



Justice Health and Forensic Mental Health Network Board  
Minutes  
**10 December 2015**  
**1.29pm to 3.06pm**

Board Room  
Justice Health Administration Centre  
1300 Anzac Parade  
MALABAR NSW 2036

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**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  
Ms M Eason (from 2.04pm)  
Mr K Barker  
Mr I Gillespie  
Ms A Churchill  
Mr S Loveday  
Mr P Dwyer  
Dr P Abbott  
Mr A Bartels  
Ms S Malamoo

**Invited Attendees**

Mr G Forrest  
Mr P Severin

**In Attendance**

Ms J Buncombe  
Ms L Willing  
Dr A Martin (Medical Staff Council)  
Ms K Steinweiss (MoH)

**3. Apologies**

Prof T Campbell  
Ms J Babineau  
Dr J Adams  
Ms D Hanley

The Chair welcomed Ms Kathryn Steinweiss, ~~Principle Liaison~~ from the Office of Hon. Jillian Skinner, Minister for Health. Ms Steinweiss was provided with a tour of the Long Bay and Forensic Hospitals prior to attending the Board meeting. Ms Steinweiss will attend the JH&FMHN Annual Public Meeting.

**4. Clinical Case – Board presentation**

'Into the wild', a DVD on the Forensic Hospital initiative to develop an outdoor performance area within the grounds of the Hospital was viewed and discussed.

**5. Confirmation of Minutes**

The minutes of 8 October 2015 were confirmed as a true and accurate record of the meeting.

**6. Board Chair Report**

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

- **Private prisons and governance of contestability**  
The Chair advised that he has written to Karen Crawshaw, Deputy Secretary Governance, Workforce and Corporate, Ministry of Health, seeking clarification in relation to the governance of the contestability.
- **Aboriginal Health and Medical Research Council (AH&MRC)**  
The A/Chief Executive and Chair met with Dr Kerry Chant, Chief Health Officer and Deputy Secretary, Population and Public Health, Ministry of Health, who has undertaken to arrange a meeting with recommended officers of the AH&MRC to progress matters pertaining JH&FMHN research. The Chair advised that, in the interim the StopC program will proceed.
- **Forensic Hospital Patient Fees**  
The Chair advised the Board that following consideration of advice received from the Ministry of Health, the Crown Solicitor's Office and independent legal services, he has instructed the A/Chief Executive to issue letters to appropriate Forensic Hospital patients seeking payment of patient fees, as from 1 January 2016.
- **Forensic Mental Health Plan**  
The Chair advised that Ms Elizabeth Koff, Deputy Secretary Strategy and Resources, Ministry of Health, has agreed that there is a requirement to develop a State-wide Forensic Mental Health strategic plan. Ms Koff has scheduled a meeting for 21 January 2016 to progress the matter.
- **Council of Board Chairs**  
The Chair provided an outline of his presentation on JH&FMHN to the Council of Board Chairs on 16 November 2015.

- **Community Restorative Centre Annual Public Meeting**  
The Chair advised that he recently attended the Community Restorative Centre Annual Public Meeting and provided a brief overview of the meeting presentations.
- **JH&FMHN Year in Review**  
Copies of the JH&FMHN 'Year in Review' were provided to members, together with USB's containing a soft copy of the Year in Review and related slides. The Chair advised that members could use these to support them in future presentations.
- **JH&FMHN Annual Public Meeting (APM)**  
The APM is to follow today's Board meeting. His Honour Judge Roger Dive, Senior Judge, Drug Court of NSW, will provide the key note address. Professor Dan Howard SC, retiring president of the Mental Health Review Tribunal will also be in attendance.
- **Arts and Health Taskforce**  
The Chair advised of his role as Chair of the NSW Health Taskforce on Health and the Arts.

