



Your ref: 569996/I; 2997582
Our ref: PL9/PRE052/2103/SZL
Contact: Louise Syme
Direct ph: [REDACTED]
Direct fax: [REDACTED]
Email: [REDACTED]

Crown Law

Department of
Justice and Attorney-General

28 September 2015

The Commissioner
Barrett Adolescent Centre Commission of Inquiry
Level 10, 179 North Quay
BRISBANE Q 4000

By Hand

Dear Commissioner

Barrett Adolescent Centre Commission of Inquiry - State representation

I refer to the Requirement to Produce Documents dated 15 September 2015, addressed to Mr Dave Stewart, Director-General of the Department of the Premier and Cabinet.

In response to that request, I disclose an initial tranche of documents as follows:

Documents responding to Schedule point 8(i)(ii):

1. Doc/12/217691 – Forwarding a copy of an email to Queensland Health requesting that the funding of a special nurse be transferred from Cairns Hospital to the Barrett Centre so [REDACTED] can receive treatment.
2. Doc/12/241157 – Broadcast email regarding [REDACTED] and the closure of the Barrett Centre.

Documents responding to Schedule point 15(c):

3. Doc12/227388 - Queensland Health (QH) information - closure of Barrett Adolescent facility - [REDACTED]
4. Doc/12/227391 - Further Queensland Health (QH) information - closure of Barrett Adolescent facility - [REDACTED]

Documents relating to Terms of Reference 3(e):

5. Doc/12/215331 – opposed to the closure of Barrett Adolescent Facility in Brisbane.
6. Doc/12/215494 – request for urgent youth mental health review as [REDACTED] needs a place in a secure residential adolescent psychiatric facility to get daily treatment.
7. Doc/12/215552 – opposed to the Barrett Adolescent Centre Closure.

State Law Building
50 Ann Street Brisbane
GPO Box 5221 Brisbane
Queensland 4001 Australia
DX 40121 Brisbane Uptown
Telephone 07 3239 6703
Facsimile 07 3239 0407
ABN 13 846 673 994

8. Doc/12/215997 – concerns that the Barrett Adolescent Facility is closing.
9. Doc/12/216411 – Opposing the closure of the Barrett Adolescent Centre.
10. Doc/12/216425 – Opposing the proposal to close down the Barrett Adolescent Centre at Wacol mental health facility for young people.
11. Doc/12/216541 – Opposing the proposal to close the Barrett Adolescent Mental Health Facility in Wacol.
12. Doc/12/216551 – Opposing the proposed closure of the Barrett Adolescent Centre mental health facility at Wacol.
13. Doc/12/216562 – opposing the closure of the Barrett Adolescent Centre.
14. Doc/12/216566 – Opposing the proposed closure of the Barrett Adolescent Centre mental health facility.
15. Doc/12/216584 – Opposing the closure of the Barrett Adolescent Centre.
16. Doc/12/216613 – Opposing the proposed closure of the Barrett Adolescent Centre mental health facility.
17. Doc/12/217019 – opposing the proposed closure of the Barred Adolescent Mental Health Centre
18. Doc/12/217111 – Opposing the proposed closure of the Barrett Adolescent Centre mental health facility at Wacol.
19. Doc/12/217385 – Opposing the closure of the Barrett Adolescent Centre.
20. Doc/12/217693 – Opposing the closure of the Barrett Adolescent Centre.
21. Doc/12/218057 - Opposing the closure of the Barrett Adolescent Centre.
22. Doc/12/218250 - Opposing the closure of the Barrett Adolescent Centre.
23. Doc/12/218455 - Opposing the closure of the BARRETT Centre.
24. Doc/12/217437 – Opposing the closure of the Barrett Adolescent Centre mental health facility.
25. Doc/12/217441 – Acknowledgement Opposing the closure of the Barrett Adolescent Centre mental health facility.
26. Doc/12/228736 - Referral from PM&C - Requesting support for the retention of the Barrett Adolescent Centre in Wacol.
27. Doc/12/229758 – Original Request for assurance of the Barrett Adolescent Centre will not be closed.
28. Doc/12/235518 - BARRETT ADOLESCENT CENTRE Opposing the potential closure of the Barrett Adolescent Centre.
29. Doc/12/235941 - In support of keeping the Barrett Centre open.
30. Doc/12/236018 – Opposing the closure of the Barrett Adolescent Centre.
31. Doc/12/237955 – Opposed to the Closure of the Barrett Centre.

