



Paper 2: Stage 3 of the review

This paper is for **Session 2** of the Advisory Group meeting

What is in this paper

This paper explains what has to happen in stage 3.

The paper says how stage 3 fits in to the rest of the review.

We will ask for your suggestions on how to do stage 3.

You are welcome to ask us any questions.

You can make any comments or suggestions that you want to make at the meeting, and for **up to two weeks** after the meeting.

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A: Stage 3 and other parts of the review

Stage 1: September 2018 - February 2019

We heard about people's experiences
We collected stories about people's experience of the Mental Health Act



Stage 2: March 2019 - July 2019

We are working out what needs to change and what needs to stay the same in the Mental Health Act.
We are doing this with people with lived experience and professionals



Stage 3: August 2019 - November 2019

We will tell everyone what we have found out.
We have to ask everyone what they think about what should stay the same and what should change in the Mental Health Act.



Reporting: December 2019

The Executive will write and agree the report and recommendations.
The Chair will make these recommendations to the Minister for Mental Health

B. Times for stage 3

The detailed times for stage 3 are shown in the shaded boxes in the table below. Our fifth meeting will now be in August.

Months	Stage	Tasks for the Review	Advisory group meetings
June to August 2018	Developing tools, testing approach		First meeting
September to November 2018	Stage 1	Consultation	Training (optional) Second meeting
December 2018 to January 19	Stage 1	Analysis and reporting	Third meeting
February 2019	Developing tools		
March to May 2019	Stage 2	Consultation	Fourth meeting
June to July 2019	Stage 2	Analysis and reporting	
July to August 2019	Developing tools		Fifth meeting in August, not June
August to November 2019	Stage 3	Consultation, analysis and reporting	
December 2019	Report to Minister		Sixth meeting

C: How stage 2 will affect stage 3

Stage 2 was about what should happen **in the future**.

Stage 3 will be about what **people think about the options**. The 'options' will be the suggestions that the review team choose and give to people for consultation.

Stage 2 gave us evidence about how the law **could be better at promoting and protecting human rights**.

Stage 3 will give us evidence about how changes to the law **could make things better, or could make things worse**.

At the end of stage 3 we need to **understand what people think about the options for mental health law** for autistic people and people with learning disability from Scotland.

On the next pages, you can see how the review's remit fits in to stage 2 and stage 3.

Stage 2 – how could things be better	Stage 3 – what changes to the law could make things better
<p>We are looking at how can people be better served by the Mental Health Act</p> <p>We are looking at how people’s human rights can be better promoted and protected by law</p> <p>We are thinking about what can be changed in mental health law to better promote human rights.</p>	<p>We may suggest some changes in the law</p> <p>People will say whether they think the changes would meet people’s needs or not.</p> <p>People will say whether they think that changes would better promote and protect people’s human rights or not.</p>
<p>We are looking at the issues that are most important to people</p> <p>We are looking at how these issues affect people’s human rights.</p>	<p>We may suggest some changes in the law.</p> <p>People will say whether or not they think the changes we suggest are about the issues that are most important to them.</p>
<p>We are looking at how prescribing of medicine can better promote human rights</p>	<p>We may suggest some changes in the law.</p> <p>People will say whether or not they think these changes will promote human rights in prescribing of medication.</p>

Stage 2 – how could things be better	Stage 3 – how changes to the law could make things better
<p>We are looking at how the role of psychology in the Mental Health Act could change to better promote human rights.</p>	<p>We may suggest some changes in the law.</p> <p>People with will say whether or not they think these changes will promote human rights in the use of psychology, and the role of psychologists.</p>
<p>We are looking at how the Mental Health Act and Criminal Justice System should interact, to better promote human rights.</p> <p>We are thinking about how the criminal justice system would be affected by any change in the law that we suggest.</p>	<p>We may suggest some changes in the law.</p> <p>People with will say whether they think these changes will better promote human rights for people involved in the criminal justice system.</p>
<p>We are looking at whether the definition of “mental disorder” should change in the Mental Health Act to better promote and protect human rights.</p>	<p>We may suggest some changes in the law.</p> <p>People with will say whether they think that any changes in to the definition of “mental disorder” will better promote and protect human rights.</p>

D. What the review has to do in stage 3

The time and resources that we have for stage 3

We will have two months to consult in stage 3.

It will take until the end of August to set up the consultation for stage 3.

The consultation will be open from the last week of August until the last week of October

At the end of October, we will need to analyse what people have told us in stage 3.

In November, we need to think through what people have said to us in stage 3. We have to make sure that the things people tell us can have an effect on the report and recommendations.

We will need a lot of time to create the report. We must finish the report in December.

We have asked Scottish Government to pay for more support for the review in stage 3.

Meetings that might be needed in stage 3

The executive might need to meet with some organisations or individuals in stage 3.

After the executive has decided what options to consult about, the executive will be able to decide what organisations or individuals to meet with. Those meetings might need to be in September.

For example, we might consult about an option that would have a big effect on how one professional group would work in future. We may need to meet with that group to really understand how the suggestion could affect them.

If we decide to consult about an option that is complex in the law, we might need to meet some experts in that area of law.

In the consultation, some organisations or individuals might tell us that they have big concerns about some of the options.

In November, after the consultation finishes, we may need to meet with some organisations or individuals to make sure that we understand their concerns.

E. Your suggestions for stage 3

Catherine will talk about this before we begin.

The aim of stage 3 is to understand what people think about our options for mental health law.

We would like to talk with you about how we can help people and organisations to be ready to take part when stage 3 starts.

We would like to talk with you about how people can get the information and support they need to take part in stage 3.

Catherine will remind you about the sort of information and support that people had in stage 1 and stage 2.

There is a list of questions to think about on the next page.

In your smaller advisory groups we will ask you to share your ideas and discuss them together.

Please write down everyone's ideas and comments.

It's OK if you don't have any ideas. You can listen to other people and make comments and suggestions in your group. Or you can suggest things after the meeting by email or phone.

Things to consider:

The options in stage 3 will be complicated.

People will need time to understand the information.

We have two months to complete stage 3 consultation.

We will need to hear from people with lived experience and professionals.

Stage 3 will focus on the law, not on people's experiences.

We will ask people to tell us what they think about the suggestions for law.

Questions sheet

Do you think that we have the right **aim for stage 3**?
Our aim is to understand what people think about our options.

Was there **anything that we did in stage 1 or stage 2** that could help people to take part in stage 3?

What do you think we should do in stage 3 that would be **new or different** from stage 1 and stage 2?

In stage 3 we will have to talk about some complex changes to the law. In stage 3, how could we include **people who do not use speech to communicate**?

If you have made suggestions about things that we could do in stage 3, then you could answer these questions too:

My suggestion is: _____

What are the **good things** about your suggestion?

Is there **anything that might stop your suggestion** from working?

Do you know about any **examples of your suggestion** being done for another project that we can learn from?