## 7. Chief Executive Report

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

- **Adult custodial population**  
The adult custodial population is currently 12,239.
- **Deaths in Custody**  
There were no further deaths in custody since the report was provided.
- **Australasian Custodial Medical Officers Conference 2015**  
The Medical Officer's Conference, coordinated by JH&FMHN and held in November 2015, was attended by local and international clinicians. The forum provided opportunity for collaboration and networking of JH&FMHN general practitioners and for education on contemporary issues impacting on the custodial population.
- **JH&FMHN External Awards Recognition**  
A letter was received from Dr Mary Foley, Secretary, Ministry of Health, congratulating the staff who submitted the 'Dialysis behind bars' project, which reached the finalist stage in the recent NSW Premier's Public Sector Awards.

The JH&FMHN projects: 'JHeHS' and 'Community Forensic Mental Health Supervision Program'; reached finalist stage of the 2015 Treasury Managed Funds Awards Program.

Mr Severin noted that the 'Smoke Free Correctional Centre project', a collaboration between CSNSW and JH&FMHN, was successful in winning two categories in the 2015 Department of Justice Staff Excellence Awards:

- Working Collaboratively; and
- Workplace Health and Safety.

Mr Severin thanked JH&FMHN for their contribution and noted that JH&FMHN was named as contributors to both award submissions.

The A/Chief Executive thanked Mr Peter Severin and CSNSW for working collaboratively with JH&FMHN to implement the Clean Air Prison's Policy.

- **Network Patient Health Survey**

The research team is in the final stage of data collection for the 'Young People in Custody' component and will progress to the Forensic Hospital in February 2016. The draft report on the adult custodial population will be circulated for first round comment in January 2016.

- **Health Promotion – Lung Week**

Health awareness and targeted education road shows and theme days are held as part of the JH&FMHN health promotion program. The most recent promotion on 'lung health' included visits to Goulburn, South Coast and Silverwater Women's Correctional Centres in November 2015.

- **JH&FMHN Performance meeting with MoH**

The final 2015 JH&FMHN Performance meeting with MoH was held on 24 November 2015. JH&FMHN has maintained its 'zero' performance rating. The MoH is aware of JH&FMHN's full year projection of \$1M budget unfavourability.

Following discussion on budget and funding, the MoH stated that JH&FMHN is to invest in 'core' services and divest from 'non-core' services. The JH&FMHN Executive is currently assessing risks and benefits associated with various divestment options.

## 8. Business Arising

### 8.1 Actions arising from 8 October 2015 Board meeting

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

#### 8.1.1 Social Media for Business Use

Work is continuing to engage a suitable consultant to conduct this work. The tender phase has been completed and the selection process is underway.

#### 8.1.2 Patient Charter

Work is underway to bring the JH&FMHN Patient Charter into alignment with the Australian Charter of Healthcare Rights. This will

be provided for approval at the Board meeting of the February 2016 in alignment with the annual Board review of the Board committee terms of references and charters.

**8.1.3 Forensic Patient Entitlements**

Nil update. The item is to remain on the agenda.

**8.1.4 Board member skills matrix**

Work continues to identify the key information to be gathered. An update is to be provided at the next meeting of the Board.

**8.1.5 Client Services Report**

The Audit Office was advised of an error in the Client Services report.

**Action:** Completed

**8.1.6 Mental Health Review Tribunal**

A letter of thanks was sent to Professor Dan Howard SC, retiring president of the Mental Health Review Tribunal

**Action:** Completed

**8.1.7 Deaths in Custody**

The deaths in custody figures in the CE report have been amended.

**Action:** Completed

**8.1.8 Annual Audit and Risk Committee Report**

The annual Audit and Risk Management Committee report is tabled under item 10.9.

**Action:** Completed

**8.1.9 Documents for Board Member Interest**

The listed documents were distributed to members by email.

**Action:** Completed

**8.1.10 Health Science Alliance**

The Health Science Alliance were advised that Dr Kimberlie Dean is the nominated JH&FMHN representative on the project.

