

# Electroconvulsive treatment (young person under 18 years)

health

## Statement of rights

You have been given this booklet because your psychiatrist is recommending that you have a course of electroconvulsive treatment (ECT). This booklet provides information about ECT and your legal rights and entitlements under the *Mental Health Act 2014*. A member of the treating team will talk to you about this information and answer your questions.

If at any time you have questions about this information or your rights, ask someone to explain. You can ask a member of the treating team, a friend, a family member, a lawyer, an advocate or a community visitor.

Copies of this booklet are available online at:  
[www.health.vic.gov.au/mentalhealth](http://www.health.vic.gov.au/mentalhealth)

## What is electroconvulsive treatment?

ECT is the use of a brief electrical current to change the brain's electrical activity.

This change in the brain's electrical activity is called a **'seizure'**.

ECT is performed by psychiatrists and doctors.

A **'psychiatrist'** is a doctor who knows a lot about mental illness.

ECT is only given to a person when:

- they have been given medicine to put them in a very deep sleep (called a **'general anaesthetic'**) and
- they have been given medicine to relax their muscles (called a **'muscle relaxant'**).

This means the person feels no pain during ECT and their body does not move.

The person wakes up five (5) to 10 minutes after having the treatment.

A group of ECT treatments is called a **'course'** of ECT. A course of ECT is up to 12 ECT treatments over a period of up to six (6) months.

Your psychiatrist will talk with you about how many treatments you may need.

ECT is usually given one (1) to three (3) times a week until the end of the course.

Sometimes a person will need more than one course of ECT.

A person may also be given ECT once every 14 days (fortnight) or once every month to keep the person well. This is called **'maintenance'** or **'continuation'** ECT.

## When is ECT used?

Electroconvulsive treatment (ECT) is a safe and helpful treatment for depression and some other mental illnesses such as mania and psychosis.

ECT will quickly treat the effects of mental illness. It may be given to a person:

- when medicine has not helped their mental illness
- when the person gets serious side-effects from medicine
- when the person has a medical condition that means the person cannot take medicine safely
- they are so unwell that medicine will not work quickly enough to save the person's life.

Your psychiatrist will talk with you about why they think ECT will help you and what other treatments could also help.

## What are the likely risks or side-effects of ECT?

ECT can affect short-term memory.

You may feel confused after ECT and not remember the actual treatment.

It may be harder to remember new information while you are having a course of ECT.

It is much less likely that long-term memories will be affected. But some people have reported longer lasting problems remembering these memories.

Even though some memories might not come back, your memory should work better in the weeks and months after ECT.

The general anaesthetic can give you a headache or make you feel sick. If you feel any of these things you should tell the staff looking after you. They will be able to give you some medicine to help.

The anaesthetic can also affect how you think for a short time. During the first 24 hours after ECT **you must not:**

- **drive a vehicle (car, motorbike, etc.)**
- **operate machines, including ovens or stoves**
- **make important decisions or sign a legal document (like a contract or lease)**
- **drink alcohol, take drugs or smoke because they may react with the anaesthetic medication.**

Some risks are less common and some are extremely rare.

- You may get muscle soreness.
- You may have changes to your blood pressure and heart rate.
- Very rarely heart attack or stroke can happen. Emergency equipment is immediately available if needed.
- There is an extremely small risk of death.

ECT can have more risk during pregnancy and for older people. You must tell the psychiatrist if there is any chance that you may be pregnant.

Your psychiatrist will talk to you about the risks.

## What do I need to do before I have ECT?

Do not eat or drink anything (including water) for at least six (6) hours before the ECT treatment. This is called **'fasting'**.

If you eat or drink anything in this time you must tell the doctor or nurse before the treatment.

## Can I still take my medication?

Ask your psychiatrist because some medication can affect how well ECT works. Your psychiatrist may change your medication while you are having a course of ECT.

## How is ECT done?

ECT is given while you are lying down in an ECT treatment room.

Before your ECT treatment a doctor will examine you to make sure you are ok to have an anaesthetic and to have ECT. The doctors and nurses will make sure that you are ok while you have ECT by putting:

- a blood pressure cuff on your arm or leg or both
- a small monitor on one of your fingers that will check your pulse and the oxygen levels in your blood
- small stick-on electrodes on your forehead and behind your ears to record your brain's electrical activity during the treatment
- a face mask over your mouth and nose to give you oxygen.

A doctor will give you a general anaesthetic and muscle relaxant by injection. You will fall asleep and not feel or remember the treatment.

Another doctor who has special training in ECT will put small electrodes on your head.

