

MENTAL HEALTH AND YOUR HUMAN RIGHTS: A BRIEF GUIDE

AMNESTY
INTERNATIONAL



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Feedback

We welcome your comments on the usefulness of this guide and any suggestions to improve it. Please complete the enclosed feedback form and send it to:

**Amnesty International Ireland
First Floor
Ballast House
18-21 Westmoreland Street
Dublin 2.**

**Email: mentalhealth@amnesty.ie
Tel: (01) 863 8300**

Thank you

We wish to thank all those who assisted in drafting and reviewing this guide, in particular Lucy Matthews of the British Institute of Human Rights for her helpful comments.

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We are delighted to have been invited to steer, advise and be a part of Amnesty International Ireland's (AI) current campaign, which views mental health as a human rights issue. We have a vision of a society that respects our differences, where we can be proud to be ourselves and not feel rejected, silenced or stigmatised just because sometimes we might be vulnerable to mental health problems.

We are not asking for anything more than for the human rights of people experiencing mental health problems to be respected. We want them to be treated with dignity and respect. To be truly given a choice in relation to treatment and support to challenge, in a positive manner, the predominant medical model of mental health problems. We want a system that supports everyone's right to housing, employment and education – all essential to recovery and well-being. We are not powerless, we have a voice. AI has prepared this guide to help you to use your voice.

Experts By Experience Advisory Group*

Liz Brosnan, John McCarthy, Paddy McGowan, Caroline McGuigan, Colette Nolan, Maeve O'Sullivan, John Redican, Diarmuid Ring, Jim Walsh, Mike Watts

***Participation is a core component of human rights. AI invited the Experts By Experience Advisory Group, a group of people who had experience of mental health difficulties, to jointly devise its campaign strategy.**

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This guide is for people who have direct experience of mental health problems. In this guide, we refer to people with direct experience of mental health problems as ‘rights holders’. When we use ‘you’ we mean rights holders.

International human rights law and principles set out minimum standards for how governments must respect the human rights of all people. Ireland has signed up to and is bound by a number of these minimum standards under international law, many of which are relevant to mental health.

Unfortunately, many of these minimum standards are not adequately reflected in Irish law, which means that many of them cannot be legally enforced in Ireland. Also, lack of investment in mental health services as well as widespread stigma and discrimination in everyday life mean that many of the rights in this guide are not enjoyed by people with mental health problems in Ireland.

Amnesty International Ireland (AI), as part of its mental health campaign, will lobby the Government to change existing laws to bring them in line with the international human rights framework. AI will also call on the Government to invest in mental health services according to its obligations under international human rights law. AI will also highlight and campaign against the stigma and discrimination experienced by people with mental health problems in Ireland.

Commitments to human rights

While there are many barriers to the full enjoyment of human rights by people who experience mental health problems, there have been a number of important commitments to respect those rights.

The Government's mental health policy document, *A Vision for Change*, has the following as its first core value and principle:

“The person is at the centre of the mental health system. The human rights of individuals with mental health problems must be respected at all times...”

The Mental Health Commission was set up under the Mental Health Act 2001 to promote high standards in mental health services and protect the interests of those involuntarily admitted to mental health facilities. Its Customer Charter states that it is also guided by the principles of international human rights law and standards.

Aim of this guide

This guide outlines the human rights set out in international human rights law and standards and mentioned in *A Vision for Change* and the Mental Health Commission Customer Charter. It also outlines the national and international procedures designed to make Ireland comply with international human rights law.

What will you find in this guide?

This guide summarises the human rights that apply to people who may experience mental health problems.

While it might be difficult for you to always have your human rights respected and fulfilled, this guide offers some practical tips for how you can use human rights to call for the services and supports you need.

What will you not find in this guide?

This guide does *not* contain detailed information on Irish law relating to mental health and human rights or about how to make a complaint or take legal action if you feel your human rights are not respected. (Some useful links and resources are listed in Part 9.)

This guide does not offer legal advice. *If you want to take legal action to enforce your rights, always seek independent legal advice.*

You may find it helpful to ask a friend, family member, advocate or a mental health professional to talk through this guide with you.



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Capacity

The ability to understand a decision and its likely effects, and to make and communicate the decision based on the available options.

Council of Europe

A European regional organisation based in Strasbourg (France) with 47 member countries (including Ireland). It was founded on 5 May 1949 and seeks to develop, throughout Europe, common and democratic principles based on the European Convention on Human Rights and other documents on the protection of individuals. The Council of Europe is separate from the European Union (EU).

