



**The Assisted Decision Making (Capacity) Act  
2015  
Considerations for Mental Health Services  
Conference,  
Croke Park,  
20th November 2019.**



## Agenda

Time	Speaker and Topic
9.45 a.m	<b>Welcome and Introductions –</b> Mr. John Saunders, Chairperson of the Mental Health Commission (Chair)
10.00 a.m	<b>Session One: Perspectives on the Assisted Decision Making (Capacity) Act 2015 as a conduit for realising human rights in mental health</b>  <b>Collaborators:</b> Professor Brendan Kelly, Consultant Psychiatrist, Tallaght University Hospital and Trinity College Mr. Rory Doody, Head of Mental Health Engagement, Cork Kerry Community Healthcare
11.00 – 11.30 a.m	<b>Break</b>
11.30 a.m	<b>Session Two: Relevant person - a recalibration for the centrality of rights or just more semantics?</b>  <b>Chair and opening address :</b> Ms. Aine Flynn, Director of the Decision Support Service <b>Collaborators:</b> Ms. Kate Mitchell, Senior Policy and Research Officer, Mental Health Reform Dr. Mia McLaughlin, Consultant in Old Age Psychiatry, HSE Ms. Barbara Brennan, See Change, SHINE- Supporting People Affected by Mental Ill Health
12.30- 1.00 p.m.	<b>Discussion Chaired by Derek Chambers, National Mental Lead on Connecting for Life, HSE</b>  <b>Panel -</b> Professor Brendan Kelly, Consultant Psychiatrist Ms. Aine Flynn, Director of the Decision Support Service Mr. Rory Doody, Head of Mental Health Engagement, Cork Kerry Community Healthcare Ms. Kate Mitchell, Senior Policy and Research Officer, Mental Health Reform Dr. Mia McLaughlin, Consultant in Old Age Psychiatry, HSE Ms. Barbara Brennan, See Change, SHINE- Supporting People Affected by Mental Ill Health
1.00pm. -2.00 p.m	<b>Lunch</b>
2.00pm	<b>Opening Remarks</b> Dr. Philip Crowley, National Director, Quality Improvement, HSE.
2.10 p.m.	<b>Session Three:</b> <b>The intersections between the Assisted Decision Making (Capacity) Act 2015 and the Mental Health Act 2001- exploring pressure points and points of confluence</b>  <b>Chair and opening address:</b> Professor Mary Donnelly, School of Law, UCC <b>Collaborators:</b> Ms. Orla Keane, Head of Legal Services, Mental Health Commission Ms. Kate Frowein, Senior Case Manager, Decision Support Service

Time	Topic and Speaker
3.10 p.m.	<p><b>Q &amp; A session-</b> Chaired by Caoimhe Gleeson, HSE National Programme Lead, HSE National Assisted Decision Making and Consent Office</p> <p><b>Panel-</b> Professor Mary Donnelly, School of Law, UCC Ms. Orla Keane, Head of Legal Services, Mental Health Commission Ms. Kate Frowein, Senior Case Manager, Decision Support Service Mr. Rory Doody, Head of Mental Health Engagement, Cork Kerry Community Healthcare</p>
3.30 p.m.	<p><b>Final Address:</b> <b>One step beyond - is the Assisted Decision Making (Capacity) Act 2015 a conduit for realising human rights in mental health? Challenges, opportunities and action.</b></p> <p>Ms. Aine Flynn, Director of the Decision Support Service.</p>
3.45 p.m.	<p><b>Closing remarks:</b> Mr. Jim Ryan, HSE Assistant National Director, Mental Health Operations</p>
4.00 p.m.	<p><b>Close</b></p>

## Biographies

### Mr. John Saunders



**Mr. John Saunders** has been the CEO of Shine since 2001. He was a member of the Expert Group established in 2003, to review and update mental health service policy resulting in A Vision for Change. He was also a member of the NESF Working group on Mental Health and Social Inclusion. John is a former member of the Board of Directors of EUFAMI (A European organisation of voluntary mental health associations representing families) and Mental Health Reform. He was appointed as Chair of the 2nd Independent Monitoring Group in 2009 to oversee and report on the implementation of A Vision of Change policy. John is presently a board member of the Citizens Information Board and was a member of the 2nd and 3rd Mental Health Commission and is currently Chair. He is also the Director of See Change, the National Stigma Reduction Partnership. John has qualifications in nursing, a degree in Economics and a diploma in Public Administration.

