1. The Mental Health Court is established as a superior court of record under section 381 of the *Mental Health Act 2000* (the Act). The court is constituted by a Supreme Court Judge and is generally assisted at any one time by two Assisting Psychiatrists.
2. In accordance with section 383 of the Act, the Mental Health Court has the following jurisdiction

(a) deciding appeals against decisions of the Mental Health Review Tribunal;

(b) deciding references of the mental condition of persons;

(c) investigating the detention of patients in authorised mental health services;

(d) investigating the detention of forensic disability clients in the forensic disability service;

(e) deciding applications made under section 607 for an order changing a forensic order (Mental Health Court) to a forensic order (Mental Health Court—Disability).

1. Under section 389 of the Act, the functions of an assisting psychiatrist are to -

(a) examine material received for a hearing to identify matters requiring further examination and to make recommendations to the Mental Health Court about the matters; and

(b) make recommendations about the making of court examination orders; and

(c) assist the court by advising it—

(i) on the meaning and significance of clinical evidence; and

(ii) about clinical issues relating to the treatment, care and detention needs of persons under this Act; and

(iii) about clinical issues relating to the care and detention needs of persons under the Forensic Disability Act.

1. An assisting psychiatrist’s functions are limited to matters within the psychiatrist’s professional expertise.
2. Assisting Psychiatrists to the Mental Health Court are appointed under section 390 of the Act for a period of not more than three years.
3. Cabinet endorsed that Dr Joan Lawrence AM, Dr Francis Varghese and Dr Elizabeth McVie be recommended to the Governor in Council for appointment, by gazette notice, as Assisting Psychiatrists to the Mental Health Court for a term of three years from 1 September 2012 or if thereafter, from the date of Governor in Council approval.