



House of Commons

Wednesday 25 April 2018

PUBLIC BILL COMMITTEE PROCEEDINGS

MENTAL HEALTH UNITS (USE OF FORCE) BILL

[FIRST TO THIRD SITTINGS]

GLOSSARY

This document shows the fate of each clause, schedule, amendment and new clause.

The following terms are used:

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negated: rejected without a vote.

Negated on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Question proposed: debate underway but not concluded.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Chair.

FIRST SITTING

Mr Steve Reed

That, if proceedings on the Mental Health Units (Use of Force) Bill are not completed at this day's sitting, the Committee shall meet on Wednesdays while the House is sitting at 9.30 am.

Agreed to

Mental Health Units (Use of Force) Bill, *continued*

Mr Steve Reed

To move, That the Bill be considered in the following order, namely, Clauses 1 to 6, Clauses 9 to 11, Clauses 7 and 8, Clauses 12 to 20, new Clauses, new Schedules, remaining proceedings on the Bill.

Agreed to

Mr Steve Reed

Agreed to 2

Clause 1, page 1, line 5, leave out subsection (3) and insert—

“(3) “Mental health unit” means—

- (a) a health service hospital, or part of a health service hospital, in England, the purpose of which is to provide treatment to in-patients for mental disorder, or
- (b) an independent hospital, or part of an independent hospital, in England—
 - (i) the purpose of which is to provide treatment to in-patients for mental disorder, and
 - (ii) where at least some of that treatment is provided, or is intended to be provided, for the purposes of the NHS.”

Mr Steve Reed

Agreed to 3

Clause 1, page 1, line 8, leave out subsection (4) and insert—

“() In subsection (3) the reference to treatment provided for the purposes of the NHS is to be read as a service provided for those purposes in accordance with the National Health Service Act 2006.”

Mr Steve Reed

Agreed to 4

Clause 1, page 1, line 12, leave out subsection (5) and insert—

“() “Patient” means a person who is in a mental health unit for the purpose of treatment for mental disorder or assessment.”

Mr Steve Reed

Agreed to 5

Clause 1, page 1, line 15, leave out subsection (6)

Mr Steve Reed

Agreed to 6

Clause 1, page 2, line 1, leave out subsections (7) and (8) and insert—

“(7) References to “use of force” are to—

- (a) the use of physical, mechanical or chemical restraint on a patient, or
- (b) the isolation of a patient.

(7A) In subsection (7)—

“physical restraint” means the use of physical contact which is intended to prevent, restrict or subdue movement of any part of the patient’s body;

“mechanical restraint” means the use of a device which—

- (a) is intended to prevent, restrict or subdue movement of any part of the patient’s body, and
- (b) is for the primary purpose of behavioural control;

Mental Health Units (Use of Force) Bill, *continued*

“chemical restraint” means the use of medication which is intended to prevent, restrict or subdue movement of any part of the patient’s body;
“isolation” means any seclusion or segregation that is imposed on a patient.”

Clause, as amended, agreed to.

Mr Steve Reed

Agreed to 7

Clause 2, page 2, line 26, leave out subsections (1) to (3) and insert—

- “() A relevant health organisation that operates a mental health unit must appoint a responsible person for that unit for the purposes of this Act.
- () The responsible person must be—
 - (a) employed by the relevant health organisation, and
 - (b) of an appropriate level of seniority.
- () Where a relevant health organisation operates more than one mental health unit that organisation must appoint a single responsible person in relation to all of the mental health units operated by that organisation.”

Clause, as amended, agreed to.

Mr Steve Reed

Agreed to 8

Clause 3, page 2, line 36, leave out subsection (1) and insert—

- “(1) The responsible person for each mental health unit must publish a policy regarding the use of force by staff who work in that unit.”

Mr Steve Reed

Agreed to 9

Clause 3, page 2, line 37, at end insert—

- “() Where a responsible person is appointed in relation to all of the mental health units operated by a relevant health organisation, the responsible person must publish a single policy under subsection (1) in relation to those units.”

Mr Steve Reed

Agreed to 10

Clause 3, page 2, line 37, at end insert—

- “() Before publishing a policy under subsection (1), the responsible person must consult any persons that the responsible person considers appropriate.”