### Professor Brendan Kelly











**Professor Brendan Kelly** is Professor of Psychiatry at Trinity College Dublin, Consultant Psychiatrist at Tallaght University Hospital, Dublin, and UCD Visiting Full Clinical Professor at University College Dublin School of Medicine and Medical Sciences. In addition to his medical degree (MB BCh BAO), he holds masters degrees in epidemiology (MSc), healthcare management (MA) and Buddhist studies (MA); and doctorates in medicine (MD), history (PhD), governance (DGov) and law (PhD). He has authored and co-authored over 250 publications in peer-reviewed journals, over 500 non-peer-reviewed publications, 13 book chapters and contributions, and 11 books (eight as sole author). His recent books include 'Hearing Voices: The History of Psychiatry in Ireland' (2016), 'Mental Illness, Human Rights and the Law' (2016) and 'The Doctor Who Sat For A Year' (2019). He is a Fellow of the Royal College of Psychiatrists, the Royal College of Physicians of Ireland, and Trinity College Dublin. In 2017, he became Editor-in-Chief of the *International Journal of Law and Psychiatry*.




### Mr. Rory Doody



**Mr. Rory Doody** is the Area Lead for Mental Health Engagement Cork Kerry Community Healthcare, service user, educator, WHO and UN consultant in mental health and human rights. He is passionate about putting the persons voice at the centre of the design, delivery and evaluation of our mental health services.

<p><b>Ms. Áine Flynn</b></p> 	<p><b>Ms. Áine Flynn</b> graduated from Trinity College Dublin with a law degree and M.Litt. by research. She was admitted as a solicitor in 1999 and from 2012-2017 was a senior partner in KOD Lyons, a firm specialising in public interest law, including disability and equality law. She was on the panel of legal representatives of the Mental Health Commission and the Mental Health (Criminal Law) Review Board from their inception in 2006 and also represented Wards of Court instructed by the General Solicitor. She has written and lectured on Human Rights and has been a member of the Human Rights Committee of the Law Society since 2012. Prior to her present appointment, she was a member of the Law Society’s Mental Health and Decision-Making Capacity Task Force. In October 2017, Áine commenced in post as inaugural Director of the Decision Support Service within the Mental Health Commission.</p>
<p><b>Ms. Kate Mitchell</b></p> 	<p><b>Ms. Kate Mitchell</b> joined Mental Health Reform as Policy and Research Officer in September 2014. Before that Kate worked in the area of local development in north east Dublin and coordinated youth leadership and health promotion programmes, including mental health, cross border regeneration and relationship building. She spent 18 months facilitating the Ombudsman for Children’s Human Rights Education Programme. During this time, Kate was also contracted to work for Headstrong National Centre for Youth Mental Health on the development of Jigsaw sites in Tallaght and Clondalkin. Kate has spent time volunteering with Women’s Aid, the Separated Children’s Education Centre and Unicef Ireland.</p>
<p><b>Dr. Mia McLaughlin</b></p> 	<p><b>Dr Mia McLaughlin</b> (MB,B.Ch,MRCPsych,MSc(Pall.Care)), Consultant in Old Age Psychiatry Carlow/Kilkenny since 2010, Clinical Director for the Carlow/Kilkenny MHS since Feb this year. Previously Consultant in Old Age Psychiatry in Scotland for about ten years and this period coincided with the Adults with Incapacity (Scotland) Act 2000 and worked within the framework of this legislation through the decade I worked in Lanarkshire. Developed an advanced directive for all groups of patients including those with severe enduring mental illness. Since January 2019 have been Co - chair of the College of Psychiatry Refocus Group (recovery experience forum of carers and users of services), a group that inform and influences aspects of the College, particularly around training. Awarded a MSc in Palliative Care and use the principles of palliative care and the holistic approach of this philosophy in my care of individuals with dementia. Believe strongly in Recovery and supporting individuals to develop their strengths and learning.</p>
<p><b>Ms. Barbara Brennan</b></p> 	<p><b>Ms. Barbara Brennan</b> is the programme Coordinator for See Change; the National Stigma Reduction Partnership, and has been promoting mental health awareness and stigma reduction for a decade. She is a public speaker, facilitator and trainer who has a passion to support people, communities and workplaces to challenge their attitudes, and change their culture for a more positive, inclusive and open one. Through her work she helps give a voice to people with lived experience of mental health difficulties and start a national conversation. Her desire to bring a message of hope and share the knowledge that people who have struggled with their mental health can and DO recover is at the heart of her work, and comes from her own lived experience of overcoming severe and enduring mental illness. Barbara believes strongly in personal responsibility, empowering people to achieve their potential, and that by working together a society free of stigma can be created.</p>

