

# A joint statement of rights for Australian families, carers and supporters in mental health

## Why mental health families, carers and supporters need their rights enacted:

Australian families, carers and supporters of people living with mental illness, distress or psychosocial anguish, urgently need their citizen and human rights enshrined in Commonwealth, state and territory legislations and charters.<sup>1</sup> Current carer legislation, while valuable in acknowledging challenges this community face, falls short in providing legally enforceable rights or imposing obligatory duties on public entities and services.<sup>2</sup>

Evidence shows that mental health families, carers and supporters experience serious human rights violations.<sup>3</sup> Their rights are denied through neglect and insufficient social policies that place significant demands on them, compounded by inadequate systemic support. This leads to widespread social disadvantage that amounts to breaches of fundamental human rights, as recognised under international law, including the Universal Declaration of Human Rights (UDHR)<sup>4</sup>, Convention on the Rights of the Child<sup>5</sup>, the International Covenant on Economic, Social and Cultural Rights<sup>6</sup>, and the Convention on the Elimination of All Forms of Discrimination against Women<sup>7</sup>, which Australia is a signatory.

More than ninety mental health families, carers and supporters, and allies came together to discuss experiences of rights violations and to identify urgent actions required to uphold the collective rights of this community.<sup>5</sup>

This rights statement is the product of this discussion.

"The way mental health families and carers are exploited by the system is a justice issue."  
– Discussion participant

"I want to feel safe and secure and have the opportunity or the space to develop, play and grow securely, and live free from fear and guilt."  
– Young participant

## Call to action:

Collectively, we call for our rights to be enshrined in Australian legislation and reflected in the policies, practices and reform processes of mental health services and public entities across Australia.

With our rights clearly articulated, together, we can create a fairer, more compassionate system that recognises and upholds the rights of mental health families, carers and supporters in the Australian mental health system, in workplaces, and across society. We call on our community of families, carers and supporters, our allies, and policymakers to join us as partners and support immediate action on these rights.

## Take action today:

- Pledge your support at change.org at <https://chnng.it/Y8kLGYnrFX>
- Share this statement with your own organisation, networks and connections
- Write to or meet with ministers or local members



<sup>1</sup> Knight, K. and Davy, L. (2019) Claiming rights: the future for carers and the need for a radical imagining, International Journal of Care and Caring, 3(3): 453-458, DOI: 10.1332/239788219X15597493546643

<sup>2</sup> Arafmi (2024), Submission to the Independent Review of the Human Rights Act 2019, 21 June 2024, Review of Queensland's Human Rights Act 2019.

<sup>3</sup> Katterl, S., Lambert, C., MacBean, C., Grey, F., Downes, L., Cataldo, M., et al (2023) Not Before Time: Lived Experience-Led Justice and Repair, [www.livedexperiencejustice.au/](http://www.livedexperiencejustice.au/); Productivity Commission (2020). Mental Health Inquiry Report (No. 95). Commonwealth of Australia. p873-875;

<sup>4</sup> Universal Declaration of Human Rights, G.A. Res. 217A (III), U.N. Doc A/810 at 71 (1948), Articles 1, 2, 22, and 25.

<sup>5</sup> Convention on the Rights of the Child, opened for signature 20 November 1989, 1577 UNTS 3 (CRoC).

<sup>6</sup> UN General Assembly, International Covenant on Economic, Social and Cultural Rights, 16 December 1966, United Nations, Treaty Series, vol. 993.

<sup>7</sup> UN General Assembly Convention on the Elimination of All Forms of Discrimination against Women, adopted in 1979 by the UN. General Assembly

<sup>8</sup> Workshop facilitated at the Mental Health Services Conference, 15 August 2023, Adelaide: TheMHS Conference 2023 Program - Carer Forum Session 2: Collective Rights ([eventsair.com](http://eventsair.com))

# Mental health families, carers and supporters have the right to:

## 1 Rights recognition in legislation

Effective legislation recognises and upholds our rights as mental health families, caregivers, and supporters, with clear accountability mechanisms to safeguard these rights across all levels of government and service provision.

## 2 Respect, dignity and freedom from discrimination

A life free from stigma and discrimination within the health system, workplaces, and throughout society.

## 3 Financial security and housing

Financial security means flexible work opportunities that balance work and caring responsibilities. It is also the provision of accessible and liveable carer payments, superannuation and stable and long-term housing.

## 4 Safety

A life free from fear with protection from harm, abuse, and violence. This includes the right to privacy, confidentiality, personal safety, a secure home, and comprehensive safety plans. The right to not suffer harm and subsequent trauma.

## 5 Relationships, social connection and community

Support for our relationships, including diverse family models, and to a sense of belonging within our communities.

## 6 Opportunity, freedom and choice

To carry out activities based on our own needs and desires, and the freedom to say 'no' without facing consequences like homelessness or loss of life.

## 7 Health and wellbeing

Physical and psychological health, and the support needed to achieve associated feelings of contentment, happiness and overall wellness.

## 8 Identity

Being seen as a person that has an identity beyond our caregiving role. Families, carers and supporters have multiple identities encompassing our personal, familial, cultural, and consumer identities.

"Carers actually have multiple roles, identities and relationships with others. But the 'carer' identity seems to be all that is seen or acknowledged. It serves to keep a person in a limited gaze."

– Discussion participant

"Financial insecurity is becoming intergenerational for mental health families and carers"

– Discussion participant

Mental health families, caregivers, and supporters also identified the importance of the right to enjoyment of life, self-care, and comprehensive support. They emphasised the need for access to information, inclusion in decision-making, recognition of their experience and expertise, and the ability to set boundaries. The group further underscored the right to childhood and education, trauma-informed care, and meaningful participation in advocacy and system design.

This statement was prepared by a group of mental health family carers from the following organisations:

