



MEDIA RELEASE

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WAAMH welcomes Senate Inquiry recommendation to abolish indefinite detention

AFTER more than a decade of lobbying for the Criminal Law (Mentally Impaired Accused) Act to be amended, Western Australia's peak body for mental health, the WA Association for Mental Health (WAAMH) has welcomed the Senate Inquiry report on the indefinite detention of people with disability or psychiatric impairment.

WAAMH chief executive officer Rod Astbury said there had been tireless lobbying from the mental health sector, consumers and families to overhaul the CLMIA Act and end years of inhumane and unjust treatment. The recent United Nations' damning assessment of WA's laws and now the Federal Senate's critical findings apply serious pressure to the WA government.

"This is a grossly out-dated piece of legislation and has no place in today's justice system," Mr Astbury said. "We call for the Senate's recommendations to be implemented urgently."

The Senate report specifically slammed WA's legislation, outlining problems with WA's indefinite detention laws that have been addressed/reformed in most states many years ago.

The Senate has recommended the Australian Government work with states and territories to end indefinite detention, improve access to justice for people with disabilities, including the execution of Disability Justice Plans; improve intervention, therapeutic and support services; and provide better training for police, lawyers and people working in the justice system.

These are all changes WAAMH supports and will be advocating for strongly in the March 2017 state election.

"We acknowledge commitment from the Greens and Labor towards reforming the CLMIA Act and although the Coalition has passed significant reform in the mental health space during its term, sustaining the current indefinite detention laws are a blight on its progress," Mr Astbury said. "We hope to see all political parties make this reform a serious priority with commitment for real change to the law rather than endless reviews, coming into the election."



Currently in WA, a judge only has two choices when it comes to a person found unfit to plead due to disability or psychiatric impairment – unconditional release or a custody order, often resulting in prison, with no access to therapeutic treatments. Prisons are no place for people with disabilities who have not even been found guilty of a crime.

“Indefinite detention laws need to be abolished and urgently amended in line with our lobbying efforts and the Senate’s findings, to finally end this unjust and unfair treatment of some of our most vulnerable citizens once and for all,” Mr Astbury said.

Read WAAMH’s submission to the Senate enquiry: <https://waamh.org.au/news/waamh-submission-indefinite-detention-under-mental-impairment-laws.aspx>

Read The Senate’s full report, ‘Indefinite detention of people with cognitive and psychiatric impairment in Australia’:

http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/Indefinite_Detention45/~/_media/Committees/clac_ctte/IndefiniteDetention45/report.pdf

About WAAMH

The Western Australian Association for Mental Health (WAAMH) was incorporated in 1966 and is the peak body representing WA’s community mental health sector, with around 200 organisational and individual members. Our vision is to lead the way in supporting and promoting the human rights of people with mental illness, their families and carers, through the provision of inclusive, well-governed community-based services, focused on recovery. In 2016, WAAMH is celebrating 50 years.

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