



Justice Health and Forensic Mental Health Network Board
Minutes
7 April 2016
1.05pm to 3.05pm

Lecture Theatres
Justice Health Administration Centre
1300 Anzac Parade
MALABAR NSW 2036

1. Acknowledgement of Country

The Chair made formal acknowledgement of country and to this meeting being held on Aboriginal land and paid respect to elders past and present.

2. Present

Mr C Puplick - Chair
Dr P Abbott
Mr K Barker
Mr A Bartels
Prof T Campbell
Mr P Dwyer
Ms M Eason
Mr I Gillespie
Mr S Loveday

Invited Attendees

Mr G Forrest
Mr L Grant

In Attendance

Ms J Buncombe
Ms L Willing
Dr G Chew (Medical Staff Council)
Dr K Eagle (Chair-Medical Staff Council)

3. Apologies

Ms S Malamoo
Ms A Churchill
Mr P Severin
Ms D Hanley

The Chair welcomed Dr Kerri Eagle, Chair of the MSC and Dr Gerald Chew, Member of the MSC as the new MSC representatives on the JH&FMHN Board.

4. Confirmation of Minutes

The minutes of 11 February 2016 were confirmed as a true and accurate record of the meeting.

5. Board Chair Report

The Chair noted the "in camera" session held prior to the Board meeting. The session included an extensive discussion on the processes involved in the selection of a new Chief Executive (CE).

The Board Chair report was taken as read and the Chair provided a verbal update on the following:

- **Board Assessment/Chair Assessment**
The Chair noted that these assessments will be deferred until the second half of the year so consultation can take place with the new CE.
- **Letter to Minister for Health**
The Chair recently wrote to the Minister of Health regarding cells sizes in correctional centres.
- **State-wide Forensic Mental Health Plan**
The Chair noted the plan is progressing under the leadership of the Ministry.
- **Budgetary Position**
The Chair noted the satisfactory position of JH&FMHN and the work being undertaken with the Ministry on the future funding model for the Network.
- **Board Strategic Directions - 3A's**
The 3A matters will be discussed at item 15 of this agenda.
- **Patient fees**
The Chair noted that a portion of the Forensic Hospital patient fees had been received.
- **Meeting with Attorney General**
The Chair has an appointment with the Attorney General later this month to discuss a series of matters including incarceration rates.
- **Rethinking Justice – Vulnerability report 2016**
The Chair tabled the above Australian Red Cross report and noted the report recognised the value of justice re-investment and commented on Aboriginal incarceration.
- **Meeting with new Mental Health Review Tribunal (MHRT) President**
The Chair and A/CE will arrange to meet with the new MHRT President, Judge Richard Cogswell to discuss the relationship between JH&FMHN and the Tribunal.

- **Expenditure Review Committee (ERC)**

The Chair noted the work that has been undertaken to implement ERC recommendations. As a result of the increased prison population the Secretaries of Health and Justice have supported the decision to archive the ERC roadmaps which can be reactivated should the inmate population decrease to previous levels.

- **2016/17 Service Level Agreement (SLA)**

It is anticipated that the 2016/17 SLA will be finalised in the near future.

- **New Grafton facility**

The Chair and A/CE will meet with the Board of the Northern NSW Local Health District (LHD) on 27 April 2016 to discuss the implications and potential impact of the new Grafton correctional facility on the LHD.

The position of the Australian Medical Association in regard to the privatisation of prisoner health care was discussed. Dr Eagle noted that contestability would remain as a standing item on the Medical Staff Council agenda.

- **Treatment of elderly Australians**

The Federal Attorney General has made a reference to the Australian Law Reform Commission (ALRC) in relation to the treatment of elderly Australians, with a particular focus on the question of various forms of elder abuse.

The ALRC is soon to release an "issues" paper on this subject. Consideration will be given to putting in a submission to ALRC on the basis that the prison population is ageing and the conditions in which older people are kept within the correctional environment may be incompatible with the needs of the elderly.

Mr Barker noted that the Ministry is aware of the increase in the population and within that increase there is an ageing population through the regular report provided by JH&FMHN.

