

As to the patient's safety, there is historical information that Mr Cordell has attempted to self-harm in the past. This is not a current concern. Mr Cordell's difficulties at his accommodation may pose a risk of eviction. However, further clarification is required during the period of the assessment on this point. There is a potential risk of retaliation from others when he is behaving aggressively towards others.

As regards the protection of others, Mr Cordell has entrenched and longstanding views and there have been incidents of aggression involving his neighbours, council officials, and the police prior to admission. He showed little capacity for self-reflection or remorse during his evidence when he was questioned about his telephone interaction with Mr Appadoo. We note that the allegations of physical and verbal altercations with his neighbours were relied upon to obtain an order for an injunction as recently as the 9.1.2018 which was later discharged in July 2018 due to the patient's lack of capacity to understand the conditions of the injunction due to his psychotic illness.

#### 6. Our conclusions

We accept the clinical evidence as to the nature and degree of the mental disorder. We have no doubt that there is some element of neighbour dispute; however Mr Cordell's response to such triggers appear to be rooted in a mental disorder which will need to be assessed during this admission. We also accept that the detention is justified in the interests of the patient's health, safety and the protection of others for the reasons set out above.

#### 7. Exercise of discretion

There were no special features of this case which persuaded us to exercise our discretion to discharge.

#### 8. Statutory criteria

The grounds and statutory criteria are satisfied. The section is upheld

Judge Hyman

Date 8<sup>th</sup> November, 2018

#### Notice

A person seeking permission to appeal must make a written application to the tribunal for permission to appeal. An application for permission must:

- a. identify the decision of the tribunal to which it relates;
- b. identify the alleged error or errors of law in the decision; and
- c. state the result the party making the application is seeking.

An application for permission must be sent or delivered to the tribunal so that it is received no later than 28 days after the latest of the dates that the tribunal sends to the person making the application:

- a. written reasons for the decision;
- b. notification of amended reasons for, or correction of, the decision following a review; or
- c. notification that an application for the decision to be set aside has been unsuccessful. (Note: This date only applies if the application for the decision to be set aside was made within the initial 28 day time limit, or any extension of that time previously granted by the tribunal.)

If the person seeking permission to appeal sends or delivers the application to the tribunal later than the time required then:

- a. the application must include a request that the tribunal extends the time limit