

Your rights under the Mental Health Act: Section 37/41

Information for service users, families, carers and supporters



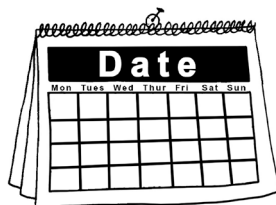
Your name:



Your doctor's name:



Hospital name:



Date you came to hospital:

Why am I in hospital?



The court has said you can be kept here under Section 37 of the Mental Health Act.

This is called a hospital order. For safety reasons the court has also given you a restriction order under Section 41.



Two doctors have told the court that they think you need to be in hospital.

How long will I stay in hospital?



You will be kept in hospital until the secretary of state for justice or a tribunal says you can leave.



You must not leave during this time unless your doctor says you can.

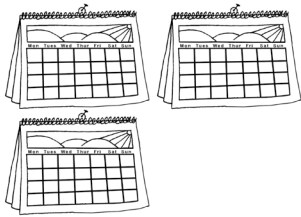


If you try to go you can be stopped.



If you leave you can be brought back.

What treatment will I be given?



The doctors may give you treatment; they can give you treatment even if you don't want them to for three months.

After three months they may get another doctor to see you.



You may have to take tablets or medicine which will help to make you better.



Your doctor and nurse will talk to you about any treatment they think you will need.

Can I appeal?



You can ask the court to look at your case again.

You will need help from a solicitor.

You can also ask the tribunal to let you leave the hospital.



The tribunal will have a meeting with you and the staff who know you.



Before the meeting the members of the tribunal will read reports written by your doctor, social worker and nurse.



The tribunal doctor will talk to you.

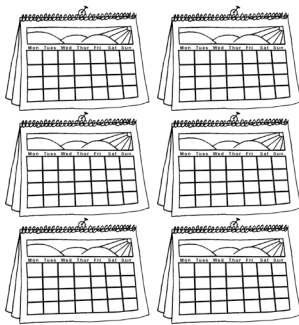


You can ask someone to go to the meeting with you.

This could be:



- solicitor
- family member
- friend
- advocate.



After you have been in hospital for six months you can ask a tribunal to allow you to leave hospital.

What is a tribunal?

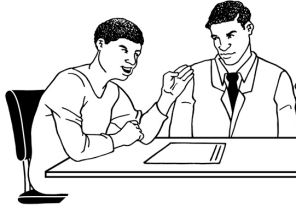


The tribunal is made up of three people who do not work for the hospital.

The tribunal will have a meeting with you and the staff who know you.



Before the meeting the members of the tribunal will read reports written by your doctor, social worker and nurse.



The tribunal doctor will talk to you.



You can ask someone to go to the meeting with you.

This could be a:



- solicitor
- family member
- friend
- advocate.

Help from an independent mental health advocate

You can ask an advocate for help. An advocate is a person not involved in your case who will help you:



- get information
- help you to understand your treatment
- help you tell your doctor or nurse how you are feeling
- talk to other people for you, on the ward or in meetings



If you would like to speak to an advocate please tell your nurse.

Your letters



You can get letters while you are in hospital.

You can send letters to anyone except someone who has said they do not want to get letters from you.

How do I complain?



Speak to your nurse who will help you complain to the right person.



You can also write to the Care Quality Commission.



Your nurse will give you a leaflet explaining more.

If you are unhappy about our services...



Please tell a member of staff.



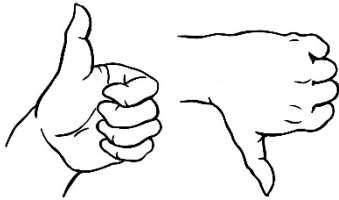
Freephone 0800 052 0219 or



Email tewv.pals@nhs.net.

Feedback

We'd like to know if you thought this information was:



- good or bad
- if anything was missing you wanted to know
- if there was anything you didn't understand. Let a member of your care team know.

Staff can find this information at: Trustwide shared drive > Patient and Carer Information > Trustwide

Patients and carers: go to our website www.tevv.nhs.uk and search: Mental Health Act