



# Initial Order FORM 1

Mental Health Act 1996 sections 24 - 27.

URN: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
DOB: \_\_\_\_\_

## Section A – Patient Details

Given name(s): \_\_\_\_\_ Surname: \_\_\_\_\_  
Address: \_\_\_\_\_ Date of birth (if known): \_\_\_\_\_

## Section B – Applicant for Admission

I, \_\_\_\_\_  
(name)  
of \_\_\_\_\_  
(address)  
apply for the involuntary admission and detention of the person named above.  
Relationship to the patient: \_\_\_\_\_  
(if the person responsible for the patient is applying)  
or Authorised Officer (tick if yes) ? Signature: \_\_\_\_\_

## Section C – Medical Practitioner Assessment

I, \_\_\_\_\_  
(name)  
of \_\_\_\_\_  
(address)

being a registered medical practitioner, acting on the application of the person whose name and address are specified in Section B of this form, have examined the patient whose name and address are specified in Section A, and am satisfied that:

- (a) the patient appears to have a mental illness; and
- (b) there is, in consequence, a significant risk of harm to the person or others; and
- (c) the detention of the person as an involuntary patient is necessary to protect the person or others; and
- (d) the \_\_\_\_\_ Hospital is properly equipped and staffed for the care and treatment of the patient.

I consequently order, in accordance with section 26 of the *Mental Health Act 1996*, that the patient be detained as an involuntary patient in that hospital.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_ am/pm

## Section D – Admission to Hospital under the Act

Name of hospital: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_ am/pm  
Name of person admitting the patient: \_\_\_\_\_  
Designation/Position: \_\_\_\_\_ Signature: \_\_\_\_\_

## Section E – Approved Medical Practitioner Assessment

I, \_\_\_\_\_ certify that I am an approved medical practitioner under the *Mental Health Act 1996*. I have examined the patient whose name and address are specified in Section A within 24 hours of their admission to the approved hospital and hereby **confirm/discharge** the order.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_ am/pm

## Section F – Approved Medical Practitioner Discharge

I, \_\_\_\_\_ certify that I am an approved medical practitioner under the *Mental Health Act 1996*. I have examined the patient whose name and address are specified in Section A and hereby **discharge** the order prior to the lapse of 72 hours.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_ am/pm

# Explanatory Notes

## Section B: Applicant for Admission

- The person responsible is, in descending order of authority, the patient's guardian, spouse or de facto spouse (if there is a close and continuing relationship), carer or a close friend or relative (section 5). A carer is someone who provides domestic services for the patient, or arranges for these to be provided. A carer does not include someone who receives payment for the care of the person (other than a carer's pension). A close friend or relative is someone who maintains a close personal relationship through frequent contact and interest in the patient's welfare.
- If the patient is under 18, the person responsible is, in descending order of authority, their spouse, guardian or parent.

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## Section C: Medical Practitioner Assessment

- Preference must be given to voluntary admission with the patient's consent (section 18)
- A medical practitioner cannot be a signatory to an order if the medical practitioner :
  - (a) is a relative of the patient; or
  - (b) has a financial interest, other than the receipt of professional fees, in the care or treatment of the patient.
- The medical practitioner must always consider each of the factors listed.
- Completion of the medical practitioner assessment allows the person to be involuntarily hospitalised for 24 hours.
- Once this section is completed an Initial Order exists. This allows the applicant for the order, or a person authorised by the applicant, to take the person into protective custody and transport them to an approved hospital as soon as practicable.
- If the patient has not been taken to an approved hospital within 72 hours, the order lapses.

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## Section D: Admission to Hospital under the Act

- This section must be completed when the person is admitted to provide a time from which an approved medical practitioner must assess the person.
- This is the time of admission under the Act (i.e. if the person has already been admitted as a voluntary patient, the time to be entered is the time the person is placed on this order).
- This section is to be completed by the person who has the authority to accept the patient.

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## Section E: Approved Medical Practitioner Assessment

- If an approved medical practitioner examination is not carried out within 24 hours of admission the order lapses.
- Following examination by an approved medical practitioner, an initial order is valid for 72 hours from the time of admission.

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## Section F: Approved Medical Practitioner Discharge

- Following examination by an approved medical practitioner the person may be discharged from a confirmed initial order within 72 hours.

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## General Information

- The objects of the legislation in sections 6 and 7 should be considered in making an order for involuntary hospitalisation.

These include:

  - (a) providing the best possible standard of care while safeguarding the patient's civil rights and identity;
  - (b) to ensure involuntary patients are provided with information about their rights;
  - (c) to ensure that services provided for persons with a mental illness are equitable, comprehensive, coordinated, accessible and free from stigma and in particular to ensure that standards of care and treatment for those persons are at least equal to the standards of care and treatment for physical illnesses and disabilities;
  - (d) to ensure that all practicable measures are taken to prevent mental illness or to arrest or impede its progress at an early stage;
  - (e) to reduce the adverse effects of mental illness on family life;
  - (f) to encourage and contribute to the highest possible standards of care and treatment for persons with mental illnesses;
  - (g) to encourage the care and treatment of persons with mental illnesses in the community and to design and coordinate an integrated system of community support for persons with mental illnesses who are being cared for in the community;
  - (h) to ensure restrictions on the liberty of the person are kept to the minimum necessary to protect the person and others.
- Defects in the order may be rectified within 14 days by a medical practitioner who signed the order with the consent of the controlling authority of the hospital. The defect must not relate to the grounds on which the order was made.