

Mental Health and Wellbeing Act 2022

Information for people who need mental health and wellbeing support

An Easy Read guide



Department
of Health

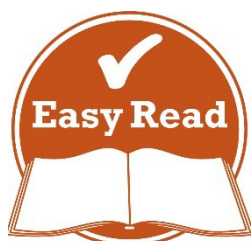


How to use this guide



The Victorian Government Department of Health wrote this guide.

When you see the word 'we', it means the Victorian Government Department of Health.



We wrote this guide in an easy to read way.

We use pictures to explain some ideas.

Bold

We wrote some important words in **bold**.

Not bold

This means the letters are thicker and darker.



We explain what these bold words mean.

There is a list of these words on page 27.



This is an Easy Read summary of a fact sheet.

This means it only includes the most important ideas.



You can find the fact sheet on our website.

[www.health.vic.gov.au/
mental-health-and-wellbeing-act](http://www.health.vic.gov.au/mental-health-and-wellbeing-act)



You can ask for help to read this guide.

A friend, family member or support person may be able to help you.



In this guide, we talk about some things that might upset you.

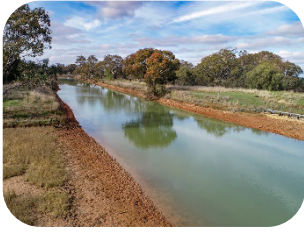


If you need support you can talk to someone you trust.



There are also services you can contact.

Their contact details are on page 32.

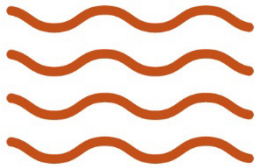


We recognise First Nations peoples as the traditional owners of the land we live on – Victoria.

They were the first peoples to live on and use the:



- lands



- waters.

What's in this guide?

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What is this guide about?



The *Mental Health and Wellbeing Act 2022* is a law.

In this guide, we call it the Act.

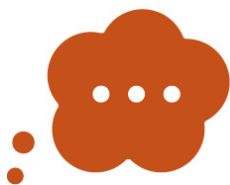


It will replace the *Mental Health Act 2014*.



The Act aims to support all Victorians to have good **mental health and wellbeing**.

Your mental health and wellbeing is about how you:



- think and feel about yourself



- deal with things in your life



- manage your feelings.

The Act also aims to support:



- people with mental illness



- their families and carers.



It explains how we will improve Victoria's **mental health and wellbeing system.**



The mental health and wellbeing system is made up of different parts that work together to support people's mental health and wellbeing.



This includes mental health and wellbeing service **providers**.



Providers support people by delivering a service.

Our principles



The Act includes some important ideas we should always think about.

We call these our **principles**.

Our principles aim to:



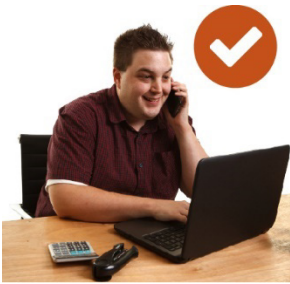
- support the community's mental health and wellbeing



- make mental health and wellbeing services safe.



We want the mental health and wellbeing system to be **accessible**.



When something is accessible, it is easy to:

- find and use services
- understand.



We also want the mental health and wellbeing system to be **inclusive**.



When something is inclusive, everyone:

- can take part
- feels like they belong.



Our principles say that mental health and wellbeing service providers need to respect everyone in the community.

This includes people:



- of all ages



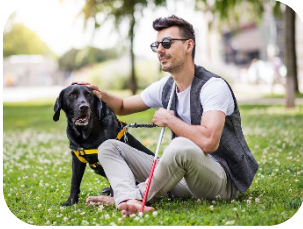
- from different **cultures**.

Your culture is:



- your way of life
- how you think or act now because of how you grew up
- your beliefs
- what is important to you.

Providers also need to respect:



- people with disability



- people who live far away from cities and towns



- **LGBTIQA+** people.

The letters LGBTIQA stand for lesbian, gay, bisexual, transgender, intersex, queer or questioning and asexual.



The '+' is for people who are part of the LGBTIQA+ community but don't talk about themselves using a word from this list.

