SCHEDULES

[F1SCHEDULE 1A

SUPERVISION ORDERS

Textual Amendments

F1 Sch. 1A inserted (31.3.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), s. 60, **Sch. 2** (with Sch. 12 paras. 8, 9); S.I. 2005/579, art. 3(b)

PART 2

MAKING AND EFFECT OF ORDERS

Circumstances in which orders may be made

2 (1) The court shall not make a supervision order unless it is satisfied that, having regard to all the circumstances of the case, the making of such an order is the most suitable means of dealing with the accused or appellant.

(2) The court shall not make a supervision order unless it is also satisfied—

(a) that the supervising officer intended to be specified in the order is willing to undertake the supervision; and

(b) that arrangements have been made for the treatment intended to be specified in the order.

Making of orders and general requirements

3 (1) A supervision order shall either—

(a) specify the local social services authority area in which the supervised person resides or will reside, and require him to be under the supervision of a social worker of the local social services authority for that area; or

(b) specify the local justice area in which that person resides or will reside, and require him to be under the supervision of an officer of a local probation board appointed for or assigned to that area**[**F2, or (as the case may be) an officer of a provider of probation services acting in that area**]**.

(2) Before making such an order, the court shall explain to the supervised person in ordinary language—

(a) the effect of the order (including any requirements proposed to be included in the order in accordance with paragraph 4, 5 or 8 below); and

(b) that a magistrates' court has power under paragraphs 9 to 11 below to review the order on the application either of the supervised person or of the supervising officer.

(3) After making such an order, the court shall forthwith give copies of the order to an officer of a local probation board assigned to the court **[**[F3]or an officer of a provider of probation services acting at the court**]**, and he shall give a copy—

(a) to the supervised person; and

(b) to the supervising officer.

(4) After making such an order, the court shall also send to the designated officer for the local justice area in which the supervised person resides or will reside ("the local justice area concerned")—

(a) a copy of the order; and

(b) such documents and information relating to the case as it considers likely to be of assistance to a court acting for that area in the exercise of its functions in relation to the order.

(5) Where such an order is made, the supervised person shall keep in touch with the supervising officer in accordance with such instructions as he may from time to time be given by that officer and shall notify him of any change of address.

Textual Amendments

F2 Words in Sch. 1A para. 3(1)(b) inserted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 1, **Sch. 1 para. 2(2)(b)(i)**

F3 Words in Sch. 1A para. 3(3) inserted (1.4.2008) by The Offender Management Act 2007 (Consequential Amendments) Order 2008 (S.I. 2008/912), art. 1, **Sch. 1 para. 2(2)(b)(ii)**

Requirements as to medical treatment

4 (1) A supervision order may, if the court is satisfied as mentioned in sub-paragraph (2) below, include a requirement that the supervised person shall submit, during the whole of the period specified in the order or during such part of that period as may be so specified, to treatment by or under the direction of a registered medical practitioner with a view to the improvement of his mental condition.

(2) The court may impose such a requirement only if satisfied on the written or oral evidence of two or more registered medical practitioners, at least one of whom is duly registered, that the mental condition of the supervised person—

(a) is such as requires and may be susceptible to treatment; but

(b) is not such as to warrant the making of a hospital order within the meaning of the Mental Health Act 1983.

(3) The treatment required under this paragraph by any such order shall be such one of the following kinds of treatment as may be specified in the order, that is to say—

(a) treatment as a non-resident patient at such institution or place as may be specified in the order; and

(b) treatment by or under the direction of such registered medical practitioner as may be so specified;

but the nature of the treatment shall not be specified in the order except as mentioned in paragraph (a) or (b) above.

Requirements as to medical treatment

5 (1) This paragraph applies where the court is satisfied on the written or oral evidence of two or more registered medical practitioners that—

(a) because of his medical condition, other than his mental condition, the supervised person is likely to pose a risk to himself or others; and

(b) the condition may be susceptible to treatment.

(2) The supervision order may (whether or not it includes a requirement under paragraph 4 above) include a requirement that the supervised person shall submit, during the whole of the period specified in the order or during such part of that period as may be so specified, to treatment by or under the direction of a registered medical practitioner with a view to the improvement of the condition.

(3) The treatment required under this paragraph by any such order shall be such one of the following kinds of treatment as may be specified in the order, that is to say—

(a) treatment as a non-resident patient at such institution or place as may be specified in the order; and

(b) treatment by or under the direction of such registered medical practitioner as may be so specified;

but the nature of the treatment shall not be specified in the order except as mentioned in paragraph (a) or (b) above.

Requirements as to medical treatment

6 (1) Where the medical practitioner by whom or under whose direction the supervised person is being treated in pursuance of a requirement under paragraph 4 or 5 above is of the opinion that part of the treatment can be better or more conveniently given in or at an institution or place which—

(a) is not specified in the order, and

(b) is one in or at which the treatment of the supervised person will be given by or under the direction of a registered medical practitioner,

he may, with the consent of the supervised person, make arrangements for him to be treated accordingly.

(2) Such arrangements may provide for the supervised person to receive part of his treatment as a resident patient in an institution or place of any description.

(3) Where any such arrangements are made for the treatment of a supervised person—

(a) the medical practitioner by whom the arrangements are made shall give notice in writing to the supervising officer, specifying the institution or place in or at which the treatment is to be carried out; and

(b) the treatment provided for by the arrangements shall be deemed to be treatment to which he is required to submit in pursuance of the supervision order.

Requirements as to medical treatment

7 While the supervised person is under treatment as a resident patient in pursuance of arrangements under paragraph 6 above, the supervising officer shall carry out the supervision to such extent only as may be necessary for the purpose of the revocation or amendment of the order.

Changes to legislation: *There are currently no known outstanding effects for the Criminal Procedure (Insanity) Act 1964, Part 2. (See end of Document for details)*

Requirements as to residence

8 (1) Subject to sub-paragraph (2) below, a supervision order may include requirements as to the residence of the supervised person.

(2) Before making such an order containing any such requirement, the court shall consider the home surroundings of the supervised person.**]**

Changes to legislation:
There are currently no known outstanding effects for the Criminal Procedure (Insanity) Act 1964, Part 2.