General Comments

Guidance issued by United Nations (UN) committees on interpreting treaty provisions.

Ratification / to ratify

Formal approval of a treaty by a State, which results in the treaty becoming legally binding on that State.

Reasonable accommodation

Alterations or adjustments to make sure that people with disabilities (including people with mental health problems) may enjoy and exercise their human rights on an equal basis with others.

Rights holder

In this guide, a person who experiences mental health problems.

Soft law

International declarations and other documents that are not legally binding on any State. Although not legally binding, soft law provides useful guidance that can be taken into account by courts and UN treaty bodies.

State(s)

A country or its government.

Treaty

A legally binding contract between nations (also called a covenant or convention).

UN

The United Nations, an international organisation founded in 1945 after the Second World War. With 192 member States, the UN is committed to maintaining international peace and security, developing friendly relations among nations and promoting social progress, better living standards and human rights.

What are human rights and how do they apply to you?

Human rights are rights and freedoms that belong to all people. Human rights are:

- *inherent* - they apply to each person because they are human,
- *inalienable* - you cannot give them up and others may only interfere with them in certain cases (for example your right to liberty may be restricted if a court finds you guilty of a crime),
- *universal* - they apply to everyone regardless of race, sex, language, religion or disability (including mental health problems) or other differences, and
- *interdependent and indivisible* - they are equally important and often one human right is needed to enjoy another.

Remember: All human rights apply to all people equally.

The recent UN human rights treaty, the Convention on the Rights of Persons with Disabilities (CRPD), highlights this.

The CRPD is a new convention, but it does not create new rights. Importantly, though, it reinforces the fact that people with disabilities (including those with mental health problems) have the same human rights as all other people.

Ireland has signed the CRPD, but has not yet ratified it. This means that the CRPD is not yet binding on Ireland. The Government has said that it intends to ratify the CRPD soon.

Where are your human rights protected in international law?

We need human rights laws to set minimum standards of protection and to make sure that States meet these standards.

Human rights are protected under United Nations and Council of Europe treaties as well as some Irish and European laws.

The UN human rights treaties that are binding on Ireland include:

- **the International Covenant on Civil and Political Rights (ICCPR),**
- **the International Covenant on Economic, Social and Cultural Rights (ICESCR),**
- **the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (CAT), and**
- **the Convention on the Rights of the Child (CRC).***

The Council of Europe human rights treaties that are binding on Ireland include:

- **the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), and**
- **the European Social Charter.**

*The Convention on the Rights of the Child (CRC) requires States to respect, protect and fulfil the full range of human rights of every human being below the age of 18. The rights set out in the CRC are underlined by the key principles of non-discrimination (Article 2), best interests of the child (Article 3), respect for the views of the child (Article 12) and recognition of the evolving capacities of the child (Article 5).

International human rights standards also feature in other non-binding soft law documents, such as the Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health Care (MI Principles), which were adopted by the UN General Assembly in 1991.

Another example of soft law is the Council of Europe's Recommendation (2004)¹⁰ Concerning the Protection of the Human Rights and Dignity of Persons with Mental Disorder.

Soft law also includes General Comments issued by UN treaty monitoring bodies.

How do human rights treaties become part of Irish law?

Once a treaty is ratified, the Government must pass a law to make it part of Irish law. For example, Ireland made the ECHR part of Irish law by passing the European Convention on Human Rights Act, 2003. This means that human rights set out in the ECHR can be enforced in the Irish courts.

Unfortunately, Ireland has not adequately reflected in Irish law all of the human rights treaties it has ratified. This means that some of the human rights set out in those treaties cannot be legally enforced in Ireland.

Some human rights are already protected under Irish law. The Irish Constitution of 1937 (Bunreacht na hÉireann) itself recognises a number of human rights, including:

- **right to life (Article 40.3.2)**
- **right to liberty (Article 40.4)**
- **right to privacy, bodily integrity and autonomy (Article 40.3.1)**
- **freedom of expression, assembly and association (Article 40.6).**

Who must respect your human rights and what must they do?

The State must *respect* your human rights, but it must also *protect* and *fulfil* those rights.

The duty to *respect* your rights means that the State may not deny or interfere with your human rights.

