



PE1494/K

DATE: 20 January 2014

RESPONSE OF: The Royal College of Psychiatrists in Scotland

RESPONSE TO: Public Petition No. PE01494

This response was prepared by the Royal College of Psychiatrists in Scotland. For further information please contact: Rebecca Middlemiss on 0131 220 2910 e-mail rmiddlemiss@rcpsych.ac.uk

The Royal College of Psychiatrists is the leading medical authority on mental health in the United Kingdom and is the professional and educational organisation for doctors specialising in psychiatry.

The Royal College of Psychiatrists in Scotland welcomes the opportunity to comment on this petition.

The Mental Health (Care and Treatment) (Scotland) Act 2003 was implemented after substantial consultation and is widely regarded as an excellent example of legislation in this field. There is of course scope for improvement and the McManus review published in 2009, subsequent further consultation and discussions have led to the current consultation on a proposed mental health bill.

The Royal College of Psychiatrists in Scotland recognises the importance of good mental health legislation that includes safeguards that satisfy requirements of the European Convention on Human Rights. In our view the petitioners have not presented evidence that would support a more fundamental review of the legislation than that which is currently underway.

At the meeting of 10th December there was much discussion of Electroconvulsive Therapy treatment and its use in those who do not have the capacity to provide full consent. Our members are fully aware that use of ECT is seen by many members of the public as controversial and are

therefore particularly sensitive in discussions about its use as a treatment option. There is a strong evidence base for the use of ECT in certain circumstances and these are laid out in various guidelines from the National Institute of Clinical Excellence, the Scottish Intercollegiate Guidelines Network and from our own College.

The safeguards in the Mental Health Act are designed to ensure that an individual lacking capacity, who is thought likely to benefit from treatment, will not be excluded. We agree with the statement on this issue from the Mental Welfare Commission.

The College would not support a measure which excluded an individual from treatment on the basis that they lack capacity to consent.

There are a number of negative inferences in the petition and accompanying paperwork regarding the behaviour and intentions of those working in the field of Psychiatry. Psychiatrists are regulated by the General Medical Council and abide by the standards laid out in Good Medical Practice. These standards are upheld through Clinical Governance by Health Boards, regular appraisal of individual performance and more recently revalidation by the General Medical Council. As Psychiatrists we strive to uphold excellent standards and to provide the best treatments in the interests of patients and their families.

Dr Alastair Cook
Chair, Royal College of Psychiatrists in Scotland