

Oral presentation

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Guidelines, process and ethics with the New Zealand Mental Health (compulsory assessment and treatment) Act: striking a balance

Christopher Gale*¹, Richard Mullen¹ and Lily Shue²

Address: ¹Department of Psychological Medicine, Dunedin School of Medicine, P O Box 913, Dunedin 9054, New Zealand and ²Department of General Practice and Primary Health Care, School of Population Health, University of Auckland, Private Bag 92019, Auckland 1000, New Zealand

* Corresponding author

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The New Zealand Mental Health (compulsory assessment and treatment) act [1] was amended to mandate the consultation of family and care-givers in every stage of civil committal. Although the use of committal has been seen by clinicians as an impediment to care [2] and clinicians continue to have concerns about the timing of discharge from the act [3], many people with serious mental illness have experienced the act as beneficial [4]. A recent review of the regulations has increased the length and detail of the reports clinicians have to provide to the court. This, combined with a clear directive that an advocate who is not part of the clinical care process must be present during the clinical interview to commence committal, may be causing a conflict between the provision of care in a timely manner when patients are at risk and complying with the requirements of the court.

References

1. Statutes of New Zealand no 140: *Mental Health (Compulsory Assessment and Treatment) Amendment Act 1999*.
2. Romans S, Dawson J, Mullen R, Gibbs A: **How mental health clinicians view community treatment orders: a national New Zealand survey**. *Aust N Z J Psychiatry* 2004, **38**:836-841.
3. Mullen R, Dawson J, Gibbs A: **Dilemmas for clinicians in use of community treatment orders**. *Int J Law Psychiatry* in press.
4. Gibbs A, Dawson J, Mullen R: **Community treatment orders for people with serious mental illness: a New Zealand study**. *Br J Soc Work* 2006, **36**:1085-1100.