



MHWA122

ROLLS AUSTRALIA 1300 600 192

JULY
2023**Mental Health and Wellbeing Act 2022
Section 217****MHWA 122
Revocation of leave of absence
for compulsory patient**

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Mental Health Statewide UR Number

Local Patient Identifier

FAMILY NAME

GIVEN NAMES

DATE OF BIRTH

SEX

GENDER

Place patient identification label above

Instructions to complete this form

- This form must be completed by an Authorised Psychiatrist or Delegate when a leave of absence for a compulsory patient is revoked.

GIVEN NAMES

FAMILY NAME (BLOCK LETTERS)

a patient of:

who is subject to:

Designated Mental Health Service

☐ an Inpatient Temporary Treatment Order☐ an Inpatient Assessment Order☐ an Inpatient Treatment Order☐ an Inpatient Court Assessment Order(please cross ☒ one option only)

1. The abovenamed person was granted
leave of absence for the period:

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to:

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date

date

for the purpose of:

2. I am satisfied that:

specify purpose of leave of absence

☐ revocation of the leave of absence is necessary to prevent:☐ serious deterioration in the person's mental or physical health; or☐ serious harm to the person or to another person☐ the person has failed to comply with a condition of the leave of absence; or☐ the purpose for the leave of absence no longer exists.(please cross ☒ one or more relevant options)

3. The reasons for my opinion are:

4. I have given proper consideration to the decision-making principles for treatment and interventions.

5. I **revoke** the leave of absence on:

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date

at:

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time 24 hour

Signature: _____

signature of Authorised Psychiatrist or Delegate

Date:

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Given Names:

Family Name:

Next Steps

As soon as practicable after completing this form:

1. **tell** the person that leave of absence has been revoked;
2. **explain** the purpose and effect of the revocation, including that the person must return to the Designated Mental Health Service;
3. **give** the person a copy of this form;
4. **notify** the following persons (as applicable) that leave of absence has been revoked:
 - the person's nominated support person
 - the person's parent if the person is under the age of 16 years
 - a carer, if revoking leave will directly affect the care relationship between the carer and the person
 - the person's guardian
 - the Secretary, Department of Families, Fairness and Housing if the Secretary has parental responsibility for the person under a Relevant Child Protection Order.
5. **ensure** appropriate supports are provided to assist the person/s to understand this information.

Decision-making principles for treatment and interventions

In revoking a leave of absence, you must **give proper consideration** to these principles.

Title	Principle
Care and transition to less restrictive support	Compulsory assessment and treatment is to be provided with the aim of promoting the person's recovery and transitioning them to less restrictive treatment, care and support. To this end, a person who is subject to compulsory assessment or treatment is to receive comprehensive, compassionate, safe and high-quality mental health and wellbeing services.
Consequences of compulsory assessment and treatment and restrictive interventions principle	The use of compulsory assessment and treatment or restrictive interventions significantly limits a person's human rights and may cause possible harm including— (a) serious distress experienced by the person; and (b) the disruption of the relationships, living arrangements, education or employment of the person.
No therapeutic benefit to restrictive interventions principle	The use of restrictive interventions on a person offers no inherent therapeutic benefit to the person.
Balancing of harm principle	Compulsory assessment and treatment or restrictive interventions are not to be used unless the serious harm or deterioration to be prevented is likely to be more significant than the harm to the person that may result from their use.
Autonomy principle	The will and preferences of a person are to be given effect to the greatest extent possible in all decisions about assessment, treatment, recovery and support, including when those decisions relate to compulsory assessment and treatment.

Definitions

- **'Relevant child protection order'** means:
 - (a) a therapeutic treatment (placement) order;
 - (b) a family reunification order;
 - (c) a care by Secretary order;
 - (d) a long-term care order,each within the meaning of the *Children, Youth and Families Act 2005*.