

# Section 193 Order

CORO2	Part B
CURUZ	Determination

This box is for the use of the Mental	
Health Tribunal for Scotland only	
ricallit tribuliar for occitating offing	

Instructions v7.1

#### The following form is to be used by the Mental Health Tribunal for Scotland:

- to record the determination on any of the following under section 193 of the Act -
- (i) a reference to the Mental Health Tribunal for Scotland made by the Scottish Ministers under section 185(1), 187(2) or 189(2); OR
- (ii) an application to the Mental Health Tribunal for Scotland by Scottish Ministers under section 191; OR
- (iii) an application made under section 192 of the Act or an appeal made under section 201 or 204 of the Act.

There is no statutory requirement that you use this form but you are strongly recommended to do so. This form draws attention to some procedural requirements under the Mental Health (Care and Treatment) (Scotland) Act 2003. Failure to observe procedural requirements may invalidate the record.

Where not completing this form electronically, to ensure accuracy of information, please observe the following conventions:

	For example	Shade circles like this ->		
in BLOCK CAPITALS and in BLACK or BLUE ink		Not like this ->	×	igstar

Where a text box has a reference number to the left, you can extend your response on plain paper where there is insufficient space in the box. Extension sheet(s) should be clearly labelled with Patient's name and CHI number, and each extended response should be labelled with the appropriate text box reference number.

Patient Details														
CHI Number														
Surname														
First Name (s)														
Other / Known As														
	'Other / Known As' could include any name / alias that the patient would prefer to be known as.													
Title  DoB  dd / mm / yyyy	Gender  Male O Female O Prefer not to say Not listed  If not listed, please specify													
Patient's home address														
Postcode	<< Please enter NF1 1AB if no fixed abode													



										T	To k	ре с	omp	olet	ed	by I	Mer	ıtal	He	alth	Tri	bur	nal f	or S	Scot	land
SECTION 193 ORDE	ER .																									
Application / Refere	ence																									
The Mental Health Tr	ibunal f	or S	cotl	and	d red	ceiv	ed c	on				Date	)				7			1						
the following:  O a reference under section 185 (1) of the Act (Part 1 of CORO2 (Part A) plus CORO1)													_													
○ a reference under s	ection	185	(1)	of t	he A	Act (	(Par	t 1 (	of C	ORG	Э2	(Pa	rt A)	plu	s C	OR	O1)									
○ a reference under s	ections	s 18	7(2)	or	189	(2)	of th	ne A	ct (	Part	1 c	of C	OR	)2	(Pa	rt A	))									
○ an application unde	r section	on 19	91 o	f th	e A	ct (I	Part	2 0	f CC	ORO	2 (	Part	(A))													
○ an application unde	r section	on 19	92(2	2) 0	f the	e Ac	t (P	art 3	3 of	COI	RO:	2 (P	art A	۹))												
○ an appeal under se	ction 20	)1 o	r 20	4 o	f the	e Ac	t (P	art 4	4 of	CO	RO	2 (F	art A	۹))												
Hearing Details																										
A hearing to consider appeal was heard on	the ab	ove	refe	ren	ice /	/ ap	plica	atior	า /			Date d/mn	<b>)</b> n / yyyy				]/			]/						
Before the following T	ribunal	l me	mbe	ers	-																					
Convener																										
Medical																										
General																										
Hearing Address																										
Destanda								1																		
Postcode						<u> </u>					_	_														
Before determining the (9) of the Act the opposition																										193
Please shade.	·				•			Atte	· end	ed h	nea	ring	j   (	Gav	/e e	vid	enc	e								
Pa	tient									0			+			C										
	tient's N	Nam	ned F	Per	son	_				0						 										
Gu	ardian	of th	ne pa	atie	ent																					
						ent				0			_			 )										
Pa	tient's <b>l</b>	ИНС	)							0			+		(	 O										
Pa	tient's F	RMC	)							0					(	С										
Welfare Attorney of patient Patient's MHO Patient's RMO Patient's primary carer Curator Ad Litem									0					(	О С											
Cu	rator A	d Lit	tem							0					(	О										
Sc	ottish M	/linis	ters							0					(	C										
List below any other pe	ersons a	ppea	aring	j to	the	Trib	unal	to h	ave	an ir	nter	est a	and i	ndic	ate	if th	ey a	tter	nded	the	hea	ıring	and	d if th	еу	
1																										



## To be completed by Mental Health Tribunal for Scotland

#### **Tribunal Determination**

#### Shade appropriate option(s) A thru G

ONLY where option D completed: Irrespective of whether there has been a variation to the measures as a result of this order (option E completed), Part 1a on page 5 should be completed detailing ALL measures authorised by this order.

#### A - complete where - Tribunal does NOT make an order

- The Tribunal is satisfied:
  - (a) that the patient has a mental disorder; and
  - (b) that, as a result of the patient's mental disorder, it is necessary, in order to protect any other person from serious harm, for the patient to be detained in hospital, whether or not for medical treatment,

and makes no order under this section.

