



CHIEF PSYCHIATRIST OF WESTERN AUSTRALIA

WA MENTAL HEALTH ACT 2014

SECTION: 262

Please use ID label or block print

Table with patient information: FAMILY NAME, UMRN, GIVEN NAMES, CMHI, BIRTHDATE, GENDER, ADDRESS

FORM 12C – RESTRICTION ON FREEDOM OF COMMUNICATION

Name of mental health service where freedom of communication restricted:

This is an order limiting or prohibiting a patient from exercising the right to:

- Checkboxes for: see and speak with other people, uncensored communications, receive visits from legal practitioner, receive visits from mental health advocate, receive visits from other people.

If the order made is to limit/prohibit the patient from receiving visits from the patient's legal practitioner or a mental health advocate – I am satisfied that there is a serious risk to the safety of the legal practitioner or mental health advocate if the order is not made; and there are no other steps that could reasonably be taken to reduce that risk.

For all other orders – I am satisfied that the making of the order is in the patient's best interests.

Details of how the right(s) is to be limited/prohibited:

Large empty box for detailing restrictions.

Reasons for limiting or prohibiting the right(s):

Large empty box for reasons.

Name of the psychiatrist making the order:

Qualifications of the psychiatrist making the order:

Signature of the psychiatrist making the order:

Date and time order made: Date: DD/MM/YY Time: HH:MM

THIS ORDER MUST BE REVIEWED EVERY 24 HOURS AND EITHER CONFIRMED, AMENDED OR REVOKED AND A NOTE OF THIS MADE ON PATIENT'S MEDICAL RECORD (YOU MAY USE THE ATTACHED TABLE).

FORM 12C – RESTRICTION ON FREEDOM OF COMMUNICATION

Notes: Form 12C – Restriction on freedom of communication

When to use this form:

A psychiatrist can make an order under this form with respect to:

- a voluntary inpatient admitted by an authorised hospital;
- a person under an inpatient treatment order;
- a mentally impaired accused detained at an authorised hospital (s258).

If a psychiatrist is satisfied that it is in the patient's best interests, a psychiatrist can make an order prohibiting or limiting the extent to which the patient can exercise the right to:

- see and speak with other people in the hospital to the extent that is reasonable;
- have uncensored communications with people, including by receiving visits, sending and receiving telephone calls, and sending and receiving mail and electronic communications;
- receive visits from, and be otherwise contacted by, people other than the patient's legal practitioner or a mental health advocate at all reasonable times (s261 & s262).

A psychiatrist can make an order prohibiting, or limiting the extent of, a patient's right to receive visits from the patient's legal practitioner or a mental health advocate if satisfied that:

- there is a serious risk to the safety of the legal practitioner or mental health advocate if the order is not made; and
- there are no other steps that could reasonably be taken to reduce that risk (s262).

Duration of order:

- A psychiatrist must, before the end of each 24-hour period that an order under this form is made, review the order and confirm, amend or revoke it.
- An order under this form ceases to be in force if it is not reviewed before the end of any 24-hour period (s262).

Checklist of *Mental Health Act 2014* requirements related to this form:

Notes

- Give the patient a copy of this form as soon as practicable.
- File this form on the patient's medical record as soon as practicable.
- Give a copy of this form to the patient's personal support persons as soon as practicable.
- Within 24 hours of the order being made, advise the Mental Health Advocacy Service that the order has been made.
- Within 24 hours of the order being made, review the order and confirm, amend or revoke it and make a record of this on the patient's medical record (you may use the attached table).
- Advise the patient of the confirmation, amendment or revocation and the reasons.