



Budget Submission 2014 – 2015

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By:

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ACT Mental Health Consumer Network 2014-15 Budget Submission

This submission has been prepared by the ACT Mental Health Consumer Network in response to the invitation from the ACT Treasurer, Andrew Barr MLA, to provide feedback as part of the ACT 2014-15 Budget consultation process.

The Network is the peak body for mental health consumers in the ACT. Run by consumers for consumers, our aim is to advocate for services and supports for mental health consumers which better enable them to live fuller, healthier and more valued lives in the community. We do this through advocacy, representation, lobbying and active involvement in new developments in the mental health sector, as well as in the wider health and community sectors.

The Network congratulates the ACT Government on its support for the community mental health sector and its commitment to supporting the vulnerable and disadvantaged. However, the Network believes that the Government can and should do more to enable all people living in the ACT to participate meaningfully in the life of the community and to receive the support they need to do so.

We have participated in discussions with the Mental Health Community Coalition of the ACT and support their submission. In particular, we strongly agree on the importance of early intervention (including early in illness or episode). Better access to support and treatment before an illness or episode becomes acute will result in a reduced spend on mental health, a reduction in acute and long term care and the opportunity for individuals in the ACT to contribute to the life of the community.

We also make the following comments and recommendations.

Recommendation: The ACT Government should ensure that every portfolio, including but not limited to the Health Directorate, provides appropriate and adequate support to people with mental illness in the development, design and implementation of all services and programs.

As the Budget Consultation document shows the ACT has a relatively privileged population, with higher than average household income, education levels and health outcomes. This can lead to a perception that *everyone* is doing well, which is not the case. The recently released report by NATSEM clearly identifies that significant numbers of people in the ACT continue to suffer disadvantage, and that this disadvantage can be magnified by the contrast¹. In framing its budget, the Network believes the ACT Government has a responsibility to provide the supports and services that people need to enable them to move out of disadvantage. For mental

¹ Tanton, R, Vidyattama, Y and Mohanty, I (2013), *Disadvantage in the ACT: Report for ACT Anti-Poverty Week*, NATSEM: Canberra

health consumers, this is likely to include housing, personal supports, advocacy, training and education, and employment supports.

The landscape for mental health consumers has been changing rapidly, and will continue to do so. For some, the National Disability Insurance Scheme is looming, with the promise of better supports, but also the current uncertainty about eligibility and availability of services. There is also a real risk that those who are not eligible for the NDIS, but do need significant support for some time, will find that the services they need are not available. It is critical that the ACT Government increase its focus on the needs of those not eligible for the NDIS, and ensure that community services, in particular, are funded to enable them to meet these needs. Otherwise, there is a risk of a perverse incentive to the individual to become sicker in order to access services, rather than supporting people to manage their illness and avoid the need for more intensive and expensive treatment and support.

Recommendation: Increase access to legal and advocacy services to meet the needs of mental health consumers.

As a 'human rights jurisdiction', the ACT has in place legislative and administrative protections of human rights, such as the *Human Rights Act 2004* and the *Charter of Rights for people experiencing mental health issues*.

However, rights protection is incomplete without access to appropriate advocacy and legal advice and representation. A right that cannot in practice be asserted or enforced is illusory. Vulnerable people, including mental health consumers, therefore need to be able to access advocacy and legal services to assist them to assert and protect their rights.

Recently, the Public Advocate, Legal Aid Commission and Human Rights Commission have all raised concerns about insufficient funding to enable them to deliver services to those who need them. Mental health consumers, by virtue of being among the most vulnerable groups in the ACT, are likely to need advocacy services in their interactions with government and non-government agencies. These may include clinicians, health service providers, Housing ACT, Centrelink, financial institutions and courts and tribunals. Appropriate support and advocacy can avoid small problems escalating, and potentially ending up in the courts. Too often, Network members are unable to obtain support, advice or advocacy when they need it, or early enough to facilitate a productive solution.

The Network commends the establishment of a Community Legal Centre Hub intended to increase access to legal services for vulnerable people in the ACT². However, bringing existing legal services together in a single building is a minimal improvement. The Network believes that there is a strong need for a specialist

² Media Release, Simon Corbell, 28 August, http://www.cmd.act.gov.au/open_government/inform/act_government_media_releases/corbell/2013/improving-legal-services-for-vulnerable-canberrans

mental health service (similar to Youth Law) to meet the particular needs of mental health consumers.

