



Mental Health Act 2007

2007 CHAPTER 12

PART 1

AMENDMENTS TO MENTAL HEALTH ACT 1983

CHAPTER 3

SAFEGUARDS FOR PATIENTS

Accommodation, etc.

31 Accommodation, etc.

- (1) The 1983 Act is amended as follows.
- (2) In section 39 (power of court to request information about hospitals), after subsection (1) insert—
 - “(1A) In relation to a person who has not attained the age of 18 years, subsection (1) above shall have effect as if the reference to the making of a hospital order included a reference to a remand under section 35 or 36 above or the making of an order under section 44 below.
 - (1B) Where the person concerned has not attained the age of 18 years, the information which may be requested under subsection (1) above includes, in particular, information about the availability of accommodation or facilities designed so as to be specially suitable for patients who have not attained the age of 18 years.”
- (3) After section 131 insert—

Status: This is the original version (as it was originally enacted).

“131A Accommodation, etc. for children

- (1) This section applies in respect of any patient who has not attained the age of 18 years and who—
 - (a) is liable to be detained in a hospital under this Act; or
 - (b) is admitted to, or remains in, a hospital in pursuance of such arrangements as are mentioned in section 131(1) above.
 - (2) The managers of the hospital shall ensure that the patient’s environment in the hospital is suitable having regard to his age (subject to his needs).
 - (3) For the purpose of deciding how to fulfil the duty under subsection (2) above, the managers shall consult a person who appears to them to have knowledge or experience of cases involving patients who have not attained the age of 18 years which makes him suitable to be consulted.
 - (4) In this section, “hospital” includes a registered establishment.”
- (4) In section 140 (the title to which becomes “Notification of hospitals having arrangements for special cases”), for the words from “for the reception” to the end substitute “—
- (a) for the reception of patients in cases of special urgency;
 - (b) for the provision of accommodation or facilities designed so as to be specially suitable for patients who have not attained the age of 18 years.”