

Date Application Received

The application to extend and vary an order was received by the Mental Health Tribunal for Scotland on

Date / /

Hearing Details

A hearing to consider the 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 103(6) or 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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Determination

Complete the appropriate option(s) below. Where extending or extending and varying, irrespective of whether there has been a variation to the measures or recorded matters as a result of this order, ALL measures/recorded matters authorised by this order should be completed in the appropriate section.

A: complete if - EXTENDING THE ORDER

- The Mental Health Tribunal for Scotland authorises the extension of the order to which the application relates

B: complete if - EXTENDING AND VARYING THE ORDER

The Mental Health Tribunal for Scotland authorises the extension of the order to which the application relates, and the variation of the order by modifying:

- (i) the measures (detail all measures on page 4)
- (ii) any recorded matter specified (**compulsory treatment orders only**) (detail on page 5).

C: complete if - REFUSING THE APPLICATION

- The Mental Health Tribunal for Scotland refuses the application to extend and vary the order to which the application relates.

D: complete if - REFUSING THE APPLICATION AND REVOKING THE ORDER

- The Mental Health Tribunal for Scotland refuses the application to extend and vary the order to which the application relates and revokes that order.

GUIDANCE FOR MEDICAL RECORDS ON DETERMINATION**Extensions - extension periods:**

Orders are extended for 6 months following the first mandatory review, and for 12 months following subsequent mandatory reviews.

Extensions - expiry of extensions:

Any interim extension(s) granted should be considered as running concurrently with this extension - the date of expiry of the interim extension should not be used in calculating when this order will cease to authorise the measures specified.

An order is first made on the 22nd June 2006. The measures specified will cease to be authorised at midnight at the end of the day on the 21st December 06. The determination to extend will then have effect from midnight at the start of the 22nd December 06, and will authorise the measures specified until midnight at the end of 21st June 07.

Similarly, an order originally granted on 4th November 2005 which had been subsequently extended, would cease to authorise the measures specified at midnight at the end of the day on the 3rd November 06. The next determination to extend would have effect from midnight at the start of the 4th November 06, and will authorise the measures specified until midnight at the end of 3rd November 07.

Variations

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

Refusals

The current order will run until it expires at which point the patient should be discharged or other arrangements made to continue treatment

Revocation

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.



Recorded Matter (Compulsory Treatment Orders only)

Complete A or B as appropriate

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

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OR

B The Tribunal does not specify any recorded matters in this compulsory treatment order.

The above position is a variation from the recorded matter specified in the previous order.



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 this form and any other record which has been sent to the patient/ others)

Signature / Date

Signed by Convener

Date dd / mm / yyyy / /

