

Briefing



Meeting with Te Hiringa Mahara Mental Health and Wellbeing Commission

Date due to MO:	7/09/2022	Action required by:	21/09/2022
Security level:	UNCLASSIFIED	Briefing number:	BN2022-010
To:	Hon Minister Andrew Little – Minister of Health		
Copy to:	[REDACTED]		

Contact for Telephone Discussion

Name	Position	Telephone
Karen Orsborn	Chief Executive	[REDACTED]
Wayne Verhoeven	Director, Corporate Services	[REDACTED]

Minister's Office to Complete

- | | | |
|--|------------------------------------|---|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Decline | <input type="checkbox"/> Noted |
| <input type="checkbox"/> Needs change | <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by event |
| <input type="checkbox"/> See Minister's note | <input type="checkbox"/> Withdrawn | |

Comment:

Meeting with Te Hiringa Mahara Mental Health and Wellbeing Commission

Security level: UNCLASSIFIED **Date:** 7/09/2022

To: Hon Minister Andrew Little – Minister of Health

Purpose of report

1. This briefing supports your meeting with Te Hiringa Mahara - Mental Health and Wellbeing Commission on 21 September, at 4:45pm – 5:15pm. Attendees will be Hayden Wano, Board Chair and Karen Orsborn, Chief Executive.

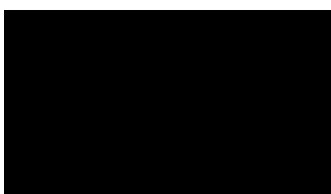
Executive Summary

2. We were unable to meet as planned in July, we propose the following agenda for our September meeting:
 - a. Lived Experience Position Statement and Nau Mai te Ao
 - b. Access and Choice Report 2022
 - c. Mental Health Act – Application for declaration of inconsistency with the Bill of Rights
 - d. Covid-19 Impacts Insights programme
 - e. Resourcing and Board appointments

Recommendations

3. We recommend you:

- | | |
|---|----------|
| a) note Te Hiringa Mahara intends to proactively release this briefing as part of our proactive release policy | Yes / No |
| b) note that this briefing will shape the discussion with you on 21 September August 2022. | Yes / No |
-



Karen Orsborn
Chief Executive
Date: 7/09/2022

Hon Minister Andrew Little
Minister for Health
Date: 21/09/2022



Meeting with Te Hiringa Mahara Mental Health and Wellbeing Commission

Background

4. We last met with you in May 2022 [BN2022-003 refers]. Our meeting in July was cancelled but we had provided a briefing for that meeting [BN2022-007 refers]. A briefing on He Ara Āwhina (Pathways to support) was provided on 20 June 2022 [BN2022-006 refers].

Lived Experience Position Statement and Nau Mai te Ao

5. We have consulted with lived experience communities and groups on a discussion paper called Nau Mai te Ao. Nau Mai te Ao represents the journey from a place of darkness and being unwell to a place full of light, potential and wellbeing. This paper is intended to provide clarity and shine the light on a way forward in working with lived experience communities.
6. The consultation and subsequent community feedback have been collated and analysed. This has formed the foundation of a position statement for Te Hiringa Mahara and will be shared as a resource for other government agencies and services to support good practice.
7. We will publish this position statement later in the year. We will keep you informed of our progress.

Access and Choice Report 2022

8. Work is underway on the Access and Choice Report 2022. This is a monitoring report on the Access and Choice programme planned for publication later this calendar year. This report links to the Vote Health Estimates - Assessment of performance and is part of the Ministry of Health's measure of performance on Te Hiringa Mahara for 2022/23.
9. An information request was sent to Manatū Hauora on 2 June 2022, and in consultation with Manatū Hauora officials, 31 August 2022 was agreed for the provision of data. The request was made early and pursuant to section 14 of our legislation.
10. We met with both Manatū Hauora and Te Whatu Ora in August, where they signaled that they would not be able to provide the information requested by the end of August. They subsequently provided some of the data requested on 2 September and 6 September 2022, but we are yet to receive the full data set to enable us to write a full update on our 2021 report. We continue to work with both organisations to get the information we need but there is a risk that the report will be incomplete given the gaps in the information provided.