Mr Grant noted CSNSW was unsuccessful with their submission for 2016/17 enhancements to their services for aged and frail.

Dr Chew noted the needs of the forensic aged patients.

Mr Barker requested information be provided on the number of ageing forensic patients.

Action: Report on the number of ageing forensic patients to be provided at a future meeting.

- **Reports tabled for information**

The following reports were tabled by the Chair:

- Australian Institute of Criminology, Trends and Issues in crime and criminal justice: 'Older prisoners – a challenge for Australian corrections'.
- Research Prisons Health Network: 'The Healthcare challenges of Older People in Prisons – a briefing paper'.
- Australian Red Cross: Rethinking Justice – Vulnerability Report 2016.

6. **A/Chief Executive (A/CE) Report**

The A/CE report was taken as read and the A/Chief Executive provided an update on the following:

- **Population**

The adult prison numbers are at 12,541 today.
There are 405 forensic patients.
The adolescent population was 282 at last report.

- **Prison bed strategy**

The A/CE has been invited by CSNSW to participate in a steering committee looking at prison bed strategy.

- **CS NSW Reform agenda**

Market testing of the John Morony Correctional Centre (JMCC) was announced on 22 March 2016.

The A/CE provided an outline of the probity guidelines in place in relation to the contestability of JMCC.

Mr Forrest advised that for these reasons he has withdrawn from the steering committee for governance of the new Grafton Correctional Centre and that this will allow him to have oversight of the in-house bid as part of this market testing process for JMCC.

- **Previous JH&FMHN CE**

The A/CE acknowledged the contribution of Julie Babineau, the outgoing CE of JH&FMHN.

- **JH&FMHN financial update**

The A/CE noted that JH&FMHN is projecting a budget unfavourability of \$1.2 million at the end of this financial year. This will keep JH&FMHN on a performance level of '0' (which is the best possible rating).

The A/CE noted that a letter has been received from the Ministry advising of the reversal of \$2M funding associated with the Social Services Funding Amendment Bill. Withdrawal of this funding had already been anticipated and will not affect the projected \$1.2m unfavourability.

- **Letter to Secretary, NSW Health**

The A/CE noted that he had written a letter to Dr Mary Foley, Secretary, NSW Health, to highlight the impact of increases in the adult prison population on JH&FMHN resources. (Refer to item 13.3 of the papers).

- **Closing the Gap**

JH&FMHN continues to build its engagement with Aboriginal patients through designated Aboriginal specific health events. Twenty-four (24) sites are currently engaged in the National Close the Gap campaign. It is anticipated that 38 will be engaged, which is an increase from 32 last year.

- **Submissions to various forums**

The A/CE noted that submissions to various forums have been made. JH&FMHN have many submissions accepted for either oral or poster presentation at both Agency for Clinical Innovation and the Excellence of Care showcase.

- **Smoke Free Prisons**

JH&FMHN will put forward to the next meeting of the Smoke Free Prisons steering committee, proposed changes to the model of nicotine replacement therapy distribution in light of the emerging increase in prison violence.

Early analysis of data collected as part of the Healthy Lifestyle Healthy Living initiative across 22 centres and attended by 855 patients, indicates that there is no evidence that smoking cessation has impacted on weight at eight months post implementation of the policy. Other evaluations of the impact of the policy implementation will be undertaken.

- **Transitional Research Grants**

JH&FMHN was unsuccessful with its funding submissions.

- **Welcome to Medical Staff Council (MSC) representatives**

The A/CE welcomed Dr Kerri Eagle, Chair of the MSC and Dr Gerald Chew, Member of the MSC as the new MSC representatives on the JH&FMHN Board and acknowledged Dr Jonathan Adams and Dr Adam Martin as the outgoing representatives.

- **Audit and Risk Management Committee (A&RMC)**

Mr Tim Holden has been selected as Chair of the A&RMC. Mr Jason Masters and Mr Paul Crombie have been appointed as new members. Mr Forrest provided an overview of the previous experience of the new members.

The Board Chair and A/CE acknowledged the substantial contribution of the previous A&RMC Chair, Mr Neil Wykes.

