
MENTAL HEALTH REVIEW TRIBUNAL



The Hon C J Knowles, MP
Minister for Health
Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Minister

I enclose the Annual Report of the Mental Health Review Tribunal, for the calendar year 2001, as required by section 261 of the Mental Health Act 1990.

Yours sincerely,

A handwritten signature in black ink that reads 'Duncan Chappell'. The signature is written in a cursive, slightly slanted style.

Duncan Chappell
President.

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MENTAL HEALTH REVIEW TRIBUNAL ANNUAL REPORT 2000

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The MENTAL HEALTH REVIEW TRIBUNAL is a quasi-judicial body constituted under the Mental Health Act 1990.

The Tribunal has some 33 heads of jurisdiction, considering the disposition and release of persons acquitted of crimes by reason of mental illness; determining matters concerning persons found unfit to be tried, and prisoners transferred to hospital for treatment; reviewing the cases of detained patients (both civil and forensic), and long-term voluntary psychiatric patients; hearing appeals against a medical superintendent's refusal to discharge; making, varying and revoking community treatment and community counselling orders; determining applications for certain treatments and surgery; and making orders for financial management where people are unable to make competent decisions for themselves because of psychiatric or other disability.

In performing its role the Tribunal actively seeks to pursue the objectives of the Mental Health Act, including delivery of the best possible kind of care to each patient in the least restrictive environment; and the requirements of the United Nations principles for the protection of persons with mental illness and the improvement of mental health care, including the requirement that "the treatment and care of every patient shall be based on an individually prescribed plan, discussed with the patient, reviewed regularly, revised as necessary and provided by qualified professional staff".

1. INTRODUCTION

The Mental Health Act 1990 (hereafter MHA) requires the Tribunal to report, and provide statistical data relating to persons taken to hospital under MHA Part 2 of Chapter 4, in relation to each previous calendar year. This Annual Report 2001 meets the reporting requirements of the MHA in relation to the calendar year 2001.

As in previous reports it is not an aim of this Report to describe the New South Wales mental health care system and its legal regulation. The Report follows the format for previous years, and in AR93-96 readers will find the meaning of commonly used terms and abbreviations, for background, and for context.

2. PAST, PRESENT AND FUTURE

2.1 GENERAL OBSERVATIONS ABOUT THE TRIBUNAL'S ACHIEVEMENTS TO DATE.

An examination of all of the annual reports produced by the Tribunal since its first full year of operation would reveal an almost continuous increase in the number of hearings. In 1991 the Tribunal conducted 2232 hearings. In 2001 the Tribunal conducted 6931, representing a 211% increase (see Table A).

Table A

Total number of hearings (including adjournments, reports on emergency ECT and surgery for eleven year period 1991 – 2001)

	<i>Civil Patient Case Reviews</i>	<i>Protected Estates Act Reviews</i>	<i>Forensic Patient Case Reviews</i>	<i>Totals per year</i>	<i>% Increase over previous Year</i>
1991	1986	61	185	2232	%
1992	2252	104	239	2595	+16.26%
1993	2447	119	278	2844	+ 9.60%
1994	2872	131	307	3310	+16.39%
1995	3495	129	282	3906	+18.01%
1996	4461	161	294	4916	+25.86%
1997	5484	183	346	6013	+22.31%
1998	4657	250	364	5271	-12.34%
1999	5187	254	390	5831	+10.62%
2000	5396	219	422	6037	+ 3.48%
2001	6151	304	481	6931	+ 14.8%
11 YEAR TOTAL	44388	1915	3583	49886	

During this period the number of registry staff established to support the Tribunal and enable it to function effectively and efficiently has only increased from 11 to 15. There has been a growing reliance on high technology systems, telephone and video conferencing, and computerisation of the Tribunal's hearing scheduling system, with panel members performing associated administrative tasks.

In 1998 the Tribunal had a regular schedule of 47 Tribunal panels per month to conduct reviews at health facilities of all types and at the Tribunal premises. In 2001 the regular schedule has expanded to 61 regular panels per month and 6 extra panels on every month that has 5 weeks. The Tribunal continues to organise additional panels at short notice to deal with emergency applications such as permission to perform ECT, which sometimes includes organising panels at weekends.

In April 2001 a new President, Professor Duncan Chappell was appointed and in August 2001 he put in a bid for supplementary resources. Following liaison with the Department of Health, the Department and the Tribunal sought an external appraisal of the Tribunal and Mandala Consulting was employed in November 2001. The final report was made available in early 2002, with further resources being recommended for the Tribunal.

2.2 DETAILS OF ACTIVITY IN 2001

Some significant developments, achievements, and observations of the period from the Tribunal's perspective are set out below:

- In the financial year of July 2000 – June 2001, the Tribunal had its first budget deficit which was \$36,047.
- The Tribunal continues to maintain its programme of active involvement with, and support for, consumers and carers, and their organisations. The Tribunal continues periodically to poll consumer and carer groups, both formally and informally, seeking feedback about the Tribunal's approach to the exercise of its jurisdiction.
- The Tribunal maintains a strong policy of ensuring that reviewing panels are constituted to reflect an appropriate gender balance, and provide a sympathetic, culturally sensitive response.
- The Tribunal has been involved in further developing its victims register under the Victims Rights Act 1996. Further details are provided elsewhere in this Report.
- As the new President Professor Duncan Chappell was only appointed in April, the Tribunal continued to maintain minimum services until later in the year when the new President had acquainted himself with the Tribunal, and developed policies to revitalise the Tribunal. The long illness of the Registrar and high turnover of staff further added to a backlog of work built up over the protracted absence of a President. Negotiations on future resources, the employment of an independent consultant, Mandala Consulting, to review the Tribunal, the search for "new" premises for the Tribunal and the inadequacies of current resources further stretched the Tribunal's resources.

The Tribunal, in 2001, conducted:

- 6151 civil patient case reviews (for details see table 4).

-
- 481 forensic patient case reviews (for details see table 32).
 - 304 reviews under the Protected Estates Act 1983 (for details see table 31).

Panels were convened for hearings at 64 venues across New South Wales. Of the 6455 civil hearings, 4003 were live; 575 by video conference and 1877 were by phone.

In 2001, there was continuing:

- involvement of mental health consumers and carers in development of Tribunal policies and procedures.
- involvement by the Tribunal in the specialist rehabilitation programmes, which it orchestrated, through the auspices of the Central Sydney Area Health Service, and the Hunter Area Health Service, for those forensic patients who have both a mental illness and a coexisting drug or alcohol dependency problem.
- use of video conferencing in the medico-legal field, through the establishment and maintenance of a Tribunal Telemedicine Programme. The programme commenced in February 1997 and by the end of December 1997 over 193 Tribunal meetings or hearings in rural areas had been conducted by video conferencing. In 1999, the Tribunal conducted 388 hearings via video conference with 34 venues. In 2001 this increased to 575. (see Table B). Working in cooperation with the NSW Health Telemedicine Project, the Tribunal has established video links with most of the 45 video conferencing sites established in rural psychiatric services. The Tribunal is one of the largest health users of video conferencing

Table B**Tribunal hearings using video conferencing 2001**

VENUES	2001	VENUES	2001
Albury	40	Nepean Hospital	12
Armidale	10	Orange CHC	2
Batemans Bay	1	Pambula District MHS	1
Bega	2	Patients Home	1
Bloomfield	70	Port Macquarie CMHS	14
Bondi Junction CHC	1	Queanbeyan MHS	11
Broken Hill	8	St Josephs Hospital	1
Coffs Harbour	26	Sutherland Hospital	1
Cooma CHC	1	Tamworth	69
Coonabarabran HS	1	Taree	1
Cowra	1	Tweed Heads	12
Dareton	2	Wagga Wagga	85
Darlinghurst CHC	1	Warren Hospital	1
Dubbo	3	Wilcannia Hospital	2
Forbes District Hospital	3	Young	3
Grafton Base Hospital	6		
Griffith	6		
Kempsey	1		
Lightning Ridge	1		
Lismore	64		
Liverpool	1		
Macquarie Area MHS	9		
Maitland Hospital	1		
Mid Western CMHS	2		
Moree	2		
Moruya CHC	14		
TOTAL 2001			575
TOTAL 2000			482
TOTAL 1999			388

In 1997, the Tribunal abandoned its practice of organising hearings for the public psychiatric facilities on an ad hoc basis and instead, developed a regular schedule in its civil jurisdiction for hospital hearings as outlined in Table 1. However the Tribunal is frequently obliged to organise extra hearings at venues all over the State at short notice, for emergency matters.

Table 1

MONTHLY HEARING SCHEDULE FOR 2001

<i>FIRST WEEK</i>	<i>SECOND WEEK</i>	<i>THIRD WEEK</i>	<i>FOURTH WEEK</i>	<i>FIFTH WEEK</i>
MON				
Rockdale	Sutherland + St George	Rockdale CHC	Sutherland + St George	
Blacktown Hospital	St Vincents + Prince of Wales	Blacktown Hospital	St Vincents + Prince of Wales	
Phone/Video	Phone/Video Blacktown CHC	Phone/Video	Phone/Video Blacktown CHC	Phone/Video
TUES				
Rozelle	Rozelle/RPAH (pm)	Rozelle	Rozelle/RPAH	
James Fletcher	James Fletcher	James Fletcher	James Fletcher	
		Gosford Hospital		
		Kenmore Hospital		
Phone/Video	Phone/Video	Priory - (Comm Forensic)	Phone/Video	Phone/Video
WED				
Morrisset	Bloomfield (2 day - once every 3 mths)	Morrisset		Morrisset
Cumberland + Westmead	Cumberland	Cumberland + Westmead	Cumberland	
Liverpool + Campbelltown		Liverpool + Campbelltown		
Port Kembla + Shellharbour		Port Kembla + Shellharbour	Port Kembla + Shellharbour	Phone/Video
THURS				
RNSH + Ryde CHC	Macquarie	RNSH + Manly	Macquarie	
Hornsby	Bankstown - (Hospital + CHC)	Hornsby	Long Bay Prison Hosp - (forensics)	
Manly & Queenscliff (once a month)	Bloomfield - (once every 3 months)	Long Bay Prison Hospital	Bankstown + Fairfield CHC (once a month)	
Phone/Video	Phone/Video	Phone/Video	Phone/Video	Phone/Video
FRI				
Phone/Video	Phone/Video	Phone/Video	Phone/Video	Phone/Video

2.3 MAJOR TRIBUNAL ISSUES IN 2001

2.3.1 Forensic Programme and Compound Need

The year 2001 saw a continuation and escalation in the trend of increasing forensic patient numbers, in particular, within the "unfit to be tried" and "transferee" categories. These categories of patients increasingly pose strong management challenges generated by compound need.

The Tribunal, largely by default, has become the principal educator and support in this area. Frequently, in the cases of patients with compound need, including many from the Aboriginal community, the Tribunal has had to step outside any semblance of a traditional quasi-judicial role, and become the instigator of coordinated and integrated programmes for particular forensic patients who would otherwise fall into gaps between services. The Tribunal has had a high success rate in this regard with forensic patients within its jurisdiction. This facet of the Tribunal's jurisdiction places a high toll on staff resources, including the amount of time that has to be allocated to its liaison and advisory roles. This is one of the areas that will be reviewed next year.

2.3.2 LEGAL CHANGE: MENTAL HEALTH ACT 1990 REGULATION

Section 261 of the MHA concerns the preparation of the Tribunal annual report and requires, inter alia, the Tribunal to collect information concerning the number of involuntary admissions, the provisions of the Act under which they were taken to hospital and admitted and the number of magistrate's inquiries.

These details are collected by means of two forms which all hospitals are required to forward to the Tribunal (form 19A and 19B under the Mental Health Regulation 2000) with respect to each involuntary patient admission.

Because the previous system of collating a single form for each patient had not proved to be as reliable as originally hoped the Tribunal proposed, for the last revision of the MHA regulations, that the collection process be improved by separating out the returns to be provided by the hospitals into its two natural stages: one return to be provided at the admission stage, and the second and final return to be provided at the magistrate's inquiry stage. This was implemented in the new Regulation.

The changes to the system of data collection was prepared following consultation with hospital personnel who were familiar with the Tribunal's data collection requirements. The existing system had presented difficulties to many hospitals in their being able to provide all patient returns due to the Tribunal in an accurate and timely manner. Although initial reports received by the Tribunal was that the change was largely successful, it appears that some problems still exist and need further attention.

2.3.3 VICTIMS RIGHTS

The Victims Rights Act 1996 established the Charter of Victims Rights which identified standards for the appropriate treatment of victims of crime, and is designed to protect and promote their rights. As part of its ongoing commitment to victims, the Tribunal has always maintained an informal Victim's Register to allow victims, and others concerned, access to information relating to the sentencing and disposition of forensic patients. This register was formalised in 1998, and recent educational efforts by the Tribunal in this area include a presentation to the Victims of Crime Bureau and NSW Health Information day 05.11.01. By December 2001, the Tribunal had 47 people registered against 29 forensic patients. The Tribunal is also

developing a new protocol setting out the type and extent of information options available for registered victims.

2.3.4 TELEHEALTH

Telehealth in New South Wales has continued to grow and so has the number of Tribunal video conference hearings, and the number of sites, serviced by the Tribunal. In 2001, the Tribunal conducted 575 hearings via video conference with 42 venues. This increase in hearings over the 2000 figures has resulted in continuing pressure on the existing video conferencing unit. In July 2000, the Tribunal installed a second video conference unit, and in August 2000, the Minister for Health announced a further expansion of the New South Wales Telehealth network. Since February 2000, the Tribunal's video conference unit has also been utilised by the Northern Territory Mental Health Review Tribunal. This increased to two days per week from October 2000. The Tribunal is also participating in the Department of Health's Telehealth data collection survey. Preliminary findings from the survey indicate the Tribunal is a major user of video conference resources within the New South Wales health environment.

2.3.5 MEMBER ISSUES

2.3.5.1 Large Pool Required

The Tribunal's membership at December 2001 is set out in Appendix 3. At that date the Tribunal had two full-time members, 27 part-time lawyers, 33 part-time psychiatrists, 30 part-time members with other suitable qualifications or experience, including two part-time members selected from a group of persons who were nominated by consumer organisations (MHA s253(1)(c)). Of the lawyer members, 13 were female, and of the members with other suitable qualifications or experience, 21 were female. As for the psychiatrist members, only 10 were female, but this was an improvement on the general gender imbalance in New South Wales psychiatry. Eighteen members of the Tribunal were from non-English speaking backgrounds, and two were members of Aboriginal communities.

The Tribunal maintains a large and diverse membership in order to provide immediately for the exigencies of any given situation, including for: hearings after hours, on public holidays, and at weekends; consumer and carer representation; appropriate gender balance; and for the needs of people from culturally and linguistically diverse backgrounds and from Aboriginal communities.

The membership pool must therefore inevitably be much larger than would be required for a routine jurisdiction with hearings of cases with an uncomplicated background scheduled well in advance in an orderly, routine way. Keeping part-time members currently on reserve involved in and committed to their quasi-judicial role is a major challenge, in the meeting of which, the heads of quasi-judicial bodies receive little outside support. In this hiatus, the mental health review tribunal presidents throughout Australia have moved to set up their own informal association, and their presidents and registrars commenced in 1999 to meet annually for informal discussions regarding membership and other tribunal issues.

2.3.5.2 Aboriginal Mental Health Policy

The Tribunal continues to allocate resources to the advancement of the situations of the growing number of aboriginal forensic patients. It is greatly assisted in this regard by the insight, experience, intimate knowledge and expertise which its two part time members from the Aboriginal community bring to the Tribunal.

