

# MENTAL HEALTH IS A UNIVERSAL HUMAN RIGHT

The global theme for World Mental Health Day in 2023 was “Mental Health is a Universal Human Right”. This is an important topic in the context of South Africa where health care including mental health care, is a right according to the Constitution but is not always accessible to all its citizens. Public health facilities are under resourced and there are severe constraints to providing quality of care. In addition, mental health care users are vulnerable to neglect and abuse in mental health institutions.

The Life Esidimeni disaster was a clear illustration of the inadequacies of the mental healthcare system and the failure by key role players who are responsible for ensuring access to mental health care services to do the right thing. It was arguably one of the most significant human rights violations of our democratic era.

There is a lot to be learned from this disaster, however. While it highlighted the vulnerability of mental health care users, it also demonstrated the importance of collaboration between organisations and individuals who are working on similar issues. The Life Esidimeni case saw the families of the users coming together with organisations working on mental health to try and prevent the disaster, and then to seek justice once it unfolded. This is a model for stronger advocacy.

Mental Health Care users are unfortunately not always familiar with the provisions in the Mental Health Care Act that empower users to exercise their rights e.g., consent to admission, types of treatment and how to escalate complaints to the Mental Health Review Boards. More needs to be done by providers of mental health care services to educate mental health care users.

## Breaking the Stigma

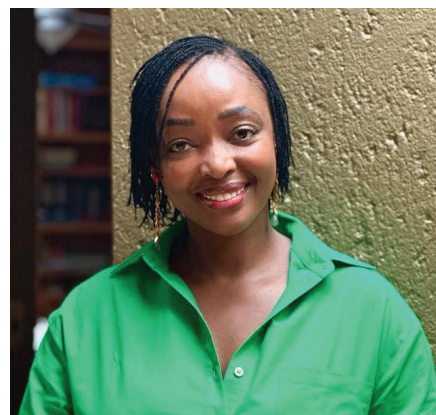
Stigma and discrimination remain significant barriers to treatment in seeking help by mental health care users. Mental health care users are fearful of being labelled as

mentally ill within their families and communities and in particular in the workplace. They are fearful they will be subjected to unfair and discriminatory labour practices. Mental health care users are often unaware of the protections afforded by the Bill of Rights, labour law, and the Employment Equity Act. The employer is obliged to provide reasonable accommodations in the workplace for employees with a disability.

There has been increased awareness around the importance of mental wellbeing in the workplace which was brought into sharp focus during the COVID-19 pandemic. Since then organisations have been recognising the need to improve support for staff and have happier, healthier, and productive work environments.

Stigma results in mental health care users presenting late in the progression of the mental health condition when they display disruptive behaviour, violent or suicidal behaviour. The opportunity for early interventions is missed. Misconceptions about mental health are often culturally and contextually bound. It's incumbent upon health care service providers, mental health care advocates and users of mental health care services to be get involved in demystifying mental health, raising awareness, and improving mental health literacy.

Research has shown that exposure to individuals with mental illness decreases discriminatory behaviour and that celebrities sharing their mental health challenges has a positive impact in shaping people's views on mental health. There has been a discernible shift in South Africa in the past 20 years in terms of the engagement on mental health care issues in the public domain and this is largely attributed to the work of SADAG, an organisation that occupies a pre-eminent position in terms of advocacy work for mental health care users.



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## Centering mental health

The global theme for World Mental Health Day is significant in South Africa as it is a call to action, to centre mental health as a human right which means that mental health is understood in its socio-economic and political context. The rise of mental health problems in communities is related to issues of poverty, violence, food insecurity, and unemployment and tends to be a gendered as women more likely than men to experience adversity.

Centering mental health also means that it's seen as an intrinsic part of good health and recognising that there is no “health without mental health”. The disparities in funding for mental health care compared to physical health services in both the public and private sector may be attributed to stigma and lack of recognition of the significance of impairment, disability and loss of life associated with mental health conditions.

Bringing mental health care to the community is an important extension of mental health as a human right and moving away from the institutionalisation of mental health care users. It's for society to ensure that users are integrated into their communities and have the right to employment with their dignity preserved.

*References available on request.* **MHM**