



**PART 3 : ORDER UNDER SECTION 104**

To be completed by Mental Health Tribunal for Scotland

**Date Reference received**

The section 96 reference was received by the Mental Health Tribunal for Scotland on

Date  /  /

**Hearing Details**

A hearing to consider the above application was heard on

Date  /  /

Before the following Tribunal members -

Convener	<input type="text"/>
Medical	<input type="text"/>
General	<input type="text"/>

Hearing Address

<input type="text"/>
<input type="text"/>
<input type="text"/>
<input type="text"/>

Postcode

<input type="text"/>
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Before determining the application, the Mental Health Tribunal for Scotland afforded the persons mentioned in section 103 (6) of the Act the opportunity to: make representations (whether orally or in writing); and leading, or producing evidence. Please shade.

	Attended hearing	Gave evidence
Patient	<input type="radio"/>	<input type="radio"/>
Patient's Named Person	<input type="radio"/>	<input type="radio"/>
Guardian of the patient	<input type="radio"/>	<input type="radio"/>
Welfare Attorney of patient	<input type="radio"/>	<input type="radio"/>
Patient's MHO	<input type="radio"/>	<input type="radio"/>
Patient's RMO	<input type="radio"/>	<input type="radio"/>
Patient's primary carer	<input type="radio"/>	<input type="radio"/>
Curator Ad Litem	<input type="radio"/>	<input type="radio"/>

List below any other persons appearing to the Tribunal to have an interest and indicate if they attended the hearing and if they gave evidence

1	<input type="text"/>
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**TRIBUNAL DETERMINATION under SECTION 104**

*Shade appropriate option*

**A: shade where - VARYING THE ORDER**

- The Mental Health Tribunal for Scotland authorises the variation of the order to which the reference relates by modifying:
  - (i) the measures authorised
  - (ii) any recorded matter,

**B: shade where - REVOKING THE ORDER**

- The Mental Health Tribunal for Scotland revokes the order to which the reference relates.

**C: shade where - MAKING NO ORDER**

- The Mental Health Tribunal for Scotland makes no order with respect to this reference



**PART 2a - Measures Authorised**

Complete this side for  
*all measures authorised  
before this Tribunal hearing*

Complete this side for  
*all measures authorised  
after this Tribunal hearing*

○	(a) the patient's detention in the following specified:	○
	hospital <table border="1" style="display: inline-table; width: 800px; height: 15px;"></table> hospital unit (if applicable) <table border="1" style="display: inline-table; width: 800px; height: 15px;"></table>	
○	(b) giving the patient medical treatment in accordance with Part 16 of the Act	○
○	(c) requiring the patient to attend on: specified or directed dates; or at specified or directed intervals, specified or directed places with a view to receiving medical treatment (including associated travel where appropriate), as detailed below. If the Tribunal specifies a matter then that matter should be inserted in the box below. If the Tribunal leaves that matter to be as directed by the RMO, then the box below should be left blank.	○
<b>2</b>		
○	(d) requiring the patient to attend: on specified or directed dates; or at specified or directed intervals, specified or directed places with a view to receiving community care services, relevant services or any treatment care or service (including associated travel where appropriate), as detailed below. If the Tribunal specifies a matter then that matter should be inserted in the box below. If the Tribunal leaves that matter to be as directed by the RMO, then the box below should be left blank.	○
<b>3</b>		
○	(e) requiring the patient to reside at a specified place, as detailed below. If this measure is authorised then the Tribunal <b>must</b> write in the box below the address of the specified place; that address cannot be as "directed by the RMO".	○
<b>4</b>		
○	(f) requiring the patient to allow any of the following parties to visit the patient in the place where the patient resides. Those parties are: ○ patient's MHO    ○ patient's RMO    ○ any person responsible for providing medical treatment, community care services, relevant services or any treatment, care or services to the patient who is authorised for this purpose by the patient's RMO.	○
○	(g) requiring the patient to obtain the approval of the MHO to any proposed change of address	○
○	(h) requiring the patient to inform the MHO of any change of address before the change of address takes effect	○

Where the order authorises measures other than the detention of the patient in hospital, the managers of the following hospital will have responsibility for appointing the patient's RMO.

Hospital



**Part 3b: Recorded Matter**

*Complete A or B as appropriate*

**A** The Mental Health Tribunal for Scotland wishes to specify as recorded matters within this order the following medical treatment, community care services, relevant services, other treatment care or service.  
*(Note: this must include ALL recorded matters appropriate to the order, and not just those that have been varied):*

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**OR**

**B**  The Tribunal does not specify any recorded matters in this compulsory treatment order.

The above position is a variation from the recorded matter specified in the previous order.



**Advance Statement (only complete if the patient remains subject to the order)**

Complete A or B or C as appropriate

**A**  As far as is practicable to ascertain, the patient does not have an advance statement under S275 of the Act.

**OR**

**B**  As far as is practicable to ascertain: the patient has made and not withdrawn an advance statement under S275 of the Act; and the patient's current/proposed care and treatment are NOT in conflict with any wishes specified in that advance statement.

**OR**

**C**  The patient has made and not withdrawn an advance statement under S275 of the Act. This advance statement IS in conflict with current/proposed care and treatment authorised by measures in this order. Please record in the box below:

- The date of the advance statement(s).
- Details of treatment that is in conflict with the advance statement and how.
- Where the conflict with the advance statement concerns treatment the patient specified wishes to receive, that they are not receiving, please provide details of this.
- Reasons for authorising measures that allow this treatment to be given/not given, despite the conflict with the advance statement, with reference to the Principles of the Act.

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Where the treatment is in conflict with the advance statement, a record of the above has been sent to:

- the patient
- the patient's welfare attorney
- the patient's named person (if any)
- the patient's guardian
- the Mental Welfare Commission (a copy of this form and any other record which has been sent to the patient/ others)

**Signature/Date**

Signed  
by the Convener

Date  
dd / mm / yyyy

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