

**Mental Health Act 2014  
Sections 270, 275, 276 & 306**

**MHA 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

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 must have regard to a **MHA – 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 Secretary to the Department of Justice**

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:

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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 sections 275 and 276 of the **Mental Health Act 2014** (see note 1 over page)
- as a security patient subject to a Court Secure Treatment Order in accordance with section 270 of the **Mental Health Act 2014** (see note 2 over page)
- as a forensic patient subject to a direction made in accordance with section 306 of the **Mental Health Act 2014** (see note 3 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:

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Signature:

Date:

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signature of authorised psychiatrist or delegate

Given Names:

Family Name:



MHA 159

ROLLS FILING SYSTEMS 1300 600 192

JULY 2014

Report of authorised psychiatrist

MHA 159

## Next steps

1. The completed **MHA 158 – Report of psychiatrist** and this **MHA 159 – Report of authorised psychiatrist** must be sent to Secretary to the Department of Justice.
2. The Secretary to the Department of Justice may order or direct the person be taken to the designated mental health service under section 270, 276 or 306 of the **Mental Health Act 2014** (as the case requires).

## Notes

1. The Secretary to the Department of Justice 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:
  - a. detained in a prison under the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997** (whether on remand or under a supervision order made under that Act); or
  - b. subject to a Court Secure Treatment Order and is detained in a prison or other place of confinement.
2. The Secretary to the Department of Justice 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. The Secretary to the Department of Justice may make a direction that a person who is detained in a prison under the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997** (whether on remand or under a supervision order made under that Act) be taken to a designated mental health service as a forensic patient.
4. A reference to the Secretary to the Department of Justice includes a reference to the:
  - Secretary to the Department of Human Services if the person is detained in a remand centre, youth residential centre or youth justice centre within the meaning of the **Children, Youth and Families Act 2005**
  - 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.