



## Paper 1: Update

This paper is for **Session 1** of the **Advisory Group** meeting.

### What is in this paper

This paper tells you what is happening in stage 2 of the review. You can ask questions as we go through this paper at the meeting.

After we go through the paper, there will also be time for questions.

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## A. Update from the Chair

The meeting will start with Andy speaking for a short time.

## B. Update on stage 1

A short report about what people told us in stage 1 should be ready by the end of May.

We took all the suggestions that people gave us and all the key things people told us and we used these to create **outcomes** and **examples**.

We used these outcomes and examples to guide our discussions with different organisations in stage 2.

### Outcomes

We discussed a draft version of these outcomes at our last advisory group. We made changes to the language of some of the outcomes after we met, based on evidence from stage 1.

The version that we used in stage 2 is on our website.

Here is the link: <https://www.irmha.scot/wp-content/uploads/2019/03/List-of-outcomes2.pdf>

Some of the outcomes that we added came straight from people's experiences in stage 1. For example:

The law makes sure that reasonable adjustments are made for people

People can have someone they can talk to, in private, who they can trust

For people who cannot communicate their will and preferences, all decisions include knowledge and understanding of the person's will and preferences.

## **Examples**

A copy of the examples paper we produced has been included with these papers for you to see.

## **Data**

At the advisory group in October 2018 we asked you to suggest what sort of data we should ask for. We followed up on your suggestions and asked for this data, and other data that we need.

We have received some data. We are waiting for some data. Some data cannot be given to us.

Our final report will include some of the data that we get.

## **C. Update on stage 2 meetings**

On the next pages is information about the stage 2 meetings we have had.

Catherine will talk for a short time.

She will tell you what organisations and experts we have met with so far, and about who we will meet with next.

Catherine will tell you about how we will use the suggestions that we get.

## 1. Meetings with organisations



We have met with **17** organisations of people with lived experience.

We will have **two more** meetings before the end of stage 2.

**7** of the meetings we have had were with organisations of people with learning disability

**4** meetings were with organisations of autistic people

**2** meetings were with organisations of both autistic people and people with learning disability

**4** meetings were with organisations of carers



We have met with **21** professional organisations

**6** meetings were with third sector organisations (charities)

**9** meetings were with organisations for professionals

**3** meetings were with public sector organisations

**2** meetings were with human rights or monitoring organisations

**One** meeting was with the Mental Health Tribunal for Scotland

## 2. Meetings with experts

In total we will have met with **22** experts by the end of stage 2.



In **Scotland**, we met with:

Three people from three Health and Social Care Partnerships.

An expert on why people spend a long time in hospital far away from home

One person who runs a different tribunal system

We will meet with another person who runs a different tribunal type system.

We will meet with another person who is expert about public health and psychiatry of intellectual disability



In **England**, we have:

Visited a hospital that has 'Responsible Clinicians' who are not doctors and has a specialist unit for autistic people.

We have spoken with experts in England on:

Mental health law and capacity law

Reducing the use of psychotropic medication

Monitoring mental health services

Reducing compulsory care and treatment through joint planning for crises



We spoke with people in **Northern Ireland** about:

Mental health law and capacity law

Support for people in the criminal justice system



We spoke with someone in the **Republic of Ireland** about a new law for supported decision making.



We spoke with someone in **New Zealand** about law for people with intellectual disability (learning disability).



We spoke with someone in **Canada** about Supported Decision Making.



We spoke with someone in **Switzerland** about ways of understanding 'disability' that fit international human rights standards



We spoke with someone in **Australia** about mental health law and capacity law.

Last year, we met an expert from Australia about mental health law in Victoria state, because they were in Edinburgh.

### **Experts with lived experience**

We invited three experts with lived experience from other countries to meet with us. No-one accepted the invitation.

### 3. Collaborative meetings



We are having **4** collaborative group meetings in May.

In each of these meetings, we will have a balance of people with lived experience and professionals, and the review team.

At these meetings we will work through some of the new and complex suggestions that we might consult on in stage 3.

We are having meetings about:



**How decisions are made about care and treatment**



**How decisions are monitored and governed**



**How criminal justice can be fair and helpful for the person**

There will also be a meeting in June where we meet with **experts on the law.**

## **D. What we will do with stage 2 evidence**

We took notes of what people told us in stage 2.

We wrote down all of the suggestions that people made about how the law could promote and protect people's human rights.

We will bring all of these suggestions together so that the review team can consider them all. For most meetings, all members of the review team have been at the meeting.

The review team will discuss what suggestions we think would be most effective at promoting and protecting people's human rights.

The suggestions that we think are best will go out for consultation in stage 3.

## **E. Questions from advisors**

In this part of the meeting, if you want to, you can ask us about anything.

For example, you might want to know more about the experts and organisations that we have met with.

You might want to know more about what we have learned from some experts.

We cannot give you our opinion about what we have heard, but we can tell you about what we have heard.