

How to apply for leave

Information for forensic patients



FORENSIC LEAVE PANEL



This booklet will help you apply to the Forensic Leave Panel for off-ground leave.

What is off-ground leave?

Off-ground leave (also just called 'leave') allows you to go outside Thomas Embling Hospital for a short period to take part in an activity.

You might use leave to:

- attend a medical appointment
- exercise
- go shopping
- see your family or friends
- attend a TAFE course or educational activity
- go to a place of worship.

What is the Forensic Leave Panel?

If you want leave, you need to apply to the **Forensic Leave Panel**.

The panel is an independent tribunal made up of a judge, the Chief Psychiatrist (or their representative), a psychiatrist who does not work for Thomas Embling Hospital and a community member.

The panel will have a hearing to decide if you can have leave.

The panel will only grant you leave if they think it will:

- help your rehabilitation
- not seriously endanger your safety, or the safety of someone else.

Who can apply for leave?

You must be a **forensic patient** to apply for leave. A forensic patient is someone who is at Thomas Embling Hospital on an order under the *Crimes (Mental Impairment and Unfitness to be Tried) Act 1997*. This includes people on a custodial supervision order or people on a non-custodial supervision order who have been apprehended.

Sometimes you can be a forensic patient even if you are on another type of order. Ask a staff member to help you find out.

How do I apply?

If you want to apply for leave, you should discuss this with your treating team and then fill out an application form. The application form gives you the opportunity to tell the panel:

- what leave you want
- why you want leave
- how the leave will help your rehabilitation and recovery.

Application form

You can get an application from your unit. If there are no forms available, you can ask a staff member for one.

You can fill out the application form in your own words, or you can ask someone to help you. The form can be typed or handwritten. If you need more space, you can ask a staff member to add another page to your form.

It is a good idea to speak with your treating team about what type of leave you would like. They can give you advice that could help you choose what leave to apply for.

What type of leave should I apply for?

You can ask to do any leave activity that will help with your rehabilitation and recovery. You can talk to staff about the types of leave activities you would like to do.

You will start with a small amount of leave, to attend appointments or to do an activity. As you progress through treatment and after you have shown you can successfully manage leave over a period of time, the panel may increase the locations you can visit on leave, increase the length of time you can go on leave for or reduce the number of staff who have to go with you on leave.

Who can go on leave with me?

When you first go on leave, you will be supervised by two or three staff. Staff will support you and monitor your progress.

As you progress, you can ask to go on leave with someone else, like a support worker or family member. This is called accompanied leave. You can also ask to go on leave by yourself. This is called unescorted leave. To get accompanied or unescorted leave you will need to show the panel that you can successfully and safely take leave over a period of time.

Can I go on leave at any time of the day?

You can ask to go on leave at any time of day or night. It might be for a few hours, for the whole day or overnight.

If you want to go on leave after 9.00 pm, you cannot do this more than three times in seven days.

What do I do when my leave is about to expire?

Leave is granted for a fixed period. At most, your leave will be granted for six months. If your leave is about to expire, or if you want a different type of leave, you must fill out a new application.

Can I get help filling out the form?

Yes. You can ask for help from a staff member, a family member, your carer, an advocate, your nominated person or another person. You can call them or ask staff to help you contact them.

Remember, this is your application and you should ask for what you want.

What if I need an interpreter?

If you need an interpreter to help you fill out the form, you should ask staff about this. If you need an interpreter to come to the hearing, you should write this on your application form. If you ask ahead of time, the panel will make sure there is an interpreter at your hearing.

Will anyone else look at my application?

Yes. Your application will go to your treating team. It will also be discussed at Forensicare's Leave Review Committee, which is a meeting of psychiatrists, nurses and other treating staff at Thomas Embling Hospital.

They will write a report for the panel about your progress in treatment and whether they think your application should be approved.

Your treating team will talk to you about your application and let you know whether they support it. You can still apply for leave even if the treating team does not support your application, but the panel will take into account what your treating team have said when they make their decision.

What will happen next?

Your application will be sent to the panel and they will send you a letter telling you when your hearing will be held.

How long will it take for me to have my hearing?

It can take up to six weeks to get your hearing from the time you apply for leave.

If you need leave urgently, for a one-off event such as medical treatment, a court appearance or a funeral, you should apply for special leave. You can ask a member of staff for an application form for special leave. The authorised psychiatrist at Forensicare will decide whether you can have special leave.

How often can I apply for leave?

You can apply for leave at any time. You do not need to wait for your current leave to expire.

You can apply for new leave or request changes to your current leave, but you may need to wait up to six weeks while a new hearing is organised.

Where can I get more information?

If you want to talk to someone about your application, you can ask:

- your primary nurse, psychiatrist, social worker or any other staff member
- your lawyer, advocate, nominated person or other support person
- the Forensic Leave Panel Executive Officer on **1800 222 987**.

If you want to find an advocate or a lawyer you could contact:

- Independent Mental Health Advocacy on **1800 947 820** (9.30 am to 4.30 pm Monday to Friday)
- Victoria Legal Aid on **1300 792 387** (8.00 am to 6.00 pm Monday to Friday).

Forensicare also runs a forensic patient group that provides information about orders and applying for leave. Ask the unit social worker about these.

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