

# Patient Information Leaflet 9

## Mental Health Act 1983

### Section 20: Renewal of Detention

You are admitted to:

Your Responsible Clinician is:

Date your detention originally began:

Date your renewal period began:

#### **Why must I remain in hospital?**

Your responsible clinician has decided to renew your detention to this hospital so that you can continue to be given the treatment and care you need. You can be kept in this way because of section 20 of the Mental Health Act 1983. This means that your doctor and another professional believe that you have a mental disorder for which you need to remain in hospital for medical treatment.

#### **How long will I be here?**

You can be kept here for a further period of up to six months or one year, so that you can be given the medical treatment you need. You must not leave during this time unless your responsible clinician tells you that you may. If you try to go, the staff can stop you, and if you leave you can be brought back.

#### **What happens next?**

Your responsible clinician will tell you when you are well enough to leave hospital, and if they feel you need to stay in hospital for longer than one year, she or he will talk to you about this towards the end of the detention period.

## **What is an independent mental health advocate?**

You will continue to have the right to ask for the support of the confidential independent mental health advocacy (IMHA) service. They will help you obtain information about your legal rights, any medical treatment that you may be receiving and how you can appeal against detention.

## **Can I appeal?**

You can ask the Hospitals Managers to let you leave hospital. If you want to do this, write to them at (information to be added locally):

Your nearest relative can also write to the Hospital Managers to ask them to let you leave. The Managers can take 72 hours (three days) to look at the request, so that they can get a report from your responsible clinician. Your responsible clinician may say in his or her report that you should not be discharged and if she or he does you will have to stay in hospital.

You can also apply to the Mental Health Review Tribunal for Wales for your discharge. You can apply to the Tribunal any time within the period this renewal covers while you are kept in hospital.

If you do not get your discharge from hospital when you apply to the Tribunal, you may apply again once during every year you are kept in hospital after that.

If you did not apply to the Mental Health Review Tribunal for Wales for your discharge in the first six months while you were kept in hospital, an automatic referral will be made on your behalf by the Hospital Managers.

## **What happens at a hearing before the Mental Health Review Tribunal for Wales?**

The Tribunal is independent of the local authority and your guardian. The Tribunal members will come and meet with you and listen to your views and to those of your representative (if you have one). The Tribunal doctor will come and see you before the Tribunal hearing. They will speak to your responsible clinician, and other professionals involved in your care and read reports about your detention and care before deciding if you are well enough to be discharged.

The Tribunal will give you a written decision within 7 days of the date of the hearing.

You might want to ask for a solicitor to help you with the Tribunal. The hospital has a copy of the Law Society list of specialised solicitors, or you might want to use your own solicitor. This is usually free of charge under the legal aid scheme.

The address of the Tribunal office is:

Mental Health Review Tribunal for Wales  
Crown Buildings  
Cathays Park  
Cardiff CF10 3NQ

## **What treatment will I receive?**

You can continue to be given medication or drug treatment for your mental disorder if you consent. If you do not or cannot consent, an independent doctor will be asked to visit you. This doctor is called a Second Opinion Appointed Doctor:

This doctor will talk to you and to a nurse or other staff at the hospital who know you. The treatment will only be continued if the independent doctor agrees you should have it. Other medication may be recommended after the independent doctor has spoken with your approved clinician in charge of treatment.

## **How do I complain?**

If you want to complain about the way you are being treated in hospital, you should speak to the person in charge of the ward, or a nurse or social worker. If you are not happy with the answer you may write to the Hospital Managers. You can write to the Managers at the following address (information to be added locally):

If you are not happy with the Managers' reply, you can ask the Review Service for Mental Health to help. The Review Service was set up to make sure that the mental health law is used properly and that patients are cared for properly while they are in hospital.

You can write to them at:

Review Service for Mental Health  
Healthcare Inspectorate Wales  
Bevan House  
Caerphilly Business Park  
Van Road  
Caerphilly CF83 3ED

Or you can telephone: 029 2092 8858

Or you can fax: 029 2092 8904

or you can speak to a Reviewer when they visit. The ward manager can tell you the date of the next visit. You can also write to Review Service after you have left the hospital.

## **Your letters**

Normally you will be able to write to and get letters and parcels from anybody. The Mental Health Act gives the hospital managers power to withhold any of your letters or parcels from going to someone who has asked that they should not be sent to them. If this happens you will be notified in writing.

## **Letting your nearest relative know**

A copy of this leaflet will be given to your nearest relative who we understand to be:

If you do not want the person mentioned above to receive a copy of this leaflet please tell the person in charge of the ward, or your responsible clinician, or the Hospital Managers.

Your nearest relative will have certain set rights under the Mental Health Act 1983. They include:

- the right to ask for you to be admitted to hospital for assessment or treatment;
- the right to receive information about your detention under the Act;
- the right to ask for you to be discharged.

For more information about the role of the nearest relative and what rights they have please ask for a copy of the nearest relative leaflet.

## **Changing your nearest relative**

If you do not think this person is suitable to be your nearest relative, you can apply to the County Court for someone else to be treated as your nearest relative instead. The hospital staff can give you a leaflet that explains this.

## **Code of Practice for Wales**

The Code of Practice for Wales gives advice to staff about the Mental Health Act 1983. They have to think about what the Code says when they take decisions about your care. You can ask to look at a copy of the Code or you can ask for a copy of the 'Peace of Mind' booklet on the Code of Practice for Wales.

## **Further information and help**

If there is anything you do not understand about your care and treatment, a member of staff will try to help you. Please ask a member of staff to explain if there is anything in this leaflet you do not understand or if you have other questions that this has not answered.

The independent mental health advocacy service is also there to provide help and support to you. Please ask if you would like another copy of this leaflet for someone else.