

Economic, Social & Cultural Workstream

08/03/21

Minute of the ESC Video Conference Meeting – 08 March 2021

Attendees: Colin McKay, Graham Morgan, Chloe Trew, Joanna Higgs, Anne O'Donnell, Wendy Halliday

Secretariat: Kirsty McGrath, Nicola Paterson, Adele Farwell

Apologies: Jennifer Campbell

Note from previous meeting

Clarified that Anne had agreed to provide a note of collective advocacy groups in Edinburgh, not nationally; Subject to that correction, the note was approved.

Action Points:

- The full list of stakeholder groups has still to be circulated by the Secretariat.
- About 10 peer support and collective advocacy groups have been contacted.
- EHRC meeting has happened, and Sisco details are with Secretariat. Chloe will chase up her Welsh contacts.

Update on the review

- Kirsty outlined current plans and recent appointments to the review
- Noted that the advisory groups are in place until the next Report in June.
- What happens after that has still to be decided.

Work Plan

Engagement events with peer support and collective advocacy

Groups have been contacted and meetings likely to happen in April

Action: Consult with expertise on protected characteristics, dementia, learning disability and autism

- EHRC meeting held on 15th February and note circulated with follow up actions.
- Public Health Scotland to be contacted soon, including to advise on previous engagement and evidence around equality issues. Wendy advised that the SG Director of Mental Health recently chaired a meeting of equality organisations to review how well the mental health recovery plan addressed human rights and equality. Some of the issues will overlap, and it might be possible for us to draw on this network. Secretariat will follow up internally.

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The group then considered who would be classed as key groups in this area.

Academic analysis

Colin confirmed that we had a very helpful discussion with SHRC and we have now appointed someone to take forward this work internally, alongside other policy analysis, particularly around compulsion.

Engagement with National Taskforce for Human Rights Leadership

It is anticipated that this report will be published on Friday.

This will be an important basis for our consideration of what can be done in mental health law and policy.

Review Welsh Mental Health Measure

Details provided by the Royal College of Psychology have been circulated to the group.

Map out provisions for collective advocacy

As above, this has been done to support further engagement

Work with MWC to review its power and responsibilities

Isla Jack, currently secretary of the Review of Forensic Mental Health Services, will be joining the Scott Review in April, and will lead on work on accountability and safeguarding, including this.

Reference Groups

- The Reference Groups will be given issues and proposals from the workstreams to test out.
- There was no urgency for this group to submit a proposal as the first meetings will be focusing on issues around compulsion.
- It's likely that our proposals would be around options for enshrining ESC rights in law. The options will be influenced by the recommendations of the Taskforce, in relation to incorporation of ESC rights and the CRPD.
- There are issues which may be particularly relevant to mental health law, for example what support and aftercare should be available following detention. At the same time, many of the most significant areas where rights are not upheld are not about MH detention, but wider issues such as welfare benefits and housing. We need to explore how those wider issues can be addressed – some of them are specifically related to the experience of in-patients (e.g. losing access to benefits for several weeks following discharge) and others were wider issues which also affect other groups, particularly people with disabilities.
- Noted that in some areas we already have progressive legislation, and duties such as the Public Sector Equality Duty, but there is a huge implementation gap compared with people's actual experience. Services can be cut without local authorities being aware of the need to consider equality issues.
- Also important to consider prevention, and factors which may cause mental ill-health such as financial insecurity.

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- Agreed that we should discuss these issues in some detail at the next meeting, and draw together the individual insights of group members on what needs to be done. Everyone was asked to reflect on these issues and in due course on the Taskforce report before the next meeting.