



**Submission to:**

**The Oireachtas Committee on Justice, Defence and Equality  
on Proposed New Mental Capacity Law**

**On Behalf of:**

**Mad Pride Ireland**

**[www.madprideireland.ie](http://www.madprideireland.ie)**

John Mc Carthy – [johnfmccarthy\\_90@hotmail.com](mailto:johnfmccarthy_90@hotmail.com)

David Mc Carthy – [davidmccarthyconsulting@gmail.com](mailto:davidmccarthyconsulting@gmail.com)

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The use of force as a means to cure emotional distress is over. The normality of madness as part of every family's reality must be faced up to as a human reaction to pain of the spirit. The defunct ethos of the chemical imbalance theory and the marketing of the pill for every ill by vested interest across business education and medicine have destroyed enough people's lives it is time to shout stop.

This is a moment to grab an opportunity; this is an opportunity to grant full and equal rights to the mad community as honorable and loved members of the community.

This is a moment in which we can redirect the evolution of how we as society conceive the mad who live in every home in this state with a greater or lesser degree of shame.

Madness is a proud part of the human condition that has been driven into a place of fear by ignorance and more recently economically fueled educated ignorance.

Madness is not to be understood but to be loved. Madness is not to be rejected but held.

Madness is so frustrating as the mad reject love through a deep lack of the ability to love themselves. And society has lost patience with the mad and bought into the pill for every ill, and turned a blind eye to the pain and suffering this has caused.

Fear has become the marketing tool of the medical model; fear of consequence.

Students are being taught fear in our universities.

Words like survivor, torture, abuse, damaged, hurt pain are now in the in the common parlance of those of us who have used the service. These are words of abuse not of bad service.

The UN convention on the rights of the disabled grant the following

Art.12 legal capacity

Art 14. Denies state parties the right to lock a citizen up based on a disability

Art 17 the right to moral and physical integrity

If you fudge these fundamental rights by some form of compromise that denies full equal human rights under Irish and international law it will come back to haunt you and all of us.

If you try to square the circle as some most influential parties are suggesting by widening the circle of opinion as some pseudo method of granting justice this review is doomed to failure.

Equal rights for the mad community will carry a huge burden of change for all in Irish society that has always been the case when it comes to rights.

You cannot be a little bit in favor of force in care and not expect huge human suffering to so many citizens of Ireland while in the care of this state, history has proved this.

We must stop the use of force NOW it is time.

This debate will be distracted into the blind alley of 'what do we do then', we cannot deny citizens the right to be equal citizens because the solution is too complicated or based on the fact that a better solution is not in existence. That in itself is ABUSE.

Art 3 Mental Health act of Ireland defines a person with a mental disorder as a person with intellectual disability severe dementia or mental illness I am writing this having spent a year in various psych units and been diagnosed with four different life-long diseases of the brain "chemical imbalance" by four different psychiatrists. How can you reading this believe you can assess my capacity as an equal citizen of Ireland within that legal definition? They told me I had a disability for life. I found the cure in life and love by walking away from my doctors. That is a sad statement for me to make but it is a sadder and more frequent reality for a growing number of the normally mad community that because of the power granted by law to a system to force a cure on us, when we reject that reality that system which relies on force rejects us.

Conform be compliant take your pills as prescribed and be quiet, we will look after you. If you do not we will lock you away and forget you. This is the reality we all know exists, but deny.

You are our public representatives you have been empowered to protect us please look beyond the "what if" "what will happen then" brigade who will bring fear of consequence to your table.

Force does not work.

"You can't force me to smile, but you can force me to cry" Mad Pride Ireland. We have forced too many of our citizens to cry over the years, all of you reading this know of somebody who has been abandoned into this system of locking away our unwanted.

If we stop the use of force, we have to then evolve a different and more caring way of treating the mad community. The solution will be forced on society when society stops using force in care. Time to discuss it then.

The evidence emerging is now so huge it is beyond the individual to take steps this is a state matter now.

Is there abuse in psych units or is it all some kind of propaganda, crazy conspiracy theory, lies; are all those who at great emotional pain without gain telling lies? The internet is a conduit for thousands to speak of the physical and emotional abuse they have endured while in the care of this state.

The whole mess is now in the hands of Minister Kathleen Lynch history will judge her courage in tackling this national disgrace.

This cabinet inherited the child abuse scandal; its legacy could be the lack of willingness to shut down this current abusive system.

Either way the voices of the abuse cannot be silenced now. This is not about revenge it is about justice. Justice will be done it is a matter of history now who will be honored in history as the person who had the courage to be the first country to declare force has no place in care. To declare complete equality for the mad community and all that it implies.

You cannot adjust policy to correct a breach of a citizens human rights you grant full equal rights and that will dictate the policy we need to protect those equal rights. We are trying to stave off the inevitable by fudging responsibility.

We have pulled such a dense curtain of fear over those of us who live at emotions edge, we as a society would be dazzled by the light that equal rights would allow into all of our lives.

Love, support, community such easily disparaged words; words that fear allow no place for in any debate.

