



***Working Protocol for Sharing  
Critical Client Information  
Related to  
Correctional Services and  
Police Services Clients  
(The Peel Protocol)***

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April 2007



## ***History of the Protocol***

- Developed in June 2003 – follow up to the inquest into the suicide death of Bradley Peel in February 1999 at the Walkerton jail following an admission to GBHS psychiatric inpatient unit
- Coroner's jury recommended that a communication mechanism to share critical client information be developed and implemented for use by GBHS, Police Services and Correctional Services



# *Development of the Protocol*

- Client population for the purposes of the Protocol
  - Persons who are/will be inmates of a correctional facility and/or in the care/custody of Police Services, who are admitted to and discharged from GBHS psychiatric unit
- Task of developing a tool/communication mechanism was complicated by the *Mental Health Act's* requirement that the inmate sign a Form 14 (Consent to Disclosure of Information)
- Respect the client's right to confidentiality yet protect the client's safety



# ***The Working Protocol***

## ○ **Roles and Responsibilities**

### ● **Attending Psychiatrist & Inpatient Team**

- Identify the client who will be entering or returning to correctional services or police services
- Notify Community Mental Health Service (CMHS) Coordinator
- Carry out discharge planning for the client
- Complete Discharge Transfer Form using Code Cards when client does not consent to disclosure of information

### ● **Community Mental Health Service Coordinator**

- Ensures the Protocol is carried out
- Acts as contact person if any concerns from Corrections or Police Services



# ***The Working Protocol (cont'd)***

## **○ The Discharge Transfer Form**

### **● When client had not signed a Form 14:**

- Sections 1 and 2 provided:
  - information regarding risk, level of supervision required, and medical/psychiatric follow up using codes
  - list of prescribed medication

### **● Code Card accompanied the Discharge Transfer Form**

### **● When client signed Form 14:**

- Section 3 provided:
  - additional critical client information e.g. history of violence or suicide attempts



## ***The Working Protocol (cont'd)***

- **On Discharge:**
  - Copy of Discharge Transfer Form and Code Card given to Police Officers or Corrections Officers transporting the client
  - Discharge Transfer Form accompanies the client if transferred from Police Services to a Correctional Facility



# ***Implementation of Protocol***

- Implemented in November 2003
- Education of front-line workers is the responsibility of the organizations involved, that is, Grey Bruce Health Services, Correctional Services and Police Services



# ***Monitoring/Evaluating the Protocol***

- Grey Bruce Human Services and Justice Coordinating Committee formed in the Fall of 2003
- HS&JCC bears the responsibility for ongoing monitoring and review at scheduled meetings
- CMHS Coordinator tracks the use of the Protocol
  - Average two per month (clients discharged to Police Services)





# ***Update of Protocol***

- In 2006, the Task Group sought legal advice regarding the effect of the introduction of the *Personal Health Information Protection Act* (PHIPA) and changes in the *Mental Health Act* related to the collection, use and disclosure of personal health information
- Revision of the Protocol in process to reflect the more facilitative regime of PHIPA



## ***Update of Protocol (cont'd)***

- Sections 40(2) and (3) of PHIPA allow GBHS, in its discretion, to share a client's PHI, without consent, to the head of Correctional Services or to the head of Police Services, in order to assist the institution or facility in making a decision concerning arrangements for the provision of health care to the client
- Section 40(1) allows for discretionary disclosure without client consent where the custodian believes on reasonable grounds that the disclosure is necessary for the purpose of eliminating or reducing a significant risk of serious bodily harm to a person or group of persons (formerly referred to as "duty to warn")



## ***Update of Protocol (cont'd)***

- Draft Amendments include:
  - Process for sharing of information from GBHS to the heads/designates of Correctional Services or Police Services receiving the patient/client on discharge or release from GBHS inpatient psychiatry or psychiatric holding bed
  - Revised Discharge Transfer Form for disclosure of information to ensure the client receives appropriate health care and is kept safe; or to eliminate or reduce serious harm to the client or others
  - Use of Codes (and Code Cards) discontinued

● ● ● | Questions?

