

Changes to legislation: There are currently no known outstanding effects for the Criminal Procedure (Insanity) Act 1964, Part 3. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 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 3

REVOCATION AND AMENDMENT OF ORDERS

Revocation of order

- 9 (1) Where a supervision order is in force in respect of any person and, on the application of the supervised person or the supervising officer, it appears to a magistrates' court acting for the local justice area concerned that, having regard to circumstances which have arisen since the order was made, it would be in the interests of the health or welfare of the supervised person that the order should be revoked, the court may revoke the order.
- (2) The court by which a supervision order was made may of its own motion revoke the order if, having regard to circumstances which have arisen since the order was made, it considers that it would be inappropriate for the order to continue.

Amendment of order by reason of change of residence

- 10 (1) This paragraph applies where, at any time while a supervision order is in force in respect of any person, a magistrates' court acting for the local justice area concerned is satisfied that the supervised person proposes to change, or has changed, his residence from the area specified in the order to another local social services authority area or local justice area.
- (2) Subject to sub-paragraph (3) below, the court may, and on the application of the supervising officer shall, amend the supervision order by substituting the other area for the area specified in the order.
- (3) The court shall not amend under this paragraph a supervision order which contains requirements which, in the opinion of the court, cannot be complied with unless the supervised person continues to reside in the area specified in the order unless, in accordance with paragraph 11 below, it either—
- (a) cancels those requirements; or

Changes to legislation: There are currently no known outstanding effects for the Criminal Procedure (Insanity) Act 1964, Part 3. (See end of Document for details)

- (b) substitutes for those requirements other requirements which can be complied with if the supervised person ceases to reside in that area.

Amendment of requirements of order

- 11 (1) Without prejudice to the provisions of paragraph 10 above, but subject to sub-paragraph (2) below, a magistrates' court for the local justice area concerned may, on the application of the supervised person or the supervising officer, by order amend a supervision order—
- (a) by cancelling any of the requirements of the order; or
 - (b) by inserting in the order (either in addition to or in substitution for any such requirement) any requirement which the court could include if it were the court by which the order was made and were then making it.
- (2) The power of a magistrates' court under sub-paragraph (1) above shall not include power to amend an order by extending the period specified in it beyond the end of two years from the day of the original order.

Amendment of requirements in pursuance of medical report

- 12 (1) Where the medical practitioner by whom or under whose direction the supervised person is being treated for his mental condition in pursuance of any requirement of a supervision order—
- (a) is of the opinion mentioned in sub-paragraph (2) below, or
 - (b) is for any reason unwilling to continue to treat or direct the treatment of the supervised person,
- he shall make a report in writing to that effect to the supervising officer and that officer shall apply under paragraph 11 above to a magistrates' court for the local justice area concerned for the variation or cancellation of the requirement.
- (2) The opinion referred to in sub-paragraph (1) above is—
- (a) that the treatment of the supervised person should be continued beyond the period specified in the supervision order;
 - (b) that the supervised person needs different treatment, being treatment of a kind to which he could be required to submit in pursuance of such an order;
 - (c) that the supervised person is not susceptible to treatment; or
 - (d) that the supervised person does not require further treatment.

Supplemental

- 13 (1) On the making under paragraph 9 above of an order revoking a supervision order, the designated officer for the local justice area concerned, or (as the case may be) the Crown Court, shall forthwith give copies of the revoking order to the supervising officer.
- (2) A supervising officer to whom in accordance with sub-paragraph (1) above copies of a revoking order are given shall give a copy to the supervised person and to the person in charge of any institution in which the supervised person is residing.

Changes to legislation: There are currently no known outstanding effects for the Criminal Procedure (Insanity) Act 1964, Part 3. (See end of Document for details)

Supplemental

- 14 (1) On the making under paragraph 10 or 11 above of any order amending a supervision order, the designated officer for the local justice area concerned shall forthwith—
- (a) if the order amends the supervision order otherwise than by substituting a new area or a new place for the one specified in the supervision order, give copies of the amending order to the supervising officer;
 - (b) if the order amends the supervision order in the manner excepted by paragraph (a) above, send to the designated officer for the new local justice area concerned—
 - (i) copies of the amending order; and
 - (ii) such documents and information relating to the case as he considers likely to be of assistance to a court acting for that area in exercising its functions in relation to the order;
- and in a case falling within paragraph (b) above, the designated officer for that area shall give copies of the amending order to the supervising officer.
- (2) Where the designated officer for the court making the order is also the designated officer for the new local justice area—
- (a) sub-paragraph (1)(b) above does not apply; but
 - (b) the designated officers shall give copies of the amending order to the supervising officer.
- (3) Where in accordance with sub-paragraph (1) or (2) above copies of an order are given to the supervising officer, he shall give a copy to the supervised person and to the person in charge of any institution in which the supervised person is or was residing.]

Changes to legislation:

There are currently no known outstanding effects for the Criminal Procedure (Insanity) Act 1964, Part 3.