

Application Details

This section 149 application was received by the
Mental Health Tribunal for Scotland on:

Date [] [] / [] [] / [] [] [] []

Hearing Details

A hearing to consider the above application was heard on

Date [] [] / [] [] / [] [] [] []

Before the following Tribunal members -

Convener

Medical

General

The hearing took place at:

Address

Postcode

Before determining the application, the Mental Health Tribunal for Scotland afforded the persons mentioned in section 166 (3) of the Act the opportunity to: make representations (whether orally or in writing); and leading, or producing evidence. Evidence was provided by:

- Patient
- Patient's MHO
- Patient's Named Person
- Patient's RMO
- Guardian of the patient
- Patient's primary carer
- Welfare Attorney of patient
- Curator Ad Litem
- Any other person appearing to the Tribunal to have an interest (list below)

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Tribunal Determination

The Mental Health Tribunal for Scotland makes an order (***shade one only***) -

- extending the compulsion order to which the application relates for 6 months
- refusing the application to extend the compulsion order
- refusing the application and revoking the compulsion order

GUIDANCE FOR MEDICAL RECORDS ON THIS DETERMINATION

Extension of order - expiry

The extension will take effect 6 months from the start of the Compulsion Order, and will run for a further 6 months. Eg: the Compulsion Order began on the 22nd June 06. The measures specified will cease to be authorised at midnight at the end of the day on the 21st December 06. The extension will be effective from the 22nd December 06 and will cease to authorise the measures specified at midnight at the end of the day on 21st June 07.

Refusal

The current order will run until it expires, at which point the patient should be discharged or other arrangements made to continue treatment. A REV2 form should be completed when the order expires.

Refusal and Revocation

The patient should be discharged as soon as practicable or arrangements made to treat the patient informally. A REV2 form should be completed.



Advance Statement (only complete if the patient remains subject to the Order)

Complete A or B or C as appropriate

A As far as is practicable to ascertain, the patient does not have an advance statement under S275 of the Act.

OR

B As far as is practicable to ascertain: the patient has made and not withdrawn an advance statement under S275 of the Act; and the patient's current/proposed care and treatment are NOT in conflict with any wishes specified in that advance statement.

OR

C The patient has made and not withdrawn an advance statement under S275 of the Act. This advance statement IS in conflict with current/proposed care and treatment authorised by measures in this order. Please record in the box below:

- The date of the advance statement(s).
- Details of treatment that is in conflict with the advance statement and how.
- Where the conflict with the advance statement concerns treatment the patient specified wishes to receive, that they are not receiving, please provide details of this.
- Reasons for authorising measures that allow this treatment to be given/not given, despite the conflict with the advance statement, with reference to the Principles of the Act.

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Where the treatment is in conflict with the advance statement, a record of the above has been sent to:

- the patient
- the patient's welfare attorney
- the patient's named person (if any)
- the patient's guardian
- the Mental Welfare Commission (a copy of the form and any other record which has been sent to the patient/ others)

Signature / Date

Signed
by Convener

Date
dd / mm / yyyy

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