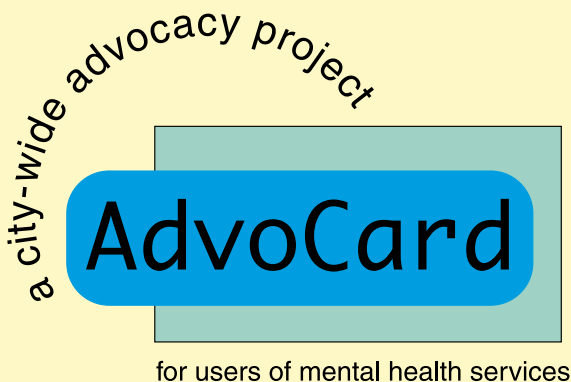


Named Person

- The new Mental Health Act allows **you** to choose someone **you** want to be involved in decisions about your mental health care and treatment
- A **Named Person**, once nominated in writing and witnessed, will have rights to be told about you and give their opinion about you at Tribunal Hearings and other procedures under the new Act
- Your **Named Person** does not need to be a relative - it replaces and goes beyond 'Nearest Relative' powers under Mental Health Act 1984
- **You** can also make clear who **you do not want** to be your **Named Person**



The Mental Health Act

The Mental Health (Care & Treatment) (Scotland) Act 2003 states that you can nominate a **Named Person**.

What a Named Person can do

Your **Named Person** will have the right to:

- Be asked their opinion about issues such as your detention and/or compulsory treatment order
- A copy of certain records or information you are given
- A copy of your **Advance Statement**
- Authorise a doctor to examine you before they apply to the Tribunal
- Apply, speak and give evidence at the Tribunal
- Ask the Health Board or Local Authority to assess your needs

Why?

It could be really important for people who do not want a close relative to automatically be involved in making decisions about their care and treatment.

If there is someone you don't want to be your Named Person you can make this clear in writing - you don't have to give reasons.

If you choose not to nominate a Named Person then your primary carer/nearest relative will be appointed as your Named Person if they are willing.

If you do not nominate a Named Person and no primary carer or relative wants to be your Named Person, your Mental Health Officer or anyone who has an interest in your care and treatment can ask the tribunal to appoint someone as your Named Person.

Who?

Anyone who has experienced mental health difficulties or used mental health services should think about nominating a *Named Person*.

It's really important to nominate someone you can trust and who has a good understanding of what you want and the things that matter to you.

Your *Named Person* could be a friend, neighbour, relative, mental health service user or someone else at least 16 years old.

It's not a good idea to nominate anyone involved in providing you with care or treatment, like your keyworker or support worker.

You **can not** nominate your independent advocate.

Your Mental Health Officer (MHO) or other people involved in your care and treatment can apply to the Tribunal to change your *Named Person* if they think that your nomination is unsuitable.

When?

When you choose your *Named Person* you have to be well enough to understand and intend the effects of the decisions you are making and have this witnessed by one of a list of professionals.

You can change your *Named Person* at any later date by formally withdrawing your first nomination and nominating someone else in writing.

AdvoCard employs Advocacy Workers to provide free independent advocacy for Edinburgh's mental health service users who live in the community and face compulsory treatment under the Mental Health (Care & Treatment) (Scotland) Act 2003.

AdvoCard can provide you with more information and support **you** with the process of nominating a **Named Person**.

Please contact **Jane, Vincent** or **Devrim**:

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