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SIKH HUMAN
RIGHTS GROUP

CALL TO ACTION

**WHAT IS THE
DRAFT MENTAL
HEALTH BILL 2022
AND WHY IS IT
IMPORTANT?**



**SIKH
NEURODIVERSITY
NETWORK**



The draft Mental Health Bill 2022 is an update to the existing Mental Health Act 1983, which outlines the laws surrounding the treatment of individuals requiring urgent mental health treatment.



In such cases, individuals who are deemed a risk to themselves or others can be detained under the Mental Health Act 1983 to receive urgent mental health treatment in an inpatient facility. Inpatient facilities are hospitals specifically dedicated to providing urgent care for those experiencing a mental health crisis.

Individuals can also be treated in their local community. However, they may still be recalled to hospital for assessment and/or treatment under a Community Treatment Order (CTO).

Concerningly, the amount of people being detained or 'sectioned' under the Mental Health Act 1983 has dramatically increased by 40% in the last decade.

In the United Kingdom, between 2020–2021, it was used over 50,000 times.



Mental Health Act 1983

WHAT DO THE STATISTICS SHOW US?

Included in the overall rise of detentions, is an increasingly higher number of individuals from minority groups.

- Latest figures from January 2022 report that individuals with Autism and/or learning disabilities make up around **2,000** of those currently detained.
- Black people are almost **5 times** more likely to be detained than white people.
- People from a mixed ethnic background are **3 times** more likely to be detained than white people.
- Detentions in the most deprived areas are more than **3.5 times** higher than in the least deprived areas.
- Young people are more likely to be detained, with over **4,000** of those detained between 2020 and 2021 between the ages of 18 - 24.

These shocking figures have led to concerns being raised by various stakeholders that the Mental Health Act 1983 may be being used improperly, particularly in regard to individuals from minority groups.

Alongside this, patients who have been detained have also reported that they are not or were not being treated with kindness, respect or dignity.

Patients with lived experience have reported:

- Being detained for elongated periods of time. Individuals can be detained for up to 28 days before requiring a further assessment, however many are detained for months, or even years.**
- Not being allowed, or able to, provide input into their treatment plan or care.**
- Being unable to nominate the dedicated person who has the power to make decisions on their behalf.**
- Being subjected to improper treatment methods including sedation, restraint or forced isolation (which can be particularly distressing and damaging for those with Autism or learning disabilities).**

Research findings show that individuals being unfairly targeted and receiving improper care can lead to:

- **Decreased trust in mental health services.**
- **The worsening of mental health symptoms.**
- **Increased risk of further admissions into inpatient facilities.**
- **Increased risk of individuals not engaging in treatment plans and reducing the likelihood of them seeking mental health support in the future.**



WHAT ARE THE PROPOSED CHANGES?

The proposed changes included in the draft Mental Health Bill 2022 include:

- Ensuring that patients who suffer with mental health conditions have greater control over their treatment and receive the dignity and respect that they deserve.
- Making it easier for people with learning disabilities and Autism to be discharged from hospital.
- For individuals to receive more personalised care, with more choice and influence over their treatment and a greater focus on their recovery.
- Address the existing disparities in the use of the Act for people from ethnic minority backgrounds – especially for detentions and for the use of Community Treatment Orders.
- Ensuring that detentions only happen where strictly necessary.



HOW CAN YOU GET INVOLVED?

Here at the Sikh Human Rights Group (an NGO with Special Consultative Status at the United Nations) and The 1928 Institute (a not-for-profit University of Oxford spin-out), we are keen to ensure that everyone is able to receive fair and proper treatment, especially when they are experiencing mental health difficulties or are increasingly vulnerable.

We place particular importance on supporting the voices and rights of minority groups, including those with Autism and learning disabilities – groups that research suggests are at an increased risk of discrimination, unfair and possibly harmful treatment procedures.

However, the most important aspect of any proposed change is gaining feedback from individuals with lived experience of Autism, learning disabilities or the current operation of the Mental Health Act 1983 on these proposed reforms.

Gaining your feedback on the proposed changes will allow us to advocate for the most appropriate amendments based on the lived experiences of those directly impacted by Autism, learning disabilities and the current operation of the Mental Health Act 1983.

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You can learn more about the draft Mental Health Bill 2022, the experiences of those with Autism, learning disabilities or those from minority backgrounds, as well how to share your experiences and to get involved by visiting the website links below:

- [Independent Survey from the Sikh Human Rights Group and The 1928 Institute on the Draft Mental Health Bill 2022](#)
- [Government survey on the Draft Mental Health Bill 2022](#)
- [The National Autistic Society's campaign for improving care for autistic people.](#)
- [Reports from individuals with Autism and/or learning disabilities on their experiences of inpatient care, from the National Autistic Society.](#)
- [Information and support for individuals from BAME communities experiencing mental health difficulties.](#)
- [Report from The 1928 Institute on disparities in mental health treatment.](#)