



Board Minutes

10 December 2020
12.07pm to 3.16pm

JHAC Conference Rooms and Skype Meeting

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 *
Mr K Barker *
Dr P Abbott *
Mr I Gillespie *
Mr S Loveday *
Dr M Sotiri **
Mr P Dwyer *
Dr R Shields *
Ms M Eason *
Ms A Churchill *
A/Prof J Phillips *
A/Prof C Quadrio *
Dr K McFarlane **

Invited Attendees

Mr Gary Forrest –Chief Executive *
Mr L Grant – Representing Corrective Services NSW **

In Attendance

Ms B Gillard *
Ms L Willing *
Mr R Anand *
Ms J Buncombe *
Ms W Hoey *
Dr Stephen Hampton *
Dr G Nicholls *
Dr N Rae **

3. Apologies

Mr P O'Reilly – Representing Youth Justice NSW
Dr SJ Spencer

* Attended the Justice Health and Forensic Mental Health Network Administration Centre for the meeting.

** Attended the meeting externally via Skype.

4. Presentation

4.1 Palliative care – Model of Care Project

Ms Josephine (Josie) Cullen, Project Officer Palliative Care provided a presentation on Palliative care – Model of Care Project.

5. Confirmation of Minutes

The minutes of 8 October 2020 were confirmed as a true and accurate record of the meeting following a correction to item 4.2 of the Research update. Change “research strategies” to “research translation”.

6. Declaration of Interests

There were no new changes to the declaration of interests declared at this meeting.

7. Business Arising

7.1 Actions arising from 8 October 2020 Board meeting

- **Network Conference**
Conference agenda items is still a matter in progress.
- **Letter to Board Chair, Australian Institute of Health and Welfare**
The Chief Executive is currently drafting a letter to the reply from Ms Markus.
- **Court Diversion**
Preparation is underway to provide a presentation to the Chief Magistrates.

8. Strategic Items

8.1 Board Strategic Directions

8.1.1 Aboriginal Justice and Health Committee report

Mr Dwyer took the opportunity to formerly thank Ms Buncombe for her excellent contribution to the working party and also provided thanks to Mr Trindall, Mr Grimmond, Ms Blomgren and Dr Sotiri for their contribution to the working party.

8.1.2 Aged Care and Community Re-integration Committee Report and Terms of Reference

Mr Gillespie spoke to the Strategic Plan for Aged Care in secure settings, endorsed at the October 2020 Board meeting. Clinical Operations is now tasked with the identification of key performance indicators and how they can be implemented during the period 2021/2025.

Additional funding needs are being developed by Clinical Operations taking into account suggestions from Mr Barker regarding the enhancement of future funding submissions.

The Terms of Reference were amended to provide a refocus now that the Aged Care Strategic Plan has been completed, in particular the group was renamed to Community Reintegration and Aged Care, which was approved by the Chair.

A community reintegration planning session will be held in March 2021 to engage with key external and internal stakeholders to present the current services offered and envision the future services that could be offered for health related reintegration into the community.

9.2 Chief Executive Report

Mr Forrest took the CE report as being read and highlighted the following items.

- **Custodial Population**
The population number is static across forensic, adult and young people at present.
- **Budget**
The Network has tracked favourably to budget for the previous month and estimate end of year will come in on budget.
- **Freshwater Unit**
Freshwater Unit is now at the review of the submission stage after the request for tender. Members will be advised of the outcome.
- **Procurement Advisory Board**
Two procurement briefs have been endorsed for payment regarding the leasing option at the Olympic Park site and the implementation of the eMeds solution.
- **Depot Buprenorphine**
Over 800 patients (two thirds of patients) are now receiving Depot Buprenorphine.
- **Inaugural Round Table event**
The Chief Executive hosted the first virtual Round Table event in November 2020 to discuss issues with State, Territory and New Zealand health leaders affected by all influences including COVID-19 and other matters. These meetings will be held on a quarterly basis in the future.
- **Mental Health Taskforce**
Mr Grant informed the Board of a whole of Government Mental Health Task Force. Ms Hoey advised that she was on the working party derived from the Task Force.

9.2.1 Brief regarding lease extension for L1 and L2 10 Herb Elliott Av Sydney Olympic Park

Brief provided for information and the lease has been endorsed for an extension to the lease.

9.2.2 Brief to Ministry of Health – Request for reimbursement of the Network’s legal costs for FY 2019/20

A reimbursement of Network legal costs has been approved by the MoH.

9.2.3 Progress on recommendations from the Special Commission of Inquiry into the drug “ICE”

A brief was provided for information following questions from 12 August 2020 Board meeting.

