



Psychiatric Disability Services
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Submission

Review of the National mental Health Statement of Rights and Responsibilities

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Psychiatric Disability Services of Victoria's (VICSERV) role

VICSERV is a membership-based organisation and the peak body representing community managed mental health services in Victoria. These services include housing support, home-based outreach, psychosocial and pre-vocational day programs, residential rehabilitation, mutual support and self-help, respite care and Prevention and Recovery Care (PARC) services.

Many VICSERV members also provide Commonwealth funded mental health programs.

VICSERV welcomes the opportunity to provide a submission to the Review of the National Mental Health Statement of Rights and Responsibilities. It is particularly pleasing to see the inclusion of more contemporary language in the consultation draft, especially in the context of services and the standard of quality that all people should expect in their interaction with the service system.

In formulating this submission every effort has been made to consult with VICSERV stakeholders in accordance with the *VICSERV Policy Consultation Framework*. Whilst member input informs this submission, the views posited are not necessarily shared by all of the membership.

1. *Is the Revised Mental Health Statement of Rights and Responsibilities appropriate in terms of language, structure and content? (Prompts: is it easy to read? Is the terminology appropriate? Is the document too long/short? Does it cover key issues?)*

Since the previous statement came into operation, there has been a considerable shift in language and culture within mental health. This is mainly due to the advocacy efforts of consumers, carers and supporters alike as well as a realisation by services that rights and responsibilities provide the appropriate paradigm for supporting people in their recovery. VICSERV is pleased to see mention of recovery as the ultimate outcome and the adoption of Patricia Deegan's definition of the term. Community managed mental health services in Victoria and elsewhere operate within a recovery framework which has been by and large the aim of the community-managed mental health services which VICSERV represents.

It is of interest that the revised statement recognises the role of supporters. This is particularly important for consumers and supporters who see their relationship with their loved ones as one of support and encouragement rather than "doing care". It is also important to retain the use of the term "carer" perhaps to distinguish those who identify with this term. It is important however to make a clear distinction between paid and unpaid care work.

The recognition of the importance of non-discrimination and social inclusion as a matter of right and responsibility is a vast improvement to the revised statement and is to be commended. VICSERV has produced a collection of research papers on the issue of social inclusion titled *Pathways to Social Inclusion*. The papers focus on the positive impact of housing and support, education, employment and physical health on a person's recovery. They may be accessed from VICSERV's website: www.vicserv.org.au and would be of assistance to articulate social inclusion components within the statement in a way that can

be readily understood. A definition of social inclusion and integration of the components throughout the document would improve the statement.

Overall, the language of the revised statement is clear and concise and the glossary provides useful definitions. The structure is simple and easy to follow and is strengthened by Part 1 which provides an overarching framework for the whole statement.

2. Does the *Revised Mental Health Statement of Rights and Responsibilities* reflect contemporary/modern concepts of mental health support, care, treatment, recovery and rehabilitation? (Prompt: is it relevant to current practice? Is it mindful of advancements/innovation in the field?)

It is VICSERV's view that the revised statement more or less reflects contemporary concepts of mental health support, treatment, recovery and rehabilitation but for the comments made in response to Question 1 above.

3. Is the *Revised Mental Health Statement of Rights and Responsibilities* consistent with current national and international legislation and conventions to which Australia is a signatory? (Prompt: does it reflect our legal/other obligations?)

On the face of it, the revised statement appears to be consistent with key international obligations such as the *United Nations Convention on the Rights of Persons with Disabilities* as well as national instruments such as the National Standards for Mental Health Services. However, the statement does not seem to fully integrate the rights articulated in the Convention such as the right to services and health. Furthermore, there is concern that the statement does not touch on the issue of medication. Apart from physically restrictive practices, prescriptions of certain medications have the same effect and more alarmingly decrease the quality and length of life of certain people. The right to health in its entirety needs to be included in the revised statement.

4. Is there an appropriate balance between the rights and responsibilities of individuals with mental health problems and/or mental illnesses, carers, supporters and advocates, service providers, policy makers and the community? (Prompt: Does the revised statement provide for each of these stakeholder groups?)

Being the peak body for community-managed mental health services, VICSERV will focus on balance between the rights and responsibilities of service providers vis-à-vis the above groups. From a responsibilities perspective, the statement clearly articulates the accountabilities to which all services should be held up against. It is particularly heartening to see the clear responsibilities of Australian governments to support and provide these accountabilities within services. One area that really does need development however is better articulation regarding to whom services should be accountable to. Accountability should be to consumers, carers, supporters, government as well as service staff themselves.

Furthermore, it is unclear what type of redress a consumer or other person can expect if particular standards are not upheld. This needs to be made clear.

5. Does the Revised Mental Health Statement of Rights and Responsibilities align with relevant national and jurisdictional policies? (Prompt: What are the views of national/state/territory stakeholders?)

It appears that the revised statement more or less aligns with key national and jurisdictional policies but for the points raised in response to Question 4.

6. Are there any critical omissions from the Revised Mental Health Statement of Rights and Responsibilities? (Prompt: Are there any gaps?)

The main omissions from VICSERV's perspective have been articulated in responses to the above questions.

7. In your view, will the Revised Mental Health Statement of Rights and Responsibilities be meaningful and useful to individuals with mental health problems and/or mental illnesses, carers, supporters and advocates, services providers, policy makers and the community? (Prompts: Is this document useable? Is it accessible to the range of stakeholder groups?)

VICSERV is pleased to see a change in how the revised statement has been structured, particularly the groupings of the various rights and responsibilities. However, it is unclear whether the revised statement will be particularly accessible, particularly for those in crisis situations, non-English speaking backgrounds or those with limited comprehension ability. A plain English version of the statement would be useful as well as versions translated in other languages. Translated versions should also reflect concepts which can be readily understood by that particular community.

The revised statement may also be too lengthy to be readily accessible by all. A more condensed version as well as promotional material around the statement may assist in making it more accessible. Furthermore, it would be helpful for promotional material to articulate how the statement can be used.