

Name and address of representative (if applicable)

Please ensure that you have completed all the information requested and then cut and send this portion to:–

**The Registrar
Mental Health Review Board
GPO Box U1991
PERTH 6845**

Or fax to (08) 9219 3163

Office Use Only:

Date Received:

What happens at a Review?

- Reviews are held in private and are as informal as possible. The Act requires a tape recording to be made of each review.
- The patient (and any support persons or other witnesses) can provide evidence and information to the Board, and make submissions about the desired outcome.
- The Board will obtain information from the treating psychiatrist or other members of the treating team. The patient (or representative) can ask questions of members of the treating team.
- At the end of the hearing the Board will announce its decision and the patient will be given a document setting out the decision.

After the Review

- The patient (or other parties) may, within 14 days of the review date, request the Board to provide written reasons for its decision.
- The patient (or other interested persons) may, if dissatisfied with the Board's decision, appeal that decision to the State Administrative Tribunal.

Contact Directory

Mental Health Review Board

Phone: (08) 9219 3162
Fax: (08) 9219 3163
Website: www.mhrbwa.org.au

Mental Health Law Centre

Phone (08) 9328 8266
Country Freecall 1800 620 285
Fax (08) 9328 8577

Council of Official Visitors

Phone (08) 9226 3266
Freecall: 1800 999 057

Office of the Chief Psychiatrist

Phone: (08) 9222 4079

State Administrative Tribunal

Phone (08) 9219 3111
Fax (08) 9325 5099
Website www.sat.justice.wa.gov.au

ARE YOU AN INVOLUNTARY PATIENT

- **detained in hospital; or**
- **on a community treatment order?**

This brochure explains how your status can be reviewed



**M E N T A L
H E A L T H
R E V I E W
B O A R D**

What is a Review?

- The *Mental Health Act 1996* (“the Act”) requires a person’s status as an involuntary patient (whether detained in hospital or on a community treatment order, or CTO) to be reviewed regularly by the Mental Health Review Board.
- A review is a meeting of three members of the Board (a lawyer, a psychiatrist and a community member) with the patient, the patient’s representative (if any), the patient’s psychiatrist or other members of the treating team, and other support persons such as family or friends.
- At a review the Board must consider whether the involuntary status of the patient should or should not continue and may also consider some other matters that can be raised for determination at a review hearing.

What is a requested review?

- At any time an involuntary patient (or an Official Visitor or any other person whom the Board considers has genuine concern for the patient) can request the Board to conduct a review of:
 - whether the patient should continue to be an involuntary patient (in hospital or on a CTO);-
 - whether an involuntary patient in a hospital should be transferred to another hospital;
 - whether the responsibility for supervising a CTO and ensuring that a patient on a CTO receives treatment should be transferred to another person;
- A request for a review must be made to the Board in writing. An application form is attached to this brochure. A request can be made at any time - except within the 28 days after the Board has made a decision that involves substantially the same issue that would be raised in the new application.

What is a Periodic Review?

- Apart from reviews requested by the patient, the Act requires the Board to review the status of all involuntary patients within eight weeks of that status commencing.
- If a patient continues as an involuntary patient for a longer period, the Board must conduct a periodic review every six months.
- The Board can also review the status of an involuntary patient at any other time if it considers it appropriate to do so as a result of any information received.

What are the powers of the Board?

At a review the Board may determine any matter coming before it and may make such orders as it thinks appropriate, including

- maintain the patient’s involuntary status – or order that the patient is no longer an involuntary patient;
- order that a CTO be made for the patient, giving any directions about the terms of the CTO that the Board thinks appropriate;
- order that the terms of a CTO be varied.

Preparing for a Review

- Free advice and representation are available for a review from the Mental Health Law Centre and the Council of Official Visitors.
- Patients may represent themselves at a review or may be represented by a lawyer, an Official Visitor, or another person of their choice. A person other than a lawyer must not charge a fee for representing a patient at a review.
- The Board will inform the patient (and any representative), the treating psychiatrist and any other practitioner of the time and place of the review hearing.
- The Board will obtain from the treating team a report about the patient’s current condition and whether or not the involuntary status should continue.
- If a patient is discharged from involuntary status before the review hearing then the review will not proceed.
- A patient is not obliged to attend the review hearing, but the Board encourages patients, family members and other support persons to attend.
- A patient may withdraw a request for a review at any time, but a review may still occur if a periodic review for the patient is due.

Where are Reviews held?

- If the patient is detained in a hospital in the metropolitan area, or is on a CTO administered by a mental health clinic in the metropolitan area, then the review will be conducted at that hospital or at that clinic.
- If the patient is outside the metropolitan area (whether in hospital or on a CTO) then the review will usually be held by audio visual or teleconferencing from the Board’s offices.

APPLICATION FOR REVIEW

Name of Patient: _____

Name of Applicant (if not the patient): _____

Applicant’s relationship to patient (if applicable): _____

Applicant’s Contact Address: _____

Applicant’s Contact Telephone Number: _____

Please indicate what issues/matters you want the Board to consider at a review:

