

COMMONWEALTH NURSES AND MIDWIVES FEDERATION

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Botswana's new Mental Health Bill

The CNMF mental health legislation project, funded by the Commonwealth Foundation, involved working with two Commonwealth countries, the Seychelles and Botswana, to reform their mental health legislation

The project in both countries resulted in a recommendation, which was accepted Government, to write new legislation as the existing considered unsuitable legislation was amendment. In the Seychelles, new mental health legislation has already been submitted Parliament.



Seychelles National Mental Health Advisory Committee meeting with the Seychelles Minister for Health.

In Botswana, a series of stakeholder meetings with mental health personnel, members of the judiciary, and civil society organisations, were held in July to finalise the drafting instructions for the new Bill. These drafting instructions have now been submitted to the Ministry of Health and forwarded to the Attorney General's Office for new legislation to be drafted. It is anticipated the new legislation will be submitted to Parliament early 2019.



Members of the Botswana National Mental Health Advisory Committee meeting with the Botswana Minister for Health.

UN Convention on the Rights of Persons with Disabilities

The United Nations on the Convention of Persons with Disabilities (CRPD) is the 'gold standard' for mental health legislation. The CRPD was adopted by the UN of 13 December 2006, opened for signature and ratification on 30 March 2007, and came into force on 3 May 2008. So far, 177 countries have ratified the CRPD. Has your country signed the CRPD? To find out, go to:

https://treaties.un.org/Pages/ViewDetails.aspx?src =TREATY&mtdsq_no=IV-15&chapter=4&clanq=_en

The CRPD is a legally binding international treaty. Countries which have ratified the CRPD are required to "adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognised in the CRPD" and to "take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities". For a copy of the CRPD go to:

https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html.

The CRPD is rights based. It marks a paradigm shift where persons with disabilities are no longer viewed as objects of charity but as active members of society, in control of their own lives, with free and informed consent, and with the same rights to participation, engagement and inclusion on an equal basis to every other person. The CRPD contains a wide range of 'rights' in areas such as health, education, employment, access to justice, personal security, independent living in the community, and access to information.

The CNMF mental health legislation project assesses a country's mental health legislation against the CRPD and makes recommendations for reform if required. The WHO report that few countries have a legal framework that adequately protects the rights of people with mental disabilities, and that policy and practice needs to be based on a sound legal framework. Mental health legislation when formulated according to human rights principles, can address access to care; rehabilitation; integration into the community, the promotion of mental health; and the prevention of stigma, discrimination and marginalisation.



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CALL FOR ABSTRACTS

13th CNMF Europe Region Conference

8-9 March 2019 St Paul's Bay Malta

For further information on 'Call for Abstracts' and registration go to: http://www.commonwealthnurses.org

