

These notes relate to the Adult Support and Protection (Scotland) Act 2007 (asp 10) which received Royal Assent on 21 March 2007

ADULT SUPPORT AND PROTECTION (SCOTLAND) ACT 2007

EXPLANATORY NOTES

THE ACT – AN OVERVIEW

Part 1

Protection of Adults at Risk of Harm

Investigations

Section 9 – Medical examinations

16. This section allows a health professional, as defined in section 52(2), to conduct a private medical examination of the adult at risk in the place being visited under section 7. Where an assessment order is obtained (see section 11, Assessment Orders), the person may be taken to another place for a medical examination. This may be necessary if, for example, a health professional is not present during the initial visit, or where it is not practicable to conduct a private medical examination. Whether action is taken under this section or in pursuance of an assessment order, the adult at risk must be informed of his or her right to refuse to be examined before the examination is carried out. A health professional is defined in section 52(2) as a doctor, a nurse, a midwife or any other suitably qualified individual described, by reference to appropriate skills, qualifications and experience, in an order made by the Scottish Ministers.