

Across Hong Kong, Singapore, Japan, Australia, the UK, and the USA, the systems and names differ. Still, your **core rights** fall into four buckets: (1) when and how you can be detained or treated, (2) consent and decision-making, (3) equality and non-discrimination, and (4) workplace and social protections. Below is a high-level guide, not legal advice.

1. Hong Kong

Main mental health law: Mental Health Ordinance (Cap. 136)

Anti-discrimination: Disability Discrimination Ordinance (DDO)

- **Detention and treatment**
 - You can only be detained in a psychiatric unit if specific criteria are met (mental disorder, need for assessment/treatment, risk to self/others).
 - Detention is authorized by designated professionals and/or courts and must be time-limited, with rights to review (Mental Health Review Tribunal) and discharge once the criteria no longer apply.
- **Consent and capacity**
 - If you have capacity, you have the right to informed consent and to refuse most treatments.
 - If you lack capacity, treatment and guardianship/committee orders must be in your best interests and use the least restrictive options.
- **Equality and work**
 - Mental illness is a “disability” under the DDO. Employers generally cannot dismiss, refuse to hire, or harass you because of mental illness if you can perform the inherent requirements of the job with reasonable accommodation.
 - You can complain to the Equal Opportunities Commission (EOC) if you believe you’ve been discriminated against due to your mental health.

2. Singapore

Main mental health law: Mental Health (Care and Treatment) Act; Mental Capacity Act

Anti-discrimination: No single disability act; protections are spread across different laws and policies.

- **Detention and treatment**

- You may be admitted and detained for assessment/treatment if you have a mental disorder and pose a risk to yourself or others, following statutory criteria and procedures.
- There are review mechanisms and maximum periods for certain detention orders.
- **Consent and capacity**
 - The Mental Capacity Act governs decisions for people who cannot decide for themselves. Decisions (including medical) must be in the person's best interests, taking into account their past and present wishes.
- **Equality and work**
 - There is no comprehensive mental-health-specific equality statute, but employment guidelines discourage discrimination on medical grounds, and some protections exist under general employment and harassment laws.
 - In practice, employers are encouraged (not always required) to offer support and adjustments.

3. Japan

Main mental health law: Act on Mental Health and Welfare for the Mentally Disabled; related welfare laws

Anti-discrimination: Act for Eliminating Discrimination against Persons with Disabilities

- **Detention and treatment**
 - Involuntary admission is allowed if you have a mental disorder and there is a risk to yourself or others, with formal procedures involving designated psychiatrists and, in some cases, family consent or prefectural governors.
 - Periodic reviews and rules on discharge exist, though advocacy groups have raised concerns about long stays and institutionalization.
- **Consent and capacity**
 - Capacity and consent practices are not as heavily codified as in some Western systems but are evolving; there is increasing emphasis on informed consent and on community-based care.
- **Equality and work**

- Disability discrimination law covers people with mental disabilities, requiring “reasonable accommodation” in employment and public services.
 - Larger employers have quotas for employing people with disabilities; this includes some people with mental health conditions who are officially recognized as disabled.
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4. Australia

Main mental health law: State/territory-based Mental Health Acts (e.g., NSW Mental Health Act, Victoria Mental Health Act)

Anti-discrimination: Disability Discrimination Act 1992 (federal) + state laws

- **Detention and treatment**

- Each state has its own criteria, but broadly, you can only be treated as an involuntary patient if you have a mental illness needing treatment and there is a risk of serious harm or deterioration.
- Decisions are reviewable by independent Mental Health Review Tribunals, with rights to advocacy and legal representation.

- **Consent and capacity**

- When you have decision-making capacity, you generally have the right to consent or refuse treatment, including psychiatric medication, unless you are under a specific involuntary order.
- Guardianship and advance directives (varies by state) can guide decisions when capacity is impaired.

- **Equality and work**

- Under the Disability Discrimination Act, mental illness is a disability. It is unlawful to discriminate in employment, education, or services because of mental health, and employers must provide reasonable adjustments unless that imposes unjustifiable hardship.
 - You can lodge complaints with the Australian Human Rights Commission or state equal opportunity bodies.
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5. United Kingdom

Main mental health law: Mental Health Act 1983 (as amended), Mental Capacity Act 2005

Anti-discrimination: Equality Act 2010

- **Detention and treatment**
 - You can be “sectioned” (detained) if you have a mental disorder and are at risk to yourself or others, or need treatment that cannot safely be provided otherwise.
 - You have rights to information, to appeal to a Mental Health Tribunal, to advocacy, and to review of compulsory treatment.
 - **Consent and capacity**
 - If you have capacity, you have strong rights to informed consent and refusal. The Mental Capacity Act sets out how to assess capacity and how to make best interests decisions when capacity is lacking.
 - Advance decisions and lasting powers of attorney allow you to plan.
 - **Equality and work**
 - Mental health conditions can be disabilities under the Equality Act if they have a substantial, long-term effect on normal day-to-day activities.
 - Employers must not discriminate and must make reasonable adjustments; you can bring claims in Employment Tribunals.
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6. United States

Main mental health law: State mental health codes; federal civil-rights laws

Anti-discrimination: Americans with Disabilities Act (ADA), Rehabilitation Act, state laws

- **Detention and treatment**
 - Criteria vary by state, but typically, you can be hospitalized involuntarily if you have a mental illness and pose a danger to yourself/others or are gravely disabled.
 - There are hearing rights, time limits, and due-process protections; many states use short emergency holds followed by court-reviewed commitments.
- **Consent and capacity**

- Adults are presumed to have capacity unless a court or clinical process finds otherwise. Many states require “least restrictive” alternatives and respect for advance directives where they exist.
 - **Equality and work**
 - Under the ADA, qualifying mental health conditions are disabilities. Employers (with certain size thresholds) must not discriminate and must offer reasonable accommodations, such as flexible schedules, modified duties, or leave, unless doing so would cause undue hardship.
 - You can file complaints with the Equal Employment Opportunity Commission (EEOC) or relevant state agencies.
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What this means for you in practice

Across all six systems:

- You have **some protection** against arbitrary detention and forced treatment; there must be legal criteria, procedures, and review mechanisms.
- You retain rights to **consent and participation in decisions** wherever you have capacity, and when you lack it, decisions must follow a best-interests or supported-decision-making framework.
- Mental illness is generally recognized as a form of **disability**, giving you rights against discrimination at work and in services, and often to reasonable adjustments.

The specifics (tribunals, terminology, complaint bodies) vary, but the underlying principle is the same: having a mental health condition does not strip you of your core human and civil rights. It does, however, create situations in which the state can intervene more than usual – which is why those safeguards and anti-discrimination protections matter.