

Aide-Mémoire

Minister for Mental Health, Hon Matt Doocey, deep dive with officials on the Mental Health Bill

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| Date due to MO: | 8 February 2024 | Action required by: | N/A |
| Security level: | IN CONFIDENCE | Health Report number: | H2024035786 |
| To: | Hon Matt Doocey, Minister for Mental Health | | |
| Consulted: | Health New Zealand: <input type="checkbox"/> Māori Health Authority: <input type="checkbox"/> | | |

Contact for telephone discussion

| Name | Position | Telephone |
|----------------------|---|-----------|
| Robyn Shearer | Deputy Director-General, Clinical, Community and Mental Health Te Pou Whakakaha | s 9(2)(a) |
| Kiri Richards | Associate Deputy Director-General, Clinical, Community and Mental Health Te Pou Whakakaha | s 9(2)(a) |

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Date due: 8 February 2024

To: Hon Matt Doocey, Minister for Mental Health

Security level: IN CONFIDENCE **Health Report number:** H2024035786

Details of meeting: Tuesday 13 February 2024, 4:30pm – 5:45pm, Executive Wing 4.1

Purpose of meeting: You have requested a deep dive session on the Mental Health Bill. Officials from the Clinical, Community and Mental Health directorate of the Ministry of Health will be in attendance, including:

- Robyn Shearer, Deputy Director-General, Clinical, Community and Mental Health
- Kiri Richards, Associate Deputy Director-General, Mental Health and Addiction
- John Crawshaw, Director Mental Health and Addiction
- Anna McNaughton, Programme Director, Mental Health and Addiction
- Shannon Chan, Principal Policy Analyst, Mental Health and Addiction Strategy and Policy
- Stephanie Turner, Senior Policy Analyst, Mental Health and Addiction Strategy and Policy
- Hannah Whittaker-Komatsu, Programme Director, Lived Experience and Clinical Advisory
- Anne Brebner, Principal Clinical Advisor, Lived Experience and Clinical Advisory.

Comment: **Context**

On 19 December 2023, we provided you with a briefing setting out advice on progressing the Mental Health Bill (the Bill) which would repeal and replace the Mental Health (Compulsory Assessment and Treatment) Act 1992 [HR2023033419]. You indicated that you would like to meet with officials to discuss the Bill and timing for introduction.

Update on timing for progressing the Bill

The process for confirming bids for the 2024 Government Legislation Programme is underway. In the 19 December 2023 briefing, you also agreed that officials continue to progress the Bill with the intention that you would seek Cabinet Legislation Committee (LEG) approval in § 9(2)(f)(iv) § 9(2)(f)(iv) In line with that agreement, the Ministry has prepared a draft legislation bid for the Mental Health Bill proposing it hold a category § 9(2)(f)(iv) § 9(2)(f)(iv)

Papers to support the deep dive

To support the meeting, the following papers are attached:

- an agenda
- a set of A3s on the Bill.

The set of A3s provide an overview of the work to develop the Bill. These cover:

- the process – an overview of the process undertaken with a high-level timeline showing the steps needed to be completed to have new legislation in place
- the policy proposals – a summary of the objectives of the Bill and the policy proposals
- potential issues that may be raised – an overview of the likely issues that may be raised based on feedback received through public consultation and other engagement.

Cabinet materials for information

For information, we also attached the Cabinet materials that set out the policy proposals that are now reflected in the Bill. Cabinet decisions were sought in two tranches, in December 2022 and July 2023:

- Cabinet paper: Transforming mental health law: Foundations for new mental health legislation
- Regulatory Impact Statement: Transforming Mental Health Law
- Cabinet paper: Transforming mental health law: Second tranche of policy decisions
- Regulatory Impact Statement: Transforming Mental Health Law - Second Tranche of Policy Decisions
- Briefing: Transforming mental health law: Decisions about special patient leave and change of legal status.

The Cabinet papers seek agreement to the policy proposals. Each has a Regulatory Impact Statement attached which sets out the Ministry's advice on the regulatory proposals.

For completeness, the briefing relating to decisions about special patients has been included as Cabinet authorised that decision to be made by the former Ministers of Health and Justice.



Kiri Richards
Acting Deputy Director-General
Clinical, Community and Mental Health |
Te Pou Whakakaha

PROACTIVELY RELEASED