The duty to *protect* your rights means that the State must take steps to make sure that third parties do not interfere with your rights.

The duty to *fulfil* your rights means that the State must take concrete steps to recognise your human rights and to make sure that you can enjoy them from day to day. It might do this by, for example, adopting policies, passing laws or allocating funding.

In short, this means that international human rights law places both *negative* (to stop doing or not do something) and *positive* (to do something) obligations on States.

As individuals, we are entitled to our human rights, but we also have a duty to respect the human rights of others.

Article 1 of the Universal Declaration of Human Rights (UDHR) states that:

“All human beings are born free and equal in dignity and rights.”

It is important to stress at the outset that all human rights are based on the basic principle of dignity. As set out in MI Principle 1(2):

“All persons with a mental illness, or who are being treated as such persons, shall be treated with humanity and respect for the inherent dignity of the human person.”

An overview of the human rights protected under international law

Your human rights and freedoms include:

- **the right to life and the right to live in freedom and safety,**
- **the right not to be tortured and the right not to be treated or punished cruelly or inhumanely,**
- **the right to be free from slavery or forced labour,**
- **the right to liberty and the right not to have your liberty taken away without good reason,**
- **the right to freedom of movement and the right to choose where to live,**
- **the right to a fair trial and the right to be presumed innocent, until proven guilty, if accused of a crime,**
- **the right to privacy and respect for family life,**

- the right to freedom of thought, conscience and religion,
- the right to say what you think and share information with others,
- the right to meet with others publicly and privately
- and the right to join peaceful associations, the right to marry and have a family,
- the right to vote in regular democratic elections and to take part in the government of your country,
- the right to the equal protection of the law, without discrimination,
- the right to work for a fair wage in a safe and healthy environment and the right to join a trade union,
- the right to rest and leisure time, the right to social security,
- the right to an adequate standard of living, including adequate food, clothing and housing,
- the right to the highest attainable (possible) standard of physical and mental health,
- the right to education, and the right to take part in the cultural life of your community.

You should be able to enjoy these rights *without discrimination* of any kind based on your mental health or any other aspect of your status, such as other disability, gender, race, age, sexual orientation, marital or family status, religion or membership of the Traveller community.

Can your human rights ever be limited or restricted?

Yes, most human rights are subject to some limits or restrictions. For example, the right to liberty may be described as a ‘limited right’ because it may be limited if, for example, you are convicted of a crime and sent to prison.

Some rights may be restricted for more general reasons. For example, the rights of freedom of expression and privacy are sometimes called ‘qualified rights’. They may be restricted, for example, to protect the rights of others or the interests of the community in general.

A small number of human rights and fundamental freedoms are absolute (can never be limited or restricted). The prohibition of torture and inhuman or degrading treatment and punishment may never be breached.

Part 3: The right to the highest attainable standard of physical and mental health

Article 12 of the International Covenant of Economic, Social and Cultural Rights (ICESCR) sets out the right to the highest attainable (possible) standard of physical and mental health.

This is not a right to be healthy; rather, it consists of *entitlements* and is closely linked to a number of other rights and freedoms. It is also based on the principles of non-discrimination and participation, which are discussed later in this guide.

What are your entitlements under the right to the highest attainable standard of physical and mental health?

By *entitlement* we mean a right to facilities, goods, services and conditions that help any person to achieve the highest attainable standard of physical and mental health. These include the entitlement to a system of health protection, including health care.

As well as granting an *entitlement* to a system of mental health care, the State must protect other rights, such as housing, employment and education. These other rights are sometimes described as the *underlying determinants of health* because enjoying these rights can contribute to enjoying the right to health.

International human rights law requires health services, goods and facilities, including the underlying determinants of health, to be:

- ***available*** - enough mental health related facilities and services and trained medical and other professionals must be available,
- ***accessible*** - appropriate facilities, goods and services must be affordable, not too far away and available without discrimination. Information on such matters must also be easy to read and understand,
- ***acceptable*** - facilities, goods and services must respect different cultures and medical ethics, and
- of ***good quality*** - facilities, goods and services must meet medical and scientific standards.

What must Ireland do to realise your right to the highest attainable standard of physical and mental health?

Ireland has ratified the ICESCR, so it must use as many available resources as possible over time to fulfil everyone's right to the highest attainable standard of physical and mental health.

In short, this means that Ireland must be doing better today than it was doing five years ago. And in five years time, it must be doing better than it is doing today. Even in a recession, Ireland has a duty to make progress towards realising this right.

