

Who we are

The Mental Health and Wellbeing Commission (the Commission) is an independent statutory authority that holds government to account for the performance, quality and safety of Victoria's mental health and wellbeing system.

The Commission was established on 1 September 2023, in line with a recommendation of the Royal Commission into Victoria’s Mental Health System.

The Commission promotes, supports and protects the rights of consumers and their families, carers, supporters and kin. As an independent body, the Commission has the powers necessary to perform its functions under the Act. These functions include dealing with complaints, initiating investigations, conducting inquiries, sharing data, reporting on the performance, quality, and safety of Victoria’s mental health and wellbeing system, and making recommendations to the Premier, Minister, and heads of public service bodies.

The Commission is led by Chair Commissioner Treasure Jennings, Lived Experience Consumer Commissioner Maggie Toko, Lived Experience Carer Commissioner Jacqueline Gibson and Commissioner Annabel Brebner. Each of the Commissioners brings lived and or living experience to their role.

The hope of the Commission is that all Victorians are socially and emotionally well and can live the life they want to live. This means they can choose and access safe services when and where they need them.

Our purpose

To ensure our work shines a light on systemic issues in the mental health and wellbeing system that hold back progress, as well as recognise what works well.

Our commitment:

At the Commission we have made a commitment to be:



Fearlessly independent



Grounded in the expertise of people with lived experience



Brave, fair, impartial and transparent in our work



An exemplar organisation for lived experience leadership



A voice for inclusion, understanding and compassion



Focused on addressing the most important issues at the time that best serve the public interest.

Our functions

Under the Act, the Mental Health and Wellbeing Commission has the following functions and powers:

- Hold the government to account for:
 - I. the performance, quality and safety of the mental health and wellbeing system, including the implementation of recommendations made by the Royal Commission into Victoria's Mental Health System; and
 - II. ensuring the mental health and wellbeing system supports and promotes the health and wellbeing of consumers, families, carers and supporters and the mental health and wellbeing workforce.
- Design and deliver initiatives that create awareness of people with lived experience and their unique experiences, including promoting the role of families, carers, supporters and kin of persons living with mental illness or psychological distress.
- Handle complaints about Victorian publicly funded mental health and wellbeing services, which include mental health and wellbeing services run and delivered by a public hospital in Victoria.
- Elevate lived experience leadership and support effective participation of people with lived experience in decision-making processes.
- Lead and support initiatives to prevent and address stigma related to mental illness.
- Monitor and report on the performance, quality and safety of the mental health and wellbeing system.
- Report on the use of restrictive interventions in designated public mental health and wellbeing services.
- Monitor and report on the progress to improve the mental health and wellbeing of the Victorian community.
- Monitor and report on the progress of implementing the recommendations made by the Royal Commission into Victoria's mental health system.
- Promote effective complaint handling by public mental health and wellbeing service providers.
- Make recommendations to the Premier, Minister and heads of public service bodies.
- Promote and support compliance with the Act and report significant breaches of the Act to the Health Secretary.

Commissioners' message

Since the Mental Health and Wellbeing Commission (the Commission) was established on 1 September 2023, our focus has been on listening, learning, and laying the groundwork for meaningful change.

This Annual Report reflects the insights we've gained and the actions we've taken during the Commission's first 10 months of operation. Much of our work is ongoing, and we are focused on creating the conditions necessary for meaningful and lasting change in Victoria's mental health and wellbeing system.

Over the past 10 months, we have built our capacity and capability across lived experience, data analysis, investigations, legal, and people and culture. Alongside our lived experience and resolution teams, we have engaged in rich conversations across the mental health and wellbeing sector, particularly with people with lived experience. These discussions have been foundational in gathering insights so we can effectively fulfill our legislative role and support genuine system reform.

In October 2023, we released Our Strategic Direction for year one, a document that continues our commitment to ground everything we do in lived experience.

We have committed to delivering a Lived Experience Plan, a Stakeholder Engagement Framework, a Monitoring and Performance Plan, our Approach to Complaint Handling and Compliance and an Annual Plan to address systemic issues. Each of these plans is well progressed and shaped by valuable input and feedback from voices across the mental health sector. This is to ensure our work reflects the needs and aspirations of consumers, carers, families, supporters and kin while also meeting our legislative functions.

