

**Transcript of Presentation**  
**by Dr Sev Ozdowski OAM, Human Rights Commissioner**  
**at the National Launch of the “Not for Service” Report**  
**Wednesday, 19 October 2005**

Good morning Ladies and Gentlemen. It is really good to be with you at this important moment. It really took much time and effort to produce that report.

Allow me to start by acknowledging the traditional owners of the land on which we stand, the Cadigal People. It is also my pleasure to acknowledge the Minister for Health and Ageing, the Honourable Tony Abbott, other parliamentarians who are with us – Christopher Pyne, Senator Moore and Julia Gillard; my colleagues from Mental Health Council of Australia, and Brain and Mind Institute, and especially my best wishes to Grace Groom with whom we took and initiated the project sometime ago. But also my acknowledgement goes to people, who have been affected by mental illness directly, or as family and carers, and to all you distinguished guests.

In such company my role as Human Rights Commissioner is not to speak as an expert on mental health, but to emphasise on the human rights dimensions of the way in which our nation responds to mental health issues.

As you know, Australia signed a number of important international instrument, international treaties, we ratified them, and the treaties explicitly recognised the right of everyone to highest possible mental health care. For example, when you look at the international covenant on economic, social and cultural right, Article 12 states “the state parties to present government to recognise the right of everyone to the enjoyment of the highest attainable standard of physical and mental health”. A similar article is in the Convention on the Rights of the Child. We also have UN principles for the protection of persons with mental illness, which were adopted by the General Assembly in 1991, which provide very valuable guidance as to how those rights ought to apply to people with mental illness.

And just to quote three:

Principle 8 for example makes clear that people with mental illness have the right to the same standard of health care as other ill people.

Principle 11 states that mental health facilities should have the same level of resources as any other health facility.

Additionally, Principle 7 states the right to be treated and cared for as far as possible in the community.

As you know, the Human Rights Commission has been having long standing interest in mental health issue. My predecessor Brian Burdekin produced an important report on mental health. He found that although the process of deinstitutionalisation was most welcomed and it was meeting the contemporary medical and other standards, however the community support services were not adequately being built out.

Since I took my job as Human Rights Commissioner I have been facing all time, whenever I go publicly, issues of mental health. People were coming to me complaining. Therefore I started a dialogue with the Mental Health Council and therefore we conducted the national consultations.

The report which we are launching today, it's possibly of size of the Burdekin Report, but it is also saying that really not much change over the last thirteen years.

Allow me to quote from one of the submissions to "Not for Service". A person said that "The dream of closing psychiatric institutions and moving towards community based care has turned into a nightmare. Community care is under resourced and integrated services are lacking. Too many people are denied treatment and slip through the gaps." In other words, we are dealing with enormous crises of mental health services in Australia. Not only are mentally ill Australians being turned away from health services, quite often they are being locked up in prisons. We also heard about many unavoidable deaths.

Government, and I am speaking here about all governments, not only Commonwealth but State and Territory Governments, need to provide leadership. They need to work together instead of apportioning blame. They need to provide more resources, and we need to have a much better accountability for money spent.

In the past it was possible to find solutions where Federal and State responsibilities overlap. For example, it was possible to deal effectively with guns ownership after the Tasmanian massacre. Often when we deal with drought both Commonwealth and State Governments are involved with emergency. Currently we are searching for national solutions that deal effectively with terrorism and industrial relations.

I believe we can solve that crisis. I believe we can deliver to the people what they are entitled to. And I think we are seeing positive signs coming from Government about it, and I would like to congratulate Minister Abbott for coming here, for taking the leadership, and we will be looking for further co-operation with you.

In closing, allow me to say that the clear message that we have got from the consultations is that more than 20 per cent of Australians are counting on the Government to make mental health a priority now.

Thank you.