The ECT electrodes can be placed:

- on both sides of the head (this is called **'bilateral ECT'**)
- on one side of the head (this is called **'unilateral ECT'**).

Unilateral ECT is often used because it is less likely to cause memory loss.

The electrodes will pass a small amount of electricity to your brain to cause a seizure. The seizure will last up to one (1) minute.

During the treatment, the doctors will monitor the electrical activity in your brain and your heart rate and oxygen levels.

## What happens after ECT?

Within a few minutes after the treatment the anaesthetic will have worn off and you will wake up. You may feel confused and tired for a short time.

You will be taken to a recovery room where you will be looked after until you are awake enough to go back to your hospital room.

If you are having ECT as an out-patient you may need to wait a few hours in the recovery room to make sure that you are ready to go home. You cannot drive home after ECT.

You will usually be ready for a meal about 15 to 20 minutes after the treatment.

## What happens between treatments?

A doctor will assess you after each treatment to see if the ECT is working and to check if you are having bad side effects.

The doctor will talk to you about whether you should continue with the course of ECT.

## Will I need further treatment?

While your mental illness may be treated with a course of ECT, sometimes you may need more courses.

Your psychiatrist will talk with you about whether you need more treatment to prevent the effects of your mental illness coming back.

## ECT for young persons under 18 years in the *Mental Health Act 2014*

### When can ECT be given to me?

ECT can only be given to you if you agree to ECT and the Mental Health Tribunal approves it for you.

If you are unable to agree to ECT, the Tribunal will decide for you.

The Tribunal is an independent organisation. (See pages 4 to 5 for more information on the Tribunal).

### Informed consent

You can make decisions about ECT. A psychiatrist must talk to you and give you information about ECT. Your psychiatrist must assume that you have capacity to give informed consent to ECT, even if you are a child.

To give informed consent to ECT you must be able to:

- **understand** the information you are given about ECT
- **remember** the information you are given about ECT
- **use or weigh** the information you are given about ECT
- **communicate** your decision to your psychiatrist or someone else.

Sometimes you will be unable to give informed consent because:

- you are too unwell
- you do not agree to the ECT that the psychiatrist thinks will help you get better
- you are unable to make a decision about ECT when the decision needs to be made.

A psychiatrist will talk with you to help you make an informed decision about ECT.

Your psychiatrist will also talk with your parent or guardian if you are 15 years old or younger.

To help you to make an informed decision about ECT a psychiatrist must:

- give you information about ECT in a way that you will be most likely to understand
- give you time to think about the decision before you make it
- tell you what ECT will do to help you get better
- tell you what other treatments may help you to get better
- tell you about any side-effects, discomforts or risks of ECT and other treatments.

You can ask the psychiatrist any questions that you want about ECT and other treatments.

The psychiatrist must answer your questions in a way that you will best understand.

Other people can also help you to make a decision about ECT, such as:

- a parent or family member
- a guardian
- a carer
- your nominated person
- a mental health advocate (if you have to have compulsory treatment)
- any other person you choose.

If you have capacity to give informed consent to ECT but do not wish to do so no one can force you to have it.

## What if I don't have the ability to make a decision about ECT?

You can only be given ECT if the Mental Health Tribunal approves.

If your psychiatrist thinks you need ECT they will make an application to the Tribunal.

In deciding whether to make an application, the psychiatrist will:

- listen to what you have to say about ECT and any other treatments
- look at what you have said in your advance statement if you have one.

The psychiatrist will also talk to:

- your parent or person with legal responsibility for you
- your nominated person
- a carer if the treatment decision will directly affect the carer or the caring role
- the Secretary to the Department of Human Services if you are on a custody to Secretary order or a guardianship to Secretary order.

The psychiatrist will also look at any second psychiatric opinion about your treatment that has been given to them.

The psychiatrist will also think about how it will affect your mental health if ECT is not given to you.

## What happens at the Mental Health Tribunal?

The Mental Health Tribunal will decide whether to approve ECT for you.

The Tribunal is an independent organisation.

The Tribunal will hold a hearing if the psychiatrist thinks ECT is the least restrictive treatment for you.

At the Tribunal hearing for ECT there will be a group of three (3) members:

- a lawyer
- a psychiatrist
- a member of the community.

The Tribunal will listen to what you have to say about ECT and about your other treatment.

The Tribunal will also look at your advance statement if you have one.

The Tribunal will also listen to what some other people who know you have to say about ECT and your treatment:

- your psychiatrist
- your nominated person
- your parent or person with legal responsibility for you
- a carer if the decision directly affects the carer or the caring role
- the Secretary to the Department of Human Services if you are on a custody to Secretary order or a guardianship to Secretary order
- any other person who you would like to come and help you at the hearing.