# B - complete where - Tribunal makes an order under section 193(3) revoking the compulsion order

 The Tribunal is NOT satisfied that the patient has a mental disorder; and makes an order revoking the compulsion order

## C - complete where - Tribunal makes an order under section 193(4) revoking the compulsion order

- O The Tribunal is satisfied that the patient has a mental disorder; but is NOT satisfied
  - (i) that, as a result of the patient's mental disorder, it is necessary, in order to protect any other person from serious harm, for the patient to be detained in hospital, whether or not for medical treatment; and
  - (ii) either -
    - (A) that the conditions mentioned in paragraphs (b) and (c) of section 182(4) of the Act continue to apply in respect of the patient, or
    - (B) that it continues to be necessary for the patient to be subject to the compulsion order,

and makes an order revoking the compulsion order

#### D - complete where - Tribunal makes an order under section 193(5) revoking the restriction order

- The Tribunal is satisfied:
  - (i) that the conditions mentioned in section 182(4) of the Act continue to apply in respect of the patient; and
  - (ii) that it continues to be necessary for the patient to be subject to the compulsion order;

but is NOT satisfied-

- (i) that, as a result of the patient's mental disorder, it is necessary, in order to protect any other person from serious harm, for the patient to be detained in hospital, whether or not for medical treatment; and
- (ii) that it continues to be necessary for the patient to be subject to the restriction order,

and makes an order revoking the restriction order.

#### E - complete where - Tribunal additionally makes an order under section 193(6) varying the compulsion order

 The Tribunal, having made an order under section 193(5), is satisfied that the compulsion order should be varied by modifying the measures specified in it,

and makes an order varying the compulsion order by modifying the measures specified in it.

#### Options F and G are on next page





# F - complete where - Tribunal makes an order under section 193(7) conditionally discharging the patient

- The Tribunal is satisfied:
  - (i) that the conditions mentioned in section 182(4) of the Act continue to apply in respect of the patient; and
  - (ii) that it continues to be necessary for the patient to be subject to the compulsion order and the restriction order but is NOT satisfied-
    - (i) that, as a result of the patient's mental disorder, it is necessary, in order to protect any other person from serious harm, for the patient to be detained in hospital, whether or not for medical treatment; and
    - (ii) that it continues to be necessary for the patient to be detained in hospital,

and makes an order that the patient be conditionally discharged and imposes the following conditions on the discharge

2	

G - complete where - Tribunal makes no order (patient is on conditional discharge or is to remain detained for a reason other than section 193(2))

The Tribunal makes no order.



To be completed by Mental Health Tribunal For Scotland

# Part 1a - Measures Authorised (Complete ONLY where option D or D + E chosen on page 3)

Ţ	Con all me before	eas	ure	s au	ıth	oris	ed	g													ll m	eas	sui	this res a	aut	tho	rise			1
$\circ$	(a) the patient	's d	eten	tion	in	the f	ollo	win	g spe	ecifi	ied:																			0
	ospital																													
	ospital unit applicable)																													
0	(b) giving the	pati	ent ı	ned	ica	l trea	atme	ent i	in ac	cor	dan	ce w	ith Pa	rt 1	6 o	f the	4ct													
2	(c) requiring the directed place below. If the T that matter to	s w	ith a unal	viev spec	w to	rec es a	eivi mat	ng i	medi then	cal tha	trea it ma	tme atter	nt (inc shoul	lud d b	ing e in	asso serte	cia d iı	ted the	trave e bo	el w	vher	e ap	pro	opria	te)	, as	det		d	0
3	(d) requiring the directed place (including ass should be inserted below should	es w ocia erte	vith a ated d in	viev trav the	w to	o rec	eivi e ap	ing o	comr opria	mur te),	nity o	care detai	servio	es, lov	rel v. If	evant the T	se rib	ervic una	es d I spe	or a ecif	ny ti ies a	eat a ma	me atte	ent ca er the	are en t	or : that	serv mat	ice tter		0
0	(e) requiring the Tribunal must																													0
0	(f) requiring th			nt to	alle	 ow a	 ny c	of th	e fol	low	ing	parti	es to	·	t the	 e pati	ent	in t	 he p	 olac	 ce w	nere	 e th	ie pa	tie	nt re	eside	es.		
	O patient's M	1HC	)	○ p	ati	ent's	8 R <b>I</b>	MO		С	are	serv	on res ices, i	ele	van	t serv	ice	es o	r an	y tr	eatn	nent	t, c	are c	r s	erv	ices	to	  -  -  -  -	  - 
0	(g) requiring th	he p	atie	nt to	o ok	tain	the	apı	orova	al o	f the	MH	O to a	ny	pro	pose	d c	han	ge o	of a	ddre	ess 								0
0	(h) requiring the	he p	oatie	nt to	in <sup>.</sup>	form	the	M-	IO of	f an	ıy ch	nang	e of a	ddr	ess	befo	re 1	the	char	nge	of a	ddr	es	s tak	es	effe	ect			0
	e the order auth responsibility fo										eter	ntion	of the	pa	tier	nt in h	os	pita	I, the	e m	ana	gers	s of	f the	foll	low	ing h	nosp	oital	will



To be completed by Mental Health Tribunal For Scotland

# Part 1b: Advance Statement (only complete if the patient remains subject to the compulsion order) Complete A, B or C as appropriate A O As far as is practicable to ascertain, the patient does not have an advance statement under S275 of the Act. **OR** O As far as is practicable to ascertain: the patient has made and not withdrawn an advance statement under S275 В 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** $\odot~$ The patient has made and not withdrawn an advance statement under S275 of the Act. This advance C 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. 6 Where the treatment is in conflict with the advance statement, a record of the above has been sent to: O the patient O the patient's welfare attorney O the patient's named person (if any) O 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 the Convenor

Date dd / mm / yyyy