

KG-10

From: Kristi Geddes [REDACTED]
Sent: Monday, 25 August 2014 11:40 am
To: KOTZE, Beth; SKIPPEN, Tania
Subject: Barrett Centre Investigation [ME-ME.FID2743997]
Attachments: Investigation and report framework.DOCX

Dear Beth and Tania,

I have this morning received the first bundle of relevant material, from the West Moreton Hospital and Health Service.

Based on my initial review of that material, I have now prepared the enclosed draft framework for the investigation and report. Until we have had the chance to review patient records in further detail, I have included all relevant staff as potential witnesses, however I am hoping that this list can be shortened after the key care providers have been identified from the charts.

I was advised on Friday afternoon that an extension for the investigation has been foreshadowed, but a decision is yet to be made. I will provide this investigation plan to the Department, together with advice that the 3 weeks we now have remaining for the final report to be prepared is simply not sufficient for the plan to be implemented, particularly in light of the leave arrangements you both have in place for the coming weeks and the fact that further relevant documentation is yet to be received.

I will continue to keep you both updated.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

[REDACTED]
Minter Ellison Lawyers [REDACTED]
www.minterellison.com



File Note

Author Kristi Geddes

Matter Queensland Health
Health Service Investigation - Barrett Adolescent Psychiatric Centre
1084936

Date 25 August 2014

Subject Investigation and report framework

Introduction

1. Background
2. Terms of Reference
3. Methodology
4. Evidence
5. Key Findings

Part A – Governance Model

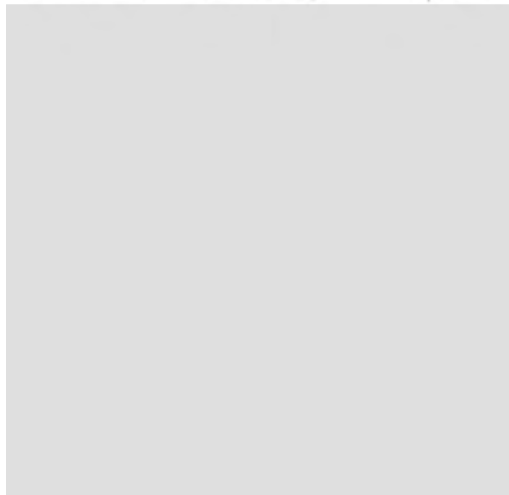
1. Background and summary of governance model
2. Issues to be considered
3. Review of relevant documents
 - (a) Project Plan – 'Barrett Adolescent Strategy' (*provided by WMHHS*)
 - (b) Minutes, agendas, reports and other papers from Adolescent Strategy Planning Group
 - (c) Expert Clinical Reference Group Recommendations (*provided by WMHHS*)
 - (d) Minutes, agendas, reports and other papers from Expert Clinical Reference Group
 - (e) Minutes, agendas, reports and other papers from Steering Committee
 - (f) Minutes, agendas, reports and other papers from Chief Executive and Department of Health Oversight Committee
 - (g) West Moreton Management Committee (BAC weekly update) (*provided by WMHHS*)

- (h) Minutes, agendas, reports and other papers from West Moreton Clinical Care Transition Panel
- (i) Minutes, agendas, reports and other papers from West Moreton Complex Care Review Panel
- (j) WMHHS Board Papers (*provided by WMHHS*)
- (k) Other Project documents (*provided by WMHHS*)

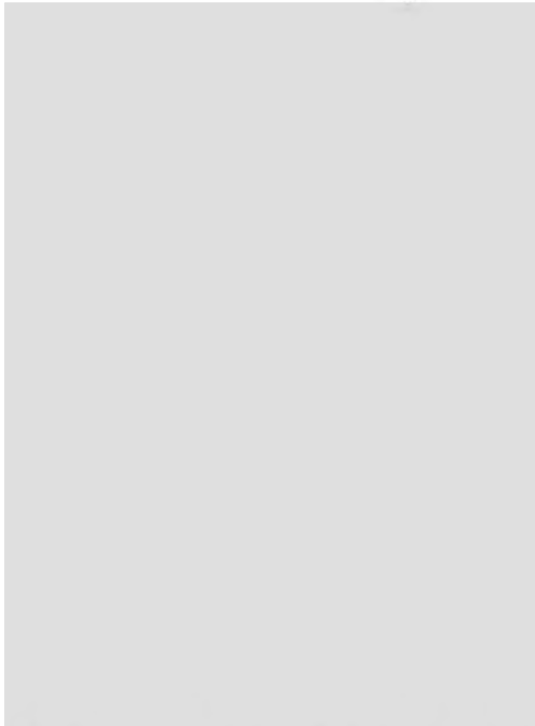
4. Findings

Part B – Transition Plans

- 1. Background and summary
 - (a) Generally of method employed to prepare and implement transition plans
 - (b) Relevant patients
- 2. Issues to be considered
- 3. Review of relevant documents – general
 - (a) Transition planning documents (*provided by WMHHS*)
 - (b) Communication with parents (*provided by WMHHS*)
 - (c) Communication with staff (*provided by WMHHS*)
 - (d) Communication with aftercare providers (*provided by WMHHS*)
 - (e) Communication with other relevant stakeholders (*provided by WMHHS*)
- 4. Review of relevant documents – patient specific
 - (a) Patient medical records (*provided by WMHHS*)



3



- (b) Communication with parents (*provided by WMHHS*)
- (c) Communication with other relevant stakeholders (*provided by WMHHS*)

5. Interviews with relevant staff

- (a) CN Adrian Walder
- (b) RN Vanessa Clayworth
- (c) RN Matthew Beswick
- (d) RN Mara Kochardy
- (e) RN Peta-Louise Yorke
- (f) CN Susan Daniel
- (g) RN Rosangela Richardson
- (h) RN Lourdes Wong
- (i) RN Maree Sheraton
- (j) RN Peter Kop
- (k) RN Kerrie Armstrong
- (l) RN Henry Tooman

4

- (m) RN Stephen Sault
- (n) RN Moira Macleod
- (o) RN Kimberley Sadler
- (p) RN Daisy Aclan
- (q) RN Brenton Page
- (r) RN Liam Huxter
- (s) RN Victoria Young
- (t) RN Roderick Archer
- (u) RN Jamie Barber
- (v) RN Genae Rance
- (w) RN Reeta Singh
- (x) Elaine Ramsey (Ward Administrator)
- (y) Dr Anne Brennan
- (z) Dr Trevor Sadler
- (aa) Kim Hoang (OT)
- (bb) Megan Hayes (OT)
- (cc) Carol Hughes (Social Worker)
- (dd) Danielle Corbett (Psychologist)
- (ee) Ashleigh Trinder (Psychologist)
- (ff) Angela Clarke (Speech Pathologist)
- (gg) RN Lucinda Burton
- (hh) Delwyn Gainford (Ward Administrator)
- (ii) Dr Thomas Pettet
- (jj) Kate Partridge (OT)

6. Findings

- (a) General
- (b) Patient specific

Barrett Centre Investigation [ME-ME.FID2743997]->Investigation and report framework.DOCX

5

Findings and Recommendations

CLIENT

MATTER

FILE NO

AUTHOR

DATE

TIME (start)

TIME (end)

PAGE

OF

Circle activity

With whom

TO

TI

CW

AT

Flagged missing some
committee / group
documents
- also structure diagram?
Not sure
She is working on list
of core co-ordinators
- should be finished
by tomorrow or so.

→ Phan:

- I will try to prepare
diagram of GBV
Structure
- send to WH + Children
HHS + seek comment
 1. correct
 2. that we have
all material held
re: those bodies

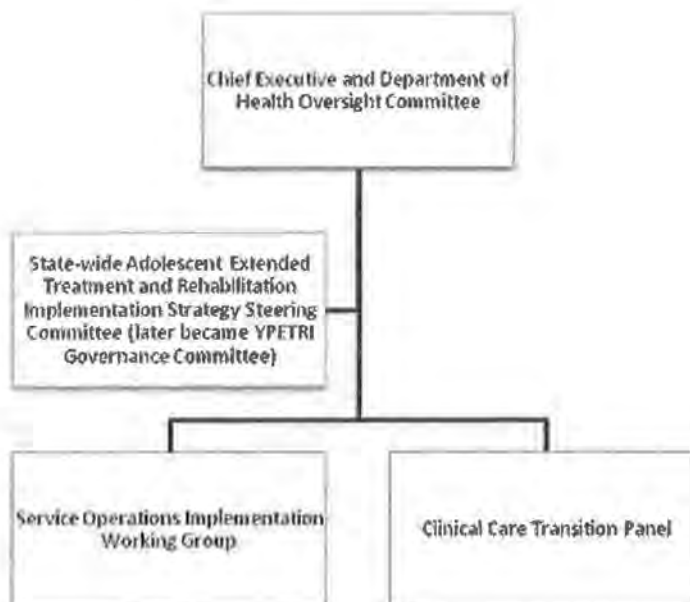
From: Kristi Geddes [REDACTED]
Sent: Friday, 29 August 2014 08:05 am
To: 'Holly Ahern'
Subject: Barrett Centre Investigation - Governance Structure and documents [ME-ME.FID2743997]

Hi Holly,

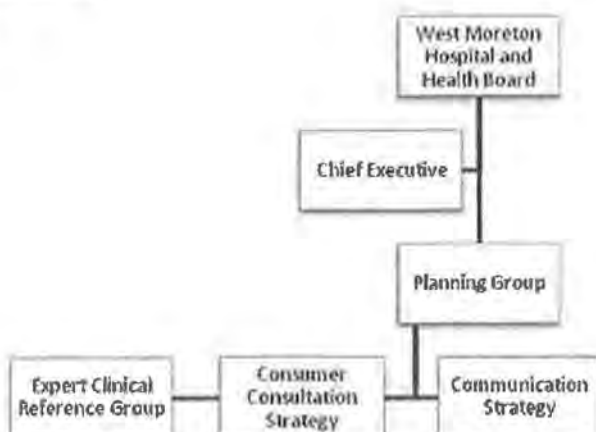
As we discussed yesterday, I am in the process of trying to piece together the overall governance structure for the project. From what I can tell, there were two separate structures, one overseen by the Children's HHS and one by West Moreton HHS.

I've been able to create the following diagrams, based on the material we've been provided with to date:

Children's:



West Moreton:



Do you know, or do you know who might know if and how these two governance structures sat with and interacted with each other?

Also, from the West Moreton structure, I've been unable to work out where the following bodies sit:

1. West Moreton Management Committee (BAC Weekly Update) – we do not currently have any terms of reference for this Committee; and
2. West Moreton Complex Care Review Panel – we do not have any terms of reference, agendas, minutes or other material produced by this panel.

And, we are missing terms of reference, agendas or minutes from the Expert Clinical Reference Group, Consumer Consultation Strategy and Communication Strategy, if in fact they exist (though, we do appear to have their output documents).

If you need to discuss with me today, I am available on email or my mobile – [REDACTED]

Thanks.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

t [REDACTED]

Minter Ellison Law [REDACTED]

www.minterellison.com

From: Holly Ahern [mailto:[REDACTED]]
Sent: Thursday 28 August 2014 02:55 pm
To: Kristi Geddes
Subject: RE: Barrett Centre Investigation - Instruments of Appointment [ME-ME.FID2743997]

Thanks Kristi

As mentioned, I will endeavour to get you the finalised list of associated care coordinators tomorrow.

Kind Regards

Holly Ahern
Lawyer
Legal Services
Office of the Chief Executive
West Moreton Hospital and Health Service

T: [REDACTED] | F: [REDACTED] | M: [REDACTED]
E: [REDACTED]
[REDACTED]

Your partner in healthcare excellence

www.health.qld.gov.au/westmoreton

Facebook: www.facebook.com/pages/West-Moreton-Hospital-and-Health-Service/390111887692956

Twitter: www.twitter.com/wm_health

From: Kristi Geddes [mailto:[REDACTED]]
Sent: Thursday, 28 August 2014 2:52 PM
To: Holly Ahern
Subject: Barrett Centre Investigation - Instruments of Appointment [ME-ME.FID2743997]

Hi Holly,

As discussed, and for your records, here are all 3 instruments of appointment.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

t [REDACTED]

Minter Ellison Lawyers [REDACTED]

www.minterellison.com



Please consider the environment before printing this email

IMPORTANT INFORMATION - PLEASE READ

This email and any attachments are confidential and may be legally privileged (in which case neither is waived or lost by mistaken delivery). Please notify us if you have received this message in error, and remove both emails from your system. Any unauthorised use is expressly prohibited. Minter Ellison collects personal information to provide and market our services (see our privacy policy at <http://www.minterellison.com> for more information about use, disclosure and access). Minter Ellison's liability in connection with transmitting, unauthorised access to, or viruses in this message and its attachments, is limited to re-supplying this message and its attachments.

This email, including any attachments sent with it, is confidential and for the sole use of the intended recipient(s). This confidentiality is not waived or lost, if you receive it and you are not the intended recipient(s), or if it is transmitted/received in error.

Any unauthorised use, alteration, disclosure, distribution or review of this email is strictly prohibited. The information contained in this email, including any attachment sent with it, may be subject to a statutory duty of confidentiality if it relates to health service matters.

If you are not the intended recipient(s), or if you have received this email in error, you are asked to immediately notify the sender by telephone collect on Australia [REDACTED] or by return email. You should also delete this email, and any copies, from your computer system network and destroy any hard copies produced.

If not an intended recipient of this email, you must not copy, distribute or take any action(s) that relies on it; any form of disclosure, modification, distribution and/or publication of this email is also prohibited.

Although Queensland Health takes all reasonable steps to ensure this email does not contain malicious software, Queensland Health does not accept responsibility for the consequences if any person's computer inadvertently suffers any disruption to services, loss of information, harm or is infected with a virus, other malicious computer programme or code that may occur as a consequence of receiving this email.

Unless stated otherwise, this email represents only the views of the sender and not the views of the Queensland Government.

KG-12

From: Sharon Kelly [REDACTED]
Sent: Monday, 1 September 2014 03:37 pm
To: Kristi Geddes
Cc: Holly Ahern; Leanne Geppert; Jacqueline Keller
Subject: further documentation requested regarding BAC investigation
Attachments: Barrett Adolescent Centre - In&Outpatients - 06-08-13 - Updated with CCdoc

Importance: High

Kristi,

As requested of Holly Ahern you are seeking a more detailed list of Care Coordinators related to the consumers of the Barrett Adolescent Centre. I am following up on Holly's behalf as she is otherwise engaged in another matter today.

Please find attached a spreadsheet with the relevant information regarding care coordinators. Please advise if further information is required to support this. For your information in the earlier lists provided, three other key clinical personnel you may be interested in speaking with are:-

Dr Anne Brennan

Ms Vanessa Clayworth and

Ms Megan Hayes, all of whom had significant involvement in the transition panel process.

In an earlier email you indicated wanting further information regarding the governance structures and I understand Ms Holly Ahern and yourself had concluded that a face to face meeting may be the most suitable and Thursday 4th September had been proposed. Both Dr Geppert and myself would be willing to attend your offices in Brisbane sometime Thursday morning if that is the best use of the time of the investigators.

Looking forward to your response

Regards
 Sharon

Sharon Kelly
Executive Director
 Mental Health and Specialised Services
 West Moreton Hospital and Health Service

T: [REDACTED]
 E: [REDACTED]

Locked Bag 500, Sumner Park BC, Qld 4074
 Australia

Your partner in Healthcare excellence

www.health.qld.gov.au/westmoreton

Facebook: www.facebook.com/pages/West-Moreton-Hospital-and-Health-Service/390111887692956

Twitter: www.twitter.com/wm_health

 This email, including any attachments sent with it, is confidential and for the sole use of the intended recipient(s). This confidentiality is not waived or lost, if you receive it and you are not the intended recipient(s), or if it is transmitted/received in error.

Any unauthorised use, alteration, disclosure, distribution or review of this email is strictly prohibited. The information contained in this email, including any attachment sent with it, may be subject to a statutory duty of confidentiality if it relates to health service matters.

If you are not the intended recipient(s), or if you have received this email in error, you are asked to immediately notify the sender by telephone collect on Australia [REDACTED] or by return email. You should also delete this email, and any copies, from your computer system network and destroy any hard copies produced.

If not an intended recipient of this email, you must not copy, distribute or take any action(s) that relies on it; any form of disclosure, modification, distribution and/or publication of this email is also prohibited.

Although Queensland Health takes all reasonable steps to ensure this email does not contain malicious software, Queensland Health does not accept responsibility for the consequences if any person's computer inadvertently suffers any disruption to services, loss of information, harm or is infected with a virus, other malicious computer programme or code that may occur as a consequence of receiving this email.

Unless stated otherwise, this email represents only the views of the sender and not the views of the Queensland Government

further documentation requested regarding BAC investigation->Barrett Adolescent Centre - In&Outpatients - 06-08-13 - Updated with CCdoc

West Moreton Hospital and Health Service

further documentation requested regarding BAC investigation->Barrett Adolescent Centre - In&Outpatients - 06-08-13 - Updated with CCdoc

West Moreton Hospital and Health Service

further documentation requested regarding BAC investigation->Barrett Adolescent Centre - In&Outpatients - 06-08-13 - Updated with CCdoc

West Moreton Hospital and Health Service

MinterEllison**KG-13**

L A W Y E R S

2 September 2014

DX 102 BRISBANE www.minterellison.com

T F

BY COURIER

Associate Professor Beth Kotze
Acting Associate Director, Health System Management
Mental Health and Drug and Alcohol Office
NSW Ministry of Health

Dear A/Prof Kotze

Health Service Investigation – Barrett Adolescent Psychiatric Centre

As discussed, we have now received large bundles of material from:

1. West Moreton Hospital and Health Service;
2. Hospital and Health Service; and
3. Hospital and Health Service.

I **enclose** copies of the material, contained on USBs. The password for the USB from West Moreton HHS is The others do not require passwords to access the documents.

I also **enclose** copies of the covering correspondence from both West Moreton and HHS which provides some overview of the relevant project and governance structure. I am awaiting further confirmation from these HHS's about the interaction and cooperation between their two structures in order to finalise a complete organisational structure for the overall project.

Finally, I **enclose** a copy of the email received from providing an overview of the material they have provided about patient following transition.

I am awaiting confirmation from West Moreton HHS in relation to the BAC allocated care coordinators for each of the patients during the transition period, and upon receipt will commence contacting each of the clinicians to ascertain availability for interviews with you and/or Ms Skippen.

Otherwise, from the list of relevant clinicians and staff of the Centre during the relevant period (Attachment 7 to the letter to John Allen, contained on the USB from West Moreton HHS), please advise which other clinicians you consider will be necessary to interview. We Expect this will include as least Dr Trevor Sadler (Clinical Director until 10 September 2013) and Dr Anne Brennan (Clinical Director from 11 September 2013).

MINTER ELLISON GROUP AND ASSOCIATED OFFICES

ADELAIDE AUCKLAND BEIJING BRISBANE CANBERRA DARWIN GOLD COAST HONG KONG
LONDON MELBOURNE PERTH SHANGHAI SYDNEY ULAANBAATAR WELLINGTON

Health Service Investigation – Barrett Adolescent Psychiatric Centre
2 September 2014

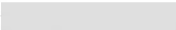



2

I look forward to hearing from you after you have reviewed the material, to discuss any further material we ought be requesting and arrangements for relevant clinician interviews.

Yours faithfully

MINTER ELLISON



Contact: Kristi Geddes Direct phone:  Direct fax: 
Email: 
Partner responsible: Shane Evans Direct phone: + 
Our reference: SGE KXMM 1084936

enclosures

Courier service request

Submitted by	Kate Blatchly	<input type="text"/>	02/Sep/2014	10:57 am	<input type="text"/>
	Name	Extension	Date	Time	Office/WS location
Requested by	Kristi Geddes	<input type="text"/>	BKXMM		
	Name (lawyer/manager)	Extension	Login code		
Matter No.	1084936				
Firm charge (55)	<input type="checkbox"/>	Partner/Senior Associate/Manager's name		Signature	

Courier service instructions

NOTE:

- Phone number required for all recipients
- Turn around times subject to traffic, weather, location and size of delivery
- Normal delivery times (shown in brackets) are from the time the article is collected by the courier driver, NOT from the time the article is left at the courier desk

Type of service ☒ Delivery ☐ Pick up ☐ Delivery and Return

CBD/Suburban

☐ To be delivered in 30 mins to 1 hour

☐ To be delivered in 1 to 2 hours

☐ To be delivered in 2 to 4 hours

Domestic (Regional/Interstate)

☐ Same day

☒ Overnight by COB

☐ Off peak by road

International

☐ Overseas DOCUMENTS
plain/un-bound

☐ Overseas NON DOCUMENTS
and DOCUMENTS in folders,
bound or pamphlets and
marketing material etc.
(a customs declaration is required)

Deliver to

Name & Address:

Associate Professor Beth Kotze
Acting Associate Director, Health System
Management
Mental Health and Drug and Alcohol Office
NSW Ministry of Health

Phone number:

The company is located in a Government building
(Brisbane office only)



Pick up from

Name & Address:

Phone number:

The company is located in a Government building
(Brisbane office only)



Special instructions

Office use only

Time booked	_____	Job number	_____	Barcode	_____
				(Syd only)	
Service used	_____	Cost (pre-GST)	\$ _____	Person	_____

MinterEllison

L A W Y E R S

2 September 2014

DX 102 BRISBANE www.minterellison.com

T F

BY COURIER

Tania Skippen
Associate Director, Specialist Programs
MH-Children and Young People
NSW Ministry of Health

Dear Ms Skippen

Health Service Investigation – Barrett Adolescent Psychiatric Centre

As discussed, we have now received large bundles of material from:

1. West Moreton Hospital and Health Service;
2. Hospital and Health Service; and
3. Hospital and Health Service.

I **enclose** copies of the material, contained on USBs. The password for the USB from West Moreton HHS is . The others do not require passwords to access the documents.

