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# Investigating deaths occurring during compulsory care and treatment under mental health legislation in Scotland –

# List of consultation questions

**Question 1:** Do you agree that the Commission should be responsible for initiating, directing and quality assuring the process of investigating deaths during compulsory treatment in all cases?

[ ]  Yes [ ]  No [ ]  Not sure

**Question 1a:** Do you foresee any difficulties with this arrangement?

**Question 1b:** How could such difficulties be addressed?

**Question 2:** Do you agree that the Commission should be responsible for producing and disseminating an annual report on the results of the investigations as described in paragraph 30 above?

[ ]  Yes [ ]  No [ ]  Not sure

**Question 2a:** Do you foresee any difficulties with this arrangement?

**Question 2b:** How could such difficulties be addressed?

**Question 3:** Do you agree that the Commission should develop guidance and standards for use by local services when undertaking investigations into deaths during compulsory treatment?

[ ]  Yes [ ]  No [ ]  Not sure

**Question 3a:** Do you foresee any difficulties with this arrangement?

**Question 3b:** How could such difficulties be addressed?

**Question 4:** Do you have any comments on the revised process as set out above?

**Question 4a:** Do you foresee any difficulties with this process?

**Question 4b:** How could such difficulties be addressed?

**Question 5:** Do you think that the role of Commission Liaison Officer, as set out above, will help to improve the involvement of, and communication with, families and carers during investigations of deaths?

[ ]  Yes [ ]  No [ ]  Not sure

**Question 5a:** Do you have any concerns about this type of arrangement?

**Question 5b:** How could your concerns be addressed?

**Question 6:** Do you agree that the revised process, as described in Section 2, will meet the values and principles set out in paragraph 50 above?

[ ]  Yes [ ]  No [ ]  Not sure

**Question 6a:** Please explain your answer.

**Question 7:** Do you have any comments on the potential impacts of the revised process on those with protected characteristics?

**Question 7a:** Please explain what you think could be done to minimise any negative impacts on people with protected characteristics.

**Question 8:** Do you have any comments on the potential impacts of the revised process on children and young people?

**Question 8a:** Please explain what you think could be done to minimise any negative impacts on children and young people.

**Question 9:** Do you agree that the revised process for investigating deaths during compulsory treatment is human rights compliant?

[ ]  Yes [ ]  No [ ]  Not sure

**Question 9a:** Please explain what you think could be done to ensure that the new process fully complies with human rights standards.

**Question 10:** Do you have concerns in relation to any financial or administrative impacts the revised process may have, especially for local services?

**Question 10a:** Please explain what you think could be done to minimise any negative financial or administrative impacts.

**Question 11:** Do you have any other comments or concerns in relation to the revised process?

If you are unable to respond online, please complete and return a Word version of the Respondent Information Form [(download the form here)](https://www.mwcscot.org.uk/node/1667). The form should be sent to Dawn Griesbach, Griesbach & Associates together with a copy of your response in Word or PDF format. If you ask for your response not to be published, it will still be included in the analysis, but will not be available to be viewed publicly. Please be aware that the Mental Welfare Commission is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.