

## 15: Electroconvulsive therapy

Electroconvulsive therapy (ECT) is a medical procedure that can be used for the treatment of severe psychiatric disorders such as depression or bipolar disorder. ECT is mainly used in adults, to treat serious illnesses that have not responded to other interventions. It is rarely used in young people under the age of 18 and cannot be given to a person under the age of 12. ECT is given in an approved mental health facility by a qualified doctor and may only be administered to an adult when:

- you give informed consent, or
- the ACT Civil and Administrative Tribunal (ACAT) makes an ECT Order/Emergency ECT Order.

### What if I consent to ECT?

You must have decision-making capacity to give informed consent. Informed consent must:

- be in writing and be signed
- be given freely and voluntarily, and
- be given when you have decision-making capacity.

You can withdraw consent at any time.

### Can ECT be given without my consent?

In limited circumstances, ECT can be given under the Act without written consent if:

- you do not have decision-making capacity to consent
- you have an Advance Consent Direction in which you consent to ECT, and
  - ECT is given in accordance with your Advance Consent Direction, and
  - you do not refuse or resist, or
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- an ECT Order is made by ACAT, and
  - you do not refuse or resist, or
  - you are subject to a Psychiatric Treatment Order (PTO).

### What is an ECT order?

An ECT Order is a legal document made by ACAT that allows ECT to be given if:

- you are over 12 years old

- you have a mental illness
- you do not have decision-making capacity to consent
- you do not have an Advance Consent Direction refusing ECT
- ECT is likely to help you, and
- either
  - all other reasonable forms of treatment available have been tried, or
  - ECT is the most appropriate treatment available.

### How is an ECT Order made?

The Chief Psychiatrist or a doctor can apply to ACAT for an ECT Order. Before making an Order, ACAT will hold a hearing.

When making an ECT Order, the ACAT will consider:

- whether you consent and have the decision-making capacity to consent to ECT
- your wishes in your Advance Consent Direction (if you have one)
- what the people who care for you day to day think
- what the opinions are of other people who attend the hearing
- what your guardian, power of attorney, nominated person or health attorney's opinions are
- what the people who have parental responsibility for you think (if you are between 12-18 years old),

- if any of your medical history is relevant, and
- any other options for treatment that are available, including the aim of that treatment, its benefits and whether it is likely to be upsetting, cause discomfort or side effects, and whether it has risks.

## Who will be consulted?

Wherever possible ACAT will talk to you and the following people, if they are involved in your care:

- your parents, or those who have parental responsibility, if you are a child
- your guardian)
- the person who holds power of attorney for you
- your Nominated Person, and
- your health attorney.

## What information is in an ECT Order?

An ECT Order will say:

- whether you have a mental illness
- whether you do not have decision-making capacity to consent to ECT
- whether you consent to ECT
- whether ECT is likely to result in benefits to you, and
- how many times you can have ECT.

Up to nine treatments can be given in one course of ECT. If further treatment is required, another order can be applied for.

The procedure will be explained to you in a way that you are likely to understand.

As soon as possible after making an ECT Order, ACAT will give a copy of the Order to:

- you
- the person who applied for the Order, and
- the people ACAT spoke to about the Order.

## What is an *Emergency ECT Order*?

An Emergency ECT Order is a legal document made by the ACAT that means ECT can be given as an emergency treatment under specific conditions. The Chief Psychiatrist and another psychiatrist can apply for an Emergency ECT Order, which allows you to have ECT if:

- you are over 16 years of age
- you have a mental illness
- you do not have decision-making capacity to consent to ECT
- you do not have an Advance Consent Direction refusing ECT
- you need ECT to save your life or to prevent risk to your life that is likely within three days, and
- either:
  - all other reasonable treatments available have been tried, or
  - ECT is the most appropriate treatment available.

When making an Emergency ECT Order, ACAT will talk with the same people it would talk to when making an ECT Order.

Under an Emergency ECT Order, ECT cannot be given more than three times within the duration of the Order (seven days).