



**Digital
Advocacy Hub**

Independent Mental Health Advocacy

Section 3 rights



**Easy
Read**

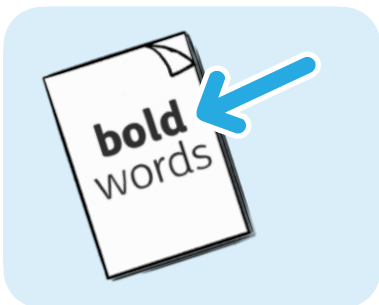
Easy Read



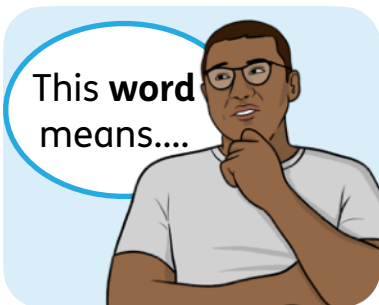
This is an Easy Read version of some information. It may not include all of the information but it will tell you about the important parts.



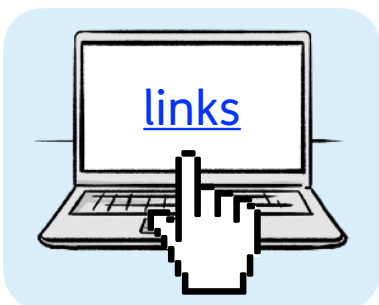
This Easy Read booklet uses easier words and pictures. You may still want help to read it.



Some words are in **bold** - this means the writing is thicker and darker.



These are words that some people will find hard. When you see a bold word, we will explain it in the next sentence.



Blue and underlined words show links to websites and email addresses. You can click on these links on a computer.

What is in this booklet

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About this booklet



This is information from n-compass about **Independent Mental Health Advocacy**.

Independent Mental Health Advocacy is when someone helps people:



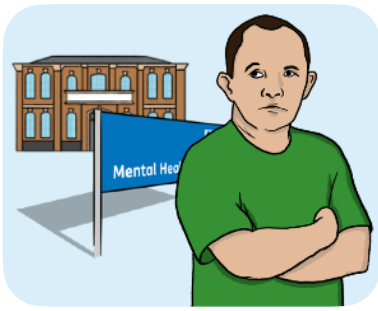
- Understand their rights - rights say how people should be treated and what they should be able to do by law.



- Speak up about their mental health care.



The person who does this is called an **Independent Mental Health Advocate (IMHA)**.



Sometimes, people getting care for their mental health are kept in hospital.



There are rules about how people should be treated in hospital.



This booklet will tell you about your **rights** under Section 3 of the Mental Health Act (the law).

Rights are things that you are allowed to do by law, like getting married or voting.

This part of the law:



- Gives hospitals the power to keep you for treatment for 6 months or longer if needed.



- Says what rights you have if the hospital decides to keep you for treatment.

What is Mental Health Advocacy?



You can get support from an Independent Mental Health Advocate (IMHA) if you are **detained** or being treated under a part of the **Mental Health Act**.



Detained means you are kept in a hospital or other building and you cannot decide to leave by yourself.



The **Mental Health Act** is a law. We will explain more about this in the next part.

An IMHA can support you if:



- You do not understand what is happening to you.



- You want to try and change a decision about your care or support.

IMHAs can help:



- Patients who are being kept in hospital.



- People who are on a Community Treatment Order - this means you can be treated in the local area where you live.



- People who are under Guardianship - this means that someone called a Guardian is making sure you get the care you need.



Your Guardian can be someone from your local council or another person chosen by your council.

People can also get support from an IMHA if:



- They might get some treatment that needs 2 doctors to agree to it - called Section 57 treatment.



- They are a child under the age of 18 who might need Electroconvulsive Therapy - this is when electricity is used to treat someone.

What is the Mental Health Act?

The Mental Health Act is a law that tells people with a mental health problem:



- What their rights are.



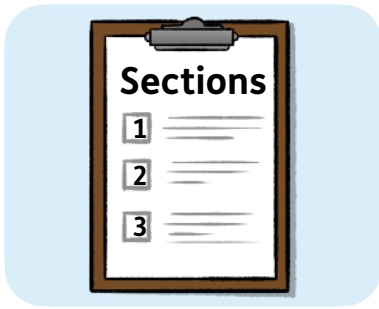
- How they can be treated.



The Mental Health Act gives doctors the power to detain you so you can get treatment.



It is important that you know what happens when you are detained and how you can get support.



The Mental Health Act has different parts called Sections.



These Sections say the different ways that people can be detained.



Different Sections have different rules about how you can be detained.

What does 'Section 3' mean?



Section 3 of the Mental Health Act allows hospitals to detain you for treatment.

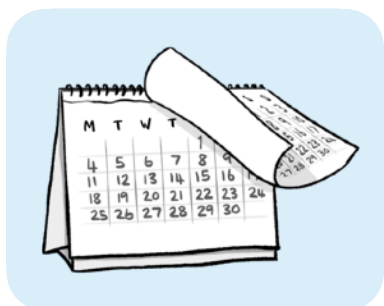


You can be detained at the hospital for up to 6 months.

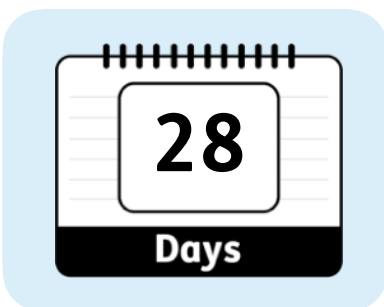
You will usually be given a Section 2 instead of a Section 3 if:



- Your mental health has not been checked before.



