

**Mental Health and Wellbeing Act 2022
(Sections 535 & 540)**

**MHWA 159
Report of authorised psychiatrist**

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Mental Health Statewide UR Number

Local Patient Identifier

FAMILY NAME

GIVEN NAMES

DATE OF BIRTH

SEX

GENDER

Place patient identification label above

Instructions to complete this form

- This form is to be used when a person detained in a prison or other place of confinement is proposed to be transferred to a Designated Mental Health Service to receive treatment for mental illness.
- This form must be completed by an Authorised Psychiatrist or Delegate.
- You are required to have regard to the **MHWA – 158 Report of psychiatrist** in determining whether to recommend that the person be transferred to the Designated Mental Health Service.

GIVEN NAMES

FAMILY NAME (BLOCK LETTERS) of person detained in custody

of:

place of custody

To the Justice Secretary

1. I am the Authorised Psychiatrist or delegate of the following Designated Mental Health Service:

name of Designated Mental Health Service

address of Designated Mental Health Service

2. I have read the **MHA – 158 Report of psychiatrist** prepared by:

that was made on:

name of psychiatrist who prepared report

date of psychiatrist's report

3. I recommend that the person be transferred from prison or other place of confinement to the Designated Mental Health Service for treatment:

- as a security patient subject to a Secure Treatment Order in accordance with section 535 of the **Mental Health and Wellbeing Act 2022** (see note 1 over page)
- as a security patient subject to a Court Secure Treatment Order in accordance with section 540 of the **Mental Health and Wellbeing Act 2022** (see note 2 over page)

(please cross one option only)

4. There are facilities or services available at the Designated Mental Health Service for the detention and treatment of the person.

5. Additional comments:

Signature:

signature of Authorised Psychiatrist or Delegate

Date:

Given Names:

Family Name:



MHWA159

ROLLS AUSTRALIA 1300 600 192

**JULY
2023**

Next steps

1. The completed **MHWA 158 – Report of psychiatrist** and this **MHWA 159 – Report of Authorised Psychiatrist** must be sent to the Justice Secretary.
2. The Justice Secretary may order or direct the person be taken to the Designated Mental Health Service under section 535 or 540 of the **Mental Health and Wellbeing Act 2022** (as the case requires).

Notes

1. The Justice Secretary may make a Secure Treatment Order in relation to a person if the person is detained in a prison or other place of confinement, but not if the person is subject to a Court Secure Treatment Order and is detained in a prison or other place of confinement.
2. The Justice Secretary may make a direction that a person who is subject to a Court Secure Treatment Order be taken from a prison or other place of confinement to a Designated Mental Health Service.
3. A reference to the Justice Secretary includes a reference to the Chief Commissioner of Police if the person is serving a sentence of imprisonment in a police gaol within the meaning of the **Corrections Act 1986** or being held in police custody on the order of a court.

MHWA 159