



Mental Health Act 2007

2007 CHAPTER 12

PART 1

AMENDMENTS TO MENTAL HEALTH ACT 1983

CHAPTER 2

PROFESSIONAL ROLES

Approved clinicians and responsible clinicians

10 Amendments to Part 3 of 1983 Act

- (1) Part 3 of the 1983 Act (patients concerned in criminal proceedings) is amended as follows.
- (2) In section 35 (remand to hospital for report)—
 - (a) in subsections (4) and (5), for “registered medical practitioner” substitute “approved clinician”, and
 - (b) in subsection (8), after “registered medical practitioner” insert “or approved clinician”.
- (3) In section 36 (remand to hospital for treatment)—
 - (a) in subsection (3), for “registered medical practitioner who would be in charge of his treatment” substitute “approved clinician who would have overall responsibility for his case”,
 - (b) in subsection (4), for “responsible medical officer” substitute “responsible clinician”, and
 - (c) in subsection (7), after “registered medical practitioner” insert “or approved clinician”.

Changes to legislation: There are currently no known outstanding effects for the Mental Health Act 2007, Section 10. (See end of Document for details)

- (4) In section 37 (hospital and guardianship orders), in subsection (4), for “registered medical practitioner who would be in charge of his treatment” substitute “ approved clinician who would have overall responsibility for his case ”.
- (5) In section 38 (interim hospital orders)—
 - (a) in subsection (4), for “registered medical practitioner who would be in charge of his treatment” substitute “ approved clinician who would have overall responsibility for his case ”, and
 - (b) in subsection (5), for “responsible medical officer”, in each place, substitute “ responsible clinician ”.
- (6) In section 41 (power of courts to restrict discharge from hospital), in subsections (3) (c) and (6), for “responsible medical officer” substitute “ responsible clinician ”.
- (7) In section 44(2) (person who is to give evidence in connection with committal to hospital), for “registered medical practitioner who would be in charge of the offender's treatment” substitute “ approved clinician who would have overall responsibility for the offender's case ”.
- (8) In section 45A(5) (person who is to give evidence in connection with hospital or limitation direction), for “registered medical practitioner who would be in charge of his treatment” substitute “ approved clinician who would have overall responsibility for his case ”.
- (9) In the following provisions, for “responsible medical officer” substitute “ responsible clinician ”
 - (a) section 45B(3) (requirement to produce report on person subject to hospital and limitation directions), and
 - (b) section 49(3) (requirement to produce report on person subject to restriction direction).

Changes to legislation:

There are currently no known outstanding effects for the Mental Health Act 2007, Section 10.