Specific recommendations were made for the Network and Government is deciding which recommendations it supports.

9.2.4 Brief regarding Disability Royal Commission

Brief is provided for information. This Inquiry has had a significant impact on the workload of the Network with respect to the number of summons and volumes of information being requested.

9.2.5 Brief regarding AIHW Report “The Health and Welfare of Women in Australia’s Prisons” November 2020

There was a discussion on trauma and psychological services.

9. Standing Business Items

9.1 Board Chair Report

The Chair congratulated Dr Sotiri on the appointment as Executive Director of the Justice Reform Initiative, and also thanked her for her great contribution to the JHFMHN Board.

The Chair formally acknowledged and thanked Ms Buncombe for her outstanding contribution to the work of the Network Executive and wished her well in her pending retirement. The entire Board endorsed these acknowledgements.

The Chair took his report as being read and highlighted the following items:

- **Northern NSW visit**

The Chair and Chief Executive recently visited the new Clarence Correctional Centre and the police cells at Grafton.

A presentation was given to Northern NSW Local Health District Board regarding the potential impact of the new correctional centre on Grafton Hospital.

- **Audit Office of NSW**

The Chair, Ms Eason and Mr Gillespie recently held discussions with representatives of the Audit Office of NSW who are proposing to undertake an audit of health services in the custodial environment. The AO is determining the scope of the enquiry which will occur in 2021.

- **Role of "Monitor" of private sector correctional centre operators**

The Chair raised the matter of a private operator's interpretation of legislation regarding the Network's monitoring role and their belief that the Chief Executive can't delegate his power of unfettered access to other persons.

The Chief Executive advised that there is a workaround and he will write to all private operators to advise of the upcoming onsite engagement and seek permission for the monitoring team to access appropriate records and data.

- **State Forensic Mental Health Strategic Plan**

The Chair and Chief Executive are in the process of drafting a letter to the Secretary outlining our concerns and pursue the next phase of the commitment to develop the plan.

The Chair stated that action should be taken to secure Network representation on the State Mental Health Taskforce. He asked the Chief executive to action.

- **The Select Committee into the High Level of First Nations People in Custody and Oversight and Review of Deaths in Custody**

A discussion occurred regarding the Select Committee inquiry including the participation by Network members. This matter, including any recommendations, will be progressed out of session and a brief will be provided at a future Board meeting once the recommendations are supported by NSW Govt.

Action: The Chief Executive to provide a brief regarding the Select Committee Inquiry into high level of First Nations People in Custody and oversight and review of Deaths in Custody when available

Action: The Chief Executive to investigate Network representation on the State Mental Health Taskforce.

9.2.6 Brief regarding Research Strategic Initiative Development

The Chief Executive gave a short overview of the Brief provided for information.

9.3 Corrective Services NSW update

Mr Grant provided an update on Corrective Service NSW matters related to the Network.

9.4 Youth Justice update

Mr Forrest provided an update on Youth Justice matters related to the Network.

10 General Business

10.1 Board Sub-Committee Reports

10.1.1 Finance and Performance Committee (F&PC)

Mr Barker took the report as being read and highlighted the following:

- Mr Barker and Mr Loveday will meet next week to discuss November figures.
- Expenses are high as these includes expected COVID expenditure.
- Mr Barker believes next year will be a far more challenging fiscal year.

Mr Anand advised the Network is currently on budget as at November 2020. This includes all COVID-19 related costs.

Work, Health and Safety matters were discussed at length.

10.1.2 Health Care Quality Committee (HCQC)

Mr Loveday took his report and the copy of the HCQC minutes as read and highlighted the following:

- Successful outcome of zero patients in seclusion for a full ten days prior to the recent HCQC meeting: a goal the Forensic Hospital team had been working towards for 7 years.
- Annual self-evaluation of the HCQC underway and to be considered at the 2 February 2021 HCQC meeting.
- From now on the Coroner's Court will now hold inquests into expected deaths as well as unexpected deaths in custody. Discussion centred on this new development, noting the increased resourcing implications for both the Coroner's Court and for the Network: the latter being in terms of increased legal fees and staffing costs.
- An overview of the circulated Orientation manual developed by the HCQC, which was of significant use more broadly for all Board members.

Mr Loveday expressed the HCQC's gratitude to Ms Janelle Buncombe for her significant contributions to leadership and improvements in the Network's roles and function, especially in those areas over which the HCQC has oversight.

Dr Shields requested a letter of acknowledgement and thanks to Forensic Hospital staff for their efforts in reducing restrictive practices and managing the two women out of long term seclusion.

