

CHIEF PSYCHIATRIST APPROVED FORM - FORENSIC I 6

SMHU SEARCH AUTHORISATION/DIRECTION (FORENSIC)

Mental Health Act 2013

Section 111-114

THCI (Patient ID): _____
 Family Name: _____
 Given Names: _____
 Date of Birth: ___ / ___ / _____ Gender: M F TG / IT
 Address: _____
 Telephone: _____ Mobile: _____

AFFIX STICKER HERE

(Tick as appropriate, format time as 00:00 (24 hour) and date as DD/MM/YYYY)

PART A: AUTHORISATION / DIRECTION TO CONDUCT SEARCH

CHIEF PSYCHIATRIST (CP), CONTROLLING AUTHORITY OR DELEGATE TO COMPLETE

Person authorising/directing search (full name in BLOCK letters):

I hereby authorise/direct (delete unnecessary text) a search for:

The management, good order or security of the secure mental health unit

OR The safety of any persons in the secure mental health unit

Name of person OR description of area authorised/directed to be searched:

Authorised person/s directed to conduct search (full name in BLOCK letters):

Nature of search authorised:

When search may be conducted (times and/or circumstances in which search may be conducted):

Protocols to be adopted/applied in the performance of the search:

Search equipment or techniques which may be used:

Date and time search authorised/directed **Date:** DD / MM / YYYY **Time:** 00 : 00

Is the person authorising/directing the search completing this form?

Yes – CP/controlling authority or delegate to sign here: _____

No – two members of nursing/medical staff to complete below

We confirm that the CP/controlling authority or delegate named above has authorised or directed a search as outlined above, for the reasons given above:

1. Dr/Nurse (full name in BLOCK letters):

ID Card/Payroll/Registration number:

Signature:

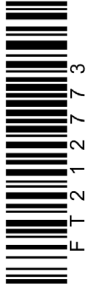
Date: DD / MM / YYYY

2. Dr/Nurse (full name in BLOCK letters):

ID Card/Payroll/Registration number:

Signature:

Date: DD / MM / YYYY



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PART B : RECORD OF SEARCH - PERSONAL

AUTHORISED PERSON TO COMPLETE

Person searched (full name in BLOCK letters):

Status of person searched:

Person who conducted search (full name in BLOCK letters):

Person/s assisting with search (full name/s BLOCK letters):

Did the person consent to the search: Yes **OR** No

If the search involved touching/undressing, – was the search conducted by person of same sex and in private? Yes **OR** No

Reasons:

Details of any force used, including why force was used:

Search findings:

Other comments:

Date and time search conducted: Date: DD / MM / YYYY Time: 00 : 00

I hereby confirm that this is a true and accurate record.

Signature:

(Tick as appropriate, format time as 00:00 (24 hour) and date as DD/MM/YYYY)



CHIEF PSYCHIATRIST APPROVED FORM - FORENSIC I 6

**SMHU SEARCH
AUTHORISATION/DIRECTION
(FORENSIC)**

Mental Health Act 2013

Section III-114

THCI (Patient ID): _____

Family Name: _____

Given Names: _____

Date of Birth: ___ / ___ / _____ Gender: M F TG / IT

Address: _____

Telephone: _____ Mobile: _____

AFFIX STICKER HERE

PART C : RECORD OF SEARCH – LOCATION

AUTHORISED PERSON TO COMPLETE

Description of area or thing searched:

Search findings:

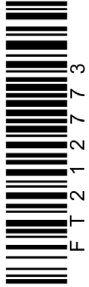
Other comments:

Date and time search conducted: **Date:** DD / MM / YYYY **Time:** 00 : 00

I hereby confirm that this is a true and accurate record.

