

Unauthorised Items



Chief Forensic Psychiatrist Standing Order 17

Provisions to Which the Order Relates

Mental Health Act 2013 – sections 15, 111, 112, 113 and Schedule 1.

Preamble

An authorised person who carries out a search under section 111 of the *Mental Health Act 2013* may seize:

- Anything found on a patient or in or under a patient's possession or control, other than a thing that the patient is authorised to wear or possess or control under Part 5 of the *Mental Health Act 2013*, the regulations, Chief Forensic Psychiatrist Standing Orders or by the controlling authority, and
- Anything found that in the reasonable opinion of the authorised person places, or could place, the management, good order or security of the secure mental health unit or the safety of persons in the secure mental health unit in jeopardy, even if it is something that the patient is authorised to wear or possess or control under Part 5 of the *Mental Health Act 2013*, the regulations or Chief Forensic Psychiatrist Standing Orders or by the controlling authority.

Under section 113 of the *Mental Health Act 2013*, a person must not bring or send into a secure mental health unit anything that the Chief Forensic Psychiatrist (or a delegate) has not authorised to be brought or sent into the unit.

Purpose

This Standing Order directs controlling authorities, authorised persons and other secure mental health unit staff members exercising responsibilities under the *Mental Health Act 2013* on the things which may be seized by an authorised person carrying out a search under section 111 of the *Mental Health Act 2013* and on the things that may not be brought or sent into a secure mental health unit, and related matters.

Failure by an individual to have regard to this Standing Order is not an offence but may, particularly if it leads to unfavourable patient outcomes that might otherwise have been avoided or if there is a history of such disregard, constitute proper grounds for instigating professional or occupational disciplinary action against that individual.

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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:

Revoke all previous directions (standing orders) issued under section 142 of the *Mental Health Act 2013* with respect to unauthorised items with effect from 11.59 pm on 30 June 2017; and

Issue the following direction (standing order) to controlling authorities (and delegates), authorised persons and other secure mental health unit staff members exercising responsibilities under the *Mental Health Act 2013* on the things which may be seized by an authorised person carrying out a search under section 111 of the *Mental Health Act 2013* and on the things that may not be brought or sent into a secure mental health unit, and related matters:

- I. The following items are not authorised to be brought into a secure mental health unit by any person without prior authorisation from the Chief Forensic Psychiatrist (or a delegate) or the Nurse Unit Manager - Wilfred Lopes Centre:
 - a. Drugs or medications of any kind
 - b. Mobile phones
 - c. Personal Digital Assistants (PDAs)
 - d. Alcohol
 - e. Weapons of any kind (guns, knives, etc)
 - f. Cameras
 - g. Video recorders
 - h. Laptop computers or computer software
 - i. Electronic goods
 - j. Animals, except guide dogs
 - k. Sharp items such as scissors, needles, razors or cutlery
 - l. Glass items including jars and bottles
 - m. Canned food and drink (other than canned foods and drink brought into the secure mental health unit by staff members in a plastic bag which have been declared at the front gate for inspection)
 - n. Lighters and matches
 - o. Cigarettes or smoking products or apparatus
 - p. Aerosol cans (other than personal toiletries brought into the secure mental health unit by staff members)
 - q. Plastic bags (other than bags containing canned food and drink which are brought into the secure mental health unit by staff members and which have been declared at the front gate for inspection)

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- r. Sexually explicit material
 - s. Material displaying or promoting violence
 - t. Lanyards or long necklaces or pendants
 - u. Helmets (including motorcycle and bicycle helmets)
2. In addition to the items listed above, the following items are not authorised to be brought or sent into a secure mental health unit by any patient without prior authorisation from the Chief Forensic Psychiatrist (or delegate) or the Nurse Unit Manager - Wilfred Lopes Centre:
 - a. Perishable food items
 3. Any items brought into a secure mental health unit by a staff member – whether authorised to be brought or sent into the unit or not - must be kept in staff and administration areas and must not be taken into clinical or patient areas.
 4. Staff members are personally responsible at all times for the safety and security of items that are brought into a secure mental health unit.
 5. The following items are not authorised to be brought or sent into a secure mental health unit by any service contractor without prior approval of the Chief Forensic Psychiatrist (or delegate) or the Nurse Unit Manager - Wilfred Lopes Centre:
 - a. Tools
 - b. Equipment
 - c. Supplies
 - d. Other items necessary for the contractor's work on or around the unit
 6. Any item brought into the secure mental health unit by a service contractor is to be declared at the front gate for inspection and logging.
 7. The following items are not authorised to be worn, possessed or controlled by a patient while the patient is in a secure mental health unit without prior authorisation from the Chief Forensic Psychiatrist (or delegate) or the Nurse Unit Manager - Wilfred Lopes Centre:
 - a. Drugs or medications of any kind
 - b. Mobile phones
 - c. Personal Digital Assistants (PDAs)
 - d. Alcohol
 - e. Weapons of any kind (guns, knives, etc)
 - f. Cameras
 - g. Video recorders
 - h. Laptop computers or computer software

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- i. Electronic goods
- j. Animals, except guide dogs
- k. Sharp items such as scissors, needles, razors or cutlery
- l. Glass items including jars and bottles
- m. Canned food and drink (other than canned foods and drink brought into the secure mental health unit by staff members in a plastic bag which have been declared at the front gate for inspection)
- n. Lighters and matches
- o. Cigarettes or smoking products or apparatus
- p. Aerosol cans (other than personal toiletries brought into the secure mental health unit by staff members)
- q. Plastic bags
- r. Sexually explicit material
- s. Material displaying or promoting violence
- t. Lanyards or long necklaces or pendants
- u. Helmets (including motorcycle and bicycle helmets)
- v. Shoe laces
- w. Belts
- x. String ties, cords, braces, hood ties
- y. DVDs or movies
- z. Food or drink
- aa. Cash
- bb. Jewellery (except for wedding or engagement rings or watches)
- cc. Pens, pencils or paintbrushes
- dd. Photo frames
- ee. Electric shavers

A handwritten signature in black ink, appearing to read 'Ken Kirkby', is located below the list of items.

Professor Kenneth Clifford Kirkby

Chief Forensic Psychiatrist

Date: 1 July 2017