# *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 applicationApplication 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.