Action: The Chief Executive to draft a letter of congratulations to Forensic Hospital staff on behalf of the Board.

Action: The Chief Executive to seek clarification from NSW Legal regarding all expected deaths in custody to have full Coronial review.

10.1.3 Research Advisory Committee (RAC)

Dr Abbott advised a discussion occurred at the last RAC meeting regarding the ongoing improvement to the Aboriginal and Torres Strait Islander community oversight of our research.

Dr Abbott provided her sincere thanks to Ms Buncombe for her very impressive mind in the research area and the improvement to governance of the committee. Dr Abbott also acknowledged Ms Buncombe for assisting the committee to have a clearer understanding of research strategy and operations.

10.1.4 Audit and Risk Committee (ARC)

Ms Buncombe spoke to the change to NSW Health System-wide Risk Reporting Approach brief highlighting the following:

- Change of approach at the Ministry level to be reflected in policy in 2021. The reporting of risk will change from a quarterly basis to a three tier approach:
 - System-level risk involves six monthly reporting and requires the Network to assess selected system-wide risk, reporting on level of risk, exposure and controls.
 - Significant and emerging system-wide risks involves quarterly reporting on potential system-wide risk identified by the Network.
 - Organisation-level risk management refers to strategic and operational risks managed by the Network with the Chief Executive responsible and with strategic oversight by the Board.

Mr Gillespie stated the new process moves away from reporting organisation level risks, unless the risk is potentially system-wide. The Network will be asked to review and report on selected system-wide risk statements. Mr Gillespie commented on the improved reporting of risk management and the MoH is to be commended on this approach.

10.1.5 Medical and Dental Appointments Advisory Committee (MDAAC)

A/Prof Quadrio and Mr Dwyer advised the last meeting took place on 3 December 2020 and the report based on the meeting was provided to members prior to this meeting.

The MDAAC Terms of Reference have been partially reviewed and will be finalised by the February 2021 MDAAC meeting.

10.1.6 Medical Staff Council (MSC)

Mr Nicholls advised there were no new items to report.

10.1.7 Clinical Council (CC)

Ms Hoey took the CC report as being read and provided an update on the key highlights in the papers.

The Chair will seek interest from current Board members to join the Council due to the departure of Dr Sotiri.

11. Network Performance Reports

The reports were provided for information.

11.1 Director's Remuneration – Quarter 1

The report was provided for information.

11.2 Performance and Monitoring report – Quarter 1

The report was provided for information. The Chief Executive and Ms Hoey provided an overview of progress to the report provided for information.

11.3 Strategic Plan Implementation Quarterly progress report

The Chair advised the first two items of the brief were discussed earlier in the meeting and items being reconsidered and the setback issue of the Health Care in Secure Settings Conference are for information.

11.4 Medico-Legal report

The report was provided for information.

11.5 Policy Compliance report

The report was provided for information.

11.6 2020-21 Final Budget update

Mr Gillespie advised the evaluation process for Freshwater Unit is very reassuring in the process in which it is being carried out. Of concern was the significant gap in funding for the Freshwater Unit project in the Capital budget.

A brief is to be supplied to the February 2021 Board meeting advising the Board on the outcome of the selection process of Freshwater Unit and the options available.

Action: CE and EDCS to provide brief regarding funding for Freshwater Unit.

11.7 Board Briefing Note re Network Electronic Medication Management contract authorisation

Formal resolution was reached by the Board to endorse the Chair to sign the contract.

12. Minutes of Committee Papers emailed to members 6 August 2020

12.1 MDAAC – 1 October 2020

12.2 Finance and Performance Committee- 22 September and 20 October 2020

12.3 Audit and Risk Committee – 3 September 2020

12.4 HCQC – 24 November 2020

12.5 Clinical Council – 29 October 2020

12.5 Papers emailed to Board members between 27 October and 2 December 2020

- COVID in US Prisons
- NSW Parliament: Legislative Council Inquiry First Nations People in Custody Hearing
- Janelle Buncombe - Retirement
- Finkel report National Contact Tracing Review
- Board brief regarding electronic medication management contract authorisation

13. Business without Notice

There was no business without notice.

14. General Information

14.1 Adult population update – week ending 22 November 2020

14.2 Youth Justice Population update – week ending 20 November 2020

15. 2021 Meeting Dates

11 February 2021 Justice Health Administration Centre – Malabar

8 April 2021 TBA

10 June 2021 TBA

12 August 2021 TBA – Board Education Day

14 October 2021 TBA – Juvenile or Adult site

9 December 2021 Justice Health Administration Centre – Malabar followed by APM

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