

# Mental Health Bill [HL]

---

AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

*[Supplementary to the Marshalled List]*

---

**Clause 6**

BARONESS BARKER

Clause 6, page 12, line 34, at end insert –

“(c) after subsection (6) insert –

“(6A) Any person subject to a community treatment order must be informed orally and in writing at the time of the making of the order of their right to an independent mental health advocate under section 130A of this Act.””

***Member's explanatory statement***

*The amendment would ensure that people who are to be subject to a CTO would receive information about their right to advocacy.*

**Clause 18**

LORD SCRIVEN

Clause 18, page 26, line 6, after “regulations” insert “, subject to the conditions outlined in subsections (1A) to (1D)”

LORD SCRIVEN

Clause 18, page 26, line 10, at end insert –

“(1A) Regulations under subsection (1) may only be made to provide for circumstances where –

- (a) the treatment is immediately necessary to save the patient’s life,
- (b) obtaining a second opinion would cause a delay that places the patient at a significant and imminent risk of death or serious physical harm, and

- (c) the treatment is reversible.
- (1B) Any amendment made under subsection (1) must specify the exceptional nature of the circumstances in which the second opinion may be dispensed with.
- (1C) Any amendment made under subsection (1) must be reviewed periodically, and the results of such reviews must be laid before Parliament.
- (1D) An amendment made under subsection (1) may not apply retrospectively and must be accompanied by a statement of reasons justifying the urgency.”

***Member's explanatory statement***

*The amendment limits the power to dispense with a second medical opinion for urgent electro-convulsive therapy to exceptional, life-threatening cases, introduces periodic reviews of its use, and ensures transparency by prohibiting retrospective application.*

**Clause 20**

BARONESS BARKER

Clause 20, page 29, line 20, at end insert –

- “(4A) The information authorised or required to be included in, or attached to, a care and treatment plan by virtue of regulations under subsection (3) must include provision to protect the patient's housing and accommodation during and immediately after they are subject to a care and treatment plan.”

***Member's explanatory statement***

*This amendment ensures that protection of housing and accommodation needs are considered as part of care and treatment plans.*

**Clause 51**

LORD SCRIVEN

Clause 51, page 63, line 29, at beginning insert “Other than provision mentioned in subsection (5),”

LORD SCRIVEN

Clause 51, page 63, line 30, at end insert –

- “(5) Where a statutory instrument amends or revokes primary legislation under this section, the statutory instrument may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

***Member's explanatory statement***

*This amendment ensures that when primary legislation is amended or revoked, regulations follow the affirmative procedure.*



# Mental Health Bill [HL]

---

AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

*[Supplementary to the Marshalled List]*

---

*14 January 2025*

---

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS