



Report to the Minister of Health & Social Services

REQUEST FOR MINISTERIAL DECISION APPROVING PLANS RE-DEFINING THE BOUNDARIES OF THE APPROVED ESTABLISHMENTS AT CLINIQUE PINEL AND ROSEWOOD HOUSE, ST SAVIOUR'S HOSPITAL

1. Purpose

- 1.1 The Minister is asked to exercise his power under article 5(1) of the Mental Health (Jersey) Law 2016 to approve plans redefining the boundaries of the Approved Establishments at Clinique Pinel and Rosewood House, St Saviour's Hospital, and to removal approval from redundant premises.

2. Mental Health (Jersey) Law, Article 5

- 2.1 Article 5 is worded as follows:

5 Approved establishments

- (1) *The Minister must approve establishments or premises for the purpose of the care and treatment of patients, upon such terms and conditions as (subject to paragraph (2)) the Minister may think fit.*
- (2) *The Minister may not exercise the function conferred by paragraph (1) unless the Minister is satisfied that, having regard to the best available treatment, the standard of treatment provided by the establishment or premises in question is appropriate and adequate.*

3. Existing position

- 3.1 In 2018 a decision (ref: MD-HSS-2018-0039) was made approving five establishments for the first time, consequent on the 2018 Law coming into effect. This is recorded in the decision summary as follows:

The Minister, having been briefed by his officers of the requirements of Approved Establishments, has identified the following environments as Approved Establishments:

- *Orchard House, St Saviours Hospital*
- *Maison Du Lac, St Saviours Hospital*
- *Clinique Pinel, St Saviours Hospital*
- *Rosewood House, St Saviours Hospital*
- *The General Hospital, St Helier*

- 3.2 A search of the archive of Ministerial Decisions has not located any plans associated with the 2018 decision.
- 3.3 In 2020, a further decision (ref: MD-HSS-2020-0085) was made, which is described in the decision summary as follows:

The Minister, having been briefed by his officers of the requirements of Approved Establishments, has updated the boundaries of the following environments established as Approved Establishments:

Orchard House, St Saviour's Hospital

Clinique Pinel, St Saviour's Hospital

Rosewood House, St Saviour's Hospital

3.4 The accompanying written report stated:

There is a need to approve updated boundary maps of Orchard House, Clinique Pinel and Rosewood House, St. Saviour's Hospital, all of which are designated as Approved Establishments pursuant to the Mental Health (Jersey) Law 2016.

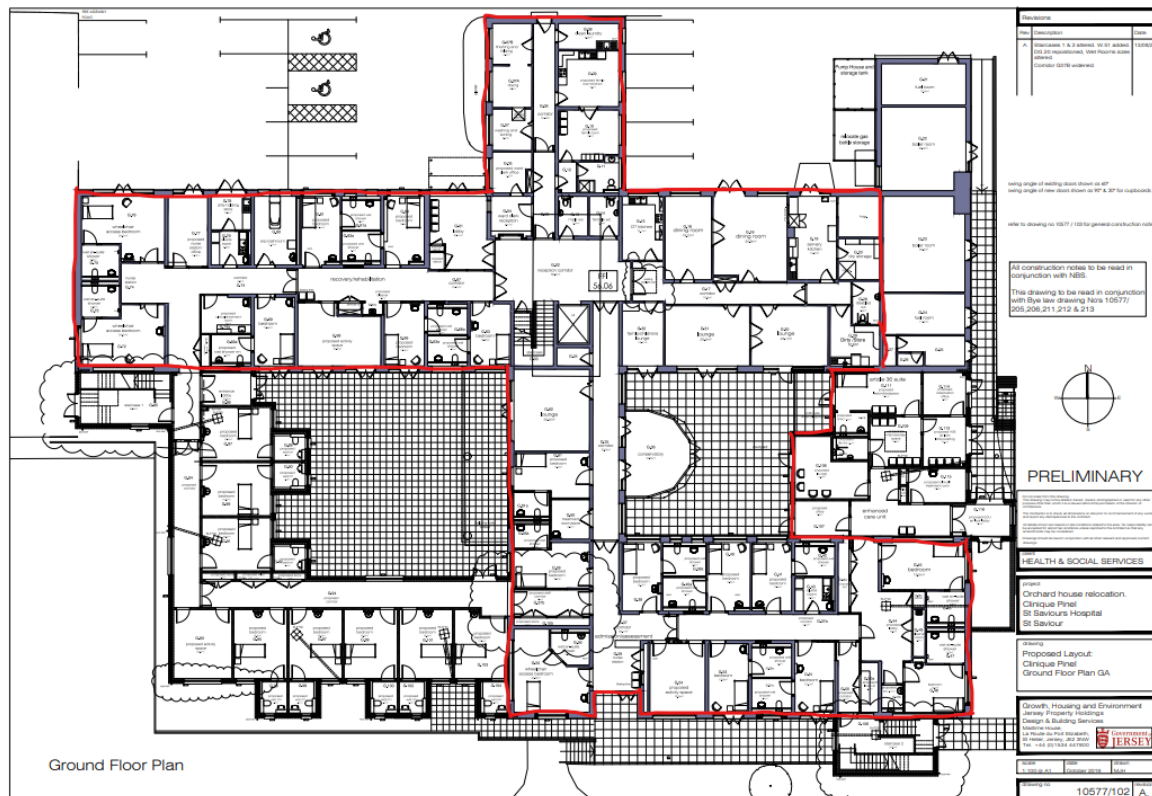
There are two small gardens adjoining buildings which are both secure with safe systems of work in place to mitigate any risks. These are considered part of the main property from a therapeutic perspective as groups and activities are held here. The gardens are also considered fundamental to well-being as they provide fresh air.

