Victim Information: Classified Patients

What is Classified Patient Information?

The Chief Psychiatrist can provide specific information about a classified patient, to a victim or other person affected by an unlawful act committed by the mental health patient. Information may only be provided while the person is admitted as a classified patient in an authorised mental health service from the court or place of custody.

Can I apply for Classified Patient Information?

You can make an Application for Classified Patient Information if you are:

- the direct victim of the unlawful act(s)
- a close relative of the direct victim including:
  - the victim's spouse; or
  - a child, grandchild, parent, brother, sister, grandparent, aunt or uncle of the victim or the victim's spouse.
- a person who has suffered harm as a result of the unlawful act(s).

How do I apply to receive information about a classified patient?

You must complete an Application for Classified Patient Information form available on the Queensland Health Mental Health Act website. If you require assistance with completing the application, please contact the Queensland Health Victim Support Service (QHVSS).

Send your completed application and all required documentation to the Chief Psychiatrist, as per the instructions on the form.

What happens after my application is submitted?

The Chief Psychiatrist will make a decision on your Application for Classified Patient Information as soon as possible after receiving the application.

In deciding your application, the Chief Psychiatrist must confirm that you meet the eligibility criteria set out in the Act, and consider whether disclosing information about the classified patient would cause serious harm to the patient’s health or put the safety of any person at risk.

Once a decision is made by the Chief Psychiatrist, notification of the decision will be provided to you via the QHVSS.
What is the Queensland Health Victim Support Service?

The QHVSS is a state-wide service that provides information and support to victims of mentally ill offenders. The QHVSS operates independently of the Office of the Chief Psychiatrist. The Chief Psychiatrist provides notification of information relating to classified patients via the QHVSS. Preferences for how you would like to receive information (for example, face-to-face or by letter) can be discussed directly with the QHVSS.


What information will I receive?

Information provided about the classified patient includes:

- that the person has been admitted to an authorised mental health service as a classified patient
- if the patient has been transferred from one authorised mental health service to another
- that the patient is required to return to a stated mental health service (if the chief psychiatrist determines that the information is relevant to the safety and welfare of the approved person)
- that the patient has returned to the mental health service (if the approved person was notified of the absence)
- that the person is no longer a classified patient and the reasons why the classified status ended.

Can someone else receive the information on my behalf?

Information about a classified patient provided by the Chief Psychiatrist is communicated via the QHVSS. You may nominate another person to receive information on your behalf. Your nominee is entitled to receive the information only for the purpose of providing the information to you as the approved person.

You may nominate a person to receive the information when you apply for classified patient information by completing the relevant section on the Application for Classified Patient Information form. You can also request a nominee at any time after the application has been made via email to the QHVSS.

You may nominate one person at a time to receive information on your behalf. You can change your nominee at any time by emailing the QHVSS. If you already have a person registered to receive information on your behalf, the new nomination will supersede any previous nomination. You may also decide at any time that you no longer wish your nominee to receive the information on your behalf via written request to the QHVSS.

If you decide to nominate a person to receive information on your behalf, the QHVSS will provide all relevant information to your nominee. However, in certain circumstances, information must be provided directly to you. For example, if the Chief Psychiatrist decides to stop providing information about the classified patient, the Chief Psychiatrist must provide written notice to you and your nominee.

Will the patient be told about my application?

The Chief Psychiatrist will NOT tell the relevant patient that an application has been made for classified patient information or any other information that may identify the applicant.
Do I need to keep the information provided to me confidential?

All information provided about the classified patient must remain confidential. If information is shared with the public, e.g. published on social media, the Chief Psychiatrist will stop providing information to the applicant and a fine may be issued.

How long will I be able to receive information about the Classified Patient?

The Chief Psychiatrist must stop providing information about the classified patient in the following circumstances:

- the patient’s admission as a classified patient ends
- the approved person requests that they no longer wish to receive the information
- disclosure of information is likely to result in serious harm to the classified patient’s health or welfare or put the safety of the patient or someone else at serious risk
- the patient or the approved person dies.

It is important that you keep your contact details up to date. If the QHVSS, after making reasonable efforts, is unable to contact you, the Chief Psychiatrist may decide to stop providing information about the classified patient.

The Chief Psychiatrist may also decide to stop providing information about the classified patient if information has been disclosed to the public by the applicant. In this case, the Chief Psychiatrist will provide a reasonable opportunity for a submission to be made about why the information should continue to be provided. Information on how to make a submission is available from the QHVSS.

The Chief Psychiatrist must provide the applicant with a written notice of the decision to stop providing information about the classified patient within 7 days of the decision being made, including reasons for the decision.

While you are no longer able to receive patient information, you may wish to remain in contact with the QHVSS for general information about the mental health legal system and other support services.

Further information

Further information about Classified Patient Information can be provided by the QHVSS:

Phone: 1800 208 005
Email: Victim.Support@health.qld.gov.au
Website: www.health.qld.gov.au/qhvss
Glossary of Terms

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<th>Authorised Mental Health Service</th>
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<td>Act</td>
<td>Mental Health Act 2016</td>
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Referenced Forms, Clinical Notes and Templates

Application for Classified Patient Information form

Referenced Documents & Sources

Fact Sheet: Support for Victims
Fact Sheet: Classified Patients
Queensland Health Mental Health Act website
Queensland Health Victim Support Service (QHVSS) website
Mental Health Act 2016