I also **enclose** copies of the covering correspondence from both West Moreton and Children's HHS which provides some overview of the relevant project and governance structure. I am awaiting further confirmation from these HHS's about the interaction and cooperation between their two structures in order to finalise a complete organisational structure for the overall project.

Finally, I **enclose** a copy of the email received from providing an overview of the material they have provided about patient following transition.

I am awaiting confirmation from West Moreton HHS in relation to the BAC allocated care coordinators for each of the patients during the transition period, and upon receipt will commence contacting each of the clinicians to ascertain availability for interviews with you and/or A/Prof Kotze. We confirm that you can be available for a 2 to 3 day period during the week commencing 22 September 2014 and will therefore attempt to arrangement interviews accordingly.

Otherwise, from the list of relevant clinicians and staff of the Centre during the relevant period (Attachment 7 to the letter to John Allen, contained on the USB from West Moreton HHS), please advise which other clinicians you consider will be necessary to interview.

MINTER ELLISON GROUP AND ASSOCIATED OFFICES

ADELAIDE AUCKLAND BEIJING BRISBANE CANBERRA DARWIN GOLD COAST HONG KONG
LONDON MELBOURNE PERTH SHANGHAI SYDNEY ULAANBAATAR WELLINGTON

Health Service Investigation – Barrett Adolescent Psychiatric Centre
2 September 2014

2

I look forward to hearing from you after you have reviewed the material, to discuss any further material we ought be requesting and arrangements for relevant clinician interviews.

Yours faithfully

MINTER ELLISON

[Redacted signature block]

Contact: Kristi Geddes Direct phone: [Redacted] Direct fax: [Redacted]
Email: [Redacted]
Partner responsible: Shane Evans Direct phone: [Redacted]
Our reference: SGE KXMM 1084936

enclosures

Courier service request

Submitted by	Kate Blatchly		02/Sep/2014	10:57 am	
	Name	Extension	Date	Time	Office/WS location
Requested by	Kristi Geddes		BKXMM		
	Name (lawyer/manager)	Extension	Login code		
Matter No.	1084936				
Firm charge (55)	<input type="checkbox"/>				
	Partner/Senior Associate/Manager's name			Signature	

Courier service instructions

NOTE:

- Phone number required for all recipients
- Turn around times subject to traffic, weather, location and size of delivery
- Normal delivery times (shown in brackets) are from the time the article is collected by the courier driver, NOT from the time the article is left at the courier desk

Type of service ☒ Delivery ☐ Pick up ☐ Delivery and Return

CBD/Suburban

☐ To be delivered in 30 mins to 1 hour

☐ To be delivered in 1 to 2 hours

☐ To be delivered in 2 to 4 hours

Domestic (Regional/Interstate)

☐ Same day

☒ Overnight by COB

☐ Off peak by road

International

☐ Overseas DOCUMENTS
plain/un-bound

☐ Overseas NON DOCUMENTS
and DOCUMENTS in folders,
bound or pamphlets and
marketing material etc.
(a customs declaration is required)

Deliver to

Name & Address:

Tania Skippen
Associate Director, Specialist Programs
MH-Children and Young People
NSW Ministry of Health

Phone number:

The company is located in a Government building
(Brisbane office only)



Pick up from

Name & Address:

Phone number:

The company is located in a Government building
(Brisbane office only)



Special instructions

Office use only

Time booked	_____	Job number	_____	Barcode	_____
				(Syd only)	
Service used	_____	Cost (pre-GST)	\$ _____	Person	_____

KG-14

From: KOTZE, Beth [redacted]
Sent: Tuesday, 2 September 2014 04:13 pm
To: Kristi Geddes
Subject: RE: Barrett Centre Investigation [ME-ME.FID2743997]

Dear Kristi

I will now come up on Friday 5th September – the following times and flights are possible:

Syd-Bris – QF 506 – leaving Sydney 7.35am
Bris-Syd – QF 547 – leaving Brisbane 17.55pm

When this was originally negotiated I had days in blocks set aside in my diary because I knew it would be difficult the closer it got to my leave. That's all too late now. But I am concerned – there is no way that I will be able to deal with 32 lever arch files on Friday – so on what basis are the decisions being made about interviews – who to interview and what are the areas of inquiry – for the interviews that you are trying to schedule for next week?

Regards
Beth



Associate Professor Beth Kotze
MBBS FRANZCP FRACMA Cert Child Psychiatry MMed (Psychotherapy) MHA (UNSW)
Acting Associate Director, Health System Management
Mental Health and Drug and Alcohol Office
NSW Ministry of Health
Direct Dial: [redacted]
Address: [redacted]
Email: [redacted]
Website: www.health.nsw.gov.au/mhdao



Health

From: Kristi Geddes [mailto:[redacted]]
Sent: Monday, 1 September 2014 12:31 PM
To: KOTZE, Beth
Subject: RE: Barrett Centre Investigation [ME-ME.FID2743997]



Beth,

Would it help if I perhaps moved the meeting back to later in the morning? I've had a bit of pressure to start booking interviews with relevant clinicians, so was hoping to get some underway with you next week, following your document review this week.

What arrival/departure times would suit you, as we could even just stick to the plan of you attending for the document review and then returning one day next week for some interviews.

I look forward to hearing from you.

Kind regards,
Kristi

Kristi Geddes Senior Associate

Minter Ellison Lawyers [redacted]
www.minterellison.com

From: KOTZE, Beth [mailto:[redacted]]
Sent: Monday 1 September 2014 11:53 am
To: Kristi Geddes
Subject: RE: Barrett Centre Investigation [ME-ME.FID2743997]

Thanks Kristi

Have looked in to it and a 8am landing in Brisbane means a 4am start for me here which is not possible – I would not be much use for a full working day.

Hence, I won't come up before I go on leave and for when I get back will try to organise a block of days.

So back to the original plan – please forward the electronic copies/memory sticks ASAP and I will commence the paperwork review and advise

by Friday COB how far I have got and any issues arising
Thanks
B.

Associate Professor Beth Kotze
MBBS FRANZCP FRACMA Cert Child Psychiatry MMed (Psychotherapy) MHA (UNSW)
Acting Associate Director, Health System Management
Mental Health and Drug and Alcohol Office
NSW Ministry of Health
Direct Dial: [REDACTED] | Mobile: [REDACTED] | Fax: [REDACTED]
Address: [REDACTED]
Email: [REDACTED]
Website: www.health.nsw.gov.au/mhdao



From: Kristi Geddes [mailto:[REDACTED]]
Sent: Friday, 29 August 2014 5:09 PM
To: KOTZE, Beth
Subject: Re: Barrett Centre Investigation [ME-ME.FID2743997]

Hi Beth,

Happy for you to nominate which flights suit and we can make the necessary arrangement and yes, I think it will probably be administratively easiest for you to submit the expense claims to us and we can be the central invoicing point for the Department.

I have managed to change the meeting with the WMHHS Executive Director of Mental Health to 9:00am on Thursday, so if you can arrive in Brisbane by 8am, that should work out okay.

Thanks. I look forward to hearing from you with availability for interviews the following week.

Kind regards,
Kristi.

Kristi Geddes
Senior Associate
Minter Ellison

On 29 Aug 2014, at 4:39 pm, "KOTZE, Beth" [REDACTED] wrote:

Dear Kristi

I can travel up next Thursday – [REDACTED]

[REDACTED] Shall I nominate some preferred flights to you? I presume that I should submit incidental expenses (taxis to and from airports in Syd and Brisbane) to you?

In terms of the week after, I have 3 working days until I start leave – I will see what I can reorganise and advise – the Monday may be possible but I will need to confirm
Beth

Associate Professor Beth Kotze
MBBS FRANZCP FRACMA Cert Child Psychiatry MMed (Psychotherapy) MHA (UNSW)
Acting Associate Director, Health System Management
Mental Health and Drug and Alcohol Office
NSW Ministry of Health
Direct Dial: [REDACTED]
Address: [REDACTED]
Email: [REDACTED]
Website: www.health.nsw.gov.au/mhdao
<image003.png>

From: Kristi Geddes [mailto:[REDACTED]]
Sent: Friday, 29 August 2014 1:42 PM
To: KOTZE, Beth; SKIPPEN, Tania
Subject: Barrett Centre Investigation [ME-ME.FID2743997]
Importance: High

Dear Beth and Tania,

I confirm that the proposed extension for the final report in this investigation, to 31 October 2014, has been approved.

As such, I will now start to make arrangements for staff interviews and review of material.

Could you please both advise of your upcoming availability to travel to Brisbane for that purpose?

Beth, I know you had foreshadowed doing so one day next week, so that you can review the material in hard copy. I have had an offer from the Executive Director of Mental Health at West Moreton HHS to sit down and go through the relevant governance structure on Tuesday, if you are available for travel that day.

Otherwise, I was hoping to start some of the staff interviews the following week, after you have had a chance to look at the material and before you commence leave. Could you please let me know your availability for that also?

Tania, are you able to confirm your availability for travel to Brisbane following your return from leave on 15 September 2014? I had envisaged perhaps a couple of days in Brisbane, to review the material and then continue with staff interviews.

I look forward to hearing from both of you as soon as possible, so that we can start to make the necessary arrangements.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

www.minterellison.com

 Please consider the environment before printing this email

IMPORTANT INFORMATION - PLEASE READ

This email and any attachments are confidential and may be legally privileged (in which case neither is waived or lost by mistaken delivery). Please notify us if you have received this message in error, and remove both emails from your system. Any unauthorised use is expressly prohibited. Minter Ellison collects personal information to provide and market our services (see our privacy policy at <http://www.minterellison.com> for more information about use, disclosure and access). Minter Ellison's liability in connection with transmitting, unauthorised access to, or viruses in this message and its attachments, is limited to re-supplying this message and its attachments.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System.
Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

Disclaimer: This message is intended for the addressee named and may contain confidential information.
If you are not the intended recipient, please delete it and notify the sender.
Views expressed in this message are those of the individual sender, and are not necessarily the views of the NSW Ministry of Health.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System.
Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

Emails and attachments are monitored to ensure compliance with the NSW Ministry of health's Electronic Messaging Policy.

Disclaimer: This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender, and are not necessarily the views of the NSW Ministry of Health.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System. Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System. Emails and attachments are monitored to ensure compliance with the NSW Ministry of health's Electronic Messaging Policy.

Disclaimer: This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender, and are not necessarily the views of the NSW Ministry of Health.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System. Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

From: KOTZE, Beth [REDACTED]
Sent: Wednesday, 3 September 2014 12:26 pm
To: Kristi Geddes
Subject: RE: Barrett Centre Investigation [ME-ME.FID2743997]

Thanks Kristi

That is reassuring – we should review the documentation and from that ascertain who should be interviewed and about what – It would be good to use some time on Friday to actually plan this out in some detail
 I am imagining that as events have unfolded thus far (with review of documentation by legal advisors before submission to you) that the interviews will need to be formally organised, may include legal/industrial/support representatives and should be taped etc? Can you confirm the procedure around the interviews and the availability of resources if taping and transcribing are required?
 B.

Associate Professor Beth Kotze
 MBBS FRANZCP FRACMA Cert Child Psychiatry MMed (Psychotherapy) MHA (UNSW)
 Acting Associate Director, Health System Management
 Mental Health and Drug and Alcohol Office
 NSW Ministry of Health
 Direct Dial: [REDACTED] (Fax: [REDACTED])
 Address: [REDACTED]
 Email: [REDACTED]
 Website: www.health.nsw.gov.au/mhdan



From: Kristi Geddes [mailto:[REDACTED]]
Sent: Wednesday, 3 September 2014 8:23 AM
To: KOTZE, Beth
Subject: Re: Barrett Centre Investigation [ME-ME.FID2743997]

Thanks Beth,

I'll have those flight booked for you and the relevant itinerary emailed directly to you.

The interviews are intended to ascertain, in light of information available to clinicians during the relevant period, whether the transition plans developed for patients were appropriate. So, it will be necessary to determine which staff and clinicians would be best placed to provide that information, in an attempt to avoid interviewing all 36. I've recently obtained a list of the care coordinators for each patient (RNs) and assume that treating psychiatrists, psychologists and OTs will also be relevant, but would appreciate your comments and feedback on allocation of interviews between yourself and Tania.

I look forward to meeting with you on Friday. Our offices are located on [REDACTED] My direct line is [REDACTED] and mobile [REDACTED] if you have any issues.

Kind regards,
 Kristi.

Kristi Geddes
 Senior Associate
 Minter Ellison

On 2 Sep 2014, at 4:14 pm, "KOTZE, Beth" [REDACTED] wrote:

Dear Kristi

I will now come up on Friday 5th September – the following times and flights are possible:

Syd-Bris – QF 506 – leaving Sydney 7.35am
 Bris-Syd – QF 547 – leaving Brisbane 17.55pm

When this was originally negotiated I had days in blocks set aside in my diary because I knew it would be difficult the closer it got to my leave.

That's all too late now.

But I am concerned – there is no way that I will be able to deal with 32 lever arch files on Friday – so on what basis are the decisions being made about interviews – who to interview and what are the areas of inquiry – for the interviews that you are trying to schedule for next week?

Regards
 Beth

Associate Professor Beth Kotze
 MBBS FRANZCP FRACMA Cert Child Psychiatry MMed (Psychotherapy) MHA (UNSW)
 Acting Associate Director, Health System Management
 Mental Health and Drug and Alcohol Office
 NSW Ministry of Health
 Direct Dial: [REDACTED] | Mobile: [REDACTED] | Fax: [REDACTED]
 Address: [REDACTED]
 Email: [REDACTED]
 Website: www.health.nsw.gov.au/mhdao
 <image002.png>

From: Kristi Geddes [mailto:[REDACTED]]
Sent: Monday, 1 September 2014 12:31 PM
To: KOTZE, Beth
Subject: RE: Barrett Centre Investigation [ME-ME.FID2743997]

Hi Beth,

Would it help if I perhaps moved the meeting back to later in the morning? I've had a bit of pressure to start booking interviews with relevant clinicians, so was hoping to get some underway with you next week, following your document review this week.

What arrival/departure times would suit you, as we could even just stick to the plan of you attending for the document review and then returning one day next week for some interviews.

I look forward to hearing from you.

Kind regards,
 Kristi

Kristi Geddes Senior Associate
 [REDACTED]
 Mental Health Law Unit
www.mhlu.org.au

From: KOTZE, Beth [mailto:[REDACTED]]
Sent: Monday 1 September 2014 11:53 am
To: Kristi Geddes
Subject: RE: Barrett Centre Investigation [ME-ME.FID2743997]

Thanks Kristi

Have looked in to it and a 8am landing in Brisbane means a 4am start for me here which is not possible – I would not be much use for a full working day.

Hence, I won't come up before I go on leave and for when I get back will try to organise a block of days.

So back to the original plan – please forward the electronic copies/memory sticks ASAP and I will commence the paperwork review and advise by Friday COB how far I have got and any issues arising

Thanks

B.

Associate Professor Beth Kotze
 MBBS FRANZCP FRACMA Cert Child Psychiatry MMed (Psychotherapy) MHA (UNSW)
 Acting Associate Director, Health System Management
 Mental Health and Drug and Alcohol Office
 NSW Ministry of Health
 Direct Dial: [REDACTED] | Mobile: 0412 251 240 | Fax: [REDACTED]
 Address: [REDACTED]
 Email: [REDACTED]
 Website: www.health.nsw.gov.au/mhdao
 <image003.png>

From: Kristi Geddes [mailto:[REDACTED]]
Sent: Friday, 29 August 2014 5:09 PM
To: KOTZE, Beth
Subject: Re: Barrett Centre Investigation [ME-ME.FID2743997]

Hi Beth,

Happy for you to nominate which flights suit and we can make the necessary arrangement and yes, I think it will probably be administratively easiest for you to submit the expense claims to us and we can be the central invoicing point for the Department.

I have managed to change the meeting with the WMHHS Executive Director of Mental Health to 9:00am on Thursday, so if you can arrive in Brisbane by 8am, that should work out okay.

Thanks. I look forward to hearing from you with availability for interviews the following week.

Kind regards,
Kristi.

Kristi Geddes
Senior Associate
Minter Ellison

On 29 Aug 2014, at 4:39 pm, "KOTZE, Beth" wrote:

Dear Kristi

I can travel up next Thursday –

Shall I nominate some preferred flights to you? I presume that I should submit incidental expenses (taxis to and from airports in Syd and Brisbane) to you? In terms of the week after, I have 3 working days until I start leave – I will see what I can reorganise and advise – the Monday may be possible but I will need to confirm.
Beth

Associate Professor Beth Kotze
MBBS FRANZCP FRACMA Cert Child Psychiatry MMed (Psychotherapy) MHA (UNSW)
Acting Associate Director, Health System Management
Mental Health and Drug and Alcohol Office
NSW Ministry of Health
Direct Dial: | Mobile: | Fax: |
Address: |
Email: |
Website: www.health.nsw.gov.au/mhdaq
<image003.png>

From: Kristi Geddes [mailto: |]
Sent: Friday, 29 August 2014 1:42 PM
To: KOTZE, Beth; SKIPPEN, Tania
Subject: Barrett Centre Investigation [ME-ME.FID2743997]
Importance: High

Dear Beth and Tania,

I confirm that the proposed extension for the final report in this investigation, to 31 October 2014, has been approved.

As such, I will now start to make arrangements for staff interviews and review of material.

Could you please both advise of your upcoming availability to travel to Brisbane for that purpose?

Beth, I know you had foreshadowed doing so one day next week, so that you can review the material in hard copy. I have had an offer from the Executive Director of Mental Health at West Moreton HHS to sit down and go through the relevant governance structure on Tuesday, if you are available for travel that day.

Otherwise, I was hoping to start some of the staff interviews the following week, after you have had a chance to look at the material and before you commence leave. Could you please let me know your availability for that also?

Tania, are you able to confirm your availability for travel to Brisbane following your return from leave on 15 September 2014? I had envisaged perhaps a couple of days in Brisbane, to review the material and then continue with staff interviews.

I look forward to hearing from both of you as soon as possible, so that we can start to make the necessary arrangements.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

www.minterellison.com

 Please consider the environment before printing this email

***** IMPORTANT INFORMATION - PLEASE READ

This email and any attachments are confidential and may be legally privileged (in which case neither is waived or lost by mistaken delivery). Please notify us if you have received this message in error, and remove both emails from your system. Any unauthorised use is expressly prohibited. Minter Ellison collects personal information to provide and market our services (see our privacy policy at

<http://www.minterellison.com> for more information about use, disclosure and access). Minter Ellison's liability in connection with transmitting, unauthorised access to, or viruses in this message and its attachments, is limited to re-supplying this message and its attachments.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System.
Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

Disclaimer: This message is intended for the addressee named and may contain confidential information.
If you are not the intended recipient, please delete it and notify the sender.
Views expressed in this message are those of the individual sender, and are not necessarily the views of the NSW Ministry of Health.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System.
Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System.
Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

Disclaimer: This message is intended for the addressee named and may contain confidential information.
If you are not the intended recipient, please delete it and notify the sender.
Views expressed in this message are those of the individual sender, and are not necessarily the views of the NSW Ministry of Health.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System.
Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System.
Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

Disclaimer: This message is intended for the addressee named and may contain confidential information.
If you are not the intended recipient, please delete it and notify the sender.
Views expressed in this message are those of the individual sender, and are not necessarily the views of the NSW Ministry of Health.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System.
Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System. Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

Disclaimer: This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender, and are not necessarily the views of the NSW Ministry of Health.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System. Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

CLIENT

MATTER

FILE NO

AUTHOR

Barnett.

Kxnm.

DATE

TIME (start)

TIME (end)

PAGE

OF

4.9.14.

am/pm

am/pm

Circle activity

TO

TI

CW

AT

With whom

John Kelly
Heane Appel
Dr. Strader
Jacqueline
General Coun
Lisa Harris.

Billings
in the Holly.

Time line. -

Childrens - governing future
W/H/H/S - rep for transition

Dr. Beppent sat on both
scale role + Planning
Group.

Communication - through
mutual membership
committees.

CE - intended to oversee
everything.