Statement of rights



Our principles support everyone's **rights**.

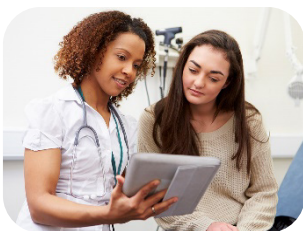
Rights are rules about how people must treat you:

- fairly
- equally.



You will get a document explaining your rights when you get mental health and wellbeing services at a hospital.

We call this document a 'statement of rights'.



Hospital staff need to:

- give you a statement of rights
- explain your rights
- answer your questions.

Compulsory treatment



Most of the time you can choose if you want to get mental health and wellbeing services.

Unless you get **compulsory treatment**.



Compulsory treatment is when you have to get treatment because a doctor says you need it.

But you haven't said you want it.



The Act explains when this can happen.

You might get compulsory treatment at:



- home



- a hospital.



We want it to happen:

- less
- for the shortest time possible.

Mental health and wellbeing service providers can only give you compulsory treatment if:



- you are at risk of becoming very unwell



- it will stop you from hurting yourself or others



- there are no other ways to help you the way you need.



A doctor will ask a **psychiatrist** to check whether you really need compulsory treatment.

We call this an 'assessment order'.



A psychiatrist is a doctor who is an expert in mental illnesses.



The psychiatrist will decide if you need compulsory treatment.



They will also decide:

- what your compulsory treatment will be like
- how long it will go for.



The psychiatrist will write these things down.

We call this a 'temporary treatment order'.



They will tell you what they decide.



A temporary treatment order can last for up to 4 weeks.

Mental Health Tribunal



The **Mental Health Tribunal** aims to protect your rights when you get compulsory treatment.

In this guide, we call them the Tribunal.

The Tribunal is like a court.

They:



- hold hearings – formal meetings
- make decisions about compulsory treatment
- make treatment orders.



After you get a temporary treatment order, the Tribunal will hold a hearing.



At the hearing they will decide if you need compulsory treatment.

They will tell you what they decide.



The Tribunal might decide to cancel your temporary treatment order.



Or they might agree that you need compulsory treatment.

They will make a new treatment order.



A treatment order by the Tribunal can last for up to 6 months.



A psychiatrist can also ask the Tribunal to make a new treatment order.

Making decisions



The Act says that mental health and wellbeing workers need to support you to make your own decisions.

You can say what mental health and wellbeing care you want.



This includes:

- what treatment you want
- how you get support.



You can also say what you don't want.

For example, that you don't like some medicines.



You can write these things down in a document.

We call this an 'advance statement of preferences'.



You will need to sign the document.

And someone else will need to sign it to show that it's true.



Your advance statement of preferences explains how mental health and wellbeing workers need to try to support you.



This includes if you get compulsory treatment.



You can write an advance statement of preferences any time.



Mental health and wellbeing workers might not be able to follow your advance statement of preferences.

If this happens, they need to write down why.



You can choose someone to support you in case you get compulsory treatment.

We call this person your 'nominated support person'.

Your nominated support person can support you to make decisions about your mental health and wellbeing care.



This includes:

- what treatment you want
- how you get support.



They can also support you to tell your doctors what you want.



Mental health and wellbeing workers need to give them the same documents they give you.

For example, a statement of rights.



You need to write down who you want to be your nominated support person.



They also need to agree to support you.

Advocacy services



The Act explains how you can get support from **advocacy services**.



Advocacy services can:

- speak up for you
- help you have your say
- give you information and advice.



If you get compulsory treatment, the mental health and wellbeing service provider needs to ask if you want support from an advocacy service.



You can say if you don't want this support.

The Mental Health and Wellbeing Commission



We created the **Mental Health and Wellbeing Commission**.

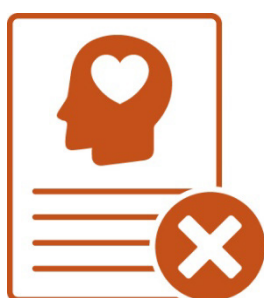
In this guide, we call them the Commission.



The Commission makes sure mental health and wellbeing services are:

- safe for everyone
- good quality.

