



CHIEF PSYCHIATRIST
OF
WESTERN AUSTRALIA

WA MENTAL HEALTH
ACT 2014

Please use ID label or block print

FAMILY NAME

UMRN

GIVEN NAMES

CMHI

BIRTHDATE

GENDER

ADDRESS

SECTION: 167

FORM 8B – RECORD OF DEALING WITH SEIZED ARTICLE

How article(s) was dealt with:

- ☐ Returned to the person

Date and time this occurred:

Date: DD/MM/YY Time:HH:MM

- ☐ Returned to the person's personal support person.

Date and time this occurred:

Date: DD/MM/YY Time:HH:MM

Name of person article given to (if available): _____

- ☐ Destroyed or otherwise disposed of

Date and time this occurred:

Date: DD/MM/YY Time:HH:MM

(Must be after 6 months have passed since the person has been released, discharged or left the mental health service/other place.)

Manner in which article was destroyed or disposed of:

Details of the article(s):

If the article(s) was not returned to the person, the reasons for not returning it to the person. Additionally, if the article(s) was also not returned to a personal support person, reasons for this:

Any other relevant information for articles dealt with in other ways under other laws (eg. If article was prohibited drug and weapon and was dealt with under relevant laws):

Name of person completing this form: _____

Signature of person completing form: _____ Date: DD/MM/YY

FORM 8B – RECORD OF DEALING WITH SEIZED ARTICLE

Notes: Form 8B – Record of dealing with seized article

When to use this form:

When an article has been seized from a person during a search and seizure, and is being stored/kept by the mental health service or other place, the person in charge of the mental health service or other place must ensure that a record of how a seized article was dealt with is made using this form.

This form must be completed at the time when the article is 'dealt with' in one of the following ways:

- Returned to the person; or
- Returned to the person's personal support person; or
- Destroyed or otherwise disposed of (after having been stored for 6 months after the person left the mental health service or other place).

Details of dealing with seized articles are below.

How an article must be dealt with:

1. The seized article must be returned to the person when the person is released, discharged or otherwise leaves the mental health service or other place (s167(3)).
(Unless the person in charge of the mental health service or other place forms the opinion that the return of the article to the person may pose a serious risk to the health or safety of the person or another person, in which case point 2 below applies.)
2. If the article is not returned to the person, the article must be given to a carer, close family member or other personal support person of the person when the person is released or discharged by or otherwise leaves the mental health service or other place. (s167(4)).
(Unless the person in charge of the mental health service or other place may considers that it is not appropriate to do so, in which case either point 3 or point 4 below applies.)
3. If the article is not returned to the person or the person's personal support person when the person is released or discharged by or otherwise leaves the mental health service or other place the article may be returned to the person, or may be given to a carer, close family member or other personal support person of the person, *at any time afterwards* (s167(5)).
4. If the article is not returned to the person or the person's personal support person when the person is discharged or afterwards, the mental health service or other place must store the article and may destroy it or otherwise dispose of it after 6 months (s167(6)).

Checklist of *Mental Health Act 2014* requirements relating to this form:

- ☐ File this form on the medical record of the person whose article was seized.