

# Mental Health Factsheet

## YOUR RIGHTS AND RESPONSIBILITIES

ENGLISH



This fact sheet will tell you about your rights and responsibilities as a person with a mental health problem, who is using mental health services. If you have a mental health problem, knowing about your rights will help you to understand what to expect from mental health services and how you should be treated.

The information in this fact sheet is based on the Mental Health Statement of Rights and Responsibilities, adopted in 1991 by The Australian Health Ministers and published by the Australian Government Publishing Service.

## YOUR RIGHTS AND RESPONSIBILITIES as a person with a mental health problem using mental health services

# DRAFT

### What are my rights when I need a mental health service?

Having a mental health problem does not take away your rights. People with mental health problems have the same human rights as all Australians to live, work and participate in the community and not to be discriminated against.

Like physical illness, mental illness can be treated. Different mental illnesses require different treatments. Treatments could include medication or counselling. You might need to spend some time in hospital. Mental health services provide these treatments.

A person who uses a mental health service is called a mental health consumer. As a mental health consumer you have the following rights:

- **To be treated with respect**

This means being treated in a way that respects your human worth, dignity and privacy.

- **To be treated as equal to other people**

This means having the same rights as other citizens to health care, income maintenance, education, employment, housing, transport, legal services, equitable health and other insurance and leisure.

- **To be given information**

This means having the right to get information, education and training about your mental health problem, how it is treated and the services available to meet your needs. This information should be given to you in a way that suits your cultural background and language skills. This means it may be given to you by a worker who speaks your language or

through a professional interpreter (not a family member or friend) or the Telephone Interpreter Service, or it may be written material, or an audio tape or CD, in your preferred language.

- **To get timely and high quality treatment**

This means you have the right to get treatment that is correct and suitable for your problem when you need it.

### You also have the right to

- speak with and see family and friends;
- speak with a support person who can, if you want, speak with mental health workers, either with you or on your behalf. This person may be a friend, family member or an independent person who is called a “consumer advocate”;
- have your cultural, religious, social, gender and ethnic needs, values and beliefs taken into consideration when receiving mental health care;
- be involved, with the mental health workers who are caring for you, in decisions about your treatment, care and recovery;
- choose to be treated or not to have treatment (unless you are subject to the mental health act or other legislation of the state or territory where you live)
- complain if you feel that your rights have been denied or you have received poor quality care;
- be part of the development of mental health policy and mental health care, and in representing the interest of mental health consumers; and
- live, work and take part in the community to the full extent of your ability, without being discriminated against.

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For more information about  
Multicultural Mental Health Australia visit  
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## YOUR RIGHTS AND RESPONSIBILITIES as a person with a mental health problem using mental health services (cont.)

# DRAFT

### What are my responsibilities when I use a mental health service?

Rights bring with them responsibilities. All members of Australian society have responsibilities for their own health and well-being. People with mental health problems have a responsibility:

- to respect the human worth and dignity of other people, and
- to participate, as far as possible, in reasonable treatment and rehabilitation.

### What can I expect of mental health services?

As a person with a mental illness you can expect mental health services to

- uphold your rights
- provide care in an environment that is safe for you, your family, carers, staff and the community
- ensure your privacy and confidentiality and that of your family and carers
- treat you in a way that is sensitive to your social and cultural values and those of your family and carers.

**For more information contact**

**Australian Mental Health Consumer Network**  
phone: 07 3844 3009

**National Ethnic Disability Alliance**  
phone: 02 96878933

**Telephone Interpreter Service**  
phone: 131 450  
(24 hours 7 day per week)

Your local contact details: