




Speech By  
**Fiona Simpson**

**MEMBER FOR MAROOCHYDORE**

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### **MENTAL HEALTH AMENDMENT BILL**

 **Ms SIMPSON** (Maroochydore—LNP) (4.08 pm): It is the cover-up that will get you, not just the substance of the original mistake. The excuses I have heard from the government sound like a cover-up. Those opposite have known for some time that there was a problem and now they are in a rush to fix it—not just because of a concern for patients and the public but to protect their own political hides! We have found out that the chair of the Mental Health Review Tribunal allegedly knew at least in August last year that one of the tribunal members was not properly qualified in accordance with the act to sit on the tribunal as they had not been admitted as a lawyer.

That person sat on the tribunal, considering 11,000 cases involving 5,600 patients. We have also found out that the health minister has supposedly known of the problem since at least December last year, but the public were notified a few days ago—apparently after a media inquiry. We now see these amendments tabled today to be tacked on to a Mental Health Amendment Bill, which was already before the House, and we are debating them. The implications of legally invalid decision-making do not go away with this quick-fix retrospective parliamentary bandaid with little prior notice to the House. Many questions have been raised as a result of this dodgy process and they have not been appropriately answered by this government. This is a dodgy process from the health minister. There has not been a good enough explanation as to why there was a delay for a fix once it was discovered and, also, whether that fix is appropriate. How many of these 11,000 cases that are subject to this amendment have been considered properly? What are the implications?

Dealing with mental illness in our community with appropriate services and a carefully considered legal process to support those services, the patient, their families and the public is a significant issue. Families need support and involvement in care but so, too, do people who have been victims of crimes committed by those with a mental illness. Those who are mentally ill need proper care, but sometimes the public and loved ones also need protection from people suffering from a mental illness. As my colleague the member for Surfers Paradise has outlined, there are serious concerns about where the mental health system interfaces with the criminal system and also some tragic failures. Those failures are people's lives. In the worst cases, those failures have resulted in some terrible situations.

I also acknowledge the contribution of the member for Mudgeeraba in regard to the impact of this bill on domestic violence victims. It is time that the secrecy in forensic cases was stripped away in favour of restoring confidence and integrity in the system, where families and victims are appropriately consulted and kept abreast and considered as well as the public.

The secrecy of this government and how it has mishandled the mental health system is endemic. Unfortunately, the amendments to the bill before the House embody that very problem. The minister knew—at least last year—about a problem with an inappropriately appointed member of the tribunal. Now, we see these rushed amendments being tacked on to this bill without full consideration. There is an issue with secrecy. Therefore, it leads to an issue of integrity that this mental health system needs to have appropriately addressed not only for the sake of patients but particularly for the public and all of those who are involved in the care of patients and all of those who are affected when there are issues at hand.