

A report will be made every time mechanical bodily restraint is used and a copy will be sent to the Mental Health Review Board.

### **What are my rights?**

To ask questions and be fully informed about any treatment offered to you and if you are concerned about your treatment, or care, you can:

- Ask for another opinion from a second psychiatrist
- If you are an involuntary or affected person you can ask the Council of Official Visitors to investigate any complaint
- Ask the Chief Psychiatrist to investigate any complaints.
- Ask the Mental Health Review Board to review your case if you are an involuntary patient, to see if you should continue to be an involuntary patient.

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

#### **Psychiatric Emergency Team**

Phone 9224 8888 (24 hours) Rural 1800 676 822

#### **WA Association for Mental Health**

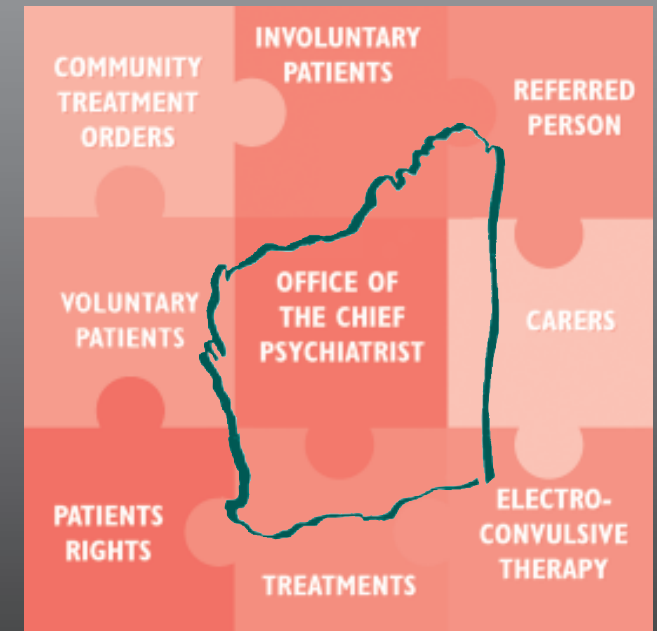
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# TREATMENTS

## **Your rights in regard to treatment under the Mental Health Act 1996**

This pamphlet helps answer any questions you might have about treatments, seclusion and mechanical bodily restraint.



## What is treatment?

Treatment under the Mental Health Act 1996 covers 'psychiatric treatment' such as medication, electroconvulsive therapy (ECT), psychosurgery, emergency psychiatric treatment and medical treatment.

It is your right as a patient to receive the best possible treatment and your psychiatrist and other team members will discuss with you the best methods of treatment for your illness. At all times you will be involved in the planning of your treatment and your consent will always be sought.

## Can I be treated against my will?

If you are a voluntary patient you cannot be given any psychiatric treatment without your consent. If your psychiatrist insists that you have psychiatric treatment that you do not want he or she will first need to put you on an involuntary patient order.

If you are an involuntary patient you may be given psychiatric treatment without your consent but your consent should always be asked for. Even as an involuntary patient you can give informed consent. This means that after getting an explanation of what the psychiatric treatment is, including information on any side-effects, you agree to have the treatment.

## What can I do if I am dissatisfied with my psychiatric treatment?

- You have the right to ask for another psychiatrist who has not looked at your case before to look at your case and see whether you need this particular psychiatric treatment.
- You have the right to write or telephone the Chief Psychiatrist to arrange for this to take place, although you should first ask your psychiatrist to arrange it.
- If there are difficulties about the second psychiatrist seeing you personally, this can be done by telephone or television link.

- The second psychiatrist may agree that the psychiatric treatment should continue or it should be changed or stopped.
- If you remain unhappy with this, the Chief Psychiatrist could either transfer your care to another psychiatrist or ask the Mental Health Review Board to look into your case.

## What treatments are controlled?

- Electroconvulsive Therapy (ECT) :
- If you are a voluntary patient you can be given ECT with your consent.
- If you are an involuntary patient you can be given ECT even if you do not give consent. Whether you give consent or not, a second psychiatrist will see you to make sure that it is the right treatment for you. See the pamphlet *Electroconvulsive Therapy* for more information.

### Psychosurgery:

This treatment involves a surgical operation to the brain. It is rarely done and needs your informed consent and the approval of a special Mental Health Review Board.

### Prohibited Treatments:

Deep Sleep therapy, insulin coma and sub-Coma therapy are not allowed and any person found giving these treatments is committing a criminal offence.

### Medical Treatment:

While you are a detained involuntary patient, you can give consent to any medical treatment you may need. If you refuse to consent to medical treatment that your doctor believes to be necessary then your doctor, after getting approval in writing from the Chief Psychiatrist, can insist that you have the medical treatment. If you require treatment in another hospital for a medical condition you may be granted leave from the authorised hospital.

### Emergency Psychiatric Treatments:

This means psychiatric treatment that is necessary to save your life or to prevent you from causing serious physical harm to yourself or

another person. This treatment can be given without your consent, but the staff must record in detail the reason for the treatment and when and where it was given. A report will be sent to the Mental Health Review Board.

## What is seclusion?

Seclusion means you are put somewhere alone and you cannot leave the place you are confined to unless someone allows you out. Seclusion is only allowed in authorised hospitals. You can only be secluded if it is necessary to protect you or someone else and you can be kept there only as long as is necessary.

Only a doctor or a senior mental health practitioner, usually a senior nurse, is allowed to order seclusion. If it is a senior mental health practitioner, they must inform a doctor as soon as possible. That doctor can continue the seclusion, or change some of the conditions, or stop it.

While you are in seclusion, a mental health practitioner, usually a nurse, will check on you regularly. A doctor must also check on your progress. You must be given your basic needs such as bedding, clothing, food, drink and toilet facilities.

A report on all seclusions will be sent to the Mental Health Review Board.

## What is mechanical bodily restraint?

This means using anything such as specially designed clothing, straps, or belts to stop you moving freely. You can only be restrained for your own or another person's protection, safety or wellbeing or to prevent you from persistently destroying property. Only a doctor, or in an emergency situation a senior mental health practitioner, is allowed to order mechanical bodily restraint. If it is a senior mental health practitioner, a doctor must be told as soon as possible and he or she will see if the restraint is necessary. The doctor can allow the mechanical bodily restraint to continue, change it or order it stopped.