



To be completed by the Scottish Ministers or the Mental Health Tribunal for Scotland

**CORO Details**

The compulsion order and restriction order were made on:      Date        /   /

The patient is detained in:

Hospital     

Ward     

**Named Person**

- The patient does not have a named person
- The patient does have a named person - details below

Surname     

First Name     

Title     

Address     

Postcode     

Telephone     

e-mail address     

**Primary Carer, Advocacy Worker, Welfare Attorney, Welfare Guardian**

Please enter full names and addresses, including contact telephone numbers and email addresses where known.

*Patient's primary carer (if any)*

*Patient's advocacy worker where applicable*

*Patient's welfare attorney where applicable (See note)*

*Patient's welfare guardian where applicable (See note)*

**Notes** "Welfare attorney" means an individual authorised, by a welfare power of attorney granted under section 16 of the Adults with Incapacity (Scotland) Act 2000 (asp 4) and registered under section 19 of that Act, to act as such.

"Guardian" means a person appointed as a guardian under the Adults with Incapacity (Scotland) Act 2000 (asp 4) who has power by virtue of section 64(1)(a) or (b) of that Act in relation to the personal welfare of a person.



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***Record Of Contact Details Of Others Relevant to the Application***

Please provide the names and addresses (including telephone numbers and email addresses) of others who may be relevant to this application, where not available elsewhere on this form or the Mental Health Reports, and whom the Mental Health Tribunal for Scotland may wish to hear evidence from, for example: the patient's GP. Also record any others who should be invited to the hearing.

***Curator Ad Litem***

***If, in your view, the patient requires a Curator Ad Litem, please indicate this here and give your reasons.***

**Suspension of detention**

Where relevant to the reference/application:

Date on which the total period of suspension of detention within 12 months will reach 200 days.      /   /

Note that the tribunal will schedule the hearing prior to the date of maximal suspension of detention if possible, but this cannot be guaranteed.



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**Advance Statement**

*Shade A or B as appropriate*

**A**  As far as I am aware, the patient has made and not withdrawn an advance statement made under the terms of section 275 of the Act.

**OR**

**B**  As far as I am aware the patient has not made an advance statement under the terms of section 275 of the Act.

If the patient has an Advance Statement, could Scottish Ministers please ensure that it is enclosed with the application or reference.

**Completing the appropriate part of the form**

**Please complete -**

**Scottish Ministers:**

**Part 1**, where a reference to the Mental Health Tribunal of Scotland is to be made by the Scottish Ministers:

following a report from the patient's RMO under section 185(1);  
following notice from the Mental Welfare Commission under section 187(2); or  
under section 189(2)

**Part 2**, where an application to the Mental Health Tribunal of Scotland is to be made by the Scottish Ministers under section 191.

**Mental Health Tribunal for Scotland**

**Part 3**, where an application has been made by the patient, patient's named person or a listed person under section 192 of the Act

**Part 4**, where an appeal has been made by the patient, patient's named person or a listed person under section 201 or 204 of the Act



**PART 1: REFERENCE TO THE MENTAL HEALTH TRIBUNAL OF SCOTLAND BY THE SCOTTISH MINISTERS UNDER SECTION 185(2), 187(2) OR 189(2)**

**Reference Type**

This is a reference under:      **Section 185(1)**      **Section 187(2)**      **Section 189(2)**

*Note: Section 189(2) reference is made because no reference under section 185(1) or 187(2), or application under section 191 or 192(2) has been determined by the Mental Health Tribunal for Scotland during the previous two years in respect to the orders to which this patient is subject.*

**Reasons For Reference - to be completed for section 187 references only**

The reason(s) given by the Mental Welfare Commission in the notice under 186(2) of the Act requiring the Scottish Ministers to make this reference is/are:

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**Notification**

Scottish Ministers shall as soon as is practicable give notice that a reference is to be, or as the case may be has been made to the following:

- the patient;
- the patient's named person (if any);
- any guardian of the patient;
- any welfare attorney of the patient;
- the patient's RMO
- the MHO, and
- the Mental Welfare Commission

**Signature / Date**

Name

Job Title

Signed  
on behalf of the Scottish Ministers

Date 



 / 



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For reference under section 185(1), a copy of the relevant CORO1 and accompanying RMO's report should be sent with this form to the Mental Health Tribunal



**PART 2 : APPLICATION TO THE MENTAL HEALTH TRIBUNAL OF SCOTLAND BY THE SCOTTISH MINISTERS UNDER SECTION 191**

**Application Type**

This is an application made under section 191 of the Act to the Mental Health Tribunal for Scotland in respect of the orders to which the patient is subject. It is seeking the following order(s):

- the revocation of the compulsion order
- the revocation of the restriction order
- the variation of the measures specified in the compulsion order (complete section below)  
*(Note: this may apply only where the application is also seeking the revocation of the restriction order)*
- the conditional discharge of the patient

**Variation to Compulsion Order**

I propose the following modifications to the measures specified within the compulsion order: -

