



People First (Scotland)

People First (Scotland) is the independent national self-advocacy organisation for people with learning difficulties in Scotland. We are linked to the international People First movement. Registered as a private limited company No. 173180 Scottish Charity No. SC 026039.

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People First (Scotland)
provides:

- information
- advice
- training
- representation
- development work

Laura Dunlop QC
Scottish Law Commission
140 Causewayside
Edinburgh
EH9 1PR

Dear Ms Dunlop,

I hope you remember coming with your colleagues to visit us especially to talk about guardianship and the label of mental disorder that gets applied to us under both the Mental Health Act and the Adults with Incapacity Act.

Since we met, we have been very heavily involved in speaking to a range of Disabled Persons organisations and to Scottish Government and we have been heavily involved in presenting information to be included in the UN Convention on the Rights of Persons with Disabilities, especially article 12, the right to legal entity status which is routinely removed under guardianship orders.

When you met with us, you suggested we could write to the Commission at any time with suggestions about legal matters.

We have agreed that I should write to you now to formally request consideration of a root and branch review of both the Mental Health Act in Scotland and the Adults with Incapacity act, specifically to examine whether these pieces of law are in compliance with the UN Convention on the Rights of Persons with Disabilities.

Our hope is that a separate piece of law could be drafted which specifically addresses the condition of learning disability and how it should be "treated" or "supported" as a preferred term and how our rights might be protected and less liable to be simply removed by medical practitioners and the courts.

If you would like to hear anything more from us, we would be very pleased to say more, either in person or by letter.

Our best regards to you,

Fiona Wallace
Chairperson Jury Next Steps Group

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