A number of basic human rights and fundamental freedoms are particularly relevant to you if you experience mental health problems. We will discuss the following rights and freedoms in this section:

- **the right to liberty,**
- **the right to privacy, bodily integrity and autonomy, including the right to control your health and body and the right to informed consent to treatment, and**
- **the right to be free from all forms of exploitation and abuse.**

Your right to liberty

Your right to liberty is recognised in a number of human rights treaties, including Article 5 ECHR and Article 9 ICCPR. Your right to liberty means that, in general, you have a right not to be locked in a room, kept in any place or confined to any area against your will. However, because your right to liberty is a limited right, you may be detained against your will in certain cases. But this can only happen if the detention is:

- **lawful (that is, in line with the law),**
- **necessary (there are no other, less restrictive, ways to deal with the issue), and**
- **proportionate (you should not be detained for longer than needed).**

The principle of least restriction

Various international human rights standards recognise that people who experience mental health problems have a right to care and treatment, as far as possible, in the community where they live and in the least restrictive environment (MI Principles 7(1) and 9(1) and Council of Europe Recommendation 2004(10) article 8). This means that you should not be detained in a hospital for treatment if appropriate treatment can be provided in the community.

The MI Principles also recognise your right to live and work, as far as possible, in the community (MI Principle 3).

In Ireland, the Mental Health Act 2001* sets out the circumstances in which a person may be involuntarily admitted to and detained in a hospital or other mental health facility. For a detailed summary of the Mental Health Act 2001, see the Mental Health Commission's Your Guide to the Mental Health Act 2001 (available at www.mhcirl.ie).

*AI has a number of concerns about how well the Mental Health Act 2001 complies with up-to-date international human rights law and standards. AI will make submissions to the Department of Health and Children setting out these concerns as part of its mental health campaign.

The State must put safeguards in place to make sure the following rights are respected if you are detained:

- your right to be informed of the reasons for your detention,
- your right to have your detention reviewed by an independent court or tribunal within a reasonable time, and
- your right to legal representation.

Even when you are lawfully detained, a number of conditions apply to that detention.

You should only be *detained in an appropriate place*. If you are detained because of mental health problems, it should only be in a therapeutic environment (such as a hospital) where you can get the supports and/or treatment you need (Aerts v Belgium judgment of 30 July 1998, (2000) 29 EHRR 50).

Where you are detained should also be *as close as possible to the environment of the normal life of people of similar age* (Council of Europe Recommendation 2004(10) article 9(1) and MI Principle 13(2)). This means, for example, the place of detention should provide appropriate facilities for recreation and education.

Your right to privacy, bodily integrity and autonomy

Your right to privacy is recognised in a number of human rights treaties, including Article 8 ECHR and Article 17 ICCPR. Your right to privacy includes the right to:

- live your personal life as you choose,
- have relationships with others as you choose,
- have access to information about you that others might have, and
- have your personal information kept confidential.

Your right to privacy includes other related rights such as:

- the right to bodily integrity (the right not to have your body interfered with), and
- the right to autonomy (the right to make decisions about your life).

Like many other human rights, the right to privacy is a limited right. So, for example, you should have access to information about you that others might hold, such as your medical records, but the State may deny you this information for good reason, for example if giving it to you risks harming you or interfering with the rights of others.

Another aspect of the right to privacy is the the *right to informed consent to treatment*. This means that, in general, it is up to you to decide whether or not to have a treatment. Put simply, this means that if you have the capacity to decide about your treatment, your decision must be respected, unless there are exceptional circumstances.

However, in Ireland, the Mental Health Act 2001* sets out circumstances where involuntary patients can be treated without consent, in some cases regardless of the *capacity* of the person to give consent. For a detailed summary of the Mental Health Act 2001, see the Mental Health Commission's 'Your Guide to the Mental Health Act 2001' (available www.mhcirl.ie).

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To give informed consent to treatment, you must have the capacity to make that decision.

Watch this space!

Ireland is preparing a new law on decision-making capacity. In drafting this law, the Irish Government should follow Article 12 of the new Convention on the Rights of Persons with Disabilities, which

requires States to take steps to ensure that, where possible, people can make decisions for themselves. This includes providing access to supports to enable people to make decisions for themselves.

