



AASW

**Australian Association
of Social Workers**

*Submission to the Senate Community
Affairs Legislation Committee*

*Social Services Legislation
Amendment Bill 2015*

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Background

The Australian Association of Social Workers (AASW) is pleased to provide the following submission to the Senate Community Affairs Legislation Committee on the Social Services Legislation Amendment Bill 2015 (SSLA Bill).

The AASW is the body that regulates and represents the profession of social work in Australia with over 8500 members. Many professional social workers work in the mental health sector and possess valuable skills, knowledge and experience in service provision and the impact of government policy. This submission addresses an aspect of the Bill that is of considerable concern to social workers and to many of the families and friends of people affected by serious mental illness.

1. Introduction

The Social Services Legislation Amendment Bill 2015 (SSLA Bill) has the effect of reducing access to the disability support pension for consumers diverted from the criminal justice system to the public health system due to their mental health status.

Irrespective of the nature of the alleged offences, the proposal to cease payment to mental health inpatients on forensic orders is clearly discriminatory and contravenes the recovery focussed orientation of mental health services.

In addition it is in direct contradiction with the philosophical intent of forensic mental health services where consumers are not regarded as criminally culpable for alleged offences.

2. Stigmatisation

Considerable resource and community effort has been directed to reduce the stigma associated with mental illness and the SSLA Bill reinforces rather than reduces stigma associated with forensic mental health services. This is in clear conflict with both the Fourth National Mental Health Plan and the Roadmap for National Mental Health Reform 2012-2022 established in the National Mental Health Strategy (2008)¹ which states, *“All governments are committed to reducing stigma and discrimination in society; significantly reducing suicide rates; and ensuring that people affected by mental health issues and their families have access to appropriate services and supports, stable and safe homes, and are able to participate successfully in education and employment.”*

3. Impact on rehabilitation

There are many reasons why forensic mental health consumers need access to their own funds during the course of an admission such as to support education, training and learning opportunities not routinely provided or funded by agencies.

Consumers pay for their own phone calls and, as they begin to access the community independently, meet the cost of public transport. The potential for the SSLA Bill to impede consumer access to the community and resources to prepare for active participation in the economy is a source of significant concern.

¹The Roadmap for National Mental Health Reform 2012-2022 established in the National Mental Health Strategy (2008). An initiative of the Council of Australian Governments. Page 3

4. Preparing for discharge

Consumers require access to funds to support their preparation for discharge. This includes having an opportunity to manage financial hardship that may have been a factor prior to admission. The development of financial planning and management skills is an important task of rehabilitation which would undoubtedly be compromised with the introduction of the SSLA Bill and would directly contribute to social exclusion, further poverty and incapacity to live independently on discharge. If consumers do not have sufficient financial resources this will negatively influence their capacity to fund community accommodation options. This may have the effect of prolonging admission within a restrictive environment for financial and social reasons while preventing access to a finite number of beds for those consumers who clinically require them.

Clearly financial hardship has a serious and significant potential to destabilise and compromise discharge planning.

5. Additional costs to the health system

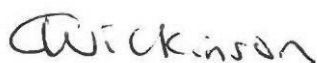
Changes for inpatients on a Forensic Order associated with the SSLA Bill may increase the overall costs of providing services. Impeding the rate of discharge increases the length of admission and therefore treatment cost for each admission. Inpatient services are a resource intensive component of the health system and should be prioritised for consumers who have a clinical requirement. Increases in readmissions may occur if consumers are discharged without the required financial resources and discharge plans become unviable.

Increased readmission to the health system under these circumstances would constitute an additional avoidable cost to health budgets. Arguably these additional costs may exceed savings expected from the proposed changes.

6. Conclusion

The SSLA Bill does not accord with the principles underpinning recovery oriented mental health services. For what is a very modest return to the Federal budget, it further marginalises inpatients on a forensic order and has the potential to impede the progress of their recovery.

Submitted for and on behalf of the Australian Association of Social Workers Ltd



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