SCOTTISH STATUTORY INSTRUMENTS

2005 No. 310

MENTAL HEALTH

The Mental Health (Social Circumstances Reports) (Scotland) Regulations 2005

Made - - - -	*6th June 2005*
Laid before the Scottish Parliament - - - -	*8th June 2005*
Coming into force - -	*5th October 2005*

The Scottish Ministers, in exercise of the powers conferred by section 231(3) of the Mental Health (Care and Treatment) (Scotland) Act 2003(**1**), and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Mental Health (Social Circumstances Reports) (Scotland) Regulations 2005 and shall come into force on 5th October 2005.

Social circumstances report

2. A social circumstances report shall set out the following information, where it is relevant to the care of the patient–

(a) the reasons for the use of compulsory powers;

(b) the views of the patient with respect to the use of compulsory powers;

(c) if the patient is unable to give a view, and only if available to the mental health officer, the views of the patient's named person, carer, guardian and welfare attorney with respect to the use of compulsory powers;

(d) the patient's state of mental health;

(e) the patient's state of physical health;

(f) the patient's mental health history;

(g) an assessment of the risk of harm to the patient and to others;

(h) the patient's personal history including details of employment, finances and accommodation prior to the use of compulsory powers;

(**1**) 2003 asp 13. See section 329(1) for the definition of "regulations".