

October 2005

Guidance for Mental Health Advocacy Services:

Community Care advice intervention points for patients

This guidance has been produced to assist hospital based, Mental Health Advocacy Services, by providing the details of the times when patients should receive advice in relation to their Community Care needs. Overleaf are the details of all of the solicitor firms within Wales with Community Care specialists. Any of these firms would be happy to take on referrals for patients. Before referring, please check whether any mental health specialist dealing with the patient, has already made a Community Care referral.

Informal admission

- As a high proportion of psychiatric admissions are informal, the patients cannot apply to the Tribunal or Hospital Manager's Hearing. Often these patients have not had the opportunity to see a mental health specialist adviser or been able to make complaints to hospital or social services staff. It is considered common for many patients, both informal and compulsorily detained, to remain inpatients due to a lack of community care provision. Early referral to Community Care specialists for these patients is essential.

Compulsory admission

- Following a Mental Health Review Tribunal or Hospital Manager's Hearing which discharges a patient from a Mental Health detention section. Such a patient will be returning to the community immediately or after a relatively short, period in hospital as an informal patient. They should have a section 117 MHA after-care plan to support them in the community and avoid, if possible, their return to hospital.
- This may need chasing up for full implementation, and the client may need representation at ongoing reviews. It may also be appropriate to apply for a community care assessment under section 47 of the

Community Care Act. Advocates should, at this point, advise the client of the role of the Community Care adviser, signpost to the nearest, or pro-actively arrange an appointment if the client so wishes.

- Even when the Tribunal or Hearing do not discharge, they very often recognise that the patient is getting close to discharge and, as a caveat, recommend that certain things take place. This may for example recommend that the clinical and social work staff give urgent and serious consideration to supervised home leave and that a section 117 meeting is urgently convened to consider what support will be necessary in the community to enable this to happen. This is another key point for referral to Community Care Specialists. One of the benefits of this referral point is that each Tribunal or Hearing will have generated a Consultant's Report, a Nursing Report, and a Social Circumstances Report prepared by a social worker, and sometimes additional reports such as by an Occupational Therapist. These reports can be copied to the Community Care adviser and will provide an excellent and very current starting point for their file.

Community Care Specialists - Wales

Please contact any of these firms to establish links for any current or future patients.

Salter Kelly

18 Walter Road
Swansea
SA1 5NQ
01792 470707 (t)
01792 466489 (f)

salterkelly@tiscali.co.uk

Salter Kelly

31 Quay Street
Ammanford
SA18 3BS
01269 592023 (t)
01269 597848 (f)

salterkelly2@aol.com

Anthony & Jarvie

6 Court Road
Bridgend
CF31 1BW
01656 652737 (t)
01656 657532 (f)

law@anthonyjarvie.co.uk

Merlin Phillips

1 Gelliwastad Road
Pontypridd
CF37 2BL
01443 402420 (t)
01443 485288 (f)

merlinphillips@btconnect.co.uk

Julie Burton

P O Box 19
Bangor
LL57 2ZG
01248 364750 (t)
01248 364750 (f)

julieburton.law@virgin.net