



Jersey

**CRIMINAL JUSTICE (INSANE  
PERSONS) (JERSEY) LAW 1964**

**Revised Edition**

08.280

Showing the law as at 31 August 2004

This is a revised edition of the law





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## **CRIMINAL JUSTICE (INSANE PERSONS) (JERSEY) LAW 1964**

### **Arrangement**

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Jersey

## **CRIMINAL JUSTICE (INSANE PERSONS) (JERSEY) LAW 1964**

**A LAW** to make provision for the detention of persons charged with offences who are found insane on accusation or trial, or insane at the time of the commission of the offence

Commencement [[see endnotes](#)]

### **1 Persons found insane on accusation or trial**

- (1) If on the accusation or trial before the Royal Court of any person charged with any act or omission punishable with death or imprisonment, it appears to the court that the accused may be so insane as to be unfit to plead to the accusation or unable to understand the nature of the trial, the court shall adjourn the case to enable the Superior Number of the Royal Court to try the question whether or not the accused is so insane as aforesaid.
- (2) Such trial shall be held by the Superior Number of the Royal Court as soon as may be at such time and place as the court may direct and may be held in the absence of the accused if it is proved to the satisfaction of the court by evidence (including the oral evidence of 2 medical practitioners who in the opinion of the court have had special experience in the diagnosis or treatment of mental disorders) that it is impracticable or inappropriate to bring the accused before the court.
- (3) If the Superior Number of the Royal Court finds the accused to be so insane as aforesaid, it shall be lawful for the original court to order the accused to be detained during Her Majesty's pleasure; and until Her Majesty's pleasure is known, the accused shall be detained in such place and in such manner as the court shall order and any such order may be varied from time to time as the court thinks fit.

**2 Accused persons found insane at time of commission of offence**

- (1) If on the trial before the Royal Court of any person charged with any act or omission punishable with death or imprisonment, the jury is satisfied that the accused did the act or made the omission charged against him or her but that the accused was insane at the time when the act was done or omission made so as not to be responsible according to law for his or her actions, the jury shall return a special verdict to the effect that the accused did the act or made the omission charged but is not guilty on the ground that he or she was insane so as not to be responsible according to law at the time.
- (2) Where such special verdict is found, it shall be lawful for the court to order the accused to be detained during Her Majesty's pleasure; and until Her Majesty's pleasure is known, the accused shall be detained in such place or in the custody of such person and in such manner as the court shall order and any such order may be varied from time to time as the court thinks fit.
- (3) References in this Article to the jury shall, in relation to a trial conducted without a jury, be construed as references to the court.

**3 Power to order detention in St. Saviour's Hospital, and retaking of escaped persons**

- (1) It shall be lawful for a person in respect of whom an order has been made in pursuance of Article 1(3) or 2(2) of this Law, to be detained in St. Saviour's Hospital until Her Majesty's pleasure is known and thereafter to be detained in the Hospital by order of Her Majesty during pleasure; and any such order shall be sufficient authority for the reception and detention of that person in the Hospital.
- (2) Any person who, having been ordered to be detained in St. Saviour's Hospital in pursuance of this Law, escapes, may be retaken by any police officer or by any member of the staff of the Hospital.

**4 Citation**

This Law may be cited as the Criminal Justice (Insane Persons) (Jersey) Law 1964.

**ENDNOTES****Table of Legislation History**

<b>Legislation</b>	<b>Year and Number</b>	<b>Commencement</b>
Criminal Justice (Insane Persons) (Jersey) Law 1964	L.6/1964	26 June 1964

**Table of Renumbered Provisions**

<b>Original</b>	<b>Current</b>
3(3)	spent, omitted from this revised edition