



# Mental Health (Amendment) Act 1982

## 1982 CHAPTER 51

### PART III

#### PATIENTS CONCERNED IN CRIMINAL PROCEEDINGS ETC.

##### *Information and evidence*

#### **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 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.