Please note this disclosure amounts to partial compliance with the above mentioned Requirement to Produce. A request for an extension of time until **4pm on Friday 2 October 2015** has been made today.

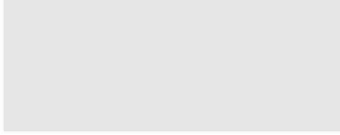
Please note that personal information has not been redacted from the disclosed documents to allow for ease of reading and context. However, consent has not been obtained from the authors of the disclosed correspondence for the publication of their names or personal details and those details should be redacted prior to any publication.

EXHIBIT 2

Barrett Adolescent Centre Commission of Inquiry - State representation

We will continue to produce documents as soon as practicable and will confirm full compliance upon receipt of instruction from our client that all relevant documents have been disclosed.

Yours sincerely



Louise Syme
A/Assistant Crown Solicitor
for **Crown Solicitor**

encl

EXHIBIT B14



Queensland
Government

Crown Law

Department of
Justice and Attorney-General

Your ref: 569996/I; 2997582
Our ref: PL9/PRE052/2103/SZL
Contact: Louise Syme
Direct ph: [REDACTED]
Direct fax: [REDACTED]
Email: [REDACTED]

2 October 2015

The Commissioner
Barrett Adolescent Centre Commission of Inquiry
Level 10, 179 North Quay
BRISBANE Q 4000

By Hand

Dear Commissioner

Barrett Adolescent Centre Commission of Inquiry - State representation

I refer to the Requirement to Produce Documents (Notice) dated 15 September 2015, addressed to Mr Dave Stewart, Director-General of the Department of the Premier and Cabinet (DPC).

Further to my letter of 28 September 2015 and in response to that request, I disclose a second tranche of documents on the **enclosed** USB stick. An index to those documents is **enclosed**.

Please note this disclosure amounts to partial compliance with the above mentioned Notice. Further documents are being reviewed and considered. To allow for consideration and instructions to be taken in relation to the production of those documents, DPC seeks a further extension until **4pm on Tuesday 6 October 2015**.

Please note that personal information has not been redacted from the disclosed documents to allow for ease of reading and context. However, consent has not been obtained from the authors of the disclosed correspondence for the publication of their names or personal details and those details should be redacted prior to any publication.

State Law Building
50 Ann Street Brisbane
GPO Box 5221 Brisbane
Queensland 4001 Australia
DX 40121 Brisbane Uptown
Telephone 07 3239 6703
Facsimile 07 3239 0407
ABN 13 846 673 994

EXHIBIT 2

Barrett Adolescent Centre Commission of Inquiry - State representation

We will continue to produce documents as soon as practicable and will confirm full compliance upon receipt of instruction from our client that all relevant documents have been disclosed.

With respect to Cabinet documents, DPC are awaiting further advices in relation to documents that may be relevant to the Notice. DPC undertakes to provide a further update in relation to Cabinet documents by **4 pm on Tuesday 6 October 2015**.

Yours sincerely



Louise Syme
A/Assistant Crown Solicitor
for **Crown Solicitor**

encl

EXHIBIT B15

Barrett Adolescent Centre Commission of Inquiry

Your Reference: PL9/PRE52/2103/SZL
In reply please quote: 569994/1; 3053371

Level 10, 179 North Quay
Brisbane Queensland 4000
PO Box 13016
George Street Post Shop
Brisbane Queensland 4003
Telephone +61 7 3239 6040
Email info@barrettinquiry.qld.gov.au
Web www.barrettinquiry.qld.gov.au

Ms Louise Syme
Crown Law
GPO Box 5221
BRISBANE QLD 4001

By email to: [REDACTED]

Dear Louise

NON-COMPLIANCE WITH REQUIREMENT TO PRODUCE DOCUMENTS TO THE BARRETT ADOLESCENT CENTRE COMMISSION OF INQUIRY

On 15 September 2015 your client (Department of Housing and Public Works, addressed to Mrs Liza Carroll, Director-General), was served with a notice pursuant to s 5(1)(b) of the *Commissions of Inquiry Act 1950* (Qld) requiring your client to produce to the Commission certain documents in your client's custody or control.

