

**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 EARNED ID" *

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

Dear { MERGEFIELD MH_ADDCLIDETS_FW_CLI_SALUT },

RE: Community Treatment Order – Refusing Depot

I understand that you have refused your depot, or wish to refuse your depot. Your care coordinator may have a 'section 64 certificate'.

The Code of Practice 25.26 which states: "Compulsory treatment cannot be given to a patient on a CTO who has not been recalled [a Part 4A patient] ...and who has capacity ...to consent or refuse a treatment..."

I refer you to CoP 24.19 which says: "Part 4A patients who lack capacity to consent or refuse a treatment may ...be given it ...by or under the direction of the approved clinician in charge of the treatment, unless: ...force needs to be used in order to administer the treatment and the patient objects to the treatment."

Even if you are deemed to lack capacity, you cannot be forced to accept a depot in your own home.

I refer you to CoP 25.26: "Refusal to consent to treatment in itself does not justify a recall to hospital and fuller consideration of the patient's presentation and circumstances is required when considering whether a recall to hospital is warranted..." You cannot be recalled to hospital because you have refused your depot.

Yours sincerely,

{ MERGEFIELD CALCULATION_FEE_EARNER_DESCRIPTION }

{ MERGEFIELD PRACTICEINFO_PRACTICE_NAME }