



2015 CHAPTER 9

PART 7

LIVE LINKS IN CRIMINAL PROCEEDINGS

**Live links: patients detained in hospital under Mental Health Order**

**54.—**(1) In each of the following provisions (which enable a live link direction to be given in relation to a person expected to be in custody) after “in custody” insert “or detained in hospital”—

- (a) Articles 79(4)(a), 80(2), (3) and (8) and 81(2) and (3) of the Criminal Justice (Northern Ireland) Order 2008 (live link for accused in preliminary hearings and sentencing hearings);
- (b) sections 16(2), (3), (8) and (10)(a) and 17(2), (3) and (10)(a) of the Justice Act (Northern Ireland) 2011 (live link for appellant in preliminary hearing or sentencing hearing on appeal to the county court).

(2) In each of the following at the end add “or detained”—

- (a) Articles 80(3) and 81(3) of the Criminal Justice (Northern Ireland) Order 2008;
- (b) sections 16(3) and 17(3) of the Justice Act (Northern Ireland) 2011.

(3) In Article 79(3) of the Criminal Justice (Northern Ireland) Order 2008 after sub-paragraph (a) insert—

“(aa) references to a person being detained in hospital are references to the person’s being detained in a hospital under Part 2 or 3 of the Mental Health (Northern Ireland) Order 1986;”.

(4) In section 16(11) of the Justice Act (Northern Ireland) 2011 after sub-paragraph (a) insert—

“(aa) references to a person being detained in hospital are references to the person’s being detained in a hospital under Part 2 or 3 of the Mental Health (Northern Ireland) Order 1986;”.

(5) In section 17(11) of the Justice Act (Northern Ireland) 2011 after subparagraph (a) insert—

“(aa) references to a person being detained in hospital are references to the person’s being detained in a hospital under Part 2 or 3 of the Mental Health (Northern Ireland) Order 1986;”.