<p><b>Mr. Derek Chambers</b></p> 	<p><b>Mr. Derek Chambers</b> is the HSE Mental Health Operations Lead for the ‘Connecting for Life’ national suicide prevention strategy. With a background in research and policy, Derek is particularly interested in public mental health, mental health literacy and population-based approaches to suicide prevention. Derek previously worked for both the National Suicide Research Foundation and the National Office for Suicide Prevention. He is widely published in peer-review journals and he recently authored the book chapter <i>When health means illness: analysing mental health discourses and practices in Ireland</i> in the 2017 publication ‘Reframing Health and Health Policy in Ireland’. Along with the implementation of ‘Connecting for Life’ Mental Health Operations’ actions, Derek is working with the National Quality Improvement Team in the HSE to build awareness of the Assisted Decision-Making (Capacity) Act 2015 within the mental health sector.</p>
<p><b>Professor Mary Donnelly</b></p> 	<p><b>Professor Mary Donnelly</b> is a Professor and Vice Dean of the School of Law at University College Cork. She researches in the fields of mental capacity/mental health/health law. Her books include <i>Healthcare Decision-Making and the Law: Autonomy, Capacity and the Limits of Liberalism</i> (Cambridge: Cambridge University Press, 2010) and she is co-author of <i>End-of-Life Care: Ethics and Law</i> (Cork University Press, 2011) and co-editor of <i>Ethical and Legal Debates in Irish Healthcare: Confronting Complexities</i> (Manchester University Press, 2016). She was a member of the Expert Group to review the Mental Health Act 2001 (2013-2015) and is a member of the Mental Health Commission Legislation Committee. She was Chair of the Technical Expert Group to develop Codes of Practice under the Assisted Decision-Making (Capacity) Act 2015 and is the joint chair of the Health Service Executive National Consent Advisory Group/Assisted Decision Making Steering Group and the Chair the Ministerial Working Group on Advance Healthcare Directives.</p>
<p><b>Ms. Orla Keane</b></p> 	<p><b>Ms. Orla Keane</b> joined the Head of Legal and Division for Mental Health Tribunals in May 2017. Prior to this she was a partner in the Litigation and Dispute Resolution Group of Arthur Cox and advised the Mental Health Commission since 2006. Orla’s practice focused on healthcare and related commercial litigation. In the healthcare area, she advised various stated agencies to include the State Claims Agency, the HSE and the Irish Blood Transfusion Scheme on contentious and non-contentious matters. She also advised a number of private healthcare clients to include the Medical Defence Union and medical devices organisations. She has represented clients in all Courts, in statutory and non-statutory inquiries and before various Regulatory Bodies. She also has a wealth of experience in relation to independent reviews of adverse incidents. She vast experience in judicial review proceedings and has lectured on same. She has advised healthcare providers in relation corporate governance structures/protocols and general issues relating to their day to day operations. She also lectures on various issues in relation to healthcare. Since joining the MHC, Orla has taken on the role as Division Lead for Mental Health Tribunals, she acts as the Head of Legal for the entire organisation (to include areas such as Corporate Services and the Decision Support Service) and is the Secretary to the Board &amp; the Audit and Risk Committee.</p>
<p><b>Ms. Kate Frowein</b></p> 	<p><b>Ms. Kate Frowein</b> is the Senior Case Manager for the Decision Support Service in the Mental Health Commission. In that role she is responsible for assessing and maintaining a register of decision support arrangements and for supervising decision supporters. Kate joined the Commission's Standards and Quality Assurance division in 2015 after moving to Ireland from New Zealand. Kate previously worked for New Zealand’s Ministry of Justice on major policy programmes in family law and criminal justice reform.</p>

