Review of the ***Mental Health Act 1996***
and ***Criminal Law (Mentally Impaired Defendants) Act 1996***

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Dear Interested Community Member

The Minister for Health and the Attorney General have appointed me to undertake an independent review of the *Mental Health Act 1996* and the *Criminal Law (Mentally Impaired Defendants) Act 1996*.

The Terms of Reference are:

1. To review the operation and effectiveness of the Mental Health Act 1996 and in the course of that review consider and have regard to:

   (a) the effectiveness of the operations of the Mental Health Review Board and the Council of Official Visitors;

   (b) the need for the continuation of the functions of the Mental Health Review Board and the Council of Official Visitors; and

   (c) such other matters as appear to be relevant to the operation and effectiveness of the Mental Health Review Act 1996.

2. To review the operation and effectiveness of the Criminal Law (Mentally Impaired Defendants) Act 1996 and in the course of that review consider and have regard to:

   (a) the effectiveness of the operations of the Mentally Impaired Defendants Review Board;

   (b) the need for the continuation of the functions of the Mentally Impaired Defendants Review Board; and

   (c) such other matters as appear to be relevant to the operations and effectiveness of the Criminal Law (Mentally Impaired Defendants) Act 1996 including its relationship with the Mental Health Act 1996.

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This is a substantial task and therefore the Review will be conducted over a 12-month period to include:

1. A call for public submissions, with the closing date being **28th February 2003**.

2. The development of Working Parties to examine specific issues relating to the:
    - Council of Official Visitors,
    - Mental Health Review Board,
    - Involuntary Status & Community Treatment Orders
    - Part 5 - Treatment of Patients
    - Part 7 – Protection of Patients' Rights
    - Criminal Law (Mentally Impaired Defendants) Act.

3. Development and circulation of a Draft Report.

4. Feedback from the public about the Draft Report.

5. A series of regional consultations in rural and remote areas of WA.

6. Presentation of Final Report to the Minister and Attorney General in October 2003.

At this stage of the Review we are seeking your opinion as to which sections of the Act(s) you think could be improved and how. On this web site you will find two documents:

1. Submission structure for the *Mental Health Act 1996*; and

2. Submission structure for the *Criminal Law (Mentally Impaired Defendants) Acts 1996*.

If you wish to be kept informed of the progress of the Review and/or receive any documents the Review may distribute, it would be appreciated if you could contact us with your name and details. Our contact details are above.

Thank you.

Yours sincerely

Professor C. D'Arcy J. Holman

Professor C.D'Arcy J. Holman
Chairperson

16th August 2002