The specified time for production of those documents was **12 October 2015**.

According to the Commission's records that notice has not been complied with.

Would you please let me know as a matter of urgency when you expect that your client will comply in all respects with the notice?

Yours sincerely

[REDACTED]
Ashley Hill
Executive Director
Barrett Adolescent Centre Commission of Inquiry
27/10/2015

EXHIBIT B16



Your ref:
Our ref: PLF/PRE052/2103/SZL
Contact: Louise Syme
Direct ph:
Direct fax:
Email:

Crown Law

Department of
Justice and Attorney-General

29 October 2015

Mr Ashley Hill
Executive Director
Barrett Adolescent Centre Commission of Inquiry
Level 10
179 North Quay
BRISBANE 4000

By email: mail@barrettinquiry.qld.gov.au

Dear Mr Hill

Barrett Adolescent Centre Commission of Inquiry - State representation

I refer to your letter of 27 October 2015, concerning compliance with a notice requiring the Department of Housing and Public Works to produce documents.

My records indicate a Requirement to Produce Documents, addressed to Ms Liza Carroll, Director General of the Department of Housing and Public Works, dated 15 September 2015 ("the Notice"), required compliance by 4pm Monday, 28 September 2015.

On 28 September 2015, I wrote to the Commissioner, noting that due to the technical requirements of the Document Management Protocol, documents responding to the notice would not be able to be immediately produced in a compliant format. I also advised that further searches were required and that documents could be provided by 4pm, Tuesday 6 October 2015, at least in text-searchable Portable Document Format (PDF). An extension of time, until 6 October 2015 was requested.

After a discussion with Ms Muir on Monday, 12 October 2015, I sent an email to Ms Muir requesting confirmation of the Commission's position on receiving documents in response to the notice, but which could not be supplied in line with the Document Management Protocol. Ms Muir responded by email on 15 October 2015 noting that apart from a particular category of documents, the Commission would prefer that the balance of the documents be provided

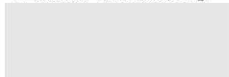
State Law Building
50 Ann Street Brisbane
GPO Box 5221 Brisbane
Queensland 4001 Australia
DX 40121 Brisbane Uptown
Telephone 07 3239 6703
Facsimile 07 3239 0407
ABN 13 846 673 994

in accordance with the document management protocol. That understanding was reached in circumstances where I believed we would be able to use litigation support software in the near future.

I am working with the litigation software provider to ensure that full functionality of the service is achieved over the next few days. Further, Crown Law staff will be available, if necessary, to work this weekend to facilitate some disclosure of documents in a format that complies with the Document Management Protocol on or before **Wednesday, 3 November 2015**, with full disclosure being made as soon as possible after that date.

I understand and appreciate the Commission's concerns with the continuing non-compliance with the Document Management Protocol. The State's legal representatives will continue to work towards resolving this issue in a timely manner.

Yours sincerely



Louise Syme
Special Counsel
for Crown Solicitor

enc

EXHIBIT B17



Your ref:
Our ref: PL9/PRE052/2103/SZL
Contact: Louise Syme
Direct ph:
Direct fax:
Email:

Crown Law

Department of
Justice and Attorney-General

28 September 2015

The Commissioner
Barrett Adolescent Centre Commission of Inquiry
Level 10, 179 North Quay
BRISBANE Q 4000

By hand

Dear Commissioner

Barrett Adolescent Centre Commission of Inquiry - State representation

I refer to the Requirement to Produce Documents issued to Mr Michael Walsh, Director-General of the Department of Health dated 14 September 2015.

Please find on the **enclosed** USB the following relevant documents:

Number	Document	Date	RTPD Reference
1.	Folder containing Expert Clinical Reference Group (ECRG) documents	Various	15, 16
2.	Consumer Integrated Mental Health Application (CIMHA) files for the following clients: <ul style="list-style-type: none"> • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] 	Various	12

State Law Building
50 Ann Street Brisbane
GPO Box 5221 Brisbane
Queensland 4001 Australia
DX 40121 Brisbane Uptown
Telephone 07 3239 6703
Facsimile 07 3239 0407
ABN 13 846 673 994

EXHIBIT 2

Barrett Adolescent Centre Commission of Inquiry - State representation

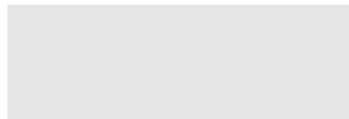
Please note this disclosure amounts to partial compliance with the above mentioned Requirement to Produce. A request for an extension of time until **4pm on Tuesday 6 October 2015** has been made today.

