



Trial Of Lunatics Act 1883

1883 CHAPTER 38 46 and 47 Vict

E+W+N.I.

An Act to amend the Law respecting the Trial and Custody of Insane Persons charged with offences. [25th August 1883]

Textual Amendments

F1 Act repealed (N.I.) by [Mental Health Act \(Northern Ireland\) 1961 \(c. 15\), s. 116\(2\), Sch. 7](#)

Commencement Information

II Act wholly in force at Royal Assent

1 Short title. **E+W+N.I.**

This Act may be cited as the Trial of Lunatics Act 1883.

2 Special verdict where accused found guilty, but insane at date of act or omission charged, and orders thereupon. **E+W**

(1) Where in any indictment or information any act or omission is charged against any person as an offence, and it is given in evidence on the trial of such person for that offence that he was insane, so as not to be responsible, according to law, for his actions at the time when the act was done or omission made, then, if it appears to the jury before whom such person is tried that he did the act or made the omission charged, but was insane as aforesaid at the time when he did or made the same, the jury shall return [^{F2}a special verdict that the accused is not guilty by reason of insanity.]

(2) ^{F3}

(3) ^{F4}

(4) ^{F5}

Changes to legislation: There are currently no known outstanding effects for the Trial Of Lunatics Act 1883. (See end of Document for details)

Textual Amendments

- F2 Words substituted by [Criminal Procedure \(Insanity\) Act 1964 \(c. 84\), ss. 1, 8\(3\)\(a\)](#)
- F3 [S. 2\(2\)](#) repealed by [Criminal Procedure \(Insanity\) Act 1964 \(c. 84\), s. 8\(5\)\(a\)](#)
- F4 [S. 2\(3\)](#) repealed by [Criminal Lunatics Act 1884 \(c. 64\), Sch. 2](#)
- F5 [S. 2\(4\)](#) repealed by [Criminal Procedure \(Insanity\) Act 1964 \(c. 84\), s. 8\(5\)\(a\)](#)

Modifications etc. (not altering text)

- C1 [S. 2](#) restricted (1. 1. 1992) by [Criminal Procedure \(Insanity and Unfitness to Plead\) Act 1991 \(c. 25, SIF 39:1\), s. 1\(1\)](#), (with s. 8); [S.I. 1991/2488, art.2](#)

3 Extent of Act. E+W+N.I.

- (1) This Act shall extend to Ireland with the following modifications, that is to say the words “the Lord Lieutenant” shall be substituted for “Her Majesty”, and the words “the pleasure of the Lord Lieutenant” for “Her Majesty’s pleasure”.
- (2) This Act shall not extend to Scotland.

Modifications etc. (not altering text)

- C2 The text of s. 3(1), now spent, is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

4^{F6} E+W+N.I.

Textual Amendments

- F6 [S. 4](#) repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\), s. 1\(1\), Sch. 1](#)

*Changes to legislation: There are currently no known outstanding effects
for the Trial Of Lunatics Act 1883. (See end of Document for details)*

^{F7}F7 SCHEDULE **E+W+N.I.**

Textual Amendments

F7 Sch. repealed by [Statute Law Revision Act 1898 \(c. 22\)](#)

.....
F7

Changes to legislation:

There are currently no known outstanding effects for the Trial Of Lunatics Act 1883.