

# **Office of the Commissioner for Mental Health**

## **Structure, Functions and Responsibilities**

The Office of the Commissioner is responsible for the promotion of rights of persons with mental disorders. The Commissioner is appointed in accordance with the relevant provisions of the Mental Health Act, Chapter 525 of the Laws of Malta. The main objectives of the Office of the Commissioner are as follows:

- to promote and safeguard the rights of persons suffering from a mental disorder and their carers.
- to review any policies and make such recommendations to any competent authority to safeguard or to enhance the rights of such persons and to facilitate their social inclusion and wellbeing.
- to review, grant and extend any Order issued in terms of the Mental Health Act.
- to ensure that patients are not held in a mental health licensed facility for longer than is necessary.
- to monitor any person duly certified as lacking mental capacity and is under curatorship or tutorship.
- to review all patient incident reports and death records received from licensed mental health facilities.
- to ensure that guidelines and protocols for minimising restrictive care are established and adhered to.
- to investigate any complaint alleging breach of patient's rights and take any subsequent action or make recommendations which may be required to protect the welfare of that person.
- to investigate any complaint about any aspect of care and treatment provided by a licensed facility or a healthcare professional and take any decisions or make any recommendations that are required.
- to conduct regular inspections, at least annually, of all licensed facilities to ascertain that the rights of patients and all the provisions of the Mental Health Act are being upheld.
- to report any case amounting to a breach of human rights within a licensed facility to the appropriate competent authority recommending the rectification of such a breach.
- to report to the appropriate competent authority any healthcare professional for breach of human rights or for contravening any provision of the Mental Health Act.
- to present to the Minister responsible for health an annual report of activity which shall be placed on the Table of the House of Representatives and shall be discussed in the Permanent Committees for Social Affairs and Health.

## **General Description of the Categories of Documents Held**

The Office of the Commissioner for Mental Health holds documents pertaining to the following categories:

- Printed international documents related to mental health
- Annual Reports from 2011 to date, tabled in Parliament as required by the Act
- Working policy documents relating to the functions of the Office of the Commissioner
- Working documents relating to implementation of various initiatives
- Internal draft policy documents concerning mental health and wellbeing, mental health mainstreaming and mental health in all policies
- Documents regarding complaints received and investigations carried out
- Documents concerning the administration of the Office of the Commissioner

## **Contact Details of the FOI Office of the Office of the Commissioner for Mental Health Care**

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