The Tribunal is an active supporter of the NSW Aboriginal Mental Health Policy, and will be seeking in the future, through the support and cooperative endeavour provided by the Policy, to secure the appointment of additional Aboriginal part-time members.

2.3.6 TRIBUNAL ORGANISATION

As can be seen from Table A the workload of the Tribunal has increased by over 211% since 1991, which was the Tribunal's first full operating year.

In 2001 the Tribunal organised a total of 6931 patient reviews, including preliminary pre-hearing investigation and follow up, at an average cost of approximately \$340 per case.

Mental health legislation imposes on the Tribunal's registry staff a need to respond promptly to applications received from hospitals and community health centres throughout the State. A small registry team is able to cope with the requirements of a high volume workload and is able to organise hearings often on the same day as the application is received. It has been possible to achieve this objective through the highly computerised hearing diary system and a flexible approach to staff management which necessitates multi-skilling of staff to achieve maximum output in hearing organisation. This flexible approach to hearing organisation has meant, in practice, that staff are expected to change tasks at short notice depending on the nature of the situation that may present itself to the Tribunal.

Staff training and development is regarded as an important function of the Tribunal's management. However, in 2001, less than 1% of the Tribunal's budget was expended in this area.

Due to staff shortage the reduction in the level of training that registry staff provided to consumer, clinical and other groups during 2000 continued in 2001, but action is being taken to redress these staffing issues, and it is hoped that the Tribunal will be fully staffed in 2002.

Legal, governmental and other requirements and policies for affirmative action and equal employment opportunity, to prevent harassment, discrimination and other practices within the workplace, are strongly inculcated at the Tribunal.

3. ADMISSION TO, AND CARE IN, HOSPITALS

3.1. INFORMAL PATIENTS

Since September 1990, and as of 31 December 2001, 189 persons have been referred to the Guardianship Tribunal, and most have been “admitted” to the hospitals in which they reside. Of this number, 18 were referred during the period September to December 1990, a further 123 during 1991, 26 during 1992, 9 during 1993, 2 during 1994, 0 during 1995, 4 during 1996, 5 during 1997, and 2 in 2001.

The following tables provide information about informal patient case reviews in 2001 (Table 2), interpreter needs for informal patients (Appendix 12), and the number of occasions on which long-term informal patients will have had their case reviewed by the end of 2001 (Table 13).

During 2001 the Tribunal conducted a total of 155 reviews of 142 informal patients. These figures for 2001 represent a decrease over the figures for 2000 when the Tribunal conducted 181 reviews of 168 patients. The demographic data on long-term informal patients whose cases were reviewed by the Tribunal during 2001 is presented in Table 2. To facilitate comparison, the combined total figures for the 2000 calendar year are also provided in the Table.

Table 2

Reviews of Informal patient cases during the period January to December 2001 under s63 by hospital, age group, numbers of reviews and patients, and combined totals for 2000

		0-19 yrs	20-29 yrs	30-39 yrs	40-49 yrs	50-59 yrs	60-69 yrs	70-79 yrs	80+ yrs	Combined Total Patients	Total Patient Reviews
Bloomfield	Male	-	-	1	2	4	6	8	6	27	33
	Female	-	-	-	1	3	7	6	4	21	27
	Total	-	-	1	3	7	13	14	10	48	60
Blacktown	Male	-	-	-	-	-	-	-	-	-	-
	Female	-	-	-	-	1	-	-	-	1	1
	Total	-	-	-	-	1	-	-	-	1	1
Cumberland	Male	-	-	5	6	3	-	-	-	14	14
	Female	-	-	1	6	3	2	-	-	12	12
	Total	-	-	6	12	6	2	-	-	26	26
Gladesville	Male	-	-	-	-	-	-	-	-	-	-
	Female	-	-	-	-	1	-	-	-	1	1
	Total	-	-	-	-	-	1	-	-	1	1
James Fletcher	Male	-	-	-	-	-	-	-	-	-	-
	Female	-	-	-	-	-	1	-	-	1	1
	Total	-	-	-	-	-	1	-	-	1	1
Kenmore	Male	-	-	1	-	-	7	5	2	15	16
	Female	-	-	-	-	1	-	-	-	1	1
	Total	-	-	1	-	1	7	5	2	16	17
Macquarie	Male	-	-	1	3	2	4	2	1	13	13
	Female	-	2	1	1	2	-	1	1	8	8
	Total	-	2	2	4	4	4	3	2	21	21
Morisset	Male	-	-	-	1	2	-	-	-	3	3
	Female	-	-	-	3	1	-	-	-	4	4
	Total	-	-	-	4	3	-	-	-	7	7
Rozelle	Male	-	-	1	1	1	3	3	2	11	11
	Female	-	1	1	-	-	1	4	1	8	8
	Total	-	1	2	1	1	4	7	3	19	19
St Vincents	Male	-	1	1	-	-	-	-	-	2	2
	Female	-	-	-	-	-	-	-	-	-	-
	Total	-	1	1	-	-	-	-	-	2	2
COMBINED	Male	-	1	10	13	12	20	18	11	85	92
TOTALS ALL	Female	-	3	3	11	12	11	11	6	57	63
HOSPITALS 2001	Total	-	4	13	24	24	31	29	17	142	155
COMBINED	Male	1	2	7	16	16	16	24	9	91	103
TOTALS ALL	Female	-	2	5	21	12	13	17	7	77	78
HOSPITALS 2000	Total	1	4	12	37	28	29	41	16	168	181

3.2. DETAINED MENTALLY ILL PERSONS

Table 3 charts the progress of involuntary patients through the various stages of the civil commitment process during the period January to December 2001. A disturbing statistic in table 3 is that the percentage of involuntary patients that remain in hospital long enough to be seen by the Magistrate has shot up from 49.2% in 2000 to 73.8% in 2001. Prior to 2000 the highest recorded by the Tribunal was 48.4% in 1994. Are patients taking longer to become better, are patients more ill when they come in or have hospital policies changed? These are the three questions that seem to hold the key to this dramatic change.

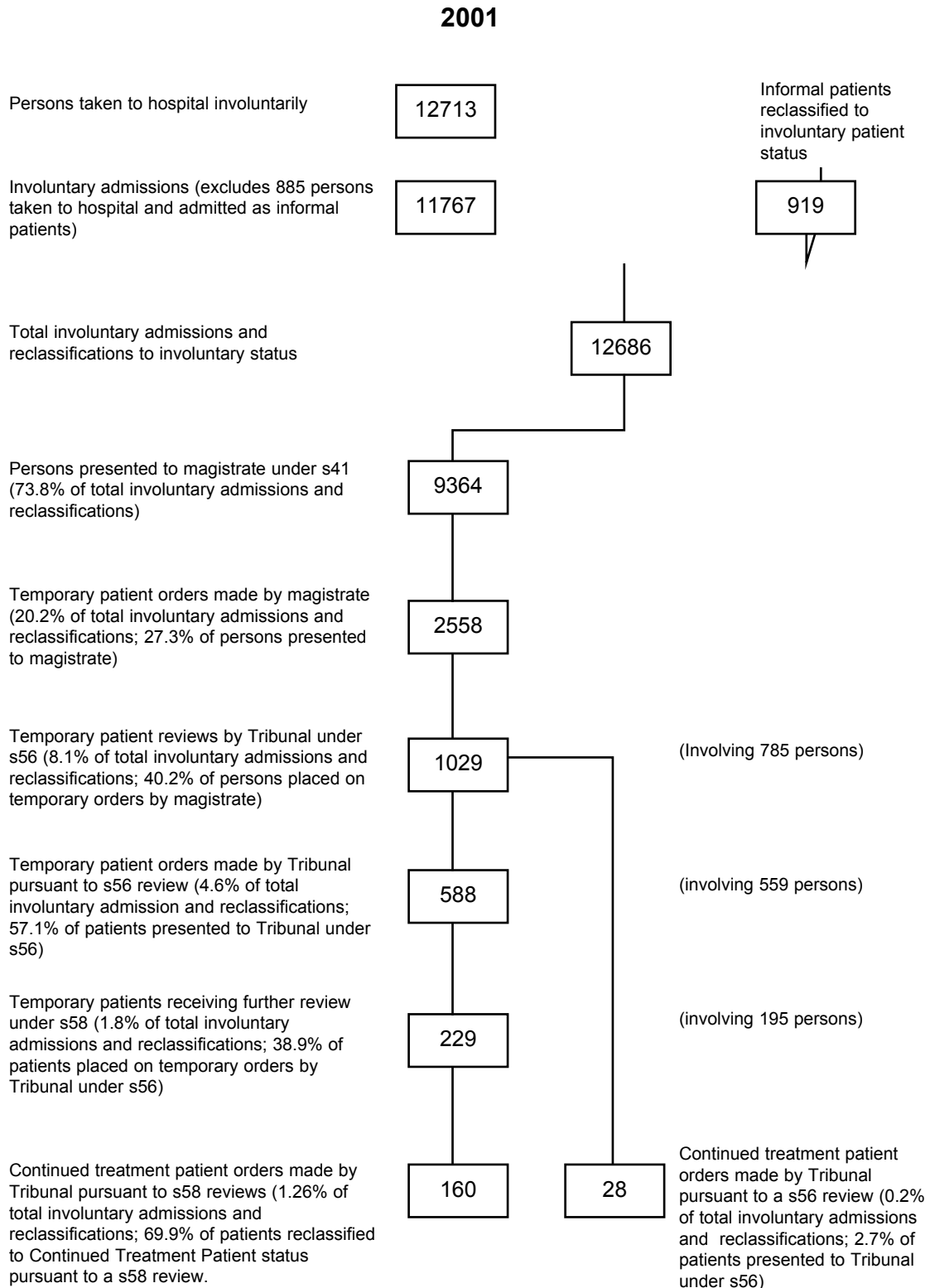
Further research in this area is needed to understand what has happened. The results may confirm what many Tribunal members see day to day at hospitals - an increase in dual diagnosis of patients.

There was an increase in the number of continued treatment patient case reviews, from 548 in 1999 to 625 in 2001 (see table 4). The number of applications to the Tribunal regarding temporary patients (sections 56 and 58) has shown a small increase, from 1075 in 1999 to 1258 in 2001. In 1991, after the first full year of operation of the MHA, there were 371 temporary patient case reviews at the eight major psychiatric hospitals, compared with 74 reviews at the general hospital units. In 2001, there were 476 temporary patient case reviews at the major psychiatric hospitals, and 782 at the general hospital units, (see tables 6 and 8) representing an elevenfold increase in activity at general hospital units during the 11 year period.

- **Increasing reviews.** The Tribunal's civil (ie. non-forensic) patient jurisdiction under the MHA provides it with its greatest workload. This is summarised in Table 4, which provides an overview of civil reviews under the MHA conducted during 2001. Excluded from this table are details of the Tribunal's exercise of its jurisdiction under the Protected Estates Act 1983, and of its forensic jurisdiction under the MHA and the Mental Health (Criminal Procedure) Act 1990, henceforth MHCPA. The number of civil patient case reviews under the MHA has risen dramatically since 1991, with the total number of MHA civil patient reviews in 1991 having been 1986, and the total number in 2001, being 6151, making an increase from 1991 of 4165, or a 210% increase (see Table A).
- **Interpreters and legal representation.** Both the proportion of patients requiring interpreters and the percentage of persons with legal representation in hearings held under the civil provisions have increased during 2001. The percentage of persons with legal representation has increased from 18.7% to 20% (see table 4). The percentage of persons requiring interpreters has increased from 3.1% to 3.5%.
- **Women before the Tribunal.** The percentage of women coming before the Tribunal during 2001 decreased very slightly from 2000 and is now about 41.7% (see table 4).

Table 3

Flow chart showing progress of involuntary patients admitted during the period January to December 2001.



Note: Continued treatment patients are subject to six monthly periodic reviews by Tribunal under s.62

Table 4

Summary of statistics relating to the Tribunal's civil jurisdiction under the Mental Health Act 1990 for the period January to December 2001 and combined totals for 2000.

Section of Act	Description of Review	Reviews (Including Adjudgments)			% Reviewed by Sex		Number Requiring Interpreters	Number Legally Represented	% Legally Represented
		M	F	Total	M	F			
s56	Review prior to expiry of magistrate's order for temporary patient status	562	467	1029	54.6	45.4	27	741	72.0
s58	Review prior to expiry of Tribunal order for temporary patient status	123	106	229	53.7	46.3	6	194	84.7
s62	Continued treatment patient	369	256	625	59.0	41.0	31	32	5.1
s63	Informal patient	92	63	155	59.4	40.6	6	0	0.0
s69	Appeal against refusal to discharge by medical superintendent	89	56	145	61.4	38.6	3	126	86.9
s118	Community counselling order	56	47	103	54.4	45.6	6	3	2.9
s131	Community treatment order	1996	1173	3169	63.0	37.0	117	78	2.5
s143A	Detained person under CTO	0	2	2	0.0	100.0	1	2	100.0
s148	Variation or revocation of a CCO or CTO	131	65	196	66.8	33.2	1	2	1.0
s151(2)	Appeal against magistrate's CCO or CTO	4	6	10	40.0	60.0	0	2	20.0
s185	ECT application – Informal patient	1	0	1	100.0	0.0	0	0	0.0
s188	ECT application – involuntary patient	150	311	461	32.5	67.5	17	45	9.8
s203	Notice to Tribunal of performance of surgical operation	6	1	7	85.7	14.3	0	0	0.0
s207(i)	Application and Determination for surgical operation	7	11	18	38.9	61.1	0	7	38.9
s207(ii)	Application and Determination for special medical treatment	0	1	1	0.0	100.0	0	1	100.0
TOTALS 2001		3586	2565	6151	58.3	41.7	215	1233	20.0
TOTALS 2000		3126	2270	5396	58.0	42.0	165	1011	18.7

Table 5**Involuntary admissions and magistrate's inquiries held under s41 of the Mental Health Act 1990 from January to December 2001 and combined totals for 2000 (Hospitals and Units)**

