



# Mental Health Act 1983

## 1983 CHAPTER 20

### PART II

#### COMPULSORY ADMISSION TO HOSPITAL AND GUARDIANSHIP

##### *Duration of detention or guardianship and discharge*

#### 24 Visiting and examination of patients.

- (1) For the purpose of advising as to the exercise by the nearest relative of a patient who is liable to be detained or subject to guardianship under this Part of this Act of any power to order his discharge, any registered medical practitioner authorised by or on behalf of the nearest relative of the patient may, at any reasonable time, visit the patient and examine him in private.
- (2) Any registered medical practitioner authorised for the purposes of subsection (1) above to visit and examine a patient may require the production of and inspect any records relating to the detention or treatment of the patient in any hospital [<sup>F1</sup>or to any after-care services provided for the patient under section 117 below.].
- (3) Where application is made by the Secretary of State or a [<sup>F2</sup>Health Authority, Special Health Authority [<sup>F3</sup>, Primary Care Trust ]][<sup>F4</sup>, National Health Service trust or NHS foundation trust] to exercise, in respect of a patient liable to be detained in a [<sup>F5</sup>registered establishment], any power to make an order for his discharge, the following persons, that is to say—
  - (a) any registered medical practitioner authorised by the Secretary of State or, as the case may be, that [<sup>F2</sup>Health Authority, Special Health Authority [<sup>F3</sup>, Primary Care Trust ]][<sup>F4</sup>, National Health Service trust or NHS foundation trust]; and
  - (b) any other person (whether a registered medical practitioner or not) authorised under [<sup>F6</sup>Part II of the Care Standards Act 2000] to inspect the home, may at any reasonable time visit the patient and interview him in private.

*Status: Point in time view as at 22/07/2004. This version of this provision has been superseded.*

*Changes to legislation: Mental Health Act 1983, Section 24 is up to date with all changes known to be in force on or before 21 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (4) Any person authorised for the purposes of subsection (3) above to visit a patient may require the production of and inspect any documents constituting or alleged to constitute the authority for the detention of the patient under this Part of this Act; and any person so authorised, who is a registered medical practitioner, may examine the patient in private, and may require the production of and inspect any other records relating to the treatment of the patient in the home [<sup>F1</sup>or to any after-care services provided for the patient under section 117 below.].

#### Textual Amendments

- F1** Words in s. 24(2)(4) inserted (1.4.1996) by 1995 c. 52, ss. 1(2), 7(2), Sch. 1, para. 1
- F2** Words in s. 24(3) substituted (28.6.1995 for certain purposes, otherwise 1.4.1996) by 1995 c. 17, s. 2(1), **Sch. 1**, Pt. III, para. 107(3) (with ss. 2(3), 8)
- F3** Words in s. 24(3) inserted (8.2.2000) by S.I. 2000/90, art. 3(1), **Sch. 1 para. 16(5)** (with art. 2(5))
- F4** Words in s. 24(3) substituted (1.4.2004) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), ss. 34, 199, **Sch. 4 para. 54**; S.I. 2004/759, **art.2**
- F5** Words in s. 24(3) substituted (1.4.2002) by 2000 c. 14, s. 116, **Sch. 4 para. 9(2)**; S.I. 2001/4150, **art. 3(3)** (subject to transitional provisions in art. 4 and S.I. 2002/1493, **art. 4**); S.I. 2002/920, **art. 3(3)(d)** (subject to transitional provisions in Schs. 1-3 and art. 3(4)-(10))
- F6** Words in s. 24(3) substituted (1.4.2002) by 2000 c. 14, s. 116, **Sch. 4 para. 9(3)**; S.I. 2001/4150, **art. 3(3)** (subject to transitional provisions in art. 4 and S.I. 2002/1493, **art. 4**); S.I. 2002/920, **art. 3(3)(d)** (with transitional provisions in Schs. 1-3 and art. 3(4)-(10))

**Status:**

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**Changes to legislation:**

Mental Health Act 1983, Section 24 is up to date with all changes known to be in force on or before 21 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.