# Paving the roads to recovery: Recommendations list

The Royal Commission into Victoria’s Mental Health System provides an opportunity to build a coordinated mental health system with the voices, rights and recovery of people experiencing mental health issues at its centre. Here is a summary of our [57 recommendations for reform](http://www.legalaid.vic.gov.au/roadstorecovery).

## Consumer leadership

* Involve consumers in implementing the Royal Commission’s recommendations
* Embed consumer leadership in mental health services and intersecting systems

## Access to advocacy

* Make Independent Mental Health Advocacy an opt-out advocacy servicefor consumers on compulsory treatment orders
* Increase funding for Mental Health Tribunal legal assistance
* Improved referral and information-sharing for consumers to access legal help

## Accessibility and safety of services

* Require mental health services to screen for family violence risks at intake.
* Improve mental health and justice system responses to people who use family violence and are experiencing mental health issues
* Improve access to specialist and high-quality mental health treatment in regional areas
* Resource mental health services to implement specific strategies to provide trauma-informed care and tailored services for local communities

## Service delivery and community supports

* Require mental health services to embed supported decision-making, recovery and least restrictive practice into their practice
* Increase rates of voluntary mental health services and treatment in the community
* Train clinicians on the Mental Health Act and the Victorian Charter
* Improve access to holistic and flexible treatment options
* Work with the Australian Government to expand Mental Health Care Plan funding
* Implement cross-governmental co-ordination to ensure consumers have a seamless experience of mental health, health and NDIS supports
* Introduce standards to regulate inpatient care, liveability standards, discharge and transition planning in Secure Extended Care Units
* Roll out broader accommodation options (e.g. step-down programs)
* Resource the supply of safe, stable and affordable housing

## Mental health system oversight

* Allow consumers with decision-making capacity to refuse treatment, unless immediate treatment is necessary to prevent serious harm to another person
* Ensure a substitute decision-maker gives effect to a person’s will and preference
* Insert a presumption of capacity into the Mental Health Act
* Empower the Mental Health Tribunal to make prospective community treatment orders
* Increase oversight of decisions that restrict a person’s rights
* Introduce quality assurance mechanisms and measures to evaluate the effectiveness of the Mental Health Tribunal
* Publicly report service level and demographic data to improve transparency and accountability, and support service planning and delivery
* Develop a state-wide monitoring and evaluation framework for the mental health system, co-produced with consumers
* Consider greater regulation of the mental health system
* Improve complaint handling mechanisms for consumers

## Human rights and discrimination law

* Broaden protected rights in the Victorian Charter, including the right to self-determination for Aboriginal and Torres Strait Islander peoples, and the right to health
* Implement recommendations from the 2015 Human Rights Charter Review
* Improve effective implementation of the Convention on the Rights of People with Disabilities and Optional Protocol of the Convention Against Torture
* Take positive steps to reduce the mental health impacts of discrimination and workplace sexual harassment

## Children and young people

* Ensure all young people can access tailored youth services, including inpatient care
* Ensure children in out of home care can access the mental health supports they need
* Provide clear guidance and greater support to improve the child protection system’s response to families experiencing mental health issues
* Implement and resource a specialised response for adolescent family violence
* Raise the minimum age of criminal responsibility to 14
* Expand and extend youth forensic mental health facilities

## Criminal justice

* Resource community mental health care and treatment options
* Consider ways to reduce the reliance on Victoria Police as first responders for people experiencing mental health issues (e.g. a direct referral system)
* Decriminalise offences that penalise mental health issues, addiction and poverty
* Facilitate greater use of cautions and diversions
* Improved access to services which help people address underlying causes of offending
* Issue a summons or notice to appear rather than arrest where possible to keep people experiencing mental health issues connected to treatment and support
* Make minor changes to bail laws to avoid people charged with minor offending being held on remand
* Roll out state-wide access to therapeutic courts (e.g. ARC and the Drug Court)
* Develop a mechanism for assessing and determining fitness to plead or participate in proceedings in the summary jurisdiction
* Increase the range of dispositions available in the summary jurisdiction
* Create a presumption against short sentences of imprisonment for people experiencing mental health issues
* Ensure Community Corrections Orders have a therapeutic focus
* Expand secure forensic mental health facilities to resource sufficient beds
* Improve availability of voluntary assessment, therapeutic care and supports in custody
* Resource practical transition planning and support for people leaving custody
* Improve access to supervision or parole upon release

Visit [www.legalaid.vic.gov.au/roadstorecovery](http://www.legalaid.vic.gov.au/roadstorecovery) to read our full recommendations and the stories of people with a lived experience of the mental health system.