

Personal Injury

Friday 18 August 2023

Session 10 – 11.55am – 12.55pm

The *Mental Health Act 2007* (NSW) and use of restrictive practices in New South Wales

Join Dr Yega Muthu as he considers the increasing use of restrictive practices in hospitals for mental health patients and the impact of these practices, despite the principle of least restrictive care under the *Mental Health Act 2007* (NSW). The session will examine the types of restrictive practices, such as seclusion, restraint, involuntary acute medication and limiting leave from hospital, the criteria for their application, and will discuss how restrictive practices should be person-centred, the least restrictive option for the shortest time, reduced and eliminated where possible, monitored, and reviewed regularly. Dr Muthu will further reflect on how the treating team must balance safety from harm and freedom of choice of an involuntary patient.

Meet the speaker

Dr Yega Muthu, Principal, YM Lawyers and Adjunct Associate Professor, Thomas Moore School, Australian Catholic University

Dr Yega Muthu is the Director and Principal Solicitor at YM Lawyers and practises in criminal law, mental health, personal injury, wills and probate and guardianship. Dr Muthu qualified as a lawyer in England and Australia. He earned a PhD degree from Macquarie University in 2004. He is a solicitor of the Supreme Court of New South Wales and an academic at several universities in Australia. He is widely published in Australian and international journals across a variety of fields including mental health law and torts. Dr Muthu was appointed to the Mental Health Review Tribunal between 2008-2012.