There would be significant savings to the court system, government agencies and the community if mental health consumers were provided with adequate support, advice and advocacy so that difficulties do not spiral into larger disputes.

The Network calls upon the Government to ensure that skilled advice, advocacy and representation are available to mental health consumers. This will require sufficient funding to community advocacy services, the Public Advocate, the Legal Aid Commission and the Human Rights Commission to enable them to meet the need for these services.

<p>Recommendation: Provide training and information to ensure adequate implementation of new mental health legislation</p>

The Network is disappointed that yet again the introduction of new mental health legislation has been delayed. However, we understand that it will be introduced in the current financial year. The new Act will bring with it an increased need for legal advice, as well as advocacy.

We reiterate that the new Act will not be able to operate as intended unless there is also extensive training for mental health staff, in particular, on what it means to respect an individual's capacity to make decisions for themselves.

This training needs to be ongoing, and become part of the regular professional development cycle for all ACT mental health staff and first responders. However, in the first instance, training packages will need to be developed in partnership with consumers and delivered to mental health, emergency and other health staff. Training will also be needed for first responders.

The ACT Government has made consumers wait a very long time for reform of mental health legislation so that it is consistent with respect for the human rights of mental health consumers. We call upon the Government to ensure that when the new Act is finally passed, it supports the development of a culture that also treats mental health consumers with respect. This change requires a commitment to training and education, with adequate resources to support a thorough programme.

Recommendation: Fund a Recovery Approach: Require all mental health services funded by the ACT to employ Peer Workers

The Network strongly supports measures to develop and implement a peer workforce. There is now widespread recognition of the particular value that peer workers can provide in supporting mental health consumers' recovery.³

In order for peer workers to be employed in services more broadly, further work needs to be done on the ethical, conceptual and practical framework within which such workers operate. Organisations require support and guidance to develop appropriate structures and procedures to ensure that both the workers and consumers are best supported in their endeavours.

The Network commends the Government for funding the development of the Mental Health Workforce Development Strategy and for support for Certificate IV qualifications in mental health for peer workers. We hope that the Government will fund consumers to undertake the Certificate IV in Mental Health Peer Work, to at least the same degree that it has funded the delivery of the Certificate IV in Mental Health to a number of people currently working in the mental health sector.

However, the Network is particularly concerned that at least one community mental health service in the ACT is currently reducing its peer workforce. This retrograde step is both disappointing and unacceptable. It is equally disappointing that it appears that the Workforce Development and Planning area within ACT Health has not considered peer workers, their role and value, in its work to date on workforce structure for the future.

The ACT Government should take a leading role in supporting and expanding the peer workforce in mental health. As a first step, it should require all mental health service providers that it funds to employ a minimum proportion of peer workers. This should apply to both ACT Health services and community based services. The proportion could initially be set at a low level, such as five percent of FTE. The Network argues that over time this would both address workforce shortages and result in savings to the budget, through a reduced need for acute care, as well as other community services.

Recommendation: That accommodation options and supply be expanded to enable mental health consumers to access safe, affordable and appropriate housing.

The ACT Government is well aware that there is insufficient affordable or supported accommodation for a range of vulnerable groups, including people with mental health issues. This includes long term and emergency/short term accommodation.

³ See, eg, National Mental Health Commission, *National Report Card on Mental Health and Suicide Prevention*, 2012

During the last year the Network has had members unable to obtain accommodation and therefore sleeping in parks and other public land, or on couches.

Lack of appropriate housing has a significant negative impact on a mental health consumer's recovery path. Whether living rough or 'couch surfing', the experience of homelessness compounds many difficulties in navigating daily life. Providing a safe and stable 'base' by expanding the capacity of both short and long term housing options would enhance consumers' ability to access services and supports.

Housing alone will not solve everything, but housing, together with supports specifically designed to enable consumers to maintain their tenancy, goes a long way. It can be the difference between participating in daily activities together with other members of the community and isolation which exacerbates the difficulties of living with mental illness.

The Network welcomes the Government's support for the Common Ground project, as a good start. However, the Government needs to do more to encourage and support innovative housing approaches to provide residents of the ACT with safe and sustainable housing options.