

Bottlenecks of mental he

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There are good laws for many issues in Pakistan but unfortunately none are effectively implemented. There are reasons for this predicament, which if resolved with good insight might have proved better for the country.

The Lunacy Act of 1912 was in vogue until recently when a new mental health legislation came into force on 20th February, 2001, amid the existing scenario of meagre health budget, inadequate psychiatric infrastructure, rampant stigma, gross violation of human rights generally and towards mentally ill specially, emergence of high incidence of mental illnesses. In the present era misconceptions, taboos, quackery, discrimination and denial of human rights to the mentally ill prevails with monstrous magnitude. The most important aspect of such legislation is the respect of patients' rights.

The fundamental rights as described by the World Federation of Mental Health clearly describes the various aspects as: (1) mental health promotion is a responsibility of the government and non-government authorities, as well as the inter-governmental system, especially in times of crises. (2) prevention of mental or emotional illness or distress is an essential component of any mental health service system.

Preventive efforts will require attention beyond the confines of the mental health care system to include optimal circumstances

for development covering family counselling, prenatal and perinatal care, adequate general health care, opportunities for education, employment and social security. Research related to prevention of mental diseases will remain a priority. (3) Community involvement and participation of professional and voluntary mental health associations and consumers and self help groups. (4) The fundamental rights of persons who are labelled or diagnosed, treated or defined as mentally ill or distressed shall be the same as those of all other citizens. These include the right to coercion-free, dignified, humane and qualified treatment with access to medically, psychologically and socially indicated technology, freedom from discrimination, right to privacy and confidentiality, right to protection of personal property, right to protection from physical and psychological abuse, right to professional and non-professional negligence and abandonment, right to adequate information about the individual's clinical status. (5) All mentally ill persons have the right to treatment under the same ethical standards as other ill persons. (6) Protection of legal rights.

A good piece of mental health legislation should cover the issues of: promotion of mental health and prevention of mental disorders, access to basic mental health care, mental health assessments in accordance with internationally-accepted principles, provision of least restrictive type of mental health care, self determination, right to be assisted in exercise of self-determination. There should also be availability of review

procedure, automatic periodic review mechanism, qualified decision maker, respect for the rule of law.

To bring forth an effective legislation, there are important parameters, which are: A written mental health policy with provision of integration into primary health care system, an operational programme to give effect to policy, formal effort to enhance planning and management capabilities at district/local level, funds allocated to district/local level authorities with flexibility for using atleast a substantial part of these funds according to locally-perceived needs.

The new mental health document lacks the description of specific role and effectiveness in mental health action and programmes attributing to each sector in the government, non-government and religious organisations. Specific promotive, preventive and rehabilitative actions are not identified. Same stands for interventions in vulnerable age groups, psychosocial needs and orientation to training and research activities.

It was also important to add the realisation for equity i.e., equal access and equitable distribution of health resources, continuity, community participation and periodic review.

Though the legislation is a commendable step it is important to follow it appropriately in order to make it effective. Like the establishment of federal health authority should be done carefully. Once the selection is made the authority should undergo training to gain better understanding of different aspects of legislation, existing mental health problems and the

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women health problems doesn't have any provision for associated mental health problems.

Involvement of motivated and dedicated people, strong community participation, real in-depth education about the new law, revamping of existing mental health services and ample liberties in mental health budget will help in its appropriate implementation. At the moment it is important for the mental health related persons to understand the act step-wise and start with the provisions of human rights of the mentally disordered persons. If this aspect is understood and followed up appropriately, the scenario will greatly improve, otherwise like all such laws this would also remain a beautiful piece of document. ■