



Editorial Letter

Breaking the Chains: Nigeria's New Mental Health Law and its Impact on Care and Rights

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On January 5th, 2023, President Muhammadu Buhari signed the Mental Health Bill into law, replacing the outdated and inhumane Lunacy Act of 1958.^[1] Despite the significance of mental health as a fundamental aspect of overall well-being, previous meaningful legislation in Nigeria has been lacking, with significant gaps in the provision of mental health services and support.^[2] The bill, which was harmonized by both Houses of Assembly in 2021, is the first Mental Health Act/Law in the country after independence. The bill creates a Department of Mental Health Services in the Federal Ministry of Health and a Mental Health Fund. The newly introduced bill is a comprehensive legislation that guarantees the rights of individuals receiving mental health treatment. It allows for their active participation in the development of their medical plans and sets guidelines and time frames for the use of forced treatment, seclusion, and other forms of restraint in mental health facilities. The bill also establishes human rights protections for individuals with mental health disorders, including the prohibition of discrimination in areas such as housing, employment, medical care, and other social services. Although the bill eliminates physical restraints, it falls short of eliminating chemical restraints. Nevertheless, it is a significant step in combating the stigma and discrimination faced by individuals seeking mental health services and addressing the issue of funding for mental health care in Nigeria.

If well implemented, the new bill can provide a safer and more supportive environment for individuals with mental health disorders to access appropriate care and live fulfilling lives. For instance, operationalizing the bill will require the integration of mental health services into primary health care. This may involve training primary healthcare workers to provide basic mental health services and implementing better referral systems for individuals in need of specialized care. Integrating mental health services with primary health care services will ensure that individuals with mental health disorders have access to the care they require, regardless of their location. The implementation of the Mental Health Bill must also consider the cultural

Adepoju VA - Nigeria's New Mental Health Law and its Impact on Care and Rights context of mental health in Nigeria.^[3] In implementing the Bill, it is important to factor in the various cultural beliefs and practices that may impact the mental health of individuals, as well as involve community leaders and traditional healers in mental health service provision. The human rights of individuals with mental health disorders must always be protected and the government should monitor the implementation to ensure that individuals with mental health disorders are not subjected to any form of discrimination.

Although the new bill aims to ameliorate gaps in the provision of mental health services, its implementation may face some challenges such as a scarcity of funding, inadequate infrastructure and human resources, and poor coordination among stakeholders.^[4] A potential solution to these challenges is the establishment of sustainable financing mechanisms for the mental health system, as emphasized in a previous study.^[5] This may involve increasing government funding for mental health services and evaluating alternative financing options, such as private-public partnerships and insurance schemes. Ensuring sustainable funding for mental health services is vital to prevent negative consequences for individuals who require these services the most.

The signing of the Nigeria Mental Health Bill is a positive step towards addressing mental health issues. Success requires addressing challenges like sustainable financing, integration with primary care, and cultural and human rights dimensions.

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