



# 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.