

LIBERTY

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Summary of substantive policy discussions at Liberty Council meeting October 2017

Mental Health

The Advocacy and Policy Officer gave an overview of recent changes to law and policy, and Liberty's involvement, around mental health and mental capacity issues.

Council's views were sought on four proposals:

- The Mental Health Act (MHA) regime should take mental capacity into account in detention and treatment decisions; the so-called 'fusion law' proposal;
- There should be greater independent judicial safeguards on the use of forced treatment than the MHA currently provides;
- Qualified immunity for officials exercising authority under the MHA should be repealed;
- With regard to all of these issues, Liberty should highlight and consider specific action to address the racial disparity in detention and treatment.

The meeting considered that it was important to work on police interaction with people with mental health problems. The Director highlighted that Liberty had recently done significant work on police exercise of powers to detain people under the MHA.

Some members were concerned that this was a complex area and more research should be done, having sought the views of other expert organizations. The Director clarified that Mind and Rethink Mental Illness had been consulted on the paper to ensure that the proposed policy positions are consistent with the thinking of others in the sector.

The meeting felt that there was a lack of consensus on the issues at hand, and agreed that a meeting should be scheduled to allow more time to discuss this topic.