

## **MHB015 – Welsh Ambulance Service NHS Trust**

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### **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: Mark Jones, Ymddiriedolaeth GIG Gwasanaethau Ambiwylans  
Cymru | Evidence from: Mark Jones, Welsh Ambulance Service NHS Trust

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### **Enshrining overarching principles in legislation**

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

**Can you provide reasons for your answer.**

Yes. This provides further clarity and amendments to the original act.

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

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.**

Agree. In these modern times families are more complex groups and enabling the patient to choose a nominated person (significant other) empowers them to have more control over their lives. Additionally people with mental health problems are more likely to have encountered adverse childhood experiences increasing the likelihood that their families are not the always the closes people in their lives.

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## **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.**

Agree. However, predicting these risks are invariably complex and difficult.

**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.**

Agree. The sole purpose of detaining a person should be to treat them.

## **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.**

Unsure. Virtual assessments are undoubtedly more efficient; however, from experience they may not provide the assessor with all of the knowledge they require to complete the assessment – the SOAD may rely on some of the initial doctor's opinion to complete their assessment which is not in keeping with the reasoning behind having a SOAD.

## **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.**

Agree. In particular for CYP MH cohort, anecdotally CYP have found it difficult to access the right support.

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**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.**

Agree. In particular for CYP MH cohort, anecdotally CYP have found it difficult to access the right support. Again this empowers the patient to have control and choice about those people of significance to them to be empowered to help the person.

### **General Views**

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

Potential increase in demand upon limited resources.

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

I believe these proposals are in line with children's rights and further empowers them.

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

No.

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