

# RIGHTS FOR LIFE

## CHANGE AGENDA



### WHAT IS THE RIGHTS FOR LIFE CHANGE AGENDA?

This Change Agenda accompanies *Rights for Life – A Declaration of Rights for Mental Health in Scotland*. It is intended to generate action to deliver the progressive realisation of the rights of people with mental health issues in Scotland today.

### HOW WAS IT DEVELOPED?

The Rights for Life Change Agenda has been drawn from key priorities outlined by people at the landmark Rights for Life conference in June 2015 and further online and face-to-face consultation up to December 2015. Around 500 people affected by mental health issues from around Scotland contributed directly to this development process.

### WHO IS IT FOR?

The Change Agenda is for people affected by mental health issues, who can use it to help claim their rights. The people and organisations responsible for respecting, protecting and fulfilling rights in Scotland can use it to inform their policy, practice and responses to people asserting their rights.

### WHY DO WE NEED IT?

While people affected by mental health issues have the same rights as other members of Scottish society they face significant barriers in realising them. These barriers are well known and widely documented. People with experience of mental health issues:

- Face unacceptably high levels of stigma and discrimination.
- Can die 20 years younger, are poorer on average and have fewer opportunities in life than the general population.
- Can have their rights legally limited as a consequence of poor mental health and laws designed to protect their rights are ignored with impunity.
- Are excluded from decision-making processes that affect their lives.
- Are denied access to timely, acceptable, quality care and support.

### WHAT DIFFERENCE WILL IT MAKE?

The Change Agenda is intended to provide solutions-focused ways for people with experience of mental health issues to realize their rights. It is just a start. There were many more inputs into the Rights for Life deliberations that require further analysis and development into concrete actions for change. The partners involved in getting Rights for Life underway are committed to continuing our support to help make rights more real in the lives of people affected by mental health issues in Scotland.

## RIGHTS FOR LIFE IS CALLING FOR:

### **1 A MODERN AND ACCESSIBLE MENTAL HEALTH SERVICE SYSTEM**

The components of a modern mental health system should encompass the promotion of good mental health across the population, the prevention of mental health issues developing and early intervention where they do. People should have access to timely and effective care and treatment and to support for longer-term recovery.

To achieve this in Scotland we are calling for:

- A root and branch review led by a high level commission to examine what people affected by mental health issues say they require through their life stages, what provision would best accommodate those needs and what resource allocation is required for its delivery. A coordinated and integrated approach needs to be taken to the review of provision, focused on the whole person and incorporating health, social care and protection, employment, education, housing and transport.

### **2 AN IMMEDIATE SCOTTISH GOVERNMENT COMMITMENT TO EMBED RIGHTS-BASED AND RECOVERY FOCUSED APPROACHES ACROSS MENTAL HEALTH POLICY AND STRATEGY**

A new Strategy for Mental Health in Scotland is currently being developed. We are calling for this Strategy to:

- Adopt a rights-based approach, as recommended by the Mental Welfare Commission and the Scottish Human Rights Commission and endorsed by the current Minister for Sport, Health Improvement and Mental Health, Jamie Hepburn MSP.
- Include the Commission outlined above to take place within the first 18 months of the new Strategy.
- Include an explicit commitment to the reduction of stigma and discrimination.
- Increase efforts to build mental health awareness education and learning across the life-span.
- Provide adequate resources to help eliminate the health inequalities experienced by people with mental health issues.
- Create a fully funded innovation programme to increase access to peer support, self-management and community-based approaches, and to scale up innovation.
- Include a new requirement on services to measure and demonstrate the impact of their care and treatment on people's rights and personal recovery.

### **3 A SHIFT IN THE BALANCE OF POWER**

People affected by mental health issues should be recognised as equal partners in the design of health and social care budgeting, policy, legislation and services at national, regional and community levels, as well as decisions about individual care, treatment and support.

To achieve this in Scotland we are calling for:

- A national programme of jointly designed and delivered capacity building in rights-based approaches and collaborative working across health and social care design and delivery. This will be aimed at managers, all practitioner groups supporting people affected by mental health issues, people in receipt of services and informal carers. Training should include 'soft' skills like safe disclosure, active listening, empowering approaches, coaching, mentoring and facilitation skills.
- The identification and promotion of best practice in co-production in mental health service redesign.

### **4 NEW MENTAL HEALTH LEGISLATION TO BE DEVELOPED IN LINE WITH THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES**

The UN Convention on the Rights of Persons with Disabilities (UNCRPD) promotes a human rights approach. This acknowledges persons with disabilities, including people affected by mental health issues, as subjects of rights and the State and others as having responsibilities to respect, protect and fulfil these rights. It treats the barriers in society as discriminatory and provides easily accessible avenues for persons with disabilities to complain and seek redress when they are faced with such barriers.

UNCRPD suggests that legislation allowing people to be compelled to receive treatment, at least in part, as a consequence of a psychiatric diagnosis, is discriminatory in that it does not allow equal recognition before the law. In support of this it proposes a shift towards supported decision-making over substitute decision-making. Current Scottish legislation is believed to contravene these principles.

To achieve this in Scotland we are calling for:

- A shift in policy and practice towards supported decision-making in all circumstances.
- A legal basis for positive obligations on duty bearers to respect, protect and fulfil economic and social rights, as well as civil and political rights.
- Stronger accountability mechanisms. This should include clarification of standards of care and what people should expect from services, more accessible and effective complaints systems and the routine proactive gathering of views and experiences from people in receipt of services that are reviewed and acted upon.

- Specific resources for overseeing implementation of this new rights-based policy into practice.
- Mandatory mental health education across the life-span but prioritising schools to support children and young people's understanding of mental health, reduce stigma and discrimination and encourage timely and effective help-seeking.

FOR MORE INFORMATION VISIT [WWW.RIGHTSFORLIFE.ORG](http://WWW.RIGHTSFORLIFE.ORG)