The enclosed documents in CIMHA files are documents to which the Joint Submissions on Confidentiality made on 25 September 2015 relate. We ask that these documents be treated as confidential subject to a determination in relation to confidentiality as sought in those submissions.

We have been informed by West Moreton Hospital and Health Service's legal representatives that they have sought clarification from the Commission regarding the individuals who fall within the definition of "transition clients". We have released the CIMHA files above on the understanding that there is no dispute that these patients were transition clients. We ask that the Commission confirm the name of any additional patients who fall within the definition of "transition clients" so that further appropriate disclosure may be made to the Commission.

We will continue to produce documents as soon as practicable and will confirm full compliance upon receipt of instruction from our client that all relevant documents have been disclosed.

Yours sincerely



Louise Syme
A/Assistant Crown Solicitor
for **Crown Solicitor**
encl

EXHIBIT B18

EXHIBIT 2

Your ref:
Our ref: PL9/PRE052/2103/SZL
Contact: Louise Syme
Direct ph:
Direct fax:
Email:

15 October 2015

The Commissioner
Barrett Adolescent Centre Commission of Inquiry
Level 10, 179 North Quay
BRISBANE Q 4000

By Hand

Dear Commissioner

Barrett Adolescent Centre Commission of Inquiry

We refer to our previous correspondence of 28 September and 2 October 2015, in which documents were produced pursuant to the Requirement to Produce Documents (Notice) issued to Mr Michael Walsh, Director-General of Queensland Health dated 14 September 2015.

Please find on the **enclosed** a USB containing the following relevant documents:

Number	Document	Date	RTPD Reference
1.	Consumer Integrated Mental Health Application (CIMHA) files for the following clients: <ul style="list-style-type: none">• [REDACTED]• [REDACTED]• [REDACTED]• [REDACTED]• [REDACTED]• [REDACTED]• [REDACTED]• [REDACTED]	Various	12
2.	Patient records for: <ul style="list-style-type: none">• [REDACTED] (folder titled Cairns HHS)		

EXHIBIT 2

Barrett Adolescent Centre Commission of Inquiry - State representation

Number	Document	Date	RTPD Reference
	<ul style="list-style-type: none"> • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] <p>(folder titled Sunshine Coast HHS)</p> <ul style="list-style-type: none"> • [REDACTED] <p>(folder titled Townsville HHS)</p>		

Please note this disclosure amounts to partial compliance with the above mentioned Requirement to Produce. Late on the afternoon of 12 October 2015, the writer contact Ms Catherine Muir, Counsel Assisting to confirm if the continued release of documents in the current format was acceptable and desirable. Ms Muir has confirmed today that ongoing production of documents in this format is acceptable. We will write separately to advise of our progress toward meeting the requirements of the document management protocol and expected timeframes for proper disclosure of documents.

As indicated in my previous correspondence, the enclosed documents are patient files and are documents to which the Joint Submissions on Confidentiality made on 25 September 2015 relate. We ask that these documents be treated as confidential subject to a determination in relation to confidentiality as sought in those submissions.

We ask that the Commission confirm the name of any additional patients who fall within the definition of “transition clients” so that further appropriate disclosure may be made to the Commission.

Queensland Health and Crown Law continue to endeavour to provide documents in accordance with the Notice. At present a large off site task is being undertaken to allow the review of electronic documents estimated to number almost two million documents.

We have been advised that those documents will be available for searching within the next 24 hours. However, searches on that number of documents may take several days. Further time will be required to assess further electronic records received from Queensland Health in addition to paper documents.

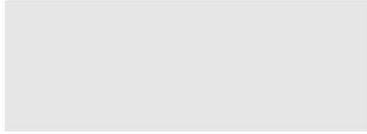
Given all of those circumstances, we are instructed to seek a further extension of time until Monday **26 October 2015**.

EXHIBIT 2

Barrett Adolescent Centre Commission of Inquiry - State representation

We will continue to produce documents as soon as practicable and will confirm full compliance upon receipt of instruction from our client that all relevant documents have been disclosed.

