



17 December 2025

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Dear Tegan

Review of CHS Mental Health Court Assessment and Liaison Service Operational 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 written and verbal feedback received from consumers in relation to the CHS Mental Health Court Assessment and Liaison Service (MHCALS) Operational Procedure - Alcohol & Drug Services (the Procedure). The Network welcomes the invitation to provide feedback on the Procedure.

Consumers highlighted the following issues for consideration and review:

Accountability concerns

In Section 2 (p. 4), the outline of CHS' commitment to providing a culturally safe service includes no commitments to specific training competencies for staff, guidelines to be followed or accountability for ensuring cultural safety. Furthermore, the Evaluation section (p. 20) of the Procedure includes no measures for monitoring or assessing the cultural responsiveness or safety of MHCALS. Consumers expressed concern here because this means that there is no effective accountability for the commitments to culturally safe practice. Consumers strongly recommended that Section 2 and the Evaluation section be revised to include specific training, guidelines, outcomes and monitoring mechanisms to ensure accountability.

Consumer's right to information

In Section 3 (pp. 6-7), the outline of Court Liaison clinician expectations under “**Consent/Confidentiality**” (p. 6) does not include instruction about informing the person of their rights with regards to the screening assessment. A person in custody may not be fully informed of their rights to privacy, information sharing or information access. For example, while information will by necessity need to be provided to the court, the person is entitled to be informed of what information they can request be withheld from other third parties such as carers, family or kin. Similarly, consumers have a right to access their health information and, unless there are legal restrictions to the contrary, they should also be informed of the means by which they can access, or have copies provided of, any reports or assessments made by MHCALS concerning them. Consumers therefore recommended including in Section 3 (pp. 6-7) guidance that states that the Court Liaison clinician should inform the person about their information and privacy rights as well as the means by which they can obtain MHCALS reports or assessments concerning them.

Understanding information and consent

Throughout the Procedure, MHCALS clinicians are advised to obtain informed consent from the person with instructions outlined in “**Consent**” subsections (see Sections 4-7, pp. 11-13, 15-16, 18). Here, consumers were concerned about the instruction “Ask the person if they feel informed and answer any questions they have”, because it does not require the clinician to ensure that the person understands, only whether or not they ‘feel’ informed. Consumers noted that ‘a person feeling informed’ is not the same thing as a person understanding what they are consenting to. A person can feel and believe themselves to be informed but be mistaken. Consequently, consumers recommended replacing this instruction with the guidance that clinicians should check the person’s interpretation and understanding of the information that they have received.

If you have any questions or require further clarification regarding this feedback, please do not hesitate to contact us on (02) 6230 5796 or executive@actmhc.org.au, noting that our office will be closed from 22 December 2025 to 02 January 2026 inclusive.

Thank you for the opportunity to provide feedback on the Procedure.

Yours sincerely



Dalane Drexler
Chief Executive Officer