

Safeguarding rights, upholding the mental health principles and empowering consumers and carers across Victoria



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The Mental Health Complaints Commissioner (MHCC) was established under the *Mental Health Act 2014* (the Act) to provide accessible, tailored and responsive complaints processes for addressing issues experienced by consumers, families and carers accessing public mental health services across Victoria, and to recommend improvements.

Since opening in 2014, we have worked to promote equitable access and safe and inclusive services for all Victorians and to improve our accessibility and responsiveness to people who contact our office.

In particular, we have focussed our efforts on engaging Aboriginal and Torres Strait Islander peoples, people with diverse sexualities and genders, people from culturally and linguistically diverse backgrounds, people from refugee and asylum seeker backgrounds, people with disabilities and young and old people. We recognise that people within these groups may experience particular barriers and challenges in raising concerns about their experience with mental health services.

Many people who contact our office are in need of a supportive process that helps them to clarify their issues and explore available options to address their concerns.

This article outlines examples of the work we have been doing to improve our accessibility and responsiveness to priority groups.

Engaging with Aboriginal and Torres Strait Islander peoples

Aboriginal and Torres Strait Islander peoples in Victoria report higher rates of psychological distress, and have higher rates of suicide and self-harm than the general population. The history of institutional and personal discrimination and exclusion that many have experienced may impact on their access to quality mental health care.

We aim to provide an effective avenue to address issues experienced by Aboriginal and Torres Strait Islander peoples in Victoria's public mental health services. We recognise the critical importance of understanding the social and cultural determinants of social and emotional wellbeing, and the provision of culturally competent services for Aboriginal and Torres Strait Islander peoples.

Over the past 12 months, we have been working to increase participation and engagement with Aboriginal and Torres Strait Islander peoples through consultations and forums, including presenting at the *Victorian Aboriginal Community Controlled Health Organisation's (VACCHO) Social and Emotional Wellbeing Conference* and its *Improving Care for Aboriginal Patients Conference*. We also participated in consultations convened by the Department of Health and Human Services on the development of Victoria's Aboriginal Health and Wellbeing Strategic Plan.



He told us that he felt his needs were not understood by his treating clinicians, and that he was not comfortable discussing his mental health concerns with a female or non-Aboriginal worker.

Recently, our team undertook VACCHO's Cultural Safety in Health Training, and we will continue to consult with both VACCHO and the Victorian Aboriginal Health Service to ensure the services we provide are safe, inclusive and engaging.

We have also begun work to develop culturally appropriate and distinct information and resources for Aboriginal and Torres Strait Islander peoples on complaints and ways in which the MHCC can assist people to raise them.

We acknowledge that there is a significant amount of work to do to achieve health equality for Aboriginal and Torres Strait Islander peoples, and we are committed to continuing our focus on developing effective engagement strategies and culturally responsive services.

The following example complaint demonstrates how we work with mental health services to ensure they uphold a person's right to receive care that recognises and responds to their distinct culture and identity. Please note we have changed details in this complaint, including the person's name, to protect the identity of all those involved.

Joshua's Story

Joshua raised his concerns with us about not being able to access culturally appropriate services as a consumer at his local community mental health service.

Joshua explained to our resolutions officer that he had asked service staff for a male Aboriginal worker to be involved in his ongoing treatment and care. He told us that he felt his needs were not understood by his treating clinicians, and that he was not comfortable discussing his mental health concerns with a female or non-Aboriginal worker. Joshua had a history of significant trauma and attempts of self-harm.

In Joshua's discussions with the service, the service manager explained that they didn't currently employ a male Aboriginal worker, and that it wasn't possible to meet his request.

We identified concerns about the service upholding the principles of the Mental Health Act 2014, including the requirement for services to recognise and respond to the distinct culture and identity of Aboriginal people receiving mental health services.

We asked the service to consider other ways that they could meet Joshua's individual needs.

We worked with both the service and Joshua to identify an Aboriginal worker in a neighbouring Aboriginal support service who Joshua felt comfortable with, and who was available to help in developing a recovery and support plan.

We also provided advice to the service on the need for their approaches to be informed by guidelines and resources for providing culturally safe and responsive services.

