

Your carer, close family member or other personal support person will be notified of whichever decision the psychiatrist makes.

Treatment

During the referral process, you may be offered treatment such as medication and you have the choice to accept or refuse it. However, if you refuse it and the staff feel the treatment is necessary to save your life or prevent you from causing physical harm to yourself or others, then the treatment may be given without your consent. This is called emergency psychiatric treatment.

Your rights while being referred

- You have the right to receive information about your rights, to have your questions answered and to be fully informed about any treatment offered to you.
- If you are being detained, you have the right to be able to contact people including your carer and family member.
- You have the right to privacy and confidentiality.
- You have the right to ask for assistance from the Mental Health Advocacy Service. This is a free and independent service (t: 1800 999 057).
- If you are unhappy about something, you have the right to make a complaint to the mental health service. You can also complain to the Health and Disability Services Complaints Office (HaDSCO) (t: 1800 813 583).

Further information

The information in this brochure relates to the laws set out in the *Mental Health Act 2014*. Information about the Act is summarised in the following set of brochures:

- Being referred to a psychiatrist for an examination
- Inpatient treatment orders
- Community treatment orders
- Information for voluntary patients
- Receiving treatment for a mental illness
- Information for personal support persons
- Nominated persons: how to make a nomination and what it means.

Other brochures are available from:

- The Mental Health Tribunal
- The Mental Health Advocacy Service
- The Mental Health Law Centre.

For more information about the *Mental Health Act 2014* and other resources, visit the Mental Health Commission website: www.mhc.wa.gov.au or phone (08) 6553 0600.

This document can be made available in other languages and alternative formats on request.

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Mental Health Commission

Being referred to a psychiatrist for an examination

A **Form 1A referral** is an order under the *Mental Health Act 2014* for you to have an examination by a psychiatrist.

This brochure provides you with information about what your rights are and what you can expect if you are on a Form 1A referral.

A **Form 1A referral** is different from an ordinary referral made by a GP for a consultation with a specialist. A Form 1A referral is an order under the *Mental Health Act 2014* for you to have an examination by a psychiatrist.

If you are on a Form 1A referral this is because a doctor or a highly qualified mental health practitioner, called an 'authorised mental health practitioner', has assessed you and considered that you may need involuntary psychiatric treatment. Only a psychiatrist can decide whether you do need involuntary psychiatric treatment so the doctor/practitioner has completed a Form 1A to refer you to a psychiatrist for an examination.

What does the referral mean?

A Form 1A referral is valid for 3 days. This can be extended to 6 days in WA Country Health Service areas.

Being on a Form 1A referral means that you have to go to the examination by a psychiatrist at the place named in the referral. If need be, the doctor/practitioner can detain you to make sure that you get to the place of examination. They can also arrange for a transport officer or a police officer to take you to the examination if there is no safe alternative.

Once you arrive at the place of examination, you cannot leave until a psychiatrist examines you, (unless you are waiting for more than 24 hours, in which case you can leave). The period of detention for examination can also be extended for another 48 hours in WA Country Health Service areas.

Examination by a psychiatrist

The psychiatrist will examine you by talking to you and asking questions. If needed, an interpreter will be used. In some country areas, the examination may be done over a video link.

If you are an Aboriginal or Torres Strait Islander person, the examination may be done with the help of an Aboriginal or Torres Strait Islander mental health worker, and significant members of your community.

At the examination the psychiatrist will consider the following criteria, to decide whether or not you need involuntary treatment:

- Do you have a mental illness that requires treatment?
- Is there a significant risk to yourself or another person if you do not get treatment?
- Are you well enough to be able to make a decision about treatment?
- Is there a less restrictive way of providing you with treatment other than involuntary treatment?

Decisions made by a psychiatrist

After talking to you and considering the criteria, the psychiatrist can make one of the following decisions:

- You do not need to be an involuntary patient and you must be allowed to leave. You may however agree to get treatment as a voluntary patient.

- You need to be an involuntary patient and need to receive treatment in hospital. The psychiatrist will make an inpatient treatment order (Form 6A or 6B) and you will be admitted to a hospital.
- You need to be an involuntary patient but you do not need to be in hospital and can be treated in the community. The psychiatrist will make a community treatment order (Form 5A) and you will be informed of the time and place of your first appointment.

If the examination is taking place in a hospital that admits involuntary patients (authorised hospital), the psychiatrist can postpone making any of the above decisions for up to 72 hours from the time you came into hospital, so that a further examination can take place.

If the examination takes place somewhere else like a clinic or ED, they can complete a Form 3D authorising your detention for further examination at an authorised hospital.