Mr Steve Reed

Agreed to 11

Clause 3, page 2, line 38, leave out “registered manager” and insert “responsible person”

Mental Health Units (Use of Force) Bill, *continued*

Mr Steve Reed

Clause 3, page 2, line 38, leave out second “the” and insert “any” *Agreed to 12*

Mr Steve Reed

Clause 3, page 2, line 40, leave out subsections (3) and (4) and insert— *Agreed to 13*
 “() The responsible person may from time to time revise any policy published under this section and, if this is done, must publish the policy as revised.
 () If the responsible person considers that any revisions would amount to a substantial change in the policy, the responsible person must consult any persons that the responsible person considers appropriate before publishing the revised policy.”

Mr Steve Reed

Clause 3, page 3, line 2, leave out “minimise and” *Agreed to 14*

Mr Steve Reed

Clause 3, page 3, line 2, leave out “at the mental health unit” and insert “in the mental health unit by staff who work in that unit”. *Agreed to 15*

Mr Steve Reed

Clause 3, page 3, line 3, leave out subsection (6) *Agreed to 16*

Mr Steve Reed

Clause 3, page 3, line 6, leave out subsection (7) *Agreed to 17*

Clause, as amended, agreed to.

Mr Steve Reed

Clause 4, page 3, line 12, leave out subsections (1) to (3) and insert— *Agreed to 84*
 “(1) The responsible person for each mental health unit must publish information for patients about the rights of patients in relation to the use of force by staff who work in that unit.
 (1A) Before publishing the information under subsection (1), the responsible person must consult any persons that the responsible person considers appropriate.
 (1B) The responsible person must provide any information published under this section—
 (a) to each patient, and
 (b) to any other person who is in the unit and to whom the responsible person considers it appropriate to provide the information in connection with the patient.
 (1C) The information must be provided to the patient—

Mental Health Units (Use of Force) Bill, continued

- (a) if the patient is in the mental health unit at the time when this section comes into force, as soon as reasonably practicable after that time;
- (b) in any other case, as soon as reasonably practicable after the patient is admitted to the mental health unit.”

Mr Steve Reed

Clause 4, page 3, line 24, leave out from “provided” to “in” in line 27 *Agreed to 19*

Mr Steve Reed

Clause 4, page 3, line 27, leave out “with regard to” and insert “having regard to” *Agreed to 20*

Mr Steve Reed

Clause 4, page 3, leave out line 28 *Agreed to 21*

Mr Steve Reed

Clause 4, page 3, line 29, leave out “capacity” and insert “ability” *Agreed to 22*

Mr Steve Reed

Clause 4, page 3, line 30, leave out subsection (5) *Agreed to 23*

Mr Steve Reed

Clause 4, page 3, line 31, at end insert— *Agreed to 24*

- “() The responsible person must keep under review any information published under this section.
- () The responsible person may from time to time revise any information published under this section and, if this is done, must publish the information as revised.
- () If the responsible person considers that any revisions would amount to a substantial change in the information, the responsible person must consult any persons that the responsible person considers appropriate before publishing the revised information.”

Mr Steve Reed

Clause 4, page 3, line 31, at end insert— *Agreed to 85*

- “() The duty to provide information to a patient under subsection (1B) does not apply if—
 - (a) the patient refuses to accept the information, or
 - (b) the responsible person considers that the provision of the information to the patient would cause the patient distress.
- () The duty to provide information to another person under subsection (1B) does not apply if—
 - (a) the patient requests that the information is not provided to the person, or

Mental Health Units (Use of Force) Bill, *continued*

- (b) the responsible person considers that the provision of the information to the person would cause the patient distress.”

Clause, as amended, agreed to.

Mr Steve Reed

Agreed to **86**

Clause 5, page 3, line 33, leave out subsection (1) and insert—

- “(1) The responsible person for each mental health unit must provide training for staff that relates to the use of force by staff who work in that unit.
- (1A) The training provided under subsection (1) must include training on the following topics—
- (a) how to involve patients in the planning, development and delivery of care and treatment in the mental health unit,
 - (b) showing respect for patients’ past and present wishes and feelings,
 - (c) showing respect for diversity generally,
 - (d) avoiding unlawful discrimination, harassment and victimisation,
 - (e) the use of techniques for avoiding or reducing the use of force,
 - (f) the risks associated with the use of force,
 - (g) the impact of trauma (whether historic or otherwise) on a patient’s mental and physical health,
 - (h) the impact of any use of force on a patient’s mental and physical health,
 - (i) the impact of any use of force on a patient’s development,
 - (j) how to ensure the safety of patients and the public, and
 - (k) the principal legal or ethical issues associated with the use of force.”

