


# New Mental Health Bill to be introduced in Parliament

06 November 2024  Katie Viggers

The UK government is set to introduce updates to the Mental Health Act (MHA) in Parliament today, Wednesday 6 November 2024.

The government says the new Mental Health Bill addresses the significant changes in attitudes towards mental health issues since the original Act was passed in 1983. It says the Bill will reform the existing MHA to make it fit for purpose, improving patients' experiences of hospital and mental health outcomes, while also introducing stronger protections for patients, staff and the general public.

The government says that key features of the new Mental Health Bill will include:

## Personalised care and treatment plans

The Bill will mandate the creation of individualised care and treatment plans for each patient. These plans must be tailored to the specific needs of the patient, providing a clear roadmap towards discharge.

## Representation and advocacy

Patients will be given the right to select a person to represent their interests, and greater access to advocacy services when they are detained. The aim of these reforms is to ensure patients stay in contact with health services and continue to engage with treatment.

## Nominated Person

The Bill will strengthen the rights of families and carers through changes to the Nominated Person role. Clinicians will be required to consult with those close to the patient when making decisions around their care where appropriate, or where the patient wishes. This change recognises the critical role that families and carers can play in keeping patients safe.

## Safer discharges

The Responsible Clinician will be required to consult another professional before discharging a patient, with the aim of better protecting patients, staff and the general public. Discharge processes will also include a "safety management plan" for the patient, to keep themselves and others safe.

## Ending the use of police and prison cells

The Bill will end the use of police and prison cells as places of safety for individuals experiencing a mental health crisis, aiming to ensure that those individuals receive appropriate care in a suitable environment, such as a hospital.

## Special provisions for those with learning disabilities or autism

The Bill will seek to address the needs of individuals with a learning disability or autism by setting a 28-day limit on detention under the MHA, provided they do not have a co-occurring mental health condition that needs hospital treatment and have not committed a criminal offence. This amendment aims to prevent unnecessary detentions and improve poor patient experience for those with learning disabilities or autism.

## Community Treatment Orders (CTOs)

The government says that the use of CTOs will be “updated” to ensure they are only used when appropriate and proportionate – although how this will be achieved is not yet clear.

As the new Mental Health Bill progresses through Parliament, we will continue to monitor its development closely and likely future impact on practice on the ground. We’ll provide timely updates and analysis to ensure that mental health providers, commissioners and staff are well-informed about the changes and implications that will be introduced by this significant piece of legislation.

## Contact



Rebecca Fitzpatrick

Partner

[rebecca.fitzpatrick@brownejacobson.com](mailto:rebecca.fitzpatrick@brownejacobson.com)

+44 (0)330 045 2131

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