

Media statement

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Mental Health Commissioner's comment on the Mental Health Act Review

Major changes to the Mental Health Act in the recently released Discussion Paper have been welcomed by Queensland Mental Health Commissioner Dr Lesley van Schoubroeck.

The discussion paper was released this week by the Department of Health for public comment on the changes to the *Mental Health Act 2000*.

The Commissioner said it shows a commitment to making positive changes that will improve the treatment of people detained involuntarily and further protect their rights.

"If enacted, there are also implications of some proposals that will require further discussion and consideration," Dr van Schoubroeck said.

"It is very positive to see proposals that cater for the particular circumstances of rural and remote Queenslanders, and to increase the rigour of Justice Examination Orders if they need to be retained to ensure people can get a mental health assessment in certain circumstances.

"The enhanced provisions for families to be included in treatment planning and proposals to streamline administrative burdens that do not lessen safeguards to protect human rights are both positive steps forward.

"However, we must remember the Mental Health Act provides for some people who have committed no crime to be detained and medicated involuntarily, and the removal of the independent 'allied person' provisions is a concern to me.

"We need to understand why it is perceived to be ineffective, and how the intended support and oversight of that role will be replaced.

"A just society must ensure their citizens' rights are protected and they are given every assistance to make decisions for themselves.

"I strongly support the right to be accompanied by a support person before the Mental Health Tribunal, and to have legal representation for key hearings and would be keen to see funding made available for increased access to legal support within the current legislative framework," she said.

The Commission will be facilitating a number of forums to assist individuals make their own submissions to this discussion paper..

They will also be providing information on their website about some of the more specific issues they believe need to be considered more carefully before changes are made to the legislation.

For further information please visit www.qmhc.qld.gov.au

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