# *Mental Health and Related Services Act 1998*

# Section 37

# Form 8

|  |
| --- |
| An authorised psychiatric practitioner, medical practitioner, designated mental health practitioner or police officer *(the Applicant)* may apply to the Tribunal for a warrant to apprehend a person for the purpose of being assessed under the *Mental Health and Related Services Act 1998.*  Refer to **Approved Procedure 19A - Assessment Warrants** for further information. |

|  | | ***Complete person details or affix patient label in box below:*** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Full name of person:** | |  | |  | |  |
| **Also known as** | |  | |  | |  |
| **Date of birth:** | |  | | / / | |  |
| **HRN:** | |  | |  | |  |
| **Sex:** | |  | | Male  Female  Non-binary  Not specified | |  |
| **Address:** | | |  | | | |
| Grounds for the application Application is herewith made to the Tribunal for a warrant to apprehend the abovementioned person on the grounds that:  The person may be unable to care for himself or herself; and  The person may fulfil the criteria for involuntary admission on the grounds of mental illness or mental disturbance; and  All other reasonable avenues to assess the person have been exhausted. | | | | | | |
| Other details supporting the grounds for this application | | | | | | |
| Applicant details | | | | | | |
| ***Full name of Applicant:*** | ***Signature:*** | | | | ***Date:***     /   / | |
| ***Work location:*** | | | | | | |
| ***Applicant is:***  An authorised psychiatric practitioner  A medical practitioner  A designated mental health practitioner  A member of the police force | | | | | | |
| Tribunal Approval | | | | | | |
| I have reviewed the application for an Assessment Warrant made in relation to the abovementioned person and I am satisfied that:  The person may be unable to care for himself or herself; and  The person may fulfil the criteria for involuntary admission on the grounds of mental illness or mental disturbance; and  All other reasonable avenues to assess the person have been exhausted.  As such, the application for an Assessment Warrant is:  Approved  Not Approved | | | | | | |
| ***Full name of Tribunal President (or delegate of the President):*** | ***Signature:*** | | | | ***Date:***     /   / | |

**Form Requirements**

Copy sent to Tribunal

Form placed on clinical file

# NORTHERN TERRITORY CIVIL AND ADMINISTRATIVE TRIBUNAL

## *Mental Health and Related Services Act 1998*

## Section 37

# Warrant to apprehend a person

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| ON application dated the | | | | /   / | | | | | | | | |
|  | | | | Day / Month / Year | | | | | | | | |
| made by | |  | | | | |  | |  | | | |
|  | | Given name | | | | |  | | Family name of Applicant | | | |
| a/an | | approved psychiatric practitioner/designated mental health practitioner/ medical practitioner/member of Police | | | | | | | | | | |
| of | |  | | | | | | | | | | |
|  | | Name of facility/agency/practice/police station | | | | | | | | | | |
| Itbeing established to the satisfaction of the Tribunal, based on the details contained in the Form 8 provided to the Tribunal for the purposes of this application, and signed by: | | | | | | | | | | | | |
|  | | | | |  |  | | | | on | /   / | |
| Given name | | | | |  | Family name of Applicant | | | |  | Day/Month/Year | |
| that |  | | | | | |  | |  | | | |
|  | Given name | | | | | |  | | Family name of person | | | |
| date of birth: | | | /   / | | | | | | | | | |
|  | | | Day / Month / Year | | | | | | | | | |
| of |  | | | | | | | | | | | |
|  | Address of person | | | | | | | | | | | |
| (1) may be unable to care for himself or herself;  (2) may meet the criteria for involuntary admission; and  (3) all other reasonable avenues to assess the patient have been exhausted.  **THE TRIBUNAL ISSUES THIS WARRANT** pursuant to section 37 of the Act authorising an authorised psychiatric practitioner, a designated mental health practitioner, a medical practitioner or a member of the Northern Territory Police Force to apprehend and control the above named patient and:-   1. In the case of an apprehension by a member of the Police Force, to bring the patient to an authorised psychiatric practitioner, a designated mental health practitioner or medical practitioner for assessment to determine whether the patient is in need of treatment under the Act; 2. In the case of an apprehension by an authorised psychiatric practitioner, a designated mental health practitioner or medical practitioner, to assess the patient to determine whether the patient is in need of treatment under the Act.   **AND** in either case, this shall be your sufficient warrant. | | | | | | | | | | | | |
| **DATED** | | | /   / | | |  | |  | | | |  |
|  | | |  | | |  | | (Signature of Tribunal President or delegate of the President) | | | |  |

# **Addendum to warrant to apprehend a person under section 37 of the *Mental Health and Related Services Act 1998***

### Criteria for involuntary admission on the grounds of mental illness (section 14)

That –

(a) the person has a mental illness;

(b) as a result of the mental illness:

(i) the person requires treatment that is available at an approved treatment facility;

(ii) without the treatment, the person is likely to:

(A) cause serious harm to himself or herself or to someone else; or

(B) suffer serious mental or physical deterioration; and

(iii) the person is not capable of giving informed consent to the treatment or has unreasonably refused to consent to the treatment; and

(c) there is no less restrictive means of ensuring that the person receives the treatment.

### Criteria for involuntary admission on grounds of mental disturbance (section 15)

That –

(a) the person does not fulfil the criteria for involuntary admission on the grounds of mental illness;

(b) the person's behaviour is, or within the immediately preceding 48 hours has been, so irrational as to lead to the conclusion that:

(i) the person is experiencing or exhibiting a severe impairment of or deviation from his or her customary or everyday ability to reason and function in a socially acceptable and culturally appropriate manner; and

(ii) the person is behaving in an abnormally aggressive manner or is engaging in seriously irresponsible conduct that justify a determination that the person requires psychiatric assessment, treatment or therapeutic care that is available at an approved treatment facility;

(c) unless the person receives treatment or care at an approved treatment facility, he or she:

(i) is likely to cause serious harm to himself or herself or to someone else; or

(ii) will represent a substantial danger to the general community; or

(iii) is likely to suffer serious mental or physical deterioration;

(d) the person is not capable of giving informed consent to the treatment or care or has unreasonably refused to consent to the treatment or care; and

(e) there is no less restrictive means of ensuring that the person receives the treatment or care.