

If you are moved from prison to a hospital with restrictions

Information for patients being treated under the Mental Health Act



East London
NHS Foundation Trust

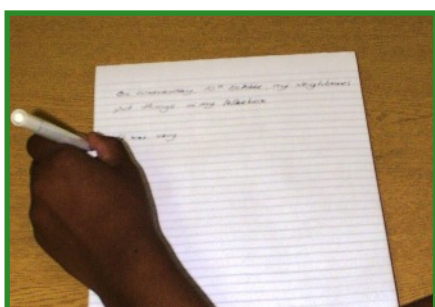


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EasyRead version



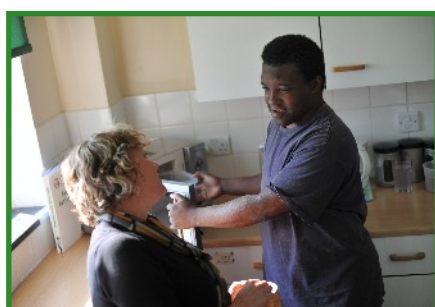
East London NHS Trust runs mental health and community health services.



We wrote this information to help you understand your rights.



This is an EasyRead version of **Transfer to hospital with restrictions of a person serving a sentence of imprisonment (Sections 47 and 49 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 directions:



Why you are in hospital



2 doctors told the **Secretary of State** that you need treatment in hospital under the Mental Health Act.



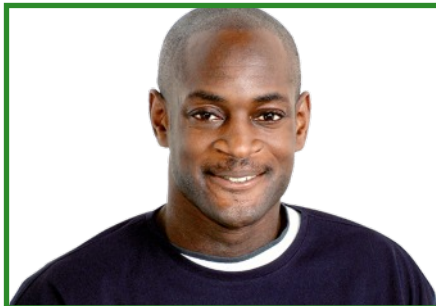
The **Secretary of State for Justice** is a member of the government. They are in charge of everything to do with justice, prisons and the courts.



You have been moved from prison to this hospital under Section 47 of the Mental Health Act..



The court has also made a **restriction direction under section 49**.



This means you can only leave when the Secretary of State for Justice or **Parole Board** says you can.



A **Parole Board** is a group of people who decide if someone is allowed to leave prison.



You might have to stick to some rules when you do leave hospital.



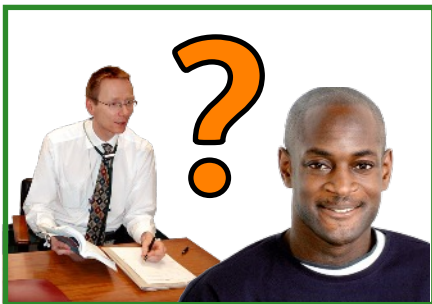
What happens next



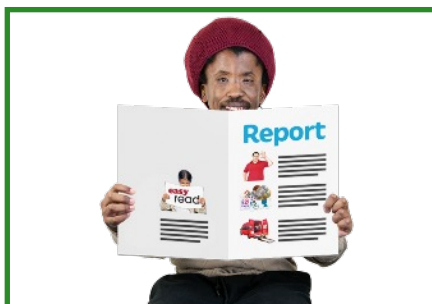
If you try to leave the hospital staff can stop you.



We can bring you back if you do leave.



The person in charge of your care must ask the Secretary of State if you need to leave hospital for a short time or move to another hospital.



They must send the Secretary of State a report about you at least every year.



If the person in charge of your care thinks you do not need any more treatment:



- you could be sent to prison to serve your **sentence**. The **sentence** is the way a court decides to deal with a crime



- you could leave hospital but have to stick to the same rules as if you were leaving prison.



You might have to stay in hospital if your sentence ends but you still need treatment.



Staff can give you another leaflet about this.



If you do not agree with this



You can ask a **Tribunal** to say you can leave hospital.



If the **Tribunal** says you should not be in hospital you will usually have to go back to prison to finish your **sentence**.



Your **sentence** is the way a court decides to deal with a crime.

About the Tribunal



The Tribunal is a group who can decide if you should leave hospital. They do not work for the NHS.



You can ask them in the first 6 months after you were sent to hospital. You can ask them once in the next 6 months and once a year while you are kept in hospital.



The Tribunal will read reports about you and your care. One of them will come and talk to you.





Then they have a meeting with you and staff who know you. This is called a **hearing**.



You can ask someone to come and help you at this meeting.

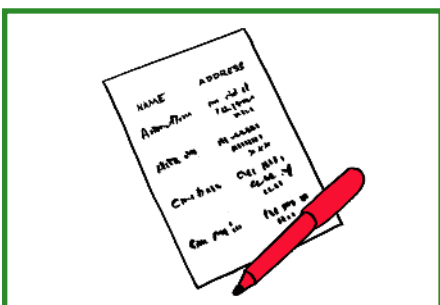
How to contact the Tribunal

Telephone: 0845 2232022

Write to: The Tribunals Service
PO Box 8793
5th Floor
Leicester
LE1 8BN



Your solicitor can write to the Tribunal and help you at the meeting. You do not have to pay them.



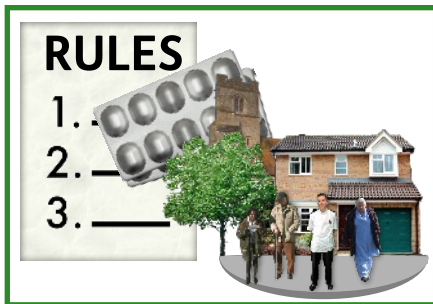
The hospital and the Law Society have a list of solicitors who do this.



Your treatment



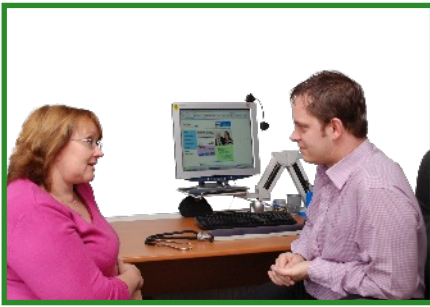
The person in charge of your care and other staff will talk about your treatment in hospital. You usually have to agree to what they say.



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 and staff 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.



- 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.



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.



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