



Board Minutes

9 April 2020

13.00 to 3.52pm

Teleconference 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
A/Prof J Phillips
A/Prof C Quadrio
Dr R Shields
Ms M Eason
Ms A Churchill
Dr K McFarlane

Invited Attendees

Mr G Forrest – Chief Executive
Mr L Grant – Representing Corrective Services NSW
- up to 3.30pm
Mr P O'Reilly – Representing Youth Justice NSW

In Attendance

Ms B Gillard
Ms L Willing
Mr R Anand
Dr S Hampton
Ms J Buncombe
Ms W Hoey
Dr SJ Spencer
Dr G Nicholls

3. Apologies

Tori Fuller

The Chair congratulated the Chief Executive and Network Executive Team on behalf of the Board for the outstanding work in management of the COVID-19 pandemic and also expressed thanks to CSNSW and Youth Justice for their contribution in managing an extraordinarily difficult environment.

4. Presentation

- 4.1 Mr Gary Forrest, Chief Executive provided a comprehensive presentation on all aspects and challenges of COVID-19. The presentation was provided prior to the meeting.

Gratitude was provided to CSNSW, Youth Justice as well as the private providers for their assistance and response to ensure the health and safety of colleagues and patients during this time.

The Chair made reference to the Network's significant contributions to the WHO guidelines for managing COVID-19 in prisons.

Listed below is a summary of questions and answers from the extensive discussion that took place regarding COVID-19.

- **How is overcrowding being managed?**
 - An example was provided of management of potential outbreaks using standard infection control protocols.
 - An unprecedented decrease in the remand population of the adult and juvenile population has given the ability to implement a bed capacity program.
 - There has been a reluctance to release young people early unless all protective factors are in place, particularly housing.
- **Testing prior to symptoms appearing at reception**
 - The challenge is to protect staff at all times, focusing on social distancing and regular hand washing when managing all asymptomatic patients. Telehealth is to be utilised where possible.
- **Preparation for release from custody on operational level – advice to patients**
 - The current release process is business as usual. No patients have tested positive to date. If tested positive just prior to release, the relevant LHD Public Health Unit would continue to manage their care.
 - There are communication teams working on information to provide patients and families in managing themselves safely; have dedicated telephone line; release planning is in accordance with standard business and community housing is already considered in this process.
 - Concerns of the homelessness system regarding potential 'releases en masse'. The inmate cannot be held in custody beyond their release date regardless of whether housing is available or not. Housing sits primarily with CSNSW/YJNSW, however programs like Connections actively assist with post release housing. If not unwell, an information package (developed with speech pathologists) will be provided.
 - CSNSW is proceeding with the construction of one field hospital.
 - PPE procurement is centralised.
 - Thermal scanning cameras for measuring people's temperatures will shortly be introduced in correctional centres.

5. Confirmation of Minutes

The minutes of 13 February 2020 were confirmed as a true and accurate record of the meeting with the following addition to the attendance:

- Dr Kath McFarlane to be added to attendance list for 13 February Board meeting.

6. Declaration of Interests

There were no new Declarations of Interest declared at this meeting.

7. Business Arising

The Chair provided an update on the following open items on the action list.

- **People Matter Employee Survey**

Ms Eason spoke to the report provided in the papers advising the focus for the next three months will be the staff health and wellbeing framework. The Staff and Wellbeing Framework, Growing a Talented Workforce Action Plan and the Innovation and Improvement Academy were discussed. The Board was advised that the People Matter Employee Survey (PMES) conducted across all government agencies through the Public Service Commission NSW would not be conducted in 2020 for all LHD's due to COVID-19.

The Chair remarked on the minor delays of the 2019 PMES action item: Developing key manager conversations; and emphasised the importance of this action.

8. Strategic Items

8.1 Board Strategic Directions

Aboriginal Justice and Health Committee

Mr Dwyer provided an overview of the comprehensive report in the papers, and encouraged members to read the Australian Government's Close the Gap (CTG) 2020 report.

The Chair requested the committee present to the Board any recommendations they have regarding changes to the Network's internal plans and policies to place the Network in a better position regarding the proposed six CTG targets.

The Committee, in conjunction with relevant Network staff will provide a report to the Board on the identification of future need, planned actions and the estimated funding involved to move forward to a more structured strategy session in the future.

ACTION: Aboriginal Justice and Health Committee and Network staff to provide a report on any recommendations relevant to the proposed six CTG targets.

Aged Care and Community Reintegration Committee

Mr Gillespie provided an overview of the report to the Board. Mr Gillespie believes the Committee has an ongoing monitoring role related to the strategies and goals that will arise once the Strategic Position Paper is finalised. Similarly, the Committee has a monitoring role arising from the actions planned as a result of the Internal Audit Report on Aged Care.

The Committee, in conjunction with relevant Network staff will provide a report to the Board on the identification of future need, planned actions and the estimated funding involved.

ACTION: Aged Care and Community Reintegration Committee and Network staff to provide a report.

8.2 COVID-19-19

This item was discussed in item 4.1.

