



NSW Consumer Advisory Group – Mental Health Inc.

National Mental Health Statement of Rights and Responsibilities: feedback on draft 2 of the revised Statement

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NSW Consumer Advisory Group - Mental Health Inc.

NSW Consumer Advisory Group – Mental Health Inc. (NSW CAG) is the independent, state-wide organisation representing the views of people with a lived experience of mental illness at a policy level, working to achieve and support systemic change.

NSW CAG exists to ensure that policy makers hear the perspectives of mental health consumers across NSW. We work from the premise that the participation of mental health consumers in systemic advocacy leads to the development of more effective public policy in the area of mental health. Participation is a fundamental human right as enshrined in Article 25 of the *International Covenant on Civil and Political Rights* (ICCPR).

NSW CAG's vision is for all mental health consumers to be able to participate meaningfully in society and to experience fair access to quality and recovery focused services which reflect their needs. Our work is guided by six principles:

- Being person centred and empowering consumers in the interests of consumers;
- Adopting a recovery approach to building positive futures;
- Promoting positive images and reducing stigma and discrimination;
- Enhancing best practice and building understanding of effective approaches to consumer participation;
- Capacity building of our organisation, consumers and services; and
- Promoting professionalism and continuous improvement in our ways of working.

NSW CAG is an independent, non-government organisation which receives core and project funding from the Mental Health and Drug and Alcohol Office, NSW Ministry of Health.

NSW CAG welcomes the opportunity to comment on the latest draft of the *National Mental Health Statement of Rights and Responsibilities* (the Statement).

NSW CAG welcomes many of the changes made in this version of the Statement. We are particularly supportive of the following changes:

1. The overall language is now significantly stronger, clearer and more user-friendly.
2. The restructuring of some of the Parts has improved the logical flow of the content.
3. The recognition of the mental health rights of individuals of differing gender identity and sexual orientation.
4. The clear recognition that exposure to trauma is a factor contributing to mental health problems and or mental illnesses.

NSW CAG however has concerns about the use and definitions of specific terms, and these are: mental health consumer, recovery, recovery focused service and mental health consumer advocate. This document provides feedback on these issues.

Mental Health Consumer

Use of the term

NSW CAG welcomes the use of the term ‘consumer’ to replace the previous references to ‘individuals with mental health problems and/or mental illnesses’. However, we are concerned that the term is used inconsistently and is sometimes used in ways that stigmatise people with lived experience of mental health problems and/or mental illnesses.

The Statement at times uses ‘the mental health consumer’ when it is referring generally to people with a lived experience of mental health problems and/or mental illnesses. Using ‘the mental health consumer’ rather than ‘a mental health consumer’ or ‘the individual mental health consumer’ in such context creates an impression that all mental health consumers are the same, whereby the individuality of each mental health consumer is lost. Point 16 is an example of where this occurs. At the moment, point 16(a) and (b) read:

Services should:

- (a) *be responsive to the mental health consumer;*
- (b) *respect the mental health consumer’s abilities and skills;’*

NSW CAG recommends changing the above to:

Services should:

- (a) be responsive to the individual mental health consumer;
- (b) respect the individual mental health consumer’s abilities and skills;

NSW CAG further recommends replacing the term ‘the mental health consumer’ with ‘a mental health consumer’ or ‘the individual mental health consumer’ throughout the Statement. This will ensure consistency and reduce the risk of generalisation.

Definition

At present, the term ‘mental health consumer’ is defined as referring only to individuals who are using or have used mental health services or general health services for mental health purposes. NSW CAG is aware of people with a lived experience of mental health problems and/or mental illnesses that are not accessing, and perhaps had never accessed, support services for mental health purposes. This is particularly common for people who are experiencing multiple social disadvantages, for example, people experiencing homelessness, and people living in remote and isolated communities.

To ensure the rights and responsibilities of all people with a lived experience of mental health problems and/or mental illnesses are recognised in the Statement, and not just those of people who are using services, NSW CAG recommends the definition to be expanded to include people who have a lived experience of mental health problems and/or mental illnesses who either choose not to access mental health care and support services or are unable to access these services. This expansion is particularly relevant to issues such as non-discrimination and social inclusion.

Recovery and recovery focused services

Use of the terms

NSW CAG strongly supports the emphasis on recovery in the Statement, but as raised in our previous submission, we are concerned by the inconsistent and sometimes misuse of the term.

‘Recovery’ is well defined in the glossary. It recognises recovery as a deeply personal and unique process of change and growth. NSW CAG also agrees with the use of ‘recovery focused service’ in the Statement, which emphasises the role services can play in supporting a person’s recovery, though we suggests replacing ‘recovery focused service’ with the commonly used term ‘recovery oriented service’.

There are still instances in the Statement where ‘recovery’ is being misapplied and is being referred to as a type of service. This occurs in point 46(a) and 19(q). In these points, and also in other points where ‘recovery’ is used to refer to service practice rather than individual’s recovery, NSW CAG suggests replacing ‘recovery services’ with ‘recovery oriented services’.

The use of ‘recovery’ is confusing in point 19(t), it is unclear whether it is referring to access to information about recovery oriented services or information that can support an individual’s recovery. NSW CAG recommends clarifying this point.

NSW CAG strongly recommends reviewing all instances where ‘recovery’ has been used in the Statement to make sure the use of the term is consistent to its definition in the glossary.

Definition of recovery oriented service

NSW CAG suggests defining ‘recovery oriented service’ in the glossary to clarify that recovery is not a form of mental health service. It is an approach to delivering services to support the recovery of individual consumers, such as by:

- working with a person’s strengths and capacity for growth,
- promoting the person’s self-determination and individual responsibility,
- understanding the person’s whole of life context rather than focusing on diagnosis and medical treatment, and
- fostering hope and empowerment.¹

Note: if it is decided to retain ‘recovery focused service’ as the term, then we still suggest the above definition be included.

Mental health consumer advocate

Definition

NSW CAG finds the definition of ‘mental health consumer advocate’ in the glossary confusing. At present, the glossary defines ‘mental health consumer advocates’ as advocates who advocate for systemic change.

In NSW, a mental health consumer advocate is a consumer identified role, where by a mental health consumer is employed by an organisation to advocate on behalf of other mental health consumers. A mental health consumer advocate can work in individual advocacy as well as systemic advocacy. The defining feature of the role is the advocate’s lived experience and the unique insights and contributions this can bring.

NSW CAG suggests clarifying the definition of the term to either indicate that it is a consumer identified role, or changing the term to ‘mental health advocate’ to refer to any persons who are working as advocates in the mental health sector.

References

¹ NSW Consumer Advisory Group – Mental Health Inc. & Mental Health Coordinating Council, *Developing a Recovery Oriented Service Provider Resource for Community Mental Health Organisations: literature review on recovery*, 2009, p42