

MHB003 - Individual

Senedd Cymru | Welsh Parliament

Bil arfaethedig – Datblygu'r Bil Safonau Gofal Iechyd Meddwl (Cymru) |
Proposed Development of the Mental Health Standards of Care (Wales) Bill

Ymateb gan: Unigolyn | Evidence from: Individual

Enshrining overarching principles in legislation

Question 1: Do you think there is a need for this legislation?

As a user of services for nearly 30 years and a Lived Experience professional for 3 years, I have seen many improvements since I first accessed services but I don't feel that there has been the coherent cultural shift that is required to create a sustainable Relationship Centred approach to care.

Question 2: Do you agree or disagree with the overarching principles that the Bill seeks to enshrine?

I agree

Specific changes to existing legislation

A. Nearest Relative and Nominated Person

Question 3: Do you agree or disagree with the proposal to replace the Nearest Relative (NR) provisions in the Mental Health Act 1983 with a new role of Nominated Person?

Can you provide reasons for your answer.

I agree because, for some people, they would not or could not include a NR in their care and support plan. Many people rely on their own network and so being able to nominate a person would provide that option.

B. Changing the criteria for detention, ensuring the prospect for therapeutic benefit

Question 4: Do you agree or disagree with the proposal to change in the criteria for detention to ensure that people can only be detained if they pose a risk of serious harm either to themselves or to others?

Can you provide reasons for your answer.

In principle I agree but there should be access to in-patient provision for an individual if they require it. Detention should be necessary not punitive.

Question 5: Do you agree or disagree with the proposal to change in the criteria that there must be reasonable prospect of therapeutic benefit to the patient?

Can you provide reasons for your answer.

I agree that there must be a therapeutic / educational prospect for a patient as this will empower them to participate in their own recovery.

C. Remote (Virtual) assessment

Question 6: Do you agree or disagree with the proposal to introduce remote (virtual) assessment under 'specific provisions' relating to Second Opinion Appointed Doctors (SOADs), and Independent Mental Health Advocates (IMHA)?

Can you provide reasons for your answer.

I do agree as there are many factors that can deny a patient access to services including, geography, transport and anxiety. Virtual assessments could address some of these factors. This would also allow for a greater access to Welsh language provision.

D. Amendments to the Mental Health (Wales) Measure 2010

Question 7: Do you agree or disagree with the proposal to amend the Measure to ensure that there is no age limit upon those who can request a re-assessment of their mental health?

Can you provide reasons for your answer.

I agree. Many people in services live with an outdated diagnosis or have been misdiagnosed. This can mean that people are not getting the correct support

they require. A diagnostic 'label' can follow you through services and limit your recovery so we should reassess when necessary to improve patient outcomes.

Question 8: Do you agree or disagree with the proposal to amend the Measure to extend the ability to request a re-assessment to people specified by the patient?

Can you provide reasons for your answer.

In the correct circumstance I would agree as patients do not always have the capacity to manage their own care. I would be wary of potential exploitation and would want to see robust regulation around Advocacy and control.

General Views

Question 9: Do you have any views about how the impact the proposals would have across different population groups?

I would hope that any proposals were inclusive of everyone but differences, including age, gender, religion, cultural diversity and sexuality, should be recognised and addressed in an All Wales provision

Question 10: Do you have any views about the impact the proposals would have on children's rights?

No.

Question 11: Do you have any general views on the proposal, not covered by any of the previous questions contained in the consultation?

I feel that all proposed changes should be explored through co-production and include the voices of patients and carers.