The hearing will be held either at the hospital where you are getting treatment or at a community clinic.

Sometimes, the hearing will be held by video-link.

You have a right to come to the hearing and to be supported by anyone you choose.

You can ask to get help from a lawyer to prepare for the Tribunal hearing. The lawyer can also help you to have a say at the hearing about whether you need ECT.

A doctor, nurse, psychiatrist or other member of the treating team must help you to contact someone who you would like to help you.

A parent or family member can also help you to contact someone who you would like to help you.

## Access to information for Mental Health Tribunal hearing

You have the right to look at any documents about you that are held by the mental health service.

A **'mental health service'** is the hospital or community clinic where you are having mental health treatment.

You can look at these documents to help you get ready for the Tribunal hearing.

A psychiatrist must let you look at the documents at least 48 hours before the Tribunal hearing.

A psychiatrist or another member of the treating team can help you to look at the documents about your mental health treatment.

You can also ask to get help to look at the documents from a lawyer or any other person that you choose.

### Application for non-disclosure of information

A psychiatrist may ask the Tribunal to stop you looking at a document about your mental health treatment.

This is called an **'application for non-disclosure'**.

A psychiatrist can only stop you looking at a document if the Tribunal says so.

The Tribunal can only stop you looking at a document about your mental health treatment if the information in the document:

- may cause serious harm to you
- may cause serious harm to another person.

## What happens if the Tribunal approves ECT for me?

At the end of the hearing, the Tribunal will make a decision about whether it approves ECT for you.

The Tribunal will tell you what the decision is at the hearing.

The decision of the Tribunal will also be written down and given to you.

A written decision of the Tribunal is called an **'Order'**.

The Tribunal will also give a copy of your Order to:

- your psychiatrist
- a parent or person with legal responsibility
- your nominated person

- a carer if the decision directly affects the carer or the caring role
- the Secretary to the Department of Human Services if you are on a custody to Secretary order or a guardianship to Secretary order.

If the Tribunal approves a course of ECT for you, the Order will:

- say how many ECT treatments can be performed (no more than 12 treatments in a course)
- say the date when the course of ECT ends (no more than six (6) months from the date of the hearing).

## What happens at the end of the course of ECT?

If you need another course of ECT your psychiatrist may make another application to the Tribunal.

## Can I stop ECT?

Yes. You can stop a course of ECT at any time that you choose.

Saying you want ECT to stop is called **'withdrawing informed consent'**.

You must have capacity to withdraw informed consent to ECT.

You can talk to your psychiatrist, doctor, nurse, or other member of the treating team if you want to withdraw informed consent to ECT.

You can also get help from a parent, family member, a carer or any other person you choose.

ECT must stop immediately if you have withdrawn informed consent.

## Can I still stop ECT if the Tribunal approved ECT for me?

Yes. You can stop ECT at any time you choose even if the Tribunal approved ECT when you were unwell.

You must have capacity to withdraw informed consent to ECT.

If your parent or guardian agreed to an application to ECT, if they withdraw consent then ECT must stop.

ECT must stop immediately if you have withdrawn informed consent.

## Your rights

### You have the right to say no to ECT

If you have capacity to give informed consent to ECT then you can refuse ECT if you choose.

No-one can force you to have ECT if you have capacity.

### You have the right to withdraw informed consent to ECT at any time

If you have capacity to give informed consent to ECT then you can withdraw informed consent to ECT at any time, if you choose.

You can withdraw informed consent even if the Tribunal approved ECT for you when you were unwell.

ECT must stop immediately if you withdraw informed consent to ECT.

If your parent or guardian agreed to an application to ECT, if they withdraw consent then ECT must immediately stop.

### You have the right to get support

You can ask to get help from a parent, family member, a carer or any other person you choose.

You can also get help from a person who can speak your language.

A doctor, nurse, psychiatrist or other member of the treating team must help you to contact someone who you would like to help you.

### You have the right to communicate with anyone you choose

You can communicate with any person you choose while you are in hospital.

You can make a phone call in private.

Your mail will not be opened.

A doctor, nurse, psychiatrist or other member of the treating team must help you to communicate with any person.

A psychiatrist can stop you communicating with another person if it is necessary to protect the health, safety or wellbeing of you or another person.

A psychiatrist cannot stop you communicating with:

- a lawyer
- the Mental Health Complaints Commissioner
- the Mental Health Tribunal
- the Chief Psychiatrist
- a community visitor.