Mental Health Act – Application for declaration of inconsistency with the Bill of Rights

11. On 21 March 2022, [REDACTED] (mental health services consumer and academic at the University of Otago) and [REDACTED] (psychiatrist and academic at the University of Otago) applied to the Wellington High Court in relation to the Mental Health Act (Compulsory Assessment and Treatment) Act 1992 (Mental Health Act): declaratory judgements under the Declaratory Judgements Act 1908 and Judicial Review Procedure Act 2016; declarations of inconsistency with the New Zealand Bill of Rights Act 1990 (Bill of Rights).
12. The declarations sought, relate to how the civil provisions (i.e., not special, or restricted patients) of the Mental Health Act should be interpreted (and therefore applied) to be consistent with the Bill of Rights, and, where the Act cannot be interpreted/applied consistently with the Bill of Rights that there is a declaration of that inconsistency. The application highlights the discrimination and removal of rights that is inherent in the current application of mental health law. It appears likely that this matter will be set down for a three-day hearing in the High Court commencing on 7 November 2022.
13. This case is important for the Commission's advocacy agenda to end coercion in mental health services and is aligned with our submission to the Ministry of Health in January 2022 on the Mental Health Act reform. Te Hiringa Mahara Board is currently considering the options available to us if we wish to support this application.

COVID-19 impact insights programme

14. Te Hiringa Mahara has undertaken to publish eight short insights papers on the impact of COVID-19 impacts on our priority populations' mental health and determinants of wellbeing, across the 2022/23 year. You have been briefed on this programme of work previously [BN2022-007 refers].
15. This programme will provide short, accessible, focused reports in an agile way. While it cannot provide a comprehensive view of the impacts of COVID-19, it will provide key insights on wellbeing areas or populations of focus.
16. The first paper in the programme is almost ready for release. *Media reporting of COVID-19 and mental health and wellbeing* analyses themes in media coverage of COVID-19 and mental health through the pandemic; in short:
 - a. Media coverage on the mental health problems contributed to by the pandemic has been concentrated on the changes to people's work, education, and lifestyle, the material impacts of this, and loneliness.
 - b. Media coverage on the mental health solutions has focused on access to services, supports and resources.
 - c. Distress and other impacts of the pandemic have frequently been normalised and universalised in media coverage.



17. From this analysis, the paper makes the case for a broader and deeper understanding of wellbeing and the pandemic's impacts, drawing on the He Ara Oranga Wellbeing Outcomes Framework. In this way, it provides a scene-setter for the rest of the programme. It does not make firm recommendations for improving wellbeing, the subsequent papers in the programme will.
18. This first paper is due to be published on 23 September; a media release will be sent out alongside publication, and Te Hiringa Mahara will front any media interest.
19. A separate briefing will be coming to you shortly, with the final draft of the paper for your information. Te Hiringa Mahara officials will be able to discuss the paper further with you at our meeting of 21 September, if you wish.

He Ara Āwhina (Pathways to support) Mental Health and Addiction System Monitoring Framework

20. On 20 June 2022, we provided your office with a briefing on the He Ara Āwhina (Pathways to Support) Mental Health and Addiction System Monitoring Framework [BN2022-006 refers] and we published the framework on our website.
21. As noted in this advice, we received over 260 submissions on the draft He Ara Āwhina framework during a six-week consultation period. We received strong input from Māori, including tāngata whaiora, whānau and Kaupapa Māori support and services.
22. We are developing three summary reports on the submissions received during the consultation period:
 - a. Te Ao Māori voices summary report – providing a te ao Māori perspective of the framework as we heard from Māori and their whānau
 - b. Shared voices summary report – providing the shared perspective of the framework
 - c. Lived experience voices summary report – what we heard from those with lived experience.
23. These “voice” documents” are due to be published in late September 2022.

Resourcing and Board member appointments

24. We submitted a budget bid in Budget 22 for ██████ million per annum to enable us to deliver our full set of functions in a manner envisaged by our Act and the expectations of stakeholders and communities. Although we received a small amount to fund cost pressures, our bid was unsuccessful. Our ongoing funding is currently ██████ per annum.
25. We know that Government funding is limited, there are many worthy recipients for additional funding, and that the Government has invested significantly in the health sector in recent years; nonetheless, we believe that having an appropriate level of funding to enable us to deliver our full set of functions is important to you and that we should resubmit the bid in Budget 23.



26. We will review our funding requirement but expect it will be a similar level to last year's bid. We would welcome a discussion about the pathway to sustainable funding for Te Hiringa Mahara.

27. The Board members whose positions are currently up for renewal have confirmed their interest in re-appointment. Specifically, Hayden Wano as Chair of the Board, members Jemaima Tiatia, Taimi Allan and Sunny Collings are all available for a further term. These terms end in February 2023.

Next Steps

28. We will continue to brief you on our work programme.

ENDS

