

Mental Health Act 1986

Sections 16(2)(a), 16A(1)(a) & 17(2)(a)

Local Hospital Patient Number:

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Family Name: _____

Given Names: _____

Date of Birth: _____ Sex: _____

Alias: _____

Mental Health Statewide Patient Number

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CERTIFICATE OF PSYCHIATRIST

PART A TO THE *SECRETARY TO THE DEPARTMENT OF JUSTICE/SECRETARY TO THE DEPARTMENT OF HUMAN SERVICES/CHIEF COMMISSIONER OF POLICE

Notes to completing this form

A qualified psychiatrist must complete this certificate.

This certificate should be sent to:

- The Secretary, Department of Justice if the person is in custody in a prison.
- The Secretary, Department of Human Services if the person is detained in a remand centre, youth residential centre or youth training centre.
- The Chief Commissioner of Police if the person is serving a sentence of imprisonment in a police goal or is being held in police custody on the order of a court.

You must personally observe some fact/s at the examination that indicate the application of **all** the relevant criteria to the person.

If you are unable to observe any facts to support this certificate, you may rely solely upon facts communicated directly to you by another registered medical practitioner who has personally examined the person within the previous 28 days. Please complete Part B.

_____ GIVEN NAME/S FAMILY NAME (BLOCK LETTERS) of person detained in custody

of: _____ place of custody

(1) I am a registered medical practitioner and a psychiatrist.

(2) I personally examined the abovenamed person:

on the _____ day of _____ 20 _____ at:

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 24 Hour

(3) The person is:

- imprisoned or detained in a prison or other place of confinement. It is my opinion that **all** the following criteria in section 16(2)(a) of the **Mental Health Act 1986** apply to the person:
- (a) the person appears to be mentally ill; and
 - (b) the person's mental illness requires **immediate treatment** and that treatment can be obtained by the person being subject to an order under section 16; and
 - (c) because of the person's mental illness, the detention and treatment of the person in an approved mental health service 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.

OR

serving a sentence in a prison under section 93A(7) of the **Sentencing Act 1991**. It is my opinion that **all** the following criteria in section 16A(1)(a) of the **Mental Health Act 1986** apply to the person:

- (a) the person appears to be mentally ill; and
- (b) the person's mental illness required **treatment** and that treatment can be obtained by the person being subject to an order under section 16A; and
- (c) because of the person's mental illness, the detention and treatment of the person in an approved mental health service 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.

OR

detained in a prison under the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997**. It is my opinion that **all** the following criteria in section 17(2)(a) of the **Mental Health Act 1986** apply to the person:

- (a) the person appears to be mentally ill and to require **treatment** for that illness; and
- (b) the treatment can be obtained by admission to and detention in an approved mental health service; and
- (c) because of the person's mental illness, the person should be admitted and detained for treatment 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.

(please cross one option only)

(4) I do not consider the person to be mentally ill by reason only of any one or more of the exclusion criteria listed in section 8(2) of the **Mental Health Act 1986**.

(5) I base my opinion on the following facts.

Facts personally observed by me on examination to support this certificate:

* delete as necessary

