



the coalfields
regeneration trust



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Olga Lewis
Deputy Committee Clerk
Proposed Mental Health LCO Committee
National Assembly for Wales
CARDIFF BAY CF99 1NA

Dear Olga Lewis

**Proposed Provision of Mental Health Services LCO Committee
The National Assembly for Wales (Legislative Competence)
(No 6) Order 2008 (Relating to Provision of Mental Health
Services)**

I am writing on behalf of Rhymni Valley Mind in response to the invitation from Mr David Melding AM, Chair of the above Committee, to comment on the terms of the proposed Legislative Competence (No 6) Order 2008.

I should perhaps point out that Rhymni Valley Mind has always taken a keen interest in national policy issues in the field of Mental Health. We were one of the few Local Mind Associations throughout England and Wales that submitted detailed comments on proposals for a new Mental Health Act and indeed a member of the Parliamentary Scrutiny Committee on the original Bill visited us to discuss our concerns. Our members are predominantly users or former users of mental health services, but also include a retired Senior Social Services Officer (Mental Health) and an NHS District Health Manager with a special interest in Mental Health.

We very much welcome the National Assembly's intention to legislate separately for Wales on the issues covered by the draft Order.

We are concerned, however, that the draft refers only to the health service in Wales which seems to assume that only a clinical response is appropriate for persons who are or may be mentally disordered. This runs counter to current best practice which is that a holistic approach is required. Many people who are mentally disordered require non-clinical support services, without which their medical recovery - let alone their ability to achieve optimum social functioning - is likely to be severely hampered.

We would therefore recommend that, if constitutionally possible, the draft Order should be amended

- a. to provide for a joint assessment of needs by health and social services agencies, and
- b. that a duty on health and social services authorities to provide appropriate short or long term social support be added to the duty to provide treatment.

We do not see a need for the above powers to be applied to persons detained or treated under the Mental Health Acts. However, we are concerned that the Health and Social Care Bill currently passing through Parliament seeks to abolish the Mental Health Act Commission, which in our view provides an essential safeguard for detained patients. We very much hope that if the Bill is enacted, the Minister for Health in Wales will use the powers it proposes to confer on her to establish a Mental Health Act Commission for Wales or some other independent body with powers in Wales identical to those of the present Mental Health Act Commission. If that is done, we feel the interests of patients coming within the terms of the Mental Health Acts will be sufficiently safeguarded.

We would be very happy to give oral evidence to the Committee on any of these issues if invited.

Yours sincerely

Margaret Roberts

Margaret Roberts
B.Sc.Econ (Social Administration)
Hon Secretary