



The independent review of
**Learning Disability
and Autism**
in the Mental Health Act

About the review

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1. What the review is



A review is when people look at the law and see if it needs to change.



The review is about a law called the Mental Health (Care and Treatment) (Scotland) Act 2003.

We will call this the **Mental Health Act**.

This review is looking at whether this law needs to change for people with learning disability and autism.



We are finding out if the law is supporting people's human rights or not.

This review is **independent**. This means that no group of people can say how the review should happen or what it should say.



The review will finish in December 2019.

2. What the Mental Health Act says about learning disability and autism



The Mental Health Act is about care and treatment for people who have a mental disorder.



Mental disorder can mean mental illness. An example of a mental illness is depression.

Mental disorder can also mean learning disability or autism.



The Mental Health Act says that doctors can make a person with mental disorder take medicine or other treatment to make them better.



The Mental Health Act says a person can be made to stay in hospital if professionals think they need it.

More about what the Mental Health Act says



If a person with a mental disorder does not agree with the doctor they can go to a Mental Health Tribunal.

A Mental Health Tribunal is a group of three experts who listen to the person, to the doctor and to other people. Then the Tribunal decides what should happen to the person.



The Mental Health Act says that a person must be respected and listened to when they are not well.



The Mental Health Act says that a person must be able to get support from an advocate.

An advocate is someone who helps people to say what they want to say.



The Mental Health Act means that some people with a mental disorder who do crimes will go to hospital for treatment instead of prison.

3. What human rights are



This review is looking at whether the Mental Health Act needs to change for people with learning disability and autism.



The Mental Health Act should support your human rights.



We are finding out how well the Mental Health Act supports people's human rights.

We are looking at human rights that are about:



Achieving your best level of health



Making your own decisions, being free and safe



Not being abused



Standards of living



Independent living and being part of the community



Dignity



Equality and non-discrimination



Accessibility



Implementation and monitoring

4. What this review will do

There are three parts to the review. These are called stages.



Stage 1

This is about finding out what people's experiences are of the Mental Health Act and how the Mental Health Act affects people's human rights.



Stage 2

This is about thinking of ideas of how to make the law better – if that is needed - so that it is better at supporting people's human rights.



Stage 3

This is about telling everyone about what we found out and asking people to tell us what they think about that.



After this we will write a report for the Government which says what we have found and what we think should happen next.

5. Who is involved in the review

The Chair



The Chair of the Review is Andrew Rome. Andrew is independent.

He will report to the Government at the end of the review.

The Executive

The Executive is the group that makes all decisions about how the review will run and what the recommendations will be.

The Executive is the Chair, Secretary and Project Manager.



The Secretary is Simon Webster. Simon is in charge of carrying out the review.



The Project Manager is Catherine Evans. Catherine helps Simon to carry out the review.

The Advisory Groups



The Advisory Groups give advice to the Executive about how to run the review.

The Advisory Groups have advisors who are professionals, people with learning disability, autistic people or carers.

6. How to contact us

The review team are:



Simon Webster, Secretary to the Review

and



Catherine Evans, Project Manager

You can contact us at:



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For more information you can visit our website at www.irmha.scot