- Your mental health was checked a long time ago.



A Section 2 means you can be detained for up to 28 days.

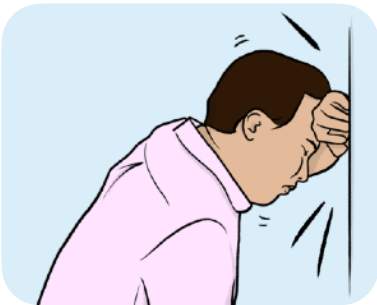
Being detained

Why can I be detained?

You can be detained if:



- You have a mental health problem.



- You are so unwell that you need to be in hospital to have your mental health checked.



- Doctors think you should be in hospital for your own safety or the safety of others.



- You cannot get the treatment you need unless you are detained.

How can I be detained?



A mental health professional needs to ask the hospital to detain you.



Your **nearest relative** can also ask the hospital to detain you.

Your **nearest relative** is a close family member that has some powers to support you under the Mental health Act.

How long can I be detained for?



You can be detained under Section 3 for up to 6 months.



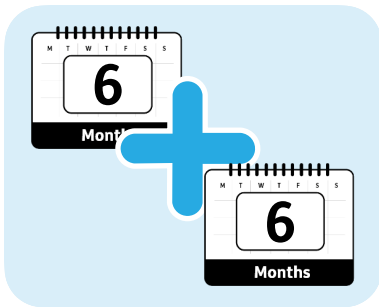
The doctor in charge of your care can decide to let you leave hospital earlier if you are well enough.



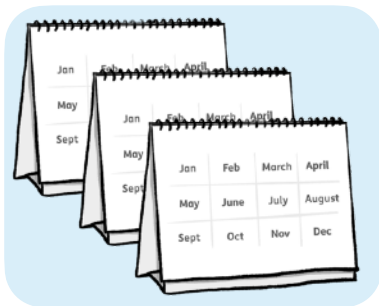
The doctor in charge of your care can ask to detain you for longer than 6 months.



To do this they need to check your mental health again and write a report for the hospital managers to think about.



The doctor in charge of your care can ask for you to be detained for another 6 months.



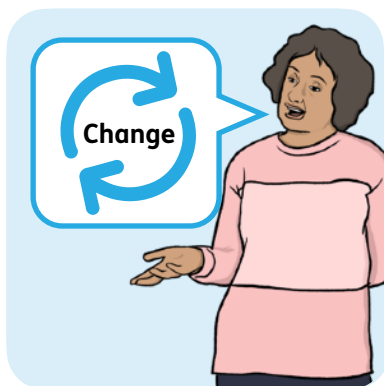
They can then ask for you to be detained every year if you need to be.

What are my rights?



You have many rights while you are detained under Section 3.

Some of the important rights are that you can:



- **Appeal** to a tribunal to stop being detained. A tribunal is a meeting of professionals.

Appeal means asking for a decision to be changed.



- Appeal to the hospital managers to stop being detained.

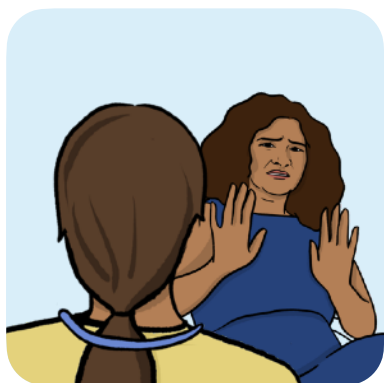


- Meet with an Independent Mental Health Advocate who can help you understand your rights

Can I be given treatment I do not want?



You can be given treatment you do not want for 3 months.



After 3 months, another doctor must say that you can be treated even if you do not want to be.

This is called a Second Opinion Approved Doctor (SOAD).



If you are not happy with your care you can talk to the doctor in charge of your care.

What happens at the end of a Section 3?

You can be discharged from hospital by:



- The doctor in charge of your care.



- A Hospital Managers' Hearing - this is when Hospital Managers decide if you can leave hospital.



- A Mental Health Tribunal - this is when a group of professionals decide if you can leave hospital.



Your nearest family member can also ask for you to be discharged.



When you leave hospital after a Section 3, you can get free care to support you. This is called 'Section 117 aftercare'.



The mental health services will plan the care you get after leaving hospital.

What do Independent Mental Health Advocates (IMHAs) do?

An IMHA can support you to:



- Take part in planning your care.



- Get ready for and understand:
 - Mental Health Reviews - these are when health professionals look at your mental health.



- Tribunals - these are when professionals decide if you can leave hospital.



- Get other support or help to use other services, like getting a house or finding a job.

An IMHA can support you to:



- Talk about any care you might need after being detained.



- Understand how you can tell someone if you are not happy about your care.



- Understand your rights and how to use them.

An IMHA will:



- Listen to what you tell them about your ideas and feelings.



- Support you to speak up.



- Speak up for you if you need them to.



- Make sure you take part in any decisions that are made about you.

How can I get support from an IMHA?



Health professionals should tell patients and their families about IMHA services.



Health and care professionals usually tell the IMHA service if they think a patient needs their services.



n-compass will allow patients or their families to ask for support from an IMHA.

Find out more



The n-compass Digital **Advocacy** Hub gives free and fair information about lots of different parts of life.

Remember, **advocacy** is helping people to speak or speaking up for them.



n-compass runs advocacy services across the north of England.



You can find out if we run services near you on our website:
www.n-compass.org.uk/our-services/advocacy



Or you can speak to us using the Sign video website:
www.ncompass.signvideo.net