Clinical Transition

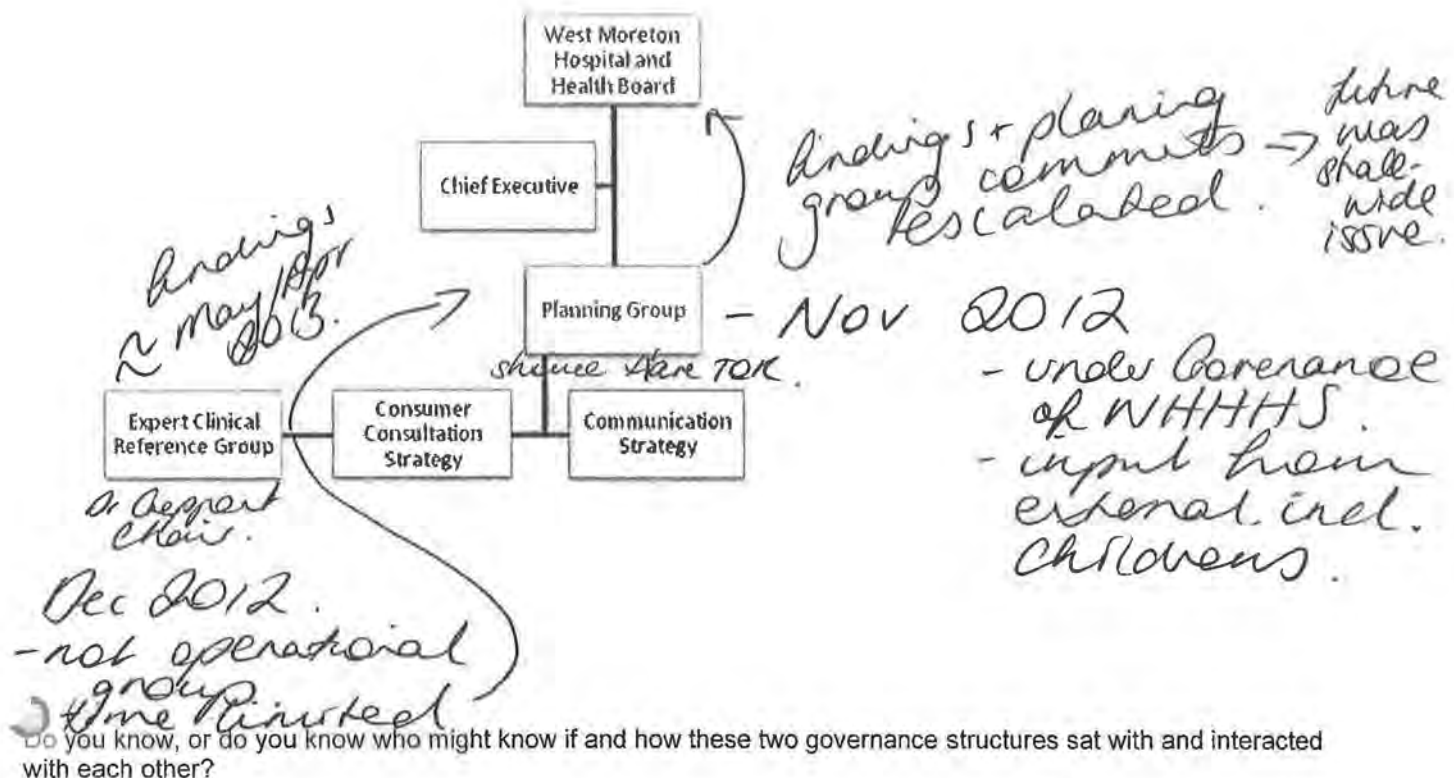
- Governance committee didn't interfere
- but helped to deal w/ issues.

Issues raised w/ Panel
hist reported weekly
to Management Committee
BAC weekly update.

Clinical Care Trans. Panel.

- initially set up under children's 'thought about'
- realised they were resp for future
- not 'discharge from another ITD'
- moved back to WMTT's

+ monthly transition planning update provided back to Stakeholder Committee.



Also, from the West Moreton structure, I've been unable to work out where the following bodies sit:

1. West Moreton Management Committee (BAC Weekly Update) – we do not currently have any terms of reference for this Committee; and
2. West Moreton Complex Care Review Panel – we do not have any terms of reference, agendas, minutes or other material produced by this panel.

And, we are missing terms of reference, agendas or minutes from the Expert Clinical Reference Group, Consumer Consultation Strategy and Communication Strategy, if in fact they exist (though, we do appear to have their output documents).

If you need to discuss with me today, I am available on email or my mobile –

Thanks.

Kind regards,

Kristi.

Kristi Geddes Senior Associate

 $t \cdot \square \quad f \cdot \square \quad m + (\square)$

Minter Ellison Lawyers

kristi [REDACTED] www.minterellison.com

From: Holly Ahern [mailto:holly.ahern@unimelb.edu.au]

Sent: Thursday 28 August 2014 02:55 pm

To: Kristi Geddes

Subject: RE: Barrett Centre Investigation - Instruments of Appointment [ME-ME.FID2743997]

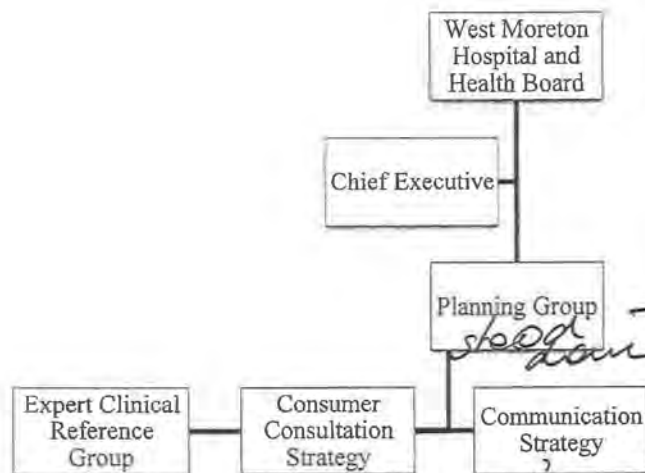
Thanks Kristi

As mentioned, I will endeavour to get you the finalised list of associated care coordinators tomorrow.

Kind Regards

Holly Ahern
Lawyer
Legal Services
Office of the Chief Executive
West Moreton Hospital and Health Service

WMAHS.



reported to some issues to children's.

taken over.

became management

Committee - different membership

less formal no TOR

clinical care transition panels.

met once a week.

addressing concerns raised - problem solving

BRI Kingwell

Shypher Bathis - also a member

~~Education also was~~

sometimes Dr Elizabeth Hooper sitting in

no committee, just strategy, endorsed by Planning Group continued under Management Committee.

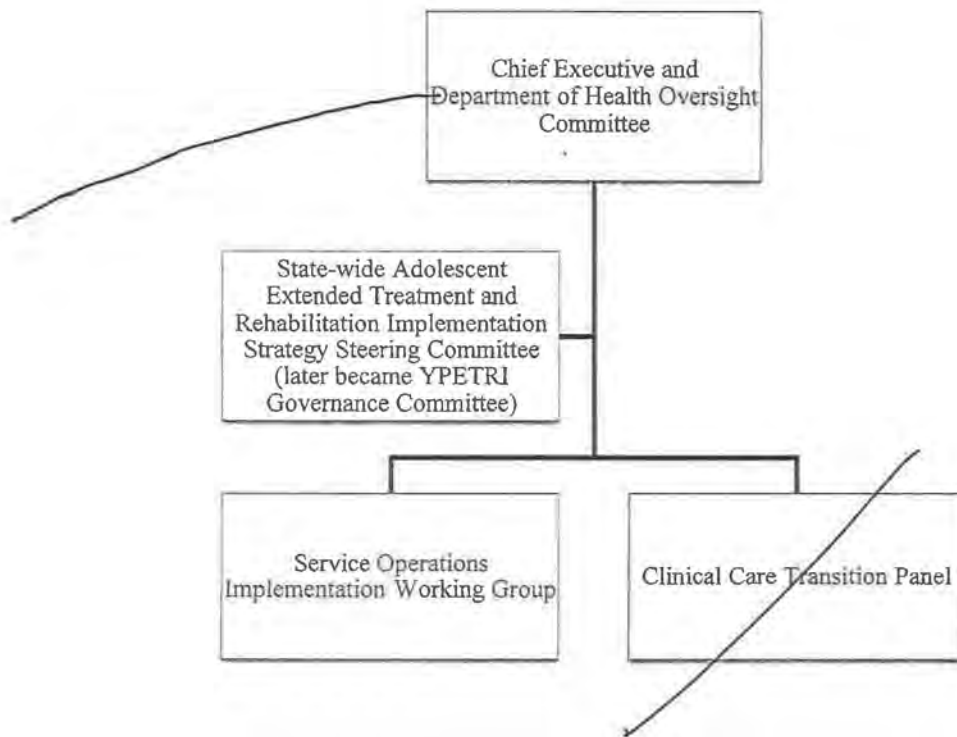
also through formal reporting to Dept + Minister

Shared all documentation both ways - informal arrangement shown in some drafts.

Barrett Adolescent Centre Timeline - Key Events

2012	September 2012	Appointment of Executive Director (ED), Mental Health and Specialised Services (MH&SS) Ms Sharon Kelly. Agreed commencement of Turn Around Plan for MH&SS to focus on contemporary service models and changing workforce culture
	25/10/2012	Meeting between ED, MH&SS and Mental Health Alcohol and Other Drugs Branch (Department of Health) for confidential briefing and concept development regarding closure of Barrett Adolescent Centre (BAC)
	2/11/2012	Initial confidential meeting with Director of BAC and Clinical Director (Dr Trevor Sadler) of The Park Centre for Mental Health (Dr Terry Stedman) regarding the options and future of BAC
	8/11/2012	Psychiatrist from another Hospital and Health Service "announced" without endorsement the potential closure of BAC during a hearing within the Child Protection Commission of Inquiry
	9/11/2012	Chief Executive (CE) (Ms Lesley Dwyer) and ED of MH&SS meeting with BAC Staff
	12/11/2012	Letter from CE to all BAC parents/carers regarding future of BAC
	15/11/2012	Commencement of Phase 1 of Barrett Adolescent Strategy - Planning Group Established. Planning Group governed by West Moreton Hospital and Health Service (WMHHS)
	23/11/2012	Barrett Adolescent Strategy Project Plan presented to WMHHS Board
	28/11/2012	CE WMHHS (Ms Lesley Dwyer) and CE Children's Health Queensland (Dr Peter Steer) commence communication regarding transition of statewide adolescent mental health extended services governance to Children's Health Queensland
	1/12/2012	Expert Clinical Reference Group (ECRG) established under the Planning Group of the Barrett Adolescent Strategy
	11/12/2012	Minister for Health, Opposition Leader and CE WMHHS meet to discuss Barrett future.
	14/12/2012	Minister for Health and Chief of Staff briefed by WMHHS Board Chair (Dr Mary Corbett), CE and ED MH&SS of West Moreton on significant culture changes planned for The Park Centre for Mental Health, inclusive of the Barrett Adolescent Centre
2013	5/03/2013	Petition for <i>Save the Barrett</i> tabled in Parliament
	15/04/2013	Barrett Adolescent Strategy Meeting: Dr Mohan Gilhotra Dr Michael Cleary and Dr Leanne Geppert, Ms Marie Kelly (Department of Health), Ms Lesley Dwyer Ms Sharon Kelly (WMHHS)
	8/05/2013	ECRG endorsed recommendations submitted to the Barrett Adolescent Strategy Planning Group
	11/05/2013	Dr Leanne Geppert seconded from Department of Health to WMHHS as Director of Strategy MH&SS
	24/05/2013	ECRG endorsed recommendations and Planning Group comments for BAC presented to WMHHS Board
	11/06/2013	future Model of Care governance meeting: Dr Peter Steer (CHQ), Ms Lesley Dwyer, Ms Sharon Kelly and Dr Leanne Geppert (WMHHS)
	17/06/2013	Barrett Adolescent Strategy Meeting to confirm proposed closure and support, Director General (Dr O'Connell), DDG Health Services and Clinical Innovation (Dr Cleary), Lesley Dwyer, Sharon Kelly and Dr Leanne Geppert(WMHHS)
	15/07/2013	Minister briefed by Chair of WMHHS Board (Dr Mary Corbett) and CE (Ms Lesley Dwyer) on progress of the turn around plan inclusive of the Barrett
	2/08/2013	Meeting with DDG Education, CE Ms Lesley Dwyer and Ed MH&SS Ms Kelly to discuss education future
	5/08/2013	Final preparation with key parties regarding pending announcement of BAC closure on 6/08/14
	6/08/2013	Minister for Health announces closure of BAC. BAC staff meetings regarding announcement. Parents/carers called regarding BAC closure announcement
	26/08/2013	Commencement of Phase 2 of Barrett Adolescent Strategy - Statewide Adolescent Extended Treatment and Rehabilitation Initiative
	30/08/2013	CE WMHHS (Ms Lesley Dwyer), ED MH&SS (Ms Sharon Kelly), Children's Health Qld (Dr Stephen Stathis) meeting with and Save the Barrett leader (AE)
	6/09/2013	Phone calls to BAC parents/carers regarding investigation of clinical governance
	9/09/2013	
	11/09/2013	Appointment of Acting Clinical Director of BAC (Dr A Brennan) by WMHHS. Additional support provided by Children's Health Qld - Acting Director of CYMHS Children's Health Qld (Dr Elisabeth Hoehn) to provide support to WMHHS to obtain adequate child and adolescent psychiatry cover for BAC in the absence of Dr Sadler (including After Hours roster cover). Due to complexity of BAC process, Dr Hoehn asked to continue in role of consultation liaison between Children's Health Qld and WMHHS until the closure of BAC.

16/09/2013	Weekly Barrett Adolescent Strategy oversight meetings for transition and closure commenced. WMHHS MH&SS Lead Staff - Ms Sharon Kelly (ED), Dr Leanne Geppert (Director of Strategy), Dr Terry Stedman (Clinical Director MH&SS), Mr Will Brennan (Director of Nursing), Ms Michelle Giles (Director Community Mental Health and Allied Health), Ms Laura Dyer (Project Officer to BAC Strategy - once she was appointed), Dr Elisabeth Hohn, Dr Anne Brennan. Other stakeholders invited to engage as required.
27/09/2013	BAC update presented to WMHHS Board
30/09/2013	Appointment of temporary project officer (non clinical position) Ms Laura Johnson to support transition and governance processes. Ms Johnson exited position 24/1/14 on maternity leave
1/10/2013	Statewide service model forum held. Queensland health staff, and other key stakeholders. Forum to plan for future service options need
17/10/2013	Chief Executive and Department of Health Oversight Committee convened for governance (including WMHHS, Children's Health Qld, Mental Health Alcohol & Other Drugs Branch, Department of Health, Metro South HHS)
7/11/2013	Phone calls to all parents/carers regarding progression of transition by ED of MH&SS
4/11/2013	to the Statewide Adolescent Extended Treatment and Rehabilitation Initiative Steering Committee regarding BAC and future service options and consumer need
12/11/2013	BAC meeting between Ms Lesley Dwyer, Ms Sharon Kelly, Dr Leanne Geppert (WMHHS) and Dr Bill Kingswell of Mental Health Alcohol and Other Drugs Branch (Department of Health)
21/11/2013	BAC meeting between Ms Lesley Dwyer, Dr Leanne Geppert (WMHHS) and Dr Stephen Stathis and Ms Ingrid Adamson (Children's Health Qld)
25/11/2013	CE of Children's Health Qld (Dr Peter Stear), CE WMHHS (Ms Lesley Dwyer) and Dr Stephen Stathis (Children's Health Qld) meet with
29/11/2013	Briefing and update to WMHHS Board
2/12/2013	Briefing to Minister for Health by WMHHS and Children's Health Qld
2/12/2013	Meeting with Education Queensland (Ms Lesley Dwyer and Ms Sharon Kelly). Meeting between Minister for Health, both Board Chairs of WM HHS and Children's Health Qld, both CE's of WM HHS and Children's Health Qld
10/12/2013	Renowned mental health expert from Victoria Health (Dr Sandra Radovini) joins with WMHHS and Children's Health Qld to meet with BAC parents/carers and discuss contemporary service models, Victorian experience of contemporary models, and Victorian lessons learned from change process. Dr Radovini also held dinner meeting for statewide Queensland Health staff regarding Victorian models of service for adolescents and 'hot topics' in adolescent mental health
December 2013 - January 2014	BAC Holiday Program implemented to support discharge and transition - Engaged local non government organisation to work with BAC clinical team in offering Holiday Program across school holidays
2014	31/01/2014
	Closure of BAC and decommissioning of building commenced subsequently
	Dr Anne Brennan continued as WMHHS until March 2014 to finalise all clinical requirements and followup as required of BAC patient cohort
	Dr Leanne Geppert continued as member of Children's Health Queensland Statewide Adolescent Extended Treatment and Rehabilitation Initiative (representing WMHHS)

Children

**File Note**

Author Kristi Geddes

Matter Queensland Health
Health Service Investigation - Barrett Adolescent Psychiatric Centre
1084936

Date 25 August 2014

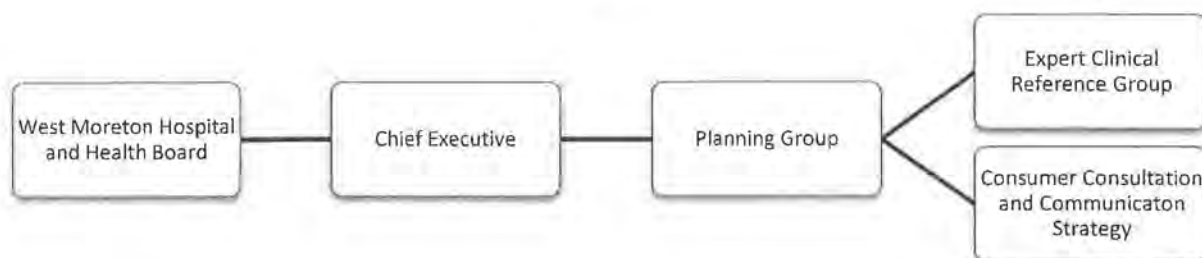
Subject Investigation and report framework

Introduction

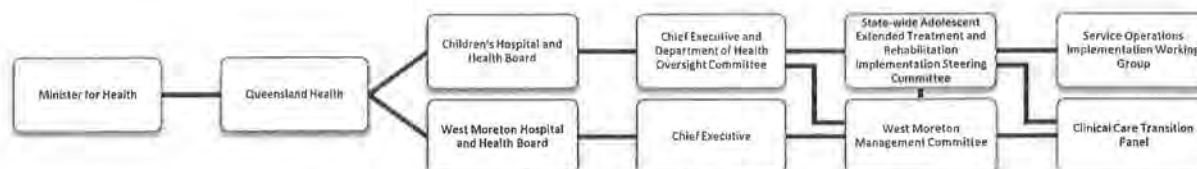
1. Background
2. Terms of Reference
3. Methodology
4. Evidence
5. Key Findings

Part A – Governance Model

1. Background
 - 1.1 Timeline of key events
 - (a) provided by WMHHS
 - 1.2 Summary
 - (a) Phase 1 (November 2013 to August 2013)
 - (b) Phase 2 (August 2013 to January 2014)
 - (c) Phase 3 (January 2014 onwards)
2. Summary of governance structures
 - (a) Phase 1 of Barrett Adolescent Strategy



(b) Phase 2 of Barrett Adolescent Strategy



3. Issues to be considered

- 3.1 Assess the governance model put in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage and oversight the healthcare transition plans for the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;
- 3.2 Advise if the governance model was appropriate given the nature and scope of the work required for the successful transition of the then patients to a community based model.

4. Review of relevant documents

- (a) Project Plan – 'Barrett Adolescent Strategy' (*provided by WMHHS*)
- (b) Minutes, agendas, reports and other papers from Adolescent Strategy Planning Group
- (c) Expert Clinical Reference Group Recommendations (*provided by WMHHS*)
- (d) Minutes, agendas, reports and other papers from Expert Clinical Reference Group
- (e) Minutes, agendas, reports and other papers from Steering Committee (*provided by Children's HHS*)
- (f) Minutes, agendas, reports and other papers from Chief Executive and Department of Health Oversight Committee (*provided by Children's HHS*)
- (g) West Moreton Management Committee (BAC weekly update) (*provided by WMHHS*)
- (h) Minutes, agendas, reports and other papers from Clinical Care Transition Panel (*provided by Children's HHS*)

- (i) Minutes, agendas, reports and other papers from West Moreton Complex Care Review Panel
- (j) WMHHS and Children's HHS Board Papers (*provided by WMHHS and Children's HHS*)
- (k) Other Project documents (*provided by WMHHS*)
- (l) Minutes, agendas, reports and other papers from Young Persons Extended Treatment and Rehabilitation Initiative Committee (*provided by Children's HHS*)
- (m) Minutes, agendas, reports and other papers from Service Operations Implementation Working Group

5. Further information provided

5.1 A meeting was convened between Kristi Geddes, Investigator, Sharon Kelly, Executive Director Mental Health and Specialist Services at WMHHS, and Dr Leeanne Geppert, Director of Strategy Mental Health and Specialised Services WMHHS, on 4 September 2014 to confirm the above governance arrangements.

5.2 During that meeting:

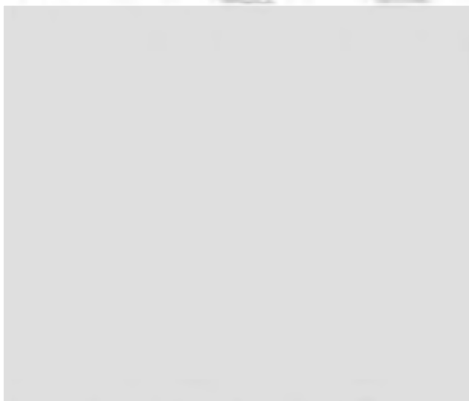
- (a) the Barrett Adolescent Centre Timeline – Key Events was utilised to further explain the governance structure in place during the different phases of the project and changes that were made;
- (b) it was confirmed that during phase 2 of the project, the governance structure overseen by the Children's HHS was focussed on and responsible for the future of mental health services for adolescents in Queensland, post the closure of BAC and the governance structure overseen by WMHHS was focussed on and primarily responsible for the transition and discharge of patients from BAC up until its closure;
- (c) it was confirmed that the West Moreton Management Committee was a less formal Committee than the previous Planning Group, but had membership from various stakeholders and met once a week to address any concerns raised during the transition process and assist in developing solutions;
- (d) it was confirmed that the following was in place to ensure communication between the two governance structures, primarily between the WMHHS Management Committee and Children's HHS Steering Committee:
 - (i) mutual committee membership by a number of practitioners from each HHS, including:
 - (A) Dr Leeanne Geppert;
 - (B) Dr Stephen Stathis (or his occasional proxy, Dr Elizabeth Hoehn;
 - (C) Dr Bill Kingswell;
 - (ii) informal input sought and received on the drafting and development of key material;
 - (iii) informal and open communication and sharing of documentation;

- (iv) regular formal reporting by both committees to the Department of Health and Minister for Health;
- (v) formal monthly reporting from Clinical Care Transition Panel to Steering Committee.