To give *informed consent*, you must receive information in a form and language you understand about:

- your mental health,
- the treatment you will receive, why you are receiving it and how long it will take,
- the expected benefit of the treatment,
- other possible treatments that might be suitable to you, including less invasive (milder) treatments, and
- possible pain and discomfort, risks and side effects of the proposed treatment.

You must also have consented *freely*, that is without being threatened or wrongly talked into consenting.

Some other human rights principles relevant to your treatment:

Principle of Least Intrusive Treatment (MI Principle 9(1) and Council of Europe Recommendation 2004(10) Article 8)

This principle states that you should be treated with the least restrictive and intrusive treatment appropriate in the circumstances. This means that you should not be given any form of treatment if a less invasive (milder) form of treatment might work just as well.

Individualised Care Plans (MI Principle 9(2) and Council of Europe Recommendation 2004(10) Article 12(1))

Your treatment and care should be based on a plan that is designed only for you and in consultation with you. This plan should be reviewed regularly and changed as necessary to suit your changing needs.

Note: In Ireland, the Mental Health Act 2001 (Approved Centres) Regulations 2006 require in-patient services to make sure that each patient has an individual care plan, in other words “a documented set of goals developed, regularly reviewed and updated by the resident’s multi-disciplinary team, as far as practicable with the resident”.

Your right to be free from all forms of exploitation and abuse

You have the right to be protected from harm, including unjustified medication, abuse by other patients, staff or others or other acts that may distress you or cause you physical discomfort (MI Principle 8(2)).

You also have the right to protection from financial, sexual and other forms of exploitation (MI Principle 1(3)).

You may never be subjected to inhuman or degrading treatment or punishment under any circumstances (Article 3 ECHR and Article 7 ICCPR).

Potential violations of this right might include, for example:

- **using too much force to restrain you,**
- **using too much restraint and/or seclusion,**
- **physical or serious verbal abuse,**
- **washing or dressing practices that do not respect your dignity, or**
- **poor conditions including overcrowding, lack of privacy or inadequate hygiene facilities.**

Whether an act amounts to inhuman or degrading treatment will depend on the particular circumstances of the case, including the severity of the treatment, how long you are subjected to it and the effect it has on you.

The State also has a duty to take steps to protect you from inhuman or degrading treatment or any form of exploitation or abuse. So the State should make sure that an effective investigation is carried out if inhuman or degrading treatment, exploitation or abuse is alleged.

The principles of non-discrimination and equality are essential for the exercise and enjoyment of all human rights.

The obligation to respect

You should not be discriminated against by the State because of your mental health when seeking access to health care and other rights such as housing, employment and education.

You should also not be discriminated against because of any other aspect of your status, such as other disability, gender, race, age, sexual orientation, marital or family status, religion or membership of the Traveller community.

The obligation to protect

The State must take steps to protect you from being discriminated against by third parties.

This includes requiring people or organisations to make 'reasonable accommodation' where necessary to ensure that you can enjoy your rights on an equal basis with others. So, for example, an employer should take reasonable steps to allow you time to attend appointments and to make appropriate changes to work practices to assist you in accessing or staying in employment.

In Ireland, the Equal Status Acts 2000 to 2004 prohibit discrimination on the basis of a mental health problem in the provision of goods, services, accommodation and education.

The Employment Equality Acts 1998 and 2004 prohibit discrimination on the basis of a mental health problem in the workplace and in vocational training.

For further information, see the website of the Equality Authority, www.equality.ie, or Locall 1890 245 545.

The obligation to fulfil

The State must take positive steps to make sure people with mental health problems have the same opportunity as others to enjoy their human rights.

This may require the State to take special measures for particularly vulnerable groups. This means, for example, the State must give funding and other resources to mental health services on an equal basis with other health services.

In the area of housing, the State should give disadvantaged groups, such as people with mental health problems, some priority consideration to make sure that adequate housing is accessible to them (UN Committee on Economic, Social and Cultural Rights, General Comment 4 CESCR, para 8(e)).

Did you know?

Unless there are good reasons for not doing so, public bodies must make sure that 3% of the staff they employ are people with disabilities (including people with mental health problems).

For more information, see the NDA website, www.nda.ie.



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Participation in individual treatment and care planning

You have the right to take part in all decision-making that affects you. This includes the right to be involved in designing and reviewing your individual care plan (MI Principle 9(2) and Council of Europe Recommendation 2004(10) Article 12(1)).

