

## Rights for involuntary patients introduction



This easy read information sheet is a summary of another document about your rights as an involuntary patient.

It is called **Schedule 3 Statement of Rights for Persons Detained in Mental Health Facility.**



This summary does not replace the official document.

You should still be given the official document if you go to hospital.

You can also find it at

<https://www.health.nsw.gov.au/mentalhealth/legislation/Documents/nh606724a.pdf>

or

search for **schedule 3 statement rights persons detained** in your web browser.



It is important that you get this information when you arrive at hospital for mental health treatment.

You must be

- given a written copy of the official document to keep
- told about the information in the official document



You can ask **mental health workers** for help to read this information sheet.

**Mental health workers** are people who work to help you with your mental health.



Someone you trust may also be able to help you.

This may be

- your family
- your friend
- your support person

## Rights for involuntary patients



This information sheet is about your rights as an **involuntary patient**.



You are an **involuntary patient** if you must stay in hospital for **mental health treatment** until you are well enough to go home.

It is not your choice when you can leave.



**Mental health** is about how you think and how you feel.



**Treatment** is things that can help you feel better.

# Rights about staying in hospital



A doctor must see you when you arrive at the hospital.



A doctor must see you when you within 12 hours of arriving at the hospital.



You have to stay in hospital as an involuntary patient if 2 doctors think that you are

- **mentally disordered** or
- **mentally ill**



One of the doctors must be a **psychiatrist**.

A **psychiatrist** is a doctor who helps people with their mental health.



**Mentally disordered** is when someone is doing things that are dangerous or do not make sense.



If the doctors say that you are mentally disordered you can be made to stay in hospital for 3 work days.

Work days are Monday to Friday.



A doctor must see you at least once a day.



You cannot be made to stay in hospital more than 3 times in a month.



**Mentally ill** is when you have a mental illness that makes it hard to cope with your feelings and thoughts.

Some examples of mental illness are

- strongly believing something that is not true (such as thinking someone is controlling your thoughts)
- seeing or hearing things that are not there
- very serious problems with mood

Mental illness can also be called something like

- depression
- schizophrenia
- anxiety

If the doctors say you are mentally ill you must stay in hospital until the **Mental Health Review Tribunal** makes a decision.



Keeping you in hospital for treatment may be needed to stop you or another person getting hurt.

# Rights about the Mental Health Review Tribunal



The **Mental Health Review Tribunal** is a group of people who know a lot about mental health treatment and the law.

The Mental Health Review Tribunal will have a meeting to decide the best treatment for you.

This meeting is called a hearing.



You can go to the hearing.

There is easy read information about what happens at the hearing.



See the **Mental Health Review Tribunal** easy read information sheet or go to [www.3dn.unsw.edu.au/projects/easyread](http://www.3dn.unsw.edu.au/projects/easyread).



Sometimes the Mental Health Review Tribunal will decide to wait and have the hearing another time.

This is called an **adjournment**.

An **adjournment** is when the Mental Health Review Tribunal decides that the hearing must be held later.

It may be that

- you are not ready
- your doctors are not ready
- other people are not ready

If this happens another hearing must happen within 14 days.



The Mental Health Review Tribunal can say that you need to stay in hospital because you are mentally ill.

They can say what treatment is best for you.



After you have stayed for this time you will have another hearing.

The Mental Health Review Tribunal will decide if you can leave.

The second hearing has to be less than 3 months after the first one.



The Mental Health Review Tribunal might say that you are not able to make decisions about money while you are mentally ill.

If this happens they will make some rules to protect you.

Sometimes the Mental Health Review Tribunal might say that you must have certain treatments when you leave hospital.



This is called a **Community Treatment Order** or **CTO**.

A **CTO** is a plan for you to get your mental health treatment in the community without having to stay in hospital.

You must follow the rules in the plan.



There is an easy read information sheet about **CTOs** or go to [www.3dn.unsw.edu.au/projects/easyread](http://www.3dn.unsw.edu.au/projects/easyread).

## Rights about treatment



When you are an involuntary patient doctors can give you treatment for your mental health even if you do not want it.



The mental health workers must always tell you what your treatment is.

You can ask about your treatment at any time.



You must only be given **medication** that you need.

**Medication** is sometimes called medicine or drugs.

Medication can be in

- a tablet
- a pill
- a drink
- a needle



The Mental Health Review Tribunal can decide that you need **ECT**.

