

# Media Release

The Hon James Merlino MP  
Deputy Premier  
Minister for Education  
Minister for Mental Health



Thursday, 23 June 2022

## LIVED EXPERIENCE JUSTICE TO LEAD MENTAL HEALTH REVIEW

The Andrews Labor Government is putting lived experience at the heart of an Independent Review that will dive deeper into the criteria, regulations and future legislation for compulsory mental health treatment, as part of the reform of Victoria's mental health and wellbeing system.

As soon as the new *Mental Health and Wellbeing Act* passes the Parliament, the Independent Review will begin – taking the time needed to look carefully at how these laws can make sure mental health care in Victoria is safer and more compassionate for those in crisis.

Justice Shane Marshall AM has been appointed as Chair of the Independent Review, which will also look at how mental health decision-making laws in Victoria can be aligned with other medical decision-making legislation.

The *Royal Commission into Victoria's Mental Health System* recommended that compulsory treatment criteria be simplified and clarified, and that Victoria's mental health laws be aligned over time with other Victorian decision-making laws.

With 20 years' experience as a Federal Court judge, Justice Marshall AM has been a strong educator and advocate for mental health and will bring his own lived experience of the mental health system to the role.

Justice Marshall will be joined on the panel by eminent psychiatrist Professor Richard Newton, lived experience consumer representatives Flick Grey and Erandathie Jayakody, and lived experience carer representative Lisa Sweeney.

The panel will work to terms of reference for the Bill developed by a group of consumers, families, carers, supporters and workers in the sector and service providers.

When the Review concludes in late 2023 the panel will provide formal advice and recommendations to Government that will form the basis of amendments to the new *Mental Health and Wellbeing Act* legislation that will deliver a health-based approach to caring for Victorians when they are in crisis.

The new *Mental Health and Wellbeing Act* is a historic milestone in Victoria's work to build a mental health system that delivers tailored care to all Victorians, close to home.

The new bill sets out principles that will ensure the state's mental health services are responsive, make sure Victorians seeking care are closely involved in decisions about their treatment and support, and incorporate a statement of recognition and acknowledgement of treaty process.

This Bill is just the first step in building the foundations for a world-class mental health system. The *Victorian Budget 2022/23* invested \$1.3 billion in mental health and wellbeing, building on last year's record investment of \$3.8 billion – the largest single investment in mental health in Victoria's history.

### Quotes attributable to Minister for Mental Health James Merlino

*"We're taking the new Mental Health and Wellbeing Act through the Parliament now, to build the critical foundations of our state's reformed mental health system and make sure everyone gets the care they deserve – but we knew there were some aspects of the law, like compulsory treatment, that needed more time to get right."*

*"I look forward to seeing the work of Justice Marshall and the expert review Panel to help us deliver our vision for safe, supportive mental healthcare for Victoria that delivers a health-based response before all else."*

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