



# Criminal Justice Act 1948

## 1948 CHAPTER 58

### PART I

#### POWERS AND PROCEEDINGS OF COURTS.

##### *Reception orders.*

#### **24 Power to make reception order.**

- (1) Where a person is charged before a court of summary jurisdiction with any act or omission as an offence punishable on summary conviction with imprisonment, and the court—
  - (a) is satisfied that the person did the act or made the omission charged; and
  - (b) is satisfied on the evidence of at least two duly qualified medical practitioners that the person is of unsound mind; and
  - (c) is also satisfied that he is a proper person to be detained,

the court may, in lieu of dealing with him in any other manner, by order direct him to be received and detained in such institution for persons of unsound mind as may be named in the order, and may further direct the duly authorised officer of the local health authority in whose area the court is situated, or any constable, to convey the person of unsound mind forthwith to that institution; and the provisions of the Lunacy and Mental Treatment Acts, 1890 to 1930, shall have effect as if an order made under this section were a summary reception order made under section sixteen of the Lunacy Act, 1890.

- (2) The court by which an order is made under this section shall send to the institution named in the order such information in the possession of the court as it considers likely to be of assistance in dealing with the person to whom the order relates.
- (3) The Costs in Criminal Cases Act, 1908, shall apply in relation to any duly qualified medical practitioner who gives evidence for the purposes of this section notwithstanding that the proceedings in which the evidence is given are not proceedings to which section one of that Act applies.