The Lived Experience Plan outlines the core activities of our dedicated team for 2024-2025 and beyond.

This plan demonstrates how lived experience perspectives inform all aspects of the Commission's operations, from recruitment to our broader policies and processes. This work has involved deep collaboration with consumers, families, carers, supporters and kin and we look forward to launching it publicly in the coming months.

The Commission takes pride in integrating lived experience perspectives into all facets of our work, reflected in our staffing, documentation, and connections with the lived experience sector.

We fully embrace the specialised values cultivated by the consumer and carer movements, ensuring that we, as an organisation, genuinely represent the voices of those who have experience of the mental health system. This commitment has led us to ask important questions about power and decision-making and engage in challenging but necessary conversations to ensure we deliver on our responsibilities.

With the introduction of mandatory reporting of restrictive interventions on 1 April 2024 for all people receiving mental health and wellbeing services in Emergency Departments of designated mental health services, we renewed our call for expanded oversight and safeguards legislation. We are seeking the Victorian government to apply these measures to all Emergency Departments in public hospitals and not just in Designated Mental Health Services, and where a restrictive intervention is used in a public hospital outside of the Mental Health and Wellbeing Act.

In July 2024, we published our policy for Exploring issues through inquiries and systemic reviews, which includes a platform on our website where the public can share their concerns about the mental health and wellbeing system with us.

We are currently finalising Our Approach to Complaint Handling and Compliance Monitoring, which demonstrates how the Commission exercises its powers relating to compliance, as they arise from single complaints and investigations as well as broader concerns that may be systemic in nature across a service or the health care system. This approach has been developed and embedded with a lived experience perspective and takes a person-centred perspective to complaint handling and resolution.

We acknowledge that many people felt uncertain about the pace of implementing the recommendations of the Royal Commission's final report following the 2024-25 Victorian State Budget. We continue to urge the government to be transparent and specific about its revised implementation plans, and to prioritise initiatives that address workforce shortages. We are seeking the answers and direction that consumers, carers, family, supporters and the wider mental health sector need.

Since establishment, we have also continued the important work of the former Mental Health Complaints Commissioner, handling complaints, making recommendations for service improvements, and ensuring these improvements are implemented. Details of our compliance activities – including investigations and enforceable undertakings – are outlined in this report.

Our inward focus has included the appointment of key leadership roles, such as our CEO Simon McKenzie, and the creation of a dedicated Lived Experience Team led by General Manager Danilo Di Giacomo.

We acknowledge the dedication and adaptability of our team, which has formed the backbone of the Commission throughout its establishment. Our team is comprised of compassionate individuals committed to improving mental health outcomes for the Victorian community. This work is not easy, and we thank them for their tireless efforts.

In the following pages, you will find a comprehensive overview of our establishment activities and work over the past 10 months. We have structured this report to cover what we have done at the Commission over this reporting period, what we have seen through our system monitoring and oversight functions and what we have heard through our engagement and consultation activities.

Looking ahead, we remain steadfast in our commitment to shedding light on systemic issues within the mental health and wellbeing system, contributing to continuous improvement across the sector, and ensuring that all Victorians have access to, and positive experiences with, mental health and wellbeing services.

This work will be guided by our upcoming three-year strategy, which outlines the Commission's priorities and goals. Currently in development, the strategy will be released later this year.

Finally, we extend our deepest thanks to everyone who has engaged and connected with us, including mental health and wellbeing services and lived experience experts, for your insight and valuable feedback throughout the Commission's planning and establishment year.

We have an exciting future ahead, and by working together, we can drive change and ensure that all Victorian consumers, carers, families, supporters and kin have access to effective treatment, care, and support.



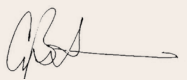
Chair Commissioner Treasure Jennings



Commissioner Maggie Toko



Commissioner Jacqueline Gibson and



Commissioner Annabel Brebner

Message from the CEO

The first year of the Mental Health and Wellbeing Commission has seen enormous growth, development and adaptation of our operations to meet the objectives and functions set out in the Mental Health and Wellbeing Act 2022 (the Act).

