

# Community Consultation Report

## *Mental Health Act 1986 Review*

### **Key points raised by consumers at the state-wide consumer forum on 29 January 2009** (Approximately 40 participants)

Note the identified 'suggested changes' do not necessarily correlate with 'discussed challenges'. This is consistent with the flow of conversations at the forums. Further, a wide range of opinions were expressed at the forums and the identified 'suggested changes' were not necessarily universally supported.

#### **1. A stronger human rights focus**

Broad issues discussed include: the right to refuse treatment; complaints processes; full information given to inform consent processes; a nominated person scheme; access to advocates; electroconvulsive therapy and seclusion as a last resort; review of involuntary treatment after a few days; nominated person responsibility for advance statements; easy access to independent advocacy; financial penalties for breaches of rights; introduction of an independent and transparent complaints system; second psychiatric opinion for treatments such as electro-convulsive therapy; a consumer advocate (not lawyer) to support consumers as part of any review process.

#### **2 The Act's role in promoting recovery**

Broad issues discussed include: holistic recovery plans; early intervention and treatment; safety for young people and women as inpatients; interpreters for culturally and linguistically diverse consumers; culturally appropriate practice for culturally and linguistically diverse consumers; prioritisation of early intervention/ early treatment over use of involuntary treatment; mandatory codes of practice for mental health services.

#### **3. Patient participation in decisions about treatment and care**

Broad issues discussed include: involvement of families/carers in planning (if agreed to by consumer); self-directed care plans; all information given in a variety of formats; informed consent for medication; broad support for an advance statements/directives scheme. Many participants called for introduction of a nominated person scheme to provide support to consumers including around decisions about treatment and care and recovery planning.