

The Mental Health (Care and Treatment) (Scotland) Act 2003

Review of Section 86 / Section 152 Determination

CTO3b

This box is for the use of t Health Tribunal for Scotlar			I																						
Instructions																									v7.0
The following form is to	be u	sed:																							
where the Mental Health Trib	unal fo	or Sc	otlar	nd ar	e rev	viewi	ng a	dete	rmin	ation	to e	xten	da(СТО	or C	С									
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Where not completing this form electronically, to ensure accuracy of information, please observe the following conventions: Write clearly within the boxes in PLOCK CAPITALS Shade circles like this -> Not like this -> Not like this ->												,													
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	To be completed by Mental Health Tribunal for Scotland
Rea	ason For Review
	ection 86 or section 152 determination was received Date he Mental Health Tribunal for Scotland on:
The	Mental Health Tribunal for Scotland reviewed this determination because:
0	there is a difference between the type (or types) of mental disorder that the patient has and the type (or types) of mental disorder recorded in the order in respect of which the determination is made;
0	the MHO disagrees with the determination or has failed to comply with the duty imposed by the Act to make their views on the determination known to the RMO;
0	the order to which the determination relates is a compulsion order , and no decision has been made by the Tribunal in respect of the order during the period of two years ending with the day on which the order, had it not been extended by the determination, would have ceased to authorise the measures specified in it.
0	the order to which the determination relates is a compulsory treatment order , and the conditions mentioned in Section 101(2)(b) of the Act are satisfied - see note below
0	either the patient, the patient's named person or a listed person has appealed against the determination to extend the order.
Not	re
The	e conditions mentioned in Section 101(2)(b) of the Act, as referred to above, are:
(a)	that the order was made 2 or more years before the renewal day;
(b)	that this section did not require the Tribunal to review the previous determination made under Section 86 of this Act in relation to the order: and
	that, in the period of 2 years ending with the day before the renewal day, no application has been determined by the Tribunal under Section 92, 99, 95 or 100 in relation to the order.



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Any other person	appe	arin	g to	the	Trib	una	l to l	nave	an	inte	rest	(list	belo	w)														
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Determination

Complete the appropriate option below. Where varying, irrespective of whether there has been a variation to the measures or recorded matters as a result of this order, Parts 1a and 1b should be completed detailing ALL measures/recorded matters authorised by the order.

only complete if - REVOKING THE DETERMINATION TO EXTEND

The Mental Health Tribunal for Scotland makes an order revoking the section 86 or section 152 determination

only complete if - REVOKING BOTH THE DETERMINATION TO EXTEND AND THE ORDER ITSELF

The Mental Health Tribunal for Scotland makes an order revoking both the determination to extend and the compulsory treatment order / compulsion order

only complete if - CONFIRMING THE DETERMINATION TO EXTEND

The Mental Health Tribunal for Scotland makes an order confirming the determination;

only complete if - CONFIRMING THE DETERMINATION TO EXTEND AND VARYING THE ORDER

The Mental Health Tribunal for Scotland make an order confirming the determination and varying the compulsory treatment order / compulsion order by modifying-

- (i) the measures (detail all measures authorised, and indicate those that are varied, in **Measures Authorised**)
- (ii) any recorded matter specified (compulsory treatment orders only)

Notes

GUIDANCE FOR MEDICAL RECORDS ON THIS DETERMINATION

Variations

Variations take immediate effect from the date the Tribunal Convenor signs the determination.

Confirmation of determination to extend

The extension granted by the RMO through section 86 or section 152 determination stands.

Revocation - Determination to extend

The order will run until it would have expired had the determination to extend not been made by the RMO, at which point the patient should be discharged or other arrangements made to continue treatment

Revocation - Determination and Order

The patient should be discharged as soon as practicable or arrangements made to treat the patient informally. A copy of the relevant revocation form should be completed.



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Measures Authorised



Complete this side for all measures authorised before this Tribunal hearing Complete this side for **all measures authorised** after this Tribunal hearing



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hc	ospital																												
	spital unit applicable)																												
0	(b) giving the patient medical treatment in accordance with Part 16 of the Act																												
0	(c) requiring the patient to attend on: specified or directed dates; or at specified or directed intervals, specified or directed places with a view to receiving medical treatment (including associated travel where appropriate), as detailed below. If the Tribunal specifies a matter then that matter should be inserted in the box below. If the Tribunal leaves that matter to be as directed by the RMO, then the box below should be left blank.																												
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Where the order authorises measures other than the detention of the patient in hospital, the managers of the following hospital will have responsibility for appointing the patient's RMO.										will																			
Hospi																													



Recorded Matter (Compulsory Treatment Orders only)

Complete A or B as appropriate

A	me	ne Mental Health Tribunal for Scotland wishes to specify as recorded matters within this order the following edical treatment, community care services, relevant services, other treatment care or service. (Note: this must clude ALL recorded matters appropriate to the order, and not just those that have been varied):
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OR

- B O The Tribunal does not specify any recorded matters in this compulsory treatment order.
- O The above position is a variation from the recorded matter specified in the previous order.



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			To be completed by Mental Health Tribunal for Scotland
Ac	dvar	nce Statement (o	nly complete if the patient reamains subject to the order)
Coi	mple	te A, B or C as appro	priate
Α		As far as is practic	able to ascertain, the patient does not have an advance statement under S275 of the Act.
0	R		
В			icable to ascertain: the patient has made and not withdrawn an advance statement under S275 e patient's current/proposed care and treatment are NOT in conflict with any wishes specified in tement.
0	R		
С	0	statement IS in c Please record in	
		 Details of trea Where the co are not receiv Reasons for a 	the advance statement(s). It with the advance statement and how. Inflict with the advance statement concerns treatment the patient specified wishes to receive, that they ing, please provide details of this. Intuition is measured that allow this treatment to be given/not given, despite the conflict with the iment, with reference to the Principles of the Act.
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		the patientthe patient's nar	ent is in conflict with the advance statement, a record of the above has been sent to: the patient's welfare attorney the patient's guardian are Commission (a copy of this form and any other record which has been sent to the patient/ others)
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