6. Findings

Part B – Transition Plans

1. Background and summary
 - (a) Generally of method employed to prepare and implement transition plans
 - (b) Relevant patients
2. Issues to be considered
3. Review of relevant documents – general
 - (a) Records from Clinical Care Transition Panel (*provided by Children's HHS*)
 - (b) Transition planning documents (*provided by WMHHS*)
 - (c) Communication with parents (*provided by WMHHS and Children's HHS*)
 - (d) Communication with staff (*provided by WMHHS*)
 - (e) Communication with aftercare providers (*provided by WMHHS*)
 - (f) Communication with other relevant stakeholders (*provided by WMHHS*)
4. Review of relevant documents – patient specific (complex patients)



5. Interviews with relevant staff
 - (a) RN Vanessa Clayworth
 - (b) RN Matthew Beswick
 - (c) RN Mara Kochardy
 - (d) RN Peta-Louise Yorke
 - (e) CN Susan Daniel

- (f) RN Rosangela Richardson
- (g) RN Moira Macleod
- (h) RN Brenton Page
- (i) RN Victoria Young
- (j) Dr Anne Brennan
- (k) Dr Trevor Sadler
- (l) Megan Hayes (OT)

6. Findings

- (a) General
- (b) Patient specific

Findings and Recommendations

CLIENT

MATTER

FILE NO

AUTHOR

DATE

TIME (start)

TIME (end)

PAGE

OF

Circle activity

With whom

TO

TI

CW

AT

Dr. Leeanne Geppert

→ goals / background

around time of Dr. Sadler
being stood downAverage length of stay
for PRS @ BAC?

MinterEllison

LAWYERS

CLIENT

DATE

/ /

MATTER

TIME (start)

am/pm

FILE NO

TIME (end)

am/pm

AUTHOR

PAGE

OF

Circle activity

With whom

TO

TI

CW

AT

Beth to interview:

- Anne Brennan

- Trevor Sadler

- CCs for deceased pts.

① Monday 13th October.② Tues. 14th Octoberor 15th October.

- Renew Governance

- Tanna to do the interviews

/ /

am/pm

am/pm

OF

RCA's -

CLIENT

DATE

5. 7. 14

MATTER

Barnett.

TIME (start)

am/pm

FILE NO

TIME (end)

am/pm

AUTHOR

Kxman.

PAGE

OF

Circle activity

With whom

Jacqui Kelle

TO

TI

CW

AT

Contacting staff/clinicians
Holly to be central HHJ
contact if they want
someone

Some have contacted
MDO/DNU - they may
want them to handle

There may be some ill-
from displaced staff

Will there be opportunity
to respond to any
adverse comments

Yes - any adverse
comments about
any firm/org
will have to be
responded.

CLIENT

MATTER

FILE NO

AUTHOR

DATE

TIME (start)

am/pm

TIME (end)

PAGE

Circle activity

With whom

TO

TI

CW

AT

will be seeking advice from
MDO [redacted]

Advised that line but
reiterated confidentiality
She is welcome to bring
support person.

I will send formal request
+ copy of relevant
instrument + TOR.

From: Kristi Geddes [REDACTED]
Sent: Friday, 5 September 2014 12:26 pm
To: [REDACTED]
Cc: Harry McCay
Subject: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]
Attachments: Letter to Dr Anne Brennan - 05.09.14.pdf; Appointments and Terms of Reference.pdf

Dear Dr Brennan

Please see **attached** correspondence.

Kind regards

Kristi Geddes Senior Associate

[REDACTED]
www.minterellison.com



5 September 2014

DX 102 BRISBANE www.minterellison.com

PRIVATE & CONFIDENTIAL

By email – [REDACTED]

Dr Anne Brennan
[REDACTED]

Dear Dr Brennan

Health Service Investigation - Barrett Adolescent Psychiatric Centre

Thank you for your time in discussing this matter with us this morning.

We confirm the appointment of Associate Professor Beth Kotze, Ms Tania Skippen and Kristi Geddes of our office as investigators for a Health Service Investigation in relation to the closure of the Barrett Adolescent Psychiatric Centre (**the Centre**) and transition of patients.

These appointments are pursuant to instruments of appointment dated 14 August 2014, copies of which are **enclosed**, together with the relevant Terms of Reference.

As you will note, part of the terms of reference for this investigation is to consider if the transition plans developed for individual patients was appropriate, including in light of information available to clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

As the Clinical Director of the Centre during the relevant period, the investigators consider your evidence is relevant for the investigation in this regard and request your assistance by attending an interview.

It is proposed that the interview take place at on 13 October 2014, at our offices on [REDACTED]. A/Prof Beth Kotze will be conducting the interview with you, and we anticipate it will take no longer than one hour. You are welcome to bring along a support person with you, but we reiterate the confidentiality of this process. Clinical records for individual patients will be available for your review during the interview.

Could you please confirm your availability and willingness to participate in the proposed interview?

We look forward to hearing from you.

5 September 2014

2

Yours faithfully
MINTER ELLISON



Contact: Kristi Geddes Direct phone: [REDACTED] Direct fax: [REDACTED]
Email: [REDACTED]
Partner responsible: Shane Evans Direct phone: [REDACTED]
Our reference: SGE KXMM 1084936

enclosure

cc: Harry McCay, Avant, [REDACTED]

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
108/2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

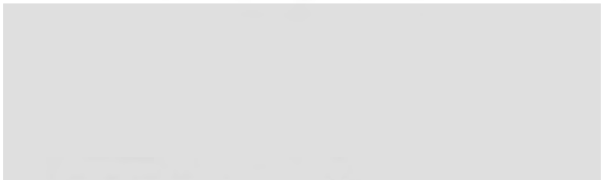
IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers, ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

INVESTIGATION INTO STATEWIDE TRANSITION AND CARE PLANNING MEASURES
FOLLOWING CLOSURE OF THE BARRETT ADOLESCENT CENTRE

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

- Note that a policy decision was made by Queensland Health in 2013 (and communicated by the Minister on 6 August 2013) to close the Barrett Adolescent Centre (BAC), Wacol, West Moreton Hospital and Health Service in January 2014 and move the mental health care for its adolescent patients from being institutionally-based in a stand-alone mental health facility to being community-based.
- Investigate and report on the statewide transition and healthcare planning measures undertaken by the Department of Health and West Moreton, Metro South and Children's Health Queensland Hospital and Health Services and any other relevant Hospital and Health Service in Queensland, in relation to the then current inpatients and day patients of the BAC.
- Note that three previous patients of the BAC have died in 2014 and that their deaths are currently being investigated by the Queensland Coroner.

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, as a health service investigator to conduct the investigation.

Ms Skippen is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists, and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers).

3. Scope of the investigation

The functions of the health service investigators are to:

- 3.1. investigate the following matters relating to the management, administration and delivery of public sector health services:
 - 3.1.1. Assess the governance model put in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage

and oversight the healthcare transition plans for the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;

- (a) Advise if the governance model was appropriate given the nature and scope of the work required for the successful transition of the then patients to a community based model;
- 3.1.2. Advise if the healthcare transition plans developed for individual patients by the transition team were adequate to meet the needs of the patients and their families;
- 3.1.3. Advise if the healthcare transition plans developed for individual patients by the transition team were appropriate and took into consideration patient care, patient support, patient safety, service quality, and advise if these healthcare transition plans were appropriate to support the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;
- 3.1.4. Based on the information available to clinicians and staff between 6 August 2013 and closure of the BAC in January 2014, advise if the individual healthcare transition plans for the then current inpatients and day patients of the BAC were appropriate. A detailed review of the healthcare transition plans for patients [REDACTED] should be undertaken.
- 3.2. Make findings and recommendations in a report under section 199 of the HHBA in relation to:
 - 3.2.1. the ways on which the management, administration or delivery of public sector health services, with particular regard to the matters identified in paragraph 3.1 above, can be maintained and improved; and
 - 3.2.2. any other matter identified during the course of the investigation.

The investigation is to proceed in accordance with the principles of natural justice.

4. Power of the Health Service Investigators

The health service investigators have authority pursuant to section 194 of the HHBA to access any documentation under the control of the Department of Health and/or any relevant Hospital and Health Service (including West Moreton, Metro South and Children's Health Queensland Hospital and Health Services) relevant to this investigation which may assist the investigation including 'confidential information' as defined in the HHBA, noting and complying with the confidentiality obligations as a health service investigator pursuant to the HHBA. The investigators should make every reasonable effort to obtain any other material or documentation that is relevant to these terms of reference.

5. Conduct of the investigation

- 5.1 The investigators have the authority under the HHBA to interview any person who may be able to provide information which assists in the investigation. The investigators may seek to interview persons who are not employees of Queensland Health who may be able to assist in their investigation. The investigators need only interview persons who can provide information that they believe is credible, relevant and significant to the matters under investigation.
- 5.2 The investigators are delegated the authority to give any appropriate lawful directions which may be required during the review. For example, to provide a lawful direction to an employee to maintain confidentiality, to attend an interview, or to provide copies of documents maintained by the relevant Department of Health and/or relevant Hospital and Health Service. The investigators will inform me of any failure to comply with a direction and I will advise regarding the approach that will be taken.
- 5.3 The investigators may co-opt specialist clinical, clinical governance, or human resource management expertise or opinion where they deem it appropriate. The investigators must obtain my prior approval, before incurring any expenses in this regard.
- 5.4 The investigators must provide persons participating in this investigation with the opportunity to attend an interview and to respond verbally and/or in writing to the specific matters under investigation. This will not include a formal skills assessment at this stage.
- 5.5 Material that is adverse to any person concerned in this investigation and credible, relevant and significant to the investigation is to be released to that person during the course of the investigation. Where this material is contained in writing, it is to be provided to that person within a reasonable time prior to any interview or with a reasonable timeframe to permit a written response. Prior to releasing documentation to the person, the investigators will consult with me as confidentiality undertakings may be required before the release of documentation to that person.
- 5.6 All evidence should be appended to the report. Excerpts from records of interview/statements that are credible, relevant and significant to the findings made by the investigators are to be quoted in the body of the report under the heading '*Assessment of Evidence*'.
- 5.7 The names of persons providing information to the investigators must be kept confidential and referred to in a de-identified form in the body of the report, unless the identification of the person is essential to ensure that natural justice is afforded to any particular person.
- 5.8 The report is to be finalised by **16 September 2014** unless otherwise agreed with myself.
- 5.9 If necessary, the investigator should report back to Annette McMullan, Chief Legal Counsel for further instructions during the course of the investigation.

SCHEDULE 2


INSTRUMENT OF INDEMNITY

Grant of Indemnity

The State of Queensland, through the Queensland Department of Health ("the Department"), agrees to indemnify Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the Indemnified") in respect of this health service investigation, as an "other person" as defined by and included within the terms and conditions of HR Policy 13, "Indemnity for Queensland Health Employees and Other Persons" as at the date of this Instrument.

14 AUG 2014

Signed this day of 2014.


IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH

MinterEllison

LAWYERS

CLIENT

DATE

MATTER

TIME (start)

am/pm

FILE NO

TIME (end)

am/pm

AUTHOR

PAGE

OF

Circle activity

With whom

TO

TI

CW

AT

Matthew Besnick

post + email pls.

Most clinical staff told to keep hands off transition.

Wld like to know legal basis of our request - is he req'd to attend?

Still employed by WMAHS - will include Kelly's details

From: Kristi Geddes [REDACTED]
Sent: Friday, 5 September 2014 02:26 pm
To: [REDACTED]
Subject: Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]
Attachments: Letter to Matthew Beswick - 05.09.14.pdf; Appointments and Terms of Reference.pdf

Dear Mr Beswick

Please see **attached** correspondence.

Kind regards

Kristi Geddes Senior Associate

[REDACTED]
www.minterellison.com

MinterEllison

L A W Y E R S

5 September 2014

DX 102 BRISBANE www.minterellison.com
T F

By post and email –

PRIVATE & CONFIDENTIAL

Matthew Beswick

Dear Mr Beswick

Health Service Investigation - Barrett Adolescent Psychiatric Centre

Thank you for your time in discussing this matter with us today.

We confirm the appointment of Associate Professor Beth Kotze, Ms Tania Skippen and Kristi Geddes of our office as investigators for a Health Service Investigation in relation to the closure of the Barrett Adolescent Psychiatric Centre (**the Centre**) and transition of patients.

These appointments are pursuant to instruments of appointment dated 14 August 2014, copies of which are **enclosed**, together with the relevant Terms of Reference.

Part of our terms of reference for this investigation is to consider if the transition plans developed for individual patients was appropriate, in light of information available to clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

As a staff member of the Centre during the relevant period and care co-ordinator for a number of the then inpatients of the Centre, the investigators consider your evidence is relevant for the investigation in this regard and request your assistance by attending an interview. As you will note, under the instrument of appointment, the investigators have been delegated authority under the *Hospital and Health Boards Act 2011* to interview any person who may be able to provide information which assists in the investigation.

It is proposed that the interview take place at on 13 October 2014, at our offices on A/Prof Beth Kotze will be conducting the interview with you, and we anticipate it will take no longer than one hour. You are welcome to bring along a support person with you, but we reiterate the confidentiality of this process. Clinical records for individual patients will be available for your review during the interview.

Could you please confirm your availability and willingness to participate in the proposed interview?

MINTER ELLISON GROUP AND ASSOCIATED OFFICES
ADELAIDE AUCKLAND BEIJING BRISBANE CANBERRA DARWIN GOLD COAST HONG KONG
LONDON MELBOURNE PERTH SHANGHAI SYDNEY ULAANBAATAR WELLINGTON

29 August 2014

2

Should you wish to discuss this with your employer, the relevant contact at West Moreton Hospital and Health Service is Holly Ahern, Legal Services, on [REDACTED]

We look forward to hearing from you.

Yours faithfully

MINTER ELLISON

[REDACTED]

Contact: Kristi Geddes Direct phone: [REDACTED] Direct fax: [REDACTED]
Email: [REDACTED]
Partner responsible: Shane Evans Direct phone: [REDACTED]
Our reference: SGE KXMM 1084936

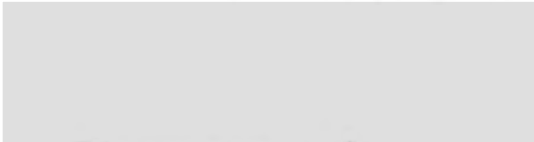
enclosure

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
7/08/2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by 16 September 2014 or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers, ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by 16 September 2014 or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tanla Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

INVESTIGATION INTO STATEWIDE TRANSITION AND CARE PLANNING MEASURES FOLLOWING CLOSURE OF THE BARRETT ADOLESCENT CENTRE

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

- Note that a policy decision was made by Queensland Health in 2013 (and communicated by the Minister on 6 August 2013) to close the Barrett Adolescent Centre (BAC), Wacol, West Moreton Hospital and Health Service in January 2014 and move the mental health care for its adolescent patients from being institutionally-based in a stand-alone mental health facility to being community-based.
- Investigate and report on the statewide transition and healthcare planning measures undertaken by the Department of Health and West Moreton, Metro South and Children's Health Queensland Hospital and Health Services and any other relevant Hospital and Health Service in Queensland, in relation to the then current inpatients and day patients of the BAC.
- Note that three previous patients of the BAC have died in 2014 and that their deaths are currently being investigated by the Queensland Coroner.

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, as a health service investigator to conduct the investigation.

Ms Skippen is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists, and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers).

3. Scope of the Investigation

The functions of the health service investigators are to:

- 3.1. investigate the following matters relating to the management, administration and delivery of public sector health services:
 - 3.1.1. Assess the governance model put in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage

and oversight the healthcare transition plans for the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;

- (a) Advise if the governance model was appropriate given the nature and scope of the work required for the successful transition of the then patients to a community based model;

3.1.2. Advise if the healthcare transition plans developed for individual patients by the transition team were adequate to meet the needs of the patients and their families;

3.1.3. Advise if the healthcare transition plans developed for individual patients by the transition team were appropriate and took into consideration patient care, patient support, patient safety, service quality, and advise if these healthcare transition plans were appropriate to support the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;

3.1.4. Based on the information available to clinicians and staff between 6 August 2013 and closure of the BAC in January 2014, advise if the individual healthcare transition plans for the then current inpatients and day patients of the BAC were appropriate. A detailed review of the healthcare transition plans for patients [REDACTED] should be undertaken.

3.2. Make findings and recommendations in a report under section 199 of the HHBA in relation to:

3.2.1. the ways on which the management, administration or delivery of public sector health services, with particular regard to the matters identified in paragraph 3.1 above, can be maintained and improved; and

3.2.2. any other matter identified during the course of the investigation.

The investigation is to proceed in accordance with the principles of natural justice.

4. Power of the Health Service Investigators

The health service investigators have authority pursuant to section 194 of the HHBA to access any documentation under the control of the Department of Health and/or any relevant Hospital and Health Service (including West Moreton, Metro South and Children's Health Queensland Hospital and Health Services) relevant to this investigation which may assist the investigation including 'confidential information' as defined in the HHBA, noting and complying with the confidentiality obligations as a health service investigator pursuant to the HHBA. The investigators should make every reasonable effort to obtain any other material or documentation that is relevant to these terms of reference.

5. Conduct of the Investigation

- 5.1 The investigators have the authority under the HHBA to interview any person who may be able to provide information which assists in the investigation. The investigators may seek to interview persons who are not employees of Queensland Health who may be able to assist in their investigation. The investigators need only interview persons who can provide information that they believe is credible, relevant and significant to the matters under investigation.
- 5.2 The investigators are delegated the authority to give any appropriate lawful directions which may be required during the review. For example, to provide a lawful direction to an employee to maintain confidentiality, to attend an interview, or to provide copies of documents maintained by the relevant Department of Health and/or relevant Hospital and Health Service. The investigators will inform me of any failure to comply with a direction and I will advise regarding the approach that will be taken.
- 5.3 The investigators may co-opt specialist clinical, clinical governance, or human resource management expertise or opinion where they deem it appropriate. The investigators must obtain my prior approval, before incurring any expenses in this regard.
- 5.4 The investigators must provide persons participating in this investigation with the opportunity to attend an interview and to respond verbally and/or in writing to the specific matters under investigation. This will not include a formal skills assessment at this stage.
- 5.5 Material that is adverse to any person concerned in this investigation and credible, relevant and significant to the investigation is to be released to that person during the course of the investigation. Where this material is contained in writing, it is to be provided to that person within a reasonable time prior to any interview or with a reasonable timeframe to permit a written response. Prior to releasing documentation to the person, the investigators will consult with me as confidentiality undertakings may be required before the release of documentation to that person.
- 5.6 All evidence should be appended to the report. Excerpts from records of interview/statements that are credible, relevant and significant to the findings made by the investigators are to be quoted in the body of the report under the heading *'Assessment of Evidence'*.
- 5.7 The names of persons providing information to the investigators must be kept confidential and referred to in a de-identified form in the body of the report, unless the identification of the person is essential to ensure that natural justice is afforded to any particular person.
- 5.8 The report is to be finalised by **16 September 2014** unless otherwise agreed with myself.
- 5.9 If necessary, the investigator should report back to Annette McMullan, Chief Legal Counsel for further instructions during the course of the investigation.

SCHEDULE 2

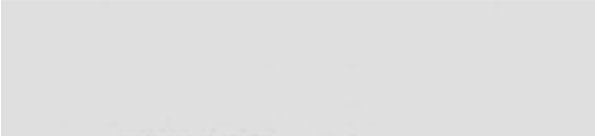
INSTRUMENT OF INDEMNITY

Grant of Indemnity

The State of Queensland, through the Queensland Department of Health ("the Department"), agrees to indemnify Ms Tanla Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the indemnified") in respect of this health service investigation, as an "other person" as defined by and included within the terms and conditions of HR Policy 13, "Indemnity for Queensland Health Employees and Other Persons" as at the date of this instrument.

14 AUG 2014

Signed this day of 2014.


IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH

KG-20

From: Harry McCay [REDACTED]
Sent: Friday, 5 September 2014 12:39 pm
To: Kristi Geddes
Subject: RE: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]

Thanks Kristi

Please note I have a Medical Board matter on in the morning which should be finished by lunch time so could we do it in the afternoon please. Could we also please have copies of all records for patients about whom Associate Professor Kotze wishes to interview Dr Brennan at least 7 days before hand together with an indication of the sorts of issues which are likely to be raised. Obviously if the investigators have any information or material which is critical of Dr Brennan in any way it will be necessary for there to be a clear statement of those matters. I am not by this request suggesting that there is any such material in existence. I am simply protecting my client's rights in circumstances where I am aware that there has been publicity about the centre's closure and criticism of the process.

