

*The Hon Martin Foley MP
Minister for Mental Health
By email: minister.foley@dhhs.vic.gov.au*

Dear Minister,

Human rights in Victorian mental health wards

We are deeply concerned about the safety of women in mental health wards in Victoria. By some estimates, up to 45 percent of women in Victorian psychiatric wards have reported experiencing sexual assault while in hospital, and 85 percent have reported feeling unsafe while receiving inpatient treatment.

We understand the Government is currently developing a sexual safety strategy and implementation plan in response to the recommendations in the report of the Mental Health Complaints Commissioner, *The Right to Be Safe* (March 2018).

We note that the Victorian Government has the obligation to protect and promote the human rights of mental health consumers. Please find attached a brief paper outlining the relevant human rights and rights-related obligations and how they may currently be engaged and restricted in Victorian mental health wards.

We call on the Government to develop its response in accordance with the human rights obligations identified in the attached paper. In particular, we urge the Government to:

1. Investigate the extent and nature of sexual violence in inpatient mental health facilities;
2. Work with mental health consumers to co-design new policies, guidelines and practices; and
3. Develop processes and mechanisms that facilitate the ongoing monitoring and review of sexual safety in inpatient mental health wards.

Yours faithfully,

Liberty Victoria's Rights Advocacy Project