

Review of involuntary status by the Mental Health Tribunal

On 30 November 2015 the Mental Health Tribunal will replace the Mental Health Review Board. The Tribunal reviews the cases of involuntary patients.

If you are an involuntary patient and have not had your first (initial) review yet, the following table shows when you can expect to have it.

Start date of treatment order	Last day for review (adults)	Last day for review (children)
Before 9 November 2015	14 December 2015	5 December 2015
9 to 22 November 2015	28 December 2015	14 December 2015
23 to 29 November 2015	4 January 2016	21 December 2015

If you have already had your initial review, the following table shows when you can expect to have your next periodic review.

Date of last review	Last day for next review (adults)	Last day for next review (children)
Before 30 August 2015	30 December 2015	14 December 2015
30 August to 29 October 2015	30 January 2016	21 December 2015
30 October to 29 November 2015	29 February 2016	28 December 2015

Further information

If you would like to know more about the transition period, a detailed explanation of all the transitional provisions can be found on the Mental Health Commission website.

Information about the *Mental Health Act 2014* is summarised in the following set of brochures:

- Being referred to a psychiatrist for an examination
- Inpatient treatment orders
- Community treatment orders
- Information for voluntary patients
- Receiving treatment for a mental illness
- Information for personal support persons
- Nominated persons: how to make a nomination and what it means.

Other brochures are available from:

- The Mental Health Tribunal
- The Mental Health Advocacy Service
- The Mental Health Law Centre.

For more information about the *Mental Health Act 2014* and other resources, visit the Mental Health Commission website: www.mhc.wa.gov.au or phone (08) 6272 1200.

This document can be made available in other languages and alternative formats on request.

Transitioning to the *Mental Health Act 2014*



On 30 November 2015 the mental health laws set out in the *Mental Health Act 1996* will be updated and replaced with the laws in the *Mental Health Act 2014*.

This brochure provides information about what happens if you are a patient or referred person on 30 November 2015, when the 1996 Act ends and the 2014 Act commences.

If, on 30 November 2015, you are:

- a voluntary patient in a hospital,
- an involuntary patient on a community treatment order,
- an involuntary patient on an inpatient treatment order, or
- referred for an examination by a psychiatrist on a Form 1 referral order

this will not change and you will still be a patient/referred person when the *Mental Health Act 2014* (MHA 2014) commences.

However, under the MHA 2014 you have some new rights. These rights come into effect on 30 November 2015. You can find out more about what these rights are and how they affect you from the Mental Health Commission website or the other brochures available at your service.

Timeframes

One of the main changes introduced by the MHA 2014 is that timeframes for orders and reviews are shorter. The new timeframes are summarised below.

Referral order (Form 1)

A referral order under the 1996 Act becomes a referral order under the MHA 2014.

Q: How long does a referral last?

- A referral made before 30 November lasts **7 days**.
- A referral made on or after 30 November lasts **3 days**. It can be extended to 6 days in a non-metropolitan area.

Community treatment order

A community treatment order under the 1996 Act becomes a community treatment order under the MHA 2014.

Q: How long will a community treatment order last?

The community treatment order will end on the expiry date written on that order. The length of the order does not change.

Inpatient treatment order

An inpatient treatment order under the 1996 Act becomes an inpatient treatment order under the MHA 2014.

Q: How long will an inpatient treatment order last?

If you are on the original inpatient treatment order (ie it has not been extended), it will end on the expiry date written on that order. The length of the order does not change.

Q: How long will an order continuing an inpatient treatment order last?

The original inpatient treatment order can be extended using a **continuation order**. If you

are on a continuation order, the length of the order will depend on how long you have been on it.

First day of continuation order	Last day of continuation order
Before 30 June 2015	Day specified in order
30 June to 29 August 2015	Date specified in order or on 30 December 2015 (whichever comes first)
30 August to 29 November 2015	Date specified in order or on 30 January 2016 (whichever comes first)

Visit from a Mental Health Advocate

On 30 November 2015 the Mental Health Advocacy Service (MHAS) will replace the Council of Official Visitors. A mental health advocate can ensure that you have been informed of your rights and can help you uphold them.

Q: When will I be visited by an advocate?

- Before 30 November involuntary patients are able to access the Council of Official Visitors by contacting the Council directly, or by asking a staff member at the mental health service to do so on your behalf.
- From 30 November, MHAS will automatically contact all involuntary patients within 7 days for adults and 24 hours for children of them becoming an involuntary patient. Referred persons can request to be contacted by MHAS.