

Health and Social Security Scrutiny Panel

Record of Meeting

Date: 21st March 2018

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| Present | Deputy R. Renouf, Chairman Deputy G. Southern, Vice-Chairman [Item 2] Deputy J. Hilton Deputy T. McDonald Senator S. Ferguson |
| Apologies | |
| Absent | |
| In attendance | Senator A. Green, Minister for Health and Social Services [Item 2] Mr I. Dyer, Head of Policy and Quality Improvement, Health Department [Item 2] Mr F. Le Gros, Legal Adviser, Law Officers' Department [Item 2] Mr T. Leveridge, Scrutiny Officer |

| Ref Back | Agenda matter | Action |
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| 15/03/18 Item 4 | <p>1. Organ Donation</p> <p>The Panel discussed a draft of its report including draft key findings and recommendations. The Panel agreed to agree a final draft of its report by email on Monday 26th March. It agreed to publish its report on Tuesday 27th March.</p> | |
| 20/02/18 Item 1 | <p>2. Mental Health Regulations</p> <p>The Panel met with the Minister for Health and Social Services and his officials.</p> <p>The meeting was held following concerns raised by the Independent Advocacy Jersey (IAJ) – a part of MIND Jersey - about the ability of independent mental health advocates (“MHAs”) to act in relation to and on behalf of qualifying patients.</p> <p>The Head of Policy and Quality Improvement explained what consultation the Department had undertaken on the draft Law and the subsequent Regulations. He explained that the Department had held a “dialogue day” in 2014 at which IAJ were present. The Department conducted a consultation on the draft Law in 2015. Following this, a report summarising the consultation responses was published. The Official reported that the Department had been in dialogue with MIND Jersey throughout the consultation period.</p> <p>During the consultation period, discussions were had about whether statutory advocacy should be provided to voluntary or non-detained patients. The Department decided that this was not necessary as other safeguards would be built in for these patients. In the Law, qualifying patients were, therefore, defined as a patient liable to be detained in an</p> | |

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| | <p>approved establishment and a patient subject to guardianship. This would not include voluntary patients.</p> <p>The safeguards for voluntary patients included the provision of a “nearest person” who could represent the patient. This could be anyone from a family member to an advocate.</p> <p>The Official explained that voluntary patients would not have access to a statutory advocate because the patient could leave the establishment if they chose to do so.</p> <p>The Official said that a review group had been set up to review the Law and the Regulations and suggest amendments to the Minister should they be required.</p> <p>Following the meeting the Panel requested a meeting with MIND Jersey.</p> | <p>KB</p> |
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