<p><b>Dr. Philip Crowley</b></p> 	<p><b>Dr. Philip Crowley</b> is the National Director for Quality Improvement in the HSE. He is a graduate of the Advanced Training Programme in Healthcare Delivery Improvement, Intermountain Healthcare Salt Lake City Utah. He leads a national team that supports the health service in improving care through the application of a framework for improving quality. He is a doctor who works part-time as a GP. He worked for five years in Nicaragua, trained in public health in Newcastle Upon Tyne and worked for 6 years as Deputy Chief Medical Officer in the Department of Health. He has been in his current post for 5 years and worked in the HSE for 9 years.</p>
<p><b>Ms. Caoimhe Gleeson</b></p> 	<p><b>Ms. Caoimhe Gleeson</b> is the National Programme Lead for Assisted Decision Making in the HSE and has overseen the drafting of the Healthcare Codes of Practice on the Assisted Decision Making (Capacity) Act 2015 on behalf of the Decision Support Service and the Minister for Health. She is a member of the National Disability Authority Technical Group who drafted the non-healthcare Codes of Practice on the 2015 Act on behalf of the Department of Justice. She is also HSE National Specialist in Accessibility and has worked in the area of equality and human rights advocacy, service user partnership, policy and service development for a number of years in Ireland in relation to people with disabilities, the LGBTI Community and other diverse groups.</p> <p>Before joining the H.S.E. she worked in Community Development with NUI, Galway in partnership with a wide variety of agencies and non-governmental organisations in the North West region of the Republic of Ireland and in Northern Ireland. She has worked and volunteered on programmes relating to gender equality, youth work, intercultural education, conflict transformation and mediation, development of civil society and citizenship rights in El Salvador, Ghana, United States, Mongolia, Croatia and Bosnia-Herzegovina.</p> <p>She holds a Master’s Degree in Community Development, a Professional Diploma in Equality and Human Rights, is an accredited mediator and qualified psychotherapist. She is currently studying for an LLB.</p>
<p><b>Mr. Jim Ryan</b></p> 	<p><b>Mr. Jim Ryan</b> has worked in a variety of both Community and Statutory Organisations during his career. He obtained a BA and Higher Diploma in Education from UCD before becoming a Secondary School Teacher.</p> <p>Jim then joined Foroige as a Youth Worker with the Tallaght Youth Service for 8 years in the early 1990’s. He then took up the role of Drug Task Force Coordinator for the Dun Laoghaire – Rathdown area before becoming the Director of Mental Health and Addiction Services with the East Coast Health Board. Jim subsequently became the Local Health Manager for Dun Laoghaire before taking up his current role of National Head of Operations for the Mental Health Services in 2014.</p>