Mr Steve Reed

Agreed to **87**

Clause 5, page 3, line 39, leave out subsection (2) and insert—

- “(2) Subject to subsection (2A), training must be provided—
- (a) in the case of a person who is a member of staff when this section comes into force, as soon as reasonably practicable after this section comes into force, or
 - (b) in the case of a person who becomes a member of staff after this section comes into force, as soon as reasonably practicable after they become a member of staff.
- (2A) Subsection (2) does not apply if the responsible person considers that any training provided to the person before this section came into force or before the person became a member of staff—
- (a) was given sufficiently recently, and
 - (b) meets the standards of the training provided under this section.
- (2B) Refresher training must be provided at regular intervals whilst a person is a member of staff.

Mental Health Units (Use of Force) Bill, *continued*

(2C) In subsection (2B) “refresher training” means training that updates or supplements the training provided under subsection (1).”

Clause, as amended, agreed to.

Mr Steve Reed

Clause 6, page 4, line 2, leave out “Care Quality Commission” and insert “Secretary of State” *Agreed to 28*

Mr Steve Reed

Clause 6, page 4, line 3, leave out “registered managers” and insert “responsible persons and relevant health organisations” *Agreed to 29*

Mr Steve Reed

Clause 6, page 4, line 3, at end insert— *Agreed to 30*
“(1A) In exercising functions under this Act, responsible persons and relevant health organisations must have regard to guidance published under this section.”

Mr Steve Reed

Clause 6, page 4, line 3, at end insert— *Agreed to 31*
“(1B) The Secretary of State must keep under review any guidance published under this section.”

Mr Steve Reed

Clause 6, page 4, line 3, at end insert— *Agreed to 32*
“(1C) Before publishing guidance under this section, the Secretary of State must consult such persons as the Secretary of State considers appropriate.”

Mr Steve Reed

Clause 6, page 4, line 4, leave out subsection (2) *Agreed to 33*

Mr Steve Reed

Clause 6, page 4, line 10, leave out subsection (3) and insert— *Agreed to 34*
“(3A) The Secretary of State may from time to time revise the guidance published under this section and, if this is done, must publish the guidance as revised.

Mental Health Units (Use of Force) Bill, *continued*

- (3B) If the Secretary of State considers that any revisions would amount to a substantial change in the guidance, the Secretary of State must consult such persons as the Secretary of State considers appropriate before publishing any revised guidance.”

Clause, as amended, agreed to.

Mr Steve Reed

Agreed to 70

Clause 9, page 5, line 39, leave out subsections (1) to (4) and insert—

- “(1) As soon as reasonably practicable after the end of each calendar year, the Secretary of State—
- (a) must conduct a review of any reports made under paragraph 7 of Schedule 5 to the Coroners and Justice Act 2009 that were published during that year relating to the death of a patient as a result of the use of force in a mental health unit by staff who work in that unit, and
 - (b) may conduct a review of any other findings made during that year relating to the death of a patient as a result of the use of force in a mental health unit by staff who work in that unit.
- (1A) Having conducted a review under subsection (1), the Secretary of State must publish a report that includes the Secretary of State’s conclusions arising from that review.
- (1B) The Secretary of State may delegate the conduct of a review under subsection (1) and the publication of a report under subsection (1A).
- (1C) For the purposes of subsection (1)(b) “other findings” include, in relation to the death of a patient as a result of the use of force in a mental health unit, any finding or determination that is made—
- (a) by the Care Quality Commission as the result of any review or investigation conducted by the Commission, or
 - (b) by a relevant health organisation as the result of any investigation into a serious incident.”

Clause, as amended, agreed to.

Mr Steve Reed

Not selected 71

Page 6, line 11, leave out Clause 10

Clause negatived.

Mental Health Units (Use of Force) Bill, *continued*

Mr Steve Reed

Not selected 72

Page 6, line 22, leave out Clause 11

Clause negatived.

SECOND SITTING

No proceedings taken at this sitting.