Major Psychiatric Hospitals	<i>Persons taken Invol.</i>	<i>No. of Invol. Admiss.</i>	<i>Number Reclass. Invol.</i>	<i>Magist. Inquiry Started</i>	<i>Adjourned Not Resumed</i>	<i>Magist. Inquiry Completed</i>	<i>Discharged or Reclass.</i>	<i>CCO* or CTO</i>	<i>Temp. Patient Order</i>
Bloomfield	727	717	7	411	65	181	2	93	86
Cumberland	110	917	225	707	165	378	15	131	232
James Fletcher	1327	1002	412	635	211	265	13	69	183
Kenmore	6	6	4	16	1	15	-	10	5
Macquarie	222	222	10	154	53	61	6	27	28
Morisset	80	80	3	17	2	15	-	1	14
Rozelle	901	835	49	704	259	230	19	94	117
SUB-TOTALS 2001	4373	3779	710	2644	756	1145	55	425	665
SUB-TOTALS 2000	3354	3015	764	1519	323	1065	382	147	536
Public Hospital Units									
Albury	145	145	16	21	3	17	1	-	16
Bankstown	757	755	2	340	69	127	7	59	61
Blacktown	415	338	12	356	117	145	9	37	99
Broken Hill	72	71	4	9	-	9	-	9	-
Campbelltown	310	278	3	204	40	137	3	9	125
Coffs Harbour	187	187	-	203	51	79	1	38	40
Dubbo	35	33	4	-	-	-	-	-	-
Gosford	368	364	-	363	100	140	4	75	61
Goulburn	339	337	11	270	44	153	6	67	80
Greenwich	39	39	5	61	14	41	2	10	29
Hornsby	358	349	16	326	147	73	7	43	23
Lismore	640	635	5	577	195	179	-	125	54
Liverpool	381	381	7	402	83	152	2	105	45
Maitland	310	303	14	327	59	150	4	29	117
Manly	275	275	-	280	130	85	4	34	47
Nepean	473	465	2	286	98	122	-	45	77
Prince of Wales	606	518	2	370	81	214	2	19	193
Royal North Shore	198	198	-	144	67	56	-	10	46
RPA Missenden Unit	-	-	-	331	118	135	-	33	102
Shellharbour	766	731	27	451	95	239	3	47	189
St. George	259	259	9	250	72	107	3	37	67
St. Josephs	23	21	15	41	15	19	2	1	16
St. Vincents	540	464	4	379	109	167	1	19	147
Sutherland	304	304	11	236	54	127	3	34	90
Tamworth	278	276	-	204	75	69	-	23	46
Wagga Wagga	153	153	3	130	52	56	-	10	46
Westmead Acute Adol.	53	53	3	80	38	17	2	4	11
Westmead Adult Psych.	30	30	14	35	3	27	-	-	27
Westmead Psychogeriatric	26	26	20	44	2	41	-	2	39
SUB-TOTALS 2001	8340	7988	209	6720	1931	2883	66	924	1893
SUB-TOTALS 2000	6955	6825	407	3895	1360	2093	574	529	990
TOTALS 2001	12713	11767	919	9364	2687	4028	121	1349	2558
TOTALS 2000	10309	9840	1171	5414	1683	3158	956	676	1526

* Community counselling or community treatment orders

3.2.1. TEMPORARY PATIENT CASES BROUGHT BEFORE THE TRIBUNAL PRIOR TO THE EXPIRY OF A MAGISTRATE'S ORDER (MHA s56)

In 2001, 1029 cases were presented to the Tribunal by hospitals seeking a further order. Details of such reviews by the Tribunal are presented in Table 6 which shows the number of persons whose cases were reviewed under this provision during 2001 are less for residents of the larger "stand alone" hospitals than residents of gazetted units within general hospitals. In 1991 following commencement of the new Act only 19% of such reviews were held in general hospital units. The increase in general hospital numbers has been quite dramatic this year with 64.6% of such reviews being held in general hospitals.

The trend of all previous years (except 1995) towards an increasing number of cases being brought before the Tribunal under MHA s56 continues.

Table 6

Patient cases reviewed by the Mental Health Review Tribunal prior to expiry of a temporary patient order made by a magistrate under section 56 of the Mental Health Act 1990 for the period January to December 2001 and combined totals for 2000

Major Psychiatric Hospitals	No. of persons reviewed under section 56			Tribunal Reviews under section 56			Tribunal Determinations			
	M	F	T	M	F	T	Adjourn	Disch. or Reclassify to Informal	Extend Magist. Temp. Order	Reclassify to Continued Treatment Patient
Bloomfield	16	12	28	18	16	34	13	-	18	3
Cumberland	44	38	82	50	40	90	22	1	62	5
Gladesville-Macquarie	16	4	20	19	4	23	5	-	17	1
James Fletcher	30	34	64	34	48	82	29	1	51	-
Kenmore	2	2	4	3	2	5	1	-	4	-
Morisset	13	7	20	19	10	29	10	1	18	-
Rozelle	45	31	76	64	37	101	54	-	45	2
SUB-TOTALS 2001	166	128	294	207	157	364	134	3	215	11
SUB-TOTALS 2000	191	123	314	228	148	376	120	1	238	18
Public Hospital Units										
Albury	6	1	7	9	1	10	3	-	6	1
Bankstown	9	9	18	9	12	21	7	-	14	-
Blacktown	15	21	36	19	27	46	10	-	34	1
Campbelltown	15	16	31	25	20	45	22	-	22	1
Coffs Harbour	5	5	10	5	5	10	2	-	7	1
Concord	1	-	1	2	-	2	1	-	1	-
Gosford	6	4	10	7	5	12	5	-	7	-
Goulburn Base	8	2	10	8	2	10	1	-	9	-
Greenwich	1	7	8	1	7	8	1	-	6	1
Hornsby	5	7	12	9	10	19	7	-	10	2
Lismore	2	2	4	3	2	5	5	-	-	-
Liverpool	8	2	10	14	4	18	8	-	9	1
Maitland	12	13	25	19	22	41	25	-	16	-
Manly	7	7	14	11	9	20	10	1	9	-
Nepean	10	8	18	18	11	29	14	-	15	-
Port Kembla	1	-	1	1	-	1	1	-	-	-
Prince Henry	1	1	2	1	1	2	1	-	1	-
Prince of Wales	18	23	41	23	35	58	24	2	30	2
Royal North Shore	15	5	20	20	7	27	9	-	16	2
RPA Missenden Unit	12	16	28	13	23	36	16	-	18	1
Shellharbour	33	17	50	49	28	77	38	-	37	1
St George	10	8	18	13	9	22	10	-	12	-
St Joseph's	2	4	6	2	4	6	1	-	5	-
St Vincent's	20	18	38	26	26	52	22	1	28	1
Sutherland	12	11	23	16	12	28	7	-	20	1
Tamworth	9	8	17	10	11	21	7	-	12	1
Wagga Wagga	11	9	20	16	10	26	7	-	18	-
Westmead AA Unit	3	5	8	3	5	8	1	1	6	-
Westmead AP Unit	2	1	3	2	1	3	-	-	3	-
Westmead PG Unit	1	1	2	1	1	2	-	-	2	-
SUB-TOTALS 2001	260	231	491	355	310	665	265	5	373	17
SUB-TOTALS 2000	190	200	390	252	254	506	232	2	261	9
COMBINED TOTALS 2001	426	359	785	562	467	1029	399	8	588	28
COMBINED TOTALS 2000	381	323	704	480	402	882	352	3	499	27

Note : Excludes hospitals at which no reviews under section 56 were held.
 * Includes 2 matters where the Tribunal determined it had no jurisdiction.

Table 7**Demographic profile of temporary patients reviewed under section 56 during 2001**

	0-19 yrs	20-29 yrs	30-39 yrs	40-49 yrs	50-59 yrs	60-69 yrs	70-79 yrs	80+ yrs	PATIENT TOTAL
Male	31	156	111	64	30	22	6	5	426
Female	15	72	93	72	44	34	24	5	359
TOTALS 2001	46	228	204	136	74	56	30	10	785
TOTALS 2000	42	201	156	117	83	51	41	13	704

Demographic Profile

The demographic profile is based on individual patients irrespective of the number of admissions at one or more hospitals each patient may have had during the year.

3.2.2. TEMPORARY PATIENTS WHOSE CASES WERE AGAIN BROUGHT BEFORE THE TRIBUNAL, WHERE THE PATIENT HAD ALREADY BEEN DETAINED UNDER A PREVIOUS TRIBUNAL TEMPORARY PATIENT ORDER (MHA s58)

There was an increase in 2001 for the number of reviews conducted by the Tribunal under this section. It continues to be the case that medium-term patients (i.e., patients whose involuntary hospital detention may proceed through a magistrate's order, and a further temporary patient order - hereafter referred to as a TPO), are on the whole, staying in hospital for less than the maximum periods than could be imposed under the legislation. In 2001, of the 229 reviews, 160 were classified as continued treatment patients. This is a 20% increase as compared to 2000. The total of the increase in reviews is in the public hospital units and there was even a slight decrease in the major psychiatric hospitals.

Table 8

Temporary patients whose cases were further reviewed under s58 during the period January to December 2001 and combined totals for 2000

Major Psychiatric Hospitals	No. of persons reviewed under section 58			Tribunal Reviews under section 58			Tribunal Determinations		
	M	F	T	M	F	T	Adjourned	Discharge or Reclassify to Informal	Reclassified as CTP*
Bloomfield	3	2	5	3	3	6	1	-	5
Cumberland	15	14	29	16	14	30	5	-	25
James Fletcher	3	8	11	5	8	13	5	-	8
Kenmore	4	-	4	4	-	4	1	-	3
Gladesville/Macquarie	12	2	14	13	2	15	2	-	13
Morisset	10	7	17	14	9	23	9	-	14
Rozelle	8	12	20	9	13	22	4	-	18
SUB-TOTALS 2001	52	47	99	61	51	112	26	0	86
SUB-TOTALS 2000	56	36	92	75	42	117	56	2	59
Public Hospital Units									
Bankstown	1	2	3	1	2	3	-	-	3
Blacktown	11	7	18	11	7	18	6	-	12
Campbelltown	7	2	9	9	2	11	6	-	5
Coffs Harbour	-	1	1	-	1	1	-	-	1
Gosford	1	-	1	1	-	1	-	-	1
Goulburn Base	3	1	4	3	1	4	-	-	4
Greenwich	-	2	2	-	4	4	2	-	2
Hornsby	3	1	4	3	1	4	2	-	2
Liverpool	2	-	2	2	-	2	1	-	1
Maitland	-	4	4	-	7	7	4	-	3
Manly	3	-	3	3	-	3	-	-	3
Nepean	3	-	3	3	-	3	-	-	3
Prince of Wales	1	5	6	1	8	9	5	-	4
Royal North Shore Hosp.	3	2	5	4	2	6	1	-	5
RPA Missenden Unit	1	4	5	2	7	9	6	-	3
Shellharbour	1	-	1	1	-	1	-	-	1
St George	2	2	4	4	2	6	3	-	3
St Josephs	-	1	1	-	1	1	-	-	1
St Vincents	3	1	4	5	1	6	3	-	3
Sutherland	3	4	7	4	4	8	2	-	6
Tamworth	-	2	2	-	2	2	-	-	2
Wagga Wagga	4	3	7	5	3	8	2	-	6
SUB-TOTALS 2001	52	44	96	62	55	117	43	0	74
SUB-TOTALS 2000	27	40	67	33	51	84	43	-	41
COMBINED TOTALS									
ALL HOSPITALS 2001	104	91	195	123	106	229	69	0	160
<i>COMBINED TOTALS</i>									
ALL HOSPITALS 2000	83	76	159	108	93	201	99	2	100

* Continued treatment patient.

Note: Excludes hospitals at which no reviews under section 58 were held.

Demographic Profile

The following table provides a demographic profile of medium-stay involuntary patients in the psychiatric hospitals and units throughout New South Wales.

Table 9

Demographic profile of temporary patients reviewed under section 58 for the period January to December 2001

	0-19 yrs	20-29 yrs	30-39 yrs	40-49 yrs	50-59 yrs	60-69 yrs	70-79 yrs	80+ yrs	PATIENT TOTAL
Male	2	53	23	13	9	3	1	0	104
Female	2	22	22	10	16	11	8	0	91
TOTALS 2001	4	75	45	23	25	14	9	0	195
TOTALS 2000	9	45	39	25	22	9	8	2	159

3.3. REVIEW, DISCHARGE, LEAVE, AND TRANSFER OF PERSONS IN HOSPITALS (MHA CHAPTER 4, PART 3)

The Tribunal pays particular attention to the cases of long-term continued treatment and informal patients. Its processes are aimed at securing intensive, ongoing analysis of each patient's situation, effective communication with the patient's relatives and friends where appropriate, effective liaison with hospital staff, and ongoing discussion with hospital review and drug review committees.

3.3.1. REVIEWS OF CONTINUED TREATMENT PATIENT CASES BY THE TRIBUNAL (MHA s62)

As shown in Tables 4, 10 and 11, the Tribunal conducted a total of 625 reviews in 2001 of continued treatment patients' cases, the great majority of patients being residents of the major psychiatric hospitals. The Tribunal discharged 1 patient at its reviews of continued treatment patients during 2001. It should be noted that a continued treatment patient might have ceased to present symptoms of active mental illness, but may, because of his or her continuing condition (MHA s9(2)), continue to require involuntary patient status.

Table 10

Outcome of Tribunal reviews under s62 for the calendar years 2000 and 2001

<i>Tribunal Determinations</i>	<i>2000 Reviews</i>	<i>2001 Reviews</i>
Continue to be detained as a continued treatment patient	542	584
Adjournment	47	40
Discharge and deferred discharge	4	1
TOTAL ORDERS MADE	593	625

Table 11

Reviews of the cases of continued treatment patients at major psychiatric hospitals during the period January to December 2001 under s62 by hospital, age group, numbers of reviews and patients and combined totals for 2001

<i>Major Psychiatric Hospitals</i>		<i>0-19 yrs.</i>	<i>20-29 yrs.</i>	<i>30-39 yrs.</i>	<i>40-49 yrs.</i>	<i>50-59 yrs.</i>	<i>60-69 yrs.</i>	<i>70-79 yrs.</i>	<i>80+ yrs.</i>	<i>Combined Total Patients</i>	<i>Total Patient Reviews</i>
Bloomfield	Male	-	-	2	2	3	2	1	1	11	21
	Female	-	3	-	3	1	2	-	1	10	21
	Total	0	3	2	5	4	4	1	2	21	42
Cumberland	Male	-	6	15	14	7	1	-	-	43	81
	Female	-	5	12	8	15	2	-	-	42	77
	Total	-	11	27	22	22	3	-	-	85	158
James Fletcher	Male	-	-	-	-	-	1	-	-	1	1
	Female	-	2	-	-	-	-	-	-	2	2
	Total	-	2	-	-	-	1	-	-	3	3
Kenmore	Male	-	1	-	-	1	1	5	2	10	19
	Female	-	-	-	1	-	1	1	-	3	5
	Total	-	1	-	1	1	2	6	2	13	24
Macquarie	Male	-	7	12	20	14	16	4	-	73	125
	Female	-	-	5	14	11	7	3	-	40	71
	Total	-	7	17	34	25	23	7	-	113	196
Morisset	Male	-	9	6	10	4	1	2	-	32	72
	Female	-	-	3	3	4	1	-	-	11	24
	Total	-	9	9	13	8	2	2	-	43	96
Rozelle	Male	-	5	2	3	1	3	1	-	15	25
	Female	-	1	4	2	2	2	6	1	18	28
	Total	-	6	6	5	3	5	7	1	33	53
COMBINED TOTALS	Male	-	28	37	49	30	25	13	3	185	344
MAJOR PSYCHIATRIC	Female	-	11	24	31	33	15	10	2	126	228
HOSPITALS 2001	Total	-	39	61	80	63	40	23	5	311	572

Table 11A

Reviews of the cases of continued treatment patients at public hospital units during the period January to December 2001 under s62 by hospital, age group, numbers of reviews and patients and combined totals for 2001

