

Mental Health Advocacy Service

Legal help and advice about
mental health and
guardianship law



The Mental Health Advocacy Service at Legal Aid NSW provides free legal advice about mental health and guardianship law.

You can call LawAccess NSW on **1300 888 529** for information and advice about any mental health or guardianship law problem. If you are not sure whether we can help, give us a call anyway. We may be able to refer you to the right place for your problem.

Relatives and friends are also welcome to call for information.

How can the Mental Health Advocacy Service help you?

We can help you if you have to appear before the Mental Health Review Tribunal ('the Tribunal') or the Guardianship Division of the NSW Civil and Administrative Tribunal (NCAT), or you have been kept in a hospital under the *Mental Health Act*. We can also help you by giving advice over the telephone about these things and some other issues like financial management orders and community treatment orders.

Mental Health Review Tribunal

If you have been kept in a hospital under the Mental Health Act you may appear before the Mental Health Review Tribunal ('the Tribunal'). This Tribunal conducts mental health inquiries, makes and reviews orders and has some appeals about the care of people with a mental illness. A lawyer can act for you in the inquiry.

Your lawyer can also tell you about:

- going to hospital under the *Mental Health Act*;
- inquiries and hearings in front of the Tribunal;
- financial management orders;
- community treatment orders; and
- appeals.

The Guardianship Division of the NSW Civil and Administrative Tribunal (NCAT)

The Mental Health Advocacy Service can advise, and in some cases act for people appearing before the Guardianship Tribunal.

Call LawAccess NSW on **1300 888 529** as soon as you know the date you have to appear at the Guardianship Tribunal. We need as much time as possible before the hearing date to talk to you and arrange for someone to act for you.

What if I am in hospital?

If you are in hospital and seeing the Tribunal for the first time, a lawyer will come to see you first. Our lawyers, or private lawyers paid by Legal Aid NSW go to each hospital in New South Wales where people are kept under the *Mental Health Act*.

A lawyer will also visit you if you are kept in hospital and will be seeing the Tribunal about:

- keeping you in hospital for a longer time
- having your money managed by the NSW Trustee and Guardian.

Sometimes a lawyer can act for you if:

- the hospital or community mental health centre is asking for a community treatment order (CTO) for you, and
- you ask us to represent you.

There are other times when a lawyer can represent you including when you want to leave hospital and the doctor won't let you.

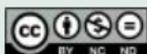
You can call us if you don't understand what is happening to you.

Call LawAccess NSW on **1300 888 529** for information and advice about any mental health or guardianship law problem.

This publication 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**.

This brochure is available in Arabic, Sim Chinese, Farsi, Spanish and Vietnamese.



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For more information about Legal Aid NSW services:



Do you need help to contact us?



If you need an interpreter, call the Translating and Interpreting Service (TIS National) on **131 450** (9am – 5pm) and ask for LawAccess NSW.

Do you find it hard to hear or speak?



If you find it hard to hear or speak, call us through the National Relay Service (NRS) on **133 677** and ask for LawAccess NSW or visit www.relayservice.gov.au