
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 468

**The Mental Health (Use of Telephones)
(Scotland) Regulations 2005**

Review of prohibitions and restrictions

6.—(1) Where the responsible medical officer has prohibited or restricted the use of a telephone in any period as mentioned in regulation 5(3) or (4), a specified person shall, on request, be entitled to a review.

(2) Where the responsible medical officer has prohibited a specified person from making any telephone call to or receiving any telephone call from a particular person under regulation 5(2) and has done so continuously for a period of 7 days, that specified person shall, on request be entitled to a review of those decisions but not more than once in respect of any period of 7 days.

(3) On review, after considering any representations made by the specified person or that person's named person, the responsible medical officer shall reassess the likelihood of the distress or risk mentioned in regulation 5(2) and the matters mentioned in regulation 5(4) and may as a result of such re-assessment, and with due regard to minimising the impact on the freedom of the specified person, discontinue any prohibition or restriction or impose for a period of time not exceeding 3 months any prohibition or restriction that could have been imposed under regulation 5.

(4) The responsible medical officer shall inform the person who is the subject of the review, that person's named person and the Commission of the outcome of the review.