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| To: SOCIAL WORK (OPERATIONS AND SERVICES) SUB COMMITTEE | | Subject: AN INTRODUCTION TO THE MENTAL HEALTH (CARE AND TREATMENT) (SCOTLAND) ACT 2003 : SCOTTISH EXECUTIVE PUBLICATION |
| From: DIRECTOR OF SOCIAL WORK | | |
| Date: 24 FEBRUARY 2004 | Ref: EN | |

1. PURPOSE OF REPORT / INTRODUCTION

- 1.1. This report advises Committee of the contents of the document recently produced by the Scottish Executive - An Introduction to the Mental Health (Care and Treatment) (Scotland) Act 2003.

2. BACKGROUND

- 2.1. The Mental Health (Care and Treatment) (Scotland) Act 2003 received Royal Assent on 25th April 2003. The Act was developed with the co-operation and participation of all those involved in mental health services, including service users and carers.
- 2.2. The 2003 Act is a lengthy document with over 300 sections. The document aims to summarise the main provisions of the Act and to offer an accessible guide to them. Detailed operational guidance on the Act is being drafted and will be issued shortly for consultation.

3. PROPOSALS / CONSIDERATIONS

- 3.1. The document is in 2 main parts; Mental Health Law in Scotland and What the New Act Does. It offers explanation about 7 key areas of operation including:
- Principles, Roles and Responsibilities
 - Compulsory Powers
 - People with Mental Disorder within the Criminal Justice System
 - Rights, Safeguards and Duties
 - Rights of Review and Appeal

3.2. The document will be distributed widely via partnership arrangements with people who use services, their carers and support providers.

4. FINANCIAL / PERSONNEL / LEGAL / POLICY IMPLICATIONS

4.1 There are no financial implications associated with the distribution of this document, but work is currently underway to identify the resources required to appropriately implement the new Act in April 2005. This is likely to have significant implications for local authorities and health. It is anticipated that additional support services, advocacy support and Mental Health Officers will be required

5. RECOMMENDATIONS

5.1. Committee is asked to note the contents of this report.



Jim Dickie
Director of Social Work
23rd January 2004

For further information on this report please contact Susan Taylor, Manager (Adults) Tel (01698 332177 or Eileen Niblo, Senior Officer Mental Health Tel: (01698 332211)

A copy of the document has been made available in the Members Library.