I joined the Commission's senior leadership team in September 2023. It's been a privilege to be the inaugural Chief Executive Officer (CEO) of the Commission, setting up ways of working and managing the day-to-day operations of the Commission. This work has involved close collaboration with the commissioners as they set the strategic direction for the Commission, including providing oversight of system performance and insight into system improvement.

A priority for me has been on building the capacity of our team. The new Act has introduced new functions that the Commission must acquit, and new skill sets were required to administer and deliver these functions, including revised compliance and system oversight powers. Attracting great people, and ensuring that staff feel supported, safe and empowered to do meaningful, important work in the context of Victoria's mental health reforms is a key driver of our operations.

Our success hinges on our ability to form genuine working partnerships across the mental health and wellbeing sector. Meaningful collaboration and engagement have informed so much of our establishment work, and I was proud to be a part of the steering committee developing the Commission's first Lived Experience Plan. This plan sets out how we will elevate lived experience leadership and participation in system reform. We were intentional in how we created senior designated lived experience roles, and worked with our Lived Experience Team to ensure

lived experience expertise is genuinely embedded in decision-making across the Commission. Leading by example in elevating lived experience leadership is a key strategic pillar of the Commission.

As a new, independent statutory entity, the Commission has been particularly concerned with establishing systems, processes and structures to support meeting our legislative and regulatory obligations aimed at good public administration, risk management, financial responsibility, records management and data security. I am proud of the work we have done in this space, establishing policies and protocols that ensure we operate efficiently and with best practices always in mind. The Commission accurately managed its budgeted funding in its first year of operation, remaining vigilant of the need to balance financial responsibility and constraints with capacity building.

There is much to be proud of in our first 10 months, and I would like to thank the staff of the Commission for their unrelenting commitment and focus on the objectives of the Act.

I would also like to sincerely thank everyone who has worked with us, contributed to our engagement and consultation processes, provided feedback and met with us in our establishment year. System reform is a challenging process, but your contributions, and commitment to improving the system for all those who use it, are what make system transformation possible.



Simon McKenzie
CEO

Our leadership team



**Chair Commissioner –
Treasure Jennings**

Treasure Jennings has over 20 years of experience in management and senior leadership roles, notably as the joint Mental Health Complaints Commissioner and Disability Services Commissioner. She is also a former Public Transport Ombudsman.

Treasure is passionate about improving Victoria's mental health system and in particular elevating the rights of consumers, carers, families, supporters and kin. Her experiences as a supporter and carer have shaped and informed her commitment to systemic reform and building a more inclusive and compassionate mental health system.

Treasure has focused this year on listening and learning about the community's views of the priorities of the Commission as well as providing expert advice on a range of initiatives aimed at supporting the reforms, particularly in the areas of safety and quality. Treasure is particularly focused on how the Commission will use its powers to drive the cultural shifts needed to ensure a safe system that delivers on the aspirations of the Royal Commission.

“Throughout my life and career I have seen first-hand how stigma and discrimination is a barrier to having a better life for many people I’m driven to see the work of the Commission change that – so that all Victorians can have better experiences and lives.”



**Lived Experience
Commissioner, Consumer –
Maggie Toko**

Maggie Toko brings a powerful blend of lived experience and professional expertise to her role. With a background ranging from consumer consulting to not-for-profit leadership, Maggie has served as the CEO of the Victorian Mental Illness Awareness Council and the Assistant Commissioner of the Mental Health Complaints Commission.

Her deep understanding of the consumer movement, combined with her work in homelessness, sexual assault, and youth advocacy, fuels her drive for system reform. She is passionate about reducing the stigma that surrounds mental health. As an indigenous person of Ngāpuhi – Ngāti Whātua descent and someone with lived experience of mental illness, Maggie is a passionate human rights advocate dedicated to amplifying the voices of those often unheard.

As Lived Experience, Consumer Commissioner, Maggie's work in the Commission's first year has been focused on engaging with consumer groups, service providers and community across the system as well as leading the development of guidance on the mental health and wellbeing principles from the Act so that everyone can understand and follow them. Maggie has taken a particular interest in education, and this year, she has focused on inducting lawyers working in the pro bono space to ensure they are aware of the Commission's role and consumer rights.

“The Commission's remit is to raise the efficacy and the voice of lived experience – and this is a once-in-a-lifetime chance.”

