



Removal of Mentally Disordered Patients without a Warrant

(Section 136 of the Mental Health Act 1983)



Sussex Partnership
NHS Foundation Trust

Why am I in hospital?

You have been brought to this hospital by a police officer because they are concerned that you may have a mental disorder and should be seen by a mental health professional. The police officer thinks that you may be in need of immediate care and that it is necessary in your interest or for the protection of others for you to be brought to hospital to be assessed.

You are being kept here under section 136 of the Mental Health Act 1983, so that you can be assessed to see if you need treatment.

How long will I be here?

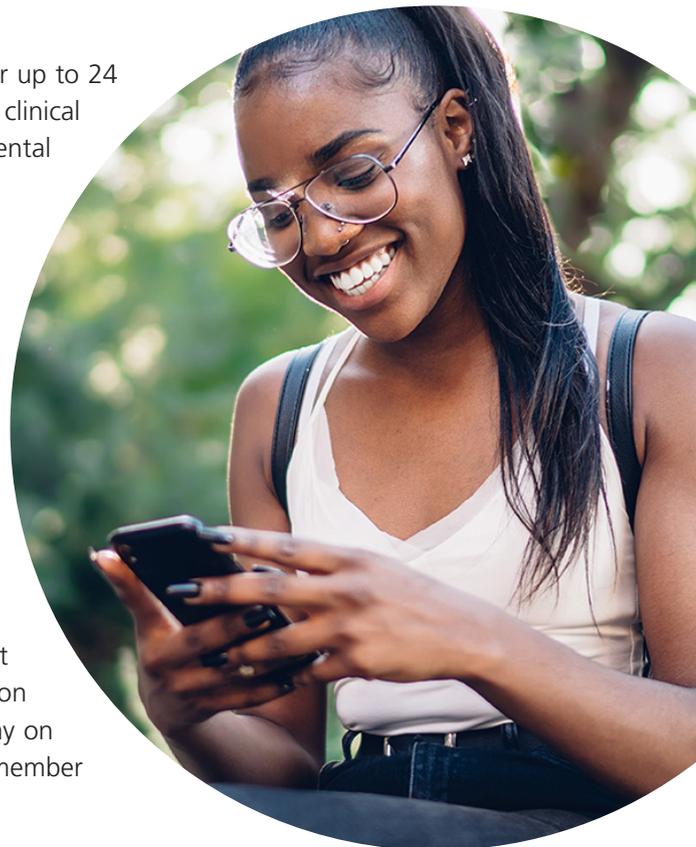
You can be kept here (or in another place where you will be safe) for up to 24 hours (extendable for up to 12 hours if you could not be assessed for clinical reasons) so that you can be seen by a doctor and an Approved Mental Health Professional.

An Approved Mental Health Professional is someone who has been specially trained to help decide whether people need to be kept in hospital.

During this time you must not leave unless you are told that you may. If you try to go, the staff can stop you, and if you leave you can be brought back.

If the doctor and the Approved Mental Health Professional agree that you need to remain in hospital, a second doctor may be asked to see you to confirm their decision. Further information will be provided if doctors assess that the patient needs to remain in hospital.

If the doctors and the Approved Mental Health Professional have not seen you by the end of the 24 hours (or 36 hours, if your detention has been extended), you will be free to leave. You may decide to stay on as a voluntary patient. But if you do want to leave, please talk to a member of staff first.



What happens next?

When the doctors and an Approved Mental Health Professional have seen you, they may say that you need to stay in hospital for longer. They will tell you why and for how long this is likely to be. You will be given another leaflet that explains what will happen.

If they decide that you do not have to stay, someone will talk to you about what other help is available to you.

If the assessment has been completed, and the doctor and the Approved Mental Health Professional say that you do not need to stay in hospital you will be free to leave, even if the 24 hours (or 36 hours if detention was extended) have not ended.

Can I appeal?

No. Even if you do not agree that you need to be in hospital, you cannot appeal against the decision to keep you here under section 136.



What treatment will I be given?

The hospital staff will tell you about any treatment they think you need. You have the right to refuse any treatment you do not want. Only in special circumstances, which would be explained to you, can you be given treatment you do not agree to.

Letting your Nearest Relative know

A copy of this leaflet will be given to the person the Mental Health Act says is your Nearest Relative.

There is a list of people in the Mental Health Act who are treated as your relatives. Normally, the person who comes highest in that list is your Nearest Relative. The hospital staff can give you a leaflet which explains this and what rights your Nearest Relative has in connection with your care and treatment.

If you do not want this person to receive a copy of the leaflet, please tell your nurse or another member of staff.

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.

Your letters

All letters sent to you while you are in hospital will be given to you. You can send letters to anyone except someone who has said they do not want to get letters from you. Letters to these people can be stopped by the hospital staff.

Code of Practice

There is a Code of Practice that gives advice to the staff in the hospital about the Mental Health Act and treating people for mental disorder. The staff have to consider what the Code says when they take decisions about your care. You can ask to see a copy of the Code, if you want.

How do I complain?

If you want to complain about anything to do with your care and treatment in hospital, please speak to a member of staff. They may be able to sort the matter out. They can also give you information about the hospital's complaints procedure, which you can use to try to sort out your complaint locally. They can also tell you about any other people who can help you make a complaint, for example an independent mental health advocate.

If you do not feel that the hospital complaints procedure can help you, you can complain to an independent Commission. This is called the Care Quality Commission and it monitors how the Mental Health Act is used, to make sure it is used correctly and that patients are cared for properly while they are in hospital. The hospital staff can give you a leaflet explaining how to contact the Commission.

Further help and information

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 leaflet has not answered. Please ask if you would like a printed copy of this leaflet.



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www.sussexpartnership.nhs.uk/