

**The Independent Review of the Mental Health (Care and Treatment) (Scotland)
Act 2003 for people with learning disability and/or autism**

Notes from the Care & Treatment Advisory Group

First meeting. Afternoon of 21st June 2018, Stirling.

Who was there

Review team	
Chair	Andrew Rome
Secretary	Simon Webster
Advisors	
Autism	Dr Catriona Stewart
Experiences of people who do not communicate with speech	Gemma Graham
Learning disability	Present
Psychiatry	Dr Laura Cameron
Psychology	Keith Bowden
Social work	Gillian MacIntyre
Supporter	Present

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What the Advisors chose to talk about

Session 1

- The right to mental health, including the 'highest attainable standard of health'
- The need to consider the detention of autistic people and people with learning disability who do not have mental illness
- The difference between principles for good practice, and duties that can be enforced
- Issues around professionals not having an understanding of autism
- Models of disability
- The Review's Human Rights Based Approach
- Standards for appropriate treatment
- What is meant by people being 'well served' by the Act

Session 2

- Possibilities for shared learning with England & Wales
- Seeking evidence from children and young people
- Seeking evidence from women
- How to reach people with lived experience, and carers of people with lived experience
- How to seek evidence in a balanced way
- How the Advisory Groups can work to give balanced advice
- Different forms of evidence on how decisions are made about what care and treatment is appropriate for individuals
- Delayed discharge and limits to community supports
- The Mental Health Act as a source of protection for people's rights

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Paper 1: The work of this group

	Action	Action for	By this time
A	Some things that you need to know before you read this paper		
	Send out description of 'highest attainable standard of health' in context of the right to mental health	Secretary	31 st August 2018
	Consider how to explain the right to mental health in the context of the Act, which permits detention for 'mental disorder' without mental illness	Review team	31 st August 2018
B	The Review's approach		
	The group supported the Review's Human Rights Based Approach and the Review's model of disability		
C	What the Review has to do		
	No new actions		
D	The Review's governance		
	Consider giving 2 weeks for comment on Advisory Group notes	Secretariat	29 th June 2018
E	Terms of reference for the Law and Policy Advisory Group		
	These were accepted by the group.		

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Paper 2: Plans for Stage 1

	Action	Action for	By this time
A	Where the Review is at now		
	Look for suggested interview software	Secretariat	31 st August 2018
	Evidence from children: consider transition to adulthood	Review team	31 st August 2018
	Consider working with the Mental Welfare Commission and Mental Health Tribunal to reach people with lived experience and their carers	Review team	31 st August 2018
B	Some things that we need to think about for our evidence		
	No new actions		
C	Evidence for the Review		
	No new actions		
D	What we will seek evidence on at Stage 1		
	When planning for gathering evidence, plan to make evidence gathering as representative and independent as possible	Review team	Ongoing
E	How we will work with the evidence that we get		
	No new actions		
F	The second meeting of this groups, and the Review's timescales		
	No new actions		