



Criminal Justice Act (Northern Ireland) 1966

1966 CHAPTER 20

PART I

PROVISIONS AS TO CRIMINAL RESPONSIBILITY

2 Presumption against insanity and rebuttal thereof.

- (1) Subject to the succeeding provisions of this Part, every person charged with an offence shall, until the contrary is proved, be presumed not to have been insane at the time the offence is alleged to have been committed.
- (2) The presumption mentioned in subsection (1) may be rebutted by satisfying the jury (or, in the case of a summary trial, the court) that, on the balance of probabilities, the presumption is not correct.
- (3) On a charge for an offence, the prosecution, with the leave of the court, may assume the burden of proving that the person charged was an insane person and may proceed accordingly subject to any directions which may be given by the court as to the stage of the proceedings at which the prosecution may adduce or elicit evidence tending to such proof.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice Act (Northern Ireland) 1966, Section 2.