**Action:** Completed

**9. Standing Items**

**9.1 Pecuniary Interest and Gift Declaration**

There were no conflicts of interest declared at this meeting.

**9.2 Corrective Services NSW (CSNSW) update**

Mr Severin provided a verbal update at this meeting and acknowledged the good relationship between CSNSW and JH&FMHN with the rising population.

**9.3 Juvenile Justice Update**

The A/Chief Executive provided a brief update.

**10. Regular Reports**

The following reports were noted for information.

**10.1 Quarterly Performance and Monitoring report – Quarter 1 - 2015/2016**

The A/Chief Executive advised that at the JH&FMHN Performance meeting with MoH held on 24 November 2015, the Clinical Excellence Commission (CEC) representative conceded that 100% compliance is not achievable for the Between the Flags training KPI. The CEC will consider lowering the target in the next performance agreement.

Staff sick leave and annual leave balances continue to be a concern for JH&FMHN.

The A/ Chief Executive noted the challenges in accommodating staff leave due to the increased demand for staff as a result of the increased prison population. Also, an analysis of sick leave data shows that a third of the cases of excessive sick leave are due to long term chronic and complex illness or other significant medical/surgical conditions supported by medical certificates. An outline of the governance processes in place to manage excessive sick leave was provided.

**10.2 Director's Remuneration – July to September 2015**

The Director's Remuneration report was noted.

**10.3 Bi-Annual Aboriginal Health report**

The Chair noted the increase in the Aboriginal workforce profile.

The A/Chief Executive noted that the position of Manager Aboriginal Services is currently being advertised. Current efforts to recruit internally to the position in a temporary capacity are proving to be unsuccessful.

**10.4 Research Publications report**

The 2014/2015 report on research publications involving members of JH&FMHN was noted.

**10.5 Work Health and Safety report**

The Chair noted that WH&S continues to be an outstanding performer. The A/Chief Executive noted an error in the first table on page 72. The entry under Physical Assault' should be Zero (0).

## **10.6 Smoking Cessation – Introduction of the Clean Air Prison’s Policy**

The information provided was noted.

## **10.7 Clinical KPI’s bi-annual report**

The JH&FMHN first quarter 2015/16 clinical KPI report was not included in the papers and is to be distributed to members immediately following the meeting.

Mr Loveday, Chair of the Quality Council, noted that this had been tabled and discussed at the Council meeting held on 2 December 2015 and that there were no matters of concern to be raised. He noted that multicultural health promotion and use of interpreters was also discussed at the Council meeting.

**Action:** Clinical KPI report to be emailed to Board members

## **10.8 Board Strategic Directions- 3A’s**

- **Aboriginal health improvement**

Mr Dwyer provided an update on his meetings with key stakeholders.

The A/Chief Executive provided an overview of the plans for the Aboriginal health forum scheduled for 15 December 2015.

Following this roundtable and the recruitment to the position of Manager Aboriginal Health, a workshop will be set up early in 2016 to further progress this strategic direction.

- **Aging of the population and its impact on future directions**

Mr Gillespie provided an overview of the following themes arising from the initial scoping exercise and in which the Board may be able to provide support:

- ‘Release planning’ and placement of patients at the end of their custodial term.
- ‘In custody care’, including options for a purpose built facility and entry to the system.
- Point of entry to the custodial system, specifically the sentencing of aged persons with cognitive impairment.

The A/Chief Executive provided an overview of the current relevant JH&FMHN partnerships and resources that will be made available to support the team in its further work on this strategic direction. These include a SAX Institute literature review report on the aging of patients in prison.

- **Access to medium/ low secure forensic beds**

Ms Eason advised that Mr Bartels has been orientated to the Forensic Hospital and the Forensic Mental Health Network and current strategies in place. A meeting is planned for early 2016 to prepare a draft set of recommendations for the Board.

## **10.9 Audit and Risk Management Committee annual report**

Mr Gillespie provided an overview of the Audit and Risk Management Committee 2014/15 annual report to the Board.

