

# MENTAL HEALTH REVIEW TRIBUNAL

## Practice and Policy Guideline #3

### APPOINTMENTS OF PSYCHIATRISTS PURSUANT TO SECTIONS 59 AND 60

*Practice and Policy Guidelines provide general direction and assistance to the members and secretariat of the Review Tribunal. They may be departed from or supplemented by the Review Tribunal as circumstances require. They do not constitute legal opinions.*

#### Background

1. Applications for appointment are made by Directors of Area Mental Health Services on behalf of the psychiatrists concerned. The Directors write to the Director of Mental Health vouching for the suitability of the psychiatrists for appointment, and enclosing curriculum vitae. The Director or Deputy Director checks the applications, and if meeting with the approval of the Ministry sends them and the associated documentation to the Review Tribunal's secretariat.

#### Practice

2. In order to consider such applications the Review Tribunal requires the following information:
  - A letter from the Ministry requesting and endorsing appointment
  - The application from the Director of Mental Health Services
  - The curriculum vitae
  - A confirmation of vocational registration in the scope of practice of psychiatry
3. This documentation is then circulated by the secretariat to all Review Tribunal members. They are requested to convey any concerns they may have with regard to the suitability of the appointment to the convener within 14 days.
4. Prima facie, any psychiatrist who has vocational registration with the New Zealand Medical Council within the scope of practice of psychiatry is deemed suitable for appointment under both s59 and s60.

5. The Tribunal is not however bound to appoint psychiatrists who are so registered. The suitability of psychiatrists is considered on a case by case basis.
6. If no concerns are raised after the 14 day period has expired, the convener notifies the Ministry, psychiatrist, Director of Area Mental Health Services and secretariat of the appointment.
7. Should any concerns be raised, the convener will discuss the application with the other two members of the Tribunal, and any other person as appropriate, before a final decision is made.
8. The secretariat maintains a list of such appointments.

*Last updated August 2015*

NJ Dunlop

Convener