



Mental Health (Scotland) Act 2015

2015 asp 9

PART 1

THE 2003 ACT

Review of deaths of patients in hospital for treatment

37 Review of deaths of patients in hospital for treatment

- (1) The Scottish Ministers must carry out a review of the arrangements for investigating the deaths of patients who, at the time of death, were—
 - (a) detained in hospital by virtue of—
 - (i) the Mental Health (Care and Treatment) (Scotland) Act 2003, or
 - (ii) the Criminal Procedure (Scotland) Act 1995, or
 - (b) admitted voluntarily to hospital for the purpose of receiving treatment for a mental disorder.
- (2) The review must be carried out within 3 years of this section coming into force.
- (3) In carrying out the review under subsection (1), the Scottish Ministers must consult—
 - (a) where practicable, the nearest relatives of patients within the meaning of subsection (1), and
 - (b) such other persons as they consider appropriate.
- (4) The Scottish Ministers must—
 - (a) publish a report setting out the findings of the review under subsection (1),
 - (b) lay a copy of the report before the Parliament, and
 - (c) notify the persons consulted under subsection (3) of the publication of the report.