Harry McCay

From: Kate Blatchly [mailto:[REDACTED]] **On Behalf Of** Kristi Geddes
Sent: Friday, 5 September 2014 12:26 PM
To: [REDACTED]
Cc: Harry S
Subject: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]

Dear Dr Brennan

Please see **attached** correspondence.

Kind regards

Kristi Geddes Senior Associate
[REDACTED]
[REDACTED] www.minterellison.com



Please consider the environment before printing this email

IMPORTANT INFORMATION - PLEASE READ

This email and any attachments are confidential and may be legally privileged (in which case neither is waived or lost by mistaken delivery). Please notify us if you have received this message in error, and remove both emails from your system. Any unauthorised use is expressly prohibited. Minter Ellison collects personal information to provide and market our services (see our privacy policy at <http://www.minterellison.com> for more information about use, disclosure and access). Minter Ellison's liability in connection with transmitting, unauthorised access to, or viruses in this message and its attachments, is limited to re-supplying this message and its attachments.

Harry McCay
Queensland State Manager

Avant Mutual Group Limited

Direct: [REDACTED]
Mobile: [REDACTED]
Email: [REDACTED]

Website: www.avant.org.au

Postal Address: GPO Box 5252, Brisbane Qld 4001

To find out more visit www.avant.org.au/risk/ig

FREECALL
FREEFAX



Please consider the environment before printing this email

IMPORTANT NOTICE This email, along with any attachments, is for the use of the intended recipient(s) only. If you are not the intended recipient(s), or if you have received this email in error, please immediately notify the sender by telephone or by return email. You should also delete this email message and destroy any hard copies produced. Unless indicated otherwise in this email, the views expressed are those of the sender and do not constitute advice or commitment by or on behalf of Avant Mutual Group Limited ABN 58 123 154 898 or any of its subsidiary companies including Avant Insurance Limited ABN 82 003 707 471, AFSL 238765. The sender does not warrant this message (including attachments) is free from computer virus or defect. Loss or damage incurred in use is not the responsibility of the sender. Information in this email does not take account of your objectives, financial situation, or needs. It is important for you to consider these matters and, if the email refers to a product(s), you should read the relevant Product Disclosure Statement(s)/other disclosure document(s) before making any decisions.

CLIENT

DATE

8.9.14

MATTER

Barnett

TIME (start)

am/pm

FILE NO

TIME (end)

am/pm

AUTHOR

Kxnm

PAGE

OF

Circle activity

With whom

Peta-Louise Yanke

TO

TI

CW

AT

by post + email please.

can the bring union ?
 upto the - reminder of
 he: confidentiality but
 can bring opposite per-

From: Kristi Geddes [REDACTED]
Sent: Monday, 8 September 2014 11:53 am
To: [REDACTED]
Subject: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]
Attachments: Letter to Peta-Louise Yorke - 08.09.14.pdf; Appointments and Terms of Reference.pdf

Dear Ms Yorke

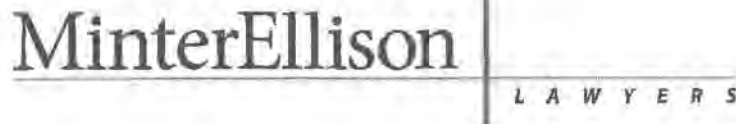
Please see **attached** correspondence.

Kind regards

Kristi Geddes Senior Associate

Minter Ellison Lawyers [REDACTED]

www.minterellison.com



8 September 2014

DX 102 BRISBANE www.minterellison.com

By post and email – [REDACTED]

PRIVATE & CONFIDENTIAL

Peta-Louise Yorke
[REDACTED]

Dear Ms Yorke

Health Service Investigation - Barrett Adolescent Psychiatric Centre

Thank you for your time in discussing this matter with us this morning.

We confirm the appointment of Associate Professor Beth Kotze, Ms Tania Skippen and Kristi Geddes of our office as investigators for a Health Service Investigation in relation to the closure of the Barrett Adolescent Psychiatric Centre (**the Centre**) and transition of patients.

These appointments are pursuant to instruments of appointment dated 14 August 2014, copies of which are **enclosed**, together with the relevant Terms of Reference.

Part of our terms of reference for this investigation is to consider if the transition plans developed for individual patients was appropriate, in light of information available to clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

As a staff member of the Centre during the relevant period and care co-ordinator for a number of the then inpatients of the Centre, the investigators consider your evidence is relevant for the investigation in this regard and request your assistance by attending an interview. As you will note, under the instrument of appointment, the investigators have been delegated authority under the *Hospital and Health Boards Act 2011* to interview any person who may be able to provide information which assists in the investigation.

It is proposed that the interview take place at on 13 October 2014, at our offices on [REDACTED] A/Prof Beth Kotze will be conducting the interview with you, and we anticipate it will take no longer than one hour. You are welcome to bring along a support person with you, but we reiterate the confidentiality of this process. Clinical records for individual patients will be available for your review during the interview.

Could you please confirm your availability to participate in the proposed interview?

We look forward to hearing from you.

MINTER ELLISON GROUP AND ASSOCIATED OFFICES
ADELAIDE AUCKLAND BEIJING BRISBANE CANBERRA DARWIN GOLD COAST HONG KONG
LONDON MELBOURNE PERTH SHANGHAI SYDNEY ULANBAATAR WELLINGTON

8 September 2014

2

Yours faithfully

MINTER ELLISON



Contact: ☒ Kristi Geddes Direct phone: Direct fax:
Email:
Partner responsible: Shane Evans Direct phone:
Our reference: SGE KXMM 1084936

enclosure

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
108/2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by 16 September 2014 or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

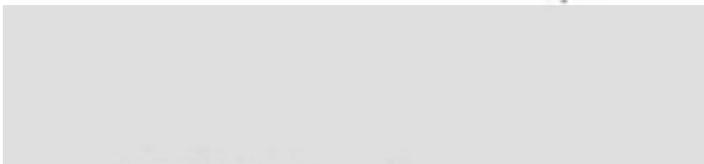
IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers, ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

INVESTIGATION INTO STATEWIDE TRANSITION AND CARE PLANNING MEASURES
FOLLOWING CLOSURE OF THE BARRETT ADOLESCENT CENTRE

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

- Note that a policy decision was made by Queensland Health in 2013 (and communicated by the Minister on 6 August 2013) to close the Barrett Adolescent Centre (BAC), Wacol, West Moreton Hospital and Health Service in January 2014 and move the mental health care for its adolescent patients from being institutionally-based in a stand-alone mental health facility to being community-based.
- Investigate and report on the statewide transition and healthcare planning measures undertaken by the Department of Health and West Moreton, Metro South and Children's Health Queensland Hospital and Health Services and any other relevant Hospital and Health Service in Queensland, in relation to the then current inpatients and day patients of the BAC.
- Note that three previous patients of the BAC have died in 2014 and that their deaths are currently being investigated by the Queensland Coroner.

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, as a health service investigator to conduct the investigation.

Ms Skippen is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists, and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers).

3. Scope of the investigation

The functions of the health service investigators are to:

- 3.1. Investigate the following matters relating to the management, administration and delivery of public sector health services:
 - 3.1.1. Assess the governance model put in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage

and oversight the healthcare transition plans for the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;

- (a) Advise if the governance model was appropriate given the nature and scope of the work required for the successful transition of the then patients to a community based model;
- 3.1.2. Advise if the healthcare transition plans developed for individual patients by the transition team were adequate to meet the needs of the patients and their families;
- 3.1.3. Advise if the healthcare transition plans developed for individual patients by the transition team were appropriate and took into consideration patient care, patient support, patient safety, service quality, and advise if these healthcare transition plans were appropriate to support the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;
- 3.1.4. Based on the information available to clinicians and staff between 6 August 2013 and closure of the BAC in January 2014, advise if the individual healthcare transition plans for the then current inpatients and day patients of the BAC were appropriate. A detailed review of the healthcare transition plans for patients [REDACTED] should be undertaken.
- 3.2. Make findings and recommendations in a report under section 199 of the HHBA in relation to:
 - 3.2.1. the ways on which the management, administration or delivery of public sector health services, with particular regard to the matters identified in paragraph 3.1 above, can be maintained and improved; and
 - 3.2.2. any other matter identified during the course of the investigation.

The investigation is to proceed in accordance with the principles of natural justice.

4. Power of the Health Service Investigators

The health service investigators have authority pursuant to section 194 of the HHBA to access any documentation under the control of the Department of Health and/or any relevant Hospital and Health Service (including West Moreton, Metro South and Children's Health Queensland Hospital and Health Services) relevant to this investigation which may assist the investigation including 'confidential information' as defined in the HHBA, noting and complying with the confidentiality obligations as a health service investigator pursuant to the HHBA. The investigators should make every reasonable effort to obtain any other material or documentation that is relevant to these terms of reference.

5. Conduct of the investigation

- 5.1 The investigators have the authority under the HHBA to interview any person who may be able to provide information which assists in the investigation. The investigators may seek to interview persons who are not employees of Queensland Health who may be able to assist in their investigation. The investigators need only interview persons who can provide information that they believe is credible, relevant and significant to the matters under investigation.
- 5.2 The investigators are delegated the authority to give any appropriate lawful directions which may be required during the review. For example, to provide a lawful direction to an employee to maintain confidentiality, to attend an interview, or to provide copies of documents maintained by the relevant Department of Health and/or relevant Hospital and Health Service. The investigators will inform me of any failure to comply with a direction and I will advise regarding the approach that will be taken.
- 5.3 The investigators may co-opt specialist clinical, clinical governance, or human resource management expertise or opinion where they deem it appropriate. The investigators must obtain my prior approval, before incurring any expenses in this regard.
- 5.4 The investigators must provide persons participating in this investigation with the opportunity to attend an interview and to respond verbally and/or in writing to the specific matters under investigation. This will not include a formal skills assessment at this stage.
- 5.5 Material that is adverse to any person concerned in this investigation and credible, relevant and significant to the investigation is to be released to that person during the course of the investigation. Where this material is contained in writing, it is to be provided to that person within a reasonable time prior to any interview or with a reasonable timeframe to permit a written response. Prior to releasing documentation to the person, the investigators will consult with me as confidentiality undertakings may be required before the release of documentation to that person.
- 5.6 All evidence should be appended to the report. Excerpts from records of interview/statements that are credible, relevant and significant to the findings made by the investigators are to be quoted in the body of the report under the heading '*Assessment of Evidence*'.
- 5.7 The names of persons providing information to the investigators must be kept confidential and referred to in a de-identified form in the body of the report, unless the identification of the person is essential to ensure that natural justice is afforded to any particular person.
- 5.8 The report is to be finalised by **16 September 2014** unless otherwise agreed with myself.
- 5.9 If necessary, the investigator should report back to Annette McMullan, Chief Legal Counsel for further instructions during the course of the investigation.

SCHEDULE 2
INSTRUMENT OF INDEMNITY

Grant of Indemnity

The State of Queensland, through the Queensland Department of Health ("the Department"), agrees to indemnify Ms Tanja Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the indemnified") in respect of this health service investigation, as an "other person" as defined by and included within the terms and conditions of HR Policy 13, "Indemnity for Queensland Health Employees and Other Persons" as at the date of this Instrument.

14 AUG 2014

Signed this day of 2014.

.....
DIRECTOR-GENERAL
QUEENSLAND HEALTH

MinterEllison

LAWYERS

CLIENT

MATTER

FILE NO

AUTHOR

DATE

TIME (start)

TIME (end)

PAGE

OF

Circle activity

With whom

TO

TI

CW

AT

PO Box is preferred.

will be contacting me
- thank you

From: Kristi Geddes [REDACTED]
Sent: Monday, 8 September 2014 11:55 am
To: [REDACTED]
Subject: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]
Attachments: Letter to Dr Trevor Sadler - 08.09.14.pdf; Appointments and Terms of Reference.pdf

Dear Dr Sadler

Please see **attached** correspondence.

Kind regards

Kristi Geddes Senior Associate

Minter Ellison Lawyers Waterfront Place • 1 Eagle Street • Brisbane • QLD 4000
[REDACTED] www.minterellison.com

MinterEllison

L A W Y E R S

8 September 2014

DX 102 BRISBANE www.minterellison.com

T F

By post and email –

PRIVATE & CONFIDENTIAL

Dr Trevor Sadler

Dear Dr Sadler

Health Service Investigation - Barrett Adolescent Psychiatric Centre

Thank you for your time in discussing this matter with us this morning.

We confirm the appointment of Associate Professor Beth Kotze, Ms Tania Skippen and Kristi Geddes of our office as investigators for a Health Service Investigation in relation to the closure of the Barrett Adolescent Psychiatric Centre (**the Centre**) and transition of patients.

These appointments are pursuant to instruments of appointment dated 14 August 2014, copies of which are **enclosed**, together with the relevant Terms of Reference.

As you will note, part of the terms of reference for this investigation is to consider if the transition plans developed for individual patients was appropriate, including in light of information available to clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

As the Clinical Director of the Centre for a part of the relevant period, the investigators consider your evidence is relevant for the investigation in this regard and request your assistance by attending an interview.

It is proposed that the interview take place at on 13 October 2014, at our offices on A/Prof Beth Kotze will be conducting the interview with you, and we anticipate it will take no longer than one hour. You are welcome to bring along a support person with you, but we reiterate the confidentiality of this process. Clinical records for individual patients will be available for your review during the interview.

Could you please confirm your availability and willingness to participate in the proposed interview?

We look forward to hearing from you.

MINTER ELLISON GROUP AND ASSOCIATED OFFICES

ADELAIDE AUCKLAND BEIJING BRISBANE CANBERRA DARWIN GOLD COAST HONG KONG
LONDON MELBOURNE PERTH SHANGHAI SYDNEY ULAANBAATAR WELLINGTON

8 September 2014

2

Yours faithfully

MINTER ELLISON ,

[Redacted signature block]

Contact: Kristi Geddes Direct phone: +[Redacted]

Email: [Redacted]

Partner responsible: Shane Evans Direct phone: [Redacted]

Our reference: SGE KXMM 1084936

enclosure

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by 16 September 2014 or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Tanla Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

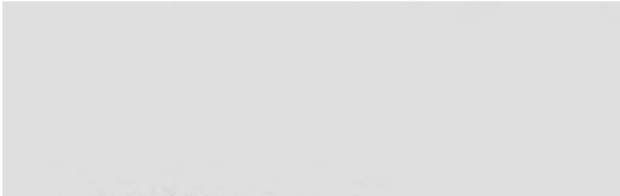
IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers, ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

INVESTIGATION INTO STATEWIDE TRANSITION AND CARE PLANNING MEASURES
FOLLOWING CLOSURE OF THE BARRETT ADOLESCENT CENTRE

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

- Note that a policy decision was made by Queensland Health in 2013 (and communicated by the Minister on 6 August 2013) to close the Barrett Adolescent Centre (BAC), Wacol, West Moreton Hospital and Health Service in January 2014 and move the mental health care for its adolescent patients from being institutionally-based in a stand-alone mental health facility to being community-based.
- Investigate and report on the statewide transition and healthcare planning measures undertaken by the Department of Health and West Moreton, Metro South and Children's Health Queensland Hospital and Health Services and any other relevant Hospital and Health Service in Queensland, in relation to the then current inpatients and day patients of the BAC.
- Note that three previous patients of the BAC have died in 2014 and that their deaths are currently being investigated by the Queensland Coroner.

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, as a health service investigator to conduct the investigation.

Ms Skippen is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists, and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers).

3. Scope of the investigation

The functions of the health service investigators are to:

- 3.1. investigate the following matters relating to the management, administration and delivery of public sector health services:
 - 3.1.1. Assess the governance model put in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage

and oversight the healthcare transition plans for the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;

- (a) Advise if the governance model was appropriate given the nature and scope of the work required for the successful transition of the then patients to a community based model;
- 3.1.2. Advise if the healthcare transition plans developed for individual patients by the transition team were adequate to meet the needs of the patients and their families;
- 3.1.3. Advise if the healthcare transition plans developed for individual patients by the transition team were appropriate and took into consideration patient care, patient support, patient safety, service quality, and advise if these healthcare transition plans were appropriate to support the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;
- 3.1.4. Based on the information available to clinicians and staff between 6 August 2013 and closure of the BAC in January 2014, advise if the individual healthcare transition plans for the then current inpatients and day patients of the BAC were appropriate. A detailed review of the healthcare transition plans for patients [REDACTED] should be undertaken.
- 3.2. Make findings and recommendations in a report under section 199 of the HHBA in relation to:
 - 3.2.1. the ways on which the management, administration or delivery of public sector health services, with particular regard to the matters identified in paragraph 3.1 above, can be maintained and improved; and
 - 3.2.2. any other matter identified during the course of the investigation.

The investigation is to proceed in accordance with the principles of natural justice.

4. Power of the Health Service Investigators

The health service investigators have authority pursuant to section 194 of the HHBA to access any documentation under the control of the Department of Health and/or any relevant Hospital and Health Service (including West Moreton, Metro South and Children's Health Queensland Hospital and Health Services) relevant to this investigation which may assist the investigation including 'confidential information' as defined in the HHBA, noting and complying with the confidentiality obligations as a health service investigator pursuant to the HHBA. The investigators should make every reasonable effort to obtain any other material or documentation that is relevant to these terms of reference.

5. Conduct of the investigation

- 5.1 The investigators have the authority under the HHBA to interview any person who may be able to provide information which assists in the investigation. The investigators may seek to interview persons who are not employees of Queensland Health who may be able to assist in their investigation. The investigators need only interview persons who can provide information that they believe is credible, relevant and significant to the matters under investigation.
- 5.2 The investigators are delegated the authority to give any appropriate lawful directions which may be required during the review. For example, to provide a lawful direction to an employee to maintain confidentiality, to attend an interview, or to provide copies of documents maintained by the relevant Department of Health and/or relevant Hospital and Health Service. The investigators will inform me of any failure to comply with a direction and I will advise regarding the approach that will be taken.
- 5.3 The Investigators may co-opt specialist clinical, clinical governance, or human resource management expertise or opinion where they deem it appropriate. The investigators must obtain my prior approval, before incurring any expenses in this regard.
- 5.4 The investigators must provide persons participating in this investigation with the opportunity to attend an interview and to respond verbally and/or in writing to the specific matters under investigation. This will not include a formal skills assessment at this stage.
- 5.5 Material that is adverse to any person concerned in this investigation and credible, relevant and significant to the investigation is to be released to that person during the course of the investigation. Where this material is contained in writing, it is to be provided to that person within a reasonable time prior to any interview or with a reasonable timeframe to permit a written response. Prior to releasing documentation to the person, the investigators will consult with me as confidentiality undertakings may be required before the release of documentation to that person.
- 5.6 All evidence should be appended to the report. Excerpts from records of interview/statements that are credible, relevant and significant to the findings made by the investigators are to be quoted in the body of the report under the heading *'Assessment of Evidence'*.
- 5.7 The names of persons providing information to the investigators must be kept confidential and referred to in a de-identified form in the body of the report, unless the identification of the person is essential to ensure that natural justice is afforded to any particular person.
- 5.8 The report is to be finalised by **16 September 2014** unless otherwise agreed with myself.
- 5.9 If necessary, the investigator should report back to Annette McMullan, Chief Legal Counsel for further instructions during the course of the investigation.

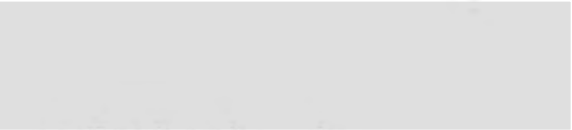
SCHEDULE 2
INSTRUMENT OF INDEMNITY

Grant of Indemnity

The State of Queensland, through the Queensland Department of Health ("the Department"), agrees to indemnify Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the indemnified") in respect of this health service investigation, as an "other person" as defined by and included within the terms and conditions of HR Policy 13, "Indemnity for Queensland Health Employees and Other Persons" as at the date of this Instrument.

14 AUG 2014

Signed this day of 2014.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH

MinterEllison

L A W Y E R S

CLIENT

MATTER

FILE NO

AUTHOR

DATE

TIME (start)

TIME (end)

PAGE

OF

am/pm

am/pm

Circle activity

With whom

TO

TI

CW

AT


email preferences

From: Kristi Geddes [REDACTED]
Sent: Monday, 8 September 2014 02:22 pm
To: [REDACTED]
Subject: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]
Attachments: Letter to Mara Kochardy - 08.09.14.pdf; Appointments and Terms of Reference.pdf

Dear Ms Kochardy

Please see **attached** correspondence,

Kind regards

Kristi Geddes Senior Associate

[REDACTED]
Minter Ellison Lawyers [REDACTED]

www.minterellison.com

MinterEllison

L A W Y E R S

8 September 2014

DX 102 BRISBANE www.minterellison.com

T F

PRIVATE & CONFIDENTIAL

By email –

Mara Kochardy

Dear Ms Kochardy

Health Service Investigation - Barrett Adolescent Psychiatric Centre

Thank you for your time in discussing this matter with us this morning.

We confirm the appointment of Associate Professor Beth Kotze, Ms Tania Skippen and Kristi Geddes of our office as investigators for a Health Service Investigation in relation to the closure of the Barrett Adolescent Psychiatric Centre (**the Centre**) and transition of patients.

These appointments are pursuant to instruments of appointment dated 14 August 2014, copies of which are **enclosed**, together with the relevant Terms of Reference.

