



MENTAL HEALTH COURT Decision of Mental Health Court

*Mental Health Act 2000 Queensland
Sections 267, 268, 269, 270, 271*

Form No: MHC.13

The person the subject of the reference	Personal details		
	Given name/s	Family name	
	Also known as		
	Residential address		
	Town/suburb	State QLD	Postcode
	Phone no.		
	Date of birth		or
Mark <input checked="" type="checkbox"/> applicable box	Male <input type="checkbox"/>	Female <input type="checkbox"/>	
Person/party who made the reference	Order		
	Reference made on		
	Reference made by		
	Reference heard on		
The person the subject of the reference is charged with the following offence/s:			
	Charge	Date of offence	Court
			Court file no. / indictment no.
Mark <input checked="" type="checkbox"/> applicable box	**additional schedule of offences is attached <input type="checkbox"/>		
The Mental Health Court decided that:			
<ul style="list-style-type: none"> ◆ the person was of unsound mind when the offence was allegedly committed ◆ the person was of unsound mind when the offences in the schedule attached were allegedly committed ◆ the person was of unsound mind when the alternative offence was committed ◆ the person was not of unsound mind when the offence was allegedly committed ◆ the person was not of unsound mind when the offence in the schedule attached were allegedly committed ◆ the person was not of unsound mind but was of diminished responsibility when the offence was allegedly committed ◆ the person was not of unsound mind and was not of diminished responsibility when the offence was allegedly committed ◆ there is reasonable doubt the person allegedly committed the offence and the doubt does not exist as a consequence of the person's mental condition ◆ a fact that is substantially material to the opinion of an expert witness is so in dispute it would be unsafe to make decision ◆ facts that are substantially material to the opinion of expert witnesses are so in dispute it would be unsafe to make decision ◆ no forensic order made ◆ the person is fit for trial ◆ the person is not fit for trial and <ul style="list-style-type: none"> ◆ the unfitness for trial is of a permanent nature ◆ the unfitness for trial is not of a permanent nature 			
The proceedings against the person are:			
<ul style="list-style-type: none"> ◆ ordered to be continued ◆ stayed until, on a review, the Mental Health Review Tribunal decides the person is fit for trial ◆ discontinued and further proceedings must not be taken against the person for the act or omission constituting the offence ◆ discontinued but proceedings may be continued against the person for another offence constituted by the act or omission to which the proceedings for the offence of murder relate 			
Order that the proceedings against _____ continue according to law			
Reports and Transcripts are to be provided to:			
<ul style="list-style-type: none"> ◆ Parties ◆ Treating Team ◆ Mental Health Review Tribunal ◆ Attorney-General 			
Reports released to the parties for use in criminal proceedings			
Mental Health Court	Signature		seal

Date

/ /

Notice to:

1. [PATIENT/DEFENDANT]
2. DIRECTOR OF MENTAL HEALTH
3. DIRECTOR OF PUBLIC PROSECUTIONS
4. DIRECTOR OF FORENSIC DISABILITY
5. ATTORNEY-GENERAL AND CHIEF EXECUTIVE FOR JUSTICE
6. [LEGAL REPRESENTATIVE]
7. ADMINISTRATOR – AMHS
8. MENTAL HEALTH REVIEW TRIBUNAL
9. FILE COPY