ECT can only be given in hospital to voluntary or involuntary patients under the Mental Health Act, 2007:

For Voluntary Patients:

Ask the question: Can the patient consent to the ECT treatment? (mental health facility needs to decide)

- If yes: Mental Health Facility is satisfied patient can consent s93(1) & (2)
  - Treatment proceeds (no MHRT hearing)
- If no or Mental Health facility is uncertain if patient can consent: Apply to the Tribunal for a Consent Inquiry s93 (3)
  - Tribunal decides if patient is capable of consenting s96(1)

For Involuntary Patients or patients under 16 years of age:

- ALL applications for ECT for Involuntary patients and patients under 16 years of age must come to the Tribunal for an Administration Inquiry s94

  - The Tribunal decides if: Patient can and has consented s94(1)
    - If yes: Treatment proceeds
  - The Tribunal decides if: Patient is incapable of consenting OR is capable but refuses consent or neither consents or refuses AND ECT is reasonable and proper and necessary or desirable s96(3(b)) & 96 (3A)
    - If yes: Treatment proceeds
    - If no: Mental Health facility cannot administer ECT while the patient is voluntary
    - If no: Treatment CANNOT proceed

Paperwork required for ECT:
- Certificates of 2 doctors at least one of whom is a psychiatrist s94(3). (If the patient is under 16 the psychiatrist must have expertise in the treatment of children or adolescents s94(2A))
- Report on why ECT is reasonable and proper & necessary or desirable for patient
- Copy of written consent (if applicable)
- Evidence of notification to designated carer(s) and principal care provider

ECT Flowchart – updated 31 August 2015