

Submission regarding the Criminal Law (Mentally Impaired Defendants) Act (CLMIDA) 1996

This feedback structure has been provided to assist you in your submission to the Review of CLMIDA. Using this format will assist the Review in the gathering of information.

Your Details

Name of person completing submission: DR STEPHEN LANGFORD
Name of Service (if applicable): ROYAL FLYING DOCTOR SERVICE
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Contact Number: 08-9417 6300

Do you wish to be placed on our mailing list to receive any information that the Review may distribute (eg updates, Draft Report, etc.). Yes No

Confidentiality

We are concerned about your confidentiality, so please indicate which of the following applies to this submission:

- This submission is to remain strictly confidential and is **not** to be shared/distributed to anyone outside of the Review.
- This submission may be shared/distributed to any other party, **if** my personal details are removed and kept confidential.
- This submission is public information and **may** be freely shared/distributed to anyone interested.
- Other, please specify:

Signature: Stephen Langford Date: 2/9/02

Closing Date

The closing date for submissions is **Friday 29 November 2002**. Please send your submission to:

Ms Sylvia Meier
Executive Officer
Review of the MHA and CLMIDA
11th Floor, Dumas House
2 Havelock St
WEST PERTH 6005
or
Fax: (08) 9222 5450
or
ReviewofMHA@health.wa.gov.au

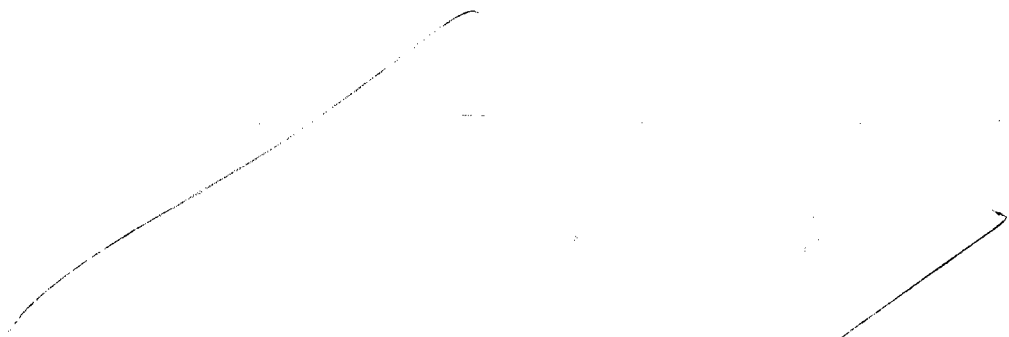


This Review is about the operations and effectiveness of the existing Act and not about writing a new Act. Therefore you do not need to attempt to re-write sections of the Act, this will occur after the Review has been completed and is the responsibility of the Parliamentary Counsel's Office.

Please address those areas that are of concern and how you think the CLMIDA may be altered. The following is not a comprehensive list of all aspects of the CLMIDA 1996 and you do not need to comment on all areas. Please use the space available or add pages to include other areas of importance.

AREAS OF THE ACT

Interpretations (s.3)



General Provisions (Part 2) (eg Relationship to the Mental Health Act 1996)

No comment

Mental Unfitness to Stand Trial (Part 3)

Defendants acquitted on account of unsoundness of mind (Part 4)

Mentally Impaired Defendants (Part 5)

Place of Custody (ss 24-26)

Leave of Absence (ss 27-32)

No comments

Reports about Mentally Impaired Defendants (ss 33-34)

Releasing Mentally Impaired Defendants (ss 35-37)

Miscellaneous (ss 38-40)

Mentally Impaired Defendants Review Board (Part 6) (eg Members, Functions, Decisions)

Other areas of concern:

Requests by Magistrates for persons to be transferred from rural areas (eg. North West) to Perth for assessment, often at considerable expense for air transport, when other local mental health facilities or videoconference options exist.

RFDs not funded to transport persons in custody who are not hospital inpatients.