



Mental Health Advocacy - Individual Rights to System Change

**Richard Walsh – Associate Director of Advocacy
Rethink Mental Illness**



Happy 30th Richmond Foundation





Rethink Mental Illness

Formed over 50 years ago by a group of inspiring people who were caring for a loved one living with schizophrenia



Rethink

Advocacy

Rethink Mental Illness 2003

Expert Advice

Crisis Helplines

Information & Training

Volunteering

140 Local Peer Support groups

National Campaigns

Policy & Influencing

Co-Production/Involvement

&

Nearly 100 services providing homes, community support, criminal justice support and **advocacy**

Advocacy at Rethink

- Supporting people across England
- Delivering the full range of advocacy – not just mental health
- Independent operating arm of the wider organisation
- Separate brand and logo to maintain independence from other services

What is advocacy?

Advocacy is taking action to help people say what they want, secure their rights, represent their interests and obtain services they need

Advocates and advocacy schemes work in partnership with the people they support and take their side

Advocacy promotes social inclusion, equality and social justice

What is advocacy?



How do advocates work

Informed choice/Instruction



Human/Equal/Legal Rights



Rethink

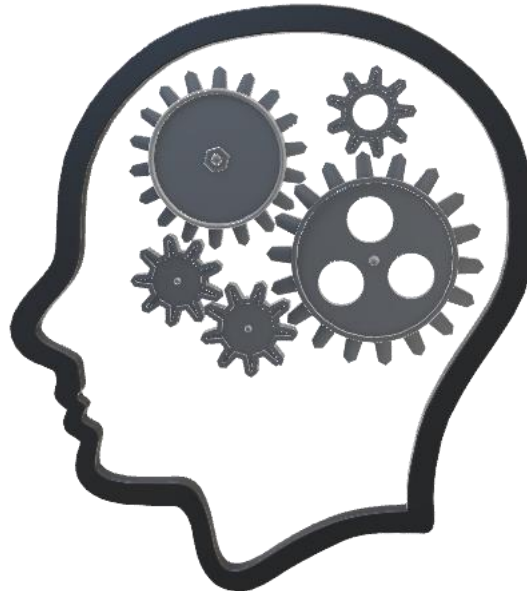
Advocacy

My Journey into Advocacy

Studying Social
Policy
1991

Frontline Care
1993 – 2001

The Dream Job
2001



History of Advocacy in the UK

1970's

Social Movement

Nothing about me without me

2000's

The Childrens Act/Leaving Care Act

Mental Capacity Act/Mental Health Act/Care Act

2023

Revised Mental Capacity Act?

New MH Act?

Advocacy – a legal right

Advocacy available by Law for Adults in England

Mental
Health Act
1983
(amended
2007)

Mental
Capacity
Act 2005

The Care
Act 2014

NHS
Complaints
Regulations
2009

Independent Mental Health Advocates or IMHA's

Who gets to use advocacy by law:

- People detained under sections of the Mental Health Act
- People who are conditionally discharged
- People who are on Guardianship orders
- People who are on Supervised Community Treatment Orders (SCTO's)
- People being considered or receiving Electro Convulsive Therapy (ECT)

The role of an IMHA

The IMHA provides information and choices to the person about:

- Their rights under the Mental Health Act
- Any conditions or restrictions that affect the person
- The medical treatment the patient is receiving or which is being proposed
- The legal authority for providing such treatment
- How to challenge decisions; including a tribunal review

Successes for people

“I felt emotionally supported and properly understood for the first time ever in hospital. I felt they went the extra mile to understand my situation and took a great deal of time and effort to ensure that I felt safe and secure”

“It was about eighteen months ago that a very close friend of mine told me about the Rethink charity and gave me their phone number. I had felt so defeated and I was convinced that no-one could help me. The Community Advocate picked this up immediately. This first call started a journey between this lady and me. I cannot overstate the amount of clear information, encouragement and motivation that I received. I slowly but surely noticed that my attitude changed and my confidence to deal with my issue using the information and support provided by my advocate grew more and more. Thank you Rethink and my advocate for your amazing service. it is so greatly appreciated”

Engagement in treatment

“Thank you for your constructive and helpful input with the patient doctor interface. I am sure that this has avoided some complaints and conflicts and led to (the patient) engaging with the treatment programme”

Responsible Clinician - 2023

A Chance for Wider Change

2017

- Prime Minister Theresa May sets up an Independent Review of the Mental Health Act to tackle “the injustice and stigma associated with mental health”

2018

- Focus groups established under Professor Sir Simon Wessely – Regius Professor of Psychiatry at King’s College London and president of the Royal Society of Medicine. Rethink invited to join **the advocacy focus group**

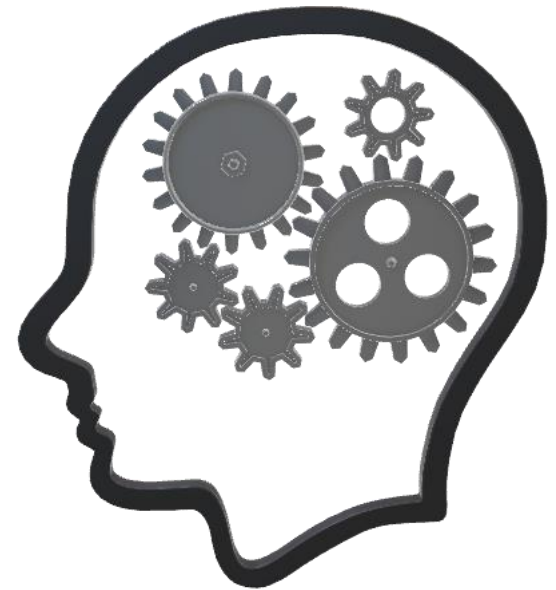
Advocacy Focus Groups

Patients Stories – voluntary patients

Unheard voices via advocates

Systemic challenges

Basic Human Rights



New Mental Health Act?

2018

- The Independent Review publishes its [report](#)

Jan 21

- The Government releases the [Mental Health Act White Paper](#) for consultation

Apr 21

- Rethink Mental Illness publishes [two commissioned reports](#) on the experience of people previously and currently detained under the Mental Health Act, as well as their carers and families

New Mental Health Act?

Mar 22

- The draft Mental Health Bill is announced in the [Queen's Speech](#)

Jun 22

- The [draft Mental Health Bill](#) is released

Jan 23

- [The Joint Committee report on the Draft Mental Health Bill](#) is released

Draft Mental Health Bill

- **Patient Choice and Control including Nominated person not nearest relative**
- **Advocacy by law for informal patients**
- **Culturally appropriate advocacy**
- **Advocacy for everyone – opt out**

Change fuelled by Advocacy

Richard Walsh and Marium Zulfiqar talk to the BBC Breakfast Team about the Mental Health Act and the recommended changes made by the Independent Review

https://youtu.be/Y8Jlw4Q7zHg?si=d5EFZHqURZ_Vobdy

Summary

- People are still unheard or disbelieved, even when very personal decisions are being made about them
- It helps protect dignity, equality, liberties and rights
- [Government statistics](#) published in March 2019 showed that Black people were more than four times as likely as white people to be detained under the Mental Health Act. Black Caribbean people had the highest rate of detention out of all ethnic groups
- It can lead to wider change