- **Procurement Advisory Board**

The western hub lease went through the Procurement Advisory Board as required by NSW Health Policy as it exceeds \$250K. There have been no additional items added since that time.

- **Safe work practices**

The A/CE noted the recent prison cell fires and the JH&FMHN safe work practices in place.

- **Deaths in Custody (DIC)**

A minor amendment is required to the death in custody report. The death recorded in the 71- 80 age bracket should have been recorded in the 81-90 age bracket. This will be adjusted in the next report.

One of the deaths recorded died in hospital before entering the care of JH&FMHN, however has been recorded in our statistics should the Network need to refer to the patient in the future.

7. Business Arising

7.1 Actions arising from 11 February 2016 Board meeting

The Board noted the items on the Actions Arising list and updates from previous meetings.

7.1.1 Social Media for Business Use

The Chair has received the draft Social Media report and has sought comments.

The Chair spoke to a document produced by the Australian Medical Association on social media for the medical profession.

7.1.2 Membership of MDAAC

Mr Adrian Bartels has accepted the Chair's invitation to represent the Board on the MDAAC.

Action: Completed

7.1.3 Administration support for medical officers

A report on this matter is to be taken to the next meeting of the Medical Staff Council. There are some recommendations around enhancements in some areas. The positions are captured in the 2016/17 budget service needs list.

Action: Completed

7.1.4 Capacity Assessment Program

Findings are now to be presented at a future meeting of the Council of Board Chairs. An update will be provided when this occurs

Action: Completed

7.2 Venue for June 2016 meeting

Members were reminded of the next meeting commencing at 10.00am at Metropolitan Remand and Reception Centre at Silverwater Correctional Complex.

Mr Loveday asked if the Stop-C presentation by Mr Andrew Lloyd could be provided at the June 2016 Board meeting.

Action: The Chair and A/CE to discuss the option for this presentation at June 2016 Board meeting due to the constraints of the meeting being held at a correctional centre.

8. Standing Items

8.1 Pecuniary Interest and Gift Declaration

There were no conflicts of interest declared at this meeting.

Ms Buncombe noted the probity matters relating to the contestability matters and will work with the Chair and A/CE to ensure this is recorded to support future Board discussions on these matters.

8.2 Corrective Services NSW (CSNSW) update

Mr Grant provided a verbal update at this meeting and distributed 'Better Prisons Factsheets for information.

8.3 Juvenile Justice Update

The A/CE provided a short verbal update at this meeting.

9. Regular Reports

The following reports were noted for information.

9.1 Board Strategic Directions – 3A's

This item will be discussed at item 15.1.

9.2 Work, Health and Safety report – January 2016

The information provided was noted.

9.3 Half yearly Drug Summit report

The information provided was noted. The Chair noted JH&FMHN continues to be funded for the Opioid Substitution Program.

It was also noted that JH&FMHN has previously contacted the Ministry regarding the inability to obtain data on numbers of OST patients lost to treatment post release from custody; and also that LHDs are not providing

written clinical handover for patients on OST when entering custody. The Chair requested that the Board be kept updated on this matter.

9.4 Enterprise-wide Risk report

The risk report was noted.

Ms Buncombe noted that as of Quarter 3 2015/16 JH&FMHN is required to report the top 10 risks to the Ministry in accordance with policy changes.

9.5 Clinical KPI's report – Quarter 2 October to December 2015

The A/CE provided an overview of the process for developing service measures. Work is underway to transition the Service Agreement to one, which includes more outcome-based measures. This will require the development of systems of data collection.

The A/CE outlined other internal KPI reporting within JH&FMHN eg waitlists. These reports also provide more of a breakdown by facility.

Action: A copy of the previous month's Finance and Performance Committee papers are to be provided to Dr Abbott as well as a table of reporting documents.

10. Finance Report

10.1 Finance and Performance Report – February 2016

Mr Gillespie noted the Delegations Authority document has been reviewed and amended by the Audit and Risk Management Committee and is submitted to the Board for approval. The amendments include additions of new positions and changes to position titles.