Participation in developing, implementing and monitoring law, policy, programmes and services

People with mental health problems and their representative organisations should be involved in developing, implementing and monitoring laws, policies, programmes and services relating to mental health and other areas affecting them such as housing, employment and education.

States must make sure that their institutions use methods that allow people to participate and that they offer people ways of building their capacity to engage in active and informed participation, for example by making training courses available.

Both the Government's mental health policy *A Vision for Change* and the Quality Framework for Mental Health Services in Ireland (Mental Health Commission, 2007) call for rights holders to be involved both in individual care planning and in planning, delivering, evaluating and monitoring mental health services.

The National Service Users Executive (NSUE) was established in 2008 to inform the National Health Service Directorate and the Mental Health Commission about issues relating to the involvement and participation of rights holders in planning, delivering, evaluating and monitoring services for people with mental health problems.

National procedures

If you think one or more of your human rights have been infringed, you may be able to take a case to the Irish courts. This will only be possible if the rights in question are reflected in Irish law or in the Constitution.*

***AI cannot provide legal advice or comment on individual cases. Always seek independent legal advice if you wish to take legal action to enforce your rights.**

A number of other complaints mechanisms may be relevant to you. These include the HSE internal complaints procedure ‘Your Service, Your Say’ and those of the Equality Authority, the Office of the Ombudsman and the Ombudsman for Children.

The Ombudsman can investigate complaints alleging unfairness of a decision by a public sector organisation. The Ombudsman for Children can investigate complaints regarding services for children.

For details of how to make complaints through any of these bodies, please contact them directly. (See contact details in Part 9.)

The Irish Human Rights Commission can make enquiries into human rights matters, but it does not make decisions on individual complaints. It cannot make a finding that the State or an official has abused your human rights, nor can it award remedies such as compensation. The IHRC can make recommendations to Government on measures to strengthen, protect and uphold human rights in Ireland. For further information on the IHRC's enquiries process, contact the IHRC directly or see its website. (See contact details in Part 9.)

The Inspectorate of Mental Health Services is required by law to visit and inspect every approved centre annually and may also visit and inspect any other premises where mental health services are being provided (section 51(1)(a) Mental Health Act 2001).

If you are an in-patient, you can request a member of the Inspectorate to see you during its annual inspection (section 52(a) Mental Health Act 2001).

International procedures

Reporting obligations

At the UN level, specialist bodies of independent experts, called committees, are set up to monitor whether States are meeting their human rights obligations under UN human rights treaties.

Ireland must make regular reports to these bodies on its progress in promoting and protecting the rights under the treaties it has ratified.

The committees then issue statements called 'concluding observations', which identify where the State is not meeting its obligations under the relevant treaty and makes recommendations about how to fulfil these obligations.

Non-governmental organisations submit independent reports (called 'shadow reports') to monitoring bodies to highlight if, and how, a State is not complying with a particular convention.

Individual complaints

Some (but not all) UN treaties have individual complaints systems. These allow individuals to submit complaints against the Irish State to the relevant treaty body or committee.

Under the Council of Europe system, the European Court of Human Rights hears cases relating to alleged breaches of the human rights set out in the ECHR by member States.

Before you can make an individual complaint to a UN treaty body or take a case to the European Court of Human Rights, you must have exhausted (used up) all domestic remedies. This means that you must have tried to challenge the alleged breach at national level (usually by taking a case through the Irish courts, right up to the Supreme Court if necessary) without success.

Special Rapporteurs

UN Special Rapporteurs are independent experts appointed by the UN Human Rights Council in relation to a particular country or theme (such as health, housing or education).

Individuals, groups, communities or representatives of victims can send information to a Special Rapporteur about an alleged violation of their human rights. The Special Rapporteur may then communicate the complaint to the government concerned. In this communication, the Special Rapporteur may ask for an explanation from the government or may call for the government to investigate the alleged events.

Communications between the Special Rapporteur and the government are confidential, but a summary of all complaints and replies received is published as part of the Special Rapporteur's annual report. The alleged victims or group who submitted the complaint are named in the report.



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Human rights can be a useful tool to drive change.

Use the language of human rights

You can demand that mental health services reflect the commitments in *A Vision for Change* and the Mental Health Commission Customer Charter by naming human rights, where appropriate, in any complaint or lobbying statement relating to mental health services in Ireland.