<i>Public Hospital Units</i>		0-19 yrs.	20-29 yrs.	30-39 yrs.	40-49 yrs.	50-59 yrs.	60-69 yrs.	70-79 yrs.	80+ yrs.	Combined Total Patients	Total Patient Reviews
Blacktown	Male	1	1	1	1	-	-	-	-	4	5
	Female	-	-	-	-	1	-	-	1	2	4
	Total	1	1	1	1	1	-	-	1	6	9
Campbelltown	Male	-	-	-	-	-	-	-	-	-	-
	Female	-	-	-	1	-	-	-	-	1	1
	Total	-	-	-	1	-	-	-	-	1	1
Coffs Harbour	Male	-	-	-	-	-	-	-	-	-	-
	Female	1	-	1	-	-	-	-	-	2	3
	Total	1	-	1	-	-	-	-	-	2	3
Goulburn	Male	-	-	-	-	-	-	-	-	-	-
	Female	-	-	-	-	1	-	-	-	1	1
	Total	-	-	-	-	1	-	-	-	1	1
Greenwich	Male	-	-	-	-	-	-	-	-	-	-
	Female	-	-	-	-	-	-	1	-	1	1
	Total	-	-	-	-	-	-	1	-	1	1
Hornsby	Male	-	2	-	-	-	-	-	-	2	2
	Female	-	1	-	-	-	-	-	-	1	1
	Total	-	3	-	-	-	-	-	-	3	3
Lismore	Male	-	-	-	-	-	-	-	-	-	-
	Female	-	1	-	-	-	-	-	-	1	2
	Total	-	1	-	-	-	-	-	-	1	2
Liverpool	Male	-	1	-	-	-	-	-	-	1	1
	Female	-	-	-	-	-	-	-	-	-	-
	Total	-	1	-	-	-	-	-	-	1	1
Maitland	Male	-	-	-	-	-	-	-	-	-	-
	Female	-	-	-	-	-	1	-	-	1	1
	Total	-	-	-	-	-	1	-	-	1	1
Manly	Male	-	2	-	-	-	-	-	-	2	4
	Female	-	-	-	-	-	-	-	-	-	-
	Total	-	2	-	-	-	-	-	-	2	4
Nepean	Male	-	-	-	-	1	-	-	-	1	2
	Female	-	-	-	-	-	-	-	-	-	-
	Total	-	-	-	-	1	-	-	-	1	2
Prince of Wales	Male	-	-	-	-	-	-	-	-	-	-
	Female	-	-	1	-	-	-	-	-	1	1
	Total	-	-	1	-	-	-	-	-	1	1
Royal North Shore	Male	-	-	1	1	-	-	-	-	2	3
	Female	-	-	-	-	-	-	-	-	-	-
	Total	-	-	1	1	-	-	-	-	2	3
RPA Missenden Unit	Male	-	1	1	-	-	-	-	-	2	3
	Female	-	-	-	-	-	-	-	-	-	-
	Total	-	1	1	-	-	-	-	-	2	3
Shellharbour	Male	-	1	-	-	-	-	-	-	1	1
	Female	-	-	-	1	-	-	1	-	2	8
	Total	-	1	-	1	-	-	1	-	3	9
St Vincents	Male	-	1	1	-	-	-	-	-	2	3
	Female	-	-	-	-	-	1	-	-	1	1
	Total	-	1	1	-	-	1	-	-	3	4
Sutherland	Male	-	-	-	-	-	-	-	-	-	-
	Female	-	-	-	-	1	-	-	-	1	1
	Total	-	-	-	-	1	-	-	-	1	1
Wagga Wagga	Male	-	-	-	-	-	-	-	-	-	-
	Female	-	-	-	1	-	-	1	-	2	3
	Total	-	-	-	1	-	-	1	-	1	3
Westmead	Male	-	1	-	-	-	-	-	-	1	1
	Female	-	-	-	-	-	-	-	-	-	-
	Total	-	1	-	-	-	-	-	-	1	1
COMBINED TOTALS	Male	1	10	4	2	1	-	-	-	18	25
PUBLIC HOSPITAL	Female	1	2	2	3	3	2	3	1	17	28
UNITS 2001	Total	2	12	6	5	4	2	3	1	35	53
COMBINED TOTALS	Male	1	38	41	51	31	25	13	3	203	369
ALL HOSPITALS	Female	1	13	26	34	36	17	13	3	143	256
2001	Total	2	51	67	85	67	42	26	6	346	625

The number of reviews of continued treatment patients' cases slightly increased in 2001: 515 in 1995, 468 in 1996, 513 in 1997, 522 in 1998, 548 in 1999, 593 in 2000 and 625 in 2001.

Data regarding long-term patients

Tables 12 and 13 provide a history of appearances of continued treatment and long-term informal patients who have been listed for the next regular scheduled review in 2002.

Table 12

Continued treatment patient cases scheduled for Tribunal review under s62 to be held between January and December 2001

<i>Hospital</i>	<i>*0 prior reviews</i>	<i>1-2 prior reviews</i>	<i>3-4 prior reviews</i>	<i>5-6 prior reviews</i>	<i>7-8 prior reviews</i>	<i>9 or more prior reviews</i>	<i>Patients</i>
Bankstown	2	-	-	-	-	-	2
Blacktown	2	1	-	-	-	-	3
Bloomfield	4	1	1	2	-	10	18
Cumberland	13	18	15	6	3	27	82
Greenwich	1	1	1	1	-	-	4
Hornsby	-	1	-	-	-	-	1
Kenmore	-	-	1	-	-	10	11
Lismore	1	-	-	-	-	-	1
Macquarie	7	4	10	1	21	44	87
Manly	1	-	-	-	-	-	1
Morisset	-	9	4	3	1	20	37
Nepean	-	1	-	-	-	-	1
Prince of Wales	1	-	-	-	-	-	1
Royal North Shore	-	1	-	-	-	-	2
Rozelle	2	13	3	2	4	6	30
RPA Missenden Unit	1	-	-	-	-	-	1
Shellharbour	1	1	1	-	-	-	3
St George	-	1	-	-	-	-	1
St Josephs	1	-	-	-	-	-	1
St Vincents	2	-	-	-	-	-	2
Tamworth	1	-	-	-	-	-	1
Wagga Wagga	1	-	-	-	-	-	1
TOTALS 2001	41	52	36	15	29	117	290
TOTALS 2000	54	51	33	15	26	112	291

* Column headed "0 prior reviews" refers to patients who have been reclassified to CT status following a s56 or s58 review.

3.3.2. REVIEWS OF LONG TERM INFORMAL PATIENT CASES BY THE TRIBUNAL (MHA s63)

As shown in Tables 2 and 4 the Tribunal conducted a total of 155 reviews in 2001 and 181 reviews in 2000 of long term informal patients' cases.

Table 13

Long-term informal patient cases scheduled for Tribunal review under s63 to be held between January and December 2002

<i>Hospital</i>	<i>1 prior review</i>	<i>2 prior reviews</i>	<i>3 prior reviews</i>	<i>4 prior reviews</i>	<i>5 prior reviews</i>	<i>6-prior reviews</i>	<i>7 or more prior reviews</i>	<i>Patients</i>
Blacktown	1	-	-	-	-	-	-	1
Bloomfield	1	1	2	4	2	2	35	47
Cumberland	2	1	2	2	1	-	9	17
Gladesville	-	-	1	-	-	-	-	1
Kenmore	5	1	3	1	1	1	4	16
Macquarie	2	3	-	2	2	4	5	18
Morisset	-	-	1	-	-	-	4	5
Rozelle	5	1	1	3	1	1	-	12
TOTALS 2001	16	7	10	12	7	8	57	117
TOTALS 2000	19	15	21	12	9	12	62	150

3.3.3. APPEALS AGAINST MEDICAL SUPERINTENDENT'S REFUSAL TO DISCHARGE (MHA s69)

In 2001, the Tribunal conducted 145 reviews under this provision and dismissed 129 such appeals. The Tribunal's exercise of this jurisdiction is summarised in Table 14 below.

Table 14

Outcome of s69 appeals by patients against a medical superintendent's refusal of a request for discharge during the period January 2001 to December 2001 and combined totals for 2000

	<i>No. of persons reviewed under s69</i>						<i>Tribunal reviews under s69</i>				Determination by Tribunal			
	<i>M F T</i>			<i>M F T</i>			<i>Discharged</i>	<i>Adjourned</i>	<i>Appeal Dismissed</i>	<i>Dismissed and no further Appeal to be heard prior to next scheduled review</i>				
	<i>M</i>	<i>F</i>	<i>T</i>	<i>M</i>	<i>F</i>	<i>T</i>								
Major Psychiatric Hospitals														
Bloomfield	1	2	3	1	2	3	-	-	-	3				
Cumberland	13	9	22	13	12	25	-	-	4	21				
James Fletcher	4	4	8	5	4	9	1	1	-	7				
Kenmore	2	-	2	2	-	2	-	-	-	2				
Macquarie	4	-	4	4	-	4	-	-	1	2				
Morisset	2	1	3	3	1	4	-	-	1	3				
Rozelle	10	4	14	10	4	14	-	1	-	13				
SUB-TOTALS 2001	36	20	56	38	23	61	1	2	7	51				
SUB-TOTALS 2000	27	19	46	31	20	51	-	5	16	30				
Public Hospital Units														
Bankstown	-	1	1	-	1	1	-	-	-	1				
Blacktown	1	-	1	1	-	1	-	-	1	-				
Campbelltown	2	-	2	2	-	2	-	-	-	2				
Coffs Harbour	1	1	2	1	1	2	-	-	-	2				
Goulburn	1	-	1	1	-	1	-	-	-	1				
Hornsby	-	1	1	-	1	1	-	-	-	1				
Lismore	2	-	2	3	-	3	-	1	-	2				
Liverpool	1	-	1	1	-	1	-	-	1	-				
Maitland	1	2	3	1	2	3	-	-	-	3				
Manly	1	1	2	1	1	2	-	-	-	2				
Nepean	1	-	1	1	-	1	-	-	-	1				
Prince of Wales	8	2	10	9	2	11	-	1	2	8				
Royal North Shore	1	3	4	4	3	7	-	2	2	3				
RPA Missenden Unit	2	6	8	2	6	8	-	1	3	4				
Shellharbour	-	1	1	-	2	2	-	1	-	1				
St George	1	2	3	1	2	3	-	-	-	3				
St Vincents	5	1	6	7	2	9	-	3	3	3				
Sutherland	3	1	4	3	1	4	-	-	1	3				
Tamworth	5	5	10	5	5	10	-	1	1	8				
Wagga Wagga	4	3	7	5	3	8	-	1	-	6				
Westmead - AA Unit	2	1	3	3	1	4	-	1	1	2				
SUB-TOTALS 2001	42	31	73	51	33	84	0	12	15	56				
SUB-TOTALS 2000	25	20	45	27	22	49	-	9	13	27				
COMBINED TOTALS 2001	78	51	129	89	56	145	1	14	22	107				
COMBINED TOTALS 2000	52	39	91	58	42	100	-	14	29	57				

* Includes 1 review where the Tribunal determined it had no jurisdiction

The MHA requires that as soon as practicable after a person has been involuntarily detained, the receiving hospital must give to the person so detained an oral explanation and a written statement (Form 1 under the Mental Health Regulation 2000) of the person's legal rights and entitlements. Compliance with this provision would have involved hospital staff advising more than 12,606 involuntarily detained persons of their legal rights during 2001. However, during 2001 only about 1% of involuntary patients from all hospitals appealed to the Tribunal against a medical superintendent's refusal to discharge. This pattern has remained fairly consistent since the proclamation of the Act in 1990.

Table 15

Demographic profile of temporary patients and continued treatment patients who appealed under section 69 during the period January to December 2001

	0-19 yrs	20-29 yrs	30-39 yrs	40-49 yrs	50-59 yrs	60-69 yrs	70-79 yrs	80+ yrs	PATIENT TOTAL
Male	1	25	24	21	5	2	0	1	79
Female	1	11	17	7	11	2	1	0	50
TOTALS 2001	2	36	41	28	16	4	1	1	129
TOTALS 2000	1	28	30	19	9	2	-	2	91

3.4. COMPARISON OF INVOLUNTARY ADMISSIONS TO ALL ADMISSIONS

For the twelve month period July 2000 to June 2001 there were 20843 voluntary and involuntary admissions to gazetted general hospital psychiatric units compared to 18793 in the previous year. Also from July 1999 to June 2000 there were 5711 involuntary admissions to the seven large psychiatric institutions and 5621 in the previous year. (Table 16). The figures for admissions to all facilities are gathered by the Department of Health and are reported in its Annual Report for each financial year. Involuntary admissions represent approximately 44% of all admissions (excluding those patients who have been reclassified from informal to involuntary status).

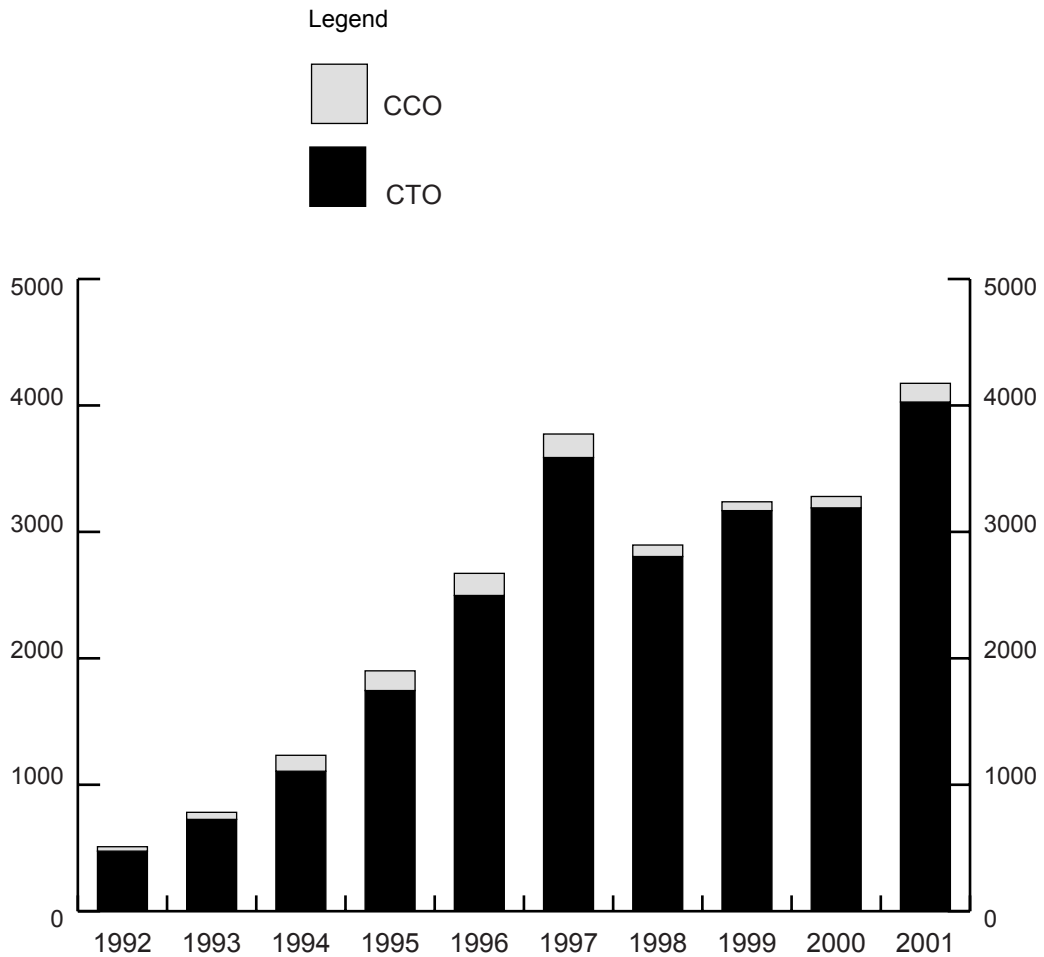
Table 16**Comparison of involuntary admissions (Jan 2001 - Dec 2001) and total admissions (Jul 2000 - Jun 2001) in public psychiatric facilities**

Major Psychiatric Hospitals	<i>Taken to hospital Involuntarily and Admitted (Jan 2001 to Dec 2001)</i>	<i>Total Admissions (Jul 2000 to Jun 2001)</i>	<i>Percentage Involuntary Admissions</i>
Bloomfield	717	823	87.1
Cumberland	917	1532	59.9
James Fletcher/Morisset	1002	1775	56.5
Kenmore	6	49	12.2
Macquarie	222	260	85.4
Rozelle	835	1272	65.6
SUB-TOTAL 2001	3699	5711	64.8
SUB-TOTAL 2000	3015	5621	53.6
Public Hospital Units			
Albury	145	454	31.9
Armidale	-	446	-
Bankstown	755	621	121.6
Blacktown	338	520	65
Broken Hill	71	172	41.3
Campbelltown	278	559	49.7
Coffs Harbour	187	388	48.2
Concord	-	248	-
Dubbo	33	105	31.4
Gosford	364	965	37.7
Goulburn	337	495	68.1
Greenwich	39	211	18.5
Hornsby	349	548	63.7
Lismore	635	1457	43.6
Liverpool	381	722	52.8
Long Bay	-	222	-
Maitland	303	671	45.2
Manly	275	1189	23.1
Nepean	465	838	55.5
Port Kembla	-	-	-
Prince of Wales	518	893	58
Queanbeyan	-	183	-
Royal North Shore	198	457	43.3
RPA Missenden	-	912	-
Shellharbour	731	2829	25.8
St George	259	1022	25.3
St Joseph's	21	127	16.5
St Vincent's	464	589	78.8
Sutherland	304	520	58.5
Tamworth	276	975	28.3
Wagga Wagga	153	396	38.6
Westmead Acute Adolescent Unit	53	361	14.7
Westmead Adult Psychiatric Unit	30	671	4.5
Westmead Psychogeriatric Unit	26	77	33.8
SUB-TOTAL 2001	7988	20843	38.3
SUB-TOTAL 2000	6825	18793	35.1
COMBINED TOTALS ALL HOSPITALS 2001	11687	26554	44
COMBINED TOTALS ALL HOSPITALS 2000	9840	25046	39.3

1 Total includes 528 persons admitted as informal patients.
2 Source: Department of Health Annual Report 2000/2001.
3 Total includes 494 persons admitted as informal patients.
4 Source: Department of Health Annual Report 1999/2000.