This is not an academic debate this is not a professional debate this is an emotional debate by the very nature of the subject matter under discussion; it has to be. The time for academia and professionals to step in and contribute is when justice has been done. This is politics and you the politicians are the nation's conscience. This is a debate between victim and conscience.

Out of fear has, as it always has, springs abuse.

When the plague hit in the middle ages we threw those infected outside the walls to die. Fear fueled by educated ignorance caused rejection to be the favored protection from infection.

We do no less now fear caused by educated ignorance causing rejection to be the favored protection.

Madness is an enduring part of the human condition long may it be. Out of madness comes beauty out of despair springs emotive creative genius. Eccentrics those that think outside the box are part of the mad community, as much as those who cannot encompass their pain in living and experiencing their lives, by “normal” standards.

Madness is frustrating because it is different for each individual. You cannot come up with guidelines to cure madness, you can only train loving people to listen and hold those who have lost love.

What we have done is evolve guidelines to control the mad community and so many have suffered horribly from that ethos of control.

We will slowly begin to wake up to the horrors of four point restraints, forced feeding, beatings, solitary confinement, forced medication, over medication, chemical poisoning, forced ECT and deprivation of liberty. The list of torture goes on and on that is not an emotive statement but one of established recorded fact by a growing list of living horrific testimony. For examples read the Mental Health Commissions reports.

As to whether madness is a disability at all is a question yet to be fully discussed. Madness is a sickness of the spirit; our spirits become unwell for a time. Is the flu a disability? Yet if the flu is not treated correctly it might lead to pneumonia and you may die from it.

This debate is not a matter of treatment or one of any ethos it is a matter of human rights and law. It is not the function of this debate to design alternatives in order to stop the present cruelty and abuse.

The cruelty and abuse are the reason to change the law, what happens when full equal human rights are granted to the mad community is a different debate on treatment and should not cloud and prolong this debate on rights.

The United Nations Declaration on the Rights of the Disabled Article 14 states that states parties ensure “that the existence of a disability shall in no case justify a deprivation of liberty”.

That is a clean and clear statement if a doctor diagnosis a patient with a form of “mental illness” that is currently de facto declaring that patient has a disability and therefore the patient cannot be

locked up, if the member of the mad community has broken the law that is a matter for the civil courts.

As impossible as that is to conceive in today's climate that is the only lawful way forward.

Locking somebody up because in a doctors opinion that person 'Might' (Mental Health Act 2001) be a danger to themselves or others can no longer apply. Who in the current ethos of educated ignorance and fear will overturn the word of the doctor if he states 'Might' (Mental Health Act 2001) is fact. We have an established system of law to make a decision on the guilt of person. All we ask is the protection of judge and jury not the paternalism that convicts on opinion of behavior.

Tribunals trained to believe in the power of psychiatry to know the future are not only flawed they are archaic and a compromise to conscience. To suggest that the answer to this dilemma is to increase and broaden the remit of these fortune tellers by including psychology, nursing, social workers etc who now predict that the patient 'Might' (Mental Health Act 2001) be a danger in the future.

This systemic shift in human thinking as all systemic shifts will bring great change and difficulty to the whole of society.

The abolition of slavery brought economic ruin to the ruling elite.

The equal rights of the Negro brought blood to the streets.

The equal rights of women cost incarceration in mad houses and declarations of insanity by doctors who knew that women had lost their minds looking for equality with men.

The changes brought about by equal rights for women have been nearly impossible to legislate for and it is still evolving. The cost has been enormous in shifting thinking and ingrained prejudice fuelled in the main by educated ignorance that proved scientifically that women's brains were less than men's and all of society believed that science for so long.

This is the paradigm shift we must endure right now. It will take bold leadership. We cannot fudge this; you cannot say that a black person a woman a gay person is to be granted full human rights and all it implies EXCEPT in those areas of law we as a society have not quite figured out yet. So until we do we will only breach your rights a little.

That is the sure road to future abuse and this whole process being revisited.

But that is not the true reality. The true reality will be our future citizen's future members of the mad community suffering as those past and present are and have suffered, surely it is time to cry stop.

If we do not this state will be tied up in legal knots for defending cases of breach of rights, the UN convention is clear and unequivocal.

This is possibly the most challenging and potentially costly changes in the law we will make this decade that is a reasonable certainty. What we will never be able to quantify is the benefit to society if this granting of full human rights no equivocation no exceptions will bring as we change to a system of loving and caring for the mad community thereby allowing the mad community stand up as proud, productive, creative, gifted, contributing equal members of this society.

Mad Pride Ireland has proved that there is a hunger in society to see this seismic change, by doing nothing more than opening a space where Irish citizens can tell our politicians there is no need for the fear. We opened a place of love and joy and Ireland has flooded into prove that loving community care is where the future lies, but that door will never open if we only open the door a little. Shade is a place where abuse hides, time to open the door to rights and fully let the light in.

Practical people have stepped into this debate they are very welcome but practical thought must be equally balanced by emotion here, this whole debate is about emotion in and out of balance.

We have a new strong stable government now, one that is taking steps and speaking out strongly on the past abuse. This is their moment in history their opportunity to change all our lives for the better. The question is will they have the courage to embrace it.



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