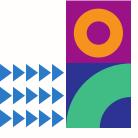


Legislative reform – MHA and MCA

- Pieces of legislation covering England and Wales
- Discussions on reforming the Mental Health Act 1983 and the Mental Capacity Act 2005 ongoing for a number of years
 - MHA now 41 years old
 - Mental Capacity Act impact of Cheshire West ruling in 2014
- Extensive consultation processes that require large amounts of coordinating and drafting to make meaningful contribution - time and effort by many people
- Both are fundamental to human rights work is about rights and protections for those that need them





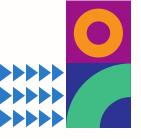


Draft Mental Health Bill update

- Wessely Review of 2017/18 led to draft Mental Health Bill published on 27 June 2022
- Pre-legislative scrutiny committee autumn 2022
 - Chief Executive Ruth Allen gave evidence
- Committee report published 18 January 2023
- Long wait for Government response, published 21 March 2024
- Already clear would be no new MH Bill before next general election as omitted from King's Speech in November 2024
 - BASW England/Mental Health Alliance response
- Labour public commitment to introduce bill to overhaul MHA as part of first legislative programme







Mental Capacity Act update

- April 2023 UK Government announced 'delay' to introduction of Liberty Protection Safeguards
- Two BASW letters to Minister, also signatory to letter with Rethink Mental Illness, RCPsych and others
 - Follow-up with Welsh Government
- Consultation on updated draft Code of Practice closed in July 2022 still no Government response to consultation
- Updated Code would need removal of LPS as integrated
- No indication from Labour as to what would do if form next government