Yours sincerely



Louise Syme
Special Counsel
for **Crown Solicitor**

encl

EXHIBIT B19

EXHIBIT 2

From: Ashley Hill
To: [CL Barrett Inquiry](#)
Cc: [Louise Syme](#); Cathy Muir [REDACTED]
Subject: Request for extension to 26 October - Your Ref PL9/PRE052/2013/SZL
Date: Monday, 19 October 2015 3:43:00 PM

Good afternoon, Louise

Thank you for delivering to the Commission some of the materials related to the Notice to Produce sent to Mr Michael Walsh and dated 14 September 2015. The covering letter that accompanied the documents sought a further extension for the supply of documents to Monday 26 October. That extension is granted.

Further correspondence will be sent to you in response to the other questions raised in your letter.

Kind Regards

Ashley Hill

Executive Director

Barrett Adolescent Centre Commission of Inquiry

P [REDACTED]

Level 10, 179 North Quay, BRISBANE QLD 4000

EXHIBIT B20



Crown Law

Department of
Justice and Attorney-General

Your ref:
Our ref: PL9/PRE052/2103/SZL
Contact: Louise Syme
Direct ph:
Direct fax:
Email:

11 October 2015

The Commissioner
Barrett Adolescent Centre Commission of Inquiry
Level 10, 179 North Quay
BRISBANE Q 4000

By email to: [REDACTED]

Dear Commissioner

Barrett Adolescent Centre Commission of Inquiry - State representation

We refer to the Requirement to Produce Documents (Notice) dated 15 September 2015, addressed to Mr Jim Murphy, Under Treasurer, Queensland Treasury.

Counsel for the State of Queensland and I met with Counsel Assisting on Wednesday 7 October 2015 to seek clarification regarding the requirements detailed in paragraphs 7 and 8 of this Notice and similar notices issued to other entities of the State.

Counsel Assisting is considering the matter further with a view to providing some written advice to Crown Law. Subject to that advice, further consideration may be given to the documents provided to Crown Law by Queensland Treasury.

In the interim, we confirm that Queensland Treasury does not have any documents to disclose relevant to the Notice and Terms of Reference.

On receipt of Counsel Assisting's advice regarding paragraph 7 and 8, we will write and confirm whether Queensland Treasury has any further documents to disclose.

Yours sincerely

[REDACTED]

Louise Syme
Special Counsel
for **Crown Solicitor**


State Law Building
50 Ann Street Brisbane
GPO Box 5221 Brisbane
Queensland 4001 Australia
DX 40121 Brisbane Uptown
Telephone 07 3239 6703
Facsimile 07 3239 0407
ABN 13 846 673 994

In the matter of *Commissions of Inquiry Act 1950*

Commissions of Inquiry Order (No. 4) 2015

Barrett Adolescent Centre Commission of Inquiry

CERTIFICATE OF EXHIBIT

^{'C11'} ^{DT} 
Exhibits 'C1' to 'C10' to the Affidavit of William David Thompson affirmed on 11 November 2015.



William David Thompson



Solicitor

EXHIBIT C1



Queensland
Government

Crown Law

Department of
Justice and Attorney-General

Your ref:
Our ref: PL9/PRE052/2103/SZL
Contact: Louise Syme
Direct ph:
Direct fax:
Email:

28 September 2015

The Commissioner
Barrett Adolescent Centre Commission of Inquiry
Level 10, 179 North Quay
BRISBANE Q 4000

By email to: mail@barrettinquiry.qld.gov.au

Dear Commissioner,

Notices to Produce issued on 14 September and 15 September 2015

Crown Law acts for the State of Queensland and particularly, for the purpose of this correspondence, Queensland Health, the Department of Education and Training, Queensland Treasury, the Department of Housing and Public Works, the Department of Communities, Child Safety and Disability Services and the Department of the Premier and Cabinet (the departments). Notices to Produce (the Notices) were issued to each of those departments on 14 September or 15 September 2015 requiring the production of documents by **4 pm today**.

