

NSW Health – NSW Police Force Memorandum of Understanding Absconded Patient Form

The Absconded Patient Form is an appendix to the [NSW Health – NSW Police Force Memorandum of Understanding 2018](#) (MoU), and covers the apprehension of civil patients under the *Mental Health Act 2007*. Section 3.4.7 of the MoU - *Absconded Patients*, provides guidance on the roles and responsibilities of NSW Health staff (including NSW Ambulance) and the NSW Police Force, when a patient absconds.

The Mental Health Review Tribunal requested creation of a form to request police assistance in the apprehension of a forensic or correctional patient under section 68A of the *Mental Health (Forensic Provisions) Act 1990*.

Under s68A, an authorised medical officer can request police assistance when apprehending a forensic or correctional patient who fails to return to the facility at the end of a period of leave, or fails to comply with a condition of leave, where there are serious concerns for the safety of the patient and/or the community.

In consultation with NSW Police, the existing Absconded Patient Form under the MoU has been revised to include the apprehension of forensic or correctional patients under s68A of the *Mental Health (Forensic Provisions) Act 1990*.

The revised Absconded Patient Form is attached and its use by NSW Health staff is effective immediately.

The revised form is in two parts – requesting apprehension and reporting outcome

Part A – Report to Police is to request the assistance of police in apprehending the patient. It provides physical details regarding the patient, contact people who may be able to assist Police in locating the patient, the patient's current legal status, what the current concerns for the patient are, and the actions already attempted by NSW Health to locate the patient.

Part B – Outcome Report to Police provides Police with details of the outcome of the absconding event. NSW Police advise that a person reported as absconded is entered into the NSW Police Missing Persons database. Until advice is received under Part B regarding the outcome of the apprehension request, the patient's details will remain on the missing persons database, and it will remain an active case for Police follow up. For this reason, it is important that staff complete Part B and send it to Police.

Outdated risk assessment section has been changed

On the existing form, a risk assessment section asks staff to circle the patient's risk on a scale of High, Medium or Low.

The use of risk ratings and checklists is to be avoided as they do not allow for a detailed narrative explanation about the concerns for the individual. This section has been replaced on the revised Form with a section titled '*Current concern for this individual*' and provides space for NSW Health staff to record relevant information.

Patient Description section has been changed

The Patient Description section has also been changed so it is consistent with the Physical Appearance module in the NSW Health electronic medical record (eMR) system.

NSW Health – NSW Police Force MOU will be updated

The revised form will be included as part of the review of the MoU scheduled to occur during 2021.

Where can I get the new forms?

The form is available for health services to order from the Toll StreamDirect Catalogue of NSW Health State Forms www.tollstreamdirect.com

Further information

If you have any questions about the use of this form, please contact MOH-MentalHealthBranch@health.nsw.gov.au