



**Te Ao Māramatanga**  
**New Zealand College of Mental Health Nurses (Inc.)**  
**Partnership, Voice, Excellence in Mental Health Nursing**

Matthew McKillop  
Ministry of Health  
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8 March 2012

Dear Matthew

**RE: DAO Draft Guidelines**

Thank you for the opportunity to comment on the Draft DAO Guidelines. This document was circulated to our members (Mental Health Nurses). Overall Te Ao Māramatanga New Zealand College of Mental Health Nurses supports the Draft DAO Guidelines. They are clear and concise and often reflect the Standards of Practice for Mental Health Nursing in New Zealand.

We would recommend the following:

- 1) 2.8 –Further clarification of what ‘assistance’ means may help clarify the DAO role, as there is a general understanding that the DAO role is to direct police involvement.
- 2) Section 111 (MH(CAT)Act1992) – the current draft guideline states that only Mental Health Nurses may detain persons under this section. Te Ao Māramatanga NZCMHN supports the reference to the College definition. However, clarity is required regarding the role of registered nurses in general hospital wards and their powers to protect patients from imminent risk. The Mental Health (Compulsory Assessment and Treatment) Act 1992 refers to the term ‘Nurse’ and assumes that registered nurses in any area of nursing are able to detain persons under Section 111.
- 3) Section 2.2.1 – Inclusion of a statement here that police do not have a role in respect to non-urgent MHA processes, at the Section 8A/8B stage for example, may be useful.
- 4) The document extends to include all information that a DAO may need in practice and these could be appendices. This will be a useful document for DAOs to be able to access in practice and refer to while carrying out DAO activities. The document refers the DAO to ‘other’ pieces of legislation at times (eg. Privacy and powers of the police), and it would be useful to have these summarized within the body of the DAO guidelines for easy reference.

Please do not hesitate to contact me for further inquiries.

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Yours sincerely

**Daryle Deering** RN PHD  
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