In addition to documents being provided in text searchable PDF format, the Document Management Protocol issued with each of the Notices requires the production of metadata in relation to each document. Neither Crown Law nor the departments have litigation support software presently available that will allow for the production of metadata. An urgent procurement process has been undertaken to avail the State representation in this matter of access to that type of software. Whilst that procurement process has been prioritised; until that procurement process is complete the departments will not be able to comply with the requirement to produce metadata.

However, in order to comply with the Notices, efforts are being made to produce all documents in text-searchable PDF format on the undertaking that those documents will be reproduced with the requisite metadata as soon as possible.

State Law Building
50 Ann Street Brisbane
GPO Box 5221 Brisbane
Queensland 4001 Australia
DX 40121 Brisbane Uptown
Telephone 07 3239 6703
Facsimile 07 3239 0407
ABN 13 846 673 994

Since being provided with the Notices all departments have undertaken extensive searches and inquiries to identify and retrieve physical and electronic documents that meet the requirements of the Notices. On the basis of those searches and inquiries it is anticipated that all departments, with the exception of Queensland Treasury and Department of Housing and Public Works, will be in a position to provide a partial response to the Notices today. A detailed explanation for that partial response, or non- response, for each department is detailed below.

Queensland Treasury

I am instructed that Queensland Treasury (Treasury) has undertaken extensive searches to identify documents that fall within the scope of the Notice to Produce issued on 15 September 2015. I am further instructed that Treasury is quite advanced in its searches and continues to undertake the necessary steps to identify and produce documents in accordance with the Notice to Produce issued on 15 September 2015. Those searches and review of any identified documents are expected to be provided to Crown Law today. The relevant documents will be produced by Crown Law as soon as possible. Treasury seek a further brief extension of time to allow for production of documents with the exception of cabinet documents by **4pm on Friday 2 October 2015**. Treasury undertake to provide the Commission with an update on the production of any relevant cabinet documents by **4 pm on Friday 2 October 2015**.

Department of Housing and Public Works

I am instructed that the Department of Housing and Public Works (DHPW) have undertaken extensive searches across a number of separate business units within the department. Those searches it appears have been complicated by a number of machinery of government changes over the years. Searches undertaken to date and future searches may require consideration of hard copy documents, network drives across different business areas and archived email inboxes. The documents produced to Crown Law prior to today do not fall within the scope of the Terms of Reference. DHPW have remaining searches to complete in relation to alternative locations for the Barrett Adolescent Centre. It is anticipated that those searches will be completed and any identified documents can be produced by **4 pm on Tuesday 6 October 2015**.

Department of Communities, Child Safety and Disability Services

I am instructed that the Department of Communities, Child Safety and Disability Services (DCCSDS) has undertaken extensive searches, including regional searches, and identified documents for production today. On the basis of those searches documents will be produced to the Commission today. Further searches are being undertaken in relation to documents that may meet the requirements of the Notices issued on 15 September 2015. It is anticipated that those searches will be completed and any identified documents will be produced by **4 pm on Friday 2 October 2015**.

Department of Education and Training

The Department of Education and Training (DET) have undertaken extensive searches within the various business units within the department and regional searches and provided a significant number of paper documents for production. Steps have been commenced for those documents to be converted to text searchable PDF format. DET will be in a position to produce some of those documents today. It is anticipated that all of those documents will be available in the required format by **4pm on Friday 2 October 2015**.

DET have also made inquiries and sought quotes for the “de-archiving” of electronic emails. I have attached to this letter an estimate of the time frames for de-archiving emails and a quote received by DET for the use of an external support service to undertake that process. DET is undertaking steps to engage that support. It is not anticipated on current estimates that documents identified in email searches will be available by 2 October 2015. However, it is anticipated DET will be in a position that to provide the Commission with an update on the production of email documents by **4 pm on Tuesday 6 October 2015**.

Department of the Premier and Cabinet

The Department of the Premier and Cabinet (DPC) have undertaken extensive searches and provided documents for release. Those documents, with the exception of documents that are identified Cabinet documents, will be produced today. DPC seek a further brief extension of time to allow for production of documents with the exception of cabinet documents by **4pm on Friday 2 October 2015**. DPC undertake to provide the Commission with an update on the production of any relevant cabinet documents by **4 pm on Friday 2 October 2015**.

