

[Sample letter to Min for Health]

[Insert your own
address]

Mary Harney TD
Minister for Health and Children
Hawkins House
Dublin 2

[Insert date]

Dear Minister,

As you know, the first-named core value/principle in the national mental health policy framework, *A Vision for Change*, to guide all service planning and delivery, is:

“Citizenship: The individual is at the centre of the mental health system. The human rights of individuals with mental health problems must be respected at all times ...”

Further details on human rights are in Annex 1.2 of *A Vision for Change*, which states that mental health policies and strategies should promote human rights principles including:

- the right to equality and non-discrimination
- the right to privacy and autonomy
- the right to physical and mental integrity
- the right to participation
- the right to reciprocity
- the right to information
- the right to the least restrictive alternative
- the right to live and work in one’s own community as far as possible
- the right to freedom of association
- the right to proportionality in all restrictions imposed on rights
- the right to freedom from inhumane and degrading treatment
- the right to respect for family life
- the right to education
- the right to procedural safeguards and accountability mechanisms

A Vision for Change advises: “The realisation of many of these human rights in mental health care requires that these principles should be embedded in legal and policy documents.” Yet the HSE National Service Plan 2008, the HSE Implementation Plan published

in January 2008 for the mental health services components of *A Vision for Change*, and your Department's *Statement of Strategy 2008 – 2010* do not reference human rights. *A Vision for Change* also advises: "Mental health legislation is essential to underpin the right to respect for the dignity of individuals and the protection of their human rights." This is also the approach advised by the World Health Organisation in its *Mental Health Policy and Service Guidance Package*.

I would be grateful for an answer to the following questions:

- While the Mental Health Act 2001 contains some safeguards for the rights of people involuntarily admitted or detained in in-patient facilities, does your Department plan to publish legislation setting out how the dignity of individuals and the protection of their human rights will be safeguarded in planning and delivering all mental health services, as suggested in *A Vision for Change*? If not, why not?
- What concrete actions has your Department taken to ensure that people responsible for planning and delivering mental health services are familiar with the rights and responsibilities that flow from human rights standards in order that the core values in *A Vision for Change* are to be made meaningful?

Finally, regarding the HSE Implementation Plan for *A Vision for Change*, I note that Deputy Éamon Ó Cuív, replying on your behalf to a question from Senator Maria Corrigan during the Seanad debate on 8th April, said: "Following concerns raised by the Office for Disability and Mental Health regarding the need for a longer-term focus, the HSE has indicated it will prepare a more comprehensive plan before the end of this year." I wish to convey my welcome for this approach, and would urge that the new Implementation Plan expressly reference the human rights of service users, and how the core values in *A Vision for Change* will be translated into reality.

I look forward to hearing from you.

Yours sincerely,

[Insert your name]