

31 May 2022

s 9(2)(a)

By email: s 9(2)(a)
Ref: H202205911

Tēnā koe s 9(2)(a)

Response to your request for official information

Thank you for your request under the Official Information Act 1982 (the Act) which was transferred from the Health Quality and Safety Commission (HQSC) to the Ministry of Health (the Ministry) on 3 May 2022 for:

“the data on seclusion rates by DHB from 2016 -present”

Background on seclusion

The Ministry is committed to the goal of reducing and eventually eliminating seclusion and acknowledges this is a traumatic event for patients and staff.

There are several national and local district health board (DHB) initiatives underway to reduce the use of seclusion and restraint in mental health services. The Ministry’s guidelines are that seclusion should be an uncommon event, used only when there is an imminent risk of danger to the individual or others, and when no other safe and effective alternative is possible.

The Ministry is pleased to see improvements have been made in some regions but acknowledges there is more work to be done to reduce and eventually eliminate seclusion and restraint nationwide.

In September 2020, the Ministry released new guidelines for the Mental Health (Compulsory Assessment and Treatment) Act 1992 (the Mental Health Act) which have a greater focus on Te Tiriti o Waitangi and human rights principles.

This was accompanied by a companion document focused specifically on human rights and the Mental Health Act. These documents encourage services to consider less restrictive practice before the use of seclusion to better support tāngata whai ora.

Repealing and Replacing the Mental Health

He Ara Oranga, the report of the independent inquiry into mental health and addiction, recognised that the Mental Health Act has not kept pace with the shift towards a recovery and wellbeing approach to care, and has never been comprehensively reviewed. This can be found online here: mentalhealth.inquiry.govt.nz/assets/Summary-reports/He-Ara-Oranga.pdf

The report made the following recommendation: ‘Repeal and replace the Mental Health Act so that it reflects a human rights-based approach, promotes supported decision-making, aligns with the recovery and wellbeing model of mental health, and provides measures to minimise compulsory or coercive treatment.’ This includes the practice and use of seclusion.

Public consultation on repealing and replacing the Mental Health Act ran from October 2021 to the end of January 2022. The Ministry received around 350 written submissions and held over 60 information sessions and consultation hui with around 500 people attending these. All the submissions will now be consolidated and analysed to guide development of new mental health legislation.

Data relating to seclusion

Data on seclusion is published on the Ministry of Health's website in the Office of the Director of Mental Health and Addiction Services' (ODMHAS) Regulatory Report, the most recent of which reports on the year 2020.

You can find these reports online here which include a breakdown of seclusion rates by District Health Board (DHB): www.health.govt.nz/about-ministry/corporate-publications/mental-health-annual-reports

Please note that the Health Quality and Safety Commission (HQSC) also reports on seclusion in mental health inpatient services. The HQSC is funded to provide the "Zero Seclusion: Safety and Dignity for All" programme and works closely with DHBs on reducing and eventually eliminating seclusion.

The HQSC's report published on November 2021 covered a more recent time period than the most recent ODMHAS report and presents seclusion data as a rate per inpatient mental health admissions rather than per 100,000 population.

This is considered to be a more sensitive indicator of seclusion data which allows seclusion rates to be more closely tracked by the HQSC in the context of the Zero Seclusion programme.

This data can be found online here: [National decrease in seclusion rates in inpatient mental health units – particularly among Māori and Pacific peoples :: Health Quality & Safety Commission \(hqsc.govt.nz\)](https://www.hqsc.govt.nz/national-decrease-in-seclusion-rates-in-inpatient-mental-health-units-particularly-among-maori-and-pacific-peoples)

I trust this information fulfils your request. Under section 28(3) of the Act, you have the right to ask the Ombudsman to review any decisions made under this request. The Ombudsman may be contacted by email at: info@ombudsman.parliament.nz or by calling 0800 802 602.

Please note that this response, with your personal details removed, may be published on the Ministry website at: www.health.govt.nz/about-ministry/information-releases/responses-official-information-act-requests.

Nāku noa, nā



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