### You can speak up if you think something was not ok with the mental health services you have been given

You can make a complaint about the mental health services you have been given.

You can talk to the treating team or staff at the hospital about your complaint. You can also talk to the Mental Health Complaints Commissioner or someone at the Commissioner's office.

The Mental Health Complaints Commissioner is an independent organisation that makes sure that mental health services are doing the right thing.

The Commissioner makes sure all assessment and treatment is done in a way that follows the law.

You can speak to the Commissioner or someone at the Commissioner's office if you are unhappy about the mental health services you have been given.

A psychiatrist, doctor, nurse or other member of the treating team must help you to speak with the Commissioner or someone at the Commissioner's office.

You can also ask a family member, a carer or any other person you choose to help you to speak with the Commissioner or someone at the Commissioner's office.

The contact details of the Mental Health Complaints Commissioner's office are included at the end of this booklet.

### Making an advance statement

An **advance statement** says what treatment you would like when you are unwell.

You can make an advance statement at any time, if you:

- understand what an advance statement is
- understand what it means to make an advance statement.

You make an advance statement by:

- writing it down
- signing the document.

The document must also be signed by a witness.

A **'witness'** can be a psychiatrist, a doctor, a nurse or another member of the treating team, a lawyer or some other people.

The witness must say:

- that you understand what an advance statement is
- that you understand what it means to make an advance statement.

A psychiatrist, doctor, nurse or another member of the treating team can help you to make an advance statement if you ask them for help.

You can ask to get help from any other person you choose.

### **Choosing a nominated person**

You can ask someone to be your nominated person at any time.

A **'nominated person'** is someone you can choose to look out for you if you have to have compulsory treatment.

Your nominated person can be:

- a family member
- a carer
- a partner
- anyone else you choose.

Your nominated person gets lots of information about your mental health treatment.

Because of this you should choose someone who knows you well and who you can trust.

The person needs to agree to be your nominated person.

You can choose a nominated person if you:

- understand what a nominated person is
- understand what it means to choose a nominated person.

You choose the nominated person by:

- writing it down
- signing the document.

The document must also be signed by a 'witness'.

A **'witness'** can be a psychiatrist, a doctor, a nurse or another member of the treating team, a lawyer or some other people.

The witness must say:

- that you understand what a nominated person is
- that you understand what it means to choose a nominated person.

The witness cannot be the person you choose to be the nominated person.

A psychiatrist, doctor, nurse or another member of the treating team can help you to choose your nominated person if you ask them for help.

You can ask to get help from any other person you choose.

## For more information or to ask other people to help you

You can call:

**Mental Health Tribunal** is an independent tribunal that makes Treatment Orders and hears applications from patients for revocation of Temporary Treatment Orders or Treatment Orders, applications against transfers to another mental health service and periodically reviews the Orders of security patients. The Tribunal also hears applications for electroconvulsive treatment and neurosurgery for mental illness.

Tel: 9032 3200

Toll Free: 1800 242 703

Fax: 9032 3223

Email: [mht@mht.vic.gov.au](mailto:mht@mht.vic.gov.au)

Website: [www.mht.vic.gov.au](http://www.mht.vic.gov.au)

Address: Mental Health Complaints Commissioner  
Level 30, 570 Bourke Street  
MELBOURNE VIC 3000.

**Mental Health Complaints Commissioner** is an independent complaints body that can help you with any concerns or complaints you may have about the mental health services you are being given.

Toll Free: 1800 246 054

Email: [help@mhcc.vic.gov.au](mailto:help@mhcc.vic.gov.au)

Website: [www.mhcc.vic.gov.au](http://www.mhcc.vic.gov.au)

Address: Mental Health Complaints Commissioner  
Level 26, 570 Bourke Street  
MELBOURNE VIC 3000.

**Victoria Legal Aid** provides free legal information, education and advice on a range of issues. It provides a visiting advice service to most of Melbourne's mental health inpatient facilities and many regional mental health inpatient facilities.

For information about the law and how we can help you, call Legal Aid on **1300 792 387**.

More information is on the Victoria Legal Aid website at [www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au)

**Mental Health Legal Centre** provides a free legal advice service on Tuesday and Thursday evenings between 6.30 pm and 8.30 pm.

Tel: 9629 4422

More information is on the Mental Health Legal Centre website at: [www.communitylaw.org.au/mhlc](http://www.communitylaw.org.au/mhlc)

**Community Visitors** are people who visit mental health services and can assist you with any questions and help you to seek support or resolve issues about the mental health services you are being given.

Tel: 1300 309 337