



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2022-2023

Mr James Milligan MLA (Chair), Mr Andrew Braddock MLA (Deputy Chair),
Dr Marisa Paterson MLA

ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by MR COCKS on 24 August 2022: KATIE MCKENZIE took on notice the following question(s):

Ref: Hansard Transcript 24 August 2022 PAGE 91

In relation to:

How many times has the public advocate been notified late of a consumer in seclusion?

KATIE MCKENZIE: The answer to the Member's question is as follows: –

Mental Health staff meet regularly with the Public Advocate in relation to seclusion. To date, the Public Advocate has not raised concerns with the reporting.

The *Mental Health Act 2015* (the Act) does not contain a timeframe in which the Public Advocate is to be notified of the seclusion, the language used in the Act is simply, "tell the public advocate in writing of the restraint, involuntary seclusion or forcible giving of medication".

It is Mental Health, Justice Health and Alcohol and Drug Services (MHJHADS) procedure to inform the Public Advocate within 12 hours of a seclusion occurring.

MHJHADS also send a monthly list of all seclusions to the Public Advocate as a cross check to ensure they have received notification of all seclusions.

Approved for circulation to the Select Committee on Estimates 2022-2023

Signature: *Emma Davidson*

Date: 5 September 2022

By the Minister for Mental Health, Emma Davidson MLA

INSTRUCTIONS FOR ANSWERING QUESTIONS TAKEN ON NOTICE (QTON):

1. Answers to QTONs should be **emailed** (Scanned signed PDF) to the Committee Support office at LACommitteeEstimates@parliament.act.gov.au within **5 working days of the receipt of the Uncorrected Proof Transcript (UPT)**. Day 1 is the first working day after the UPT is received. **Example:** *If the question is taken on notice on Monday, the UPT is received on Tuesday, the answer should be submitted by close of business the following Tuesday (even if the hearings for the portfolio stretch across several days).*
2. Where an answer provides a referral to sources of information in published documents, the answer should include the name of the document, the author and / or agency publishing the document, page number/s, and a URL for the document if available online.
3. * Numbers assigned by Committee Support office

