



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

What the words mean

Here are some common words and terms used in the Mental Health Act. Some of them are words we use in this review.

If there are other words which you would like us to explain please tell us and we will add them to this list.

Advance statement: when you write down how you would like to be treated if you become ill in the future.

Independent Advocacy: getting support from another person to help you share your views and support your rights.

Appeal: means you ask the court or the tribunal to change their decision.

Autism: a lifelong condition that affects how people communicate, how people relate to other people, and how people experience the world around them.

Capacity: being able to make your own decisions.

Criminal Justice: the system and services provided for people who have committed crimes.

Compulsory treatment order: means you have treatment even if you do not want it.

Detained: being kept in hospital under the Mental Health Act. There are different types of detention, with different rules that keep you in hospital.

Emergency detention certificate: you can be kept in hospital and given treatment for no more than 3 days.

Evidence: information that tells us something about how well the law promotes and protects human rights.

Forensic: this is when mental disorder and criminal justice are looked at together. A forensic patient is detained under the Mental Health Act, and will also have committed a crime.

Guardian: someone appointed by the court to make decisions for you if you are unable to decide for yourself.

Human Rights: these are basic rights and freedoms that belong to every person in the world.

Legal aid: means that you can get help to pay for a solicitor if you cannot afford it. A solicitor should tell you how to apply for legal aid.

Independent advocate: someone who helps you say what you think about your treatment. They are called 'independent' because they are not tied to other services. Your doctor, hospital or social work department should help you find an independent advocate.

Learning disability: a lifelong condition that affects how people understand information, learn skills and live independently.

Lived Experience: personal experience of mental health issues or a learning disability.

Mental disorder: is the word used in the law to describe someone who has:

- a mental illness
- learning disability
- a personality disorder.

Mental Health: the way you think, feel and behave. You can have a mental disorder and still have good mental health.

Mental Health Act: this is the law which says how you can be treated if you have a mental disorder. It also says what your rights are.

Mental health officer: a specially trained social worker who helps people who have a mental disorder. He/she should tell you about your rights and make sure you get the care you need.

Mental Health Tribunal: the organisation that decides about the compulsory treatment of people with a mental disorder.

Mental illness: a serious problem with mental health. The most common mental illnesses are depression and anxiety.

Mental Welfare Commission: the organisation that looks after those who need help because of a mental disorder. They make sure all treatment follows the law. You can speak to them at any time if you are unhappy about your care and treatment.

Named person: someone you choose to look out for you if you have to have treatment. They help to make decisions about your care and treatment.

Parole: when someone is released from prison early but still watched by people looking after them.

Primary carer: the carer who gives you all or most of the care and support.

Professionals: people whose job is to provide services to care for and treat other people with mental health problems.

Public Services: facilities run by the government for the community.

Remit: a list of things that need to be spoken about and reported on.

Restraint: making someone do something they don't want to do or stopping someone doing something they want to do. This could be being held down, being given medicine or being put by yourself, away from other people.

Scottish Government: a group of people in charge of making the rules that people living in Scotland have to follow.

Short-term detention certificate: this means you can be kept in hospital and given compulsory treatment for up to 28 days.

Tribunal meeting: a meeting where a group of people decide about the compulsory treatment of people with a mental disorder, this is called a hearing.

United Nations: a group between countries that want to make sure people are treated equally.

Unpaid carer: a person who gives care and support without being paid. This is usually a member of your family or a friend.

Voluntary patient: this is someone who agrees to have treatment for their mental disorder.

Welfare attorney: someone you choose to decide about your care and treatment if you become ill and cannot decide for yourself.

Witness: someone who checks and signs your advance statement.