8.3 2020/21 Board Budget Advice

Mr Barker and Mr Anand spoke to this report, highlighting the following:

- The Budget release for 20/21 FY has been held over to October 2020 due to COVID-19.
- The Network will continue to finalise its plan for 2020/21. The current FY year budget will roll into the next FY. Further details of the process are yet to be worked through.
- The Chair asked for consideration to needs of aged care and Aboriginal health potential initiatives in budget planning.

- Ms Hoey advised of the Toward Zero Suicide project. The Board was advised that funding has recently been received and the project is still being scoped. The money is not specific to Aboriginal Health. Mr Grant suggested the two week post release is a high risk time for suicide.
- Dr Abbott raised the issue on allocation of Drug and Alcohol (ICE specific) funds to Network. The mechanism for allocation and reallocation of special funding from NSW Health was discussed.
- Mr Anand advised that the Network is tracking the COVID-19 specific costs. The Network has received \$400K budget supplementation to date and there may be for some further reimbursements.
- Mr Barker and Mr Anand advised a potential loss of access to cash reserves and the Network continues to record it to support a case for requests for capital/funding in the future.
- Mr Anand advised that the Network's funding is based on block funding, with no move to Activity Based Funding in next few years.

9 Standing Business Items

9.1 Board Chair Report

Mr Puplick spoke to his report highlighting the following items.

- **Board member re-appointment extensions**

The re-appointment of Mr Barker to extend his period on the Board has been endorsed and now expires on 31 March 2022.

The Chair continues communication with the Minister and Ministry to extend the terms of Mr Gillespie, Mr Dwyer and himself beyond 30 June 2020.

9.2 Chief Executive Report

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

- **Patient Population**

The adult population has decreased by approximately 1,000 in past weeks and there has also been a decline in the young people population.

- **Budget**

There is a projected unfavourability of \$1million to budget, pending the outcome of the impact of COVID-19.

- **Research translation into practice**

A large volume of work has been undertaken around the screening tool for mental health at the point of reception. The research proposal is currently being translated across into operational and work continues around the reception screening electronic document to integrate the results of the research into front end reception screening.

- **Forensic Hospital WHS**

It is almost one year since the Network has been issued with a Safe Work Improvement Notice in the Forensic Hospital. There are plans to appropriately acknowledge this.

- **Operations of Privately Managed Centres**

Ongoing concerns around the operation of Parklea Correctional Centre is being managed effectively through the Network's Commissioning Unit reporting through to the Operation and Reporting branch of CS NSW. The Chief Executive advised there is a robust reporting mechanism and paper trail to assure the Board.

- **Mobile dental unit**

A lot of work continues around access to mobile dental equipment for the facilities that don't have onsite dental services. Telesmiles now has the ability to undergo assessments of patients via telehealth.

- **Thanks to Network Executive**
The Chief Executive extended his thanks to the Network Executive and their teams, in particular to Ms Hoey who has led the clinical operation side of the business during COVID-19.
- **Legislative changes**
A summary of legislative changes by the Minister for Health can be found at the conclusion to the Chief Executive report.
- **Time Limited Orders**
There are no risks to time limited orders for patients entering the Forensic Hospital.
- **Onward licensing of software to private operators**
There is an agreement between NSW Health and eHealth for onward licensing of software to private operators.
- **“ICE” Special Commission of Inquiry**
- The information regarding The “ICE” Special Commission of Inquiry was included in the papers
- **Advanced Care Directives (ACD)**
The potential impact of COVID-19 on ACD was highlighted.
- **Impact of ‘high cost medications’**
The Chief Executive clarified the use of high cost drugs and reimbursement risks.
- **Information strategy on COVID-19**
The Chief Executive provided an outline of the Network communication to custodial patients regarding early release general information, Depot Buprenorphine letter for all inmates and Forensic Hospital patient communication.

Executive Director Custodial Operations has been working with a CSNSW Assistant Commissioner conducting joint visits to correctional centres and meeting with Inmate Development Committees.

Mr O’Reilly advised guidance from speech pathologists had been sought on developing literacy/communication.

Youth Justice is working with the Network to conduct hand washing walkarounds and demonstrations.

Youth Justice has engaged young people at Baxter to develop videos on hand washing and social distancing.

There has been no noted changes to self-harm rates. Case workers are calling families every two weeks since visits ceased and calls to family by young people are not limited.

9.3 Corrective Services NSW update

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

9.4 Youth Justice update

Mr O’Reilly provided an update throughout the meeting on Youth Justice matters related to the Network.

10 General Business

10.1 Board Sub-Committee Reports

10.1.1 Finance and Performance Committee 2.16.43

Mr Barker advised that the Network is projecting a slight unfavourability in expenses for the year and that will be heavily dependent on the adult population and opening of facilities. Mr Anand is working with Health infrastructure and the

Ministry to ensure the remaining money needed for the Capital spend for Freshwater Unitare in next year's capital budget.