Part of our terms of reference for this investigation is to consider if the transition plans developed for individual patients was appropriate, in light of information available to clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

As a staff member of the Centre during the relevant period and care co-ordinator for a number of the then inpatients of the Centre, the investigators consider your evidence is relevant for the investigation in this regard and request your assistance by attending an interview. As you will note, under the instrument of appointment, the investigators have been delegated authority under the *Hospital and Health Boards Act 2011* to interview any person who may be able to provide information which assists in the investigation.

It is proposed that the interview take place at on 13 October 2014, at our offices on A/Prof Beth Kotze will be conducting the interview with you, and we anticipate it will take no longer than one hour. You are welcome to bring along a support person with you, but we reiterate the confidentiality of this process. Clinical records for individual patients will be available for your review during the interview.

Could you please confirm your availability to participate in the proposed interview?

We look forward to hearing from you.

MINTER ELLISON GROUP AND ASSOCIATED OFFICES

ADELAIDE AUCKLAND BEIJING BRISBANE CANBERRA DARWIN GOLD COAST HONG KONG
LONDON MELBOURNE PERTH SHANGHAI SYDNEY ULAANBAATAR WELLINGTON

8 September 2014

2

Yours faithfully
MINTER ELLISON

[Redacted signature block]

Contact: Kristi Geddes Direct phone: [Redacted] Direct fax: [Redacted]
Email: [Redacted]
Partner responsible: Shane Evans Direct phone: [Redacted]
Our reference: SGE KXMM 1084936


enclosure

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers, ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
108 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

INVESTIGATION INTO STATEWIDE TRANSITION AND CARE PLANNING MEASURES
FOLLOWING CLOSURE OF THE BARRETT ADOLESCENT CENTRE

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

- Note that a policy decision was made by Queensland Health in 2013 (and communicated by the Minister on 6 August 2013) to close the Barrett Adolescent Centre (BAC), Wacol, West Moreton Hospital and Health Service in January 2014 and move the mental health care for its adolescent patients from being institutionally-based in a stand-alone mental health facility to being community-based.
- Investigate and report on the statewide transition and healthcare planning measures undertaken by the Department of Health and West Moreton, Metro South and Children's Health Queensland Hospital and Health Services and any other relevant Hospital and Health Service in Queensland, in relation to the then current inpatients and day patients of the BAC.
- Note that three previous patients of the BAC have died in 2014 and that their deaths are currently being investigated by the Queensland Coroner.

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, as a health service investigator to conduct the investigation.

Ms Skippen is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists, and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers).

3. Scope of the investigation

The functions of the health service investigators are to:

- 3.1. Investigate the following matters relating to the management, administration and delivery of public sector health services:
 - 3.1.1. Assess the governance model put in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage

and oversight the healthcare transition plans for the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;

- (a) Advise if the governance model was appropriate given the nature and scope of the work required for the successful transition of the then patients to a community based model;
- 3.1.2. Advise if the healthcare transition plans developed for individual patients by the transition team were adequate to meet the needs of the patients and their families;
- 3.1.3. Advise if the healthcare transition plans developed for individual patients by the transition team were appropriate and took into consideration patient care, patient support, patient safety, service quality, and advise if these healthcare transition plans were appropriate to support the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;
- 3.1.4. Based on the information available to clinicians and staff between 6 August 2013 and closure of the BAC in January 2014, advise if the individual healthcare transition plans for the then current inpatients and day patients of the BAC were appropriate. A detailed review of the healthcare transition plans for patients [REDACTED] should be undertaken.
- 3.2. Make findings and recommendations in a report under section 199 of the HHBA in relation to:
 - 3.2.1. the ways on which the management, administration or delivery of public sector health services, with particular regard to the matters identified in paragraph 3.1 above, can be maintained and improved; and
 - 3.2.2. any other matter identified during the course of the investigation.

The investigation is to proceed in accordance with the principles of natural justice.

4. Power of the Health Service Investigators

The health service investigators have authority pursuant to section 194 of the HHBA to access any documentation under the control of the Department of Health and/or any relevant Hospital and Health Service (including West Moreton, Metro South and Children's Health Queensland Hospital and Health Services) relevant to this investigation which may assist the investigation including 'confidential information' as defined in the HHBA, noting and complying with the confidentiality obligations as a health service investigator pursuant to the HHBA. The investigators should make every reasonable effort to obtain any other material or documentation that is relevant to these terms of reference.

5. Conduct of the investigation

- 5.1 The investigators have the authority under the HHBA to interview any person who may be able to provide information which assists in the investigation. The investigators may seek to interview persons who are not employees of Queensland Health who may be able to assist in their investigation. The investigators need only interview persons who can provide information that they believe is credible, relevant and significant to the matters under investigation.
- 5.2 The investigators are delegated the authority to give any appropriate lawful directions which may be required during the review. For example, to provide a lawful direction to an employee to maintain confidentiality, to attend an interview, or to provide copies of documents maintained by the relevant Department of Health and/or relevant Hospital and Health Service. The investigators will inform me of any failure to comply with a direction and I will advise regarding the approach that will be taken.
- 5.3 The investigators may co-opt specialist clinical, clinical governance, or human resource management expertise or opinion where they deem it appropriate. The investigators must obtain my prior approval, before incurring any expenses in this regard.
- 5.4 The investigators must provide persons participating in this investigation with the opportunity to attend an interview and to respond verbally and/or in writing to the specific matters under investigation. This will not include a formal skills assessment at this stage.
- 5.5 Material that is adverse to any person concerned in this investigation and credible, relevant and significant to the investigation is to be released to that person during the course of the investigation. Where this material is contained in writing, it is to be provided to that person within a reasonable time prior to any interview or with a reasonable timeframe to permit a written response. Prior to releasing documentation to the person, the investigators will consult with me as confidentiality undertakings may be required before the release of documentation to that person.
- 5.6 All evidence should be appended to the report. Excerpts from records of interview/statements that are credible, relevant and significant to the findings made by the investigators are to be quoted in the body of the report under the heading '*Assessment of Evidence*'.
- 5.7 The names of persons providing information to the investigators must be kept confidential and referred to in a de-identified form in the body of the report, unless the identification of the person is essential to ensure that natural justice is afforded to any particular person.
- 5.8 The report is to be finalised by **16 September 2014** unless otherwise agreed with myself.
- 5.9 If necessary, the investigator should report back to Annette McMullan, Chief Legal Counsel for further instructions during the course of the investigation.

SCHEDULE 2
INSTRUMENT OF INDEMNITY

Grant of Indemnity

The State of Queensland, through the Queensland Department of Health ("the Department"), agrees to indemnify Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the indemnified") in respect of this health service investigation, as an "other person" as defined by and included within the terms and conditions of HR Policy 13, "Indemnity for Queensland Health Employees and Other Persons" as at the date of this Instrument.

14 AUG 2014

Signed this day of 2014.

IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH

L A W Y E R S

5112

Barnett

am/pm

am/pm

Kennel

OF

Mesa Verde

AT

printed on 50% recycled paper

From: Kristi Geddes [REDACTED]
Sent: Monday, 8 September 2014 02:24 pm
To: [REDACTED]
Subject: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]
Attachments: Letter to Megan Hayes - 08.09.14.pdf; Appointments and Terms of Reference.pdf

Dear Ms Hayes

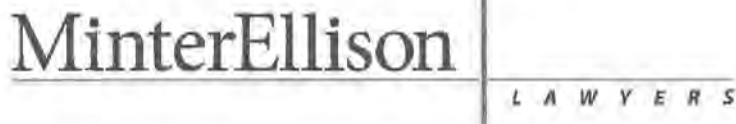
Please see **attached** correspondence.

Kind regards

Kristi Geddes Senior Associate

Minter Ellison Lawyers [REDACTED]

www.minterellison.com



8 September 2014

DX 102 BRISBANE www.minterellison.com
T F

PRIVATE & CONFIDENTIAL

By email – meganandpaulhayes@hotmail.com

Megan Hayes

Dear Ms Hayes

Health Service Investigation - Barrett Adolescent Psychiatric Centre

Thank you for your time in discussing this matter with us today.

We confirm the appointment of Associate Professor Beth Kotze, Ms Tania Skippen and Kristi Geddes of our office as investigators for a Health Service Investigation in relation to the closure of the Barrett Adolescent Psychiatric Centre (**the Centre**) and transition of patients.

These appointments are pursuant to instruments of appointment dated 14 August 2014, copies of which are **enclosed**, together with the relevant Terms of Reference.

Part of our terms of reference for this investigation is to consider if the transition plans developed for individual patients was appropriate, in light of information available to clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

As a staff member of the Centre during the relevant period and care co-ordinator for a number of the then inpatients of the Centre, the investigators consider your evidence is relevant for the investigation in this regard and request your assistance by attending an interview. As you will note, under the instrument of appointment, the investigators have been delegated authority under the *Hospital and Health Boards Act 2011* to interview any person who may be able to provide information which assists in the investigation.

It is proposed that the interview take place at on 23 September 2014, at our offices on [REDACTED]. Tania Skippen will be conducting the interview with you, and we anticipate it will take no longer than one hour. You are welcome to bring along a support person with you, but we reiterate the confidentiality of this process. Clinical records for individual patients will be available for your review during the interview.

Could you please confirm your availability and willingness to participate in the proposed interview?

MINTER ELLISON GROUP AND ASSOCIATED OFFICES
ADELAIDE AUCKLAND BEIJING BRISBANE CANBERRA DARWIN GOLD COAST HONG KONG
LONDON MELBOURNE PERTH SHANGHAI SYDNEY ULAANBAATAR WELLINGTON

8 September 2014

2

Should you wish to discuss this with your employer, the relevant contact at West Moreton Hospital and Health Service is Holly Ahern, Legal Services, on [REDACTED]

We look forward to hearing from you.

Yours faithfully

MINTER ELLISON

[REDACTED]

Contact: Kristi Geddes Direct phone: [REDACTED] Direct fax: [REDACTED]
Email: [REDACTED]
Partner responsible: Shane Evans Direct phone: [REDACTED]
Our reference: SGE KXMM 1084936


enclosure

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.



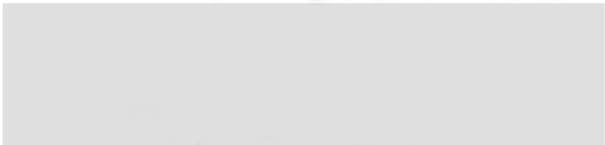
IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 06 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by 16 September 2014 or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers, ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tanja Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

INVESTIGATION INTO STATEWIDE TRANSITION AND CARE PLANNING MEASURES FOLLOWING CLOSURE OF THE BARRETT ADOLESCENT CENTRE

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

- Note that a policy decision was made by Queensland Health in 2013 (and communicated by the Minister on 6 August 2013) to close the Barrett Adolescent Centre (BAC), Wacol, West Moreton Hospital and Health Service in January 2014 and move the mental health care for its adolescent patients from being institutionally-based in a stand-alone mental health facility to being community-based.
- Investigate and report on the statewide transition and healthcare planning measures undertaken by the Department of Health and West Moreton, Metro South and Children's Health Queensland Hospital and Health Services and any other relevant Hospital and Health Service in Queensland, in relation to the then current inpatients and day patients of the BAC.
- Note that three previous patients of the BAC have died in 2014 and that their deaths are currently being investigated by the Queensland Coroner.

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Tanla Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, as a health service investigator to conduct the investigation.

Ms Skippen is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists, and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers).

3. Scope of the investigation

The functions of the health service investigators are to:

- 3.1. investigate the following matters relating to the management, administration and delivery of public sector health services;
 - 3.1.1. Assess the governance model put in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage

and oversight the healthcare transition plans for the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;

- (a) Advise if the governance model was appropriate given the nature and scope of the work required for the successful transition of the then patients to a community based model;
- 3.1.2. Advise if the healthcare transition plans developed for individual patients by the transition team were adequate to meet the needs of the patients and their families;
- 3.1.3. Advise if the healthcare transition plans developed for individual patients by the transition team were appropriate and took into consideration patient care, patient support, patient safety, service quality, and advise if these healthcare transition plans were appropriate to support the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;
- 3.1.4. Based on the information available to clinicians and staff between 6 August 2013 and closure of the BAC in January 2014, advise if the individual healthcare transition plans for the then current inpatients and day patients of the BAC were appropriate. A detailed review of the healthcare transition plans for patients [REDACTED] should be undertaken.
- 3.2. Make findings and recommendations in a report under section 199 of the HHBA in relation to:
 - 3.2.1. the ways on which the management, administration or delivery of public sector health services, with particular regard to the matters identified in paragraph 3.1 above, can be maintained and improved; and
 - 3.2.2. any other matter identified during the course of the investigation.

The investigation is to proceed in accordance with the principles of natural justice.

4. Power of the Health Service Investigators

The health service investigators have authority pursuant to section 194 of the HHBA to access any documentation under the control of the Department of Health and/or any relevant Hospital and Health Service (including West Moreton, Metro South and Children's Health Queensland Hospital and Health Services) relevant to this investigation which may assist the investigation including 'confidential information' as defined in the HHBA, noting and complying with the confidentiality obligations as a health service investigator pursuant to the HHBA. The investigators should make every reasonable effort to obtain any other material or documentation that is relevant to these terms of reference.

5. Conduct of the investigation

- 5.1 The investigators have the authority under the HHBA to interview any person who may be able to provide information which assists in the investigation. The investigators may seek to interview persons who are not employees of Queensland Health who may be able to assist in their investigation. The investigators need only interview persons who can provide information that they believe is credible, relevant and significant to the matters under investigation.
- 5.2 The investigators are delegated the authority to give any appropriate lawful directions which may be required during the review. For example, to provide a lawful direction to an employee to maintain confidentiality, to attend an interview, or to provide copies of documents maintained by the relevant Department of Health and/or relevant Hospital and Health Service. The investigators will inform me of any failure to comply with a direction and I will advise regarding the approach that will be taken.
- 5.3 The investigators may co-opt specialist clinical, clinical governance, or human resource management expertise or opinion where they deem it appropriate. The investigators must obtain my prior approval, before incurring any expenses in this regard.
- 5.4 The investigators must provide persons participating in this investigation with the opportunity to attend an interview and to respond verbally and/or in writing to the specific matters under investigation. This will not include a formal skills assessment at this stage.
- 5.5 Material that is adverse to any person concerned in this investigation and credible, relevant and significant to the investigation is to be released to that person during the course of the investigation. Where this material is contained in writing, it is to be provided to that person within a reasonable time prior to any interview or with a reasonable timeframe to permit a written response. Prior to releasing documentation to the person, the investigators will consult with me as confidentiality undertakings may be required before the release of documentation to that person.
- 5.6 All evidence should be appended to the report. Excerpts from records of interview/statements that are credible, relevant and significant to the findings made by the investigators are to be quoted in the body of the report under the heading *'Assessment of Evidence'*.
- 5.7 The names of persons providing information to the investigators must be kept confidential and referred to in a de-identified form in the body of the report, unless the identification of the person is essential to ensure that natural justice is afforded to any particular person.
- 5.8 The report is to be finalised by **16 September 2014** unless otherwise agreed with myself.
- 5.9 If necessary, the investigator should report back to Annette McMullan, Chief Legal Counsel for further instructions during the course of the investigation.

SCHEDULE 2

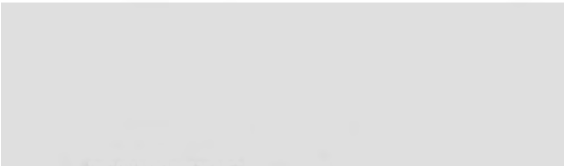
INSTRUMENT OF INDEMNITY

Grant of Indemnity

The State of Queensland, through the Queensland Department of Health ("the Department"), agrees to indemnify Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the indemnified") in respect of this health service investigation, as an "other person" as defined by and included within the terms and conditions of HR Policy 13, "Indemnity for Queensland Health Employees and Other Persons" as at the date of this Instrument.

14 AUG 2014

Signed this day of 2014.


DIRECTOR-GENERAL
QUEENSLAND HEALTH

KG-22

From: Trevor Sadler [REDACTED]
Sent: Monday, 8 September 2014 09:48 pm
To: Kristi Geddes
Subject: RE: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]

Dear Ms Geddes,

Thank you for the information. I will, of course, co-operate.

I don't know Dr Koske's timetable. If possible, I would appreciate being scheduled towards the end of the day. I'm fine if it needed to go longer than an hour. There is a lot to be said and explained about my concerns for patients at the time.

Kind regards,

Trevor

From: Kate Blatchly [mailto:[REDACTED]] **On Behalf Of** Kristi Geddes
Sent: Monday, 8 September 2014 11:55 AM

Subject: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]

Dear Dr Sadler

Please see **attached** correspondence.

Kind regards

Kristi Geddes Senior Associate
[REDACTED]
[REDACTED] www.minterellison.com

 Please consider the environment before printing this email

IMPORTANT INFORMATION - PLEASE READ

This email and any attachments are confidential and may be legally privileged (in which case neither is waived or lost by mistaken delivery). Please notify us if you have received this message in error, and remove both emails from your system. Any unauthorised use is expressly prohibited. Minter Ellison collects personal information to provide and market our services (see our privacy policy at <http://www.minterellison.com> for more information about use, disclosure and access). Minter Ellison's liability in connection with transmitting, unauthorised access to, or viruses in this message and its attachments, is limited to re-supplying this message and its attachments.

KG-23

From: KOTZE, Beth [redacted]
Sent: Monday, 8 September 2014 05:24 pm
To: Kristi Geddes
Subject: RE: Barrett Centre Investigation - Interviews [ME-ME.FID2743997]

Thanks Kristi

If at all possible we need to have the clinicians grouped by patients so that I do all the interviews associated with patient x and Tania does all the interviews associated with patient y.

If we start with the medical staff and the care coordinators for the 6 patients whose files I reviewed that would be good – there were

I've had a look at the ToR again and I think it may be difficult to answer 3.1.2 and 3.1.3 in general and 3.1.4 in particular without talking to the agencies that received the referrals because appropriateness goes to the issue of the capacity and capability at the receiving end and the quality of the communication – I am wondering if some of these interviews could be done by telephone if the staff of these agencies are comfortable and willing to cooperate.

What do you think?

Beth

Associate Professor Beth Kotze
 MBBS FRANZCP FRACMA Cert Child Psychiatry MMed (Psychotherapy) MHA (UNSW)
 Clinical Associate Director, Health System Management
 Mental Health and Drug and Alcohol Office
 NSW Ministry of Health
 Direct Dial: [redacted] | Mobile: [redacted] | Fax: [redacted]
 Address: [redacted]
 Email: [redacted]
 Website: www.health.nsw.gov.au/mhdao



Health

From: Kristi Geddes [mailto:[redacted]]
Sent: Monday, 8 September 2014 11:40 AM
To: KOTZE, Beth
Subject: Barrett Centre Investigation - Interviews [ME-ME.FID2743997]

Hi Beth,

I hope you had a lovely weekend after your trip up on Friday.

As discussed, I am currently arranging staff interviews for you on Monday, 13 October 2014. You had requested meeting with Dr Brennan, Dr Sadler and then each of the care coordinators [redacted]. In total, that would be 9 witnesses.

I'm allowing an hour for each interview and based on your flight times last Friday, unfortunately that would only leave time for 6. I just wanted to check how you would therefore prefer I prioritise interviews. I have currently prioritised Dr Brennan and Dr Sadler and then at least one care coordinator for each patient. That leaves us with one spot left over.

I've been advised by WMHHS that RN Vanessa Clayworth, although not a care coordinator, played an integral role in transition planning.

I just wanted to check if perhaps I fill the last spot for that day with RN Clayworth and/or if you would prefer stay on an extra day and speak with all care coordinators for those complex patients?

Obviously, I will endeavour to instead arrange for Tania to interview the other care coordinators for those patients if you are not able to.

I look forward to hearing from you.

Kind regards,
 Kristi.

Kristi Geddes [mailto:[redacted]]

www.mumandjohn.com



IMPORTANT INFORMATION - PLEASE READ

This email and any attachments are confidential and may be legally privileged (in which case neither is waived or lost by mistaken delivery). Please notify us if you have received this message in error, and remove both emails from your system. Any unauthorised use is expressly prohibited. Minter Ellison collects personal information to provide and market our services (see our privacy policy at <http://www.minterellison.com> for more information about use, disclosure and access). Minter Ellison's liability in connection with transmitting, unauthorised access to, or viruses in this message and its attachments, is limited to re-supplying this message and its attachments.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System. Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

Disclaimer: This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender. Views expressed in this message are those of the individual sender, and are not necessarily the views of the NSW Ministry of Health.

This email has been scanned for the NSW Ministry of Health by the Websense Hosted Email Security System. Emails and attachments are monitored to ensure compliance with the NSW Ministry of Health's Electronic Messaging Policy.

KG-24

From: Kristi Geddes ([REDACTED])
Sent: Tuesday, 9 September 2014 11:56 am
To: 'Wensley Bitton'
Cc: Annette McMullan
Subject: Barrett Health Service Investigation [ME-ME.FID2743997]

Hi Wensley,

I just wanted to check with you if there is an expectation that the investigation and report will specifically consider the appropriateness of transition plan for each individual patient, or if it will be sufficient to consider the appropriateness of the plans generally and then give specific consideration [REDACTED].

I look forward to hearing from you.

Kind regards,
Kristi.

Kristi Geddes, Senior Associate,
[REDACTED]
[REDACTED] kristi.geddes@barrett.com.au

From: Wensley Bitton [REDACTED]
Sent: Thursday, 11 September 2014 10:41 am
To: Kristi Geddes
Cc: Annette McMullan; Wensley Bitton
Subject: RE: Barrett Health Service Investigation [ME-ME.FID2743997]

Hi Kristi,

I have been instructed that it will be sufficient to consider the appropriateness of the plans generally and then give specific consideration [REDACTED].

