

Review Board to have your right to vote reinstated.

- Access your medical records (this right may be restricted).
- Official Visitors from the Council of Official Visitors visit the hospital regularly. You can see a Visitor during these visits or request a visit from an Official Visitor at any time, to talk about any concerns you may have or any help you need. They can also help you apply to the Mental Health Review Board for a review and support you when the Board reviews your case.
- The Mental Health Law Centre can provide free legal advice and may in some cases represent you before the Mental Health Review Board.

There are also a number of independent groups you can contact. These groups are listed on the back of this pamphlet.

This pamphlet is one of eight. The titles are as follows:

- *Carers*
- *Community Treatment Orders*
- *Electroconvulsive Therapy*
- *Involuntary Detained Patients*
- *People referred for a Psychiatric Examination Under the Mental Health Act 1996*
- *Treatments*
- *Voluntary Patients*
- *Your rights under the Mental Health Act 1996*

Other pamphlets available include:

- *The Mental Health Review Board, Information about the review process*
- *The Council of Official Visitors*
- *The Mental Health Law Centre*

## Contact Directory:

### ARAFMI

*(Mental Health Carers and Friends Association)*  
Phone 9228 0577 Fax 9228 0440  
Freecall 1800 811 747

### Council of Official Visitors

Phone 9226 3266 Fax 9226 3977  
Freecall 1800 999 057

### Mental Health Law Centre

Phone 9328 8266 Fax 9328 8577  
Freecall 1800 620 285

### Mental Health Review Board

Phone 9219 3162 Fax 9219 3163

### Multicultural Access Unit (DoH)

*(for interpretation & translation of health information & policy)*  
Phone 9400 9504 Fax 9400 9554

### Office of Health Review

Phone 9426 0100 Fax 9322 6848  
Freecall 1800 813 583

### Office of the Chief Psychiatrist

Phone 9222 4462, 9222 4079, 9222 4217  
Fax 9222 4244  
Freecall 1800 022 222

### Psychiatric Emergency Team

Phone 9224 8888 (24 hours) Rural 1800 676 822

### WA Association for Mental Health

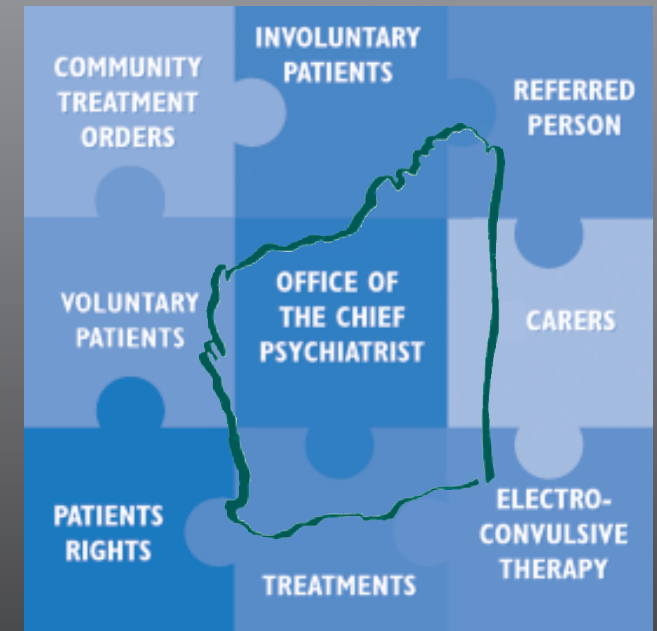
Phone 9420 7277 Fax 9420 7280

*Published by the  
Office of the Chief Psychiatrist  
© Department of Health  
Government of Western Australia 2005*

# INVOLUNTARY DETAINED PATIENTS

*Information about  
your status and your rights under  
the Mental Health Act 1996*

This pamphlet helps answer any questions you might have about being an involuntary patient in an authorised hospital.



## **Why am I here?**

You are in an authorised hospital to be assessed for a mental illness. A community psychiatrist, doctor or authorised mental health practitioner believed you needed treatment and care so you were sent to this hospital for assessment and treatment. The police may have brought you to hospital and they are allowed to do this when necessary. A psychiatrist will see you, and may decide to admit you as an involuntary patient to the hospital.

The psychiatrist's decision to make you an involuntary patient will be based on his or her opinion of whether or not you have a mental illness. A Mental Illness is defined in the Act as: *'a disturbance of thought, mood, volition, perception, orientation or memory that impairs judgement or behaviour to a significant extent'*. The psychiatrist will also take into account the following:

- Whether your mental illness requires treatment, which cannot be provided in a less restrictive way than by compulsory admission to hospital, and
- Whether it is necessary to protect your health or safety or the health or safety of any other person, or
- To prevent you from doing any serious damage to property, or
- Whether you might harm yourself, physically, financially, in important personal relationships or your own reputation, and
- That you have not consented or are unable to consent to treatment.

## **What happens to me if I become an involuntary detained patient?**

If the psychiatrist decides to make you an involuntary detained patient, the order lasts for up to 28 days. At any time before, or at the end of the 28 days, the psychiatrist can:

- Decide that you should no longer be an involuntary detained patient and you could leave the hospital or become a voluntary

patient. You will be given a form telling you that you are no longer an involuntary detained patient.

- Decide that you be placed on a Community Treatment Order
- Decide after seeing you again to extend your detained involuntary status for up to six months.

Further orders to detain for up to six months can be made after this time if it is thought necessary.

## **Will I be locked up?**

Although you are an involuntary detained patient, you will not necessarily spend time in a locked ward. However, you cannot leave the hospital without permission. If you do leave, a hospital or community staff member or the police may pick you up and bring you back.

## **How can I get leave from Hospital?**

- You can ask your psychiatrist for leave from the hospital.
- To see how well you are and to allow you to have contact with your family and the community, your psychiatrist may give you leave from the hospital.
- At any time your psychiatrist may put you on a community treatment order.
- If your psychiatrist cancels your leave, he or she will inform you in writing and you must return to the hospital.

## **How can I be discharged from the hospital?**

- You may ask to be discharged from hospital at any time and your psychiatrist will consider your request.
- Your psychiatrist may discharge you at any time or at the end of the 28 days or six months, depending on which order applies to you.
- At any time your psychiatrist can give you a Community Treatment Order.

- At a review of your case, the Mental Health Review Board can also order that you no longer be an involuntary patient and you would be free to leave the hospital.
- The Chief Psychiatrist may order that you should no longer be an involuntary patient and you would be free to leave the hospital, or give you a Community Treatment Order.

## **What are my rights?**

You have the right to:

- Written and verbal information about your legal status, rights and entitlements.
- Copies of most orders made about you.
- An interview by a psychiatrist at the hospital.
- Ask questions and be fully informed about any treatment you are offered.
- Ask the Mental Health Review Board to review your case. Even if you do not make that request, the Board will review your case within eight weeks of you becoming an involuntary patient and every six months after that.
- A second opinion from another psychiatrist.
- Contact people by letter or phone, and be visited. However your psychiatrist may restrict this right if it is not in your or another's best interests. If the psychiatrist decides to do this, he or she must reconsider that decision every day. If you remain dissatisfied you may apply in writing to the Mental Health Review Board for this decision to be reconsidered. The Mental Health review Board may uphold, cancel or vary the order.
- Your personal possessions unless the psychiatrist believes that certain articles should not be used or stored at the hospital.
- Vote in any election, unless your psychiatrist feels that you are presently not capable. He or she may then, through the Chief Psychiatrist, get your right to vote suspended. Application can be made to the Mental Health