



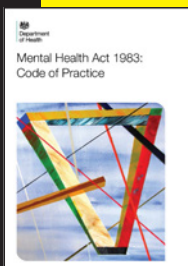
Department
of Health

An easy read fact sheet

Detention

Also called Sectioned

This fact sheet is
about detention and
your rights. Detention
is when you have to
stay in hospital.



Know your rights

The Mental Health Act
Code of Practice

Detention

Keys facts

- * Detention is sometimes called **Sectioned**.
- * Detention means being made to stay in hospital.
- * The rules of the Code of Practice must be followed if you are made to stay in hospital.
- * You can be detained in hospital for **assessment** or for **treatment**.
- * Other ways of supporting you in the community should be talked about before Detention.
- * You can ask your **Independent Mental Health Advocate** to help you understand your Detention.



What does the Mental Health Act say about detention?

The Mental Health Act says that you can be detained in hospital for assessment, or detained in hospital for treatment.

Before you can be detained:

- An application must be made for you to be detained.
- This application must make sure that only people who need assessment and/or treatment for their mental disorder are detained in hospital.



Who can detain me?

- An application can be made by an **Approved Mental Health Professional (AMHP)** or by your Nearest Relative.
- You can be detained in hospital even if you don't want to stay.



Why am I being detained?

You are being detained in hospital:

- Because you are suffering from a mental disorder that can only be treated in hospital
- For your own health or safety or to protect other people.



When can you be Detained?

You can be Detained for treatment if:

- You are suffering from a mental disorder that requires you to receive medical treatment in hospital
- You need to be in hospital for your health and safety or to protect other people
- The appropriate medical treatment is only available in the hospital.

You can be Detained if you are at risk of:

- Suicide
- Hurting yourself or other people
- Putting your health and safety at risk.



Should being detained in hospital always be the first choice?

- **No.** Doctors and Approved Mental Health Professionals (AMHP) must always think about other ways to help you that do not involve you being held in hospital.



Other ways to help you might be:

- Being supported in your community
- Going into hospital as an **Informal Patient**. An Informal Patient can leave hospital without getting consent from the person in charge of your care.
- Someone who lacks **Capacity** can be an Informal Patient but only if their care does not deprive them of their liberty.

Threats are not allowed!

The Mental Health Act Code of Practice says:

- The **threat of detention must not be used** to force you to agree to go into hospital.



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Where in the code?

**This easy read fact sheet comes from the
Mental Health Act 1983: Code of Practice:**

- Chapter 13 'Mental capacity and deprivation of liberty' pages 78–92
- Chapter 14 'Applications for detention in hospital' pages 93–111
- Chapter 15 'Emergency applications for detention' pages 112–113

Download the code:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/396918/Code_of_Practice.pdf

Download the easy read fact sheets:

www.nhs.uk/easy-mentalhealthact

Download the easy read glossary:

www.nhs.uk/glossary

More information:

Rethink – What Happens:

www.bit.ly/rethink-mental-health-laws

Rethink – Sections 2–5 :

www.bit.ly/rethink-mha1983-sections-2-3-4-5