

## 11. Treatment with electroconvulsive therapy

It is an offence to perform ECT other than under the *Mental Health Act 2016* (Qld), s 235

Unless otherwise specified, references to sections (s) are in relation to the *Mental Health Act 2016* (Qld)

**Requirements for informed consent:**

- patient has capacity to give consent
  - Understand the nature and effect of a decision relating to treatment
  - Make and communicate the decision
- Consent is in writing signed by the person
- Consent given freely and voluntarily
- Doctor has given full explanation about purpose, method, likely duration, expected benefits, possible side effects, alternatives and consequences of not receiving treatment. s 233,234

**At the hearing, Tribunal considers:**

- Documents
  - Application form
  - Treatment authority (if applicable)
  - Written second opinion by independent psychiatrist **who has seen** the patient in person for the purpose of providing the 2nd opinion
  - Any other documents submitted by doctor applicant or patient
- Information provided orally by the patient, their supports and/or representatives, and the applicant doctor or treating team.
- Patient will be appointed a free legal representative, unless already represented

**The Tribunal must have regard to:**

- for adults— any views, wishes, and preferences expressed about ECT in an advance health directive
- For minors—the views of the minors parents and the views, wishes and preferences of the minor. S 509(2)

