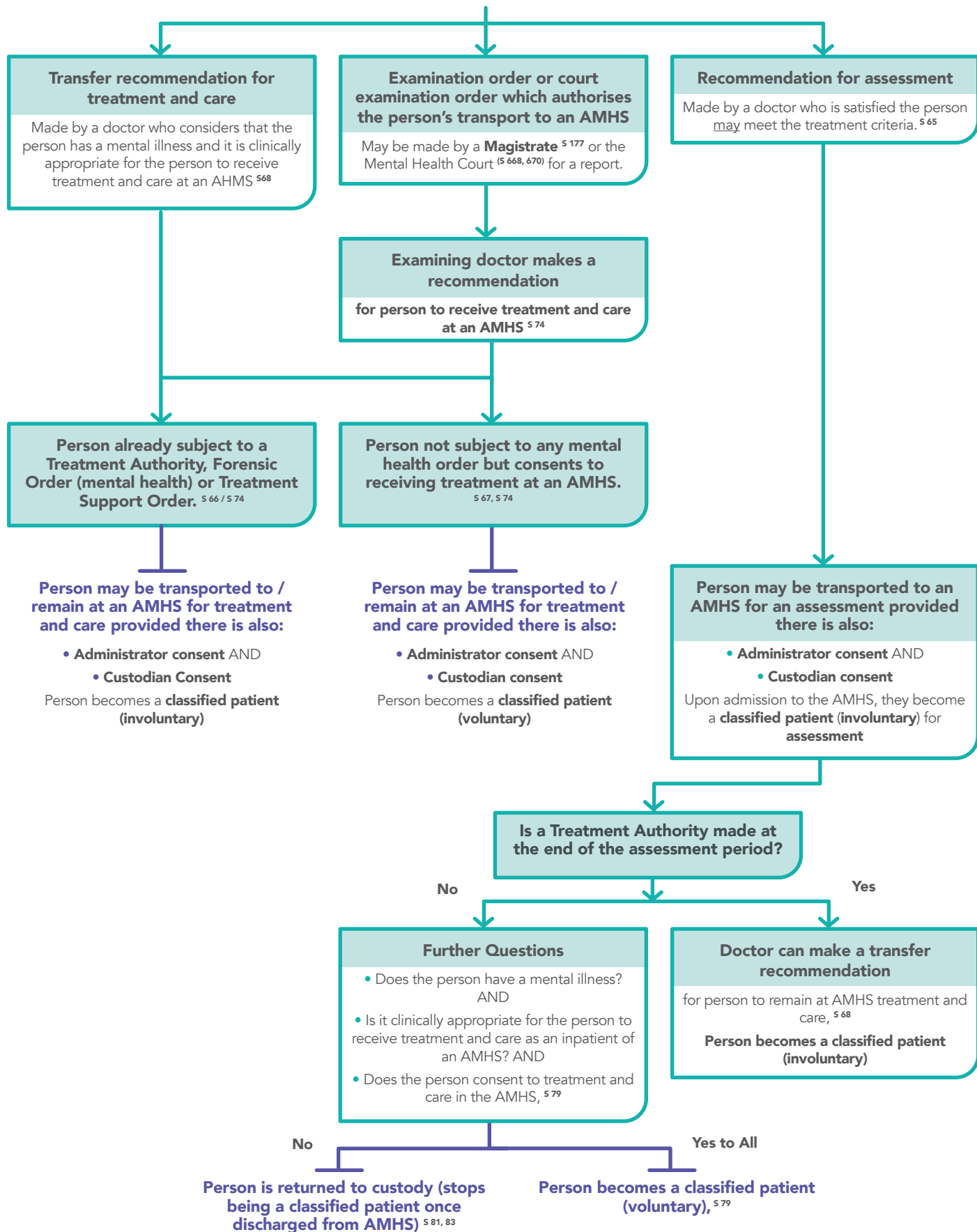


## Person in Custody



**Classified patients refer to patients that are in custody for pending or finalised criminal charges but require assessment or treatment in an authorised mental health service (AMHS).**

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**A person may become a classified patient either for assessment OR for treatment and care.**

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## **Custody**

Refers to a person detained in a prison, a police watch-house, or youth detention centre. **s 63**

Prisons are not authorised mental health services.

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## **Administrator Consent S 69:**

The relevant AMHS administrator must consent to the admission of the person to the inpatient unit at the AMHS (signed consent form).

## **Custodian Consent S 71:**

The person in charge of the relevant prison must consent for the person to be transported and admitted to an inpatient unit of the AMHS (signed consent form).

## **Chief Psychiatrist Consent (minor to high secure unit ONLY) S 70:**

The Chief Psychiatrist must approve the transport of a person under 18 years old to a high security unit.

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## **Forensic Order (Disability) and Classified Patients**

A person in custody who is under a Forensic Order (Disability) can become a classified patient through the process outlines, as long as they require assessment or treatment for a **mental illness**. They cannot be admitted for the sole purpose of care for intellectual or cognitive disability.

## **Classified Patients and Criminal Proceedings**

All criminal proceedings against a patient are suspended while they are a classified patient. **s 616** The court can still grant bail and have charges withdrawn. **s 620**

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## **Limited Community Treatment as a Classified Patient**

An authorised doctor can only approve limited community treatment for classified patients consisting of escorted on the grounds of the AMHS with the written approval of the Chief Psychiatrist. **s 219**

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See also the Chief Psychiatrist's Policy ([https://www.health.qld.gov.au/\\_data/assets/pdf\\_file/0025/465172/cpp-classified-patients.pdf](https://www.health.qld.gov.au/_data/assets/pdf_file/0025/465172/cpp-classified-patients.pdf)) and Chief Psychiatrist's Practice Guidelines (<https://www.health.qld.gov.au/?a=573997>)

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