

Chief Psychiatrist

ADVISORY NOTE

Transportation, following apprehension of a person under Section 80 of the Mental Health Act

PURPOSE	To clarify processes for apprehension and transportation of a person under the <i>Mental Health Act 2015</i> (the Act), to an approved mental health facility for an initial examination.
SCOPE	Doctor, Mental Health Officer, ACT Policing, ACT Ambulance Services (referred to as 'officer').
DEFINITIONS	<p>An Authorised Ambulance Officer is member of the ambulance service who can undertake apprehensions and transport a person to an approved mental health facility for assessment and treatment.</p> <p>Mental Health Officer is an eligible nurse, nurse practitioner, psychologist, occupational therapist, or social worker who has been appointed or nominated by the Minister for Minister Health to occupy a position as a Mental Health Officer.</p> <p>A Doctor is a person registered under the Health Practitioner Regulation National Law (ACT) to practice in the medical profession (other than as a student).</p> <p>A Police Officer is an officer of the Australian Federal Police.</p>
ADVICE	<p>Scenario 1: Apprehension and <u>transportation by the same officer</u></p> <ul style="list-style-type: none">• Complete the <i>Statement of Action Taken</i> Form. <p><u>Scenario 2: Apprehension initiated by one officer and transportation requested from a different officer</u> (e.g. apprehended by a doctor and transportation requested from ACT Ambulance Services) <u>and both officers AGREE that use of section 80 provisions is appropriate</u></p> <ul style="list-style-type: none">• Both officers must independently satisfy themselves that the person meets criteria under s. 80 and complete independent <i>Statement of Action Taken</i> Forms <p><u>Scenario 3: Apprehension initiated by one officer and transportation requested from a different officer, but the transporting officer DISAGREES that use of section 80 provisions is appropriate</u></p> <ul style="list-style-type: none">• Further advice must be requested from the delegate of the Chief Psychiatrist who will consider the next steps to ensure

	that the consumer receives the most appropriate treatment, care and support.
IMPLEMENTATION	<p>This Advisory will be part of orientation for all staff involved in the apprehension and/or transportation of person to an approved mental health facility for an initial examination.</p> <p>Services may develop their own policies and procedures to implement this advice.</p>
RELEVANT LEGISLATION	<p><u>Mental Health Act 2015</u></p> <p><u>Mental Health (Secure Facilities) Act 2016</u></p>