

## **Scottish Mental Health Law Review**

### **Economic, Social and Cultural rights group**

#### **Note of First meeting, 8 July 2020**

Present: Colin McKay, Graham Morgan, Chloe Trew, Joanna Higgs, Anne O'Donnell, Wendy Halliday, Katie Boyle  
Kirsty McGrath, Nicola Paterson (Secretariat)

#### **Aim**

To have a detailed set of proposals for reform by the end of the Review, with a clear direction of travel by December's interim report. The group's task was to identify key recommendations by December in the area of economic, social and cultural rights. A focus on ESC rights was in the original ministerial announcement of the Review and is a very important aspect of its work.

#### **Areas for consideration**

- The extent to which services are taking account of individual needs
- Issues around transition processes from child to adult and adult to old age psychiatry
- The amount spent on mental health services compared to physical health services
- What are acceptable standards of rights?
- International Human Rights Law and the right to effective remedies considering the process before, during and after treatment
- Decision making accountability
- New duties in social security legislation

#### **Approach**

- Identify research already available in relation to the areas for consideration
- Identify and consult stakeholders who can contribute to these areas of work
- Mini consultations on specific areas with lived experience

#### **Actions**

- Agree the terms of reference based on the discussion in the meeting and distribute this for comment.
- To revise and circulate redraft of terms of reference which replaces reference to 2003 Act, and includes reference to accountability framework.
- Chloe to conduct a session for the group on what exactly are economic, social and cultural rights.

- Colin, Graham and secretariat to flesh this out and seek views by email.
- Secretariat to arrange next meeting for early August.

Secretariat to Mental Health Law Review  
8 July 2020