



MHWA112

Mental Health and Wellbeing Act 2022
Section 205
MHWA 112
Revocation of Temporary Treatment
Order or Treatment Order

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Mental Health Statewide UR Number

Local Patient Identifier														
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FAMILY NAME													
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GIVEN NAMES													
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DATE OF BIRTH										SEX			GENDER		
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Place patient identification label above

Instructions to complete this form

This form must be completed by an Authorised Psychiatrist or Delegate if you determine the compulsory treatment criteria do not apply to the patient.

GIVEN NAMES

FAMILY NAME (BLOCK LETTERS)

a patient of:

who is subject to:

Designated Mental Health Service

a Temporary Treatment Order

a Treatment Order.

(please cross one option only)

1. **I am not satisfied** that all the following compulsory treatment criteria in section 143 of the **Mental Health and Wellbeing Act 2022** apply to the person:
 - a. the person has mental illness; and
 - b. because the person has mental illness, the person needs immediate treatment to prevent:
 - i. serious deterioration in the person's mental or physical health; or
 - ii. serious harm to the person or to another person; and
 - c. the immediate treatment will be provided to the person if the person is subject to a Temporary Treatment Order or Treatment Order; and
 - d. there is no less restrictive means reasonably available to enable the person to receive the immediate treatment.
2. The reasons for my decision are: _____

3. I have given proper consideration to the decision-making principles for treatment and interventions.

4. I revoke the person's:

Temporary Treatment Order

Treatment Order—on:

(please cross one option only)

} on:

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date

at:

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time 24 hour

Signature:

signature of Authorised Psychiatrist or Delegate

Date:

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Given Names:

Family Name:

Designation:

ROLLS AUSTRALIA 1300 600 192

JULY
2023

Revocation of Temporary Treatment Order or Treatment Order MHWA 112

Next steps

After completing this form:

1. **tell** the person that the Temporary Treatment Order or Treatment Order has been revoked and give them a copy of this form;
2. **explain** the effect of revocation and the reasons for the revocation to the person;
3. **notify** the following persons (as applicable) that the Order has been revoked and give them a copy of this form:
 - the nominated support person
 - the person's guardian
 - a parent if the person is under the age of 16 years
 - the Secretary, Department of Families, Fairness and Housing if that Secretary has parental responsibility for the person under a Relevant Child Protection Order.
 - a carer, if revoking the Order will directly affect the carer and the care relationship
4. **discuss** ongoing treatment options with the person;
5. **ensure** appropriate supports are provided to assist the person/s to understand this information;
6. **notify** the primary non-legal mental health advocacy service provider of this revocation; and
7. **notify** the Mental Health Tribunal of this revocation through CMI-ODS.

Decision-making principles for treatment and interventions

When revoking an Order, you must **give proper consideration** to these principles.

Title	Principle
Care and transition to less restrictive support	Compulsory assessment and treatment is to be provided with the aim of promoting the person's recovery and transitioning them to less restrictive treatment, care and support. To this end, a person who is subject to compulsory assessment or treatment is to receive comprehensive, compassionate, safe and high-quality mental health and wellbeing services.
Consequences of compulsory assessment and treatment and restrictive interventions principle	The use of compulsory assessment and treatment or restrictive interventions significantly limits a person's human rights and may cause possible harm including— (a) serious distress experienced by the person; and (b) the disruption of the relationships, living arrangements, education or employment of the person.
No therapeutic benefit to restrictive interventions principle	The use of restrictive interventions on a person offers no inherent therapeutic benefit to the person.
Balancing of harm principle	Compulsory assessment and treatment or restrictive interventions are not to be used unless the serious harm or deterioration to be prevented is likely to be more significant than the harm to the person that may result from their use.
Autonomy principle	The will and preferences of a person are to be given effect to the greatest extent possible in all decisions about assessment, treatment, recovery and support, including when those decisions relate to compulsory assessment and treatment.

Definitions

- **'Relevant Child Protection Order'** means:
 - (a) a therapeutic treatment (placement) order;
 - (b) a family reunification order;
 - (c) a care by Secretary order;
 - (d) a long-term care order,each within the meaning of the *Children, Youth and Families Act 2005*.