

SCHEDULES

SCHEDULE 3

SUPERVISED COMMUNITY TREATMENT: FURTHER AMENDMENTS TO 1983 ACT

Duty to give information

29 In section 132 (duty of managers of hospitals to give information to detained patients), in subsection (2) for “nursing home” substitute “ establishment ”.

30 After section 132 insert—

“132A Duty of managers of hospitals to give information to community patients

(1) The managers of the responsible hospital shall take such steps as are practicable to ensure that a community patient understands—

(a) the effect of the provisions of this Act applying to community patients; and

(b) what rights of applying to a Mental Health Review Tribunal are available to him in that capacity;

and those steps shall be taken as soon as practicable after the patient becomes a community patient.

(2) The steps to be taken under subsection (1) above shall include giving the requisite information both orally and in writing.

(3) The managers of the responsible hospital shall, except where the community patient otherwise requests, take such steps as are practicable to furnish the person (if any) appearing to them to be his nearest relative with a copy of any information given to him in writing under subsection (1) above; and those steps shall be taken when the information is given to the patient or within a reasonable time thereafter.”

31 In section 133 (duty of managers of hospitals to inform nearest relatives of discharge), after subsection (1) insert—

“(1A) The reference in subsection (1) above to a patient who is to be discharged includes a patient who is to be discharged from hospital under section 17A above.

(1B) Subsection (1) above shall also apply in a case where a community patient is discharged under section 23 or 72 above (otherwise than by virtue of an order for discharge made by his nearest relative), but with the reference in that subsection to the managers of the hospital or registered establishment being read as a reference to the managers of the responsible hospital.”

Changes to legislation:

There are currently no known outstanding effects for the Mental Health Act 2007, Cross
Heading: Duty to give information.