The desire to have the boundaries of the establishments to include these areas is to allow compulsorily detained patients to access these gardens without the need for formal 'leave of absence' as required currently under the Mental Health (Jersey) Law 2016.

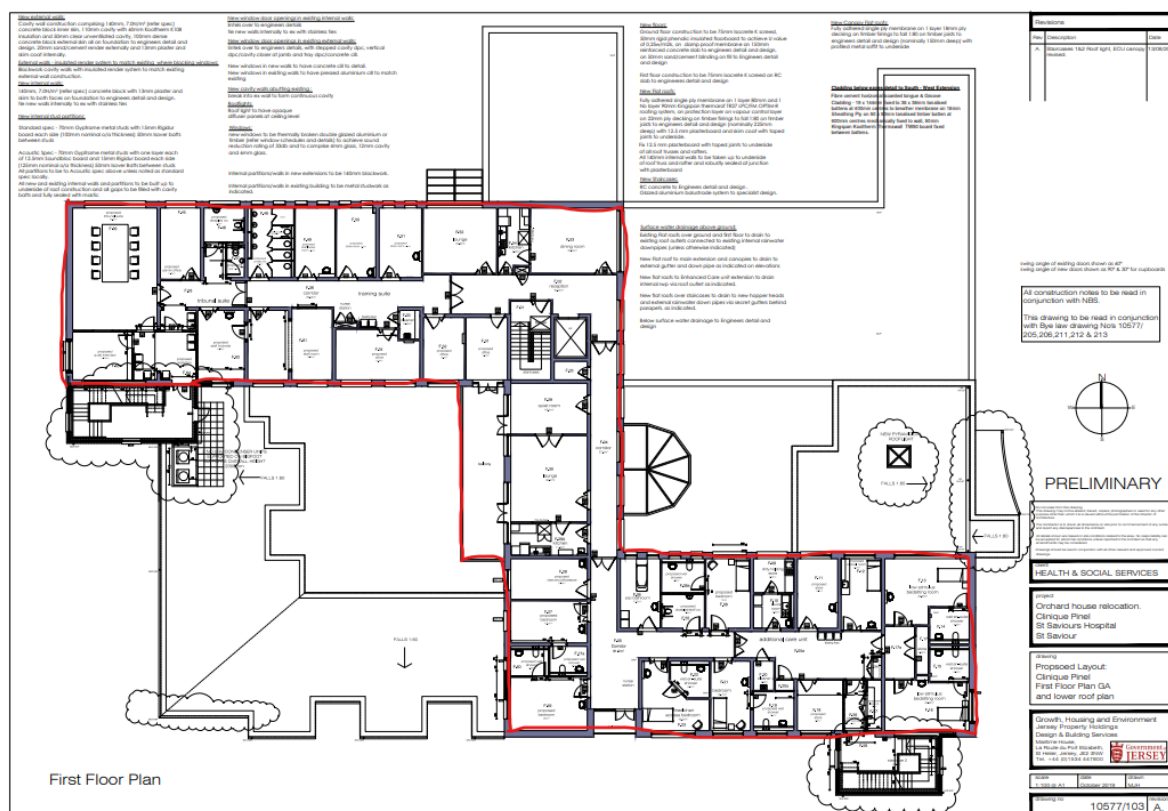
Attached to this request are plans of the sites with the boundaries to be approved clearly identified.