Our leadership model

The Mental Health and Wellbeing Commission is led by four commissioners who work via a collaborative leadership model. Each commissioner brings their individual perspective, diverse experiences, skills, and expertise and commits to mutual respect, trust and information sharing. All decision-making at the Commission is shared, which allows the Commission to be adaptable, leaning into each commissioner's strengths to solve problems, innovate, and achieve common goals.



**Lived Experience
Commissioner, Carer –
Jacqueline Gibson**

Jacqueline's primary identity is that of a mental health carer and supporter. Her personal experiences in this role have not only shaped her understanding of the field but also allowed her to actively participate in governance and decision-making within the health sector on a national level.

Jacqueline's unwavering commitment to protecting the rights and dignity of persons with mental illness is a cornerstone of her work. This commitment is evident in her past work at the Mental Health Tribunal as a community tribunal member. Her dedication to safeguarding individuals in the public mental health and wellbeing system is not just a job, but a driving force in her work today as a Lived Experience Commissioner.

This year, Jacqueline has made it a priority to listen and learn about the perspectives of families, carers, supporters, and communities.

Her inclusive approach and unwavering commitment to community engagement not only involves these communities but also make them feel valued and integral to these efforts.

“I am committed to working closely with the lived experience workforce, consumers, families, carers, supporters and kin. Together, we will implement our strategic plan and the Commission's Lived Experience Plan, turning them into tangible actions that will bring about real change in our mental system.”



**Commissioner –
Annabel Brebner**

Annabel Brebner has extensive expertise as an executive, economist, and public policy consultant with over 17 years advising governments on social policy, including health and mental health. Annabel brings valuable insight from her roles as Director of Performance Audit at the Victorian Auditor-General's Office, consulting on the National Mental Health Workforce Strategy Taskforce and evaluating initiatives related to the Royal Commission into Victoria's Mental Health System.

Her personal experience as a consumer and carer of those facing mental ill health drives her passion for system reform and improving access to treatment and support. Annabel is dedicated to meaningful system oversight and creating a community where everyone feels a sense of belonging.

Annabel's focus in the Commission's establishment year has been the design and development of the Commission's reporting and monitoring framework and approach to systemic reviews.

“I really want the Commission to be a trusted place – we do what we say we're going to do and look to improve the information we have, so we get a really accurate view of how the system is performing.”

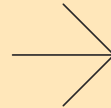


**Chief Executive Officer
(CEO) – Simon McKenzie**

Simon McKenzie is an admitted lawyer with over 20 years of operational, senior management and executive-level experience in the private and not-for-profit sectors.

He also has experience in consumer rights, including at the Telecommunications Industry Ombudsman and Public Transport Ombudsman. Simon's work has contributed towards system and service improvement. Simon is driven by his work, engaging with consumer complaints, people with lived experience, and advocates of those who face barriers to accessing services, education, work and social connection. Simon has experience with the mental health system as a family member and supporter of someone experiencing mental illness.

“The Mental Health and Wellbeing Commission needs to reflect the community it serves; it should be diverse, in terms of the people that inform it and work in it, it needs to execute the functions of the Act and be a learning environment where we listen to the people who are experts – whether they are consumers, carers, advocates or other mental health sector leaders.”



The Commission's leadership team completed the Centre for Mental Health Learning's training program 'Understanding & Supporting Lived Experience Workforces'.

Ongoing training in this area will continue to be a focus as we grow and mature as an organisation. In this way, we can ensure our work is grounded not only in the values of the lived experience workforces, but to the consumer and carer movements and their long-standing advocacy.

Lived experience at the Commission

The Royal Commission into Victoria's Mental Health System reflected a new approach and commitment to working with lived experience. A key observation of the Royal Commission's final report was that the system will only be safe and effective – and will only lead to genuinely improved outcomes – if the system is designed, delivered and overseen in partnership with people who have a lived experience of that system.

This underpins the leadership design of the Mental Health and Wellbeing Commission, which has appointed designated Lived Experience Consumer and Carer commissioners. The Commission has designated lived experience functions:

- to elevate the leadership, and support the full and effective participation, of consumers and carers in decision-making processes
- to develop and support the leadership capabilities of lived experience
- to design and deliver initiatives to develop awareness and understanding of people's experiences of mental illness and distress
- to promote the role, value and inclusion of families, carers, supporters and kin.

