



# Mental Health Act 1983

## 1983 CHAPTER 20

### PART II

#### COMPULSORY ADMISSION TO HOSPITAL AND GUARDIANSHIP

*[<sup>F1</sup> After-care under supervision]*

VALID FROM 01/04/1996

#### **[<sup>F1</sup>25H Ending of after-care under supervision.**

- (1) The community responsible medical officer may at any time direct that a patient subject to after-care under supervision shall cease to be so subject.
- (2) The community responsible medical officer shall not give a direction under subsection (1) above unless subsection (3) below is complied with.
- (3) This subsection is complied with if—
  - (a) the following persons have been consulted about the giving of the direction—
    - (i) the patient;
    - (ii) the supervisor;
    - (ii) unless no-one other than the community responsible medical officer is professionally concerned with the patient's medical treatment, one or more persons who are so concerned;
    - (iv) one or more persons who are professionally concerned with the after-care services (other than medical treatment) provided for the patient under section 117 below; and
    - (v) any person who the community responsible medical officer believes plays a substantial part in the care of the patient but is not professionally concerned with the after-care services so provided;

*Status: Point in time view as at 04/11/1994. This version of this provision is not valid for this point in time.*

*Changes to legislation: Mental Health Act 1983, Section 25H is up to date with all changes known to be in force on or before 23 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (b) such steps as are practicable have been taken to consult the person (if any) appearing to be the nearest relative of the patient about the giving of the direction; and
  - (c) the community responsible medical officer has taken into account any views expressed by the persons consulted.
- (4) Where the patient has requested that paragraph (b) of subsection (3) above should not apply, that paragraph shall not apply unless—
- (a) the patient has a propensity to violent or dangerous behaviour towards others; and
  - (b) the community responsible medical officer considers that it is appropriate for steps such as are mentioned in that paragraph to be taken.
- (5) A patient subject to after-care under supervision shall cease to be so subject if he—
- (a) is admitted to a hospital in pursuance of an application for admission for treatment; or
  - (b) is received into guardianship.
- (6) Where a patient (for any reason) ceases to be subject to after-care under supervision the responsible after-care bodies shall—
- (a) inform the patient both orally and in writing;
  - (b) inform any person who they believe plays a substantial part in the care of the patient but is not professionally concerned with the after-care services provided for the patient under section 117 below; and
  - (c) take such steps as are practicable to inform in writing the person (if any) appearing to be the nearest relative of the patient,
- that the patient has ceased to be so subject.
- (7) Where the patient has requested that paragraph (c) of subsection (6) above should not apply, that paragraph shall not apply unless subsection (3)(b) above applied in his case by virtue of subsection (4) above.]

#### **Textual Amendments**

**F1** Ss. 25A-25J inserted (1.4.1996) by 1995 c. 52, ss. 1(1), 7(2)

#### **Modifications etc. (not altering text)**

**C1** S. 25H(6): functions of local authority may be responsibility of an executive of the authority (1.4.2000) by virtue of S.I. 2000/695, reg. 3(2)(b), **Sch. 2**

**Status:**

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**Changes to legislation:**

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