

Mental Health Act 1983 – a short guide for patients and carers



This leaflet is about the **Mental Health Act**.

Ask someone if you need support to read or understand this information.

What is the Mental Health Act?





- The Mental Health Act 1983 (“the Act”) is how the government says people with a mental health problem should be treated.






- It helps people with serious mental health problems and the people who care for them decide what to do to.

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	What should happen under the Act
	<p>The Mental Health Act should:</p> <ul style="list-style-type: none">• make sure the patient is safe and that they get well• make sure other people are safe.• make sure the patient is as free as possible.• respect what the patient wants.• make sure the patient and their carers, family, or friends are part of planning treatment.• make sure the right services are used.

	Detention under the Act
	<ul style="list-style-type: none">• Under the Mental Health Act 'detention' and 'detained' means being kept in hospital even if you don't want to be.• Someone can only be detained if they have a mental health problem that makes them a risk to themselves or others.

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	<h2>Giving information and the right to appeal</h2>
 <p>Hospital</p>  <p>Hospital</p>	<ul style="list-style-type: none">• If a patient is kept in hospital they must be told why and be given information about this in writing.• The patient can ask not to be kept in hospital – this is called making an appeal.
	<h2>The Nearest Relative</h2>
	<ul style="list-style-type: none">• The Nearest Relative is a person in your family or a carer that knows you well.• They must agree that you need to stay in hospital.• The Nearest Relative can also ask if you can leave hospital.

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	More information
  	<p>If you want to know more about The Mental Health Act visit the websites below (ask someone if you need support):</p> <p>The Care Quality Commission website http://www.cqc.org.uk/guidanceforprofessionals/mentalhealth/allmentalhealthprofessionals/specialreviews,surveysandnationalreportsfocusedonmentalhealth.cfm</p> <p>The Mind website http://www.mind.org.uk/help/rights_and_legislation/mental_health_act_1983_an_outline_guide</p>