

If a court says you have to go to hospital

Information for patients being treated under the Mental Health Act



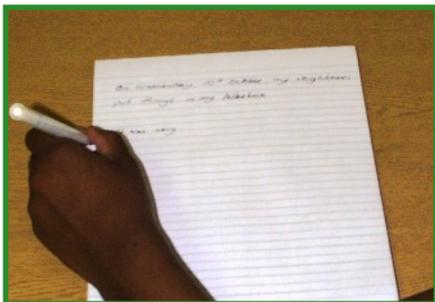
East London 
NHS Foundation Trust

easy
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EasyRead version



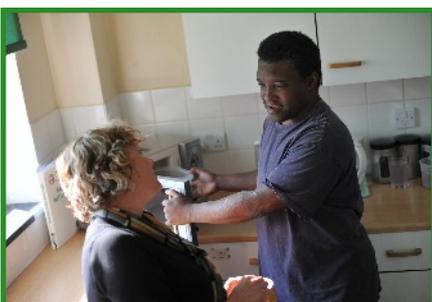
East London NHS Trust runs mental health and community health services.



We wrote this information to help you understand your rights.



This is an EasyRead version of **Interim Hospital Order (Section 38 of the Mental Health Act 1983)**.



The Mental Health Act is the law that tells people with a **mental disorder** about their rights and how they can be treated.



Mental disorder means a disorder or disability of the mind such as:

- a mental illness



- a learning disability



- a personality disorder.

About you



Your name:



Name of the person in charge of your treatment:



The name of your hospital and ward:



Date of your hospital order:



Why you are in hospital



2 doctors told the court you need treatment in hospital under the Mental Health Act.



The court has said how long you must stay here.



This can be up to 12 weeks.



You cannot leave during this time unless the person in charge of your care says you can.



Staff can stop you if you try to leave.



We can bring you back if you do leave.



The police can arrest you and take you back to court.



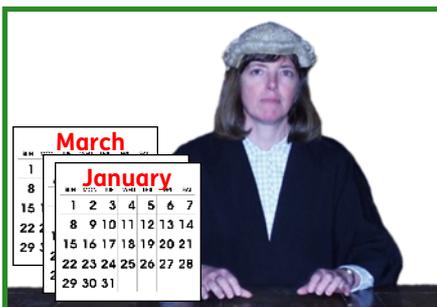
What happens next



The person in charge of your care will tell the court if they think you need more treatment.



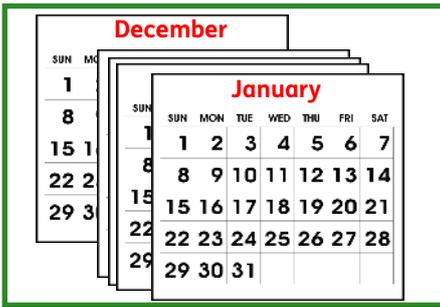
The court will say if you must stay in hospital or they will give a different **sentence**. The sentence is the way a court decides to deal with a crime.



We can only keep you here for more than 12 weeks if the court says we should.



The court can keep saying you have to be in hospital but only for 28 days at a time.



It can only do this for 12 months.



You do not have to go to court when they decide. You can ask a lawyer to speak for you.



The court can decide that you do not have to stay here any longer.



They can also decide that you need to stay here or at another hospital under a different section of the Mental Health Act.



If that happens we will give you a leaflet to explain things.



If you do not agree with this



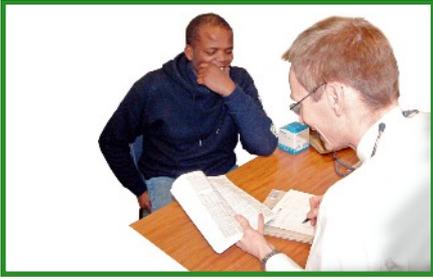
You can **appeal** or tell the court you do not agree with them.



You must do this quickly and might need a solicitor to help you.



The hospital staff can give you a leaflet about this.



Your treatment



The person in charge of your care and other staff will talk about your treatment in hospital. You usually have to agree to what they say.



After 3 months there are special rules about giving you drugs and medicines.



If you say no to the medicine or are too ill to agree to it a doctor who is not from this hospital will see you.



This independent doctor is called a SOAD (Second Opinion Appointed Doctor). They will talk to you at the hospital and decide what treatment is right for you.



Unless it is an emergency, staff can only give you the medicine or drugs this doctor said you should have.



There are different rules for special treatments like ECT (Electro Convulsive Therapy). Staff will talk to you if you need them and give you another leaflet.



Independent mental 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.



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:



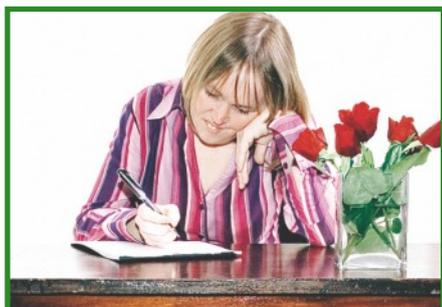
You can ask a member of staff to telephone them for you.



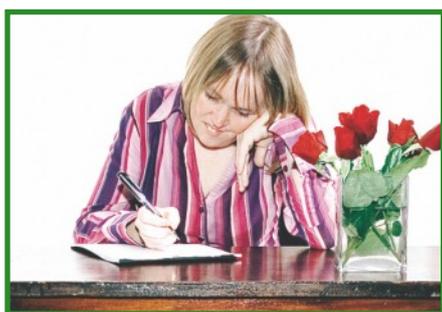
Your letters



We will give you all the letters that are sent to you.



You can write letters to anyone, unless people say they do not want letters from you.



If you write to them, we will stop the letters.



The Code of Practice



The Code of Practice tells staff how to treat people under the Mental Health Act.



They have to think about it when they decide about your care.



You can ask to see a copy of the Code.

How to complain



Please tell the staff if you are not happy with your care and treatment in hospital.



If they cannot sort things out they will tell you how to complain. They can also tell you about people like an independent mental health advocate who can help you.



If you are not happy with how the hospital deals with your complaint you can tell the Care Quality Commission. They do not work for the NHS and check that people use the Mental Health Act properly.



Staff can give you a leaflet about how to contact the Commission.



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.



Credits

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