



2016 CHAPTER 18

PART 10

CRIMINAL JUSTICE

CHAPTER 1

REMAND TO HOSPITAL

**Remand to hospital**

**162.—**(1) Where—

- (a) the Crown Court or a court of summary jurisdiction has power to remand an accused person (“A”) in custody,
- (b) the court considers that it would remand A in custody if it did not remand A under this section, and
- (c) either or both of the conditions for remand to hospital are met,

the court may, instead of remanding A in custody, remand A to a hospital specified by the court.

(2) In this section “the conditions for remand to hospital” means—

- (a) the medical report condition (see section 164(1));
- (b) the treatment condition (see section 165(1)).

(3) The court may remand an accused person under this section only if it is satisfied, on the written or oral evidence of a person representing the managing authority of the hospital, that arrangements have been made for the accused person’s detention in the hospital in pursuance of the remand.

(4) Where a court has remanded an accused person (“A”) under this section, it may further remand A under this section if it considers that—

- (a) it would remand A in custody if it did not make the further remand under this section; and
  - (b) either or both of the conditions for remand to hospital are met.
- (5) A person may not be remanded or further remanded under this section for more than 28 days at a time or for more than 12 weeks in total.
- (6) For the meaning of “an accused person” see section 163.