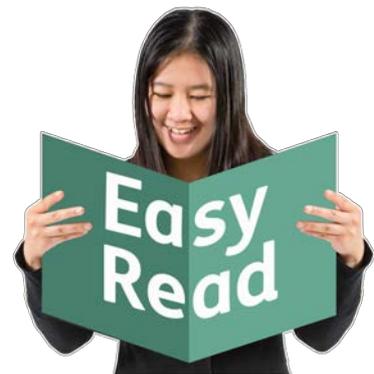


# How the law should change



Independent Review  
of the Mental Health  
Act 1983



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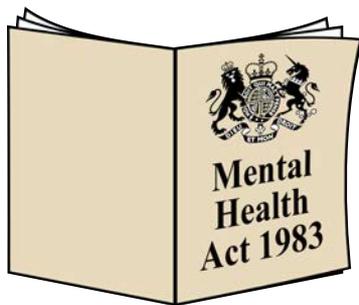
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# Introduction



The Prime Minister asked for a review of the law about mental health.



The law about mental health is set out in a law called The Mental Health Act 1983.



She asked us to look at:

- Why more people are being kept in a hospital for their own safety or for the safety of other people



- Why there are more people from **ethnic minority** backgrounds being kept in a hospital for their own safety or for the safety of other people



**Ethnic minority** means a group within a community which has different national or cultural traditions from most people



- How to improve some of the ways we work

This document explains:



- Who did the review



- How the review was done



- What should change

# Who did the review?



The chair of the review was Professor Sir Simon Wessely.



Sir Simon is the Professor of Psychiatry at King's College London.



He had three vice chairs:

- Steven Gilbert – a service user



- Sir Mark Hedley – a retired judge



- Rabbi Baroness Julia Neuberger – who has been responsible for reviewing other work for the government

# How did we do the review?



We talked to a lot of service users and carers:



- We talked to people at over 50 meetings across England and Wales



The meetings included:

- People who were being kept safe in mental health hospitals



- People with a learning disability



- People with autism



- We sent a survey to people who had been kept safe in a hospital.

We got answers from 1,500 people.



- We also put on 7 free, public meetings.

About 550 people came to these.



- We also had experts to give us advice.

The experts came to many meetings over the summer.

Many of these experts were people who used services, and carers.

# What does the review think should change?

## Giving you more choices



The law should:

- Give you more control over your treatment



- Give you the right to ask for a second doctor to check if the treatment is correct

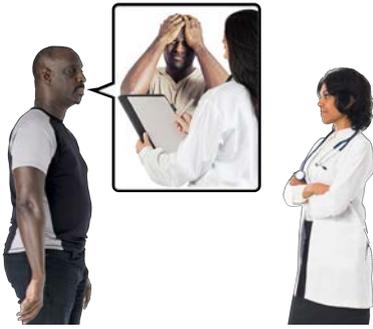


- Give you the right to ask a **tribunal** to check if the treatment is correct



A **tribunal** is like a court of law.

The tribunal can tell the hospital to let you go home.



- Give you the chance to say what should happen if, later on, you can't make decisions for yourself.

Doctors should take account of what you said you wanted.



- Let you choose who can:
  - Make sure you get your rights
  - Get information about you

This person should be allowed to question the doctors and other professionals.



- Give you an **independent advocate** unless you say you don't want one

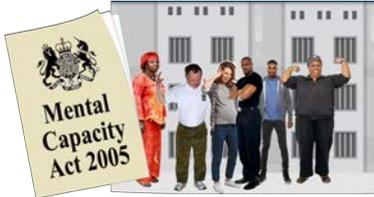


An **independent advocate** helps you to speak up.

They may speak for you if you can't speak for yourself.

# Giving people as much freedom as possible

The law should:



- Explain when people should be kept in a hospital for their safety or for other people's safety



- Make sure that keeping people in hospital does not cause more harm



- Let tribunals decide if people would be better at home in the community



- Make it easier for people to ask a tribunal to help if things have changed



- Explain how Community Treatment Orders should be run, including making sure:

- The community psychiatrist and social worker agrees with the Order
- There are more regular reviews



A **Community Treatment Order** is where a psychiatrist says you must have a certain treatment or live in a certain place in your local community.



- Tribunals can check **Community Treatment Orders** conditions



- Make it much easier to work out if someone should be under:
  - **The Mental Capacity Act**, or



**The Mental Capacity Act** is a law which helps people who are not able to make decisions for themselves.



- The Mental Health Act



- Say that police cells, police vehicles and prison cells are not good places for people with a mental health problem



- Improve community mental health services so there is less need for people to be kept in a hospital for their own safety or other people's safety

# Giving people the help they need



The law should:

- Make sure your care and treatment is planned properly



- Insist you have a proper care and treatment plan



- Make sure you are kept in a good place where you are treated with respect



- Make sure you have a modern room to yourself



- Make sure that you are treated fairly when you leave hospital and go back home

# Giving people respect as an individual person

The law should:



- Make NHS trusts, local councils and the police keep records which show how people from different ethnic communities are being treated



- Make sure that people can follow their religions properly when they are being kept in hospital



- Give people an advocate who understands their background and what is important to them



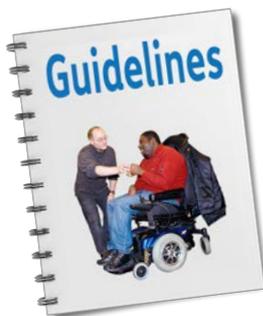
- Make sure that hospitals train their staff so they know how to care for people from ethnic minority communities



- Make hospitals try new ways of helping children and young people from African and Caribbean communities



- Give new guidance around helping children, young people and their families



- Give new guidance around helping people with a learning disability and people with autism

# Thank you



Thank you to everyone who has given their views in the last year.



We think that our ideas for changing the law would:

- Bring the care and treatment of people with serious mental health problems up-to-date



- Improve the services in the way that the Prime Minister wanted



- Improve the care and treatment of people



We ask the government to change the law in the way that we have suggested.

# For more information

If you need more information please contact us at:



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