

Minute of the Compulsion Workstream

23rd February 2021

Video Conference Meeting

Attendees: Graham Morgan, John Scott, Neil Robertson, Roger Smyth, Michael Craggs, Laurence Nicholson, Jennifer Whyte, Laura Dunlop.

Secretariat: Kirsty McGrath, Nicola Paterson.

1. Introductions

Graham and the rest of the team introduced themselves

2. Update on review;

- The interim report was published in December and is available to read on the website.
- We will have a new member joining the Secretariat team in April.

Planning for our future meetings:

We will discuss each area from the papers sent out and have papers circulated prior to each meeting for consideration.

Review of Evidence

For consideration by the group

- Subsequent mission? Feel a lot of people are bouncing about the system
- What degree of people are being let out early?
- What degree of people aren't getting help in time?
- Accounts from service users, carers, professionals

Things we need to look at:

- Short term detention orders
- Shortage of MHOs – in certain areas
- Why are people being put on detention orders?
- Risk averse
- Millan principles
- Restraint and seclusion

The Mental Welfare Commission will have good data on the powers requested via CTO applications from Tribunal.

Once we get past the question of compulsion in law we then need to think about the criteria of compulsion in law. Risk drives decision making.

The group discussed whether there were particular groups of people the current law works better for.

The group agreed that there was a need to look at people who are discriminated against due to their identity. It was also highlighted that there were barriers between education / class, many people feel that if they don't have a the knowledge / education then they cannot communicate with the professionals.

The group discussed how they could enable a conversation to spark the issues of where relationships and communication in the law doesn't work?

- Education
- Class
- Identity
- BME

The group agreed that relationships are key to sustaining engagement and it was suggested that it would be a good idea to have a post discharge engagement as it gives the person time to reflect and think about their experience and provide feedback.

The group decided to obtain testimonies for individuals to support this research and discussed who they might speak to for this purpose.

The group also discussed the divergence in views from family members, patients and professionals.

The group then went onto discuss whether compulsion was necessary and if so, whether this could be done better. In determining this, the group decided that they would need to consider:

- Alternatives of compulsion
- How other countries have approached this, such as Finland
- What options there are when someone is at a crisis point.
- Whether resources has an impact

It was suggested that the group look at the evidence from the Royal Psychiatrists and question why compulsion was given.