

# Scottish Mental Health Law Review

## **Executive Team Meeting - Teams**

**Tuesday 15<sup>th</sup> February 2022**

**Attendees:** John Scott, Jill Stavert, Colin McKay, Graham Morgan, Karen Martin, Alison Rankin

**Secretariat:** Kirsty McGrath, Simon Webster, Isla Jack, Morag Peberdy, Fiona Scott, Shaben Begum, Sandra McDonald

**Minutes:** Fiona Scott

**Topic of Discussion for Meeting: Voluntary Decision Making and 'Mental Disorder'**

### **1. Minutes of previous meetings**

Minutes from 01 Feb 2022 and 08 Feb 2022 approved

### **2. RCPsychS event - 17<sup>th</sup> Feb**

Responsibilities for the event were confirmed:

### **3. Scrutiny Meeting - 24<sup>th</sup> Feb**

IJ confirmed:

- CM will chair the meeting
- Cathy Asante will chair one of the breakout groups
- Secretariat cover for the meeting is sorted
- One or two representatives from ET to attend

### **4. Reference Groups - 4<sup>th</sup> & 7<sup>th</sup> March**

A decision was made to postpone both reference group meetings until after the release of the consultation.

**Action Point: Secretariat to draft an update and circulate to the reference groups**

## **5. Napier Webinar**

JS requested ET availability for the event and explained that the webinar is for general information and will be in a format that should be accessible.

**Action Point: Secretariat to arrange date at the end of March**

## **6. Draft Consultation**

- This week will be used to revise the chapters and the next version will be circulated on Monday 21<sup>st</sup> February. The next two ET meetings will be dedicated to going over the consultation. Some of the feedback received so far will be simple to address and some will need further discussion to decide how to approach in the consultation.
- Secretariat are arranging engagement with LD and Autism groups.
- Secretariat have interviewed for a Research Assistant to assist with the analysis of the consultation along with other research gathered during the Review.

## **7. SASW event 23<sup>rd</sup> Feb**

SASW are holding an event next Wednesday and have a 20 minute slot available for a guest speaker and they hoped someone from the Review would attend. JS agreed to attend and will utilise notes already provided for the RCPsychS summary.

**Action Point: Secretariat to respond to SASW email**

## **8. Feedback from RC Psych legislative group meeting 10<sup>th</sup> Feb**

CMc and JSt attended the discussion last week and agreed it went well as engagement.

## **9. Voluntary Decision Making and Deprivation of Liberty**

JSt gave a presentation on the Human Rights Enablement Assessment to illustrate how it fits together as part of an assessment framework. The topic was discussed at length to reach a position for the consultation paper.

### Deprivation of Liberty

The Secretariat said that Definitions of DoL have not yet been discussed and requested the position of the ET.

Discussion included a consideration of the authorisation needed for the restriction of rights including non-consensual treatment but also any other restrictions of rights and freedoms. It was agreed that the rights of appeal and the right to review will be included in the chapter that is currently being drafted.

## **10. Conclusion of Meeting and next meeting**

Based on the assessments framework there is the need to consider the definition of Mental Disorder for consultation. Criteria for DoL is still needed and seems to be still coming back to diagnosis decisions will be needed next week. The RCPsychS meeting may help to thresh out some ideas. This along with other specific issues from the consultation drafts will be considered at the next meeting.

## **11. Date of Next Meeting**

22<sup>nd</sup> February 2022