Join AI's Lobby Network

Mental health will only become a political priority when we, Irish society, make it so. Together we are louder.

AI is asking everyone to challenge their political representatives to give mental health the priority it deserves. You can join a growing group of people who take monthly action by writing to, phoning or visiting their TDs.

Please contact us if you are interested in signing up to this network and receiving the monthly actions.

Tell your story

AI *cannot* get involved in individual cases. But, if appropriate and if consent is given, we *can* use the issues or experiences of individuals to inform our mental health campaign.

As a human rights campaigning organisation, we will lobby the Government and other relevant people and organisations for changes to Irish law and policy to make sure that Ireland fulfils its obligation to respect, protect and fulfil the human rights of people with mental health problems.

If you wish to tell us about your experiences of mental health services in Ireland, you can contact us. We will treat all calls, letters and e-mails we receive as strictly confidential.

Remember, this guide does not contain detailed information on Irish mental health and human rights law or on how to make a complaint if you feel your human rights are not respected.

Neither does it offer legal advice. If you want to take legal action to enforce your rights, always seek independent legal advice.

Our contact details:

**Amnesty International Ireland,
1st Floor, Ballast House,
18-21 Westmoreland Street,
Dublin 2**

Email: mentalhealth@amnesty.ie

Telephone: (01) 863 8300

Ireland**Citizens Information**

Web: www.citizensinformation.ie

Tel: LoCall 1890 777 121

Equality Authority

Web: www.equality.ie

Tel: LoCall 1890 245 545

Free Legal Advice Centres (FLAC)

Web: www.flac.ie

Tel: LoCall 1890 350 250

Irish Advocacy Network (IAN)

Web: www.irishadvocacynetwork.com

Tel: 047 38918 or 047 72863

Irish Human Rights Commission (IHRC)

Web: www.ihrc.ie

Tel: (01) 858 9601

Mental Health Commission (MHC)

Web: www.mhcirl.ie

Tel: (01) 636 2400

(For links to voluntary and advocacy organisations see 'Useful Links' on its website)

National Disability Authority (NDA)

Web: www.nda.ie
Tel: (01) 608 0400

National Service Users Executive (NSUE)

Web: www.nsue.ie
Tel: 085 1212 386

Office of the Ombudsman

Web: www.ombudsman.gov.ie
Tel: (01) 639 5600 or LoCall 1890 223030

Ombudsman for Children

Web: www.oco.ie
Tel: 1800 20 20 40 (free phone)

International bodies and organisations

For information on the Council of Europe (CoE) and to access the European Convention on Human Rights, the European Social Charter, other Council of Europe documentation and information on the European Court of Human Rights, see www.coe.int/

To view UN human rights treaties and for information on UN treaty monitoring bodies, see www2.ohchr.org/english/law/index.htm

For information on the UN Special Rapporteur on the Right to the Highest Attainable Standard of Health, see www2.ohchr.org/english/issues/health/right/

To view the UN MI Principles adopted by General Assembly Resolution 46/119 of 17 December 1991, see www2.ohchr.org/english/law/principles.htm.

For information and guidance on mental health policy and law from the World Health Organisation (WHO), see www.who.int/topics/mental_health/en/

Other resources

You can get a copy of the Government's mental health policy, *A Vision for Change*, at www.dohc.ie/publications/vision_for_change.html or request a copy from the Department of Health and Children by emailing info@health.gov.ie.

You can find a copy of the Mental Health Commission's Customer Charter at www.mhcirl.ie/About_Us/MHC_Customer_Charter.pdf.

You can get a copy of the Quality Framework for Mental Health Services in Ireland (Mental Health Commission, 2007) at www.mhcirl.ie/Standards_Quality_Assurance/Quality_Framework.pdf.

We welcome comments on the usefulness of this guide and any suggestions to improve it. We would be grateful if you could take the time to fill in and return this form.

Are you...?

- a rights holder
 - an advocate
 - other (please describe)
-
-
-

Did you have an understanding of human rights before reading this guide?

- yes a good knowledge
- yes a basic knowledge
- no
- don't know

Has the guide improved your understanding of your human rights?

- yes a lot
- yes a little
- no
- don't know

Did you think the level of information in the guide was...?

- too complex
- about right
- too simple

Do you think you will use the information in this guide?

- yes – for myself
- yes – to advise others
- not sure
- no

Can you give an example of how you have used or might use the information in this guide?



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