

## **PRESS RELEASE**

**Friday April 3<sup>rd</sup>:** The Mental Health Commission has today published the report of the inquiry team set up to review the operation of the two approved centres for the care and treatment of persons suffering from mental illness or mental disorder in Clonmel Co Tipperary.

The remit of the inquiry was “to review care and treatment practices in St Michael’s Unit, South Tipperary General Hospital, Clonmel and St Luke’s Hospital, Clonmel, including the quality and planning of care and the use of restraint and seclusion and to report to the Mental Health Commission.”

The report sets out the concern of the inquiry team that individual person centred care was not at the heart of the system at St Luke’s Hospital and at St Michael’s Unit at the time the inquiry was carried out. Among the conclusions of the report are that there was unnecessary locking of ward doors in St Luke’s Hospital, and unnecessary use of seclusion and the nursing of residents in nightclothes in St Michael’s Unit. Staffing constraints and environmental defects appeared to increase the risk of injury to residents, and were not adequately addressed.

The inquiry report recommends a series of time bound steps to be taken by the management of these centres (HSE South and South Tipperary Mental Health Services) in order for them to comply with Regulations.

The recommendations in the report cover issues including the use of seclusion, the locking of wards, requirements to wear night clothes, maintenance and repairs and the review of the use of restraint, the prescription of drugs, care planning and the management of risk.

The Mental Health Commission notes the recent developmental plans announced by Professor Brendan Drumm for the mental health services in South Tipperary, and welcomes the announcement, as part of those plans, of the proposed closure of St Luke’s Hospital by the end of 2010.

Following the publication of this inquiry report the Mental Health Commission requires that a project plan for the development of the mental health services in South Tipperary be submitted by the Health Service Executive which will be time-bound and which shall have clear lines of responsibility for the implementation of the project plan. The Inspectorate of Mental Health Services will monitor closely

the HSE project plan and report to the Mental Health Commission on a regular basis.

Separately and arising from its own Inspectorate's work in inspecting approved centres throughout the State, the Mental Health Commission has proposed to attach conditions under the Mental Health Act 2001 to the continued operation of St Michael's and St Lukes. The Commission wrote to the Chief Executive of the HSE Prof Brendan Drumm last month informing him of its proposal to attach conditions under the Mental Health Act. Under that Act, the HSE has 21 days from receipt of the letter (March 20<sup>th</sup>) to make observations on this proposal. The Commission must take any such representations into account before making its decision.

The conditions the MHC proposes to attach to the continued operation of the two approved centres would require the registered proprietor – the HSE – to produce a plan with precise timescales to address breaches in regulations, rules and codes of practice found by the Inspectorate of Mental Health Services during their inspection in late 2008. The Commission would require a quarterly report on the achievement of targets set in this plan.

"The Commission will work with all interested parties in relation to the development of quality mental health services in South Tipperary. Government policy as set out in its document A Vision for Change is to move towards the closure of institutions such as St Luke's and to move towards a community based care and treatment model," according to the chairman of the Commission Dr Edmond O'Dea.

"For this to happen, community mental health services must be provided and funded. We acknowledge the grave difficulties faced by the Exchequer in funding existing services in the current economic climate. However even in difficult economic times, there is a need for the continued development of mental health services to ensure people with mental illness receive appropriate care and treatment."

*The report can be read at [www.mhcirl.ie](http://www.mhcirl.ie)*

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### **Note to Editors:**

1.The Mental Health Commission, an independent statutory body, was established in April 2002, pursuant to provisions of the Mental Health Act 2001 (2001 Act).

Section 55 of the 2001 Act provides for the establishment of an Inquiry by the Commission into “the carrying on of any approved centre or other premises in the State where mental health services are provided”.

In June, 2007, the Mental Health Commission decided to establish an Inquiry, as per Section 55 to “*To review care and treatment practices in St. Michael’s Unit, South Tipperary General Hospital, Clonmel and St. Luke’s Hospital, Clonmel, including the quality and planning of care and the use of restraint and seclusion and to report to the Mental Health Commission*”.

The members of the Inquiry Team established by the Mental Health Commission were:-

- Dr. Adrian Lodge, Mental Welfare Commission Scotland – appointed as Assistant Inspector Mental Health Services for the duration of the Inquiry;
- Mr. Jamie Malcolm, Mental Welfare Commission Scotland – appointed as Assistant Inspector Mental Health Services for the duration of the Inquiry;
- Mr. Des McMorrow, Assistant Inspector of Mental Health Services, Mental Health Commission;
- Ms. Maeve Kenny, Assistant Inspector of Mental Health Services, Mental Health Commission.

2.Section 64 (6) of the Mental Health Act empowers the Commission to attach conditions to the operation of an approved centre covering issues including but not confined to the carrying out of essential maintenance, the policies and procedures on care of residents, the prescribing of medicines and ensuring residents are informed of their rights. Under this section of the Act, the



Commission can effectively oblige an approved centre to take specific actions set out by the Commission as a condition of its continued registration.

Where the Commission proposes to attach such conditions, it must first notify the registered proprietor of its proposal and reasons for it. The proprietor may make representations to the board of the MHC within 21 days, and may appeal within to the District Court within 21 days of any decision to impose conditions.