

Contents

Contributors	vii
Legal advisors	viii
Preface	ix
1. History of mental health legislation	1
2. Definitions used in mental health legislation	13
3. Professional roles	25
4. Safeguards for patients under the Mental Health Act	37
5. Compulsory Admission to Hospital: (Sections 2, 3 and 4 of the Mental Health Act)	43
6. Consent to Treatment Provisions under the Mental Health Act	53
7. Community Treatment Orders, Leave of Absence and After-care	57
8. Guardianship (Sections 7 or 37 of the Mental Health Act)	63
9. Patients concerned in criminal proceedings or under sentence	73
10. Mental Health Tribunals	97
11. Hospital Managers	103
12. Cross-border arrangements	109
13. The Mental Health Act Code of Practice and the Reference Guide	115
14. The Care Quality Commission	123
15. Consent and Capacity	129
16. The Mental Capacity Act 2005: Principles	139
17. Mental Capacity Act 2005: Provisions	143
18. Assessment of Capacity	155
19. Safeguards under the Mental Capacity Act 2005	161
20. The Mental Capacity Act Codes of Practice	167
21. Human Rights Act 1998 in mental health legislation in the UK	173
22. Mental health, medication and the law	177
23. Research ethics	187
24. Child mental health law	191
25. Race, culture and mental health	207
26. Suicidal patients	211
27. Assessment of risk of violence	217
28. International comparison of mental health legislation	237
Appendix I Legal cases	248
Appendix II Summary of civil treatment codes	263
Appendix III Summary of civil compulsion sections	265

Appendix IV	Flowchart of decisions involving consent to treatment	266
Appendix V	Sample forms	267
	Index	275