



23 May 2025

Imran Hassan
Project and Policy Support Officer
MHJHADS
Canberra Health Services

Imran.Hassan@act.gov.au
CHSEDMHJHADS@act.gov.au

Dear Imran

Review of Canberra Health Services Sexual Safety Procedure

This letter has been prepared by the ACT Mental Health Consumer Network (the Network) in response to the invitation from Canberra Health Services (CHS). It incorporates partial feedback received from consumers in relation to the CHS Sexual Safety Procedure (the Procedure). The Network welcomes the invitation to provide feedback on the Procedure.

Consumers expressed positive, in-principle support for the Procedure. Specifically, they approved of the Procedure's intent to promote a sexual safety and accountability throughout CHS. However, consumers expressed strong opposition to the Procedure based on the missing sections and its problematic ambit, in addition to extensive points of issue-specific feedback. Importantly, consumer feedback regarding the specific prescriptions and procedures was extensive, detailed, and raised a number of critical problems with the terms of the Procedure. However, due to nature and extent of consumer concerns, the Network will withhold the issue-

specific consumer feedback pending resolution of the larger problem of the Procedure's design, as outlined below.

Firstly, consumers expressed an inability to provide feedback on a draft document in which key sections are missing or incomplete. Consumers noted that important sections of the Procedure regarding consensual sexual activity in an inappropriate context or setting (s3.5, p. 11; s4.8, p. 20), and the documenting of information in an alleged perpetrator's file (s5.1.6, p. 24) were absent. Likewise, sections 4.3 (p. 18) and 5.2 (p. 24) were either missing or the subsection numbering was incorrect. Irrespective of other issues, this matter alone was sufficient for consumers to request that the Procedure be retracted and resubmitted for consultation.

Secondly, the Procedure attempts to bring together a policy statement for the promotion of sexual safety in CHS and a procedure for CHS staff to follow in the event of a sexual misconduct incident. Consumers noted several sections where this approach creates confusion and would hinder rather than assist staff in the discharging of their duties and responsibilities, ultimately resulting in poor outcomes.

As an illustration of this problem, subsection 1.3.2 (p. 4) lists consumers' sexual safety rights. Here, points 2-4 define consumers' general rights in the context of engaging with CHS services that are relevant to the goal of creating a sexually safe CHS. By contrast, points 1 and 5-7 define consumers' rights in the context of reporting recent sexual abuse or misconduct; recent sexual abuse or misconduct in an in-patient setting; and when a consumer is alleged to have been a perpetrator to a sexual safety incident. These latter points are relevant to the process of managing incidences of sexual abuse or misconduct. Yet, this subsection presents all of these rights in a single, undifferentiated list that neither distinguishes their differing purposes nor connects them with their procedurally relevant applications later in the document. For staff who need to use the Procedure, it should clearly link the relevant consumer rights to the relevant processes wherein the protection of these rights must be upheld. Problems such as this are reproduced throughout the document with sections that are policy-focused interspersed with sections that are procedure-focused. For example, compare subsections 3.2-3 (pp. 9-10) with 3.1 (pp. 8-9) and 3.4-7 (pp. 10-15), or section 2 (pp. 5-8) with section 4 (pp. 15-21).

Because of these issues with the state and design of the Procedure, consumers recommended that CHS should not proceed further with this document in its current form. Consumers recommended that the document be split, at least, into a policy

document regarding general sexual safety in CHS and a procedure document regarding preventing and responding to sexual safety incidents in CHS.

If you have any questions or concerns regarding this feedback, please do not hesitate to contact us on (02) 6230 5796 or executive@actmhc.org.au.

Thank you once again for the opportunity to provide feedback on the Procedure. We look forward to providing further consumer feedback once the structural concerns have been resolved.

Yours sincerely



Dalane Drexler
Chief Executive Officer