

Health and Social Security Scrutiny Panel

Record of Meeting

Date: 29th March 2018

Present	Deputy R. Renouf, Chairman Deputy G. Southern, Vice-Chairman Deputy T. McDonald
Apologies	Senator S. Ferguson Deputy J. Hilton
Absent	
In attendance	Mr I. Dyer, Head of Policy and Quality Improvement, Health and Social Services Department [Item 2] Mr F. Le Gros, Legal Adviser, Law Officers' Department [Item 2] Ms K. Goldsworthy, Project Manager Legislation, Health and Social Services [Item 2] Miss K. Boydens, Scrutiny Officer Mr T. Leveridge, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p>1. Records of Meetings</p> <p>The Panel noted and approved the records of the meetings held on 5th, 8th, 9th, 13th, 15th and 16th, 20th, 21st, 26th and 27th March 2018. The Chairman signed them accordingly.</p>	
21/03/18 Item 2	<p>2. Mental Health Regulations</p> <p>The Panel welcomed Officers from the Health and Social Services Department and the Law Officers' Department to discuss the draft mental health regulations.</p> <p>The Panel noted that the Mental Health (Jersey) Law 2016 and the Capacity and Self-Determination (Jersey) Law 2016 were approved in 2016 and were due to come into force on 1st October 2018. Following approval of the Laws, a number of Regulations had been drafted. The Regulations were lodged by the Minister for Health and Social Services on 27th February 2018 and were due to be debated on 10th April.</p> <p>The Panel noted that there were six Regulations in total and one law amendment:</p> <ul style="list-style-type: none"> • P.42/2018 Draft Capacity and Self-Determination (Amendment) (Jersey) Law 201 - • P.43/2018 Draft Capacity and Self-Determination (Capacity and Liberty - Assessors) (Jersey) Regulations 201 - • P.44/2018 Draft Capacity and Self-Determination (Independent Capacity Advocates) (Jersey) Regulations 201 - 	

	<ul style="list-style-type: none"> • P.45/2018 Draft Capacity and Self Determination (Supervision of Delegates etc.) (Jersey) Regulations 201- • P.46/2018 Draft Mental Health (Guardianship) (Jersey) Regulations 201- • P.47/2018 Draft Mental Health (Independent Mental Health Advocates) (Jersey) Regulations 201- • P.48/2018 Draft Mental Health and Capacity (Consequential Amendment and Transitional Provision) (Jersey) Regulations 201- <p>The Panel recalled that concerns had been raised by Independent Jersey Advocacy (IAJ) regarding P.47/2018 and access to statutory advocacy for voluntary patients. It was noted that voluntary patients would have access to general advocacy services only. The Panel was advised that voluntary patients, who remained in an approved establishment for treatment voluntarily would have access to general advocacy services but it was not deemed appropriate to extend statutory advocacy rights to them because of the consensual nature of their receipt of treatment. The Panel was informed that the Health and Social Services Department would maintain general advocacy services and was currently seeking funding within the next Medium Term Financial Plan for this service.</p> <p>The Panel was advised that a review group would be established to review both Laws and the Regulations. In that regard, once reviewed, the review group would suggest amendments to the Minister should they be required.</p> <p>Once the Officers had left the meeting, the Panel requested the Officer to draft a Comments paper on the Regulations.</p>	KB
	<p>3. Organ Donation</p> <p>The Panel noted that its report, “Organ Donation” (S.R.3/2018) was published on Tuesday 27th March 2018.</p>	
16/03/18 Item 1	<p>4. Disability Discrimination Regulations</p> <p>The Panel noted that its “Draft Discrimination (Disability) (Jersey) Regulations 201 (P.20/2018): Comments” were lodged on Monday 16th March 2018.</p>	
13/02/18 Item 8	<p>5. Future Hospital Review Panel</p> <p>The Chairman advised that the Review Panel was drafting a short follow-up report on the Future Hospital Project. It was noted that the Review Panel intended on presenting the report before the last States sitting.</p>	
27/03/18 Item 1	<p>6. Long-Term Care Scheme</p> <p>The Panel noted that its report, “The Long-Term Care Scheme” (S.R.4/2018) was published on Wednesday 28th March 2018.</p>	
	<p>7. Legacy Report</p>	TL/KB

	The Panel noted its draft legacy report and requested several minor changes. The Officers advised that the changes would be made and a revised report would be circulated via email in due course.	
	<p>8. Future Meetings</p> <p>The Panel noted that it had no further scheduled meetings and thanked its Officers for their hard work and dedicated service to the Panel.</p>	