



Victorian Mental Health Reform Strategy 2009–19

Mental health and the justice system

Because mental health matters is the Brumby Government's agenda for mental health reform over the next decade.

The vision of *Because mental health matters* is that all Victorians have the opportunities they need to maintain good mental health and wellbeing, while those experiencing mental health problems can access timely, high quality care and support to live successfully in the community.

What we know

- Major mental illnesses are three to five times more prevalent among prisoners than in the general community.¹ Just over a quarter of newly remanded prisoners have a diagnosed mental illness.²
- Almost 50 per cent of offenders in custody have some history of mental illness and 17 per cent are current clients of public mental health services.³
- Young people who are in contact with the youth justice system are more likely to experience mental health difficulties. These difficulties often occur in combination with substance misuse, intellectual disability, Acquired Brain Injury and poor physical health.
- Research indicates that people with a mental illness are at least four times more likely to be victims of violent crime and around seven times more likely to be victims of homicide than the general population.⁴
- The challenge for all parts of the criminal justice system has increased as a result of the growing complexity of co-occurring conditions of offenders with mental health problems, including substance misuse and increased rates of homelessness.

What we want to see

- A significant reduction in the number of people with a mental illness involved in the criminal justice system, whether as suspects, offenders or victims.
- A concerted effort to divert people with severe mental health problems from courts and custodial sentences and to link them with community services as appropriate.
- Tailored court processes to respond to the needs of people with a mental illness, including specialist advocacy support.
- Increased capacity in community-based mental health services to better support forensic clients, and more effectively manage high-risk and high-needs clients.
- Improved ability of prisoner and youth justice mental health services to intervene earlier and manage transition to post-release care in the community.

Current and planned action

- Develop the *Justice Mental Health Strategy* to identify opportunities for improved responses to people with mental health issues across various parts of the justice system.
- Strengthen the capacity of prison health services to improve longer-term mental health outcomes for prisoners as part of the new Justice Health forensic services model.
- Review and update police training in responding to the range of operational interactions between police and people with a mental illness.

Further action to be considered

- Establish a specialist list in the Magistrates' Court for defendants with mental health issues to provide clinical assessments, sustained support, referral to community-based services, and to reduce custodial sentences.
- Enhance advocacy and support to victims, suspects and offenders with mental health problems at early stages of their contact with police and courts.
- Plan for new medium-security forensic mental health beds and review the capacity for selected secure extended care units to manage high risk forensic clients, including those exiting Thomas Embling Hospital.
- Enhance the capacity of community-based mental health services to support people with a forensic history.
- Provide specialist mental health training for the frontline justice workforce, such as correctional service officers and youth justice staff, and education for the legal profession and the judiciary, to better recognise and respond to the needs of individuals with mental health problems.

¹ Corrections Victoria 2003, *Victorian Prisoner Health Survey*, Department of Justice, Melbourne.

² Corrections Victoria 2007, *Prisoner health services: health service requirements overview document*, Department of Justice, Melbourne.

³ Forensicare and Victoria Police 2008, *Symptoms in police cells*, – Part of Project PRIMeD – Police Responses to the Interface with Mental Disorder, Melbourne

⁴ Teplin, LA, McClelland, GM, Abram, KM & Weiner, DA 2005 'Crime victimisation in adults with severe mental illness.' *Archives of General Psychiatry*, Vol 62(8), Aug, 911-921

Cuvelier, Monique 2002, 'Victim not villain: The mentally ill are six to seven times more likely to be murdered.' *Psychology Today*, May-June

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Contact

Further information on *Because mental health matters* and mental health services is available at www.health.vic.gov.au/mentalhealth/reformstrategy

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