Mr Gillespie noted page 9 of 21, specifically the upper approval limits that have been increased from \$250,000 to \$1million for the CE, with the requirement for the Board approval at \$1million and above.

Mr Gillespie also provided the justification for these changes based on relevant policy

Action: The Board formally adopted the changes to the Delegations Authority.

Mr Barker noted the following in an update on the Finance and Performance Sub-committee report to the Board.

- JH&FMHN is currently projecting an unfavourability of \$1.2m.
- Potential impact of changes to meal entertainment card entitlements noted on page 84 of the papers.
- There were no workers' compensation claims in February 2016 and the number of open claims has reduced to 25, compared with 42 in the same period the previous year.

10.2 Budget advice to the Board

Mr Barker provided an overview of the 2016/17 Budget Advice to the Board. This report provides a snapshot of the current issues and the status of the budget and the status of current initiatives being undertaken.

Members were invited to provide feedback to the Executive on the 2016/17 budget plan, in particular the service need priorities for 2016/17. Comments are to be provided to the A/CE prior to 30 April 2016. These comments, together with updated Ministry advice will be reported back to next meeting of the Board to support further discussion on the budget planning.

The Finance team is confident with the capital budget.

Action: Suggestions and comments are to be provided to the A/CE prior to 30 April 2016.

10.3 Approval of Monthly Payments List – January and February 2016

The monthly payment lists for January and February 2016 were approved and signed off at the Finance and Performance Committee meetings held in February and March 2016.

11. Business without Notice

There was no business without notice at this meeting.

12. Minutes of Meetings

The following minutes were noted.

12.1 Finance and Performance Committee – 16 February 2016

12.2 MDAAC – 3 December 2015

12.3 Research Advisory Committee report – 5 January to 1 March 2016

12.4 Health and Safety Committee – 11 February 2016

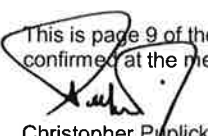
12.5 Medical Staff Council – 3 December 2015

12.6 Clinical Council – 25 November 2015

12.7 Quality Council – 1 March 2016

12.8 Audit and Risk Management Committee – 18 February 2016

This is page 9 of the Justice Health and Forensic Mental Health Network Board Minutes of meeting held on 7 April 2016 and confirmed at the meeting of 9 June 2016.


Christopher Puplick
Chair

13. Information

13.1 Adult Weekly States – Population Update – week ending 13 March 2016.

13.2 Juvenile Weekly States – Population Update – week ending 18 March 2016.

13.3 Letters regarding Funding for Increase in Adult Custodial Population

13.4 Articles

- BOCSAR crime stats boss Don Weatherburn calls for light prison sentences.
- Long Bays inmate's letter to 9 year old self.
- More at-risk teens using meth study.

14. 2016 Meeting Dates

11 February 2016	Justice Health Administration Centre
07 April 2016	Justice Health Administration Centre
09 June 2016	Metropolitan Remand and Reception Centre – Silverwater Correctional Complex
11 August 2016	Board meeting and Board Education – TBA
13 October 2016	Justice Health Administration Centre
08 December 2016	Justice Health Administration Centre followed by APM

15. New Business

15.1 Discussion and planning session

Board and Executive leads of the working parties responsible for progressing the Board's strategic priorities presented to the Board on the scoping work undertaken to date. These priorities are:

- Aging of the population and impact on future directions
- Aboriginal health improvement
- Access to medium/low security forensic beds.

These presentations were followed by discussion on each of the Board role in progressing each of the priorities. A summary of the recommendations arising from this discussion will be provided to members.

It was noted that the Board's strategic priorities are all patient centred activities.

Following the presentations and discussion the Chair recommended that the Chair, A/CE and Board leads of the working parties meet to consider the synthesis and integration of the recommendations and proposed actions to reduce overlap.

The following actions arose from the planning session.

Action: CE to provide advice on whether there is a requirement for JH&FMHN to develop a 'Reconciliation Action Plan'.

Action: The Chair, CE and leads to meet after the next Finance and Performance Committee meeting to consider the overlap of the recommendations and proposed actions arising from the planning session.

Action: The CE is to provide information on the age demographics of the forensic population.