



Mental Health (Amendment) Act 1982

1982 CHAPTER 51

PART III

PATIENTS CONCERNED IN CRIMINAL PROCEEDINGS ETC.

Information and evidence

32 Information as to hospitals

- (1) Where a court is minded to make a hospital order (or interim hospital order in respect of any person it may request—
- (a) the Regional Health Authority for the region in which that person resides or last resided ; or
 - (b) any other Regional Health Authority that appears to the court to be appropriate,
- to furnish the court with such information as that Authority has or can reasonably obtain with respect to the hospital or hospitals (if any) in its region or elsewhere at which arrangements could be made for the admission of that person in pursuance of the order, and that Authority shall comply with any such request.
- (2) In its application to Wales, subsection (1) above shall have effect as if for any reference to any such Authority as is mentioned in paragraph (a) or (b) of that subsection there were substituted a reference to the Secretary of State, and as if for the words " in its region or elsewhere " there were substituted the words " in Wales ".

33 Reports by medical practitioners etc.

- (1) For the purposes of any provision of Part V of the principal Act or of this Part of this Act under which a court may act on the written evidence of—
- (a) a medical practitioner or a medical practitioner of any description; or
 - (b) a person representing the managers of a hospital,
- a report in writing purporting to be signed by a medical practitioner or a medical practitioner of such a description or by a person representing the managers of a hospital

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

may, subject to the provisions of this section, be received in evidence without proof of the signature of the practitioner or that person and without proof that he has the requisite qualifications or authority or is of the requisite description; but the court may require the signatory of any such report to be called to give oral evidence.

- (2) Where, in pursuance of a direction of the court, any such report is tendered in evidence otherwise than by or on behalf of the person who is the subject of the report, then—
- (a) if that person is represented by counsel or a solicitor, a copy of the report shall be given to his counsel or solicitor;
 - (b) if that person is not so represented, the substance of the report shall be disclosed to him or, where he is a child or young person, to his parent or guardian if present in court; and
 - (c) except where the report relates only to arrangements for his admission to a hospital, that person may require the signatory of the report to be called to give oral evidence, and evidence to rebut the evidence contained in the report may be called by or on behalf of that person.