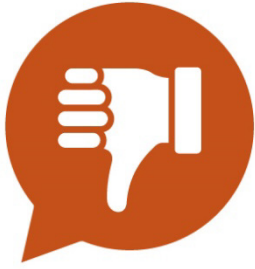
You can contact the Commission if you:



- think a provider isn't following the principles in the Act



- want to make a **complaint** about a mental health and wellbeing service.



When you make a complaint, you tell someone that something:

- has gone wrong
- isn't working well.



The Commission can support you to make a complaint.



And they will try and fix any problems you have with the provider.



You can visit the Commission's website.

www.mhwc.vic.gov.au

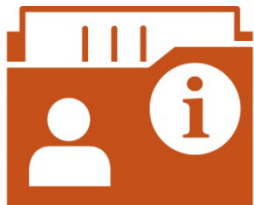


You can call them.

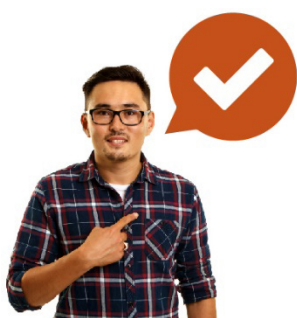
1800 246 054

Sharing your personal information

Your personal information could include:



- your name
- your contact details
- information about your mental health.



Mental health and wellbeing service providers can sometimes share your personal information if you say it's okay.

They can use your information to connect you with other services like:



- housing services



- drug and alcohol services.



Providers can also sometimes share your personal information if you don't say it's okay.

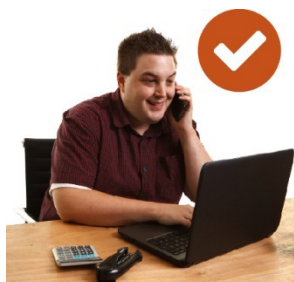
They can do this if they need to keep someone safe.



For example, if you're in an emergency they can share your information with the ambulance staff.

Word list

This list explains what the **bold** words in this document mean.



Accessible

When something is accessible, it is easy to:

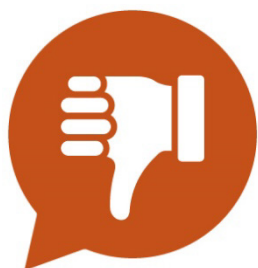
- find and use services
- understand.



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Complaint

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Compulsory treatment

Compulsory treatment is when you have to get treatment because a doctor says you need it.

But you haven't said you want it.

Culture

Your culture is:



- your way of life
- how you think or act now because of how you grew up
- your beliefs
- what is important to you.

Inclusive

When something is inclusive, everyone:



- can take part
- feels like they belong.

LGBTIQA+



The letters LGBTIQA stand for lesbian, gay, bisexual, transgender, intersex, queer or questioning and asexual.

The '+' is for people who are part of the LGBTIQA+ community but don't talk about themselves using a word from this list.

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Mental Health and Wellbeing Commission



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- safe for everyone
- good quality.

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Mental Health Tribunal

The Mental Health Tribunal is like a court.

They:

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Principles

The Act includes some important ideas we should always think about.

We call these our principles.



Providers

Providers support people by delivering a service.



Psychiatrist

A psychiatrist is a doctor who is an expert in mental illnesses.



Rights

Rights are rules about how people must treat you:

- fairly
- equally.

Support for you



There are services you can contact if you need support because of your mental health and wellbeing.



If you're in an emergency now, call Triple Zero.

000



You can call Lifeline if you need support with your mental health and wellbeing.

13 11 14



Or you can visit their website.

www.lifeline.org.au



If you speak a language other than English, you can call the Translating and Interpreting Service (TIS).

131 450



You can call the National Relay Service if you:

- are deaf or hard of hearing
- find it hard to speak using the phone.

1800 555 660



Or you can visit their website.

www.accesshub.gov.au/about-the-nrs/nrs-helpdesk

Contact us



You can send us an email.

mhwa@health.vic.gov.au



You can visit our website.

[www.health.vic.gov.au/
mental-health-and-wellbeing-act](http://www.health.vic.gov.au/mental-health-and-wellbeing-act)



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