



## **MEDIA RELEASE**

29 March 2023

### **Multiple failures in accountability permitted sustained, intentional breaches in the privacy of Canberra's most vulnerable population**

Many consumers at Dhulwa Secure Mental Health Unit have had their privacy intentionally breached by Canberra Health Services (CHS) staff. The ACT Government and Minister Davidson must act strongly and transparently to protect the rights of mental health consumers.

Mental health consumers must be protected from the type of 'rogue behaviour' displayed by some CHS staff. The ACT Mental Health Consumer Network has serious concerns relating to the failure of the many safeguards in place to protect mental health consumers from such behaviour. While few CHS staff were involved, the nature and severity of the breaches imply multiple failures in accountability both within CHS and the ACT branch of the Australian Nursing and Midwifery Federation (ANMF), especially given the length of time over which these breaches occurred.

On behalf of mental health consumers throughout the ACT, we call upon the ACT Government to ensure this cannot happen again. Current safeguards are not sufficient to prevent deliberate privacy breaches. The public needs detailed information about what the government is doing in response. The response should include a clear and transparent plan for effective monitoring and early detection of such breaches.

It is clear the data has been shared without consent. Why then did the ACT branch of the ANMF not self-report when it became the recipient of that data. We ask the branch to review its policies and processes to ensure they do not accept illegal data in the future. Further, we call for ANMF to make public the outcome of this review for accountability and to future safe the rights of vulnerable people.

Further, recent reports indicate a claim has been made that the breach occurred in the interests of patient safety. If this were the case, we question why we, as the mental health consumer peak, received no contact from concerned CHS personnel about the safety of consumers in Dhulwa. Instead, sensitive data from extremely vulnerable consumers was shared with the peak body for nursing staff, to the exclusion of consumers.

Consumers who want to discuss the effects the breaches may have had on them are encouraged to contact us. In addition, we suggest affected consumers consider

contacting ACT Disability, Aged and Carer Advocacy Service (ADACAS) or Advocacy for Inclusion for individual advocacy supports. Affected carers may wish to reach out to Carers ACT.

The ACT Mental Health Consumer Network is a consumer-led peak organisation representing the interests of mental health consumers in the ACT in policy and decision-making forums. The Network is committed to social justice and the inclusion of people with experience of mental illness. 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.