Our Lived Experience Team

In response to the Royal Commission recommendation 28 'Developing system-wide roles for the full and effective participation of people with lived experience of mental illness or psychological distress', the Commission has developed a specific lived experience stream within the organisation.

Led by the two Lived Experience Commissioners, Maggie Toko (Consumer Commissioner) and Jacqueline Gibson (Carer Commissioner), the Lived Experience Team now includes a range of designated roles, including a General Manager who is part of the Commission's Executive team, a manager and two Senior Lived Experience Advisors. Further roles within the team, including policy roles, will be recruited to support consumer and carer project and policy development.

The Lived Experience Team provides critical internal consultancy across the full range of the Commission's functions and is also building a portfolio of work through a range of projects related to functions as set out in the Act.



“The foundation of my work lies not in abstract policy or distant directives but in the voices and lived experiences of families, carers, and supporters – those who often find themselves unheard, lost in the vast machinery of Victoria’s public mental health and wellbeing system. It is their stories, their quiet struggles, that inform every focus, every direction, every priority that guides the Mental Health and Wellbeing Commission.”

Jacqueline Gibson, Lived Experience, Carer Commissioner

Embedding lived experience

The Lived Experience Team is building the foundations, policies and structures for a growing lived experience program through targeted activities. These include projects like developing inclusive internal recruitment policies, reviewing all internal policies and protocols, and working alongside colleagues to develop meaningful and effective approaches to working with services.

The Lived Experience Team is an integral part of the Commission. The team ensures that the perspectives and expertise of consumers, families, carers, supporters and kin are fully integrated, by working collaboratively across the organisation, including Resolutions, Communications and Engagement and Performance Management. The team’s influence extends throughout the organisation, shaping strategic direction and enhancing operational efficiency. At the same time, the team also has its own portfolio of projects, and receives organisational resources and support to achieve its objectives. This dynamic interplay between contributing to the broader organisational goals and advocating for its own needs exemplifies the team’s critical role in both driving and supporting the work and objectives of the Commission.

The Lived Experience Plan

Critical in guiding the strategic work of the Lived Experience Team is the Lived Experience Plan, a foundational document of the Commission that covers all 32 functions of the Commission that are in its legislation. It looks to ensure that the Commission is driven by lived experience across all its work and functions.

The Lived Experience Plan is sponsored by the Lived Experience Consumer and Carer commissioners and is being developed through targeted engagement with subject matter experts from the lived experience sector including, consumer and carer peak bodies, previous lived experience commissioners (from other jurisdictions), academic experts and current and former service users and their carers.



“My highlight since joining the Commission has been developing the LE Plan. It brings together long-standing advocacy from the sector, fused with the key lived experience recommendations from the Royal Commission’s reports. It’s progressive, enabling and provides clear direction for how we want to improve the system.”

Danilo Di Giacomo, General Manager, Lived Experience

The Lived Experience Plan will be launched in the second half of 2024, and considers metropolitan and regional perspectives, and is built on the following five goals:

- 1**
 - Embed lived experience values in the culture of the Commission and be an exemplar organisation for lived experience and inclusion
- 2**
 - Define lived experience leadership and facilitate pathways across the sector and communities
- 3**
 - Integrate lived experience in and across the governance and performance measurement of mental health and wellbeing system and services, with shared power and increased accountability
- 4**
 - Listen to the voices and meet the diverse needs of people engaging with the Commission and the wider mental health system
- 5**
 - Strengthen understanding of people's diverse lived experience and the role of the MHWC through collaborations, partnerships and community engagement

Advisory mechanism for the Commission

The work of the Lived Experience Team has included developing a comprehensive lived experience engagement strategy and mechanisms through which the Commission will seek strategic advice and expertise into the monitoring of both the Lived Experience Plan and broader strategic priorities of the Commission over time. Establishing a Lived Experience Advisory Group mechanism is included in the Lived Experience Plan and will be established in the next financial year.



Lived experience is embedded in everything we do at the Commission. Throughout this report, you will notice that we have flagged some lived experience highlights. These highlights demonstrate how our lived experience goals are reflected across every aspect of our work.