

consent is asked of their carer (someone who is now providing support for the person or who provided this support before the person went into residential care). If there's no carer, consent is asked of a close personal friend or relative. If there's no one to give consent - or if there's some dispute over who should give consent, or over what treatment is best, then health professionals turn to the Guardianship Board. This is a government authority which can give consent to medical or dental treatment on behalf of people over 16, with some disability, who can't make a valid decision for themselves. This is done after careful discussion with a number of people including health professionals, close relatives or friends of the patient, if appropriate. For more information about the Guardianship Board ring (02) 9555 8500 or Freecall 1800 463 928 for callers outside Sydney. If you have difficulty speaking English, call the Translating and Information Service on 131450 to help you make the call. Information about the Board is available in Arabic, Chinese, Croatian, Turkish, Vietnamese Italian, Serbian and Spanish.

Consent to Medical Treatment – What Are Your Rights?

If Someone is Mentally Ill, Can They be Given Treatment Against Their Will? Only if they have been scheduled under the Mental Health Act. This is a legal process done with the consent of two doctors who agree that a mentally ill person needs treatment because they are a danger to themselves, a danger to others, or are doing something that may cause serious problems for themselves (eg they are giving away all their money).

Telephone numbers are correct at time of publication but are not continually updated. You may need to check the numbers in the telephone directory.

When it comes to consenting to medical or dental treatment, do you know your rights? Can a doctor make you have treatment without your permission, for instance? What if a health professional wants you to have a treatment - but you don't understand what's involved? Here's what you should know.

What Is Informed Consent ? It means no medical or dental service can be carried out without the patient's permission (unless the person is incapable of giving permission for some reason). This applies to people seeing doctors, dentists and other health professionals either in or out of hospital, or in nursing homes. In some cases, such as surgery, you must usually give your consent in writing (by signing a form) before treatment.

What If There are Things You Don't Understand About Your Condition or the Treatment. It's up to the health professional to explain things to you in a way you can understand. Questions to ask which may help you understand more include: What's wrong with me? What treatment are you suggesting? What are the risks of the procedure? Is there any alternative treatment? What drugs will be given and what will they do? Will they have any side effects?

What If I Can't Understand English Well? You have the right to an interpreter. It's up to the health professional to arrange this for you, either through the Health Care Interpreter Service or the Translating and Interpreting Service.

Can A Relative or Friend Interpret For Me?. It's best to have a professional health care interpreter. Medical language can

be hard to understand and there's a risk of relatives or friends misunderstanding something important.

What Is a Consent Form? Consent forms are used in hospitals. They ask for these things: your consent to a particular procedure (eg an operation); your consent to "any other procedure considered necessary" - this usually means treatment that wasn't planned at the start of an operation, for example, but may become necessary; your acknowledgement that the procedure has been fully explained to you; your consent to the possibility that someone other than your usual doctor may do the operation. You give your consent (or acknowledgement) to these things by signing the form. Someone must witness your signature.

What If a Person is Under 16? Unless it's an emergency, or treatment is minor, people under 16 need consent from a parent or guardian. The exception is 14 to 16 year olds who may consent to treatment, if they're considered mature enough.

What If It's an Emergency and I'm Too Sick to Consent? Health professionals may try to get a relative's consent, if possible. But they may have to go ahead and treat you without consent.

What If Someone Is Incapable of Deciding for Themselves? Sometimes situations people can't decide for themselves because they're in a coma, for instance, or they have dementia or a serious developmental disability. In that case, consent will be asked of their guardian, if they have one (and if the guardian has the authority to give consent on the person's behalf). If there's no guardian, consent is asked of the patient's spouse or de facto partner. If there's no partner,