



The Law Gives All Patients These Rights



- To be given a written **statement** and spoken **explanation** of your rights
- To be informed of your **diagnosis**, **treatment** and treatment **risks**
- To have a **second opinion** on your diagnosis and treatment from a new psychiatrist
- To have a **Treatment Plan** which considers **your wishes** and **alternative** treatments, and to ask for **changes** to the plan
- To **request a different** psychiatrist, nurse or case manager
- To **refuse** electroconvulsive therapy, unless you are **unable** to give **informed consent** plus other requirements are met, or unless it is **urgently needed**
- To have your religious, cultural, age-related, gender-related, language and other **special needs respected**
- To seek **legal advice** and **representation**
- To **request leave**
- To have **interference** with your freedom, dignity, privacy and self-respect kept to a **minimum**
- To ask questions and **receive answers** in a way you **understand**
- To **see the contents** of your own **file/s**, except where information is lawfully exempt
- To have your personal information kept **confidential**, except under some lawful exceptions, or if you agree to share it with certain people
- To **not** take **experimental** drugs unless you give informed consent
- To **complain** about anything and **negotiate** with your treating team
- To have your involuntary detention, Community Treatment Order (CTO), or Treatment Plan **automatically reviewed** within 8 weeks, and then every 12 months
- To **appeal** against your detention, CTO or Treatment Plan **any time**
- To be **free** from **discrimination**
- To **challenge orders** appointing Administrators and Guardians
- To receive the **best possible**, least restrictive **mental health services**, at least equal to those available for other types of illness

Disclaimer of Liability

The Mental Health Legal Centre disclaims any liability for action taken or not taken as a result of this information. We encourage readers to seek out legal advice and representation wherever possible. Phone MHLC 9629 4422 or 1800 555 887, Victoria Legal Aid or a Private Solicitor for further information F:\FIONA\PUBLICAT\HANDOUTS\The law gives all patients these rights\2009\October2009Reg No. A0013662S ABN No: 30996141084 © MENTAL HEALTH LEGAL CENTRE INC