

# Mental Health Act 2016 Implementation Newsletter

No. 1 – 24 February 2016

## *We have an Act!!*

Many of you would be aware that the review of the current Act (the Mental Health Act 2000) commenced in June 2013.

After a lot of consultation, the Mental Health Bill 2015 was introduced into the Queensland Parliament in September 2015 by the Honourable Cameron Dick, Minister for Health and Ambulance Services.

The Bill has been debated in the Parliament and was passed on 18 February 2016.

So we now have a Mental Health Act 2016. A copy of the Act as passed by the Parliament will be available shortly. We appreciate there is a lot of information to read, so we will be providing you with summary information over the coming months.

However, the Act has not yet commenced. We need to do a lot of implementation activities first. Your involvement is crucial. We need to work together to ensure we are ready. One way to do this is by letting you know what's happening, and how you can contribute.

Please read the Newsletter and send it on to anyone you think may be interested. If you are not on our distribution list and want to be added, please email us at

[MHA.Review@health.qld.gov.au](mailto:MHA.Review@health.qld.gov.au).



## **A message from Assoc. Prof John Allan, Chief Psychiatrist**

“ *The new Mental Health Act represents a major step forward for patient rights, strengthens the role of family and support persons and better aligns the legislation with good clinical practice.*

*Consumers, clinicians, the legal fraternity and the wider community will all benefit from the Act's improved and simplified practices, and increased focus on patient rights and recovery.*

*While there are some similarities with the current Act, a number of processes will change. The key similarities and changes between the current and new legislation have been summarised and will be available shortly on our website.*

*We will also engage more broadly with you to help you understand the Act. This will include working with you to:*

- *develop education and training materials for clinicians and staff who work in mental health services, and*
- *produce and distribute information products for consumers and support persons.*

*Your participation in this will be crucial and I look forward to working with you.*”



## What happens next?

It is up to the Government to decide a commencement date for the Mental Health Act 2016.

However, the department is working towards a commencement in November 2016. We will advise you when the date has been set.

We will also involve you in the development of education, training and information materials, to help you understand how the Act will affect you.

## We have an Implementation Team

The Mental Health Act Implementation Team has been established.

The Team is responsible for managing the day to day aspects of implementation, and for providing secretariat support to the Mental Health Act Implementation Committee and the various Working Groups established to assist with implementation (see below).

The Implementation Team is located within the Mental Health, Alcohol and Other Drugs Branch in Queensland Health:

- Paul Sheehy, Director
- Tracy McIntyre, Project Support Officer
- Fleur Ward, Manager
- Jane Stewart, Principal Policy Officer
- Brent Dixon, Principal Policy Officer
- Kathleen Dalladay, Principal Policy Officer

Feel free to contact the Team with any questions at [MHA.Review@health.qld.gov.au](mailto:MHA.Review@health.qld.gov.au)

## Work Streams have been established

The Implementation Team has established 12 Work Streams for implementation:

1. Education, Training and Information
2. Magistrates Courts and Court Liaison Service
3. Independent Patient Rights Advisers\*
4. Advance Health Directives, Enduring Powers of Attorney and Nominated Support Persons\*
5. Examination Authorities\*
6. Emergency Examination Authorities\*
7. Chief Psychiatrist Policies
8. Psychiatrist Reports
9. Seclusion, Mechanical Restraint and other Restrictive Practices\*
10. Approved forms\*
11. CIMHA
12. AMHS Declarations and Appointments

(\* Working groups established)

Working groups include representatives from relevant stakeholder groups, including consumer and carer organisations, the Queensland Mental Health Commission, Hospital and Health Services, Private Hospitals, the Royal Australian and New Zealand College of Psychiatrists and the Police and Ambulance Services.

The groups will advise the Implementation Team on the effective implementation of the Act as it relates to their topic area.

All working groups met in February, and will continue to meet every three weeks or so until the key activities are complete.



## Oversight Arrangements

A Mental Health Act Implementation Committee has been established to oversee the implementation of the new Act.

The Committee is chaired by Dr Bill Kingswell, Executive Director of the Mental Health Alcohol and Other Drugs Branch and includes nominees from within Queensland Health and the Private Hospital Association of Queensland.

To date, the Committee has met twice - on 9 December 2015 and 20 January 2016. The Committee will continue to meet on a monthly basis during the implementation period.

A Progress Report has been developed for the Committee to consider each month. The Report identifies key activities, milestones, progress measures and completion dates. It will be used to track and report on the progress of implementation, and to identify risks and remedial actions where required.

An Inter-Departmental Executive Committee has also been established to ensure effective implementation of activities that affect other government agencies. This will include the proposed enhancement of the Court Liaison Service to support the revised powers of magistrates under the Act. The group is chaired by Dr John Wakefield, Deputy Director-General of the Clinical Excellence Division within Queensland Health. The Committee met for the first time on 21 January 2016.

## *Watch this space!*

The Implementation Team is developing an internet site. We will place useful information on this site.

## Feedback please!

What would you like to be included in future editions of the eNewsletter or on the web-site?

Feel free to contact the Team with any questions at [MHA.Review@health.qld.gov.au](mailto:MHA.Review@health.qld.gov.au)



# *Spotlight!*

## *Hospital and Health Service Forum*

*On 5 February 2016, the Implementation Team held a forum for representatives of Hospital and Health Services and the Private Hospitals Association of Queensland to discuss implementation arrangements for the Act. Representatives have a pivotal role to play in implementation – championing activity, facilitating engagement and ensuring we know what services need to be ready to work under the Act.*

*The Forum considered:*

- ❖ the key directions in the new Act*
- ❖ implementation priorities for services*
- ❖ the ways in which services can contribute to implementation, and*
- ❖ the role of the Hospital and Health Service contacts in implementation.*

*Participants also discussed what they need in the way of information, education and training to support implementation at the local level.*