Signature: _____

(Tick as appropriate, format time as 00:00 (24 hour) and date as DD/MM/YYYY)



CHIEF PSYCHIATRIST APPROVED FORM - FORENSIC I6

SMHU SEARCH AUTHORISATION/DIRECTION (FORENSIC)

Mental Health Act 2013

Section 111-114

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Address: _____

Telephone: _____ Mobile: _____

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PART D : RECORD OF ITEMS SEIZED

AUTHORISED PERSON TO COMPLETE



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CHIEF PSYCHIATRIST APPROVED FORM - FORENSIC 16

SMHU SEARCH AUTHORISATION/DIRECTION (FORENSIC)

Mental Health Act 2013

Section 111-114

THCI (Patient ID): _____

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Given Names: _____

Date of Birth: ___ / ___ / _____ Gender: M F TG / IT

Address: _____

Telephone: _____ Mobile: _____

AFFIX STICKER HERE

PART A: AUTHORISATION / DIRECTION TO CONDUCT SEARCH

Chief Psychiatrist (or delegate) or controlling authority of the secure mental health unit may, in relation to a secure mental health unit, authorise or direct an authorised person to carry out searches for the management, good order or security of the secure mental health unit, or for the safety of any persons in the secure mental health unit.

The authorisation or direction constitutes full and sufficient authority for the authorised person to carry out the search without further formality. If the authorisation or direction is given orally, it must be confirmed in writing in an approved form. An authorisation or direction can only apply to a privileged visitor if it is in writing.

PART B & C: RECORD OF SEARCH – PERSONAL OR LOCATION

The controlling authority is to keep appropriate records relating to a search in respect to each forensic patient in the SMHU.

A search of a person, or of anything in or under a person's possession or control, may be conducted without the person's consent.

A search may be of:

- any part of the SMHU
- anything in the SMHU
- anything being delivered to or removed from the SMHU or any vehicle, conduit or other thing being used in connection with that delivery or removal
- any forensic patient, visitor, staff member or other person in the SMHU
- clothing, personal belongings, physical aids, containers or any other thing in or under the possession or control of a forensic patient, visitor, staff member or other person in the SMHU
- the information held on a computer, mobile phone or other device.

If a person other than a forensic patient or SMHU staff member refuses to submit to or hinders a search, an authorised person may direct the person to leave the SMHU forthwith or by a specified time.

Where consent is refused:

- an authorised person may detain the person for such time as is necessary for the person to be arrested by a police officer under paragraph (b); and
- a police officer may arrest the person without warrant.

Unless the CP directs otherwise, in a particular case, a search that involves any touching or undressing of a person, or any touching of a person's clothing or personal belongings, must be carried out by an authorised person of the same gender as that person and only in the presence of persons of that gender; and in privacy.

In this section search means a search carried out by manual, animal detection, electronic or mechanical means, or by any combination of those means; SMHU includes its immediate precincts.

PART D: RECORD OF ITEMS SEIZED

An authorised person who is carrying out a search under section 111 may seize any one or more of the following:

- Anything found (whether in or under a person's possession or control or not) that in the reasonable opinion of the authorised person places, or could place, the management, good order or security of the SMHU or the safety of persons in the SMHU in jeopardy;
- 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 this Part, the regulations or standing orders or by the controlling authority);
- Anything that in the reasonable opinion of the authorised person places, or could place, the management, good order or security of the SMHU or the safety of persons in the SMHU in jeopardy (even if it is something that the patient is authorised to wear or possess or control under this Part, the regulations or standing orders or by the controlling authority).

An authorised person who seizes anything is to inform the search authority of the seizure forthwith and the search authority is to ensure that;

- Anything seized from a visitor or SMHU staff member under this section is returned to that visitor or staff member when he or she leaves the SMHU; or
- Anything seized from a patient under this section is, on the discharge of the patient from the SMHU, returned to or given into the custody of the patient, the Director, the Secretary (Youth Justice) or the controlling authority of an approved hospital, as appropriate.

However, this does not apply if the thing seized is an illicit drug, illicit weapon or other illicit thing. If the thing seized is an illicit drug, illicit weapon or other illicit thing –

- The search authority is to surrender it to the Commissioner of Police; and
- The Commissioner of Police may dispose of it as he or she thinks fit.

