STATUTORY INSTRUMENTS

1967 No. 1776

CRIMINAL PROCEDURE, ENGLAND AND WALES

COSTS AND EXPENSES

The Witnesses' Allowances (Amendment) Regulations 1967

Made - - - - 29*th November* 1967
Coming into Operation 1*st January* 1968

In pursuance of the powers conferred upon me by section 12 of the Costs in Criminal Cases Act 1952(**a**), I hereby make the following Regulations :—

1. After Regulation 11 of the Witnesses' Allowances Regulations 1966(**b**) there shall be inserted the following Regulation:—

" 11A.—(1) There may be allowed in respect of a written report made by a registered medical practitioner to a court, in pursuance of a request to which section 32(2) of the Criminal Justice Act 1967(**c**) applies, a medical report allowance as follows—

(*a*) in the case of a request made by a court for the purpose of determining whether or not to make an order under section 4 of the Criminal Justice Act 1948(**d**) (probation orders requiring treatment for mental condition) or section 60 of the Mental Health Act 1959(**e**) (hospital orders and guardianship orders), an allowance not exceeding £4 12s. 6d. if the registered medical practitioner holds an appointment to a post in the consultant grade in the National Health Service or is for the time being approved by a local health authority for the purposes of section 28 of the Mental Health Act 1959 or £4 in the case of any other registered medical practitioner ;

(*b*) in the case of any other request made by a court, an allowance of not less than £5 4s. 0d. and not exceeding £8 if the registered medical practitioner holds an appointment to a post in the consultant grade in the National Health Service or not exceeding £2 17s. 6d. if he does not hold such an appointment.

(2) Where a registered medical practitioner who makes a written report to a court, in pursuance of a request to which the said section 32(2) applies, incurs travelling expenses in connection with the preparation of that report, there may be allowed in respect thereof a sum not exceeding one shilling a mile each way for each journey, excluding that part of the journey which is within a radius of two miles from the place from which the practitioner practises.

(3) Nothing in this Regulation shall apply to a report by the medical officer of a prison, remand centre, detention centre or Borstal institution.".

(**a**) 1952 c. 48. (**b**) S.I. 1966/10 (1966 I, p. 5). (**c**) 1967 c. 80.
(**d**) 1948 c. 58. (**e**) 1959 c. 72.

2. These Regulations may be cited as the Witnesses' Allowances (Amendment) Regulations 1967 and shall come into operation on 1st January 1968.

Roy Jenkins,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
29th November 1967.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations make provision for the payment of allowances for medical reports made to courts under section 32 of the Criminal Justice Act 1967.