



Mental Health Act 2007

2007 CHAPTER 12

PART 1

AMENDMENTS TO MENTAL HEALTH ACT 1983

CHAPTER 2

PROFESSIONAL ROLES

Approved clinicians and responsible clinicians

11 Further amendments to Part 3 of 1983 Act

- (1) Part 3 of the 1983 Act (patients concerned in criminal proceedings) is further amended as follows.
- (2) In section 50(1) (powers of Secretary of State in respect of prisoners under sentence)—
 - (a) for “responsible medical officer” substitute “responsible clinician”, and
 - (b) for “registered medical practitioner” substitute “approved clinician”.
- (3) In section 51 (further provisions as to detained persons)—
 - (a) in subsection (3)—
 - (i) for “responsible medical officer” substitute “responsible clinician”, and
 - (ii) for “registered medical practitioner” substitute “approved clinician”, and
 - (b) in subsection (4), for “responsible medical officer” substitute “responsible clinician”.
- (4) In section 52 (further provisions as to persons remanded by magistrates' courts), in subsections (5) and (7), for “responsible medical officer” substitute “responsible clinician”.

Changes to legislation: There are currently no known outstanding effects for the Mental Health Act 2007, Section 11. (See end of Document for details)

- (5) In section 53(2) (powers of Secretary of State in respect of civil prisoners and persons detained under the Immigration Acts)—
- (a) for “responsible medical officer” substitute “responsible clinician”, and
 - (b) for “registered medical practitioner” substitute “approved clinician”.
- (6) In section 54 (requirements as to medical evidence), for subsection (2) substitute—
- “(2) For the purposes of any provision of this Part of this Act under which a court may act on the written evidence of any person, a report in writing purporting to be signed by that person may, subject to the provisions of this section, be received in evidence without proof of the following—
- (a) the signature of the person; or
 - (b) his having the requisite qualifications or approval or authority or being of the requisite description to give the report.
- (2A) But the court may require the signatory of any such report to be called to give oral evidence.”
- (7) In section 55 (interpretation of Part 3), for the definition of “responsible medical officer” in subsection (1) substitute—
- ““responsible clinician”, in relation to a person liable to be detained in a hospital within the meaning of Part 2 of this Act, means the approved clinician with overall responsibility for the patient's case.”
- (8) In Part 2 of Schedule 1 (modifications in relation to patients subject to special restrictions), in paragraph 3—
- (a) in paragraph (b), for “the responsible medical officer” and after the words “that officer” substitute “the responsible clinician” and after the words “that clinician”, and
 - (b) in paragraph (c), for “by the responsible medical officer” substitute “by the responsible clinician”.

Changes to legislation:

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