



Criminal Procedure (Insanity) Act 1964

1964 CHAPTER 84

4A Finding that the accused did the act or made the omission charged against him.

- (1) This section applies where in accordance with section 4(5) above it is determined by a [^{F1}court] that the accused is under a disability.
- (2) The trial shall not proceed or further proceed but it shall be determined by a jury—
 - (a) on the evidence (if any) already given in the trial; and
 - (b) on such evidence as may be adduced or further adduced by the prosecution, or adduced by a person appointed by the court under this section to put the case for the defence,whether they are satisfied, as respects the count or each of the counts on which the accused was to be or was being tried, that he did the act or made the omission charged against him as the offence.
- (3) If as respects that count or any of those counts the jury are satisfied as mentioned in subsection (2) above, they shall make a finding that the accused did the act or made the omission charged against him.
- (4) If as respects that count or any of those counts the jury are not so satisfied, they shall return a verdict of acquittal as if on the count in question the trial had proceeded to a conclusion.
- [^{F2}(5) Where the question of disability was determined after arraignment of the accused, the determination under subsection (2) is to be made by the jury by whom he was being tried.]

Textual Amendments

- F1** Word in s. 4A(1) substituted (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 22\(4\)](#), 60 (with [Sch. 12 para. 8](#)); [S.I. 2005/579](#), art. 3(b)
- F2** s. 4A(5) substituted (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\), ss. 22\(5\)](#), 60 (with [Sch. 12 para. 8](#)); [S.I. 2005/579](#), art. 3(b)

Changes to legislation:

There are currently no known outstanding effects for the Criminal Procedure (Insanity) Act 1964, Section 4A.