

**Private & Confidential – Patient’s MHRT  
correspondence from { MERGEFIELD  
PRACTICEINFO PRACTICE\_NAME }**

{ MERGEFIELD "LINKNAME\_TITLE\_1" } { MERGEFIELD  
"LINKNAME\_INITIALS\_1" } { MERGEFIELD  
"LINKNAME\_SURNAME\_1" }  
{ MERGEFIELD "CALCULATION\_ADDRESS" }

Please ask for:  
{ MERGEFIELD

Your Ref:

Our Ref:  
{ MERGEFIELD  
"MATTER\_FEE\_EARNER\_ID" }

Date:  
{ SET LtrDate { DATE  
 \@ "d MMMM yyyy" } }

Dear { MERGEFIELD MH\_ADDCLIDETS\_FW\_CLI\_SALUT },

**RE: Section 64G**

I have had correspondence from { MERGEFIELD MH\_PROFS\_MH\_HOSPITAL\_name } explaining that your community consultant is proposing to use the emergency provisions of s.64G. I thought you ought to know what these provisions are.

- i) The person giving the treatment has to reasonably believe that you lack capacity to consent to it;
- ii) The treatment must be immediately necessary either a) to save your life; or b) to prevent a serious deterioration in your condition; or c) to alleviate serious suffering; or d) to prevent you from behaving violently or being a danger to yourself or others. In the last case it must be the minimum interference necessary; in cases b c and d it must not be irreversible, and in cases c and d it must not be hazardous.
- iii) If force is used, treatment a) must be necessary to prevent harm to you and b) must be proportionate.

The Code of Practice at 24.28 says that 64G could be used “where the situation is so urgent that recall is not realistic...” it goes on: “Situations like this should be *exceptional*” (emphasis added).

If you wish to discuss this further, please do not hesitate to contact me.

Yours sincerely,

{ MERGEFIELD CALCULATION\_FEE\_EARNER\_DESCRIPTION }

{ MERGEFIELD PRACTICEINFO\_PRACTICE\_NAME }