 (c. 25), **ss. 59(2)**, 182(5) (with s. 180, Sch. 22 para. 7Sch. 22 para. 10); S.I. 2010/145, art. 2(2), Sch. para. 2

F2 Words in s. 2(2) substituted (1.2.2010) by Coroners and Justice Act 2009 (c. 25), **ss. 59(3)**, 182(5) (with s. 180, Sch. 22 para. 7Sch. 22 para. 10); S.I. 2010/145, art. 2(2), Sch. para. 2

F3 Words repealed by Criminal Law Act 1967 (c. 58) , **Sch. 3 Pt. II** and Criminal Jurisdiction Act 1975 (c. 59) , **Sch. 6 Pt. I**

Modifications etc. (not altering text)

C1 S. 2 applied (1.2.2010) by Coroners and Justice Act 2009 (c. 25) , s. 182(5) , **Sch. 12 para. 1** (with s. 180); S.I. 2010/145 , art. 2(2) , Sch. para. 22

C2 S. 2(4) explained by Criminal Jurisdiction Act 1975 (c. 59) , **s. 12**

[[F4]2A Acts capable of encouraging or assisting U.K.

(1) If D arranges for a person ("D2") to do an act that is capable of encouraging or assisting the suicide or attempted suicide of another person and D2 does that act, D is also to be treated for the purposes of this Act as having done it.

(2) Where the facts are such that an act is not capable of encouraging or assisting suicide or attempted suicide, for the purposes of this Act it is to be treated as so capable if the act would have been so capable had the facts been as D believed them to be at the time of the act or had subsequent events happened in the manner D believed they would happen (or both).

(3) A reference in this Act to a person ("P") doing an act that is capable of encouraging the suicide or attempted suicide of another person includes a reference to P doing so by threatening another person or otherwise putting pressure on another person to commit or attempt suicide.**]**

Textual Amendments

F4 Ss. 2A - 2B inserted (1.2.2010) by Coroners and Justice Act 2009 (c. 25), **ss. 59(4)**, 182(5) (with s. 180, Sch. 22 para. 7Sch. 22 para. 10); S.I. 2010/145, art. 2(2), Sch. para. 2

[[F4]2B Course of conduct U.K.

A reference in this Act to an act includes a reference to a course of conduct, and a reference to doing an act is to be read accordingly.**]**

Textual Amendments

F4 Ss. 2A - 2B inserted (1.2.2010) by Coroners and Justice Act 2009 (c. 25), **ss. 59(4)**, 182(5) (with s. 180, Sch. 22 para. 7Sch. 22 para. 10); S.I. 2010/145, art. 2(2), Sch. para. 2

3 Short title, repeal and extent. E+W

(1) This Act may be cited as the Suicide Act 1961.

(2) . . . . . [F5]

(3) This Act shall extend to England and Wales only, except as regards the amendments made by Part II of the First Schedule and except that the Interments (felo de se) Act 1882, shall be repealed also for the Channel Islands.

Textual Amendments

F5 S. 3(2), Sch. 2 repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. XI**

Changes to legislation: *There are currently no known outstanding effects for the Suicide Act 1961. (See end of Document for details)*

SCHEDULES

FIRST SCHEDULE U.K.

Sections 2 & 3.

ADAPTATION OF ENACTMENTS RELATING TO MURDER OR MANSLAUGHTER

Modifications etc. (not altering text)

C3 The text of Sch. 1 Pt. II is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as indicated, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART I E+W

AMENDMENTS LIMITED TO ENGLAND AND WALES

Enactment and subject matter	*Amendment*
. . . **F6**	
F7	
. . . **F7**	**F7**
. . .	. . .

Textual Amendments

F6 Entry repealed by Criminal Law Act 1977 (c. 45), **Sch. 13**

F7 Sch. 1 Pt. I entry repealed (1.2.2010) by Coroners and Justice Act 2009 (c. 25), s. 182(5), Sch. 21 para. 55(a), **Sch. 23 Pt. 2** (with s. 180); S.I. 2010/145, art. 2(2), Sch. paras. 25(a), 27(a)

PART II U.K.

AMENDMENTS NOT LIMITED TO ENGLAND AND WALES.

Modifications etc. (not altering text)

C4 The text of Sch. 1 Pt. II is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as indicated, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Enactment and subject matter.	Amendment.
. . . **F8**	The list of crimes shall include aiding, abetting, counselling or procuring suicide.
The Visiting Forces Act, 1952—	
F9	**F9**
. . .	. . .
Paragraph 1 of the Schedule (Offences not triable by courts of England, Wales or Northern Ireland in the cases provided for by section three of the Act).	In sub-paragraph (a) (which provides that murder and certain other offences are to be comprised in the expression "offences against the person") after the word "assault" there shall be inserted the words "and any offence of aiding, abetting, counselling or procuring suicide or an attempt to commit suicide".
The Army Act, 1955—	
Subsections (4) and (5) of section seventy (Exclusion of court-martial jurisdiction over certain offences committed in the United Kingdom).	At the end of subsection (4) there shall be added the words— "In this and the following subsection the references to murder shall apply also to aiding, abetting, counselling or procuring suicide".
The Air Force Act, 1955—	
Subsections (4) and (5) of section seventy (Exclusion of court-martial jurisdiction over certain offences committed in the United Kingdom).	At the end of subsection (4) there shall be added the following words— "In this and the following subsection the references to murder shall apply also to aiding, abetting, counselling or procuring suicide".
The Naval Discipline Act, 1957—	
Subsection (2) of section forty-eight (Exclusion of court-martial jurisdiction over certain offences committed in the United kingdom).	At the end of the subsection there shall be added the words— "In this subsection the references to murder shall apply also to aiding, abetting, counselling or procuring suicide".

Textual Amendments

F8 Sch. 1 Pt. II entry relating to Extradition Act 1870 repealed by Extradition Act 1989 (c. 33, SIF 48), s. 37, **Sch. 2**

F9 Sch. 1 Pt. II entry repealed (1.2.2010) by Coroners and Justice Act 2009 (c. 25), s. 182(5), Sch. 21 para. 55(b), **Sch. 23 Pt. 2** (with s. 180); S.I. 2010/145, art. 2(2), Sch. paras. 25(a), 27(a)

F10F10SECOND SCHEDULE U.K.

Textual Amendments

F10 S. 3(2), Sch. 2 repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. XI**

. . . . . **F10**

Changes to legislation:
There are currently no known outstanding effects for the Suicide Act 1961.