Table 17

Number of community counselling orders and community treatment orders made by the Tribunal and by Magistrates for the ten year period 1992 to 2001



Total Orders	Total Orders	Total Orders	Total Orders	Total Orders	Total Orders	Total Orders	Total Orders	Total Orders	Total Orders
510	782	1233	1901	3672	3774	2996	3238	3280	4175

TOTAL number of CCOs and CTOs made by the TRIBUNAL for this period is: □ 18,876

TOTAL number of CCOs and CTOs made by MAGISTRATES for this period is: □ 5,685

Table 18**Community counselling orders for gazetted health care agencies made by the Tribunal for the two calendar years 2000 and 2001**

<i>Health Care Agency</i>	<i>2000 Total CCOs</i>	<i>2001 Total CCOs</i>	<i>Health Care Agency</i>	<i>2000 Total CCOs</i>	<i>2001 Total CCOs</i>
Albury CMHS	1	1	Leeton/Narrandera CHC	-	-
Armidale CMHS	-	-	Lismore MHOPS	-	-
Ashfield CMHS	1	-	Lithgow MHS	-	-
Auburn CHC	-	4	Liverpool MHS	4	2
Bankstown Lidcombe MHS	-	3	Macquarie Area MHS	-	-
Barwon MHS	-	-	Manly Hospital and CMHS	3	5
Batemans Bay DHC & MHS	1	3	Maroubra CMHS	2	4
Bega Valley Counselling & MHS	1	-	Marrickville CMHS	-	-
Blactown & Mt Druitt PS	-	1	Merrylands CHS	1	-
Blue Moutains MHS	-	-	Mid Western CMHS	2	2
Bondi Junction CHC	6	2	Mudgee MHS	-	-
Botany CHC	-	-	New England Dist (Glen Innes) MHS	-	-
Bowral CHS	-	-	New England District (Inverell) MHS	-	-
Campbelltown MHS	3	2	Newcastle MHS	-	1
Canterbury CMHS	2	2	Orana MHS - Dubbo Base Hospital	-	-
Catherine Mahoney Aged Care P. U.	1	-	Orange CHC	-	-
Central Coast Area MHS	5	4	Orange C. Res/Rehab. Service	-	-
Clarence District HS	1	1	Pambula District Hospital MHS	-	-
Coffs Harbour MH Out/pt Serv	-	2	Parramatta CHS	-	1
Cooma MHS	-	-	Penrith MHS	-	-
Cootamundra MHS	-	-	Penrith/Hawkesbury MHS	-	-
Deniliquin District MHS	-	-	Port Macquarie CMHS	-	1
Dundas CHC	-	-	Queanbeyan MHS	2	-
Fairfield MHS	1	2	Redfern/Newtown CMHS	-	-
Far West MHS	-	-	Royal North Shore H & CMHS	1	2
Glebe CMHS	-	-	Ryde Hospital and CMHS	8	13
Goulburn CMHS	-	-	Shoalhaen MHS	-	1
Griffith (Murrumbidgee) MHS	-	-	St George Div of Psych & MH	11	8
Hawkesbury MHS	-	-	St Joseph's Hospital CMAPU	1	2
Hills CMHC	-	1	Sutherland C Adult & Fam MHS	-	-
Hornsby Ku-ring-gai H & CMHS	2	6	Tamworth CMHS	1	-
Hunter Valley HCA	1	-	Taree CMHS	-	-
Illawarra PS	3	4	Tumut CMHS	-	1
Inner City MHS	2	2	Tweed Heads MHS	1	-
James Fletcher Hospital	-	-	Upper Hunter MHS	-	-
Kempsey CMHS	-	-	Wagga Wagga CMHS	1	4
Lake Macquarie MHS	-	-	Young MHS	-	-
TOTAL NUMBER OF COMMUNITY COUNSELLING ORDERS	2001	88	INVOLVING	61	PERSONS
Total number of Community Counselling Orders	2000	69	INVOLVING	47	PERSONS

Table 19

Demographic profile of persons whose cases were reviewed under section 118 (community counselling order applications) during the period January to December 2001

	<i>0-19 yrs</i>	<i>20-29 yrs</i>	<i>30-39 yrs</i>	<i>40-49 yrs</i>	<i>50-59 yrs</i>	<i>60-69 yrs</i>	<i>70-79 yrs</i>	<i>80+ yrs</i>	<i>PATIENT TOTAL</i>
Male	-	11	7	17	3	-	-	-	38
Female	1	3	5	7	3	5	1	1	26
TOTALS 2001	1	14	12	24	6	5	1	1	64
TOTALS 2000	1	7	14	17	6	3	1	-	49

Table 20**Community treatment orders for gazetted health care agencies made by the Tribunal for the two calendar years 2000 and 2001**

<i>Health Care Agency</i>	<i>2000 Total CTOs</i>	<i>2001 Total CTOs</i>	<i>Health Care Agency</i>	<i>2000 Total CTOs</i>	<i>2001 Total CTOs</i>
Albury CMHS	23	25	Leeton/Narrandera CHC	7	4
Armidale MHS	6	13	Lismore MHOPS	33	37
Ashfield CMHS	70	72	Lithgow MHS	4	2
Auburn CHC	37	45	Liverpool MHS	48	53
Bankstown-Lidcombe MHS	128	114	Macquarie Area MHS	22	24
Barwon MHS	-	1	Manly Hospital & CMHS	96	95
Batemans Bay DHC & MHS	25	30	Maroubra CMH	18	49
Bega Valley Counselling & MHS	10	6	Marrickville CMHS	49	70
Blacktown & Mt Druitt PS	66	104	Merrylands CHC	94	81
Blue Mountains MHS	56	53	Mid Western CMHS	36	45
Bondi Junction CHC	120	81	Mudgee MHS	1	-
Botany CHC	-	-	New England Dist (Glen Innes) MHS	1	8
Bowral CMHS	18	20	New England Dist (Inverell) MHS	7	12
Campbelltown MHS	73	84	Newcastle MHS	80	59
Canterbury CMHS	61	63	Orana MHS - Dubbo Base Hospital	-	-
Catherine Mahoney Aged Care P.U	-	2	Orange CHC	5	4
Central Coast Area MHS	84	91	Orange C Res/Rehab Service	4	2
Clarence District HS	6	6	Pambula District Hospital MHS	-	-
Coffs Harbour MHOPS	25	45	Parratta CHS28	14	20
Cooma MHS	6	1	Penrith MHS	48	66
Cootamundra MHS	5	4	Penrith/Hawkesbury MHS	3	2
Deniliquin District MHS	4	-	Port Macquarie CMHS	18	28
Dundas CHC	12	16	Queanbeyan MHS	13	11
Fairfield MHS	71	61	Redfern/Newtown CMHS	24	22
Far West MHS	10	14	Royal North Shore H & CMHS	68	89
Glebe CMHS	54	60	Ryde Hospital & CMHS	72	85
Goulburn CMHS	30	32	Shoalhaven MHS	15	24
Griffith (Murrumbidgee) MHS	6	9	St George Div of Psychiatry & MH	101	133
Hawkesbury MHS	16	19	St Josephs Hospital CMACPU	1	-
Hills CMHC	9	9	Sutherland C Adult & Fam MHS	120	117
Hornsby Ku-ring-gai Hospital & CMHS	66	77	Tamworth CMHS	17	22
Hunter Valley HCA	54	46	Taree CMHS	35	31
Illawarra Psychiatric Services	99	111	Tumut CMHS	2	1
Inner City MHS	80	81	Tweed Heads MHS	10	17
James Fletcher Hospital	3	11	Upper Hunter MHS	-	-
Kempsey CMHS	9	14	Wagga Wagga CMHS	51	39
Lake Macquarie MHS	45	50	Young MHS	5	5

TOTAL NUMBER OF COMMUNITY TREATMENT ORDERS 2001 **2738** INVOLVING **1885** PERSONS
Total number of Community Treatment Orders 2000 2509 INVOLVING 1729 PERSONS

Table 21

Demographic profile of persons reviewed under section 131 (community treatment order applications) during the period January to December 2001

	<i>0-19 yrs</i>	<i>20-29 yrs</i>	<i>30-39 yrs</i>	<i>40-49 yrs</i>	<i>50-59 yrs</i>	<i>60-69 yrs</i>	<i>70-79 yrs</i>	<i>80+ yrs</i>	<i>PATIENT TOTAL</i>
Male	41	420	390	217	104	39	14	3	1228
Female	19	121	173	164	140	71	46	7	741
TOTALS 2001	60	541	563	381	244	110	60	10	1969
TOTALS 2000	63	500	493	368	202	101	58	13	1798

Table 22**Community treatment orders/community counselling orders made by Magistrates for the calendar years 1998, 1999 and 2001**

<i>Area Health Service/Region</i>	<i>1999 CCOs</i>	<i>2000 CCOs</i>	<i>2001 CCOs</i>	<i>1999 CTOs</i>	<i>2000 CTOs</i>	<i>2001 CTOs</i>
Albury (Nolan House)	-	-	-	8	14	-
Bankstown (Banks House)	-	-	-	38	32	59
Blacktown (Bungarribee House)	-	-	-	19	22	37
Bloomfield	-	-	-	62	21	93
Broken Hill (Special Care Suite)	-	-	-	4	13	9
Campbelltown (Waratah House)	-	-	-	11	7	9
Coffs Harbour (Psychiatric Unit)	-	-	-	15	18	38
Cumberland	-	-	8	21	6	123
Gosford (Mandala Clinic)	-	-	5	18	45	70
Goulburn	-	-	16	18	11	51
Greenwich	-	-	-	3	2	10
Hornsby (Palmerston Unit)	-	-	6	28	16	37
James Fletcher	1	-	-	35	46	69
Kenmore	-	-	1	1	-	9
Lismore (Richmond Clinic)	-	1	8	65	68	117
Liverpool Hospital	-	-	6	96	56	99
Macquarie Hospital	-	-	-	19	12	27
Maitland	-	-	-	24	12	29
Manly (East Wing)	1	-	-	30	19	34
Morisset	-	-	-	-	-	1
Nepean (Pialla Unit)	-	-	4	14	18	41
Port Kembla	-	1	-	4	4	-
Prince of Wales (Psychiatric Unit)	-	-	1	16	17	18
Royal North Shore (Cummins Unit)	-	-	-	23	9	10
Royal Prince Alfred (Missenden Unit)	-	1	-	42	16	33
Rozelle	1	-	-	97	62	94
Shellharbour (Psych Unit/Rehab Unit)	-	-	1	37	28	46
St George (Pacific House)	-	-	4	22	14	33
St Josephs (Psychogeriatric Unit)	-	-	-	19	1	1
St Vincents (Caritas Centre)	-	-	-	19	10	19
Sutherland (Psychiatric Unit)	-	-	-	31	35	34
Tamworth (Banksia Unit)	-	-	-	14	25	23
Wagga Wagga (Gissing House)	-	-	-	12	12	10
Westmead (Acute Adolescent)	-	-	-	2	1	4
Westmead (Psych.Geriatric)	-	-	-	1	1	2
TOTALS	4	3	60	844	673	1289

EXPLANATORY NOTE ABOUT THE NUMBERING OF TABLES:

In order to enable ready comparison with previous annual reports, the number of the table for the relevant set of data for each year has been kept the same. Thus, Table 25 at page 35 of AR95 relates to “Tribunal determinations on ECT applications for involuntary patients”, as does Table 25 in this year’s report. However, from 1995, there is no equivalent table to Table 23, which last appeared in AR94. Hence the jump in table numbers for AR95 to AR99 from Table 22 to Table 24.

Table 24

Frequency of community counselling and community treatment orders made by the Tribunal for the nine year period January 1991 to December 2001

<i>CCOs made per patient</i>	<i>Patients</i>			<i>Total No. of CCOs made</i>	<i>CTOs made per patient</i>	<i>Patients</i>			<i>Total No of CTOs made</i>
	<i>M</i>	<i>F</i>	<i>Total</i>			<i>M</i>	<i>F</i>	<i>Total</i>	
1	214	144	358	358	1	1839	1302	3141	3141
2	61	48	109	218	2	1038	642	1680	3360
3	20	19	39	117	3	374	247	621	1863
4	15	8	23	92	4	190	111	301	1204
5	8	2	10	50	5	129	97	226	1130
6	2	1	3	18	6	117	72	189	1134
7	3	5	8	56	7	76	43	119	833
8	2	2	4	32	8	68	47	115	920
10	-	1	1	10	9	56	30	86	774
11	-	1	1	11	10	37	21	58	580
15	1	1	2	30	11	28	13	41	451
16	1	1	2	32	12	15	18	33	396
					13	15	7	22	286
					14	11	10	21	294
					15	7	3	10	150
					16	8	6	14	224
					17	7	4	11	187
					18	7	3	10	180
					19	5	5	10	190
					20	1	3	4	80
					21	5	3	8	168
					22	1	3	4	88
					23	2	1	3	69
					24	2	1	3	72
					25	1	2	3	75
					26	-	1	1	26
					30	1	-	1	30
TOTALS	327	233	560	1024		4040	2695	6735	17905

During 2001, the Tribunal heard 190 applications to vary community counselling or community treatment orders and approved all of them. Six applications to revoke community counselling or treatment orders were received and reviewed during 2001 of which 2 were approved and 4 were declined by the Tribunal.

