

Legal Test

A review panel makes a decision on only one issue: whether you, the patient, continue to meet the criteria to remain as an involuntary patient. The panel considers only the evidence presented at the hearing.

There are four criteria the panel must consider:

1. Are you suffering from a disorder of the mind that requires treatment and seriously impairs your ability to react appropriately to your environment or to associate with others?
2. Do you require psychiatric treatment in or through a designated facility?
3. Do you require care, supervision and control in or through a designated facility to prevent your substantial mental or physical deterioration or for your own protection or the protection of others?
4. Are you unsuitable to be a voluntary patient?

This is a legal test that is set out under section 22 of the *Mental Health Act*. The panel is required to apply this test on a balance of probabilities.