

Hey you! You're a fan-freaking-tastic human for visiting this doc to get ideas of what to include in a submission on the Mental Health Bill. Submissions close at midnight on Friday 20 December! I'm just a person doing my best, I'm no expert in or on any of this, but I've greatly benefitted from submission guides others have made in the past; this is my attempt to make one so others can write a submission on the Mental Health Bill. Please remember, a short submission is better than no submission, anything you write is more than enough ^_^

Where to make your submission

https://www.parliament.nz/en/pb/sc/make-a-submission/document/54SCHEA_SCF_538751B7-FEA5-4DCC-CCE2-08DCE18E31B4/mental-health-bill

Here! Submit here!

Overview of Mental Health Bill slideshow

<https://www.health.govt.nz/system/files/2024-11/mental-health-bill-overview-mental-health-bill-introduced-house-1-october-2024.pdf>

This is a 20 page slideshow from the Ministry of Health that is fantastic for understanding what is in this Bill

Read Chapter 11 of He Ara Oranga

<https://mentalhealth.inquiry.govt.nz/inquiry-report/he-ara-oranga/chapter-11-mental-health-act-reform/>

I started by reading Chapter 11 of He Ara Oranga, which is about mental health reform. This isn't essential, but it helped me understand what's going on and why

Resources from Mental Health Foundation

<https://mentalhealth.org.nz/rethink-the-mental-health-act/get-ready-to-have-your-say>

Great resources here!

Resource from Changing Minds

<https://www.changingminds.org.nz/submissions/lived-experience-stories-insights-and-hopes-for-the-future-of-mental-health-in-aotearoa>

What should future legislation look like? These are some thoughts from Changing Minds

A future mental health system and Act (if, indeed, an Act is required) should:

- Recognise the intersection of social, community, emotional, spiritual and mental wellbeing factors as central to creating a safe and healthy future for Aotearoa.
- Be designed with intersectional systems and supports in mind.
- Adopt a holistic approach to wellbeing which respects Te Tiriti o Waitangi and the diverse worldviews and experiences of Tāngata Mātau ā-wheako.
- Be committed to resourcing the mental health sector in a way that aligns with the scale of harm caused by mental distress in Aotearoa.
- Respects an individual's autonomy and capacity to make decisions about their care and wellbeing.
- The absolute extent possible, trust an individual's capacity to make their own decisions and respect their wishes or the guidance of their whānau or nominee.
- Entrench an individual's right to peer support within the law.
- Facilitate and respect the creation of advanced directives.
- Use language that is reflective of the nature of our experiences under the Act, and which does not contribute to discrimination or prejudice.
- Uphold tino-rangatiratanga - self-determination - under which we see no place for coercive practice, solitary confinement (seclusion) or restraint.

Changing Minds have these questions you could answer as part of your submission.

You can pick which questions you want to answer, you definitely do not have to write on all of them! I suggest picking the ones that resonate with you 😊

Do you think the Bill recognises social, community, emotional, spiritual and mental wellbeing factors as central to creating a safe and healthy future for Aotearoa?

And does it design systems and supports with this in mind?

Does the Bill adopt a holistic approach to wellbeing which respects Te Tiriti o Waitangi and the diverse worldviews and experiences of Tāngata Mātau ā-wheako?

Does the Bill commit to resourcing the mental health sector in a way that aligns with the scale of harm caused by mental distress in Aotearoa?

Does the Bill learn from more modern legislation which respects an individual's autonomy and capacity to make decisions about their care and wellbeing?

To the absolute extent possible, does the Bill trust an individual's capacity to make their own decisions, and respect their wishes or the guidance of their whānau or nominee?

Does the Bill entrench an individual's right to peer support?

Does the Bill facilitate and respect the creation of advanced directives?

Note: In the bill, they have called this a compulsory care directive, not an advanced directive

Does the Bill use language that is reflective of the nature of our experiences under the Act, and which does not contribute to discrimination or prejudice?

Does the Bill uphold tino rangitiratanga, self-determination, under which we see no place for coercive practice, solitary confinement (seclusion) or restraint?

Additional Resources if you want more

<https://static1.squarespace.com/static/5fcd90ca5d43e676cbcf136/t/622917870e36826facb06896/1646860185736/Changing+Minds+Mental+Health+Act+Repeal+Repla+Submission+2022.pdf>

Lived Experience stories, insights and hopes for the future of mental health in Aotearoa; Changing Minds submission on Transforming our mental health law

<https://www.changingminds.org.nz/storiesdb/lived-experience-krero>

This is an 18min video about transforming the Mental Health Act

<https://www.rnz.co.nz/news/thedetail/534797/taking-the-shock-out-of-mental-health-law>

An article and 24min podcast episode

<https://www.rnz.co.nz/news/national/536593/new-mental-health-act-a-potentially-wasted-opportunity-healthcare-professionals>

An article from 13 December with excellent critiques - “New Mental Health Act a 'potentially wasted opportunity' - healthcare professionals”

<https://www.rnz.co.nz/news/political/536705/mental-health-bill-no-place-for-compulsory-care-in-new-law-academic-says>

Another great article from 15 December - “Mental Health Bill: 'No place for compulsory care' in new law, academic says”

<https://www.who.int/publications/i/item/9789240080737>

Ok, imma be real, this is a really long doc. It's also incredible. Highly recommend it if you like reading! It also has really helpful examples of what the law could say in Chapter 2: Legislative provisions for person-centred, recovery oriented and rights-based mental health systems