

Number 77

## New Approaches to Mental Health

There have recently been announcements of new approaches in different aspects of Mental Health.

### Mental Health Act Commission

The Mental Health Act Commission have announced that they are to carry out hospital visits more frequently. These visits will often be unannounced or at short notice and will concentrate on issues such as how long a patient is detained and the treatment being received. This new approach follows a review by the Commission and will specifically include an examination of whether patients are being detained legally under the Mental Health Act and whether action has been taken to prevent patients harming themselves.

Previously the Commission has visited hospitals approximately once every nine months. This is now likely to be more frequent. The Chairman of the Commission has specifically made the point that this will provide an opportunity to tackle the needs of patients from black and minority ethnic communities. Commenting on the review the Commission stated:

*“what we are proposing is innovative, exciting, refreshing and a genuinely radical change. The review emphasises the position of the detained patient at the centre of our concerns and will mean greater focus on the involvement of patients in the deliberations of the Commission.”*

### New Government Drive to end Mental Health Stigma

The Social Exclusion Unit in the office of the Deputy Prime Minister has announced a raft of actions to address the full range of issues affecting people with mental health problems, rather than focusing solely on medical needs. The unit believes that one in six adults suffer from common mental health problems at any time, but that the necessary support is not available to enable such persons to participate fully in society. The Social Exclusion Unit is therefore taking action to increase opportunities in employment, housing, education, family needs and community participation. The new unit has produced a report<sup>1</sup> which sets out a programme involving over 20 government departments over a 5 year period with £2.7 million of government funding. Action to be taken will include:

- Analysing complaints regarding media coverage stigmatising or providing inaccurate portrayals of those suffering mental health problems.
- Developing resources and best practice guidelines
- Setting up a speakers unit to be spokespeople for the programme.
- Providing additional funds to strengthen a Department of Health programme to tackle stigma and discrimination.

<sup>1</sup> The Report “Mental Health and Social Exclusion” can be found on the SEU website:  
[www.socialexclusionunit.gov.uk](http://www.socialexclusionunit.gov.uk)

MENTAL HEALTH LAW

RadcliffesLeBrasseur  
5 Great College Street  
Westminster  
London SW1P 3SJ

Tel +44 (0)20 7222 7040  
Fax+44 (0)20 7222 6208  
LDE 113

6-7 Park Place  
Leeds LS1 2RU

Tel +44 (0)113 234 1220  
Fax+44 (0)113 234 1573  
DX 14086 Leeds Park Square

25 Park Place  
Cardiff CF10 3BA

Tel +44 (0)29 2034 3035  
Fax+44 (0)29 2034 3045  
DX 33063 Cardiff 1

info@rlb-law.com  
www.rlb-law.com

- Providing additional funds to support those with mental health problems interested in enterprise and self employment.
- Funding new mental health training for police officers.
- Funding a Social Inclusion Unit based at the National Institute for Mental Health.

## New Mental Capacity Bill

The Government have now published a further draft of the Mental Capacity Bill (previously called the Mental Incapacity Bill) following pre-legislative scrutiny by both Houses of Parliament. Further details will be provided in future briefings but the Bill broadly follows the proposals that we have previously commented on in our *Mental Health and Care Homes Briefings*<sup>2</sup>.

**Andrew Parsons**

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### UPDATE – Latest information on the Mental Health Bill

The government have just announced that having completed their meetings with stakeholders to road-test the provisions of the Bill, the motions have now been laid to establish the pre-legislative scrutiny committee. This committee should begin its work after the summer recess and the government hope to publish the Bill in September. When the Bill is published it will be accompanied by other documents which include a response to the 2002 consultation exercise.

MENTAL HEALTH LAW

For more information on Mental Health Law contact Andrew Parsons at RadcliffesLeBrasseur on 020 7227 7282, or email: [andrew.parsons@rlb-law.com](mailto:andrew.parsons@rlb-law.com).

Out of office emergency advice available 24hrs on 07802 506 306.

Readers are advised to take specific advice before acting in reliance on the matters set out in this briefing.

<sup>2</sup> Previous briefings are available on request from RadcliffesLeBrasseur

RadcliffesLeBrasseur  
5 Great College Street  
Westminster  
London SW1P 3SJ

Tel +44 (0)20 7222 7040  
Fax+44 (0)20 7222 6208  
LDE 113

6-7 Park Place  
Leeds LS1 2RU

Tel +44 (0)113 234 1220  
Fax+44 (0)113 234 1573  
DX 14086 Leeds Park Square

25 Park Place  
Cardiff CF10 3BA

Tel +44 (0)29 2034 3035  
Fax+44 (0)29 2034 3045  
DX 33063 Cardiff 1

[info@rlb-law.com](mailto:info@rlb-law.com)  
[www.rlb-law.com](http://www.rlb-law.com)