

**MENTAL HEALTH OFFICER REPORT: TRANSFER FOR TREATMENT
DIRECTION IN RESPECT OF PERSON SERVING A SENTENCE OF
IMPRISONMENT (Section 136)**

PART A: MENTAL HEALTH OFFICER

(full name and
professional address
of MHO)

Mental Health Officer:

I am a mental health officer for

Local Authority

Contact Details

Telephone:

Email:

PART B: STEPS TAKEN

The steps I have taken in relation to the prisoner are:

(place and date of interview)

I interviewed the prisoner at

on

OR

It was impracticable for me to interview the prisoner for the following reasons:

Has the prisoner been made aware of their rights?

- Yes
- No

Does the prisoner have an advance statement?

- Yes
- No

If yes, the extent to which the wishes set out in the advance statement have been taken into account in the proposals for the prisoner's care and treatment is as follows:

Steps taken to ascertain name and address of the prisoner’s named person:

PART C: PRISONER INFORMATION

Findings from the steps taken)

The personal circumstances of the prisoner that I have ascertained, in so far as they are relevant for the making of a transfer for treatment direction, are:

(give a brief description)

Information on any previous periods of hospitalisation because of mental disorder (whether formal or informal) and their effect on the prisoner are as follows:

PART D: VIEWS

What are the past and present wishes and feelings of the prisoner on their mental disorder and proposed transfer to hospital:

The prisoner has participated as fully as possible in the decision to make a transfer direction

Information and support that has been given to the prisoner to enable them to participate in the decision to make a transfer direction:

If the prisoner has capacity and does not wish to be transferred to hospital, how have you taken that into account in making your decision to support the proposed transfer to hospital:

Does the prisoner have a named person?

- Yes, provide copy of nomination and acceptance forms to Scottish Ministers
- No

If yes, then provide contact details for named person:

What are the views of the named person to the proposed transfer:

Provide contact details for any carer of the prisoner:

(provide information you have obtained from any carer, guardian, welfare attorney etc. The two medical practitioners will separately provide information they have obtained. If none state 'none').

What are the views of the carer to the proposed transfer:

Provide contact details for any guardian of the prisoner:

What are the views of the guardian to the proposed transfer:

Provide contact details for any welfare attorney of the prisoner:

What are the views of the welfare attorney to the proposed transfer:

PART E: MEDICAL PRACTITIONERS REPORTS

Have you considered the reports from the two medical practitioners?

- Yes
- No

My views on whether the criteria for compulsory powers are satisfied and on whether there are viable courses of action

which could be taken other than those recommended in the mental practitioner reports are as follows:

(Mental Health Officer views)

My views on the two medical practitioner reports are as follows:

If the MHO disagrees a TTD cannot be made

(give a brief description)

I am of the opinion that the making of a transfer for treatment direction in respect of the prisoner is necessary.

Brief details of why the transfer for treatment direction are necessary, including the range of options available in the prisoner's case:

(give a brief description)

Brief details of how the transfer direction would provide the maximum benefit to the prisoner:

The prisoner is not being treated in a way that is less favourable than the way in which a prisoner who does not have a mental disorder might be treated in a comparable situation

OR

The prisoner is being treated in a way that is less favourable than the way in which a prisoner who does not have a mental disorder might be treated in a comparable situation as is justified in the following circumstances

I have had regard to the prisoner's abilities, background and characteristics, including without prejudice to that generality, the prisoner's age, sex, sexual orientation, religious persuasion, racial origin, cultural and linguistic background and membership of any ethnic group as follows:

PART E: CONCLUSION

I:

- agree it is necessary to grant this transfer direction
- disagree it is necessary to grant this transfer direction

I disagree for the following reasons:

Name

Date
