

**Submission to the National Mental Health
Consumer and Carer Forum:
Statement on Seclusion and Restraint**



July 2009

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NSW Consumer Advisory Group – Mental Health Inc
ABN 82 549 537 349

30th July 2009

Kim Harris
Administration/Project Officer
Mental Health Council of Australia
Email: kim.harris@mhca.org.au

Dear Ms Harris,

Re: NMHCCF Statement on Seclusion and Restraint in Mental Health Services

The NSW Consumer Advisory Group – Mental Health Inc. (NSW CAG) is the peak, independent, statewide organisation representing the views of mental health consumers at a policy level, working to achieve and support systemic change. Our vision is for all mental health consumers to experience fair access to quality services that reflect their needs.

NSW CAG is pleased to have the opportunity to comment on the NMHCCF Statement on Seclusion and Restraint in Mental Health Services. Throughout our core work at NSW CAG we frequently hear consumers' concerns about the use and in some cases misuse of seclusion and restraint. We commend the NMHCCF for bringing these issues to the surface and to the attention of consumers, carers, clinicians and policy makers.

Please do not hesitate to contact me with any enquiries you may have.

Yours sincerely,

Karen Oakley
Executive Officer

Basis of this advice

NSW CAG exists to ensure that policy makers hear the perspectives of mental health consumers across NSW. The basis of this advice derives from information obtained through our core work, including regular interaction and consultation with people who use mental health services across NSW including:

- Over 900 people on our Network who are accessible via the internet;
- Face to face consultations with consumers in each Area Health Service across NSW; and
- Our knowledge base derived from consulting with consumers of mental health services in NSW over the last 17 years.

Statement of support

NSW CAG supports National Mental Health Consumer and Carer Forum's (NMHCCF) Position Statement (herein referred to as "The Statement") around the need to reduce seclusion and restraint in favour of more therapeutic alternatives.

Through NSW CAG's work we often hear from consumers who express concern around the improper use of seclusion and restraint. NSW CAG views that seclusion and restraint should only be used as a safety intervention of last resort, where there is an imminent threat to a consumer or another person's safety. We support an approach which ensures that seclusion and restraint are used as infrequently as possible.

NSW CAG supports NMHCCF's recommendations, including:

- That consumers are included in the development of their own care plans
- The emphasis on advance care planning for consumers to ensure that the treatment and care they receive in the event of their incapacity reflects their wishes
- The need for services to comply with standards, legislation and human rights obligations

General comments about the Statement

Throughout the Statement there is a large emphasis on the role of the nurse in the inpatient setting. However, there is little consideration given to health care professionals in the community setting who may also use restraint practices, for example ambulance workers, mental health crisis teams, general practitioners, social workers and psychiatrists. NSW CAG recommends that all health care professionals who may use seclusion and restraint practices are acknowledged in the Statement.

Rationale for NMHCCF Position

NSW CAG hears through our work that seclusion and restraint practices are in many instances traumatic experiences for consumers, and can impact on one's emotional state in the long-term. This is supported in this section of the Statement, however there are numerous arguments against seclusion and restraint, in particular on Page 5, that could be strengthened with reference to supporting evidence and best practice examples.

Recommendations

NSW CAG recommends that Recommendation 8 is amended to be current and easier to understand. We suggest that this recommendation could be reworded to state:

“That an urgent assessment should be undertaken on State and Territory mental health legislation and policy around the improper use of seclusion and restraint practices. Any use of seclusion and restraint should be in line with:

- The forthcoming revised National Standards for Mental Health Services
- State and/or national Charters of Rights
- Australia’s international obligations under the United Nations Convention on the Rights of Persons with Disabilities and the Universal Declaration of Human Rights”.

In addition, NSW CAG recommends the inclusion of a recommendation around the importance of prevention and early intervention as a way to reduce acute treatment and care involving seclusion and restraint.

Language of the Statement

NSW CAG supports the inclusive language used in the Statement, however considers it important to explain certain phrases in order to reach a wide audience. We recommend that phrases such as “trauma informed care” and “nurse specialising” are defined in the Statement.