

Mental Health Scotland Bill

Chrys Muirhead

A Plea: Fair and Just Treatment for **All** People in Psychiatric Settings

"The overarching objective of the Bill is stated in the policy memorandum as: to help people with a mental disorder to access effective treatment quickly and easily."

I am looking for more than this. As a **mother** and carer of two sons with mental disorder labels I want to see:

- The Mental Health Act implemented properly and monitored effectively in every Scottish Health Board area, including Fife where I live
- Mental Health Act safeguards that are safe: in my family's experience we have found that advance statements were overruled, named persons (myself) were uninformed, Mental Health Tribunals were weighted in favour of "professionals", Mental Health Officers behaved unprofessionally and the Mental Welfare Commission were wise after the event and had no power to influence health boards to improve buildings that they had declared "unfit for purpose"
- Carers, and mothers, respected by **all** mental health professionals, including Scottish Government civil servants and Healthcare Improvement Scotland
- Patients not subject to dehumanising treatment and a denial of their basic human rights when locked up and locked in Scottish psychiatric units.

On 29 September 2014 I received a decision letter from SPSO informing me that my complaint against NHS Fife Health Board (submitted to the Ombudsman on 17 September 2013) had been **upheld**. I had originally wanted the judgement to be about "human rights abuses and dehumanising treatment" but I was told by the SPSO adviser in September that the most I could hope for was "unreasonable treatment". Human rights abuses would have to go before a criminal court.

Here are the reasons given by the Ombudsman Complaints Reviewer as to why my complaint was upheld:

"It was inappropriate to transfer your son to the IPCU in his underwear and without shoes (*I had observed this happening when standing in the car park*)"

outside the acute psychiatric ward). In addition, I do not consider that the observation of your son in the seclusion room was adequate or that there is evidence of a plan to ensure that your son had appropriate access to food, fluids and a toilet during his period of seclusion. This is not acceptable.”

I am not satisfied with this decision as I had listed a range of complaints, including injuries untreated, intimidating behaviour and **psychiatric abuse**. Therefore I have made a Review Request, detailing a large number of inaccuracies in the written report within the letter, by NHS Fife Health Board, and the conclusions that were reached. I have also asked for a copy of all the evidence sent by NHS Fife Health Board to the Ombudsman because I am not confident that all my complaints and FOI requests made at the time were handed over to SPSO. The investigation I contend was not a “level playing field”.

I am concerned that there is a **two-tier** treatment regime in Scotland's psychiatric system and that this is **reinforced** by Scottish Government's Mental Health Strategy which differentiates between “common mental health problems” and “severe and enduring mental illness”. And for those of us in the latter category it can lead to stigma and discrimination, to unreasonable treatment, to disabling mental and physical conditions and to a much shorter life span. This is unfair and unjust.

I was/am one of those labelled with a mental disorder, **Schizoaffective**, in 2002 after being coercively treated in a psychiatric ward with an antipsychotic when experiencing a menopausal psychosis, which lead to further drugs being prescribed, an antidepressant venlafaxine, maximum doses, and a “mood stabiliser”. Finally I was told that I had a “lifelong mental illness” and could not expect to recover or to come off the “mood stabiliser” lithium. Fortunately I am a skeptic and didn't believe it.

I made a **full recovery** by 2004, under my own steam, although I had a serious leg break in March 2005 aged 53, resulting in 3 fractures to my fibula when only walking down a stair, after a library job interview. Research now tells us that venlafaxine in maximum doses given to older people can result in [bone loss](#). That explains my leg break and 6 inch metal plate which is now welded to my fibula and causes me arthritic pain and cramp.

I believe that my “lived experience” of recovery from coercive psychiatric drug treatment and stigmatising mental disorder labels has benefitted my family members, 8 of us in 3 generations, who have engaged with psychiatry and got the “severe and enduring mental illness” because of experiencing psychoses or altered mind states at times of life transitions. And because **the drugs didn't cure anything**. I was able to advocate for my family in psychiatric circumstances and give mentoring support for those who decided to taper and come off psychiatric drugs/medication.

I am now a writer, activist and campaigner in mental health matters because of personal circumstances and having to stand with family members, to support and protect them in psychiatric settings. But **I shouldn't have to.**

The Mental Health Act for Scotland should be protecting the rights of people who have been given a mental disorder diagnosis. Scottish Government civil servants should be supporting mothers and campaigners who are influencing positive change. Scottish Government Ministers should be overseeing the civil servants and the mental health law so that mothers, carers and campaigners are being given their place and respected.

I hope that the Health and Sport Committee will consider my **Plea.**

Chrys Muirhead
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