



2016 CHAPTER 18

PART 10

CRIMINAL JUSTICE

CHAPTER 6

UNFITNESS TO BE TRIED ETC

Procedure during trial on indictment

Remission for trial where person no longer unfit to be tried

- 208.**—(1) This section applies where—
- (a) findings mentioned in section 207(1)(a) have been recorded in respect of a person;
 - (b) the person is liable to be detained under a public protection order made under section 207 or is subject to a supervision and assessment order made under that section; and
 - (c) a suitable medical practitioner notifies the Department of Justice that, in that practitioner’s opinion, the person is no longer unfit to be tried.
- (2) If the person is liable to be detained under a public protection order—
- (a) the Department of Justice may remit the person to the Crown Court at the relevant place, for trial; and
 - (b) where it does so, the order ceases to have effect once the person has arrived at the Crown Court at the relevant place and the Crown Court has made any order relating to the trial.
- (3) If the person is subject to a supervision and assessment order—

- (a) the Department of Justice may remit the person's case to the Crown Court at the relevant place, for trial; and
 - (b) where it does so, the order ceases to have effect once the person's case has been so remitted and the Crown Court has made any order relating to the trial.
- (4) In this section—
- “the relevant place” means the place where, but for the findings mentioned in subsection (1)(a), the person would have been tried;
 - “a suitable medical practitioner” means—
 - (a) the responsible medical practitioner; or
 - (b) any approved medical practitioner.