



Review of the **Mental Health Act 1996**  
and **Criminal Law (Mentally Impaired Defendants) Act 1996**

**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 the CLMIDA. Using this format will assist the Review in the gathering of information.

**Your Details**

Name of person completing submission: \_\_\_\_\_

Name of Service (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Contact Number: \_\_\_\_\_

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: \_\_\_\_\_ Date: \_\_\_\_\_

**Closing Date**

The closing date for submissions is **Friday 28 February 2003**. Please send your submission to:

Ms Sylvia Meier  
Executive Officer  
Review of the MHA and CLMIDA  
11<sup>th</sup> Floor, Dumas House  
2 Havelock St  
WEST PERTH 6005

Or to [ReviewofMHA@health.wa.gov.au](mailto:ReviewofMHA@health.wa.gov.au)

Or to Fax: (08) 9222 5450

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 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 Act may be altered. The following is not a comprehensive list of all aspects of the Act. 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)

**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)

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:**