

**Mental Health and Wellbeing Act 2022
Section 161 and 162**

**MHWA 105
Revocation of Assessment Order**

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Mental Health Statewide UR Number

Local Patient Identifier																			
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FAMILY NAME

GIVEN NAMES

DATE OF BIRTH	SEX	GENDER
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Place patient identification label above

Instructions to complete this form

- This form must be completed by an Authorised Psychiatrist or Delegate.
- You must explain the purpose of the examination before starting the examination.

GIVEN NAMES

FAMILY NAME (BLOCK LETTERS) of person to be assessed

a patient of:

Designated Mental Health Service

1. The abovenamed person is subject to:

an Inpatient Assessment Order

a Community Assessment Order—that expires on:

(please cross one option only)

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date

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at:

time 24 hour

2. I have examined the person.

3. I am **not satisfied** that all the compulsory treatment criteria in section 143 of the **Mental Health and Wellbeing Act 2022** apply to the person, being:

a. the person has mental illness; and

b. because the person has mental illness, the person needs immediate treatment to prevent—

i. serious deterioration in the person's mental or physical health; or

ii. serious harm to the person or to another person; and

c. the immediate treatment will be provided to the person if the person is subject to a Temporary Treatment Order; and

d. there are no less restrictive means reasonably available to enable the person to receive the immediate treatment.

4. I have given proper consideration to the decision-making principles for treatment and interventions.

5. The reasons for my decision are:

6. I **revoke** the person's Assessment Order on:

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date

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at:

time 24 hour

Signature:

signature of authorised psychiatrist or delegate

Date:

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Given Names:

Family Name:

Designation:



MHWA105

ROLLS AUSTRALIA 1300 600 192

**JULY
2023**

Original – medical record

Copy – patient

Revocation of Assessment Order

MHWA 105

Next steps

After completing this form:

1. **tell** the person that this Assessment Order has been revoked.
2. **explain** the reasons for the revocation and the effect of the revocation.
3. **give** the person a copy of this form.
4. **notify** the following persons (as applicable) that the Assessment Order has been revoked and give them a copy of this form:
 - the person's nominated support person;
 - a parent if the person is under the age of 16 years;
 - a carer, if revoking the Assessment Order will directly affect the care relationship between the carer and the person;
 - the person's guardian;
 - the Secretary, Department of Families, Fairness and Housing if the Secretary has parental responsibility for the person under a Relevant Child Protection Order.
5. **ensure** appropriate supports are provided to assist the person/s to understand this information.
6. **discuss** ongoing treatment with the person.

Decision-making principles for treatment and interventions

When determining if the compulsory treatment criteria apply, you **must give proper consideration** to these principles.

Title	Principle
Care and transition to less restrictive support	Compulsory assessment and treatment is to be provided with the aim of promoting the person's recovery and transitioning them to less restrictive treatment, care and support. To this end, a person who is subject to compulsory assessment or treatment is to receive comprehensive, compassionate, safe and high-quality mental health and wellbeing services.
Consequences of compulsory assessment and treatment and restrictive interventions principle	The use of compulsory assessment and treatment or restrictive interventions significantly limits a person's human rights and may cause possible harm including— (a) serious distress experienced by the person; and (b) the disruption of the relationships, living arrangements, education or employment of the person.
No therapeutic benefit to restrictive interventions principle	The use of restrictive interventions on a person offers no inherent therapeutic benefit to the person.
Balancing of harm principle	Compulsory assessment and treatment or restrictive interventions are not to be used unless the serious harm or deterioration to be prevented is likely to be more significant than the harm to the person that may result from their use.
Autonomy principle	The will and preferences of a person are to be given effect to the greatest extent possible in all decisions about assessment, treatment, recovery and support, including when those decisions relate to compulsory assessment and treatment.

Definitions

- **'Mental Illness'** is a medical condition that is characterised by a significant disturbance of thought, mood, perception or memory
- **'Relevant Child Protection Order'** means:
 - a) a therapeutic treatment (placement) order; or
 - b) a family reunification order, or
 - c) a care by Secretary order, or
 - d) a long term care order,each within the meaning of the *Children, Youth and Families Act 2005*.