

# Mental Health (Scotland) Act 2015

## MENTAL HEALTH (SCOTLAND) ACT 2015

#### PART 1

#### THE 2003 ACT

#### Procedure for compulsory treatment

- Measures until application determined
- 2 Information where order extended
- 3 Transfer to another hospital

## Emergency, short-term and temporary steps

- 4 Emergency detention in hospital
- 5 Short-term detention in hospital
- 6 Meaning of temporary compulsion

## Suspension of orders and measures

- 7 Suspension of orders on emergency detention
- 8 Suspension of orders on short-term detention
- 9 Suspension of detention for certain purposes
- 10 Maximum suspension of particular measures

#### Specification of hospital units

- 11 Specification for detention measures
- 12 Transfer of prisoner to hospital unit
- 13 Transfer from specified unit

#### Orders regarding level of security

- 14 Requirement for medical report
- 15 Process for enforcement of orders
- 16 Orders relating to non-state hospitals
- 17 Section 16: exercise of powers before commencement

18	Meaning	of hospital	in sections	264 to 273	of the 2003	Act
----	---------	-------------	-------------	------------	-------------	-----

#### Removal and detention of patients

- 19 Notifying decisions on removal orders
- 20 Detention pending medical examination

#### Periodical referral of cases

21 Periodical referral of cases

#### Representation by named persons

- 22 Named person not to be automatic
- 23 Consent to being named person
- 24 Appointment of named person
- 25 Ability to act if no named person

## Advance statements and patients' rights

- 26 Advance statements to be registered
- 27 Information about advocacy services
- 28 Communication at medical examination etc.
- 29 Conflicts of interest to be avoided
- 30 Safeguarding the patient's interest

#### Services and accommodation for mothers

31 Services and accommodation for mothers

#### Cross-border transfers and absconding patients

- 32 Cross-border transfer of patients
- 33 Dealing with absconding patients

#### Arrangements for treatment of prisoners

- 34 Agreement to transfer of prisoners
- 35 Compulsory treatment of prisoners

#### Provision of information by the Commission

36 Provision of information by the Commission

#### Review of deaths of patients in hospital for treatment

37 Review of deaths of patients in hospital for treatment

#### PART 2

#### CRIMINAL CASES

## Making and effect of disposals

- 38 Making certain orders in remand cases
- 39 Detention under compulsion orders
- 40 Periods for assessment orders
- 41 Periods for treatment orders
- 42 Periods for short-term compulsion

43 44	Periods for compulsion orders Periods for hospital directions
	Variation of certain orders

- 45 Variation of interim compulsion orders
- 46 Transfer of patient to suitable hospital

## Specification of hospital units

- 47 Specification of unit
- 48 Transfer from specified unit
- 49 Consequential repeals

#### Miscellaneous amendments

- 50 Information on extension of compulsion order
- 51 Notification of changes to compulsion order
- 52 Effect of revocation of restriction order
- 53 Clarification of meaning of compulsion order

#### PART 3

#### **VICTIMS' RIGHTS**

## Information and representations

- 54 Right to information: offender imprisoned
- 55 Right to information: compulsion order
- 56 Right to make representations

#### Additional provisions

- 57 Information sharing
- 58 Associated definitions
- 59 Power to make modifications
- 60 Amendments to the 2003 Act

#### PART 4

#### COMMENCEMENT AND SHORT TITLE

- 61 Commencement
- 62 Short title

## **Changes to legislation:**

There are currently no known outstanding effects for the Mental Health (Scotland) Act 2015.