Table 25**Tribunal determinations on ECT applications for involuntary patients for the period January to December 2001**

<i>Capacity of Patient to give Informed Consent</i>	<i>Approved</i>	<i>Determination or Opinion Not Required</i>	<i>Not Approved</i>	<i>Total</i>
Capable and has consented	-	27	-	27
Capable but has neither consented nor refused	8	-	2	10
Capable but has refused	7	-	2	9
Incapable of giving informed consent	392	-	4	396
Incapable of informed consent – has consented	-	-	-	0
Incapable of – has neither consented nor refused	1	-	-	1
Incapable of informed consent – has refused	-	-	-	0
Adjourned	-	17	-	17
No jurisdiction	-	-	-	0
TOTALS 2001	408	44	8	460
TOTALS 2000	331	36	5	372

Note: Excludes 1 review under s185 where the Tribunal determined an informal patient to be incapable of giving informed consent.

Table 26**Demographic profile of detained persons receiving ECT following Tribunal approvals (total 298) to perform the procedure for the period January to December 2001**

	<i>0-19</i>	<i>20-29</i>	<i>30-39</i>	<i>40-49</i>	<i>50-59</i>	<i>60-69</i>	<i>70-79</i>	<i>80+</i>	<i>Total</i>
Male	6	17	29	13	16	14	21	7	123
Female	5	25	32	26	38	40	42	22	230
TOTALS 2001	11	42	61	39	54	54	63	29	353
TOTALS 2000	7	39	40	32	47	43	53	32	293

Table 27**Breakdown of age groups of detained persons receiving ECT during the period January to December 2001 by number and percentage and percentages for 2000**

	<i>0-19 yrs</i>	<i>20-29 yrs</i>	<i>30-39 yrs</i>	<i>40-49 yrs</i>	<i>50-59 yrs</i>	<i>60-69 yrs</i>	<i>70-79 yrs</i>	<i>80+ yrs</i>	<i>Total Persons</i>
Persons receiving ECT	11	42	61	39	54	54	63	29	353
Persons admitted involuntarily and inpatients reclassified to involuntary	894	3230	2983	1752	903	403	329	176	0709
PERCENTAGE BY AGE GROUP 2001	1.2 %	1.3 %	2.0 %	2.2 %	6.0 %	13.4 %	19.1 %	16.5 %	3.3 %
PERCENTAGE BY AGE GROUP 2000	0.9 %	1.3 %	1.6 %	2.2 %	5.9 %	11.3 %	19.9 %	20.3 %	3.2 %

* This total is by individual irrespective of the number of admissions/reclassifications particular individuals may have experienced during 2001

Table 28**Results of Tribunal ECT hearings by hospital for the period January to December 2001 and combined totals for 2000**

Major Psychiatric Hospitals	<i>Tribunal reviews under ss185 and 188</i>	<i>Adjournments</i>	<i>ECT approved by Tribunal</i>	<i>ECT not approved</i>
Bloomfield	26	-	21	-
Cumberland	44	3	40	-
James Fletcher	32	2	26	2
Kenmore	13	1	11	1
Macquarie	9	-	9	-
Morisset	1	-	1	-
Rozelle	24	-	23	-
SUB-TOTALS 2001	149	6	131	3
SUB-TOTALS 2000	124	5	101	5
Public Hospital Units				
Albury	10	-	10	-
Bankstown	13	2	11	-
Blacktown	12	2	10	-
Campbelltown	9	-	7	1
Coffs Harbour	7	-	5	-
Concord	3	-	2	-
Gosford	19	-	19	-
Goulburn	5	-	4	-
Greenwich	12	-	11	-
Hornsby	9	-	9	-
Lismore	25	-	25	-
Liverpool	15	-	15	-
Maitland	7	-	5	-
Manly	7	-	7	-
Nepean	24	1	20	1
Prince of Wales	21	1	18	1
Royal North Shore	13	1	11	-
RPA Missenden Unit	4	-	4	-
Shellharbour	14	2	11	-
St George	19	-	18	1
St Josephs	1	-	1	-
St Vincents (Caritas)	11	1	10	-
Sutherland	14	1	13	-
Tamworth	14	1	10	-
Wagga Wagga	4	-	2	-
Westmead Acute Adolescent	4	-	3	1
Westmead Adult Psychiatry	15	-	14	-
Westmead Psychogeriatric	2	-	2	-
SUB-TOTALS 2001	313	12	277	5
SUB-TOTALS 2000	249	6	230	0
COMBINED TOTAL ALL HOSPITALS 2001	462	18	408	8
COMBINED TOTAL ALL HOSPITALS 2000	373	11	331	5

Table 29

Breakdown of Tribunal approvals of surgical procedures (MHA ss205 – 207) during the period January to December 2001.

<i>Patient</i>	<i>Surgical Procedure</i>
1	Biopsy of lesion of left breast, 2 lumpectomys under general anaesthetic. 3 operations altogether.
2	Closed reduction of left Colles fracture, with or without K Mires, and any related treatment.
3	Colonoscopy and gastroscopy.
4	Course of radiotherapy treatment and ancillary procedures.
5	Cystoscopy and urodynamic studies and Cystoscopy and Urodynamic study.
6	Dental Surgery under anaesthetic.
7	Dental Surgery with general anaesthetic.
8	Extraction of upper teeth restoration and scale and clean under general anaesthesia.
9	Hysteroscopy.
10	Hysteroscopy, D & C, Laparoscopy and possibly bilateral oophorectomy.
11	Investigation into lung lesion and possible secondary lesion.
12	Laryngectomy, possible pharyngectomy and repair with a forearm free flap.
13	Oesophageal dilation.
14	Insertion of a shunt for hydrocephalus
15	Cataract Operation

Does not include one application where the Tribunal determined that it had no jurisdiction.

Table 30

Surgery under the emergency provisions (ss 201 – 203) during the period January to December 2001

<i>Patient</i>	<i>Surgical Procedure</i>
1	Left Salpingectomy and removal of isthmic ectopic
2	Bronchoscopy Fine needle biopsy under x-ray guidance Mediastinoscopy and node sampling
3	Excision lesion right jaw under local anesthetic Colonoscopy under light sedation malignency
4	Endoscopy

4. MANAGEMENT OF THE INCOME AND PROPERTY OF PATIENTS, PAST AND PRESENT

Table 31

Summary of statistics relating to the Tribunal's jurisdiction under the Protected Estates Act 1983 for the period January to December 2001 and combined totals for 2000

Section of Act	Description of Reviews	Reviews			Adjournments	Order made	Order Declined	Interim Order under s20	Revocation Approved	Revocation Declined	Legal Repres.
		M	F	T							
s.17	Referred to Tribunal by Magistrate	9	11	20	0	6	6	8	0	0	17
s.18	Order made on Forensic Patient	0	1	1	0	1	0	0	0	0	1
s.19	On application to Tribunal for Order	126	76	202	29	96	34	42	0	0	184
s.36	Revocation of Order	59	22	81	14	0	0	0	25	38	13
TOTALS 2001		194	110	304	43	103	40	50	25	38	215
TOTALS 2000		134	85	219	40	78	17	42	14	27	146

* Includes 1 review where the Tribunal determined that it had no jurisdiction.

5. FORENSIC PATIENTS

Table 32

Summary of statistics relating to the Tribunal's forensic jurisdiction for the periods January to December 2000 and 2001 for forensic patient case reviews under the Mental Health Act 1990

<i>Act and Section</i>	<i>Description of Review</i>	2000 Reviews			2001 Reviews		
		<i>M</i>	<i>F</i>	<i>Total</i>	<i>M</i>	<i>F</i>	<i>Total</i>
<i>Forensic Patient Reviews requiring submission of Tribunal recommendations to Minister under the Mental Health Act 1990</i>							
80(1) MHA	Where a detained person is found unfit to be tried at an inquiry or given a limiting term at a special hearing	3	-	3	-	-	-
80(1)(a) MHA	After Court inquiry where detention imposed - consider (a) fitness & (b) danger to self or public	1	-	1	-	-	-
80(1)(b) MHA	After special hearing where limiting term and detention imposed - Consider (a) fitness & (b) danger to self or public	1	-	1	1	-	1
81(1)(a) MHA	After special hearing - not guilty by reason of mental illness	17	2	19	4	1	5
81(1)(b) MHA	After Trial - not guilty by reason of mental illness	17	2	19	19	-	19
82 MHA	Regular periodic review of forensic patient	297	26	323	335	36	371
82(s.94) MHA	Following reinvestigation of person apprehended under s93	-	-	-	-	-	-
82(s.96) MHA	Request for transfer to prison	-	-	-	-	-	-
86(1) MHA	Review of person transferred from prison	46	6	52	38	12	50
86(2)	Monthly review – (a) trial incomplete or (b) Unfit to be tried/await special hearing	-	-	-	-	-	-
87	Review of person to be transferred from prison	-	4	4	-	-	-
TOTAL		364	38	402	397	49	446
<i>Tribunal Determinations made under the provisions of the Mental Health (Criminal Procedure) Act 1990</i>							
16 MHCPA	Determination of fitness to be tried in next twelve months	16	2	18	25	6	31
24 MHCPA	Determination of mental state following making of a limiting term after a special hearing	2	-	2	4	-	4
TOTAL		18	2	20	29	6	35
COMBINED TOTALS		382	40	422	426	55	481

Table 33**Outcomes of reviews held under the forensic provisions of the Mental Health Act 1990 from January to December 2001, Tribunal recommendations, and responses of the Executive Government**

	<i>Reviews</i>			<i>Approvals</i>			<i>Rejections</i>			<i>Pending</i>			<i>Not Applicable</i>		
	<i>M</i>	<i>F</i>	<i>T</i>	<i>M</i>	<i>F</i>	<i>T</i>	<i>M</i>	<i>F</i>	<i>T</i>	<i>M</i>	<i>F</i>	<i>T</i>	<i>M</i>	<i>F</i>	<i>T</i>
A) No change in conditions of detention	85	4	89	80	4	84	-	-	-	5	-	5	-	-	-
B) Less restrictive conditions of detention	51	12	63	36	9	45	1	-	1	14	3	17	-	-	-
C) More restrictive conditions of detention	13	2	15	11	2	13	-	-	-	2	-	2	-	-	-
D) Conditional release	30	6	36	14	3	17	5	-	5	11	3	14	-	-	-
E) Revocation of conditional release	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
F) No change in conditions of release	66	8	74	65	8	73	-	-	-	1	-	1	-	-	-
G) Less restrictive conditional release	4	-	4	3	-	3	1	-	1	-	-	-	-	-	-
H) More restrictive conditional release	2	-	2	2	-	2	-	-	-	-	-	-	-	-	-
I) Unconditional release	3	2	5	1	2	3	-	-	-	2	-	2	-	-	-
<i>Adjournment</i>	53	3	56	-	-	-	-	-	-	28	1	29	25	2	27
<i>Not forwarded or acted upon due to changed circumstances</i>	84	12	96	-	-	-	-	-	-	17	3	20	67	9	76
<i>DETERMINED under s82(3): if patient has become fit to be tried notify Attorney General</i>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<i>DETERMINED under s89(1): that patient be reclassified to continued treatment patient status</i>	14	6	20	-	-	-	-	-	-	-	-	-	14	6	20
<i>that patient be NOT reclassified to continued treatment patient status</i>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL Recommendations and Outcomes 2001	405	55	460	212	28	240	7	-	7	80	10	90	106	17	123
TOTAL Recommendations and Outcomes 2000	364	38	402	192	23	215	4	-	4	96	11	107	72	4	76

Includes 17 reviews where both a recommendation and a determination were made under the same section of the Mental Health Act 1990.

The data provided in Tables 33 and 34 at page 60 of AR94 have been combined into the one table, number 33 in the Annual Reports for 1995 – 2001.

Table 35A**Location of forensic patient case reviews held between January and December 2001**

CUMBERLAND HOSPITAL	96
KENMORE HOSPITAL	2
LONG BAY PRISON HOSPITAL	177
MACQUARIE HOSPITAL	4
MORISSET HOSPITAL	61
MULAWA TRAINING CENTRE	6
PARKLEA - PMS	1
PHONE/VIDEO	12
PRIORY - COMMUNITY FORENSICS	96
ROYAL PRINCE ALFRED MISSENDEN	1
ROZELLE HOSPITAL	20
SILVERWATER – PMS	3
TOTAL	479

Table 35B**Location of Current Forensic Patients**

BATHURST - PMS	1
CESSNOCK - PMS	1
COMMUNITY	72
CUMBERLAND HOSPITAL, PARRAMATTA	34
GOULBURN - PMS	1
KENMORE HOSPITAL	4
LITHGOW CORRECTIONAL CENTRE	1
LONG BAY (A) - PMS	4
LONG BAY SPECIAL PURPOSE CENTRE	1
LONG BAY PRISON HOSPITAL	88
MACQUARIE HOSPITAL, NORTH RYDE	2
MORISSET HOSPITAL	24
MULAWA - PMS	4
PARKLEA - PMS	1
ROZELLE HOSPITAL, LEICHHARDT	6
SILVERWATER - PMS	8
WARIALDA DISTRICT HOSPITAL	1
TOTAL	253

6. ENGLISH AND NON-ENGLISH SPEAKING BACKGROUND PATIENTS

Reference is made to Appendices 8, 9 10 and 12.

7. GENERAL OBSERVATIONS AND CONCLUSIONS

The year 2001 saw a new President, Professor Duncan Chappell appointed in April 2001. Professor Chappell was previously a Deputy President of the Federal Administrative Appeals Tribunal as well as a past Director of the Australian Institute of Criminology. His criminology background and specific expertise in the area of violence prompted the Minister for Health to appoint Professor Chappell in July 2001 as the Co-Chair with Professor Beverly Raphael of the Taskforce on the Prevention and Management of Violence in the Health Workplace in New South Wales.

Professor Chappell's settling in period was made particularly difficult by the continuing absence of the Registrar Alan Langley who was suffering from a long illness. On Mr Langley's eventual return to duties he was not well enough to resume his full activities and left the Tribunal, returning to the Department of Health at the end of the year. Alan Langley made a large contribution to the Tribunal in his years as Registrar and Deputy Registrar and his knowledge and experience will be missed.

On the positive side the Tribunal website was finalised and is now fully functioning with built in fire walls. The reference is (www.mhrt.nsw.gov.au). The website contains amongst other things, Tribunal forms and precedents, our previous annual reports, some procedural notes and general information about the Tribunal.

This year also saw the Tribunal budget going into deficit for the first time. The Tribunal's perilous budgeting situation has led the President to request further resources. As a result Mandala Consulting Services were employed by the Tribunal and the Department of Health to conduct an independent review of the Tribunal's operations. The preliminary report made available by this consultant at the end of the year indicated positive support for more resources being provided to the Tribunal.

The Tribunal has also outgrown its current office premises at 'The Priory' on the northern side of the old Gladesville Hospital site. Plans are being drawn up for moving the Tribunal offices towards the end of 2002 to the southern end of the old Gladesville Hospital site.

It is hoped that the end of the next year will see the start of a new era for the Tribunal which will be better resourced and better able to meet the ever increasing workload of the changing mental health system.

APPENDICES

APPENDIX 1

Patient statistics required under MHA s261(2) concerning people taken to hospital during period January 2001 to December 2001

(1) **s261(2)(a)**

The number of persons taken to hospital and the provisions of the Act under which they were so taken.

