

MENTAL HEALTH SERVICES — CHILDREN AND YOUNG PEOPLE

1145. Hon COLIN TINCKNELL to the parliamentary secretary representing the Minister for Health:

I refer to section 303 of the Mental Health Act, which requires adult inpatient mental health units to fulfil a set of conditions before they admit a child under the age of 18 years and to notify the Chief Psychiatrist of that admission.

- (1) Was the minister's office notified of the new interpretation of section 303 by the Mental Health Commission and the Office of the Chief Psychiatrist?
- (2) Are there any plans to review the new interpretation, given the number of notifications of children being admitted to adult inpatient mental health units has increased from eight in the 2018–19 financial year to 107 in the 2019–20 financial year?

Hon ALANNA CLOHESY replied:

I thank the honourable member for some notice of the question.

- (1) The minister's office was not notified. Section 303 is a protection under the Mental Health Act 2014, which requires various things to happen when a child is admitted to a mental health service that also admits adults. Among the things that must happen is that the Chief Psychiatrist be informed of such admissions. As part of its function as the agency principally responsible for administering the act, the Mental Health Commission, working with the Chief Psychiatrist, considered the effect of section 303 of the act on the new mental health services that have been developed in recent years to better meet the needs of the Western Australian community. These initiatives have included the development of inpatient mental health services that cater specifically for children and young people aged between 16 and 24 years. During 2020, the MHC and the Chief Psychiatrist worked with health service providers to ensure that their understanding of the reporting responsibilities under section 303 remains current.
- (2) At the time of drafting the act, new initiatives such as the youth inpatient mental health units were not contemplated. The MHC will be considering whether any amendment to section 303 is necessary to exclude new initiatives, including the youth inpatient mental health units. However, as consideration of any proposed amendment requires broad consultation, any such consideration will need to occur as part of the statutory review of the act, which is due to commence as soon as practicable after 30 November 2020.