THIRD SITTING

Mr Steve Reed

Agreed to 94

Clause 7, page 4, line 15, leave out subsection (1) and insert—

“(1) The responsible person for each mental health unit must keep a record of any use of force by staff who work in that unit in accordance with this section.”

Mr Steve Reed

Agreed to 88

Clause 7, page 4, line 15, at end insert—

“(1A) Subsection (1) does not apply in cases where the use of force is negligible.

(1B) Whether the use of force is “negligible” for the purposes of subsection (1A) is to be determined in accordance with guidance published by the Secretary of State.

(1C) Section 6(1B) to (3B) apply to guidance published under this section as they apply to guidance published under section 6.”

Mr Steve Reed

Agreed to 37

Clause 7, page 4, line 16, leave out subsection (2)

Mr Steve Reed

Agreed to 38

Clause 7, page 4, line 18, leave out lines 18 and 19 and insert “The record must include the following information—”

Mr Steve Reed

Agreed to 39

Clause 7, page 4, line 19, at the end insert—

“() the reason for the use of force;”

Mr Steve Reed

Agreed to 40

Clause 7, page 4, line 20, leave out “time” and insert “date”

Mental Health Units (Use of Force) Bill, *continued*

Mr Steve Reed

Clause 7, page 4, line 21, leave out paragraph (b) and insert—
“(b) the type or types of force used on the patient;”

Agreed to 41

Mr Steve Reed

Clause 7, page 4, line 21, at end insert—
“() whether the type or types of force used on the patient form part of the patient’s care plan;”

Agreed to 89

Mr Steve Reed

Clause 7, page 4, line 22, leave out “identity of the patient” and insert “name of the patient on whom force was used”

Agreed to 43

Mr Steve Reed

Clause 7, page 4, line 22, at end insert—
“() a description of how force was used;”

Agreed to 44

Mr Steve Reed

Clause 7, page 4, line 22, at end insert—
“(ca) the patient’s consistent identifier;”

Agreed to 45

Mr Steve Reed

Clause 7, page 4, line 23, leave out “identity” and insert “name”

Agreed to 46

Mr Steve Reed

Clause 7, page 4, line 23, leave out “those who restrained” and insert “any member of staff who used force on”

Agreed to 90

Mr Steve Reed

Clause 7, page 4, line 24, leave out “anyone not employed by the registered manager” and insert “any person who was not a member of staff in the mental health unit”

Agreed to 48

Mr Steve Reed

Clause 7, page 4, line 26, leave out “disorders or main mental disorder” and insert “disorder (if known)”

Agreed to 49

Mr Steve Reed

Clause 7, page 4, line 27, after “patient” insert “(if known)”

Agreed to 50

Mr Steve Reed

Clause 7, page 4, line 28, leave out “had” and insert “has”

Agreed to 51

Mental Health Units (Use of Force) Bill, *continued*

Mr Steve Reed

Clause 7, page 4, line 28, leave out “autism” and insert “autistic spectrum disorders” *Agreed to 52*

Mr Steve Reed

Clause 7, page 4, line 29, leave out paragraph (i) *Agreed to 53*

Mr Steve Reed

Clause 7, page 4, line 30, at end insert—
“() a description of the outcome of the use of force;” *Agreed to 54*

Mr Steve Reed

Clause 7, page 4, line 31, leave out paragraph (j) and insert—
“(j) whether the patient died or suffered any serious injury as a result of the use of force;” *Agreed to 91*

Mr Steve Reed

Clause 7, page 4, line 35, leave out “all” and insert “any” *Agreed to 56*

Mr Steve Reed

Clause 7, page 4, line 35, leave out “restrain” and insert “use force on” *Agreed to 57*

Mr Steve Reed

Clause 7, page 4, line 35, at end insert—
“() whether a notification regarding the use of force was sent to the person or persons (if any) to be notified under the patient’s care plan;” *Agreed to 92*

Mr Steve Reed

Clause 7, page 4, line 36, leave out paragraph (l) *Agreed to 59*

Mr Steve Reed

Clause 7, page 4, line 38, leave out “registered manager” and insert “responsible person” *Agreed to 60*

Mr Steve Reed

Clause 7, page 4, line 38, leave out “an entry in” *Agreed to 61*

Mr Steve Reed

Clause 7, page 4, line 38, leave out “at least 10” and insert “3” *Agreed to 62*

Mental Health Units (Use of Force) Bill, *continued*

Mr Steve Reed

Agreed to 64

Clause 7, page 4, line 39, leave out from “made” to end of line 42

Mr Steve Reed

Agreed to 65

Clause 7, page 4, line 42, at end insert—
 “() In subsection (3)(ca) the “patient’s consistent identifier” means the consistent identifier specified under section 251A of the Health and Social Care Act 2012.”

