

## Review of LD and Autism in Scottish mental health law – a scoping consultation

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4<sup>th</sup> July 2016

1. We think the Millan recommendations are still relevant and should be considered by this review, also the recommendations made by the Scottish Law Commission should also be considered.
2. The McManus review expressed concern regarding access to independent advocacy and we believe that this review should look at access to independent advocacy amongst people with learning disabilities. The experiences of people with learning disabilities (LD) and Autism Spectrum Disorder (ASD) with the Mental Health Act including access to independent advocacy. We have expressed concern over many years that people with LD and ASD often experience problems accessing advocacy.
3. We believe that there needs to be a review of the whole MHA as the legislation is now 10 years old and there has been significant change in the landscape including policy, legislation and practice.
- 4-7 We believe that the review group need to be as inclusive and accessible as possible and that these should be the key principles of the review group. People with LD and ASD need to be central to the review and should be involved at all levels of the review including the membership of the review group. Individuals and groups with LD and ASD and their carers should have access to support, if necessary in order to enable them to participate as fully as possible. Independent advocacy organisations that support people with LD and ASD and their carers should also be involved. The review group need to ensure that they hear evidence from a cross section of people with LD and ASD. They need to go to local groups and organisations and meet with people within their

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The Scottish Independent Advocacy Alliance (SIAA) is Scotland's national membership body for advocacy organisations. The SIAA promotes, supports and defends independent advocacy in Scotland. It aims to ensure that independent advocacy is available to any person who needs it in Scotland.

**Scottish Independent Advocacy Alliance**  
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**Charity number SC033576**

own communities in order to understand not just the experience of the MHA but also the lives of people with LD and ASD. If necessary the review group should cover the costs of support for people to take part including travel expenses.

The review should also engage with;

- People with LD and ASD who have experience of the MHA
- Collective and self-advocacy groups for people with LD and ASD
- Independent advocacy organisations that support people with LD and ASD
- Rights based organisations who know and understand the issues faced by these groups
- Relevant health and social care professionals and organisations who have experience of supporting people with LD and ASD and their carers and significant others

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