

## Know your rights, have your say

May 2025

Independent Mental Health Advocacy (IMHA) can help you to know your rights and have your say. IMHA is a free and confidential advocacy service for people who:

- are receiving compulsory treatment
- or are worried about receiving compulsory treatment.

IMHA is a service delivered by Victoria Legal Aid but is not a legal service. IMHA is independent of mental health services.

## We will contact you

As of 1 September 2023, the [Mental Health and Wellbeing Act 2022 \(Vic\)](#) states that we will be notified at key points when you are receiving compulsory treatment. Learn more about [‘When will IMHA be notified?’](#) section of this document.

We will contact you unless you tell us not to. When we contact you, we will explain what we do, and you can decide if you want our services. To tell us not to contact you see the ‘Tell us not to contact you’ section of this sheet.

## You can contact us

If you are not currently receiving compulsory treatment but are worried about receiving compulsory treatment, you can still access IMHA services. You will need to contact us directly as we will not be notified. You can call us on [1300 947 820](tel:1300947820), visit our website [www.imha.vic.gov.au](http://www.imha.vic.gov.au), or send an email to [imhacontact@imha.vic.gov.au](mailto:imhacontact@imha.vic.gov.au)

Common reasons people might be worried about receiving compulsory treatment include feeling like you can’t disagree with your treating team, or your treating team has said if you don’t do something you will be placed on compulsory treatment.

## How IMHA can support you

We can support you to:

- understand information about your assessment, treatment, care and recovery
- make decisions about your assessment, treatment and care

- understand and exercise your rights
- make an advance statement of preferences
- appoint a nominated support person
- seek a second psychiatric opinion
- seek legal advice
- apply to the [Mental Health Tribunal](#)
- understand and access the mental health and wellbeing service system
- express your decisions, views and preferences to your mental health and wellbeing services and others
- make a complaint.



We can arrange an interpreter. You can also call the [Translating and Interpreting Service](#) on [131 450](#) and ask to be put through to us.

IMHA can represent your views to your mental health and wellbeing service with your consent.

Your IMHA advocate:

- will act as directed by you
- will not take action without your consent
- will not be guided by what others may consider to be in your best interests, if you are at least 16 years of age. If you are 15 years of age or younger, IMHA will promote your views and work with your family, carers, and supporters to ensure your best interests are protected.

## Tell us not to contact you

You will need to provide identifying information about yourself so that we can make sure we:

- don't try to contact you, and
- delete the information we receive about your compulsory treatment.

The information you provide us will be handled by our administration staff. You can visit [www.imha.vic.gov.au/how-we-handle-personal-information](http://www.imha.vic.gov.au/how-we-handle-personal-information) to find out how we handle personal information and protect your privacy.

To tell us not to contact you:

- call [03 9093 3701](tel:0390933701)
- visit [www.imha.vic.gov.au/optout](http://www.imha.vic.gov.au/optout) to fill in the opt-out form
- complete the following form and send it to [admin@imha.vic.gov.au](mailto:admin@imha.vic.gov.au) or via post to:

Independent Mental Health Advocacy

GPO Box 4380

Melbourne VIC 3001

- email us at [admin@imha.vic.gov.au](mailto:admin@imha.vic.gov.au) with the following consent statement and information. You can ask a staff member or supporter to help you submit the form:

I, \_\_\_\_\_ do **not** want IMHA to contact me if I am placed on a compulsory treatment order or at any other key points. I understand that any future information IMHA receives about my compulsory treatment will be deleted.

Date of birth: \_\_\_\_\_

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

State-wide UR number (SWURN): \_\_\_\_\_

This is a unique number that all consumers accessing public designated mental health services are assigned. We use this number to make sure we identify you correctly. If you don't know your SWURN, you can ask your mental health and wellbeing service, or call IMHA for information on who to ask.

Phone number: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

Suburb/town: \_\_\_\_\_

Postcode: \_\_\_\_\_

If you change your mind later and wish to be contacted by IMHA when you are receiving compulsory treatment, you can:

- call [1300 947 820](tel:1300947820)
- email [contact@imha.vic.gov.au](mailto:contact@imha.vic.gov.au)
- visit our website at [www.imha.vic.gov.au](http://www.imha.vic.gov.au)

### When will IMHA be notified?

IMHA will be notified if:

- you are placed on a temporary treatment order, or a treatment order, including if you are a forensic or security patient
- your right to communicate has been restricted
- your temporary treatment order, or treatment order, has been varied from community to inpatient or inpatient to community
- your temporary treatment order, or treatment order, has been revoked or cancelled

- you have a Mental Health Tribunal hearing scheduled
- a restrictive intervention is used, such as if you are put in seclusion, or are physically or chemically restrained
- your order is varied to transfer you for treatment at another designated mental health service.

If you are a security patient, IMHA will also be notified if:

- you are received at, or transported to, a designated mental health service
- you are discharged back to prison.

If you are a forensic patient, IMHA will also be notified if:

- you are transported to a designated mental health service, except if the [Forensic Leave Panel](#) approves the transport or is otherwise directed by an authorised body
- if your psychiatrist or the [Chief psychiatrist](#) directs you to be transported to another designated mental health service
- [Forensicare](#) applies to the Mental Health Tribunal for an intensive monitored supervision order, if and when this order is made.

## How to contact IMHA and find out more

- Visit the website [www.imha.vic.gov.au](http://www.imha.vic.gov.au) or send an email to [imhacontact@imha.vic.gov.au](mailto:imhacontact@imha.vic.gov.au)
- Call the IMHA phone line [1300 947 820](tel:1300947820), which is staffed by IMHA advocates 9:30am – 4:30pm seven days a week (except public holidays).
- Call the IMHA rights line on [1800 959 353](tel:1800959353) to hear a recording about your rights.
- Ask a mental health service provider, carer, kin or other support person to assist contacting IMHA.
- If you wish to provide feedback or make a complaint about IMHA, please contact us, or visit the feedback section of our website.



imha.vic.gov.au