

Involuntary Patient Admission to a Secure Mental Health Unit

TASMANIA'S
MENTAL
HEALTH
ACT

Rights, Respect, Recovery

Chief Civil Psychiatrist and Chief Forensic Psychiatrist Standing Order 19

Provisions to Which the Order Relates

Mental Health Act 2013 – sections 15 and 63, and Schedule 1.

Preamble

Under the *Mental Health Act 2013*, an involuntary patient who is not a forensic patient may be admitted to a secure mental health unit if the admission is authorised by the Chief Forensic Psychiatrist.

The Chief Forensic Psychiatrist may only authorise an involuntary patient's admission if the patient is being detained in an approved hospital and if the Chief Civil Psychiatrist or delegate has formally requested the Chief Forensic Psychiatrist or delegate to give the authorisation.

Purpose

This Standing Order directs delegates of the Chief Civil and Chief Forensic Psychiatrists and other approved hospital and secure mental health staff members exercising responsibilities under the *Mental Health Act* in relation to the admission of involuntary patients to secure mental health units, and related matters.

This Order is designed to ensure that involuntary patients are admitted to secure mental health units as a last resort and in a way that respects the dignity and rights of the patient being admitted while also ensuring the protection of the person, the protection of the public and the proper delivery of services to persons within approved hospitals and secure mental health units.

A person exercising responsibilities in respect of a matter for which standing orders have been issued must comply with those standing orders.

Failure by an individual to comply with this Order is not an offence but does constitute proper grounds for instituting professional, or as the case may be, occupational disciplinary action against that individual.

Direction

I, Professor Kenneth Clifford Kirkby, being and as the Chief Forensic Psychiatrist, pursuant to sections 152 and 153 of the *Mental Health Act 2013* and section 22 of the *Acts Interpretation Act 1931* hereby:

1. Revoke all previous directions (standing orders) issued under section 152 of the *Mental Health Act 2013* with respect to the exercise of responsibilities in relation to authorising an involuntary patient admission to a secure mental health unit with effect from 11.59 pm on 30 June 2017; and

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2. Issue the following direction (standing order) to controlling authorities (and delegates) and authorised persons exercising responsibilities in relation to authorising an involuntary patient admission to a secure mental health unit under the *Mental Health Act 2013*, and related matters, with effect from 12.00 am on 1 July 2017.

1. The Chief Civil Psychiatrist's request to the Chief Forensic Psychiatrist for the admission of an involuntary patient to a secure mental health unit is to include information about:
 - a. The patient's diagnosis
 - b. A brief history of the patient's current admission, and previous admissions
 - c. Whether the patient has assaulted anyone during the current admission
 - d. Whether the patient has threatened violence to self or others during the current admission
 - e. Medications and other treatments that the patient has been given
 - f. Interventions that have been tried to manage the patient's risk to self or others and the outcomes of these
 - g. Any current assessment or treatment order
2. Matters relevant to the admission of an involuntary patient to a secure mental health unit are to be recorded using Chief Forensic Approved Psychiatrist Form 19: Involuntary Patient Transfer to a Secure Mental Health Unit.

A handwritten signature in black ink, appearing to read 'Ken Kirkby', is located below the text of the standing order.

Professor Kenneth Clifford Kirkby

Chief Civil Psychiatrist/Chief Forensic Psychiatrist

Date: 1 July 2017