Kind regards
Wensley

From: Wensley Bitton
Sent: Wednesday, 10 September 2014 10:21 AM
To: Kristi Geddes
Cc: Annette McMullan; Wensley Bitton
Subject: RE: Barrett Health Service Investigation [ME-ME.FID2743997]

Hi Kristi

I am still waiting to hear back from Dr Cleary about this.

Thanks
Wensley

From: Kate Blatchly [mailto:[REDACTED]] **On Behalf Of** Kristi Geddes
Sent: Tuesday, 9 September 2014 11:56 AM
To: Wensley Bitton
Cc: Annette McMullan
Subject: Barrett Health Service Investigation [ME-ME.FID2743997]

Hi Wensley,

I just wanted to check with you if there is an expectation that the investigation and report will specifically consider the appropriateness of transition plan for each individual patient, or if it will be sufficient to consider the appropriateness of the plans generally and then give specific consideration [REDACTED].

I look forward to hearing from you.

Kind regards,
Kristi.

Kristi Geddes Senior Associate
[REDACTED]
[REDACTED]

www.minterellison.com



Please consider the environment before printing this email

IMPORTANT INFORMATION - PLEASE READ

This email and any attachments are confidential and may be legally privileged (in which case neither is waived or lost by mistaken delivery). Please notify us if you have received this message in error, and remove both emails from your system. Any unauthorised use is expressly prohibited. Minter Ellison collects personal information to provide and market our services (see our privacy policy at <http://www.minterellison.com> for more information about use, disclosure and access). Minter Ellison's liability in connection with transmitting, unauthorised access to, or viruses in this message and its attachments, is limited to re-supplying this message and its attachments.

This email, including any attachments sent with it, is confidential and for the sole use of the intended recipient(s). This confidentiality is not waived or lost, if you receive it and you are not the intended recipient(s), or if it is transmitted/received in error.

Any unauthorised use, alteration, disclosure, distribution or review of this email is strictly prohibited. The information contained in this email, including any attachment sent with it, may be subject to a statutory duty of confidentiality if it relates to health service matters.

If you are not the intended recipient(s), or if you have received this email in error, you are asked to immediately notify the sender by telephone collect on Australia [REDACTED] or by return email. You should also delete this email, and any copies, from your computer system network and destroy any hard copies produced.

If not an intended recipient of this email, you must not copy, distribute or take any action(s) that relies on it; any form of disclosure, modification, distribution and/or publication of this email is also prohibited.

Although Queensland Health takes all reasonable steps to ensure this email does not contain malicious software, Queensland Health does not accept responsibility for the consequences if any person's computer inadvertently suffers any disruption to services, loss of information, harm or is infected with a virus, other malicious computer programme or code that may occur as a consequence of receiving this email.

Unless stated otherwise, this email represents only the views of the sender and not the views of the Queensland Government.

CLIENT

DATE

9.9.14

MATTER

Barnett

TIME (start)

am/pm

FILE NO

TIME (end)

am/pm

AUTHOR

Kernum

PAGE

OF

Circle activity

With whom

Brenton Page

TO

TI

CW

AT

wont be in Brisbane until
about November.

On low in band.

Def wont be in court for
23 Sept.

In Melb @ present - may
be in Bris for day or two

From: Kristi Geddes [REDACTED]
Sent: Tuesday, 9 September 2014 02:50 pm
To: [REDACTED]
Subject: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]
Attachments: Letter to Brenton Page - 09.09.14.pdf; Appointments and Terms of Reference.pdf

Dear Mr Page

Please see **attached** correspondence.

Regards

Kristi Geddes Senior Associate

Minter Ellison Lawyers [REDACTED]

www.minterellison.com



9 September 2014

DX 102 BRISBANE www.minterellison.com
T F

PRIVATE & CONFIDENTIAL

By email –

Brenton Page

Dear Mr Page

Health Service Investigation - Barrett Adolescent Psychiatric Centre

Thank you for your time in discussing this matter with us today.

We confirm the appointment of Associate Professor Beth Kotze, Ms Tania Skippen and Kristi Geddes of our office as investigators for a Health Service Investigation in relation to the closure of the Barrett Adolescent Psychiatric Centre (**the Centre**) and transition of patients.

These appointments are pursuant to instruments of appointment dated 14 August 2014, copies of which are **enclosed**, together with the relevant Terms of Reference.

Part of our terms of reference for this investigation is to consider if the transition plans developed for individual patients was appropriate, in light of information available to clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

As a staff member of the Centre during the relevant period and care co-ordinator for a number of the then inpatients of the Centre, the investigators consider your evidence is relevant for the investigation in this regard and request your assistance by attending an interview. As you will note, under the instrument of appointment, the investigators have been delegated authority under the *Hospital and Health Boards Act 2011* to interview any person who may be able to provide information which assists in the investigation.

It is proposed that the interview take place at on 23 September 2014, at our offices on Ms Tania Skippen will be conducting the interview with you, and we anticipate it will take no longer than one hour. You are welcome to bring along a support person with you, but we reiterate the confidentiality of this process. Clinical records for individual patients will be available for your review during the interview.

Could you please confirm your availability to participate in the proposed interview?

We look forward to hearing from you.

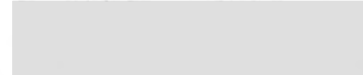
MINTER ELLISON GROUP AND ASSOCIATED OFFICES
ADELAIDE AUCKLAND BEIJING BRISBANE CANBERRA DARWIN GOLD COAST HONG KONG
LONDON MELBOURNE PERTH SHANGHAI SYDNEY ULAANBAATAR WELLINGTON

9 September 2014

2

Yours faithfully

MINTER ELAISON



Contact: Kristi Geddes Direct phone: [REDACTED] Direct fax: [REDACTED]
Email: [REDACTED]
Partner responsible: Shane Evans Direct phone: [REDACTED]
Our reference: SGE KXMM 1084936

enclosure

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
108/2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by 16 September 2014 or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Kristl Geddes, Senior Associate, Minter Ellison Lawyers, ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

INVESTIGATION INTO STATEWIDE TRANSITION AND CARE PLANNING MEASURES
FOLLOWING CLOSURE OF THE BARRETT ADOLESCENT CENTRE

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

- Note that a policy decision was made by Queensland Health in 2013 (and communicated by the Minister on 6 August 2013) to close the Barrett Adolescent Centre (BAC), Wacol, West Moreton Hospital and Health Service in January 2014 and move the mental health care for its adolescent patients from being institutionally-based in a stand-alone mental health facility to being community-based.
- Investigate and report on the statewide transition and healthcare planning measures undertaken by the Department of Health and West Moreton, Metro South and Children's Health Queensland Hospital and Health Services and any other relevant Hospital and Health Service in Queensland, in relation to the then current inpatients and day patients of the BAC.
- Note that three previous patients of the BAC have died in 2014 and that their deaths are currently being investigated by the Queensland Coroner.

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Tanla Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, as a health service investigator to conduct the investigation.

Ms Skippen is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists, and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers).

3. Scope of the investigation

The functions of the health service investigators are to:

- 3.1. investigate the following matters relating to the management, administration and delivery of public sector health services:
 - 3.1.1. Assess the governance model put in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage

and oversight the healthcare transition plans for the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;

- (a) Advise if the governance model was appropriate given the nature and scope of the work required for the successful transition of the then patients to a community based model;
- 3.1.2. Advise if the healthcare transition plans developed for individual patients by the transition team were adequate to meet the needs of the patients and their families;
- 3.1.3. Advise if the healthcare transition plans developed for individual patients by the transition team were appropriate and took into consideration patient care, patient support, patient safety, service quality, and advise if these healthcare transition plans were appropriate to support the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;
- 3.1.4. Based on the information available to clinicians and staff between 6 August 2013 and closure of the BAC in January 2014, advise if the individual healthcare transition plans for the then current inpatients and day patients of the BAC were appropriate. A detailed review of the healthcare transition plans for [REDACTED] should be undertaken.
- 3.2. Make findings and recommendations in a report under section 199 of the HHBA in relation to:
 - 3.2.1. the ways on which the management, administration or delivery of public sector health services, with particular regard to the matters identified in paragraph 3.1 above, can be maintained and improved; and
 - 3.2.2. any other matter identified during the course of the investigation.

The investigation is to proceed in accordance with the principles of natural justice.

4. Power of the Health Service Investigators

The health service investigators have authority pursuant to section 194 of the HHBA to access any documentation under the control of the Department of Health and/or any relevant Hospital and Health Service (including West Moreton, Metro South and Children's Health Queensland Hospital and Health Services) relevant to this investigation which may assist the investigation including 'confidential information' as defined in the HHBA, noting and complying with the confidentiality obligations as a health service investigator pursuant to the HHBA. The investigators should make every reasonable effort to obtain any other material or documentation that is relevant to these terms of reference.

5. Conduct of the investigation

- 5.1 The investigators have the authority under the HHBA to interview any person who may be able to provide information which assists in the investigation. The investigators may seek to interview persons who are not employees of Queensland Health who may be able to assist in their investigation. The investigators need only interview persons who can provide information that they believe is credible, relevant and significant to the matters under investigation.
- 5.2 The investigators are delegated the authority to give any appropriate lawful directions which may be required during the review. For example, to provide a lawful direction to an employee to maintain confidentiality, to attend an interview, or to provide copies of documents maintained by the relevant Department of Health and/or relevant Hospital and Health Service. The investigators will inform me of any failure to comply with a direction and I will advise regarding the approach that will be taken.
- 5.3 The investigators may co-opt specialist clinical, clinical governance, or human resource management expertise or opinion where they deem it appropriate. The investigators must obtain my prior approval, before incurring any expenses in this regard.
- 5.4 The investigators must provide persons participating in this investigation with the opportunity to attend an interview and to respond verbally and/or in writing to the specific matters under investigation. This will not include a formal skills assessment at this stage.
- 5.5 Material that is adverse to any person concerned in this investigation and credible, relevant and significant to the investigation is to be released to that person during the course of the investigation. Where this material is contained in writing, it is to be provided to that person within a reasonable time prior to any interview or with a reasonable timeframe to permit a written response. Prior to releasing documentation to the person, the investigators will consult with me as confidentiality undertakings may be required before the release of documentation to that person.
- 5.6 All evidence should be appended to the report. Excerpts from records of interview/statements that are credible, relevant and significant to the findings made by the investigators are to be quoted in the body of the report under the heading *'Assessment of Evidence'*.
- 5.7 The names of persons providing information to the investigators must be kept confidential and referred to in a de-identified form in the body of the report, unless the identification of the person is essential to ensure that natural justice is afforded to any particular person.
- 5.8 The report is to be finalised by **16 September 2014** unless otherwise agreed with myself.
- 5.9 If necessary, the investigator should report back to Annette McMullan, Chief Legal Counsel for further instructions during the course of the investigation.

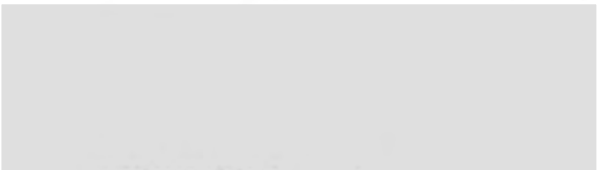
SCHEDULE 2
INSTRUMENT OF INDEMNITY

Grant of Indemnity

The State of Queensland, through the Queensland Department of Health ("the Department"), agrees to indemnify Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the Indemnified") in respect of this health service investigation, as an "other person" as defined by and included within the terms and conditions of HR Policy 13, "Indemnity for Queensland Health Employees and Other Persons" as at the date of this Instrument.

14 AUG 2014

Signed this day of 2014.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH

MinterEllison

LAWYERS

CLIENT

DATE

9.9.14

MATTER

Barnett.

TIME (start)

am/pm

FILE NO

TIME (end)

am/pm

AUTHOR

Kxnum.

PAGE

OF

Circle activity

With whom

Rosamela Richards

TO

TI

CW

AT

By post + email.

Will she need legal rep?
 Not required but up
 to her - can bring support
 person.

The personally is not a
 trial to anything.

Can she stop the interview
 then seek advice if need
 be? Prefer not give
 true names. All concerned
 pls consider prior.

From: Kristi Geddes ([REDACTED])
Sent: Tuesday, 9 September 2014 02:52 pm
To: [REDACTED]
Subject: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]
Attachments: Letter to Rosangela Richardson - 09.09.14.pdf; Appointments and Terms of Reference.pdf

Dear Ms Richardson

Please see **attached** correspondence.

Kind regards

Kristi Geddes Senior Associate

t [REDACTED] f [REDACTED]

Minter Ellison Lawyers [REDACTED]

www.minterellison.com

MinterEllison

L A W Y E R S

9 September 2014

DX 102 BRISBANE www.minterellison.com
T F

By post and email –

PRIVATE & CONFIDENTIAL

Rosangela Richardson

Dear Ms Richardson

Health Service Investigation - Barrett Adolescent Psychiatric Centre

Thank you for your time in discussing this matter with us today.

We confirm the appointment of Associate Professor Beth Kotze, Ms Tania Skippen and Kristi Geddes of our office as investigators for a Health Service Investigation in relation to the closure of the Barrett Adolescent Psychiatric Centre (**the Centre**) and transition of patients.

These appointments are pursuant to instruments of appointment dated 14 August 2014, copies of which are **enclosed**, together with the relevant Terms of Reference.

Part of our terms of reference for this investigation is to consider if the transition plans developed for individual patients was appropriate, in light of information available to clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

As a staff member of the Centre during the relevant period and care co-ordinator for a number of the then inpatients of the Centre, the investigators consider your evidence is relevant for the investigation in this regard and request your assistance by attending an interview. As you will note, under the instrument of appointment, the investigators have been delegated authority under the *Hospital and Health Boards Act 2011* to interview any person who may be able to provide information which assists in the investigation.

It is proposed that the interview take place at on 23 September 2014, at our offices on Ms Tania Skippen will be conducting the interview with you, and we anticipate it will take no longer than one hour. You are welcome to bring along a support person with you, but we reiterate the confidentiality of this process. Clinical records for individual patients will be available for your review during the interview.

Could you please confirm your availability to participate in the proposed interview?

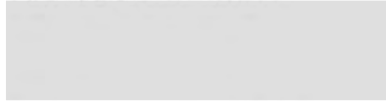
We look forward to hearing from you.

MINTER ELLISON GROUP AND ASSOCIATED OFFICES
ADELAIDE AUCKLAND BEIJING BRISBANE CANBERRA DARWIN GOLD COAST HONG KONG
LONDON MELBOURNE PERTH SHANGHAI SYDNEY ULAANBAATAR WELLINGTON

9 September 2014

2

Yours faithfully
MINTER ELLISON



Contact: Kristi Geddes Direct phone: [REDACTED]

Email: [REDACTED]

Partner responsible: Shane Evans Direct phone [REDACTED]

Our reference: SGE KXMM 1084936 [REDACTED]

enclosure

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
108/2014

14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Kristl Geddes, Senior Associate, Minter Ellison Lawyers, ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
108 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

INVESTIGATION INTO STATEWIDE TRANSITION AND CARE PLANNING MEASURES
FOLLOWING CLOSURE OF THE BARRETT ADOLESCENT CENTRE

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

- Note that a policy decision was made by Queensland Health in 2013 (and communicated by the Minister on 6 August 2013) to close the Barrett Adolescent Centre (BAC), Wacol, West Moreton Hospital and Health Service in January 2014 and move the mental health care for its adolescent patients from being institutionally-based in a stand-alone mental health facility to being community-based.
- Investigate and report on the statewide transition and healthcare planning measures undertaken by the Department of Health and West Moreton, Metro South and Children's Health Queensland Hospital and Health Services and any other relevant Hospital and Health Service in Queensland, in relation to the then current inpatients and day patients of the BAC.
- Note that three previous patients of the BAC have died in 2014 and that their deaths are currently being investigated by the Queensland Coroner.

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Tanja Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, as a health service investigator to conduct the investigation.

Ms Skippen is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists, and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers).

3. Scope of the investigation

The functions of the health service investigators are to:

- 3.1. investigate the following matters relating to the management, administration and delivery of public sector health services:
 - 3.1.1. Assess the governance model put in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage

and oversight the healthcare transition plans for the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;

- (a) Advise if the governance model was appropriate given the nature and scope of the work required for the successful transition of the then patients to a community based model;
- 3.1.2. Advise if the healthcare transition plans developed for individual patients by the transition team were adequate to meet the needs of the patients and their families;
- 3.1.3. Advise if the healthcare transition plans developed for individual patients by the transition team were appropriate and took into consideration patient care, patient support, patient safety, service quality, and advise if these healthcare transition plans were appropriate to support the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;
- 3.1.4. Based on the information available to clinicians and staff between 6 August 2013 and closure of the BAC in January 2014, advise if the individual healthcare transition plans for the then current inpatients and day patients of the BAC were appropriate. A detailed review of the healthcare transition plans for [REDACTED] should be undertaken.
- 3.2. Make findings and recommendations in a report under section 199 of the HHBA in relation to:
 - 3.2.1. the ways on which the management, administration or delivery of public sector health services, with particular regard to the matters identified in paragraph 3.1 above, can be maintained and improved; and
 - 3.2.2. any other matter identified during the course of the investigation.

The investigation is to proceed in accordance with the principles of natural justice.

4. Power of the Health Service Investigators

The health service investigators have authority pursuant to section 194 of the HHBA to access any documentation under the control of the Department of Health and/or any relevant Hospital and Health Service (including West Moreton, Metro South and Children's Health Queensland Hospital and Health Services) relevant to this investigation which may assist the investigation including 'confidential information' as defined in the HHBA, noting and complying with the confidentiality obligations as a health service investigator pursuant to the HHBA. The investigators should make every reasonable effort to obtain any other material or documentation that is relevant to these terms of reference.

5. Conduct of the investigation

- 5.1 The investigators have the authority under the HHBA to interview any person who may be able to provide information which assists in the investigation. The investigators may seek to interview persons who are not employees of Queensland Health who may be able to assist in their investigation. The investigators need only interview persons who can provide information that they believe is credible, relevant and significant to the matters under investigation.
- 5.2 The investigators are delegated the authority to give any appropriate lawful directions which may be required during the review. For example, to provide a lawful direction to an employee to maintain confidentiality, to attend an interview, or to provide copies of documents maintained by the relevant Department of Health and/or relevant Hospital and Health Service. The investigators will inform me of any failure to comply with a direction and I will advise regarding the approach that will be taken.
- 5.3 The investigators may co-opt specialist clinical, clinical governance, or human resource management expertise or opinion where they deem it appropriate. The investigators must obtain my prior approval, before incurring any expenses in this regard.
- 5.4 The investigators must provide persons participating in this investigation with the opportunity to attend an interview and to respond verbally and/or in writing to the specific matters under investigation. This will not include a formal skills assessment at this stage.
- 5.5 Material that is adverse to any person concerned in this investigation and credible, relevant and significant to the investigation is to be released to that person during the course of the investigation. Where this material is contained in writing, it is to be provided to that person within a reasonable time prior to any interview or with a reasonable timeframe to permit a written response. Prior to releasing documentation to the person, the investigators will consult with me as confidentiality undertakings may be required before the release of documentation to that person.
- 5.6 All evidence should be appended to the report. Excerpts from records of interview/statements that are credible, relevant and significant to the findings made by the investigators are to be quoted in the body of the report under the heading '*Assessment of Evidence*'.
- 5.7 The names of persons providing information to the investigators must be kept confidential and referred to in a de-identified form in the body of the report, unless the identification of the person is essential to ensure that natural justice is afforded to any particular person.
- 5.8 The report is to be finalised by **16 September 2014** unless otherwise agreed with myself.
- 5.9 If necessary, the investigator should report back to Annette McMullan, Chief Legal Counsel for further instructions during the course of the investigation.

SCHEDULE 2
INSTRUMENT OF INDEMNITY

Grant of Indemnity

The State of Queensland, through the Queensland Department of Health ("the Department"), agrees to indemnify Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the Indemnified") in respect of this health service investigation, as an "other person" as defined by and included within the terms and conditions of HR Policy 13, "Indemnity for Queensland Health Employees and Other Persons" as at the date of this Instrument.

14 AUG 2014

Signed this day of 2014.



DIRECTOR-GENERAL
QUEENSLAND HEALTH

MinterEllison

LAWYERS

CLIENT

DATE

9.9.14

MATTER

Barnett.

TIME (start)

am/pm

FILE NO

TIME (end)

am/pm

AUTHOR

Kornum.

PAGE

OF

Circle activity

With whom

Darius Adlan

TO

TI

CW

AT

Not core co-ordinator
for any patients.

New appt + no paperwork
General cones, taught to
cook a traditional meal
but didn't ever actually
take a cc role.

Aduscol may be in touch
re: other pts ch care
expenses to all pts + / or kept

MinterEllison

LAWYERS

CLIENT

MATTER

FILE NO

AUTHOR

DATE

TIME (start)

TIME (end)

PAGE

OF

am/pm

am/pm

Circle activity

With whom

TO

TI

CW

AT

12:01pm - alt msg.

7/1 - 3:30pm.

From: Kristi Geddes [REDACTED]
Sent: Tuesday, 9 September 2014 04:17 pm
To: [REDACTED]
Subject: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]
Attachments: Letter to Moira Macleod - 09.09.14.pdf; Appointments and Terms of Reference.pdf

Dear Ms Macleod

Please see **attached** correspondence.

