



# **DÁIL ÉIREANN**

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## **AN BILLE UM AN DLÍ COIRIÚIL (GEALTACHT) 2010 CRIMINAL LAW (INSANITY) BILL 2010**

### **LEASUITHE COISTE COMMITTEE AMENDMENTS**

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# DÁIL ÉIREANN

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## AN BILLE UM AN DLÍ COIRIÚIL (GEALTACHT) 2010 —ROGHCHOISTE

### CRIMINAL LAW (INSANITY) BILL 2010 —SELECT COMMITTEE

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#### *Leasuithe Amendments*

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#### SECTION 2

1. In page 3, before section 2, to insert the following new section:

“Amendment to Act  
of 2006.

- 2.—The Act of 2006 is amended by the substitution of the words “mental disorder” for the word “insanity” in every instance where it occurs.”.

—Alan Shatter.

#### SECTION 4

2. In page 5, between lines 27 and 28, to insert the following:

“(c) The references in this subsection to a designated centre shall include any other suitable place of treatment specified by the Minister for Health and Children.”.

—Kathleen Lynch.

#### SECTION 8

3. In page 9, line 7, to delete “A person is in material breach of his or her” and substitute “The clinical director may revoke a”.

—Kathleen Lynch.

4. In page 9, between lines 37 and 38, to insert the following:

“(6) Without prejudice to subsection (5) and to any other power conferred by law, a member of the Garda Síochána may arrest without warrant any person whom he or she with reasonable cause suspects to be unlawfully at large pursuant to subsection (1).

(7) A person who is arrested under subsection (6)\* by a member of the Garda Síochána shall, as soon as practicable, be transferred into the custody of an officer or servant of the designated centre or an authorised person for the purpose of effecting the return of that person to the designated centre concerned.”.

—An tAire Dlí agus Cirt agus Athchóirithe Dlí.

[\*Note: This is a reference to the subsection proposed to be inserted by this amendment.]

5. In page 9, line 38, to delete “(6) A member of” and substitute “(8) A member of”.

—An tAire Dlí agus Cirt agus Athchóirithe Dlí.

6. In page 9, line 47, to delete “arrest.”.

[ SECTION 8 ]

—An tAire Dlí agus Cirt agus Athchóirithe Dlí.

7. In page 9, line 49, to delete “(7) (a) Notwithstanding the generality” and substitute “(9) (a) Notwithstanding the generality”.

—An tAire Dlí agus Cirt agus Athchóirithe Dlí.

8. In page 9, line 50, to delete “who is returned” and substitute the following:

“who returns or who is returned, as the case may be.”

—An tAire Dlí agus Cirt agus Athchóirithe Dlí.

9. In page 10, to delete lines 10 and 11 and substitute the following:

“(10) Where a person returns or is returned, as the case may be, to a designated centre pursuant to this section—”.

—An tAire Dlí agus Cirt agus Athchóirithe Dlí.

10. In page 10, line 22, to delete “(9) In this section,” and substitute “(11) In this section,”.

—An tAire Dlí agus Cirt agus Athchóirithe Dlí.

11. In page 10, between lines 32 and 33, to insert the following:

“(2) Any person providing services relating to effecting the return of persons to a centre pursuant to subsection (1) shall be provided with appropriate training on issues relating to mental disorders.”.

—Alan Shatter.

SECTION 11

12. In page 11, subsection (1), line 15, to delete “(Insanity)” and substitute “(Mental Disorder)”.

—Kathleen Lynch, Alan Shatter.

13. In page 11, between lines 16 and 17, to insert the following subsection:

“(2) The Act of 2006 and this Act may be cited together as the Criminal Justice (Mental Disorder) Acts 2006 and 2010.”.

—Kathleen Lynch, Alan Shatter.

14. In page 11, subsection (2), line 18, to delete “, Equality”.

—An tAire Dlí agus Cirt agus Athchóirithe Dlí.