Treatment rules for Community Treatment Orders

Community Treatment Order

- Person in the community
  - Has capacity to treatment
    - Treatment can only be given if the person has mental capacity and they consent (age 16 and over) or they have competence and consent (under 16).
      For medication – after one month of being on the CTO or three months after the medication was first administered, the Approved Clinician in charge of the treatment must complete Form CTO12 confirming mental capacity or competence and the person is consenting to treatment. If the person does not consent, then treatment cannot be given.
      For ECT, a certificate from a SOAD is required.
  - Lacks capacity to treatment
    - Treatment may be given if the Court of Protection or their attorney or deputy (personal welfare) authorises the treatment on their behalf. A SOAD must be called for any use of ECT.
      OR
      The approved clinician in charge of treatment wishes to give the treatment and it does NOT conflict with an advance decision or the decision of an attorney, deputy (personal welfare) or the Court of Protection. If force is necessary to provide the treatment, it can only be given if the person does not object.

      After one month on a CTO or three months from the first administration of medication, for treatment to continue, a certificate (CTO11) from a SOAD is required.
      OR
      If the treatment is needed as matter of urgency under Section 64G (save life; alleviate serious suffering; prevent danger to self or others), this overrides an advance decision, the refusal of an attorney, deputy (personal welfare) or the Court of Protection. For ECT, only the first two categories of Section 64G can be used to authorise the use of emergency ECT.
- Person recalled to hospital (72 hour period)
  - The person is subject to the usual rules of treatment as if they were a detained patient (under Section 3 for example). If it is less than one month since they were discharged from hospital subject to a CTO no certificate for treatment is necessary. Alternatively, if they have a Part 4A certificate (Form CTO11) authorising treatment during recall this will be valid. If the approved clinician decides that stopping treatment authorised by a Part 4A certificate (but not covering recall) would cause the person serious suffering, the treatment can continue whilst a new certificate is organised.
- Person recalled and the CTO has now been revoked
  - See the box immediately above for the rules that apply.

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