	<i>Method of Referral</i>	<i>Admitted</i>	<i>Not Admitted</i>	<i>Total</i>
s21	Certificate of Doctor	7264	214	7478
s23	Request by Relative/Friend	863	7	870
s24	Apprehension by Police	2733	635	3368
s25	Order of Court	306	70	376
s26	Welfare Officer	250	8	258
s21 via s27	Authorised Doctor's Certificate	241	1	242
s142	Breach Community Treatment Order	110	11	121
TOTAL ADMISSIONS		11767	946	12713
RECLASSIFIED FROM INFORMAL TO INVOLUNTARY		916	3	919
TOTAL		12683	949	13632

(2) **s261(2)(b)**

Persons were detained as mentally ill persons on 8737 occasions and as mentally disordered persons on 3030 occasions.

(3) **s261(2)(c)**

A total of 9364 magistrate's inquiries under section 41 were commenced and 4028 of these inquiries were concluded.

(4) **s261(2)(d)**

Persons were detained as Temporary Patients at the conclusion of a Magistrate's hearing on 2558 occasions.

5) **s261(2)(e)**

A total of 1258 Temporary Patient reviews were held by the Tribunal under sections 56 and 58. Persons were further detained as temporary patients on 588 occasions and were classified as Continued Treatment Patients on 188 occasions.

Note: Some individuals were taken to hospital on more than one occasion during the year.

TRIBUNAL'S JURISDICTION

The jurisdiction of the Tribunal as set out in the various Acts under which it operates is as follows:

MENTAL HEALTH ACT 1990 MATTERS

• Consideration of temporary orders made by the Magistrate	s56
• Consideration of temporary orders made by the Tribunal	s58
• Review of continued treatment patients	s62
• Review of informal patients	s63
• Appeal against medical superintendent's refusal to discharge	s69
• Review of persons found unfit to be tried	s80
• Review of persons found not guilty on grounds of mental illness	s81
• Continued review of forensic patients	s82
• Review of persons transferred from prison	s86
• Informal review of persons with proceedings still pending	s86(2)
• Informal review of persons to be transferred from prisons	s87
• Classification as continued treatment patient	s89
• Requested investigation of person apprehended for a breach of a condition of an order for release	s94
• Review of forensic patients requesting transfer to prison	s96
• Making of community counselling orders	s118
• Making of community treatment orders	s131
• Review by Tribunal of detained persons	s143A
• Variation of a community counselling order or a community treatment order	s148
• Revocation of a community counselling order or community treatment order	s148
• Review of informal patient's capacity to give informed consent to ECT	s185
• Review report on emergency ECT	s186
• Application to Tribunal to administer ECT with consent to a detained person	s188
• Application to administer ECT without consent to a detained person	s189
• Inspect ECT register	s196
• Review report on emergency surgery	s203
• Application to carry out special medical treatment	s204
• Application to carry out certain operations and treatments other than in emergency	s205

PROTECTED ESTATES ACT 1983 MATTERS

• Order for management	s17, s18, s19
• Interim order for management	s20
• Revocation of order for management of non-patient	s36

MENTAL HEALTH (CRIMINAL PROCEDURE) ACT 1990 MATTERS

• Determination of certain matters where person found unfit to be tried	s16
• Determination of certain matters where person given a limiting term following a special hearing	s24

APPENDIX 3

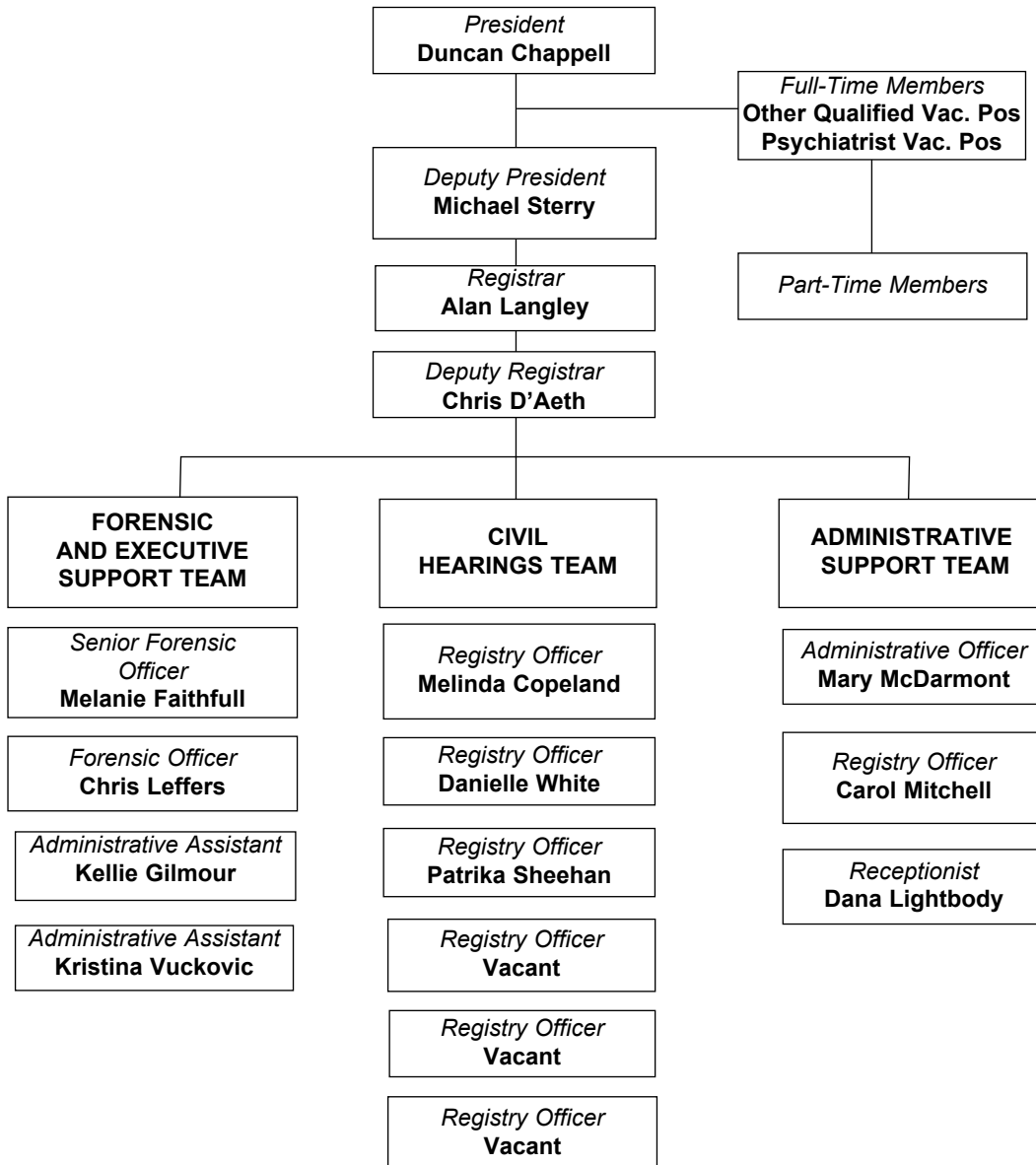
MENTAL HEALTH REVIEW TRIBUNAL

Members as at December 2001

<i>FULL-TIME MEMBERS</i>	Lawyers	Psychiatrists	Other
	Professor D Chappell <i>(President)</i>		
	Mr M Sterry <i>(Deputy President)</i>		
 <i>PART-TIME MEMBERS</i>			
	Mrs C Abela	Dr A G G Bennett	Mr S C Alchin, OAM
	Mr H L Ayling	Dr B Boettcher	Mrs S Ashton
	Mrs D Barnetson	Dr J A Campbell	Ms E Barry
	Ms M M Bisogni	Dr S Chaturvedi	Mr G Y L Cheung
	Ms H M Boyton	Dr M J R Cullen	Dr L Craze
	Mrs H Brennan	Dr J Donsworth	Mrs P Swan
	Mr B Bromberger	Dr C P Doutney	Ms G P Duffy
	Mr P R Coffey	Dr J Ellard, AM	Ms B Gilling
	Mr G M Cumes	Dr C H Greenway	Mr J Haigh
	Mr E A L de Sousa	Dr J L M Greenwood	Professor R D Harris
	Mrs M Dewdney	Dr D Kral	Mr C Hennessy
	Ms L J Emery	Dr L Lambeth	Ms L M Houlahan
	Ms A Finlay	Dr W E Lucas	Ms S Johnston
	Mr P Gibney	Dr F Lumley	Mr F Kong
	Mr K W Hale	Professor N McConaghy	Mrs C I Leung
	Mr J F Hookey	Dr J Miller	Dr C MacLeod
	Mr T J Kelly	Dr E M O'Brien	Ms L Manns
	Mr J A Kernick	Dr M G F Pasfield	Ms L Norton
	Ms H L Kramer	Dr C Pollock	Mrs H Opie
	Ms V L Marcellos	Dr G A Rickarby	Ms L Osborn
	Ms C McCaskie	Dr M J Sainsbury AM,RFD	Ms F T Ovadia
	Mr J H McMillan	Dr R Sandig	Mr A Owen
	Ms L Re	Dr R Schureck	Ms E R Pettigrew
	Professor N R Rees	Dr D Scott-Orr	Mr V Ponzio
	Ms D.J Robinson	Dr Y Skinner	Mr A Robertson, PSM
	Ms R R Squirchuk	Dr P W Thiering	Ms J M Said, AM
	Mr R C Thompson	Dr J A Thompson	Ms R H Shields
		Dr L C K Tsang	Dr S Srinivasan
		Dr N Waddy AC,MBE	Ms M Wilson
		Dr J Westerink	Dr R A Witton
		Dr R Wilcox	
		Dr A T Williams	
		Dr J Woodforde	

MENTAL HEALTH REVIEW TRIBUNAL

Structure as at December 2001



FINANCIAL SUMMARY

Budget Allocation and Expenditure 2000/2001

The Tribunal ended the 2000/2001 financial year with a budget deficit of \$36,047. Expenditure during the year was directed to the following areas:

	\$	\$
Tribunal Budget		\$2,303,528
Revenue		<u>18,024</u>
		<u>2,321,552</u>
Salaries and Wages*	1,681,526	
Goods and Services	516,274	
Equipment, repairs and maintenance	138,660	
Depreciation	21,139	
Expenditure	2,357,599	2,357,599
Budget Deficit		-36,047

* including salaries paid to part-time members of the Tribunal.

APPENDIX 6

Presentation of oral evidence at Tribunal hearings by health professionals for the 2001 calendar year

Major Psychiatric Hospitals	<i>No. of Patient Reviews</i>	<i>Psychiatrist</i>	<i>Psychiatric Registrar or Medical Officer</i>	<i>Social/Welfare Worker</i>	<i>Nurse</i>	<i>Other Health Professional</i>	<i>Friend or Relative</i>
Bloomfield	276	19	58	26	211	72	45
Cumberland	606	95	314	158	442	141	185
Gladesville-Macquarie	414	120	155	252	252	138	95
James Fletcher	374	55	141	90	155	94	105
Kenmore	90	4	55	7	64	30	17
Morriset	231	59	113	89	92	67	56
Rozelle	554	121	196	152	341	134	110
SUB-TOTALS	2545	473	1032	774	1557	676	614
% OF HEARINGS 2001		19 %	41 %	30 %	61 %	27 %	24 %
% OF HEARINGS 2000		10 %	52 %	30 %	65 %	19 %	21 %
Public Hospital Units							
Albury	48	4	25	2	38	12	11
Armidale	6	-	1	1	2	2	2
Bankstown	194	16	42	27	98	75	35
Blacktown	235	37	69	46	72	94	81
Broken Hill	7	-	-	-	2	6	-
Campbelltown	167	30	43	13	114	30	37
Coffs Harbour	81	9	31	11	46	33	24
Concord	7	2	3	-	1	1	2
Dubbo	5	1	-	-	3	2	2
Gosford	162	19	23	5	109	24	26
Goulburn Base	120	4	46	10	67	40	29
Greenwich	37	5	25	1	1	6	2
Hornsby	151	16	24	30	70	46	45
Lismore	116	10	39	38	49	31	27
Liverpool	212	28	36	29	55	53	31
Long Bay	21	5	7	-	7	3	6
Maitland	121	10	55	15	29	24	20
Manly	148	15	29	35	65	45	35
Nepean	241	30	56	39	103	48	51
Port Kembla	65	1	5	4	30	23	17
Prince Henry	16	5	3	1	8	6	5
Prince of Wales	242	40	62	32	113	79	50
Royal North Shore	178	43	46	78	41	60	35
RPA Missenden Unit	188	29	73	30	105	64	42
Shellharbour	218	27	79	26	75	62	68
St George	199	25	62	43	86	37	51
St Josephs	27	8	7	11	11	9	6
St Vincents	202	42	73	26	53	47	23
Sutherland	185	12	74	21	66	56	53
Tamworth	104	11	55	57	64	37	30
Wagga Wagga	134	6	68	11	61	30	20
Westmead Acute Adolescent	33	5	16	13	18	9	26
Westmead Adult Psychiatric	28	6	15	7	4	6	10
Westmead Psychogeriatric	11	1	5	4	1	4	7
SUB-TOTALS	3909	502	1197	666	1667	1104	909
% of Hearings 2001		13 %	31 %	17 %	43 %	28 %	23 %
% of Hearings 2000		8 %	38 %	14 %	49 %	23 %	21 %
COMBINED TOTALS							
6454	975	2229	1440	3224	1780	1523	
% OF ALL HEARINGS 2001		15 %	35 %	22 %	50 %	28 %	24%
% OF ALL HEARINGS 2000		9 %	44 %	21 %	56 %	21 %	21%

Note: This table includes hearings held at health care agencies associated with the hospitals listed but excludes hospitals where no patient reviews were held during 2001.

PUBLICATIONS AND OCCASIONAL PAPERS

The Tribunal has, since the passage of the Mental Health Act 1990, prepared a wide range of publications for use in the performance of its public and professional educational roles. A list of currently available publications and other material is available from the Registrar.