Kind regards

Kristi Geddes Senior Associate

[REDACTED]
[REDACTED] www.ininterellison.com

MinterEllison

L A W Y E R S

9 September 2014

DX 102 BRISBANE www.minterellison.com
T F

By post and email –

PRIVATE & CONFIDENTIAL

Moirra Macleod

Dear Ms Macleod

Health Service Investigation - Barrett Adolescent Psychiatric Centre

Thank you for your time in discussing this matter with us today.

We confirm the appointment of Associate Professor Beth Kotze, Ms Tania Skippen and Kristi Geddes of our office as investigators for a Health Service Investigation in relation to the closure of the Barrett Adolescent Psychiatric Centre (**the Centre**) and transition of patients.

These appointments are pursuant to instruments of appointment dated 14 August 2014, copies of which are **enclosed**, together with the relevant Terms of Reference.

Part of our terms of reference for this investigation is to consider if the transition plans developed for individual patients was appropriate, in light of information available to clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

As a staff member of the Centre during the relevant period and care co-ordinator for a number of the then inpatients of the Centre, the investigators consider your evidence is relevant for the investigation in this regard and request your assistance by attending an interview. As you will note, under the instrument of appointment, the investigators have been delegated authority under the *Hospital and Health Boards Act 2011* to interview any person who may be able to provide information which assists in the investigation.

It is proposed that the interview take place on 13 October 2014, at our offices on A/Prof Beth Kotze will be conducting the interview with you, and we anticipate it will take no longer than one hour. You are welcome to bring along a support person with you, but we reiterate the confidentiality of this process. Clinical records for individual patients will be available for your review during the interview.

Could you please confirm your availability to participate in the proposed interview?

We look forward to hearing from you.

MINTER ELLISON GROUP AND ASSOCIATED OFFICES
ADELAIDE AUCKLAND BEIJING BRISBANE CANBERRA DARWIN GOLD COAST HONG KONG
LONDON MELBOURNE PERTH SHANGHAI SYDNEY ULAANBAATAR WELLINGTON

9 September 2014

2

Yours faithfully

MINTER ELLISON

Contact: Kristi Geddes Direct phone: [REDACTED] Direct fax: + [REDACTED]
Email: [REDACTED]
Partner responsible: Shane Evans Direct phone: [REDACTED]
Our reference: SGE KXMM 1084936

enclosure

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by 16 September 2014 or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by 16 September 2014 or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.


IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers, ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

INVESTIGATION INTO STATEWIDE TRANSITION AND CARE PLANNING MEASURES
FOLLOWING CLOSURE OF THE BARRETT ADOLESCENT CENTRE

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

- Note that a policy decision was made by Queensland Health in 2013 (and communicated by the Minister on 6 August 2013) to close the Barrett Adolescent Centre (BAC), Wacol, West Moreton Hospital and Health Service in January 2014 and move the mental health care for its adolescent patients from being institutionally-based in a stand-alone mental health facility to being community-based.
- Investigate and report on the statewide transition and healthcare planning measures undertaken by the Department of Health and West Moreton, Metro South and Children's Health Queensland Hospital and Health Services and any other relevant Hospital and Health Service in Queensland, in relation to the then current inpatients and day patients of the BAC.
- Note that three previous patients of the BAC have died in 2014 and that their deaths are currently being investigated by the Queensland Coroner.

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, as a health service investigator to conduct the investigation.

Ms Skippen is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists, and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers).

3. Scope of the investigation

The functions of the health service investigators are to:

- 3.1. investigate the following matters relating to the management, administration and delivery of public sector health services:
 - 3.1.1. Assess the governance model put in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage

and oversight the healthcare transition plans for the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;

- (a) Advise if the governance model was appropriate given the nature and scope of the work required for the successful transition of the then patients to a community based model;
- 3.1.2. Advise if the healthcare transition plans developed for individual patients by the transition team were adequate to meet the needs of the patients and their families;
- 3.1.3. Advise if the healthcare transition plans developed for individual patients by the transition team were appropriate and took into consideration patient care, patient support, patient safety, service quality, and advise if these healthcare transition plans were appropriate to support the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;
- 3.1.4. Based on the information available to clinicians and staff between 6 August 2013 and closure of the BAC in January 2014, advise if the individual healthcare transition plans for the then current inpatients and day patients of the BAC were appropriate. A detailed review of the healthcare transition plans for [REDACTED] should be undertaken.
- 3.2. Make findings and recommendations in a report under section 199 of the HHBA in relation to:
 - 3.2.1. the ways on which the management, administration or delivery of public sector health services, with particular regard to the matters identified in paragraph 3.1 above, can be maintained and improved; and
 - 3.2.2. any other matter identified during the course of the investigation.

The investigation is to proceed in accordance with the principles of natural justice.

4. Power of the Health Service Investigators

The health service investigators have authority pursuant to section 194 of the HHBA to access any documentation under the control of the Department of Health and/or any relevant Hospital and Health Service (including West Moreton, Metro South and Children's Health Queensland Hospital and Health Services) relevant to this investigation which may assist the investigation including 'confidential information' as defined in the HHBA, noting and complying with the confidentiality obligations as a health service investigator pursuant to the HHBA. The investigators should make every reasonable effort to obtain any other material or documentation that is relevant to these terms of reference.

5. Conduct of the investigation

- 5.1 The investigators have the authority under the HHBA to interview any person who may be able to provide information which assists in the investigation. The investigators may seek to interview persons who are not employees of Queensland Health who may be able to assist in their investigation. The investigators need only interview persons who can provide information that they believe is credible, relevant and significant to the matters under investigation.
- 5.2 The investigators are delegated the authority to give any appropriate lawful directions which may be required during the review. For example, to provide a lawful direction to an employee to maintain confidentiality, to attend an interview, or to provide copies of documents maintained by the relevant Department of Health and/or relevant Hospital and Health Service. The investigators will inform me of any failure to comply with a direction and I will advise regarding the approach that will be taken.
- 5.3 The investigators may co-opt specialist clinical, clinical governance, or human resource management expertise or opinion where they deem it appropriate. The investigators must obtain my prior approval, before incurring any expenses in this regard.
- 5.4 The investigators must provide persons participating in this investigation with the opportunity to attend an interview and to respond verbally and/or in writing to the specific matters under investigation. This will not include a formal skills assessment at this stage.
- 5.5 Material that is adverse to any person concerned in this investigation and credible, relevant and significant to the investigation is to be released to that person during the course of the investigation. Where this material is contained in writing, it is to be provided to that person within a reasonable time prior to any interview or with a reasonable timeframe to permit a written response. Prior to releasing documentation to the person, the investigators will consult with me as confidentiality undertakings may be required before the release of documentation to that person.
- 5.6 All evidence should be appended to the report. Excerpts from records of interview/statements that are credible, relevant and significant to the findings made by the investigators are to be quoted in the body of the report under the heading '*Assessment of Evidence*'.
- 5.7 The names of persons providing information to the investigators must be kept confidential and referred to in a de-identified form in the body of the report, unless the identification of the person is essential to ensure that natural justice is afforded to any particular person.
- 5.8 The report is to be finalised by **16 September 2014** unless otherwise agreed with myself.
- 5.9 If necessary, the investigator should report back to Annette McMullan, Chief Legal Counsel for further instructions during the course of the investigation.

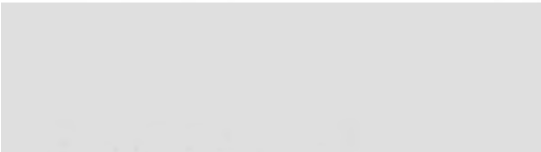
SCHEDULE 2
INSTRUMENT OF INDEMNITY

Grant of Indemnity

The State of Queensland, through the Queensland Department of Health ("the Department"), agrees to indemnify Ms Tanla Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the indemnified") in respect of this health service investigation, as an "other person" as defined by and included within the terms and conditions of HR Policy 13, "Indemnity for Queensland Health Employees and Other Persons" as at the date of this Instrument.

14 AUG 2014

Signed this day of 2014.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH

MinterEllison

LAWYERS

CLIENT

DATE

9.9.14.

MATTER

Barrett.

TIME (start)

am/pm

FILE NO

TIME (end)

am/pm

AUTHOR

Kamran.

PAGE

OF

Circle activity

With whom

Vanessa Hammond

TO

TI

CW

AT

11:58pm - left msg.

T/1 - 4:25pm.

I will and Corneal
request if she can
consider properly +
formally respond.

From: Kristl Geddes [REDACTED]
Sent: Wednesday, 10 September 2014 08:54 am
To: [REDACTED]
Subject: PRIVATE & CONFIDENTIAL - Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]
Attachments: Letter to Vanessa Clayworth - 09.09.14.pdf; Appointments and Terms of Reference.pdf

Dear Ms Clayworth

Please see **attached** correspondence.

Kind regards

Kristl Geddes, Senior Associate

Minter Ellison Lawyers

www.minterellison.com

MinterEllison

L A W Y E R S

9 September 2014

DX 102 BRISBANE www.minterellison.com

By post and email – [REDACTED]

PRIVATE & CONFIDENTIAL

Vanessa Clayworth
[REDACTED]

Dear Ms Clayworth

Health Service Investigation - Barrett Adolescent Psychiatric Centre

Thank you for your time in discussing this matter with us today.

We confirm the appointment of Associate Professor Beth Kotze, Ms Tania Skippen and Kristi Geddes of our office as investigators for a Health Service Investigation in relation to the closure of the Barrett Adolescent Psychiatric Centre (**the Centre**) and transition of patients.

These appointments are pursuant to instruments of appointment dated 14 August 2014, copies of which are **enclosed**, together with the relevant Terms of Reference.

Part of our terms of reference for this investigation is to consider if the transition plans developed for individual patients was appropriate, in light of information available to clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

As a staff member of the Centre during the relevant period and care co-ordinator for a number of the then inpatients of the Centre, the investigators consider your evidence is relevant for the investigation in this regard and request your assistance by attending an interview. As you will note, under the instrument of appointment, the investigators have been delegated authority under the *Hospital and Health Boards Act 2011* to interview any person who may be able to provide information which assists in the investigation.

It is proposed that the interview take place on 23 September 2014, at our offices on [REDACTED]. Ms Tania Skippen will be conducting the interview with you, and we anticipate it will take no longer than one hour. You are welcome to bring along a support person with you, but we reiterate the confidentiality of this process. Clinical records for individual patients will be available for your review during the interview.

Could you please confirm your availability to participate in the proposed interview?

We look forward to hearing from you.

MINTER ELLISON GROUP AND ASSOCIATED OFFICES
ADELAIDE AUCKLAND BEIJING BRISBANE CANBERRA DARWIN GOLD COAST HONG KONG
LONDON MELBOURNE PERTH SHANGHAI SYDNEY ULAANBAATAR WELLINGTON

9 September 2014

2

Yours faithfully
MINTER/ELLISON

Contact: Kristi Geddes Direct phone: Direct fax:
Email:
Partner responsible: Shane Evans Direct phone:
Our reference: SGE KXMM 1084936

enclosure

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, appoint, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
108/2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by 16 September 2014 or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.
3. The appointee will be indemnified against any claims made against the appointee arising out of the performance by the appointee of her functions under this Instrument, on the terms contained in Schedule 2.

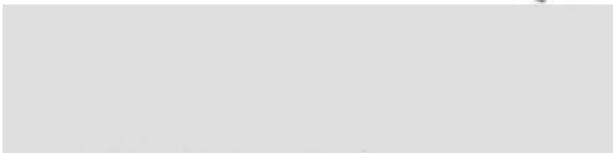
IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014
14 AUG 2014

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

I, IAN MAYNARD, Director-General, Queensland Health, **appoint**, pursuant to Part 9 of the *Hospital and Health Boards Act 2011*, Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers, ("the appointee"), as a health service investigator to investigate and report on matters relating to the management, administration or delivery of public sector health services in Queensland Health statewide as set out in the Terms of Reference contained in Schedule 1, and provide a written report to me by **16 September 2014** or such other date as agreed by me.

Conditions of appointment

1. The appointment commences the date of this Instrument and will end on delivery of the required report.
2. The appointee is to work co-operatively during the investigation with the other appointed Health Service Investigators (Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tanla Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health) under Part 9 of the *Hospital and Health Boards Act 2011* and is to prepare a joint report to me under section 199 of the *Hospital and Health Boards Act 2011*.



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

INVESTIGATION INTO STATEWIDE TRANSITION AND CARE PLANNING MEASURES
FOLLOWING CLOSURE OF THE BARRETT ADOLESCENT CENTRE

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

- Note that a policy decision was made by Queensland Health in 2013 (and communicated by the Minister on 6 August 2013) to close the Barrett Adolescent Centre (BAC), Wacol, West Moreton Hospital and Health Service in January 2014 and move the mental health care for its adolescent patients from being institutionally-based in a stand-alone mental health facility to being community-based.
- Investigate and report on the statewide transition and healthcare planning measures undertaken by the Department of Health and West Moreton, Metro South and Children's Health Queensland Hospital and Health Services and any other relevant Hospital and Health Service in Queensland, in relation to the then current inpatients and day patients of the BAC.
- Note that three previous patients of the BAC have died in 2014 and that their deaths are currently being investigated by the Queensland Coroner.

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, as a health service investigator to conduct the investigation.

Ms Skippen is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists, and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers).

3. Scope of the investigation

The functions of the health service investigators are to:

- 3.1. investigate the following matters relating to the management, administration and delivery of public sector health services:
 - 3.1.1. Assess the governance model put in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage

and oversight the healthcare transition plans for the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;

- (a) Advise if the governance model was appropriate given the nature and scope of the work required for the successful transition of the then patients to a community based model;
- 3.1.2. Advise if the healthcare transition plans developed for individual patients by the transition team were adequate to meet the needs of the patients and their families;
- 3.1.3. Advise if the healthcare transition plans developed for individual patients by the transition team were appropriate and took into consideration patient care, patient support, patient safety, service quality, and advise if these healthcare transition plans were appropriate to support the then current inpatients and day patients of the BAC post 6 August 2013 until its closure in January 2014;
- 3.1.4. Based on the information available to clinicians and staff between 6 August 2013 and closure of the BAC in January 2014, advise if the individual healthcare transition plans for the then current inpatients and day patients of the BAC were appropriate. A detailed review of the healthcare transition plans for [REDACTED] should be undertaken.
- 3.2. Make findings and recommendations in a report under section 199 of the HHBA in relation to:
 - 3.2.1. the ways on which the management, administration or delivery of public sector health services, with particular regard to the matters identified in paragraph 3.1 above, can be maintained and improved; and
 - 3.2.2. any other matter identified during the course of the investigation.

The investigation is to proceed in accordance with the principles of natural justice.

4. Power of the Health Service Investigators

The health service investigators have authority pursuant to section 194 of the HHBA to access any documentation under the control of the Department of Health and/or any relevant Hospital and Health Service (including West Moreton, Metro South and Children's Health Queensland Hospital and Health Services) relevant to this investigation which may assist the investigation including 'confidential information' as defined in the HHBA, noting and complying with the confidentiality obligations as a health service investigator pursuant to the HHBA. The investigators should make every reasonable effort to obtain any other material or documentation that is relevant to these terms of reference.

5. Conduct of the investigation

- 5.1 The investigators have the authority under the HHBA to interview any person who may be able to provide information which assists in the investigation. The investigators may seek to interview persons who are not employees of Queensland Health who may be able to assist in their investigation. The investigators need only interview persons who can provide information that they believe is credible, relevant and significant to the matters under investigation.
- 5.2 The investigators are delegated the authority to give any appropriate lawful directions which may be required during the review. For example, to provide a lawful direction to an employee to maintain confidentiality, to attend an interview, or to provide copies of documents maintained by the relevant Department of Health and/or relevant Hospital and Health Service. The investigators will inform me of any failure to comply with a direction and I will advise regarding the approach that will be taken.
- 5.3 The investigators may co-opt specialist clinical, clinical governance, or human resource management expertise or opinion where they deem it appropriate. The investigators must obtain my prior approval, before incurring any expenses in this regard.
- 5.4 The investigators must provide persons participating in this investigation with the opportunity to attend an interview and to respond verbally and/or in writing to the specific matters under investigation. This will not include a formal skills assessment at this stage.
- 5.5 Material that is adverse to any person concerned in this investigation and credible, relevant and significant to the investigation is to be released to that person during the course of the investigation. Where this material is contained in writing, it is to be provided to that person within a reasonable time prior to any interview or with a reasonable timeframe to permit a written response. Prior to releasing documentation to the person, the investigators will consult with me as confidentiality undertakings may be required before the release of documentation to that person.
- 5.6 All evidence should be appended to the report. Excerpts from records of interview/statements that are credible, relevant and significant to the findings made by the investigators are to be quoted in the body of the report under the heading '*Assessment of Evidence*'.
- 5.7 The names of persons providing information to the investigators must be kept confidential and referred to in a de-identified form in the body of the report, unless the identification of the person is essential to ensure that natural justice is afforded to any particular person.
- 5.8 The report is to be finalised by **16 September 2014** unless otherwise agreed with myself.
- 5.9 If necessary, the investigator should report back to Annette McMullan, Chief Legal Counsel for further instructions during the course of the investigation.

SCHEDULE 2


INSTRUMENT OF INDEMNITY

Grant of Indemnity

The State of Queensland, through the Queensland Department of Health ("the Department"), agrees to indemnify Ms Tanja Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health ("the indemnified") in respect of this health service investigation, as an "other person" as defined by and included within the terms and conditions of HR Policy 13, "Indemnity for Queensland Health Employees and Other Persons" as at the date of this Instrument.

14 AUG 2014

Signed this day of 2014.


IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH

KG-26

From: KOTZE, Beth [REDACTED]
 Sent: Wednesday, 10 September 2014 11:34 am
 To: Kristi Geddes
 Cc: SKIPPEN, Tania
 Subject: RE: Barrett Centre Investigation - interviews [ME-ME.FID2743997]

Dear Kristi

I have now touched base with Tania and this is what we've agreed:

1. Tania will use the 2 days when she comes up in September to finalise the review of the clinical files and to write up the clinical summaries that will be required for the report for all the patients in scope. These will be in the nature of brief over-view of each clinical scenario with particular comment on the documented transition plans.
2. In relation to the care coordinators can you please clarify:
 - a. A number of the patients have 2 care coordinator names written beside them on the summary sheet – what does this mean? Was there a principal coordinator and a buddy? Or were there 2 care coordinators with clearly delineated roles? Some names have 'associate cc' written beside them – but in other cases there are 2 names and no difference noted.
 - b. Is there a written statement of duties for the care coordinators?
 - c. Vanessa Clayworth's name isn't against any of the patients as care coordinator – what was the nature of her role? Was it formalised? If so can we please have a copy of the statement of duties?
 - d. What is 'business as usual' transition/discharge practice for the service as articulated in formal policies and procedures? If there is a service transition/discharge policy and procedure? Can we please have a copy?
 - e. Were there any specific policies/procedures/statement of duties put in place for the transition coordination for these particular patients? If so can we please have a copy?
3. Re the BAC review (?2008) can we please have any excerpt relevant to the topic of transition/discharge planning? Given the very long length of stay of the service one would expect that this would be a major field of activity even during 'business as usual', let alone in preparation for the closure. Did BAC routinely conduct followup of former patients? If so is a summary report available?
4. We will conduct the interviews together – so Tania will come up with me on Monday 13th October. The priorities for the interviews that day are the 2 medical officers (Clinical Director and Acting CD) and the care coordinators for the patients [REDACTED] and [REDACTED]. Looking through the sheet, it looks like all the patients in question had at least 2 care coordinators and some 3 but the same care coordinators were involved with more than 1 of the patients – by my calculations it looks like there are [REDACTED] care coordinators involved with these [REDACTED] patients? That would be 10 witnesses. I think we should try for 1 hour each for the medical interviews and 45 minutes for the care coordinators.
5. In relation to the ToR and particularly noting 3.1.4 which refers to the information available to clinicians and is quite specific about the care planning for the [REDACTED] we definitely need to get information from the services to which they were referred. Can we obtain some general information about each one (what does the service provide etc) and if they have intake forms or assessments and initial care plans or equivalent? Tania and I can follow up with telephone calls to verify or clarify anything that we need to – so a key contact name and telephone number for each would be helpful.

In essence we are proposing that:

- the medical interviews and the file review and the information from the receiving services deal with the patient cohort overall (ToR 3.1.2;3.1.3,3.1.4)
- the medical interviews, the care coordinator interviews and the file reviews and the info from the receiving services deal with the specific cases identified as having poor outcome or complex transitions (ToR 3.1.4)

Can you clarify your interpretation of 3.1.2 – it could be read to mean that we would have to interview all the patients and their families to get the other side of the story – ie what did they think their needs were and how well were they met? It could also be limited to, based on the documented care planning and interviews, were the psychobiosocial needs of the patients and families identified comprehensively and comprehensively planned for?

Regards
 Beth

Associate Professor Beth Kotze
 MBBS FRANZCP FRACMA Cert Child Psychiatry MMed (Psychotherapy) MHA (UNSW)
 Acting Associate Director, Health System Management
 Mental Health and Drug and Alcohol Office
 NSW Ministry of Health
 Direct Dial: [REDACTED] | Mobile: [REDACTED] | Fax: [REDACTED]
 Address: [REDACTED]
 Email: [REDACTED]
 Website: www.health.nsw.gov.au/mhdao



From: Kristi Geddes [mailto:[REDACTED]]