3.5 The appended plans show the ground and upper floors of Clinique Pinel with parts marked in red which are reproduced below (and also a general plan of the St Saviour's Hospital site with Orchard House and its two adjacent gardens outlined in red). No plan relating to Rosewood House has been located.

Clinique Pinel ground floor plan (MD-HSS-2020-0085):



Clinique Pinel first floor plan (MD-HSS-2020-0085):



Note: the room layout is now different and some other features (eg: the conservatory in the easterly internal courtyard) no longer exist, following the refurbishment of Clinique Pinel.

4. The issues requiring action

(1) Ground Floor of Clinique Pinel

- 4.1 As will be noted from the ground floor plan above, some parts of that floor are not included within the red line which apparently defines the boundary of the Approved Establishment.
- 4.2 Prior to June 2024 and while the refurbishment of Clinique Pinel was underway, Cedar Ward (the older adults ward) occupied different parts of Clinique Pinel at different times, including the excluded area.
- 4.3 Following the refurbishment and the transfer, in June 2024, of the working-age adult inpatient ward from Orchard House to the ground floor at Clinique Pinel as Orchard Ward, most of the ground floor is now being used as clinical space in which detained patients receive care and treatment. The parts not within the red line on the 2020 plan now comprise the male corridor and also the seclusion area, and other rooms.
- 4.4 However, unfortunately, it was not appreciated that the defined area of the approved establishment did not include the whole of the ground floor.
- 4.5 This has now been identified and needs to be rectified in order to regularise the current position. It is proposed that the whole of the building is included within the approved establishment (this would not prevent staff from limiting or preventing access by patients to some areas, eg staff areas, but would enable the use of MHL powers in those areas should patients gain access to them).

(2) Grounds outside the hospital building

- 4.6 Powers which staff of approved establishments have to prevent voluntary patients from leaving the establishment pending a full Mental Health Law assessment (known as 'holding powers') can only be exercised within the approved establishment. Once a patient leaves the establishment staff have no powers under the MHL, and may have to seek the assistance of the police (who have powers exercisable in any place other than a private dwelling) if there are concerns that such a patient may be a risk to themselves or others.
- 4.7 If the boundaries of the approved establishment are drawn around the walls of the building, this means that those powers cannot be exercised in the wider grounds, even immediately outside the front door of the ward. While it should be the case that, if staff have sufficient concerns about the risks posed by a voluntary patient's presentation, they should be exercising their holding powers inside the building, there remains the possibility that a patient may be able to leave the building before the power can be used.
- 4.8 It is therefore considered prudent to include the wider grounds around Clinique Pinel (comprising the full extent of the publicly-owned land, but not the adjacent parish road) within the boundary of the approved establishment.

(3) Rosewood House

- 4.9 As mentioned, if there was a plan of the boundaries of the Rosewood House approved establishment attached to the 2020 MD, it cannot now be located.
- 4.10 Therefore it is proposed to re-define that approved establishment using a new plan, also including the grounds around the building (those being adjacent to, and sharing a common boundary with, the Clinique Pinel approved establishment grounds).

(4) Redundant premises

- 4.11 The approvals for Orchard House and Maison Du Lac, which are no longer in use, can now be revoked.

5. Action

5.1 The Minister is requested to make a decision:

- **approving the boundaries of the Clinique Pinel and Rosewood House approved establishments by reference to the definitions set out below and the plans attached to this report; and**
- **revoking the approval, as approved establishments, of:**
 - **Orchard House, St Saviour's Hospital, and**
 - **Maison Du Lac, St Saviour's Hospital.**

5.2 For the avoidance of doubt, the General Hospital in St Helier would be unaffected by this decision and will remain an approved establishment in accordance with MD-HSS-2018-0039.

Approved Establishment: Clinique Pinel, St Saviour's Hospital

- 5.3 Definition: the access road adjoining La Ruelle des Ecorvees (but not La Ruelle des Ecorvees itself) and all of that part of the publicly-owned land surrounding and including the building known as Clinique Pinel which is south of the northern edge of that access road and north of La Route de la Hougue Bie, as indicatively shown on the following plan by the red line.

Plan: attached, marked Approved Establishment: Clinique Pinel (2025), including a red line indicatively showing the boundary of the establishment.

