

## Media statement

27 November 2014

### New mental health legislation introduced

Systemic reforms introduced under the Mental Health Bill 2014 tabled in Parliament today represent a step forward for Queenslanders with mental health or drug and alcohol issues.

Queensland Mental Health Commissioner Dr Lesley van Schoubroeck said that the Bill provides stronger protections for patients, increased transparency and accountability, and the inclusion of least restrictive practices in the objects and principles of the Bill.

“I am particularly pleased to see the introduction of the nominated support person to replace the allied person role that exists under the current legislation and was to be abolished. The strength of this new role is that it allows consumers to choose who supports them when they are not well.

“The Bill also allows for families, carers and nominated support persons to receive relevant information, which will help address the frustration experienced when they have been excluded from the care and support of their loved ones because of privacy issues,” the Commissioner said.

“The proposed Patient Rights Advisor function will further support consumers, however its implementation will need to be carefully considered to ensure advisors can act independently of the health services to which they are attached.”

Dr van Schoubroeck said the replacement of justice examination orders with examination authorities overseen by the Mental Health Tribunal was welcome. The power to require someone to have a mental health examination will also now need to consider advice from a doctor or mental health practitioner.

“This reform balances the rights of individuals with the need for families and carers to be able to access treatment for their loved one when they think it is necessary,” the Commissioner said.

“Further, the Bill retains the six month period before an automatic review of involuntary admissions by the Tribunal, rather than the proposed amendment to a 12 month period, which is far too long.”

The Commissioner said she was pleased to see the inclusion of legal representation for certain patients when Involuntary Treatment Orders are reviewed by the Mental Health Tribunal.

“Strengthened provisions around advance mental health directives made by patients, and the requirement that they be considered in the treatment plan, are also positive additions.”

Dr van Schoubroeck said the challenge that remained was ensuring the reforms were adequately funded and well implemented.

“We will be going through the Bill in detail in the coming weeks and having further discussion with individuals, families and carers and members of the wider community to ensure that their views are reflected in our on-going advice.”

ENDS

**About QMHC** — *The Queensland Mental Health Commission was established in July 2013 to improve the mental health and wellbeing of all Queenslanders by driving ongoing reform.*

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