
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 467

The Mental Health (Cross border transfer:
patients subject to detention requirement or
otherwise in hospital) (Scotland) Regulations 2005

PART III

RECEPTION OF PERSONS IN SCOTLAND

Absconding

32.—(1) Without prejudice to the powers of an escort under regulation 31, a patient who, while being escorted to their destination in Scotland, absconds within Scotland, will be liable to be taken into custody by a person specified in paragraph (3).

- (2) Where a patient is taken in to custody under paragraph (1), the specified person may—
- (a) return the patient to the custody of the escorts from whose charge the patient absconded; or, if that is not practicable;
 - (b) take the patient to the receiving hospital or any other place considered appropriate by the patient's responsible medical officer.
- (3) The persons referred to in paragraph (1) are—
- (a) a mental health officer;
 - (b) a constable;
 - (c) a member of staff of any hospital; and
 - (d) any other person authorised for the purposes by the patient's responsible medical officer.