Approved Establishment: Rosewood House, St Saviour's Hospital

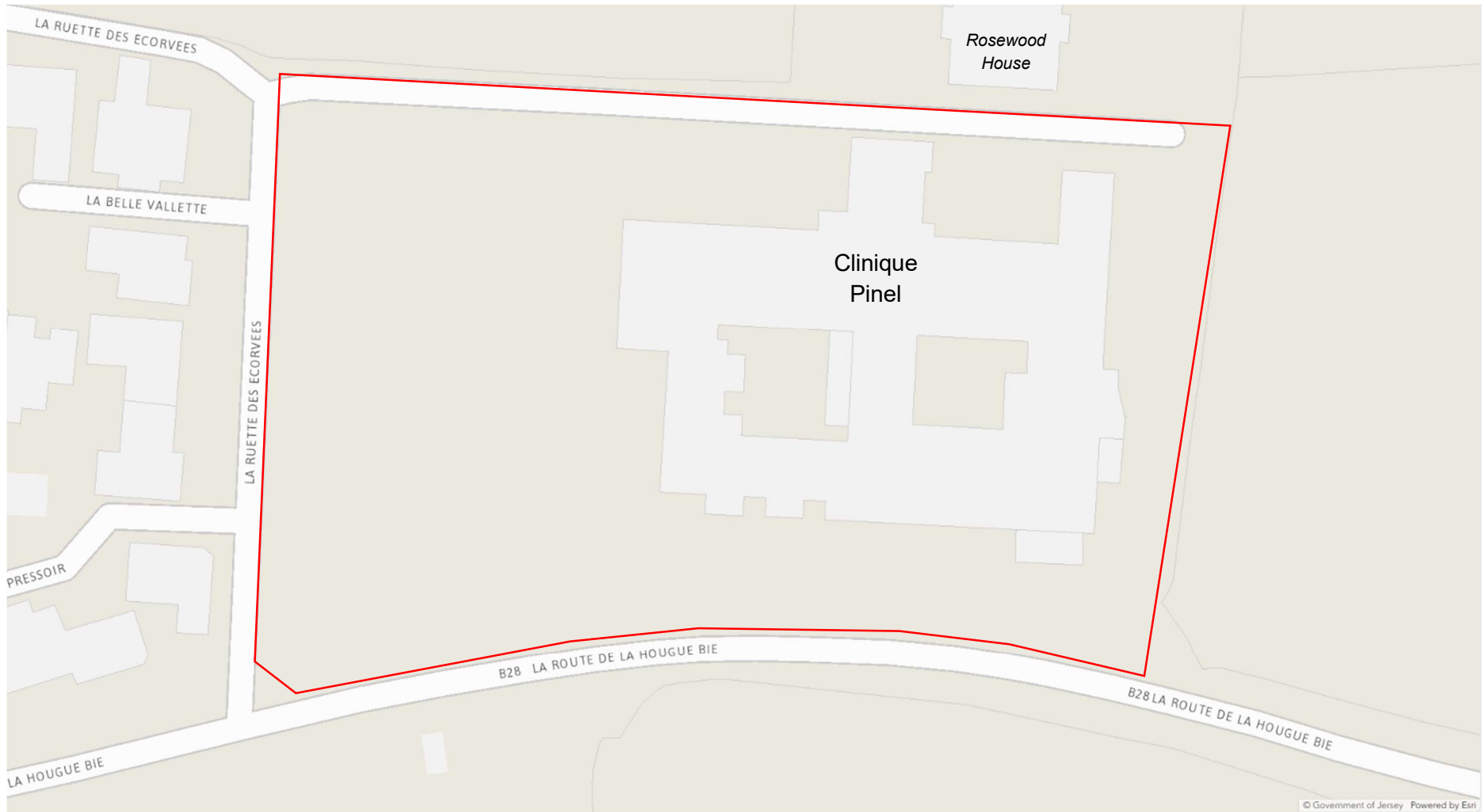
- 5.4 Definition: all of that part of the publicly-owned land surrounding and including the building known as Rosewood House which is north of the northern edge of the access road adjoining La Ruelle des Ecorvees.

Plan: attached, marked Approved Establishment: Rosewood House (2025), including a blue line indicatively showing the boundary of the establishment.

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Approved Establishment: Clinique Pinel (2025)

Definition: the access road adjoining La Ruelle des Ecorvees (but not La Ruelle des Ecorvees itself) and all of that part of the publicly-owned land surrounding and including the building known as Clinique Pinel which is south of the northern edge of that access road and north of La Route de la Hougue Bie, as indicatively shown on the following plan by the red line.



Approved Establishment: Rosewood House (2025)

Definition: all of that part of the publicly-owned land surrounding and including the building known as Rosewood House which is north of the northern edge of the access road adjoining La Ruelle des Ecorvees, as indicatively shown on the following plan by the blue line.