Measures currently authorised	All measures proposed following variation
<input type="radio"/> (a) the patient's detention in a specified hospital <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	<input type="radio"/>
<input type="radio"/> (b) giving the patient medical treatment in accordance with Part 16 of the Act	<input type="radio"/>
<input type="radio"/> (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	<input type="radio"/>
<input type="radio"/> (d) 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 community care services, relevant services or any treatment care or service	<input type="radio"/>
<input type="radio"/> (e) requiring the patient to reside at a specified place	<input type="radio"/>
<input type="radio"/> (f) requiring the patient to allow any of the following parties to visit the patient in the place where the patient resides. Those parties are; > the patient's MHO, > the patient's RMO, > or any person responsible for providing medical treatment, community care services, relevant services or any treatment, care or services to the patient who is authorised for this purpose by the patient's RMO	<input type="radio"/>
<input type="radio"/> (g) requiring the patient to obtain the approval of the MHO to any proposed change of address	<input type="radio"/>
<input type="radio"/> (h) requiring the patient to inform the MHO of any change of address before the change of address takes effect	<input type="radio"/>

Where it is proposed that the order should authorise measures other than the detention of the patient in hospital, please state the name of the hospital the managers of which should have responsibility for appointing the patient's RMO.

Hospital

**Note:** any changes proposed within the above measures should be detailed within an updated care plan that should accompany this document.



**Variation to Compulsion Order (cont)**

The reason(s) for seeking modification(s) is(are):

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**Notification**

Scottish Ministers shall as soon as is practicable give notice that a reference is to be, or as the case may be has been made to the following:

- the patient;
- the patient's named person (if any);
- any guardian of the patient;
- any welfare attorney of the patient;
- the patient's RMO
- the MHO, and
- the Mental Welfare Commission

**Signature / Date**

Name

Job Title

Signed  
on behalf of the Scottish Ministers

Date  
dd / mm / yyyy  /  /



**PART 3 : RECORD OF APPLICATION MADE UNDER SECTION 192(2) OF THE ACT**

**Application Details**

- The application was made by:
- the patient
  - the patient's named person
  - the patient's guardian
  - the patient's primary carer
  - the patient's welfare attorney
  - the patient's nearest relative

This is a record of application made under section 192 of the Act to the Mental Health Tribunal for Scotland in respect of the orders to which the patient is subject. It is seeking the following order(s):

- the revocation of the compulsion order
- the revocation of the restriction order
- the variation of the measures specified in the compulsion order (complete table below)  
*(Note: this may apply only where the application is also seeking the revocation of the restriction order)*
- the conditional discharge of the patient

The following variation is proposed to the measures specified within the compulsion order: -

Measures currently authorised		All measures proposed following variation
<input type="radio"/>	(a) the patient's detention in a specified hospital <div style="border: 1px solid black; height: 15px; width: 100%;"></div>	<input type="radio"/>
<input type="radio"/>	(b) giving the patient medical treatment in accordance with Part 16 of the Act	<input type="radio"/>
<input type="radio"/>	(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	<input type="radio"/>
<input type="radio"/>	(d) 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 community care services, relevant services or any treatment care or service	<input type="radio"/>
<input type="radio"/>	(e) requiring the patient to reside at a specified place	<input type="radio"/>
<input type="radio"/>	(f) requiring the patient to allow any of the following parties to visit the patient in the place where the patient resides. Those parties are; > the patient's MHO, > the patient's RMO, > or any person responsible for providing medical treatment, community care services, relevant services or any treatment, care or services to the patient who is authorised for this purpose by the patient's RMO	<input type="radio"/>
<input type="radio"/>	(g) requiring the patient to obtain the approval of the MHO to any proposed change of address	<input type="radio"/>
<input type="radio"/>	(h) requiring the patient to inform the MHO of any change of address before the change of address takes effect	<input type="radio"/>

Where it is proposed that the order should authorise measures other than the detention of the patient in hospital, please state the name of the hospital the managers of which should have responsibility for appointing the patient's RMO.

Hospital

Please provide details of any previous applications under section 192(2) of the Act, including length of time since any previous application under this section

<b>3</b>	
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**PART 4 : RECORD OF APPEAL MADE UNDER SECTION 201 OR 204 OF THE ACT**

**Application Details**

- The appeal was made by:
- the patient
  - the patient's named person
  - the patient's guardian
  - the patient's primary carer
  - the patient's welfare attorney
  - the patient's nearest relative

and is:

- a section 201 appeal against variation of conditions imposed on conditional discharge (complete part 4a)
- a section 204 appeal against recall from conditional discharge (complete part 4b)

The patient was conditionally discharged under the authority of section 193 on:                      Date                        /   /

**Part 4a: Section 201 appeal details**

The Scottish Ministers notified the parties of the variation(s) to conditions imposed on conditional discharge on:                      Date                        /   /

Appeal by the patient or named person must be within 28 days of this date

The variation(s) made by the Scottish Ministers that are the subject of this appeal are:

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**Part 4b: Section 204 appeal details**

The patient was returned to hospital on                      Date                        /   /

Appeal by the patient or named person must be within 28 days of this date

following warrant from Scottish Ministers recalling the patient from conditional discharge

