

Residential treatment facilities

Disability Act 2006

Introduction

The *Disability Act 2006* ('the Act') becomes fully operational from 1 July 2007.

The Act provides the framework for a whole-of-government and whole-of-community approach to enable people with a disability to actively participate in the life of the community. The Act provides the framework for delivery of more flexible provision of supports based on maximum choice and a person's individual requirements.

What is a residential treatment facility?

The purpose of a residential treatment facility is to provide an accommodation setting where compulsory treatment is provided to people with an intellectual disability.

A residential treatment facility can be proclaimed as a short-term or long-term facility. A person can only be admitted to a short-term facility for a maximum of five years.

The Intensive Residential Treatment Program at the Statewide Forensic Service has been proclaimed as a short-term residential treatment facility.

How is a person admitted to a residential treatment facility?

A person can only be admitted if the Secretary of the Department of Human Services is satisfied that:

- the person has an intellectual disability
- the person has been assessed as currently presenting a serious risk of violence to another person
- all less restrictive options have been tried or considered and are not suitable
- the facility can provide treatment to the person and the treatment is suitable for the person
- the Senior Practitioner (see *Information sheet 13*) has been notified of the proposed admission.

And the person is on one of the following orders:

- a residential treatment order (*Sentencing Act 1991*) (see *Information sheet 16*)
- a parole order (*Corrections Act 1986*)
- a custodial supervision order (*Crimes (Mental Impairment and Unfitness to be Tried) Act 1997*)
- an order transferring a person from prison (*Disability Act 2006*)
- An extended supervision order (*Serious Sex Offenders Monitoring Act 2005*).

For more information about the *Disability Act 2006*

Disability Services Division, Department of Human Services

Telephone 1300 366 731 (9am to 5pm, Monday to Friday)

TTY: (03) 9096 0133 (for people who are deaf or have a hearing, speech or communication impairment)

Email: disability.legislation@dhs.vic.gov.au