

Reason For Review

A section 86 or section 152 determination was received by the Mental Health Tribunal for Scotland on:

Date / /

The Mental Health Tribunal for Scotland reviewed this determination because:

- there is a difference between the type (or types) of mental disorder that the patient has and the type (or types) of mental disorder recorded in the order in respect of which the determination is made;
- the MHO disagrees with the determination or has failed to comply with the duty imposed by the Act to make their views on the determination known to the RMO;
- no decision has been made by the Tribunal in respect of the order to which the determination relates during the period of 2 years ending with the day on which the order, had it not been extended by the determination, would have ceased to authorise the measures specified in it;
- either the patient or the patient's named person has appealed against the determination to extend the order.

Hearing Details

A hearing to consider the review or application was heard on: Date

/ /

Before the following Tribunal members -

Convenor

Medical

General

Address of Hearing

Postcode

Before determining the application, the Mental Health Tribunal for Scotland afforded the persons mentioned in section 102(3) or 166(3) of the Act the opportunity to: make representations (whether orally or in writing); and leading, or producing evidence. Evidence was provided by:

- Patient
- Patient's MHO
- Patient's Name Person
- Patient's RMO
- Guardian of the patient
- Patient's primary carer
- Welfare Attorney of patient
- Curator Ad Litem
- Any other person appearing to the Tribunal to have an interest (list below)

1



Determination

Complete the appropriate option below. Where varying, irrespective of whether there has been a variation to the measures or recorded matters as a result of this order, Parts 1a and 1b should be completed detailing ALL measures/recorded matters authorised by the order.

only complete if - REVOKING THE DETERMINATION TO EXTEND

- The Mental Health Tribunal for Scotland makes an order revoking the section 86 or section 152 determination

only complete if - REVOKING BOTH THE DETERMINATION TO EXTEND AND THE ORDER ITSELF

- The Mental Health Tribunal for Scotland makes an order revoking both the determination to extend and the compulsory treatment order / compulsion order

only complete if - CONFIRMING THE DETERMINATION TO EXTEND

- The Mental Health Tribunal for Scotland makes an order confirming the determination;

only complete if - CONFIRMING THE DETERMINATION TO EXTEND AND VARYING THE ORDER

The Mental Health Tribunal for Scotland make an order confirming the determination and varying the compulsory treatment order / compulsion order by modifying-

- (i) the measures (detail all measures authorised, and indicate those that are varied, in **Measures Authorised**)
- (ii) any recorded matter specified (**compulsory treatment orders only**)

Notes

GUIDANCE FOR MEDICAL RECORDS ON THIS DETERMINATION

Variations

Variations take immediate effect from the date the Tribunal Convenor signs the determination.

Confirmation of determination to extend

The extension granted by the RMO through section 86 or section 152 determination stands.

Revocation - Determination to extend

The order will run until it would have expired had the determination to extend not been made by the RMO, at which point the patient should be discharged or other arrangements made to continue treatment

Revocation - Determination and Order

The patient should be discharged as soon as practicable or arrangements made to treat the patient informally. A copy of the relevant revocation form should be completed.



Recorded Matter (Compulsory Treatment Orders only)

Complete A or B as appropriate

- A** The Mental Health Tribunal for Scotland wishes to specify as recorded matters within this order the following medical treatment, community care services, relevant services, other treatment care or service. **(Note: this must include ALL recorded matters appropriate to the order, and not just those that have been varied):**

5

OR

- B** The Tribunal does not specify any recorded matters in this compulsory treatment order.

- The above position is a variation from the recorded matter specified in the previous order.

Advance Statement

Complete A or B as appropriate

- A** As far as is practicable to ascertain the patient's current/proposed care and treatment is / are either:
1) NOT in conflict with any advance statement made by the patient, under section 276 of the Act, or
2) The patient has not made an advance statement.

OR

- B** The patient has made and not withdrawn an advance statement, which is in conflict with the treatment outlined in this order. Where the treatment is in conflict with the advance statement, detail how the decision was made, and the reasons for it.

6

Where the treatment is in conflict with the advance statement, a record has been sent to:

- the patient the patient's welfare attorney
 the patient's named person the patient's guardian
 the Mental Welfare Commission (copy of this form will serve as a record)

Signature / Date

Signed
by the Convener

Date
dd / mm / yyyy

 / / 