

Procedure for making a request and recommendation for involuntary treatment as an inpatient or in the community under the *Mental Health Act 1986*

CRITERIA FOR INVOLUNTARY TREATMENT

Section 8(1) Mental Health Act 1986:

(a) the person appears to be mentally ill (a person is mentally ill if he or she has a mental illness, being a medical condition that is characterised by a significant disturbance of thought, mood, perception or memory); and

(b) the person's mental illness requires immediate treatment and that treatment can be obtained by the person being subject to an involuntary treatment order; and

(c) because of the person's mental illness, involuntary treatment of the person is necessary for his or her health or safety (whether to prevent a deterioration in the person's physical or mental condition or otherwise) or for the protection of members of the public; and

(d) the person has refused or is unable to consent to the necessary treatment for the mental illness; and

(e) the person cannot receive adequate treatment for the mental illness in a manner less restrictive of his or her freedom of decision and action.

PRESCRIBED PERSON

A 'prescribed person' is a member of the police force, an ambulance officer or a:

- Registered medical practitioner
- Registered nurse
- Registered psychologist
- Social worker

•Occupational therapist—

—employed to provide care and treatment to persons with a mental disorder in an approved mental health service, a State child and adolescent psychiatry service, any premises licensed under section 75 of the Act, a hospital admitting or caring for persons with a mental disorder, a mental health service of a community health centre, a psychiatric outpatient clinic or a community mental health service.

APPROVED MENTAL HEALTH SERVICE

An approved mental health service (AMHS) is any service or premises that has been proclaimed by the Governor in Council under section 94 of the **Mental Health Act 1986** as a place at which treatment can be provided to patients under the Act. Typically, public hospitals that have an acute psychiatric in-patient unit are proclaimed as approved mental health services.

MENTAL HEALTH PRACTITIONER (MHP)

A 'mental health practitioner' is a member of the following categories of health professionals employed by an approved mental health service and engaged in the provision of acute psychiatric assessment and treatment functions in the community:

- Registered nurses
- Registered psychologists
- Social workers
- Occupational therapists

Typically mental health practitioners are members of community based mental health teams, such as Crisis Assessment & Treatment Services (CATS) or integrated teams with a crisis, assessment and treatment function.

