



# 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	<b>Personal details</b>		
	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	<b>Order</b>		
	Reference made on		
	Reference made by		
	Reference heard on		
	The person the subject of the reference is charged with the following offence/s:		
	<b>Charge</b>	<b>Date of offence</b>	<b>Court</b>
			<b>Court file no. / indictment no.</b>
Mark <input checked="" type="checkbox"/> applicable box	<b>**additional schedule of offences is attached</b> <input type="checkbox"/>		
	<b>The Mental Health Court decided that:</b>		
	<ul style="list-style-type: none"> <li>◆ the person was of unsound mind when the offence was allegedly committed</li> <li>◆ the person was of unsound mind when the offences in the schedule attached were allegedly committed</li> <li>◆ the person was of unsound mind when the alternative offence was committed</li> <li>◆ the person was not of unsound mind when the offence was allegedly committed</li> <li>◆ the person was not of unsound mind when the offence in the schedule attached were allegedly committed</li> <li>◆ the person was not of unsound mind but was of diminished responsibility when the offence was allegedly committed</li> <li>◆ the person was not of unsound mind and was not of diminished responsibility when the offence was allegedly committed</li> <li>◆ 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</li> <li>◆ a fact that is substantially material to the opinion of an expert witness is so in dispute it would be unsafe to make decision</li> <li>◆ facts that are substantially material to the opinion of expert witnesses are so in dispute it would be unsafe to make decision</li> <li>◆ no forensic order made</li> <li>◆ the person is fit for trial</li> <li>◆ the person is not fit for trial and <ul style="list-style-type: none"> <li>◆ the unfitness for trial is of a permanent nature</li> <li>◆ the unfitness for trial is not of a permanent nature</li> </ul> </li> </ul>		
	<b>The proceedings against the person are:</b>		
	<ul style="list-style-type: none"> <li>◆ ordered to be continued</li> <li>◆ stayed until, on a review, the Mental Health Review Tribunal decides the person is fit for trial</li> <li>◆ discontinued and further proceedings must not be taken against the person for the act or omission constituting the offence</li> <li>◆ 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</li> </ul>		
	Order that the proceedings against _____ continue according to law		
	<b>Reports and Transcripts are to be provided to:</b>		
	<ul style="list-style-type: none"> <li>◆ Parties</li> <li>◆ Treating Team</li> <li>◆ Mental Health Review Tribunal</li> <li>◆ Attorney-General</li> </ul>		
	<b>Reports released to the parties for use in criminal proceedings</b>		
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