Fife Council Social Work Service

Mental Health (Scotland) Bill

Do you agree with the general policy direction set by the Bill?

Yes, including the overriding objective of the Bill to help people with a mental disorder to access effective treatment quickly and easily.

2. Do you have any comments on specific proposals regarding amendments to the Mental Health (Care and Treatment) Scotland Act 2003 as set out in Part 1 of the Bill?

Yes, see below-

Section 13 (2)(2). This is an additional responsibility for a mental health officer. It is suggested that a requirement could be made for the Clerk of the Court to send a copy of any application for a removal order whether granted or not.

Section 19. We welcome the explicit need for consent to operate as Named Person. This receives disproportionate attention at times during a hearing and would allow focus on the individual (patient), the tests and the individual’s care and treatment.

Section 21.(2) The MHO must comment on and include the advance statement during a CTO application. We believe that the Health Board should also be required to send the MHO/local authority a copy of the advance statement.

Section 23. We welcome the inclusion of all mental disorder for the provision of services and accommodation for mothers.

Section 41 (2)- We welcome the inclusion of a report by the Mental Health Officer in terms of accountability to record their duties arising from extensions and evidence opinion. We suggest wording change at (c) to replace “the things done by”.

3. Do you have any comments on the provisions in Part 2 of the Bill on criminal cases?

No additional comments to the ones previously submitted as part of the original consultation.

4. Do you have any comments to make on Part 3 of the Bill and the introduction of a victim notification scheme for mentally disordered offenders?

No additional comments to the ones previously submitted
5. Is there anything from the McManus Report that’s not been addressed in the Bill and that you consider merits inclusion in primary legislation? If so, please set out why.

None noted.

6. Do you have any other comment to make about the Bill not already covered in your answers to the questions above?

No additional comments to the ones previously submitted

Fife Council Social Work Service
August 2014