10.1.2 Health Care Quality Committee

Mr Loveday drew attention to his report in the meeting papers and in particular to the description, provided by the Chief Executive, of the processes the Network follows in its work with coronial inquiries. These remain an ongoing oversight priority for the HCQC. He further advised that summary reporting by the Executive team to the HCQC had been significantly enhanced.

It was noted that the draft minutes of the HCQC meeting held on 3 March 2020 had been sent to the Board for information.

The Chief Executive advised that the findings from the coronial inquiry into the death of Mr David Dungay had now been received from the Ministry of Health and would be actioned further according to due process.

10.1.3 Research Advisory Committee

Dr Abbott reported to the Board the challenge for the Network in gaining AHMRC support for Network led research.

Following a lengthy discussion the Chief Executive and Executive Director Performance and Planning provided a comprehensive overview of the plan to address the researcher needs.

A briefing report is to be provided to the June 2020 Board meeting.

ACTION: Executive Director Performance and Planning to provide a report.

10.1.4 Audit and Risk Committee

Mr Gillespie advised there had not been a regular Audit and Risk Committee meeting since the last Board meeting, however there was an extraordinary meeting held by the Chief Executive to brief the committee on COVID-19.

The Committee was impressed with the Network's response in both planning and application as well as the thorough and exhaustive approach it had taken.

10.1.5 Medical and Dental Advisory Committee

Mr Dwyer advised there was no further comment to the report provided in the papers.

10.2 Adolescent brain and judicial processes

A/Prof Quadrio provided a comprehensive overview of the article tabled for item 14.3 on the Adolescent brain and judicial processes.

Key points and considerations for 'young' people in custody included:

- The period of immaturity is upwards to the age of 30 years old. However puberty, the hormonal part is from the age of 11 years to 18 years old.
- Potential of custodial environment to impact the development of a 'young brain'.
- Likelihood of other issues included: traumatic brain damage, substance misuse, and childhood trauma.
- Psychiatric disorders can arise in this period of a young person's life.
- Brain plasticity is more limited in adolescents than previously thought.
- There is a need for intellectual stimulation for young people while in detention.

Opportunities for 'young' people in custody included:

- The judiciary system to be made aware of the immaturity age.
- A need for more preventative work to protect the very young people.

The Chair suggested he and the Chief Executive discuss the opportunity to focus on 'youth justice affairs' at a future Network conference.

Action: Chair and Chief Executive to consider for future conferences

Mr Dwyer advised some of the issues raised in the above report are also relevant to material in the reports of the Aboriginal Justice and Health Committee working group.

10.3 Medical Compact report

Dr Hampton provided an overview of the report and advised the Compact is a suite of tools to improve engagements between clinicians and organisations and a report has been developed on discussions that have taken place over time.

11 Network Performance Reports

The reports were provided for information.

- 11.1 Enterprise-wide Risk – Top 10 Report
- 11.2 Drug and Alcohol Report
- 11.3 Clinical Performance Report
- 11.4 Aboriginal Health Dashboard

12. Minutes of Committee Papers emailed to members 1 April 2020

- 12.1 HCQC – 26 November 2019 and Draft 3 March 2020
- 12.2 Research Advisory Committee – 11 March 2020
- 12.3 Finance and Performance Committee – 17 December 2019, 4 February 2020 and 18 February 2020

13. Business without Notice

There was no business without notice at this meeting.

14. General Information

- 14.1 Adult population update – week ending 22 March 2020
- 14.2 Youth Justice population update – week ending 20 March 2020
- 14.3 Documents emailed to Board members:
 - Network response to Criminal Justice Issues paper re Disability Royal Commission 2020
 - COVID-19-19 Pandemic Planning
 - Special Commission of Inquiry into ICE
 - Adolescent brain and judicial processes
 - COVID-19-19: Emergency laws introduced to Parliament to boost community safety
 - Henry Report brief for NET 2020
- 14.4 Legislation – *COVID-19-19 Legislation Amendment (Emergency Measures) Act 2020 (NSW)*
 - Link to legislation (passed by both houses on 24 March 2020 and relevant section starts at page 9 re early release (Division 5 Regulation-making power for exceptional circumstances, 366 Regulation-making power):
<https://www.parliament.nsw.gov.au/bill/files/3741/Passed%20by%20both%20House%20s.pdf>
 - The Conversation:
<http://theconversation.com/explainer-how-will-the-emergency-release-of-nsw-prisoners-due-to-coronavirus-work-134523>

15. 2020 Meeting Dates

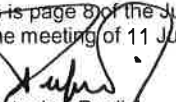
11 June 2020
12 August 2020

Justice Health Olympic Park - Homebush
Board meeting, Board Education and Dinner – Justice Health
Olympic Park - Homebush

8 October 2020
10 December 2020

Reiby Youth Justice Correctional Centre
Justice Health Administration Centre – Malabar followed by APM

This is page 8 of the Justice Health and Forensic Mental Health Network Board Minutes of meeting held on 9 April 2020 and confirmed at the meeting of 11 June 2020.


Christopher Puplick
Chair