**ECT** is short for electro convulsive therapy.

ECT is sometimes used to help mental illnesses when other treatments or medicines do not work.



You can ask your doctor about ECT if you have questions.



If you are sick in hospital doctors may say you need an operation.



You may not be well enough to decide to have the operation.

Or you might not have agreed to the operation.

You may still have to have the operation to make you healthy.



Doctors will ask your **designated carer** if it is OK.

They can agree it is OK.

A **designated carer** is a person who you have chosen to be told information about your hospital stay.

Designated carers are people who you know well.

Other people, such as the Mental Health Review Tribunal can also decide you need to have an operation.



The doctors will only be allowed to do the operation if it

- is best for your health
- you need it



If you think you have been given the wrong treatment or medicine it is important to tell someone you trust.

That might be

- a family member
- a friend
- a support person
- a mental health worker

# Rights about information when you are in hospital



Staying in hospital can be confusing.

Mental health workers give you lots of information and ask lots of questions.



You can ask people you trust to help you give information to the mental health workers.

People you trust can also help you ask for information you need.



You can choose 1 or 2 people to be your designated carers while you are in hospital.

Designated carers will be told information about your mental health and hospital stay.



You can also tell mental health workers who your **principal care provider** is.

A **principal care provider** is the main person who helps or cares for you when you are at home.



If you do not tell mental health workers your doctor may choose who your principal care provider is.



Designated carers and principal care providers can get information about your mental health care for you.



Mental health workers will tell your designated carers and principal care provider

- when you are in hospital
- any treatment plans
- if you move hospitals or go home
- information to help them support you when you leave hospital



You can ask to see your medical records.



You can tell the people that you trust about your hospital stay and treatment.

You can tell

- your family
- your friends
- your support people

## Rights about leaving hospital



It is not your choice when you can leave hospital.

You must stay in hospital until you are well enough to go home.



You can go home when your doctor says you can.

But you can tell your doctor that you want to go home at any time.



Your doctor will decide if you are well enough to go home.

You can get someone you trust to help you to ask or ask for you.

This may be

- your family member
- your friend
- your support person



A mental health doctor from the hospital needs to say that you are well enough to leave hospital.



Your doctors need to answer you in 3 work days.

Work days are Monday to Friday.



You can go to the Mental Health Review Tribunal if you have not got an answer from your doctors within 3 days.



You must be allowed to leave hospital if the doctor says you are not mentally ill or mentally disordered anymore.



The doctors may say that you have to stay in hospital.



If you do not agree with the doctors you can go to the Mental Health Review Tribunal.

## Rights if you have not been given the care you need



If you have not been given the mental health care you need it is important to tell someone.



If you have worries about how hospital workers or other patients have treated you it is important to tell someone.



You can tell someone you trust.

That might be

- a family member
- a friend
- a support person
- a hospital worker



You can talk to an **Official Visitor**.

**Official Visitors** are people who visit the hospital.

Official Visitors make sure people in hospital are treated well.

They do not work for the hospital

Someone you trust can also talk to an Official Visitor.



To make an appointment with an Official Visitor call **1800 208 218**.

It is free to call this number.

You can also ask someone you trust to call for you.



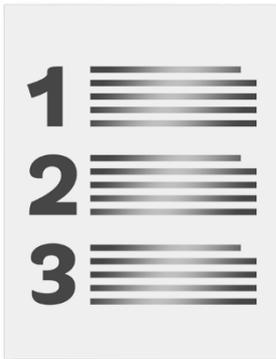
You can ask to see an Official Visitor by putting a note in the Official Visitor box at the hospital.



If you need advice you can call the Mental Health Advocacy Service.

Someone you trust can also talk to the Mental Health Advocacy Service.

The Mental Health Advocacy Service phone number is **9745 4277**.



There is a list of what some **words** mean in this information sheet **here** or go to [www.3dn.unsw.edu.au/projects/easyread](http://www.3dn.unsw.edu.au/projects/easyread).

# Easy read information on public mental health services in New South Wales

## Easy read summary to support Schedule 3 Statement of Rights for Persons Detained in Mental Health Facility

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This information sheet is part of a series of easy read resources explaining

- how people can access public mental health services in New South Wales and
- what they can expect.

For information on how to support people to use easy read see [\*\*Making mental health information accessible for people with intellectual disability – A Toolkit\*\*](#)

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