The Chair inquired as to the process of oversight to completion of actions associated with high risk findings and the status of the high risk finding arising from the Internal Audit: 'Compliance with Clozapine Procedures'.

An outline of the process of assignment of ownership of required actions and the monitoring by the Clinical and Corporate Governance Unit, and Audit and Risk Management Committee was provided.

The A/Chief Executive provided a summary of the 'Compliance with Clozapine Procedures' finding and advised that the agreed management actions have been completed.

The A/Chief Executive advised of an error in the terminology used in section (f), page 88 of the papers. The header should be "public Interest disclosures reported to the Committee".

## **11. Finance Report**

### **11.1 Finance and Performance Report – October 2015**

Mr Barker spoke to the report and noted that the reason for the YTD result of \$1.21M unfavourability being similar to the full year projection is that the expected \$2.6M TMF hindsight adjustment will cover expenditure in excess of the approved budget for the remainder of the financial year.

### **11.2 Approval of Monthly Payments List – September and October 2015**

The monthly payment lists for September and October 2015 were approved and signed off at the Finance and Performance Committee meetings held in October and November 2015.

## **12. New Business**

### **12.1 NSW Health Policy changes**

The Chair noted the revised NSW Health Code of Conduct released and the requirement for all Board members to have read and understand the document and their related obligations.

The A/Chief Executive provided an overview of policy changes in relation to 'Health Services Act 1997 – Scale of Fees for Hospital and Other' policy and noted that the correct identifier for the updated policy is: PD2015\_022.

## **13. Business without Notice**

There was no business arising at this meeting.



## 14. Minutes of Meetings

The following minutes were tabled for information.

### 14.1 Finance and Performance Committee – 22 September and 20 October 2015

### 14.2 MDAAC – 4 June and 6 August 2015

#### 14.2.1 Membership of MDAAC

The Chair advised that in accordance with Health Services Act 1997: Order as to Model By-Laws, there is a requirement for the Board to appoint two members, of whom at least one is not a medical practitioner. As such, the recent recommendation of Dr Penny Abbott to this position does not meet the requirements. Non-medical members of the Board were invited to nominate for this role. The Chair will cover the role for the interim.

**Action:** Eligible members are to advise the Chair of their interest in taking on the role of Board delegate on the MDAAC.

### 14.3 Research Advisory Committee report – 18 June to 18 August 2015

### 14.4 Medical Staff Council (MSC) – 27 August 2015

#### 14.4.1 Administration support for medical officers

Dr Martin noted that medical officer access to administration support remains a concern.

**Action:** An update on the availability of administration support for medical officers is to be provided.

## 15. Information

### 15.1 Adult Weekly States – Population Update – week ending 22 November 2015

### 15.2 Juvenile Weekly States – Population Update – week ending 20 November 2015

### 15.3 Articles

- Young offenders must be screened for fetal alcohol spectrum disorders before sentencing.
- Boys behind bars.
- How Aboriginal women with Disabilities are set on a path into the criminal justice system.
- Why Aboriginal people with disabilities crowd Australian prisons.
- Are some more equal than others? Challenging the basis for prisoner's exclusion from Medicare.
- Better preparing inmates for life outside.

**16. 2016 Meeting Dates**

11 February 2016

07 April 2016

09 June 2016

11 August 2016

13 October 2016

08 December 2016

Justice Health Administration Centre

Justice Health Administration Centre

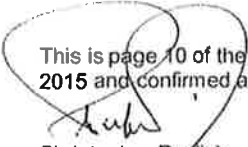
Juvenile/Adult Correctional Centre – TBA

Board meeting and Board Education – TBA

Justice Health Administration Centre

Justice Health Administration Centre followed by APM

This is page 10 of the Justice Health and Forensic Mental Health Network Board Minutes of meeting held on 10 December 2015 and confirmed at the meeting of 11 February 2016.

  
Christopher Pyplick  
Chair