Comparison of methods of referral for persons taken to a hospital, or reclassified to involuntary patient status, who are from an English speaking background (ESB) and from a non English speaking background (NESB) for the period January to December 2001

<i>ESB</i>	<i>Male</i>	<i>Female</i>	<i>Total Admissions/ Reclassifications</i>	<i>Needing Interpreter</i>
Breach community treatment order	73	30	103	-
Certificate of doctor	3659	2948	6607	-
Request by relative/friend	349	356	705	1
Apprehension by police	1907	1013	2920	1
Order under Crimes Act	242	87	329	-
Welfare officer	112	104	216	-
Authorised person's order	95	65	160	1
TOTAL ESB ADMITTED	6437	4603	11040	3
ESB RECLASSIFIED TO INVOLUNTARY	430	380	810	1
GRAND TOTAL ESB 2001	6867	4983	11850	4
GRAND TOTAL ESB 2000	5828	4238	10066	5

<i>NESB</i>	<i>Male</i>	<i>Female</i>	<i>Total Admissions/ Reclassifications</i>	<i>Needing Interpreter</i>
Breach community treatment order	9	9	18	4
Certificate of doctor	436	435	871	104
Request by relative/friend	95	70	165	47
Apprehension by police	301	147	448	59
Order under Crimes Act	28	19	47	13
Welfare officer	16	26	42	10
Authorised person's order	48	34	82	36
TOTAL NESB ADMITTED	933	740	1673	273
NESB RECLASSIFIED TO INVOLUNTARY	45	64	109	18
GRAND TOTAL NESB 2001	978	804	1782	291
GRAND TOTAL NESB 2000	753	661	1414	132

Not included for 2001

Interpreter needs for civil patient reviews held by the Tribunal under the Mental Health Act for the period January to December 2001

English Speaking Background

ESB Country	ESB Needing Interpreter	ESB NOT Needing Interpreter	ESB Tribunal Reviews			Legal Represent- ation
			M	F	T	
Australia	12	5066	3012	2066	5078	1145
Canada	-	4	4	-	4	3
Ireland	-	15	6	9	4	15
Jamaica	-	1	-	1	-	1
New Zealand	-	78	39	39	78	21
South Africa	-	21	9	12	21	6
Trinidad	-	2	2	-	2	-
United Kingdom	-	127	80	47	127	40
United States	-	15	5	10	15	4
TOTAL ESB 2001	12	5329	3157	2184	5341	1223
TOTAL ESB 2000	16	4666	2720	1962	4682	951

Non English Speaking Background

NESB Geographical Group	NESB Needing Interpreter	NESB NOT Needing Interpreter	NESB Tribunal Reviews			Legal Represent- ation
			M	F	T	
Oceania (excluding Australasia)	9	73	50	32	82	25
Southern Europe	58	264	195	127	322	51
Western & Northern Europe	1	77	40	38	78	17
E. Europe/former USSR/Balt States	21	87	43	65	108	21
Middle East	30	92	80	42	122	27
North Africa	1	35	31	5	36	7
Africa Excl. N. Africa & S. Africa	1	19	7	13	20	9
South East Asia	51	129	105	75	180	33
North East Asia	36	50	42	44	86	24
Southern Asia	1	38	13	26	39	5
S. & Cent. America & Caribbean	9	31	20	20	40	5
TOTAL NESB 2001	218	895	626	487	1113	224
TOTAL NESB 2000	165	767	539	393	932	205

TOTAL OF ALL CIVIL REVIEWS

ESB & NESB 2001	230	6224	3783	2671	6454	1447
TOTAL OF ALL CIVIL REVIEWS						
ESB & NESB 2000	181	5433	3259	2355	5614	1156

Demographic breakdown of the number of persons admitted to hospital as involuntary patients for the period January to December 2001 and total Admissions/Reclassifications during the same period

Major Psychiatric Hospitals	No. of Admissions / Reclassifications during 2001	Demographic Breakdown of Persons admitted during 1999							
		0-19 yrs	20-29 yrs	30-39 yrs	40-49 yrs	50-59 yrs	60-69 yrs	70-79 yrs	80+ yrs
Bloomfield	724	65	168	167	91	38	23	16	8
Cumberland	1142	91	321	286	162	58	22	-	4
James Fletcher	1414	83	330	310	215	95	36	35	31
Kenmore	10	-	1	-	-	1	1	4	3
Macquarie	232	14	56	60	35	28	6	3	1
Morisset	83	2	17	14	9	6	10	5	4
Rozelle	884	40	244	196	126	98	34	35	14
SUB-TOTALS 2001	4489	295	1137	1033	638	324	132	98	65
PUBLIC HOSPITAL UNITS									
Albury	161	13	41	40	30	9	2	2	4
Bankstown	757	44	164	153	111	70	16	6	3
Blacktown	350	38	98	89	44	21	17	8	2
Broken Hill	75	8	17	20	11	7	1	-	-
Campbelltown	281	30	79	67	33	21	9	3	2
Coffs Harbour	187	14	42	50	24	18	5	4	2
Dubbo	37	2	5	14	8	2	1	1	-
Gosford	364	30	85	85	46	25	13	9	5
Goulburn	348	21	71	86	44	37	18	10	2
Greenwich	44	-	-	-	-	1	5	24	12
Hornsby	365	20	96	70	46	30	8	11	13
Lismore	640	46	176	151	100	35	14	8	5
Liverpool	388	28	130	94	46	24	6	8	2
Maitland	317	23	76	77	42	21	12	17	6
Manly	275	17	79	72	41	22	9	8	8
Nepean	467	45	126	127	54	22	18	10	3
Prince of Wales	520	30	117	136	92	36	20	11	8
Royal North Shore	198	19	68	39	24	25	7	1	1
Shellharbour	758	61	208	162	93	43	19	15	3
St. George	268	10	74	74	39	20	12	14	2
St. Josephs	36	-	-	-	1	-	6	14	11
St. Vincents	468	20	134	130	76	41	13	7	4
Sutherland	315	22	89	83	42	15	12	6	1
Tamworth	276	32	61	67	42	20	10	2	2
Wagga Wagga	156	24	42	45	11	12	3	3	1
Westmead Acute Adol.	56	38	3	3	3	-	2	3	3
Westmead Adult	44	2	8	12	7	1	5	6	-
Westmead Psychogeriatric	46	-	2	4	3	-	8	20	6
SUB-TOTALS 2001	8197	638	2093	1950	1114	579	271	231	111
COMBINED TOTALS 2001	12686	933	3230	2983	1752	903	403	329	176

Note: The demographic breakdown in the above table is based on individual patients, irrespective of the number of admissions or reclassifications to involuntary status each patient might have had during the 2001 calendar year.

This table excludes hospitals where no involuntary admissions or reclassifications to involuntary status occurred during 2001.

APPENDIX 12

Interpreter needs for Tribunal reviews and outcomes during 2001 for English speaking background and non English speaking background patients

	SECTION 56 TEMPORARY PATIENT REVIEWS			<i>Legal Rep.</i>	<i>Interpreter Rep.</i>		<i>Adjourn</i>	<i>Discharge</i>	<i>Extend Magistrate Order</i>	<i>Reclassify to Continued Treatment</i>
	<i>M</i>	<i>F</i>	<i>T</i>		<i>Yes</i>	<i>No</i>				
	ESB	478	394	872	626	2	870	338	7	496
NESB	85	72	157	115	25	132	61	1	92	3
TOTALS	563	466	1029	741	27	1002	399	8	588	28

	SECTION 58 TEMPORARY PATIENT REVIEWS			<i>Legal Rep.</i>	<i>Interpreter Rep.</i>		<i>Adjourn</i>	<i>Discharge</i>	<i>Reclassify to Continued Treatment</i>
	<i>M</i>	<i>F</i>	<i>T</i>		<i>Yes</i>	<i>No</i>			
	ESB	103	84	187	160	-	187	57	-
NESB	20	22	42	34	6	36	12	-	30
TOTALS	123	106	229	194	6	223	69	-	160

	SECTION 62 CONTINUED TREATMENT PATIENT REVIEWS			<i>Legal Rep.</i>	<i>Interpreter Rep.</i>		<i>Adjourn</i>	<i>Discharge or Reclassify Informal</i>	<i>Remain Continued Treatment Patient</i>	<i>Determine NO Less Restrict. Care is Available</i>
	<i>M</i>	<i>F</i>	<i>T</i>		<i>Yes</i>	<i>No</i>				
	ESB	309	226	535	29	5	530	31	1	503
NESB	60	30	90	3	26	64	9	-	81	81
TOTALS	369	256	625	32	31	594	40	1	584	584

	SECTION 63 INFORMAL PATIENT REVIEWS			<i>Legal Rep.</i>	<i>Interpreter Rep.</i>		<i>Adjourn</i>	<i>Discharge</i>	<i>No Order for Discharge</i>	<i>Adj. & ref. to Guardianship Board</i>
	<i>M</i>	<i>F</i>	<i>T</i>		<i>Yes</i>	<i>No</i>				
	ESB	75	56	131	-	-	131	9	-	122
NESB	17	7	24	-	6	18	4	-	20	-
TOTALS	92	63	155	-	6	149	13	-	142	-

	SECTION 69 INVOLUNTARY PATIENT APPEAL REVIEWS			<i>Legal Rep.</i>	<i>Interpreter Rep.</i>		<i>Adjourn</i>	<i>Disch or Reclassify Informal</i>	<i>Appeal Dis-missed</i>	<i>Dismissal No further appeal allowed</i>
	<i>M</i>	<i>F</i>	<i>T</i>		<i>Yes</i>	<i>No</i>				
	ESB	80	47	127	111	1	126	12	1	94
NESB	10	8	18	15	2	16	2	-	13	3
TOTALS	90	55	145	126	3	142	14	1	107	22

APPENDIX 12 (continued)

SECTION 118 COMMUNITY COUNSELLING ORDER PATIENT REVIEWS				<i>Legal</i>	<i>Interpreter</i>		<i>Adjourn</i>	<i>Applica-</i>	<i>Applica-</i>	<i>NO</i>
				<i>Rep.</i>				<i>tion</i>	<i>tion</i>	<i>Juris-</i>
	<i>M</i>	<i>F</i>	<i>T</i>		<i>Yes</i>	<i>No</i>		<i>Declined</i>	<i>Approved</i>	<i>isdiction</i>
ESB	42	38	80	2	-	80	8	1	69	2
NESB	14	9	23	1	6	17	4	-	19	-
TOTALS	56	47	103	3	6	97	12	1	88	2

SECTION 131 COMMUNITY TREATMENT ORDER PATIENT REVIEWS				<i>Legal</i>	<i>Interpreter</i>		<i>Adjourn</i>	<i>Application</i>	<i>Application</i>	<i>NO</i>
				<i>Rep.</i>				<i>Declined</i>	<i>Approved</i>	<i>Juris-</i>
	<i>M</i>	<i>F</i>	<i>T</i>		<i>Yes</i>	<i>No</i>				<i>isdiction</i>
ESB	1641	918	2559	62	4	2555	264	14	2275	6
NESB	356	254	610	16	113	497	95	4	510	1
TOTALS	1997	1172	3169	78	117	3052	359	18	2785	7

SECTIONS 185 + 188 ECT PATIENT REVIEWS				<i>Legal</i>	<i>Interpreter</i>		<i>Adjourn</i>	<i>ECT</i>	<i>ECT</i>
				<i>Rep.</i>				<i>Approved</i>	<i>Not Approved</i>
	<i>M</i>	<i>F</i>	<i>T</i>		<i>Yes</i>	<i>No</i>			
ESB	129	258	387	40	-	387	13	344	7
NESB	21	53	74	5	17	57	5	64	1
TOTALS	150	311	461	45	17	444	18	408	8

SECTIONS 17, 18, 19, 36 PROTECTED ESTATES ACT 1983				<i>Legal</i>	<i>Interpreter</i>		<i>Adjourn</i>	<i>Revo-</i>	<i>Revo-</i>	<i>Order</i>	<i>Interim</i>	<i>Order</i>
				<i>Rep.</i>				<i>cation</i>	<i>cation</i>	<i>Made</i>	<i>Order</i>	<i>Declined</i>
	<i>M</i>	<i>F</i>	<i>T</i>		<i>Yes</i>	<i>No</i>		<i>Approved</i>	<i>Declined</i>		<i>Made</i>	
ESB	171	89	260	183	-	260	37	22	34	87	34	41
NESB	23	20	43	31	15	28	6	3	4	15	6	9
TOTALS	194	109	303	214	15	288	43	25	38	102	40	50

FREEDOM OF INFORMATION

The provisions of the *Freedom of Information Act 1989* (hereafter FOI Act) do not apply to the judicial functions of the Tribunal (see sections 19(2)(a) and 19(2)(b)).

Parties to proceedings before the Tribunal, however, may obtain a copy of the record of the hearing proceedings to which they are a party, under MHA s279. This section of the MHA gives the Tribunal, before which the parties appear, the discretion to provide the recording provided the Tribunal is of the opinion that sufficient cause is shown to warrant the transcription or copy of the tape recording relating to the matter. Alternatively, the President of the Tribunal may direct that a copy of the tape recording or transcription be made and copies also provided in certain other circumstances required by law.

The administrative and policy functions of the Tribunal are, however, covered by the FOI Act. The Tribunal received no applications under the FOI Act during 2001 that related to its administration or policy functions.

In accordance with the FOI Act requirements (s14(1)B and (3)), the Tribunal provided a Summary of Affairs to the Department of Health to be published in the *Government Gazette*. The Summary, which is in the main, reproduced below, provides a description of documents and other records held by the Tribunal.

***FREEDOM OF INFORMATION ACT 1989, SECTION 14(1)B AND (3)
SUMMARY OF AFFAIRS of the MENTAL HEALTH REVIEW TRIBUNAL
AS AT DECEMBER 1999***

INTRODUCTION

The Mental Health Review Tribunal is a quasi-judicial body whose jurisdiction is cast in broad terms by the Mental Health Act 1990 and related legislation covering some 33 areas. A summary of the Tribunal's full jurisdiction, its goals and objectives may be found in its Annual Report. The Mental Health Review Tribunal's office is located at

"The Priory"
Salter Street (Cnr Manning Road)
GLADESVILLE NSW 2111
(PO Box 2019, BORONIA PARK NSW 2111).

Telephone: (02) 9816 5955 Facsimile: (02) 9817 4543

E-mail: mhrt@mhrt.nsw.gov.au Website: www.mhrt.nsw.gov.au

DESCRIPTION OF DOCUMENTS HELD BY TRIBUNAL

SOUND RECORDINGS

- Pursuant to Section 279 of the Mental Health Act 1990, proceedings of the Tribunal are to be recorded unless the parties otherwise agree. Accordingly, the Tribunal sound records hearings and these recordings are stored for a minimum of six months.
- The Tribunal can provide a copy of the sound recording, and may provide a transcript of a hearing under certain circumstances, (as outlined in Section 291 of the Mental Health Act 1990) upon payment of the prescribed fee.

COMPUTER DATA BASE

- The Tribunal maintains a computer database for both administrative purposes and in order to meet its statutory reporting obligations.

Access to the database is restricted due to the confidential nature of some of the information contained therein.

A brief description of the contents of the Tribunal database is provided below:-

1. CIVIL PATIENT REGISTER
Contains details of all civil patients who have appeared before the Tribunal.
2. CIVIL PATIENT REVIEWS
Contains details of the section(s) under which each civil patient review was held and the determination(s) made in each case.

3. FORENSIC PATIENT REGISTER
Contains details of all forensic patients who have appeared before the Tribunal.
4. FORENSIC PATIENT REVIEWS
Contains details of the section(s) under which each forensic patient review was held and the determination(s) made.
5. FORM 19 DATA COLLECTION
In accordance with clause 44 of the Mental Health Regulation 1990, Psychiatric hospitals are required to provide advice to the Tribunal of all people admitted to Hospital involuntarily.

PATIENT FILES

- The Tribunal currently maintains approximately 11576 patient files for both Civil and Forensic matters. Files are identified by a patient's name and a file number. The file contains some information about each patient's clinical history, eg. copies of medical reports and details of each review.

ADMINISTRATIVE FILES

- The Tribunal currently has 456 administrative files in existence. These relate to a wide range of procedural, policy and general matters.

PUBLICATIONS

- The Tribunal publishes an Annual Report covering each calendar year; as well as procedural notes, "The Mental Health Review" a regular bulletin of the Mental Health Review Tribunal and Occasional Papers. See separate list for details.

REGISTERS

- Registers are maintained for forensic and administrative files, Form 19's, incoming mail, and administration of ECT.

BOOKS

- The Tribunal maintains its own small reference library.

DOCUMENTS AVAILABLE FOR INSPECTION

The Tribunal maintains policy files; and documents from these files are available for inspection. These include:-

POLICY – Mental Hospitals Assaults

POLICY – Community Counselling Orders and Community Treatment Orders

POLICY – Decisions - MHRT

POLICY – ECT

POLICY – EEO

POLICY – Flexible Work Practices

POLICY – FOI

POLICY – Forensic Patients

POLICY – Forensic Patients – Supervision by Probation and Parole Service

POLICY – Medication – Psychiatric Institutions

POLICY – MHRT – Directives/Orders

POLICY – National Mental Health

POLICY – Practices – CTOs/CCOs

POLICY – Purchasing Procedures

NOTES
