

Lynne Neagle AS/MS
Y Dirprwy Weinidog Iechyd Meddwl a Llesiant
Deputy Minister for Mental Health and Wellbeing



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref LN/00414/22

Baroness Buscombe
Joint Committee on the draft Mental Health Bill
House of Commons
London
SW1A 0AA

14 November 2022

Dear Baroness Buscombe,

Thank you for your letter of 6 September about the Joint Committee's pre-legislative scrutiny of the draft Mental Health Bill, and for the invitation to comment on the legislation.

The Welsh Government is supportive of the draft Bill, and I have indicated through an exchange of correspondence with the then Secretary of State for Health that the Welsh Government is content for the majority of the measures in the Bill to extend to Wales, in so far as they impact on devolved areas.

There are some changes within the legislation that I have said should not be extended to Wales, notably the introduction of statutory care and treatment plans and the extension of the current Independent Mental Health Advocacy service to patients who are in hospital voluntarily. The reason for this is that we have already made provision for these in Wales through the Mental Health (Wales) Measure 2010, albeit with some differences in the way that both of these things are likely to operate in England. I am content that the Bill has been drafted to exclude Wales from these changes in an appropriate way.

I anticipate that since sections of the Bill will apply in Wales and extend to devolved areas, a legislative consent motion will be required to be introduced to the Senedd for formal agreement.

Officials from my department have been working closely with their counterparts in the Department of Health and Social Care and the Ministry of Justice, and will continue to do so as the legislation progresses.

Yours sincerely,

Lynne Neagle AS/MS
Y Dirprwy Weinidog Iechyd Meddwl a Llesiant
Deputy Minister for Mental Health and Wellbeing

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Lynne.Neagle@llyw.cymru
Correspondence.Lynne.Neagle@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.