



The College of Psychiatry of Ireland  
*Coláiste Síciatrachta na hÉireann*

## ***“Section 59b of the Mental Health Act 2001 should be retained with the word unwilling to go” say Psychiatrists***

### **‘Unwilling’ To Go**

The College of Psychiatry of Ireland again called for the removal of the word ‘unwilling’ from Section 59b of the Mental Health Act 2001 at all party briefings in Leinster House last week. However the College strongly proposed that Section 59b be retained in the legislation.

Section 59 of the Act legislates on the administration of Electroconvulsive Therapy (ECT) for patients with and without capacity. ECT is considered to be a life saving treatment in a small number of cases where people are severely mentally ill and also a treatment offered to patients where all other treatments such as psychotherapy and medication have not worked to enable a person to begin recovering from their distressing, debilitating illness.

The College in its former body (Irish College of Psychiatrists) sent submissions over the last few years to the Department of Health requesting removal of the word ‘unwilling’ from this section of the Act. The College support the rights of any patient who has capacity to make an informed refusal to have ECT as a treatment option.

At the presentation to members of the all party briefings, the College also highlighted the need for enhanced regulation of the administration of ECT through the powers of the Mental Health Commission (MHC). In addition the College stressed the urgent need for the proposed Irish Capacity Legislation to be enacted. (See College Submission to Dept of Justice, Equality and Law Reform on the Heads of Bill for the proposed Capacity & Guardianship Legislation on College website [www.irishpsychiatry.ie](http://www.irishpsychiatry.ie)).

Clarifying the need for better data and improved regulation of the administration of ECT the College recommended to the all party briefing last week that:-

- (i) Enhanced data collection is developed by MHC in consultation with the College for audit and research purposes in relation to ECT.
- (ii) Review of the Form specified by MHC in the process of approval of a patient being given ECT - 1. to include the requirement of the second opinion psychiatrist be nominated from a panel held by the MHC and 2. that the second opinion psychiatrist consults with another member of the Multi Disciplinary Team.
- (iii) Centres of excellence for ECT are developed nationally.

Current Irish research, which is due to be published shortly, shows in the analysis so far that 93% of patients who were treated with ECT under section 59 of the Mental Treatment Act benefitted from it. Seven 7% of those treated showed no improvement in their condition. This Irish research is broadly in line with research recently published in Scotland ([www.SEAN.org.uk](http://www.SEAN.org.uk))

ENDs

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