

Greater rights for patients detained against their will

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Powers to detain people in a psychiatric hospital for treatment against their will face their most radical overhaul for 20 years after an independent review called for fundamental changes.

Far too many were held in secure mental health units, mainly because doctors, psychiatrists and other professionals had become "risk averse" and feared a public scandal if something went wrong, it concluded.

The review called for more rights for patients and for their relatives or friends to challenge their detention more often and, for the first time, to question whether they were receiving appropriate treatment.

Those with a history of mental illness should be able to state in advance whether they wished to avoid being given certain medicines or treatments if their health deteriorated and they were held in protective detention, it added.

The review asked the government to recommend reforms to the Mental Health Act 1983, which allows people in England and Wales to be detained in a psychiatric unit against their will if they are regarded as a risk.

Theresa May said she would accept two main proposals — to allow patients to choose who should speak for them and to record their wishes. She is to bring forward legislation to reform the act, saying that the disparity in mental

health care was one of the "burning injustices" she was committed to putting right.

"I am determined to make sure those suffering from mental health issues are treated with dignity and respect, with their liberty and autonomy respected," Mrs May said. "By bringing forward this historic legislation — the new Mental Health Bill — we can ensure people are in control of their care, and are receiving the right treatment and support they need."

The numbers sectioned under the act rose by 40 per cent in the decade before 2015-16 and increased further to 49,551 individuals last year despite the rate of severe mental illness remaining substantially the same. It costs £18,315 a year on average to detain a patient in such a way.

These powers are used disproportionately on those of black, African and Caribbean heritage, who are four times more likely to be detained.

People with learning disabilities, autism or both are also more likely to be sectioned and to receive unsuitable treatment.

Sir Simon Wessely, a professor of psychological medicine at King's College London and the review's chairman, said that the voice of the patient seemed to "disappear" once they were held and treated against their will, even though such an intervention may be necessary in the short term.

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