



Criminal Appeal (Northern Ireland) Act 1980

1980 CHAPTER 47

PART I

APPEAL TO COURT OF APPEAL FROM CROWN COURT

Appeal in cases of insanity

[^{F1}11 Appeal against conviction: substitution of finding of insanity.

(1) If, on an appeal, it appears to the Court of Appeal that, although the appellant did the act or made the omission charged against him, he was an insane person at the time the act was done or the omission made, the Court may—

- (a) quash the conviction and direct that a finding of not guilty on the ground of insanity be entered; and
- (b) quash the sentence passed at the trial and make any such order as may be made under [^{F2}Article 50A(2) of the Mental Health Order (powers to deal with persons found not guilty by reason of insanity)]

[^{F3}(2) If, on an appeal, it appears to the Court of Appeal that the case is not one where there should have been a verdict of acquittal, but that there should have been a [^{F4}findings that the accused was unfit to be tried and that he did the act or made the omission charged against him], the Court may—

- (a) quash the conviction and any sentence passed at the trial; and
- (b) make any such order as may be made under [^{F5}Article 50A(2) of the Mental Health Order (powers to deal with persons found unfit to be tried)]

Textual Amendments

- F1** By S.I. 1986/595 (N.I. 4), arts. 51(6), 136(1), Sch. 5 Pt. I it is provided that section 11 is renumbered as subsection (1) of that section

Changes to legislation: *Criminal Appeal (Northern Ireland) Act 1980, Section 11 is up to date with all changes known to be in force on or before 05 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- F2** Words in s. 11(1)(b) substituted (1.1.1998) by S.I. 1996/3160 (N.I. 24), art. 58(1), **Sch. 5 para. 5(a)** ; S.R. 1997/523, **art. 2(i)**
- F3** S. 11(2) inserted by S.I. 1986/595 (N.I. 4), arts. 51(6), 136(1), **Sch. 5 Pt. I**
- F4** Words in s. 11(2) substituted (1.1.1998) by S.I. 1996/3160 (N.I. 24), art. 58(1), **Sch. 5 para. 5(b)(i)**; S.R. 1997/523, **art. 2(i)**
- F5** Words in s. 11(2)(b) substituted (1.1.1998) by S.I. 1996/3160 (N.I. 24), art. 58(1), **Sch. 5 para. 5(b)(ii)**; S.R. 1997/523, **art. 2(i)**

Changes to legislation:

Criminal Appeal (Northern Ireland) Act 1980, Section 11 is up to date with all changes known to be in force on or before 05 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 11 words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7(3A) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 3\(3\)\(a\)](#)
- s. 7(3A) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 3\(3\)\(b\)](#)
- s. 7(3A) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 3\(3\)\(c\)](#)
- s. 36(3)(b) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 11\(3\)\(b\)\(i\)](#)
- s. 36(3)(b) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 11\(3\)\(b\)\(ii\)](#)
- s. 36(3)(c) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 11\(3\)\(c\)\(i\)](#)
- s. 36(3)(c) words substituted by [2016 c. 18 \(N.I.\) Sch. 10 para. 11\(3\)\(c\)\(ii\)](#)