Respecting and celebrating diversity in sexual and gender identity

We know that when lesbian, gay, bisexual, trans, and/or intersex (LGBTI) people experience discrimination and social exclusion, this can have a negative impact on their mental health and wellbeing, as well as their access to, and use of, health services.

In 2015 we consulted with Gay and Lesbian Health Victoria and Transgender Victoria to develop an information sheet outlining the mental health principles and on how to make a complaint, to improve

accessibility and the appropriateness of the content for people who identify as LGBTI. We have continued to promote our services and to celebrate and support people from this community.

Our team has been actively involved in the Tango Project Advisory Group to build our understanding of the experiences of LGBTI elders (members of the LGTBI community aged 65 years and over). Tango Project seeks to address abuse and discrimination experienced by LGBTI elders on the basis of their sexual orientation, gender identity or intersex status.

Working with Vicdeaf has given our team a greater understanding of how we can engage consumers, carers and family members from the Deaf community about their right to speak up.

In support of the project and the Victorian Seniors Festival we joined with other Victorian commissioners, advocates and regulators for the festival's New Moves – High Tea event. The event celebrated LGBTI elders and aimed to engage with older LGBTI Victorians and to build their confidence to access information and support. It provided an opportunity for us to raise awareness of their right to make a complaint about a public mental health service, the processes they can follow, and the supporting role of our office.

In January, for the second year running, we joined the Victorian public sector at the 2017 Midsumma Pride March, where we took part in a lively and colourful celebration of difference, acceptance and equality. The event provides an opportunity for organisations, groups and individuals to recognise Victoria's LGBTI community and acknowledge the journey towards equality. It also provides an opportunity for our office to engage members of the LGBTI community and raise awareness of their right to speak up.

Improving access for people from culturally and linguistically diverse backgrounds

In the past two years we have been working hard to develop and distribute resources for Victorians from culturally and linguistically diverse backgrounds. We consulted with multicultural organisations, including the Ethnic Communities Council, and worked closely with translating services to produce an information sheet on making a complaint in the top 15 languages used through Victoria. In addition to making the [resources available online](#), we also distributed copies to 15 multicultural, transcultural and refugee and asylum resource centres and services across Victoria.

Improving access for people with disability

This year, we worked with the team from Vicdeaf to improve our understanding of the needs of Victoria's diverse Deaf community, and to produce two videos in Auslan (Australian Sign Language): [The mental health principles](#) and [Making a complaint](#). For many Victorians who are Deaf, these are likely to be the first resources they can access with information in Auslan on how to raise their concerns about an experience with a mental health service. Working with Vicdeaf has given our team a greater understanding of how we can engage consumers, carers and family members from the Deaf community about their right to speak up.

The resources complement our team's process of working with Auslan interpreters and TTY services (teletypewriter) to communicate with people who have a hearing impairment. In Victoria, over 2,700 people were recorded as Auslan users in the 2011 Australian Census. By developing these resources and making them available online, we are helping to achieve access and equity for people who are Deaf across Victoria.

Engaging with younger people through art

We recognise the importance of engaging with young people in different ways to support them in building positive relationships with mental health services, and to raise awareness of our role and their right to speak up about their concerns. In 2016 we ran The Different Faces of Mental Health project that combined art and social media to engage with young people creatively. The project provides an opportunity for young people to create masks symbolising their experience with mental health, and to speak up through a different medium.

We continued to build on this program during National Youth Week 2017, taking part in the Mind Youth Forum, where young people from Mind Australia's youth prevention and recovery care services (YPARCs) showcased masks that they had created as part of our project. The masks that were created, and the inspirational messages that the young people shared, demonstrated the important role that art can play in a person's treatment and recovery. In the lead up to Mental Health Week this year (October 8-14), we will be engaging other youth mental health services in Victoria to encourage more young consumers to share their thoughts and feelings through art.

Conclusion

Our office is a key part of the quality, safeguarding and oversight mechanisms that were established under the Act to ensure that consumers have access to safe, responsive mental health services. By responding to complaints we are able to improve experiences for individuals, and influence service and system improvements to empower consumers.

It is essential that we, and mental health services, continue to seek ways to engage with people who may experience barriers or challenges to accessing services and talking about their experiences. As we grow as an organisation we are further refining our focus on developing strategies that will progress our goal of promoting equitable access and safe and inclusive services for all Victorians and that will improve our accessibility and responsiveness to people who contact our office.