



# WISECARER

Beyond Caregiving, Into Wellbeing

# CARER AND MENTAL HEALTH PROTECTIONS

As a carer, you are protected under certain laws and acts that keep you safe and recognise what you do in your role. You may find different information below on laws, acts, rights and responsibilities relating to being a carer and mental health.

## Carers Australian Recognition Act 2010

“An individual who provides, in a non-contractual and unpaid capacity, ongoing care or assistance to another person who, because of a disability, frailty, chronic illness or pain, requires assistance with everyday tasks”

**A person is NOT considered to be a carer if they:**

- Are employed to look after someone
- Work as a volunteer for an organisation
- Are doing work experience as part of a course

[Social Security Guide](#)

## Carers (Recognition) Act 2008 - Queensland Legislation - Queensland Government

“Parliament recognises that carers make a significant contribution to the people they care for and the economic and social wellbeing of the community, and that carers deserve recognition, respect and support for their role as carers; and helping carers is one of the best ways of helping someone they are caring for and the carers charter will help carers to be heard by government and their issues to be better understood in the community”

[Visit Site](#)

## Queensland Mental Health Act 2016

Queensland's mental health laws set out the rights and responsibilities of people getting treatment and care for mental illness. This includes people getting voluntary or involuntary treatment at a Queensland authorised mental health service.

The Mental Health Act 2016 aims to improve and maintain your health and wellbeing in a way that safeguards your rights.

**It sets out your doctor and treating team's responsibilities and your rights to:**

- Information about your treatment and care
- Make decisions about your treatment and care, if you're able to do so
- Communicate with others and have support persons
- Make a complaint or ask for a second opinion.

[Visit Site](#)



## Mental Health Rights and Supports

Guide to patient rights and statement of rights, translated versions available

[Your rights and support | Health and wellbeing | Queensland Government](#)

[Patient rights fact sheets, brochures and videos | Queensland Health](#)

## You may need legal help for a variety of reasons.

Some are listed below, and each legal aid service or adviser can help with different areas:

- Debt
- Financial problems
- Tenancy issues
- Family disputes
- Power of attorney
- Guardianship
- Other specific legal requirements

## Do you need to make a complaint?

[Make A Complaint](#)

[Complaint agencies | Queensland Mental Health Commission](#)

[Visit Site](#)

## Mental Health Rights and Supports

Guide to patient rights and statement of rights, translated versions available

[Carers Gateway for information - Legal Matter](#)

[Gold Coast Community Legal Centre for practical support](#)

[Legal Aid QLD for information or 07 5671 7700](#)

[My Community Legal Inc. For practical appointment](#)

[Independent Patient Rights advisers or 1800 316 678](#)

[Queensland Advocacy Incorporated - 1300 130 582](#)

[Basic Rights Queensland or 1800 358 511](#)

## **MHRT - Mental health review Tribunal - What is it?**

“The Mental Health Review Tribunal (Tribunal) is an independent decision making body under the Mental Health Act 2016 . The Tribunal is not part of any health service or treating team and its primary purpose is to review the involuntary status of persons with a mental illness and/or intellectual disability.”

[Visit Site](#)

## **Need More Support than an Information sheet?**

You can call legal aid or visit one of the free services listed above for more information, and they may be able to offer support with legal rights and responsibilities for your situation

**We gratefully acknowledge all the partners, Queensland Mental Health Commission, ASPIRE, Gold Coast University Hospital and Southern Cross University.**



Queensland  
Mental Health  
Commission



Australian  
Social Prescribing  
Institute of Research  
and Education



**Southern Cross  
University**



## WANT SOME HELP

The Hub, 2580 Gold Coast Hwy,  
Mermaid Beach, QLD 4218



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