

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

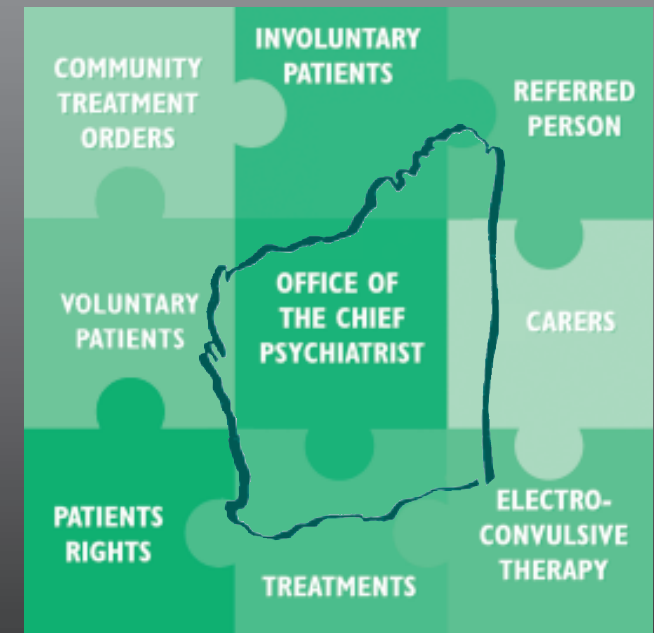
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OFFICE OF THE CHIEF PSYCHIATRIST

People Referred for a Psychiatric Examination under the Mental Health Act 1996

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

**This pamphlet helps answer
questions you might have about
being referred to see a psychiatrist
and being detained in hospital under
the Mental Health Act 1996**



Department of Health
Government of Western Australia

You have been referred under the Mental Health Act on a Form 1 by a doctor or authorised mental health practitioner so that you can be examined by a psychiatrist at an authorised hospital. The police may have been involved in taking you to hospital and they are allowed to do this under the Mental Health Act.

Why have I been referred?

A doctor or authorised mental health practitioner believes that you may have a mental illness requiring treatment and you need to be detained in an authorised hospital for a psychiatrist to complete an examination.

What will happen in hospital?

You must remain at the hospital until you are examined by a psychiatrist. This will take place within 24 hours of your arrival at the hospital. If this has not occurred you are free to leave the hospital.

You may be looked after in an open or secure ward.

You may be offered treatment such as medication and you have the choice to accept or refuse it. However if you refuse it and the staff feel the treatment is necessary to save your life or prevent you from causing physical harm to yourself or others, then the treatment may be given even without your consent. This is called Emergency Psychiatric Treatment.

What is the purpose of the Psychiatrist examining me?

The psychiatrist has to decide whether you should or should not be made an involuntary patient under the Mental Health Act. The psychiatrist's decision is firstly based on his or her opinion as to whether or not you have a mental illness.

A mental illness is defined in the Mental Health Act as *'a disturbance of thought, mood, volition, perception, orientation or memory that impairs judgement or behaviour to a significant extent'*.

Having a mental illness however is not sufficient reason for making you an involuntary patient. The psychiatrist must also take into account the following-

- 1/ Do you need treatment, which cannot be given to you unless you are kept in hospital?
- 2/ Will keeping you in hospital protect your or another person's health or safety? This includes the possibility of harming yourself physically, your finances, important personal relationships, or your own reputation. It also includes preventing you from doing any serious damage to property.
- 3/ Are you willing to accept treatment or are you in the psychiatrist's opinion not able to make such a decision?
- 4/ Although your freedom is restricted by being kept in hospital is it the only way to make sure you receive the treatment the psychiatrist feels you ought to have?

Decision of the Psychiatrist

After talking to you and considering these issues the psychiatrist can make one of 5 decisions.

- 1/ Decide that you do not need to be a patient at the hospital and discharge you.
- 2/ Decide that you do have a mental illness which needs treatment but you are willing to stay as a voluntary patient in the hospital.
- 3/ Decide that you need to be an involuntary patient but that you do not need to be in hospital and can be treated in the community. The psychiatrist may then put you on a Community Treatment Order. The psychiatrist will complete a Form 10 and give you a copy. (For further information see the pamphlet "Community Treatment Orders").

4/ Decide that you need to be kept at the hospital even though you may disagree. The psychiatrist will complete a Form 6, Involuntary Patient Order and give you a copy. (For further information see the pamphlet "Involuntary Detained Patients").

5/ Postpone making any of the above 4 decisions for up to 72 hours from the time you came into hospital so that a further examination can take place. If this happens the psychiatrist completes a Form 4 and you will receive a copy. If no further examination takes place you are free to leave the hospital.

Referral by a psychiatrist in the community

You may have been referred to see a psychiatrist in the community, who may then choose to send you to see a psychiatrist in the hospital. If this happens you can be detained for up to 72 hours from the time you come into hospital for a further psychiatric examination. The psychiatrist can then make any of the first four decisions already described.

Who can I complain to?

If you have any complaints you should first discuss the matter with the ward staff. They may refer the matter to the psychiatrist who is in charge of the hospital.

You may also complain to the Office of the Chief Psychiatrist (see contact list).

You may also contact the Mental Health Law Centre on any legal matter to do with you being kept in hospital (see contact list).

You may also complain to the Office of Health Review on any health matter (see contact list).

If you are made an involuntary patient, in hospital or the community, you can complain to the Council of Official Visitors (see contact list).