

Your right to appeal when a court sends you to hospital



East London 
NHS Foundation Trust



EasyRead version



This leaflet tells you your rights to appeal against being sent to hospital.



We advise you to get help to understand this leaflet.



An independent mental health advocate can help you.



Or the person in charge of the ward.



Your right to appeal when a court sends you to hospital



There are different parts to this leaflet, You only need to read the parts useful to you.



- you were dealt with by a magistrates court go to Part 1



- you were dealt with by a Crown Court go to Part 2



- to find out about Legal Aid go to Part 3



- to find out about independent mental health advocates go to Part 4



- you were under 17 years old when you were sent to hospital go to Part 5



Part 1

You were dealt with by a magistrates court



You can appeal to the Crown Court about being sent to hospital.



When you are found guilty:



- If you pleaded guilty you can only appeal against being sent to hospital



- If you pleaded not guilty you can appeal against:



- being found guilty



- or being sent to hospital



- or both



You may be sent to hospital before they decide guilty or not guilty. Then you can still appeal to the Crown Court.



You have to write to the magistrates court to say you want to appeal. You must write less than 21 days after the court sent you to hospital.



You can ask a solicitor to help you with the appeal. You may be able to get Legal Aid for a solicitor if you cannot afford it.



You must ask the solicitor for Legal Aid quickly.



Part 2

You were dealt with by a Crown Court



You can appeal to the Court of Appeal about:



- being found guilty



- or being sent to hospital



- or both



You must appeal less than 28 days after the court sent you to hospital.



The Court of Appeal can change where you are sent.



The Crown Court may have said you were not well enough to be tried. This is called unfit to plead. The Appeal Court may decide you are well now. Then they will send you back to court to be tried.



You need to send a form to the Court of Appeal. You can get the form at:



Or you can write to:

The Registrar of Criminal Appeals
Criminal Appeals Office
Royal Courts of Justice
Strand
London WC1A 2LL



You may not manage to appeal in 28 days. Then you can ask the Court of Appeal if you can have more time. You still need to fill in the form.



A judge will decide if you can appeal.



You can ask a solicitor to help you with the appeal. You may be able to get Legal Aid for a solicitor if you cannot afford it.



You must ask the solicitor for Legal Aid quickly.



You can stop your appeal if you want.



Part 3

Legal Aid



Legal aid helps to pay for solicitors if you cannot afford to pay. You may have to pay some of it. This depends on how much money you have.



When you are under 16 years old you and a **contributor** may have to say what money you have. A **contributor** is your mother, father or your mother's partner. They may have to pay some of the money for a solicitor.



If you have not had legal aid yet you need to write to the Court of Appeal.



If you had legal advice in the Crown Court you stay with the same solicitor.



Part 4

Help from an independent health advocate



You can have support from an independent mental health advocate if you want it.



The advocate is independent. This means they do not work for the NHS or anyone else involved in your care.

They can:



- tell you about your rights



- help you understand what is happening



- help you tell people what you want



- help you with the Tribunal.



Ask the staff where there is a telephone for you to talk to the advocacy service in private.



The telephone number for the advocacy service is:



You can ask a member of staff to telephone them for you.



Part 5

If you are under 17 years old when you are sent to hospital



You have the same right to appeal as people over 17 years old.



You can appeal against a care order. This is when you are taken into care.



How to find out more



Please ask the person who gave you this leaflet or other member of staff if:

- you do not understand anything



- you want to ask any questions



- you want a copy of this leaflet for someone else.



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