

Report on Community Feedback Fact Sheet and FAQs

The Mental Health and Related Services Act 1998 (MHRSA) explains how care is provided for people who need mental health services, especially when they are unable to consent to their care in hospital or in community.

The NT Government is committed to modernising mental health legislation for Territorians, and has established this review process.

The Discussion Paper

In December 2020 a Discussion Paper was released that provided an overview of the MHRSA and asked people to respond to key questions about how well it is working. It also included information about mental health law in other parts of Australia.

Community consultation

NT Health staff met with many people to tell them about the review and to listen to their thoughts about what needs to change. We met with community groups, people with lived experience of mental illness, non-government organisations and health providers. Organisations and individuals provided 19 written submissions.



Outcomes of consultation

What people told us

We thank everyone who responded and are grateful for the opinions and ideas of those people with lived experience who contributed. A short summary of what people told us is below.

Everyone agreed that:

1. The MHRSA is outdated and new mental health legislation is needed.
2. The main aim of the mental health act is to provide the best possible care to people with a mental illness. It needs to focus on the needs of the person.
3. The mental health act should be easy to understand and follow.
4. Protecting patient rights, supporting recovery, and respecting culture are key areas of focus for a new mental health act.
5. People should be involved in decisions about their care as much as they can. Part of this is being able to provide advance statements about the care they want when unwell.
6. People should be able to appoint a 'nominated support person' to help their recovery during periods of treatment and care.
7. People should agree to their treatment wherever possible. Treatment in a hospital should only be considered when community treatment is not appropriate.

Outcomes of consultation (continued)

What people told us

Other important things people told us:

8. Being able to take leave during hospital admission is important for recovery. It should be clearly set out in the mental health act.
9. There should be extra safeguards for children admitted to hospital for mental health treatment.
10. Legislation should support reducing restrictive practices such as restraint and seclusion.
11. Electro-convulsive therapy (ECT) is an important treatment option. The mental health act should have strong and clear safeguards about its use.

Things to keep from the current Act:

12. There was strong support to keep the Community Visitor Program (CVP) as part of the mental health act, and include some extra powers.
13. The work of NT Civil and Administrative Tribunal (NTCAT) is an important safeguard and should be retained.

New features:

14. People supported the idea of creating a new position of NT Chief Psychiatrist with roles and powers under the mental health act.

FAQs

Who contributed to the review so far?

From December 2020 to August 2021 there were more than 200 interactions with stakeholders. These were at public events, face-to-face meetings, phone calls, videoconferences and forums. We received 19 written submissions from Territorians with diverse backgrounds and different experiences. NT Health thanks every person and organisation who contributed to the review so far. We especially acknowledge the contributions from Territorians with lived experience and their families and carers.

About the Consultation Report

A Consultation Report has been prepared that has a detailed summary of the feedback. The Report is not yet finalised as people engaged in the consultation have received a draft version to check for any errors in their statements.

We received many suggestions and a lot of very detailed comment. The Consultation Report could not include it all. However, all the feedback will be considered as we progress next stages of the review.

What happens next?

Once the Consultation Report is finalised, NT Health will seek Cabinet approval to draft new mental health legislation.

Subject to Cabinet approval, draft legislation will be developed during 2022-23 and made available as an 'exposure draft' for community comment. A new mental health bill would be introduced to parliament in 2024.

Are there other opportunities for consultation?

Yes. As the review continues there will be other opportunities for consultation.

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