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## **Ombudsman inquiry: denial of the rights of people with psychiatric disability**

Many people are remaining in mental health facilities beyond the point at which they need to be there, says a report tabled in the NSW Parliament today.

In his report, *Denial of rights: the need to improve accommodation and support for people with psychiatric disability*, the NSW Ombudsman, Bruce Barbour, highlights the barriers that currently prevent many people with psychiatric disability from moving out of mental health facilities and into the community.

**'The impact of this situation is significant,'** said Mr Barbour. **'The lack of appropriate accommodation and support results in these individuals being denied their fundamental legal right to live in the community and to receive support in the least restrictive environment possible.'**

**'It also reduces the already limited capacity of mental health facilities to admit people who are acutely unwell and need intensive treatment.'**

In an inquiry that included reviewing the files of 95 people in 11 mental health facilities across NSW, gaining independent expert clinical advice, and consulting with almost 300 stakeholders, the Ombudsman found that the ability of people with psychiatric disability to get out of hospital is adversely affected by:

- inadequate discharge planning by mental health staff;
- insufficient community mental health support;
- inadequate supply and range of long-term and highly supported housing options in the community; and
- their exclusion from accommodation and support provided under the *Disability Services Act 1993* (DSA).

The inquiry found that people with psychiatric disability do not have adequate or equitable access to disability services under the DSA, mainly because of the longstanding and continuing demarcation between Ageing, Disability and Home Care (ADHC) and NSW Health as to which agency has responsibility for providing support.

**'Our inquiry points to the critical need for ADHC and Health to develop a collaborative approach to supporting people with psychiatric disability,'** said Mr Barbour. **'These individuals ought not to be excluded from disability services on the basis of their mental illness, or have to remain in hospital as a result of agencies not working together to meet their needs.'**

**'It is essential that ADHC and Health work effectively together, and can demonstrate that they are doing so.'**

The Ombudsman noted the longstanding nature of the problems and called for concerted action to be taken now. **'Our inquiry identified people aged 24 and 25 years who are capable of living in the community with the right support and who have already been in hospital for over five years,'** Mr Barbour said. **'It is unacceptable that these young people may be facing a similar future to others in our review who were admitted to hospital as teenagers and only left when they were discharged to aged care facilities over 40 years later.'**

The report indicates that the current disability sector reforms, including the planning for the NDIS, provide an ideal opportunity for ADHC and Health to improve practice in this area.

**'There has been a strong and positive community response to ensuring that people with disabilities receive the support they need in the community, in ways that suit them,'** said Mr Barbour. **'We must make sure that people with psychiatric disability are not left behind.'**