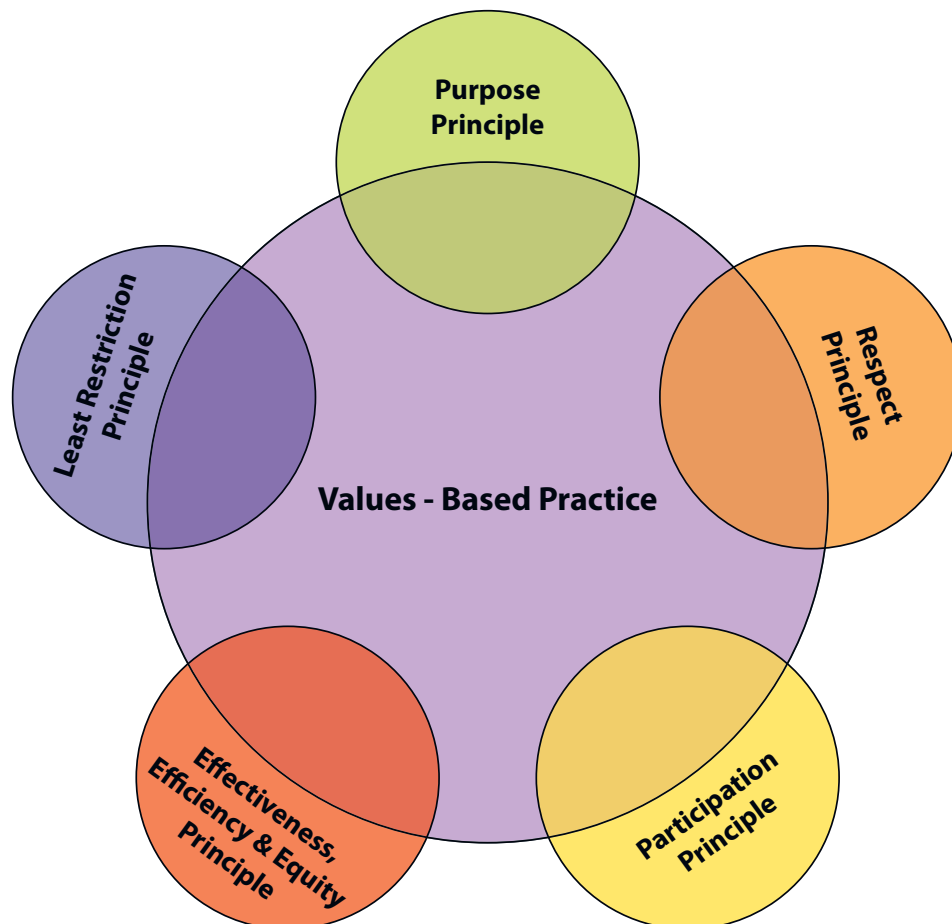


Mental Health Act (MHA) 1983

As amended by the Guiding Principles, Mental Health Act 2007



Framework of Principles

The MHA tells the Practitioner what to do; The Code of Practice explains how to do it. The Guiding Principles guides the Practitioner how to apply the MHA in individual situations. Practitioners will have to consider the principles when dealing with the MHA, and their practice may be called in to question if the Guiding Principles are not seen to be applied along with the letter of the MHA.

The Guiding Principles in the

CODE OF PRACTICE

PURPOSE >

Decisions under the act must be taken with a view to minimising the undesirable effects of the disorder by maximising safety and well-being (mental and physical) of patients to promote their recovery and protecting other people from harm.

LEAST RESTRICTION >

People taking action without a patient's consent must attempt to keep to a minimum the restrictions they impose on the patient's liberty, having regard to the purpose for which the restrictions are imposed.

RESPECT >

People taking decisions under the act must recognise and respect the diverse needs, values and circumstances of each patient, including race, religion, culture gender, age, sexual orientation and disability. They must consider the patient's views, wishes, and feelings (whether expressed at the time or in advance) so far as they are reasonably ascertainable and follow those wishes, wherever practicable and consistent to the purpose of the decision.

PARTICIPATION >

Patients must be given the opportunity to be involved in, as far as practical in the circumstances, in planning, developing and reviewing their own treatment and care to ensure that it is delivered in a way that it is appropriate and effective for them as possible. The involvement of carers, family members and others who have an interest in the patient's welfare should be encouraged (unless there are reasons to the contrary) and their views taken seriously.

EFFECTIVENESS, EFFICIENCY AND EQUITY >

People taking decisions under the Act must seek to use the resources available to them and to patients in the most effective way, to meet the needs of patients and achieve the purpose for which the decision was made.