

## Queensland Mental Health and Drug Advisory Council Meeting

21 July 2014 Brisbane, Australia

### Meeting Communique

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The Queensland Mental Health and Drug Advisory Council convened their third meeting in Brisbane on Monday, 21 July 2014.

At this meeting the Council predominantly discussed legislation and the review of the *Mental Health Act 2000* and the establishment and work plans of the committees of the Council.

The discussion regarding legislation and the Mental Health Act review was assisted by the attendance of guests Dr Bill Kingswell, Executive Director Mental Health Alcohol and Other Drugs Branch, Department of Health; Associate Professor Jagmohan Gilhotra, consulting Psychiatrist to the Commission; and Ms Carmel Ybarlucea, Executive Director of the Commission.

#### **Mental Health Act Review**

As part of the second round of consultations for the review of the *Mental Health Act 2000*, the Department of Health has publicly released a discussion paper and background documents for consideration.

The Commission will be preparing a submission to the Department of Health regarding proposals for legislative change. The Commission's submission to the review will be based on research and information gathered from forums held and the views of the Council.

The Council have requested the Commission address the following key issues in preparing its submission to the Mental Health Act Review:

1. Embedding a consumer centred and recovery-oriented approach and the importance of families and carers in the objects, principles and throughout the legislation.
2. Maintenance of the role of the Allied Person as a right not a requirement and ensuring independence of the proposed Independent Patient Companion.
3. Ensuring implementation is appropriately resourced and an early process for external review is established.

4. Review times for the Mental Health Review Tribunal should be shortened, commensurate with best practice in other jurisdictions; with specific consideration given to shorter review times for children.
5. The importance of maintaining an approach that this legislation is about treating people with mental illness, whether or not they are in the civil or forensic system.
6. To the extent that mental health legislation is not an appropriate tool to ensure physical health and patient safety, action is taken through alternative mechanisms to address these critical issues.

### **Least restrictive practice and locked wards**

Following a briefing from Department of Health representatives, the Council commended the Commission on the initiative to seek information about current research into locked wards in the context of least restrictive practices. This research is to be discussed at the next council meeting, including ways in which local mental health services can take responsibility for developing a recovery-oriented culture that balances patient rights with patient and community safety.

The Council looks forward to receiving information on the evaluation of the current use of monitoring devices and alternatives under consideration.

### **Consumer, Family and Carer Committee**

Membership and Terms of Reference of the Consumer, Family and Carer Committee have been finalised and for the first 12 months will include four members that bring a collective experience from key sectors and constituencies. The members of the Committee are:

- Jan Kealton (Chair): Council Deputy Chair and carer, non-government and community representative
- Dr Brett Emmerson: Senior public mental health service representative
- Niki Parry: Drug and alcohol consumer/carers and non-government representative
- Shane Martin: Commission and mental health consumer representative.

The Council endorsed the Committee's approach to promote consumer, family and carer engagement in governance of services in the public, private and non-government sectors and asked the Committee Chair to clarify their specific priorities for consideration at the next meeting.

The Committee will act as a focal point for input from the wider consumer, family and carer constituency.

### **Aboriginal and Torres Strait Islander Committee**

The Council endorsed the Terms of Reference and proposed membership of the Aboriginal and Torres Strait Islander Committee. It was agreed that membership of the Committee would be limited to six members, each representing organisations with specific skills, knowledge and expertise in Aboriginal and Torres Strait Islander mental health and drug and alcohol issues and with key perspectives across rural and remote, urban, government, community and non-government sectors. The members of the Committee are:

- Professor Gracelyn Smallwood (Chair): Council Member
- Ron Weatherall: Senior Aboriginal representative of the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs
- Marianna Serghi: Department of Health representative and expert in Aboriginal and Torres Strait Islander health, mental health, drug and alcohol issues
- Matthew Cooke: Chief Executive Officer of the Queensland Aboriginal and Islander Health Council
- Adrian Carson: Chief Executive Officer of the Institute for Urban Indigenous Health
- Sandy Gillies: Commission representative.

The first meeting of the Aboriginal and Torres Strait Islander Committee is scheduled to occur on 22 July 2014.

### **Next Council Meeting**

The next meeting of the Council is scheduled for 14 October 2014.