

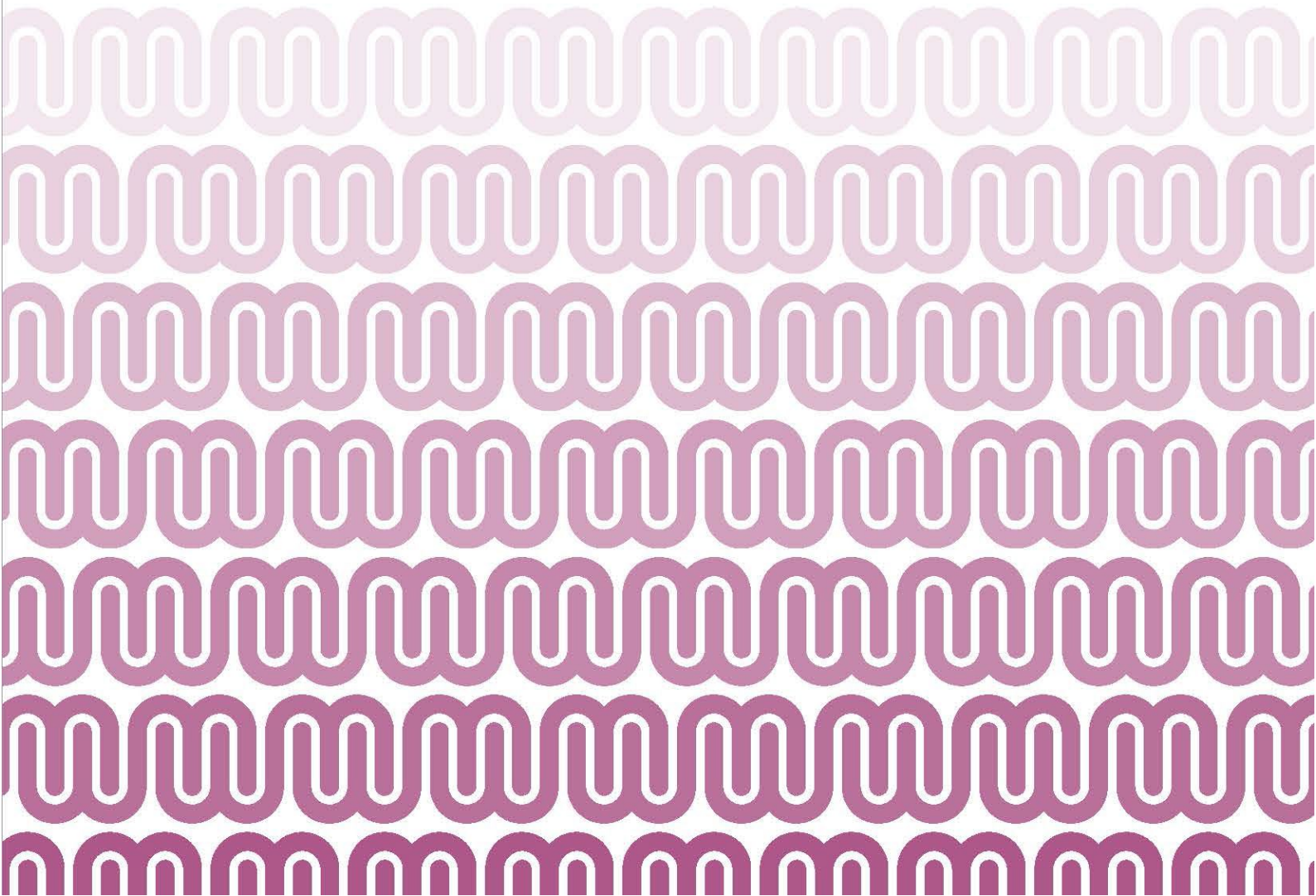


mental welfare
commission for scotland

Urgent medical treatment under the Mental Health Act (s243, T4)

Advice notes

June 2026



Our mission and purpose

Our Mission

To be a leading and independent voice in promoting a society where people with mental illness, learning disabilities, dementia and related conditions are treated fairly, have their rights respected, and have appropriate support to live the life of their choice.

Our Purpose

We protect and promote the human rights of people with mental illness, learning disabilities, dementia and related conditions.

Our Priorities

To achieve our mission and purpose over the next three years we have identified four strategic priorities.

- To challenge and to promote change
- Focus on the most vulnerable
- Increase our impact (in the work that we do)
- Improve our efficiency and effectiveness

Our Activity

- Influencing and empowering
- Visiting individuals
- Monitoring the law
- Investigations and casework
- Information and advice

Urgent medical treatment under the Mental Health Act

(s243, T4)

Section 243 of the Mental Health (Care and Treatment)(Scotland) Act 2003 (the Mental Health Act) provides a limited exception to the normal treatment safeguards contained in Part 16 of the Act. It allows urgent treatment for mental disorder to be given without the usual consent or second-opinion requirements where waiting for those safeguards would create an unacceptable risk.

Section 243 applies only to patients who are detained under the Mental Health Act or relevant provisions of the Criminal Procedure (Scotland) Act 1995.

Urgent treatment may be given only where it is immediately necessary:

- to save the patient's life;
- to prevent serious deterioration in the patient's condition;
- to alleviate serious suffering; or
- to prevent the patient behaving violently or being a danger to themselves or others.

Only the treatment necessary to address the immediate situation should be given under section 243. The need for urgent treatment should be kept under review and the normal Part 16 safeguards should be implemented as soon as practicable if treatment is to continue.

The responsible medical officer (RMO) must notify the Mental Welfare Commission within seven days of any treatment given under section 243. Form T4 should be used for this purpose.

Form T4 is a notification form. It does not authorise treatment. The authority to provide treatment derives from section 243 itself, provided that the statutory criteria are met.

The medical practitioner authorising treatment under section 243 should clearly record in the clinical record:

- the treatment provided;
- the circumstances creating the urgency;
- the statutory criterion or criteria relied upon;
- why it was not possible to await the usual Part 16 safeguards; and
- what steps will be taken to secure the appropriate safeguards if treatment is required beyond the urgent period.

The Commission may review the use of section 243 and the reasons recorded when considering T4 notifications.

For further information see [Code of Practice Volume 1, Chapter 10: Medical Treatment \(Part 16\)](#), along with our good practice guides:

- [Medical treatment under Part 16 of the Mental Health Act](#)
- [Consent to treatment](#)
- [When things go wrong: responding to errors and irregularities in mental health and incapacity law](#)
- [Medical Treatment: Which Act to Use?](#)



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