Mr Steve Reed

Agreed to 95

Clause 7, page 4, line 42, at end insert—
 “() This section does not permit the responsible person to do anything which, but for this section, would be inconsistent with—
 (a) any provision made by or under the Data Protection Act 1998, or
 (b) a common law duty of care or confidence.”

Mr Steve Reed

Agreed to 66

Clause 7, page 5, line 3, leave out paragraph (c)

Mr Steve Reed

Agreed to 67

Clause 7, page 5, line 6, leave out from “pregnant” to the end of line 7

Mr Steve Reed

Agreed to 68

Clause 7, page 5, line 12, leave out subsection (6) and insert—
 “() Expressions used in subsection (5) and Chapter 2 of Part 1 of the Equality Act 2010 have the same meaning in that subsection as in that Chapter.”

Clause, as amended, agreed to.

Mr Steve Reed

Agreed to 69

Clause 8, page 5, line 16, leave out subsections (1) to (5) and insert—
 “(1) The Secretary of State must ensure that at the end of each year statistics are published regarding the use of force by staff who work in mental health units.
 (1A) The statistics must provide an analysis of the use of force in mental health units by reference to the relevant information recorded by responsible persons under section 7.
 (1B) In subsection (1A) “relevant information” means the information falling within section 7(3)(a), (b), (g), (h) and (j).”

5

As an Amendment to Mr Steve Reed’s proposed Amendment (No. 69):—

Mental Health Units (Use of Force) Bill, *continued*

Luciana Berger

Withdrawn after debate (a)

Line 7, at end insert—

“(1C) The Secretary of State must make an annual statement to Parliament, as soon as practicable following the publication of the statistics under subsection (1).”

Clause, as amended, agreed to.

Mr Steve Reed
Withdrawn after debate 1

Clause 12, page 6, line 34, end insert—

“(1A) A person appointed under this section must be independent of the NHS and of private providers of mental health services.”

Jackie Doyle-Price

Not selected 73

Page 6, line 30, leave out Clause 12

Clause negatived.

Mr Steve Reed
Agreed to 93

Clause 13, page 7, line 20, leave out subsections (1) and (2) and insert—

- “(1) If a police officer is going to a mental health unit on duty that involves assisting staff who work in that unit, the officer must take a body camera if reasonably practicable.
- (1A) While in a mental health unit on duty that involves assisting staff who work in that unit, a police officer who has a body camera there must wear it and keep it operating at all times when reasonably practicable.
- (1B) Subsection (1A) does not apply if there are special circumstances at the time that justify not wearing the camera or keeping it operating.
- (1C) A failure by a police officer to comply with the requirements of subsection (1) or (1A) does not of itself make the officer liable to criminal or civil proceedings.
- (1D) But if those requirements appear to the court or tribunal to be relevant to any question arising in criminal or civil proceedings, they must be taken into account in determining that question.”

Mr Steve Reed

Agreed to 75

Clause 13, page 7, line 26, leave out subsection (3)

Mr Steve Reed

Agreed to 96

Clause 13, page 7, line 31, at end insert—

“() In this section—

“body camera” means a device that operates so as to make a continuous audio and video recording while being worn;

Mental Health Units (Use of Force) Bill, *continued*

“police officer” means—

- (a) a member of a police force maintained under section 2 of the Police Act 1996,
- (b) a member of the metropolitan police force,
- (c) a member of the City of London police force,
- (d) a special constable appointed under section 27 of the Police Act 1996, or
- (e) a member or special constable of the British Transport Police Force.”

Clause, as amended, agreed to.

Mr Steve Reed

Page 7, line 32, leave out Clause 14

Clause negatived.

Not selected 77

Mr Steve Reed

Page 8, line 7, leave out Clause 15

Clause negatived.

Not selected 78

Mr Steve Reed

Page 8, line 41, leave out Clause 16

Clause negatived.

Not selected 79

Mr Steve Reed

Page 9, line 6, leave out Clause 17

Clause negatived.

Not selected 80

Mental Health Units (Use of Force) Bill, *continued*

Mr Steve Reed

Agreed to 81

Clause 18, page 9, line 25, at end insert “(other than regulations made under section 20(3))”

Clause, as amended, agreed to.

Clause 19 agreed to.

Mr Steve Reed
Agreed to 83

Clause 20, page 9, line 35, leave out subsections (3) and (4) and insert—

- “(3) The other provisions of this Act come into force on such day as the Secretary of State may appoint by regulations.
- (4) Regulations under this section may appoint different days for different purposes or areas.”

Clause, as amended, agreed to.

Mr Steve Reed
Not moved NC1

To move the following Clause—

“Independent investigation of deaths: legal aid

- (1) Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (civil legal services) is amended as follows.
- (2) After paragraph 41 (inquests) insert—

“41A Investigation of deaths resulting from use of force in mental health units

- (1) Civil legal services provided to an individual in relation to an investigation under section 12 of the Mental Health Units (Use of Force) Act 2018 (independent investigation of deaths) into the death of a member of the individual’s family.
 - (2) For the purposes of this paragraph an individual is a member of another individual’s family if—
 - (a) they are relatives (whether of the full blood or half blood or by marriage or civil partnership),
 - (b) they are cohabitants (as defined in Part 4 of the Family Law Act 1996), or
 - (c) one has parental responsibility for the other.””
-

Mental Health Units (Use of Force) Bill, *continued*

Mr Steve Reed

Agreed to NC3

To move the following Clause—

“Delegation of responsible person’s functions

- (1) The responsible person for each mental health unit may delegate any functions exercisable by the responsible person under this Act to a relevant person only in accordance with this section.
 - (2) The responsible person may only delegate a function to a relevant person if the relevant person is of an appropriate level of seniority.
 - (3) The delegation of a function does not affect the responsibility of the responsible person for the exercise of the responsible person’s functions under this Act.
 - (4) The delegation of a function does not prevent the responsible person from exercising the function.
 - (5) In this section “relevant person” means a person employed by the relevant health organisation that operates the mental health unit.”
-

Mr Steve Reed

Agreed to NC4

To move the following Clause—

“Transitional provision

The Secretary of State may by regulations make transitional, transitory or saving provision in connection with the coming into force of any provision of this Act.”

Mr Steve Reed

Agreed to NC7

To move the following Clause—

“Interpretation

In this Act—

“health service hospital” has the same meaning as in section 275(1) of the National Health Service Act 2006;

“independent hospital” has the same meaning as in section 145(1) of the Mental Health Act 1983;

“the NHS” has the same meaning as in section 64(4) of the Health and Social Care Act 2012;

“responsible person” has the meaning given by section 2(1);

“relevant health organisation” means—

- (a) an NHS trust;
- (b) an NHS foundation trust;
- (c) any person who provides health care services for the purposes of the NHS within the meaning of Part 3 of the Health and Social Care Act 2012;

Mental Health Units (Use of Force) Bill, *continued*

“staff” means any person who works for a relevant health organisation that operates a mental health unit (whether as an employee or a contractor) who—

- (a) may be authorised to use force on a patient in the unit,
 - (b) may authorise the use of force on a particular patient in the unit, or
 - (c) has the function of providing general authority for the use of force in the unit.”
-

Jackie Doyle-Price

Agreed to NC6

To move the following Clause—

“Investigation of deaths or serious injuries

When a patient dies or suffers a serious injury in a mental health unit, the responsible person for the mental health unit must have regard to any guidance relating to the investigation of deaths or serious injuries that is published by—

- (a) the Care Quality Commission (see Part 1 of the Health and Social Care Act 2008);
- (b) Monitor (see section 61 of the Health and Social Care Act 2012);
- (c) the National Health Service Commissioning Board (see section 1H of the National Health Service Act 2006);
- (d) the National Health Service Trust Development Authority (which is a Special Health Authority established under section 28 of the National Health Service Act 2006);
- (e) a person prescribed by regulations made by the Secretary of State.”

Bill, as amended, to be reported.
