



Legal frameworks: A first step towards social and economic integration of the mentally ill



While much progress has been made across Europe to integrate people with physical disabilities into the social and economic fabric of society, this is not always the case for those with mental health problems – even though a growing number of European citizens are suffering from some form of mental illness. Greece's PSYCHARGOS Mental Health Programme is one successful exception. Can the model work in other EU Member States?

The subject of the social inclusion peer review held in Athens on 6 and 7 October 2005 was the use of social cooperatives as a way of rehabilitating mentally ill people.

The topic proved popular, especially among the new Member States and Accession Countries, and seven peer countries attended: the Czech Republic, Estonia, France, Latvia, Malta, Poland and Romania, as well as three European stakeholder groups: MHE (Mental Health Europe), CEFEC (the confederation of social firms employing mentally ill people), and FEANTSA (representing homelessness organisations).

Over the last 20 years Greece has made enormous efforts to reform its national mental health system. A first step in this direction was to create a legal framework under which to provide comprehensive mental health care services. This was followed by a National Action Plan, the PSYCHARGOS Mental Health Programme, which entails a wide range of actions to help people with mental health problems to reintegrate into society. Part of this programme is a framework for the creation of Social Cooperatives with Limited Liability (KoiSPEs) as a pathway to the social and economic integration of people with mental health problems.

■ Bringing together mentally ill persons and non-mentally ill persons

"The idea was to create an employment situation that is as normal as possible," says Erwin Seyfried, Professor of Social Psychology at Berlin University for Applied Sciences who has been asked by the European Commission to introduce the discussion and report on the Peer review. "The cooperatives provide an opportunity for their members to regain unused skills or to acquire new ones through on-the-job training and work experience and, finally, to acquire a permanent job in a semi-protective environment of some sort or in the mainstream labour market. Mentally ill persons and non-mentally ill persons work together, thus avoiding the creation of a 'sheltered' work situation."

The PSYCHARGOS programme of mental health reform is wide-ranging, and provides for setting up a new type of legal entity, the limited liability social





cooperative or “KoiSPE” (law 2716 of 1999, article 12). This has the following characteristics:

- independent legal and tax status as a business, trading with limited liability;
- retention of supervision by the Ministry of Health;
- permission to carry out any economic activity;
- exemption from corporate taxes except VAT;
- three categories of members: people suffering from mental illness (>35%); mental health professionals (<45%); other individuals and sponsoring organisations (<20%);
- two of the seven-member board come from the user category;
- users may earn a wage without losing their benefit payments;
- each member buys one voting share (typically worth €175) and may also buy additional non-voting investment shares.

The intention is to set up one KoiSPE in each mental health sector in the country – 52 in all. Seven have so far been established, of which five are in operation.



■ Europe’s commitment to mental health

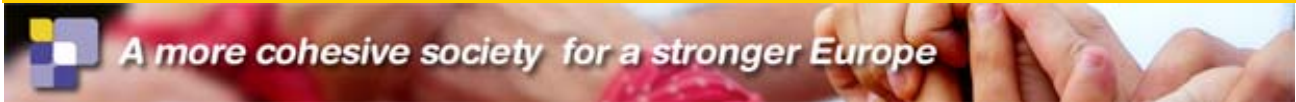
The *Mental Health Declaration for Europe*, signed by EU Ministers of Health and the World Health Organisation in January 2005, stressed the need to tackle stigma, discrimination and inequality, to empower and support people with mental health problems and their families, and to develop community-based services. Overcoming discrimination and increasing the integration of people with disabilities and other groups at high risk, such as people in or leaving institutions, is also among the seven key policy priorities of the European Social Protection Social Inclusion Process.

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A number of member states representatives expressed interest in the PSYCHARGOS model through the EU’s Social Protection Social Inclusion Process but were concerned that their governments did not have a legal framework for creating an entity that serves both therapeutic and economic purposes. “Many new Member States in particular are still in transition and are just beginning to create frameworks for rehabilitation and legislation to promote employment,” says Mr Seyfried.

Estonia is a case in point. “Greece’s experience has been most interesting for us and has given us many ideas which we can use,” says Maire Koppel, Executive Director of the mental health NGO Independent Life. “In the past five years, Estonian mental health services have developed very rapidly. As the mental health organisations have relatively small boards, it has been possible to take quick decisions. However, legislation would be needed before social cooperatives could be introduced.”





Irina Rulle, Director of Saule Day Centre for People with Intellectual Disabilities in Latvia says her country faces the same challenge. "Latvia is not yet ready to transfer the example of social cooperatives as, like Estonia, we do not have the necessary legal framework. But we hope that it is not so long before we can introduce this kind of service in Latvia too."

■ Leading by example

Pelagia Nikolaou, Project Manager of the social cooperative *Let's Make it Together*, said that in discussions with mental health professionals, she was encouraged to hear positive feedback about the programme. "But during this exchange of views, I also heard a lot of colleagues from other countries saying 'We do not have the legislative framework.' We didn't have the legal framework either, and it was a group of mental health professionals who took the initiative without having the legal framework. We certainly had a lot of difficulties, and this led us to press for an appropriate legal framework. We saw the need for change, we moved forward and others followed."

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Project information

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