

# Act proven but not criminally responsible

Easy Read version



## **Act proven, but not criminally responsible**

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### **Mental Health Advocacy Service**

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This brochure is a general guide to the law. You should not rely on it as legal advice, and we recommend that you talk to a lawyer about your situation.

The information is correct at the time of printing, however it may change. For more information contact LawAccess NSW on **1300 888 529**.

The Council for Intellectual Disability (CID) made this Easy Read document.

Contact CID at [business@cid.org.au](mailto:business@cid.org.au)



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## About this book



You have been charged with a serious crime.



The court says you did it but you are not criminally responsible because of your mental illness or cognitive impairment.



This book tells you what happens to you after court.



This information can be hard to understand.



It is good to read this book with someone you trust.

# Act proven but not criminally responsible



The court says you have committed a serious crime.



You have a mental illness or cognitive impairment like intellectual disability.



The court says you are not criminally responsible.

You are a forensic patient.



You are told to go to the Mental Health Review Tribunal.

# Mental Health Review Tribunal



The Mental Health Review Tribunal is like a court.

We say **Tribunal** for short.



You will have a lawyer with you at the Tribunal.

You can also have a person you trust to support you.



You must follow rules.



You must meet with the Tribunal every 6 months.

## What the Tribunal decides



The Tribunal decides what care and treatment you need.



They decide where you will get the treatment.



The Tribunal will also decide where you live.

## How the Tribunal will decide



The Tribunal looks at lots of things to decide what to do.



They think about if you might hurt yourself or others.



The Tribunal talks to your

- Doctor
- Nurse
- Psychologist



The Tribunal talks to you and your lawyer.

They talk to people like your family or your carer or registered victims.

# Where you will live



The Tribunal will tell you where to live.

## 1. Prison

You will get your care and treatment here.



## 2. Mental health hospital

There are 3 types of mental health hospitals.



- **Forensic Hospital**

For more information go to **page 8**.



- **Medium secure unit**

- **Low secure unit**

For more information go to **page 9**.



### **3. Conditional release in the community**

This is a place in the community that is not a hospital.

For you to be in the community it must be safe for you and others.



You will get support to live here.

There are rules to keep you safe and well.



### **4. Unconditional release in the community**

You are not a forensic patient.



The Tribunal says you are well and safe.

You do not need to see the Tribunal again.

# Types of mental health hospitals



This page talks about what happens if the Tribunal decides you need to go to the Forensic Hospital.



It is a **high secure unit**.

You cannot come and go from the hospital.



The staff know how to care for you.



Doctors can check your medicine.



You can learn skills to be safe.



There are 2 other types of mental health hospitals.

We call them units.



### **Medium Secure Units**

You can ask to come and go from the hospital.

This is called MSU for short. There are things for you to do there.



### **Low Secure Units**

You can ask to come and go from the hospital.

This is usually where some people will stay for a long time.

## What will happen to me

You and your support person can write down what will happen to you.



### Who can help you

**You can get help from the Mental Health Advocacy Service.**

**MHAS for short.**

If you are a forensic patient you can call MHAS on **9745 4277**.

If you are in prison you can call MHAS using the inmates phone.

When you use the phone you will need to:

1. Enter your MIN number
2. Enter your Pin
3. Press #2 for Legal Aid
4. Ask for the MHAS





