

Minister for Disability, Mental Health & Older persons
Kathleen Lynch TD
Department of Health,
Hawkins House,
Dublin 2

3rd August, 2012

RE: Social Work Representation on the Mental Health Act Expert Review Group

Dear Minister,
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The Irish Association of Social Workers (IASW) commends the work of the Department in reviewing the Mental Health Act and welcomes the interim report from the review group and all its key recommendations. The IASW through its special interest groups both in adult and child mental health have made detailed submissions that were reflected in the subsequent interim group's report and recommendations.

The IASW are concerned that young persons, (particularly 16 years and older), with capacity have limited rights under the legislation as it currently stands.

It is the hope of the IASW that the planned capacity legislation and the revisions to the Mental Health Act will allow for an effective rights based legislation that will promote the rights of the many and protect the interests of the few who lack the capacity to make decisions for themselves. As social workers we work with vulnerable clients daily who may lack capacity, or experience abuse from families, neighbours or in an institutional setting.

The IASW has advocated for an enhanced role for the Authorised Officer, as 50% of Authorised Officers are social workers and our members have always promoted the principle of "seeking the least restrictive alternative to involuntary admission". A HSE survey, that our members were involved with, indicated that Authorised Officers are able to avoid an involuntary admission in nearly two thirds of all assessments for application for involuntary admission. In recent years our representatives have made key contributions to the development of the Authorised Officer service in Ireland. The IASW have contributed to the development of the role of the Authorised Officer, both as part of the Mental Health Commission working group that produced the Authorised Officer Report 2006 for your Department, as well as being part of the HSE Authorised Officer working group that produced the current Authorised Officer Policy.

Regarding the composition of the Expert Group, the IASW is concerned that your Department has overlooked the inclusion of our profession to the Expert Group. This oversight is in contradiction with the Vision for Change Policy of ensuring that service development and policy is developed by the full mental health spectrum as represented by all the key stakeholders both service users and the full multidisciplinary professional groupings, as a

means to achieving a quality recovery orientated service. Social work is the only profession from among the core mental health professions excluded.

The IASW believes that we could nominate a suitably qualified person with expertise in the area of mental health who could contribute to the Expert Group in all the key areas for consideration.

IASW is optimistic that you may be able to address our concerns and looks forward to hearing from your Department at your earliest convenience.

Yours sincerely,

Ineke Durville
President IASW

Frank Browne
Chairperson Social Workers in Adult Mental Health
Special Interest Group