

# NSW / Victoria Civil Interstate Apprehension Order

## REQUEST TO APPREHEND:

GIVEN NAME/S OF PATIENT ..... Date of birth: ...../...../.....  
 FAMILY NAME (BLOCK LETTERS) OF PATIENT .....

## STATUS OF PATIENT:

Patient subject to the *Mental Health Act 2007 (NSW)*

Liable to apprehension under s.48

Patient subject to the *Mental Health Act 1986 (Vic)*

Liable to apprehension under s.43

Patient is absent without leave or otherwise liable to be apprehended under the *Mental Health Act 2007 (NSW)* or the *Mental Health Act 1986 (Vic)* (see note 1).

## RETURN TO:

The patient is to be returned to: .....  
 name of \*declared mental health facility (NSW) / \*approved mental health service (Vic)  
 (from which the person is absent without leave or is required to return)

.....  
 address of \*service/facility

Pending return, the patient may be taken to a declared mental health facility (NSW) or an approved mental health service (Vic)  
 in the State where they were apprehended.

## PERSON MAKING REQUEST TO APPREHEND:

Signed ..... Dated: ...../...../..... Time: .....:.....:.....hrs(24hr)

GIVEN NAME/S

FAMILY NAME (BLOCK LETTERS)

\*Authorised Medical Officer (NSW) / \*Authorised Psychiatrist of approved mental health service or \*Chief Psychiatrist(Vic)

Telephone:

Fax:

Email:

## DESCRIPTION OF THE PATIENT:

\* Male/Female

Height:

Colour of Eyes:

Include any distinguishing characteristics  
 (e.g. tattoos or scars)

Build:

Weight:

Complexion:

Extra Details Attached: \*Yes / No

Information that will assist with Apprehension (e.g. Other names used, address where person may be found) (see Note 2):

Extra Details Attached: \*Yes / No

Treatment and care requirements:.....

Extra Details Attached: \*Yes / No

Risk Summary (include date of last assessment):

Extra Details Attached: \*Yes / No

24 Hour Contact Person at facility/service requesting patient's apprehension:

Name: ..... Designation: .....

\*Mobile or

\*Telephone:

Fax:

Email:

## NOTES

1. The apprehension and return of an involuntary patient absent without leave from Victoria or an assessable person or involuntary patient either absent without leave or required to return to NSW, is governed by Part 8 of the Ministerial Agreement between the two States and Division 4 of Part 5A of the *Mental Health Act 1986* (Vic) and Chapter 8 of the *Mental Health Act 2007* (NSW).

The *Mental Health Act 1986* (Vic) and the *Mental Health Regulations 2008* (Vic) may be accessed at <http://www.legislation.vic.gov.au>

The *Mental Health Act 2007* (NSW) and the *Mental Health Regulations 2007* (NSW) may be accessed at <http://www.legislation.nsw.gov.au>

The Ministerial Agreement may be accessed at [http://www.health.vic.gov.au/mentalhealth/crossborder/1\\_civil\\_agree.pdf](http://www.health.vic.gov.au/mentalhealth/crossborder/1_civil_agree.pdf) or <http://www.health.nsw.gov.au/aboutus/legal/agreements.asp>

**2. PERSONS AUTHORISED TO APPREHEND AND TRANSPORT A PATIENT SUBJECT TO A CIVIL INTERSTATE APPREHENSION ORDER**

The following persons are authorised to apprehend and return a patient absent without leave to an approved mental health service under s93K and 93L of the *Mental Health Act 1986* (Vic) or absent without leave or required to return to a declared mental health facility under s186 of the *Mental Health Act 2007* (NSW) :

- A prescribed person within the meaning of s7 of the Victorian Act and regulation 5(2) of the *Mental Health Regulations 2008* (Vic) (including a member of the Victorian police force and a Victorian ambulance officer);
- An authorised psychiatrist for the purposes of the Victorian Act or any person authorised by the authorised psychiatrist;
- An employee of the Victorian Department of Health authorised by the Victorian Chief Psychiatrist;
- An Authorised Medical Officer or any other suitably qualified person employed at the (NSW declared) mental health facility;
- A NSW Police Officer;
- A person authorised by the NSW Minister or a NSW Authorised Medical Officer; or
- A person assisting:
  - an Authorised Medical Officer or other suitably qualified person employed at the (NSW declared) mental health facility,
  - a NSW Police Officer,
  - a person authorised by the NSW Minister or a NSW Authorised Medical Officer.