



The Honourable Tim Nicholls MP  
Minister for Health and Ambulance Services

C-ECTF-26/2427

12 MAR 2026

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Dear Mr Laurie *Neil*

I write in response to petition number 4349-26, tabled in Parliament on 10 February 2026, in relation to the *Mental Health Act 2016* (the Act). I acknowledge the concerns raised in the petition regarding mental health settings, including the use of restrictive practices.

Mental health legislation in Queensland is consistent with nationally and internationally accepted standards for providing treatment and care. The Act has a strong focus on least restrictive practices and ensuring patient rights are protected and treatment and care must be provided in a way that safeguards the rights of the person receiving treatment; is least restrictive of the rights and liberties of the person; and promotes the recovery of the person, and their ability to live in the community without the need for involuntary treatment and care.

In addition to the legislative framework, care provided by Queensland Health mental health services is delivered in accordance with contemporary clinical practice and standards, including the National Safety and Quality Health Service Standards. These standards were developed to ensure that mental health services in hospitals and community deliver high quality care that is reflective of nationally agreed person-centred approaches, protocols and requirements. In line with the standards and the Act, less restrictive approaches for providing treatment and care must be considered before restrictive practices can be used, as these are a last resort option for the protection of the person and the safety of others.

I note that the petition mentions availability of legal representation for people who are appearing before the Mental Health Review Tribunal. I can advise that the Act contains provisions for the appointment of legal representation at no-cost to the person for a range of hearing types, with 2,992 appointments made in the last financial year. These appointments are in addition to the right provided in the Act for all patients to have legal representation in Tribunal hearings.

Thank you for raising this important matter with me and I trust this information is of assistance to the petitioners.

Yours sincerely

**Tim Nicholls MP**  
Minister for Health and Ambulance Services  
Member for Clayfield