

# Interstate Apprehension Order

Date of Birth...../...../.....			
GIVEN NAME/S	FAMILY NAME (BLOCK LETTERS)		
<b>Patient subject to the Mental health Act 2000 (Qld)</b>	<b>Patient subject to the Mental Health Act 1990 (NSW)</b>		
<input type="checkbox"/> classified patient as defined in the Act	<input type="checkbox"/> a forensic patient as defined in Schedule 1 of the Act		
<input type="checkbox"/> forensic patient as defined in the Act			
<input type="checkbox"/> patient as described in s.508(1)(c) in the Act			
- is absent without leave, required to return or otherwise liable to be apprehended in accordance with the Mental Health Act 2000 (Qld) or the Mental Health Act 1990 (NSW) or a corresponding law declared under either Act (see notes).			
The abovenamed is to be returned to: .....			
name of * authorised mental health service / gazetted mental health service			
.....			
address of * authorised mental health service / gazetted mental health service			
Signed .....			
Dated.....			
.....			
GIVEN NAME/S	FAMILY NAME (BLOCK LETTERS) of Queensland Director of Mental Health/NSW Director of Mental Health		
DESCRIPTION OF THE PATIENT	Male/Female	Height:	Colour of Eyes:
	Build:	Weight:	Complexion:
Description of the patient:.....			
.....			
Distinguishing characteristics (eg. tattoos, scars):.....			
Extra Details Attached: *Yes / No			
Information that will assist with Apprehension (eg. other names used; address where person may be found):			
.....			
.....			
Extra Details Attached: *Yes / No			
Treatment Requirements:.....			
.....			
Extra Details Attached: *Yes / No			
Risk Summary (include date of last assessment):.....			
.....			
Extra Details Attached: *Yes / No			
<b>24 Hour Contact Person:</b>			
Title:	Telephone:	Mobile:	
.....			

\* delete as necessary

## NOTES

### PERSONS AUTHORISED TO APPREHEND A PATIENT IN ACCORDANCE WITH THE INTERSTATE APPREHENSION ORDER

- (a) A person authorised to apprehend a patient under the Queensland Mental health Act 2000, being a health practitioner or police officer as provided for under sections 185(1)(b) and 508(2). A health practitioner, as defined by the Queensland Act, includes a doctor, registered nurse, occupational therapist or psychologist or social worker engaged in providing health services; or another person appointed by an administrator of another health service to be a health practitioner.
- (b) A NSW Police Officer as provided for under section 286P(1)(a) of the NSW Mental Health Act 1990 ("the NSW Act");  
A person authorised to retake a NSW forensic patient under section 111(10) of the NSW Act, those persons being:
- the medical superintendent of a NSW gazetted unit or any other suitably qualified person employed in the gazetted unit and authorised to do so by the medical superintendent;
  - a person authorised by the Director general or the medical superintendent; or
  - a person assisting a person listed in (i) or (ii);
- A person authorised under the NSW Mental Health Regulations for the purposed of section 286P(1)(b) of the NSW Act.

### MENTAL HEALTH ACT 2000 (QLD)

#### Apprehension of persons absent from interstate mental health services

- 184 1. A person who is absent without leave from an interstate mental health service in a participating State and who may be apprehended under a corresponding law in the State may be apprehended in this State by
- a person who is authorised to apprehend the person under the corresponding law; or
  - a health practitioner or police officer.
2. For subsection (1), a warrant or other document that, under the corresponding law, authorises the person's apprehension in the participating State, authorises a police officer to exercise the powers a police officer has under a warrant for apprehension of a patient under chapter 14, part 2.
3. If the person is apprehended under this section, the person must be taken to an interstate mental health service in the participating State or an authorised mental health service.
4. A person exercising a power under subsection(1) or (2) may do so with the help, and using force, that is reasonable in the circumstances.
5. Despite the absence or refusal of the person's consent, medication may be administered to the person while being taken to the interstate mental health service or the authorised mental health service.
6. Section 509(2) to (6) applies to the administration of the medication.
7. If the person is taken to an authorised mental health service
- Chapter 4 applies to the person as if an involuntary treatment order were made for the person by an authorised doctor who is not a psychiatrist; and
  - For paragraph (a), the warrant or other document authorising the person's apprehension is taken to be the involuntary treatment order.

### MENTAL HEALTH ACT 1990 (NSW)

#### 286P Apprehension of interstate persons absent without leave or in breach of corresponding orders

- A person who is the subject of a warrant or an order or other document recognised in this State, or who is otherwise liable to be apprehended, under a provision of a corresponding law under which the person may be apprehended and taken to a hospital or a health care agency may be apprehended at any time:
  - by a police officer, or
  - by a person who is authorised to do so by the regulations or under a provision of a corresponding law of the other State.
- On being apprehended the person may be conveyed to and detained in a hospital in this State or the other State (if this is permitted by or under a provision of a corresponding law of the other State).
- This act applies to a person conveyed to and detained in a hospital under this section as if the person had been taken to and detained in a hospital under Part 2 of Chapter 4.

#### 111 Retaking of Escapees.

- A forensic patient who escaped from a hospital may be retaken at any time:
  - by the medical superintendent of the hospital or any other suitably qualified person employed in the hospital and authorised to do so by the medical superintendent, or
  - by a member of the Police Force, or
  - by a person authorised by the Director-General or the medical superintendent, or
  - by a person assisting that medical superintendent, other suitably qualified person so employed and authorised, member of the Police Force or person so authorised, and, on being retaken, is to be conveyed to and detained in the hospital from which the patient escaped.



