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To whom it may concern

## **Response to the discussion paper 'A new vision for mental health'**

### ***About our organisation***

The Legal Services Commission (LSC) is responsible for delivering, through high quality service providers, legal aid, advice and representation to people with problems in England and Wales. With an annual spend of around £2bn, we are responsible for the delivery of civil and criminal legal aid services and the development of the Community Legal Service. Through around 5,000 legal aid providers, we help over two million people in England and Wales every year.

The LSC enables people to safeguard their rights and address their problems. Our work is essential to the fair, effective and efficient operation of the civil and criminal justice systems. It is also critical in helping to provide access to justice and fair trials for all. We commission the services people need from solicitors, barristers and advice agencies. The skills and commitment of legal aid service providers are essential to helping people resolve their problems. We deliver legal services through two schemes: the Community Legal Service and the Criminal Defence Service.

### ***The Community Legal Service (CLS)***

The CLS is a network of organisations which funds, provides and promotes civil legal advice and representation including advice and representation before the Mental Health Review Tribunal and advice on all aspects of mental health law. The LSC is responsible under the Access to Justice Act 1999 for developing and maintaining the CLS. We are meeting our responsibility by concentrating on:

- providing specialist legal services
- identifying client need for services
- facilitating joint planning and funding through integrated services.

### ***Our Vision***

The core purpose of the LSC is to help people in genuine need to receive high quality legal advice, assistance and representation. We are a key component of the Government's plans to modernise justice. Our Vision, as set out in our Corporate Plan 2007/08 - 2009/10, is to be resolutely focused on clients, delivering positive outcomes and providing value for money.

### ***Our comments***

Thank you for sending us a copy of your discussion paper 'A new vision for mental health' which we read with interest. We particularly welcomed the emphasis, throughout the paper, on the importance of joined up working in the provision of services for users.

We were surprised that the paper made no mention of the provision of legal advice for those suffering from mental health problems. As the main funders of mental health legal advice and representation before the Mental Health Review Tribunal, we are acutely aware of the importance of this area of work for the service user and its relationship to other aspects of a client's care.

We were particularly interested to read about initiatives involving cross government departmental work in the area of mental health services and policy. We are also aware, and are seeking to promote, the need for coordination of services in the provision of legal advice for those with mental health problems and to improve the users' experience

of the legal process. Toward this aim we have, in the last year, set up a stakeholder group looking at how we might deliver mental health legal advice in the future. We are soon due to publish a consultation document setting out our future strategy for the commissioning of publicly funded legal services. This has taken into account views raised through this forum.

Our stakeholder group includes representatives from the Tribunals Service (who have responsibility for the Mental Health Review Tribunal), the Ministry of Justice, Department of Health, Carer and Advocacy groups and service users. This group has enabled us as an organisation to gain a more complete picture of the needs of those requiring legal advice.

We have also been working with the Mental Health Review Tribunal nationally to see how we can work together help to improve efficiency and the experience of clients at the Tribunal. This has involved setting up regional groups and meeting on a regular basis to discuss the Tribunal process. We have also recently met with the NHS confederation to look at how we can improve links with the NHS and Department of Health and so ensure clients have access to legal advice at the earliest opportunity.

The LSC welcomes the opportunity to respond to this consultation. We would be interested in any future reports that you may publish and would be happy to meet with the authors of this report if they require further information of our role in the provision of legal services for those with mental health problems. To discuss this in more detail please contact Zoe Farrant, Senior Legal Adviser, on 020 7783 7544.

Yours sincerely

Carolyn Regan  
Chief Executive

**cc. Zoe Farrant**