

Your rights under the Mental Health Act: section 47 (49)

Transfer to hospital with restrictions of a person serving a sentence of imprisonment



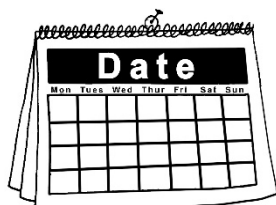
Your name:



Your doctor's name:



Hospital name:



Date you came to hospital

Why am I in hospital?



You have been admitted to hospital under Section 47 of the Mental health Act.



This is because two doctors think you need to be in hospital.



Section 47 allows a sentenced prisoner to be moved from prison to hospital for treatment.



You have also been given a restriction direction.



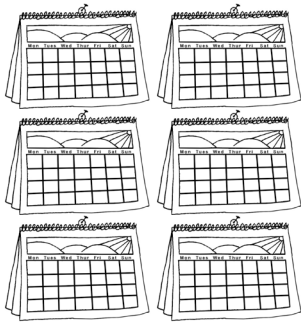
What is a restriction direction?



A restriction direction is made under Section 49 of the Mental Health Act. This means you cannot leave the hospital unless the secretary of state for justice, the tribunal or parole board says that you can.



How long will I stay in hospital?



You will be kept in hospital for up to six months



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 happens if my sentence ends while I am in hospital?



If your sentence ends while you are in hospital and you still need treatment you will not be allowed to leave.



You will then be kept in hospital under a different section of the Mental Health Act.

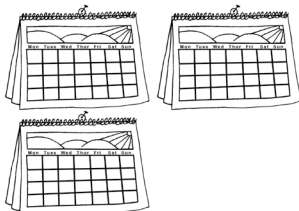


Your doctor or nurse will give you information and tell you for how long this is likely to be.



If your doctor decides you do not have to stay in hospital you will be free to leave.

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.



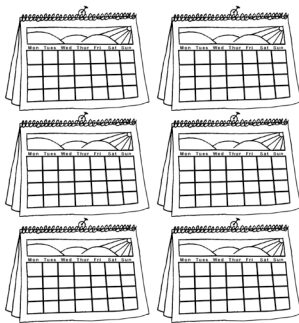
After three months they may get another doctor to see you.

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 tribunal to let you leave the hospital.

You can ask this once in the first six months you are in hospital.

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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:

- solicitor
- family member
- friend
- advocate.

What happens if the tribunal says I should not be kept in hospital?



You are likely to be returned to prison to serve the rest of your sentence.

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.



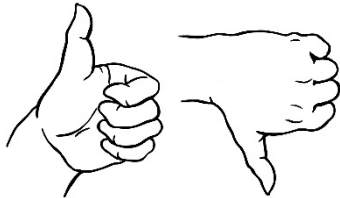
Freephone 0800 052 0219 or



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.

Find this information

Staff: Trustwide shared drive > Patient and Carer Information > Trustwide

Service users and carers: Go to our website www.tewv.uk and search Mental Health Act.

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