Scottish Government Review of the Mental Health Act

19 March 2019

The review, which was announced on 17 March 2019, will examine developments in mental health law and practice on compulsory detention and on care and treatment since the current legislation came into force in 2005.

Dr John Crichton, chair of Royal College of Psychiatrists in Scotland, said: “We welcome this review.

“It is nearly 20 years since the Mental Health (Care and Treatment) (Scotland) Act 2003 led the way in giving new rights to detained patients – two of its key recommendations are now set to be adopted in England following Professor Sir Simon Wessely’s review last year.

“It is time for Scotland again to be at the forefront of international legislation which embraces developments in human rights, promotes assisted decision-making, respects carers, ensures the appropriateness of services and works efficiently.

“Here is the exciting prospect of fusing incapacity and mental health legislation with the aim of reducing stigma and enhancing rights.