Queensland Health

I am instructed that Queensland Health (Health) have commenced detailed searches to identify documents that fall within the requirements of the Notice to Produce issued on 14 September 2015. Those searches have been complicated by the absence of an electronic records management system (ERMS) within the department. As such searches have been undertaken and are being undertaken across numerous network hard-drives belonging to separate units within the department to locate required documents. I have been instructed that the volume of data to be searched may range from 8TB to 10TB or terabytes that is 8,000 to 10,000 GB or gigabytes of data.

Given that volume, efforts have been commenced to procure external support, including access to litigation support software, for the purposes of identifying relevant materials. That procurement process has been expedited, however procurement will be complete today at the earliest. Absent the procurement of that support, I am instructed that compliance with the requirement will require manual review of the data identified, a task that I am informed would take several weeks if not months.

Queensland Health have also undertaken, in cooperation with all of the Hospital and Health Services (HHS), to produce all electronic mental health records contained in CIMHA (Consumer Integrated Mental Health Application) for all transition clients.

I am instructed that information cannot be exported from that system and information must be printed either as a document or a screenshot of an entry. Whilst all HHS have access to CIMHA, to expedite the production of that material, Queensland Health have agreed to undertake that task. Once the required documents are extracted from CIMHA, they will need to be converted to text searchable PDF format. This process is ongoing, however it is anticipated that CIMHA documents will be available in the necessary format later this week.

Queensland Health is also coordinating the production of other physical patient records from all of the HHS with the exception of West Moreton HHS, Metro South HHS and Metro North HHS.

I am further instructed that Queensland Health has undertaken a concerted effort, commencing prior to the commencement of the Commission of Inquiry, to “de-archive” email inboxes for relevant employees. A significant number of email boxes have been de-archived and are available for searching. I am instructed that to date those email boxes contain approximately 2TB of data. Further email inboxes are to be “de-archived”. I have **enclosed** details of the de-archival process and the anticipated time frames for completion of that process. Queensland Health undertakes to continue that process and provide identified documents to the Commission throughout the course of the inquiry.

With the exception of any material in the email inboxes yet to be de-archived, it is anticipated that with the procurement of litigation support software, the documents required under the Notice to Produce issued on 14 September 2015 will be available for production by **4pm on Tuesday 6 October 2015**.

It is not anticipated on current estimates that documents identified in email searches will be available by 6 October 2015. However, Queensland Health undertake to provide all relevant identified emails documents to the Commission as soon as practicable and will provide the Commission with an update on the production of any documents identified in email searches by **4 pm on Tuesday 6 October 2015**.

Request for Extension of Time

Each of the departments seek an extension of time for compliance for the reasons set out above. Those extensions are detailed below:

- Treasury - extension sought until **4pm on Friday 2 October 2015** on the undertaking that additional information about the production of cabinet documents will be provided that day.
- DHPW - extension sought until **4 pm on Tuesday 6 October 2015**.

- DCCSDS - extension sought until **4 pm on Friday 2 October 2015**.
- DET - extension sought until **4 pm on Friday 2 October 2015** for production of all documents except documents contained in email inboxes yet to be de-archived and it is anticipated that DET will provide the Commission with an update on the production of any documents identified in email searches by **4 pm on Tuesday 6 October 2015**.
- DPC - extension sought until **4pm on Friday 2 October 2015** on the undertaking that additional information about the production of cabinet documents will be provided that day.
- Health - extension sought until **4 pm on Tuesday 6 October 2015** for production of all documents except documents contained in email inboxes yet to be de-archived and will provide the Commission with an update on the production of any documents identified in email searches by **4 pm on Tuesday 6 October 2015**.

In seeking the above extensions of time, it is anticipated that all departments will produce material as soon as practicable.

Yours sincerely



Louise Syme
A/Assistant Crown Solicitor
for **Crown Solicitor**

encl

EXHIBIT C2

Barrett Adolescent Centre Commission of Inquiry

In reply please quote: 569976/1; 3012394

Level 10, 179 North Quay
Brisbane Queensland 4000
PO Box 13016
George Street Post Shop
Brisbane Queensland 4003
Telephone +61 7 3239 6040
Email info@barrettinquiry.qld.gov.au
Web www.barrettinquiry.qld.gov.au/

Ms Louise Syme
Crown Law
By email to: [REDACTED]

Dear Ms Syme,

Thank you for your letter dated 28 September 2015.

The Commissioner has granted extensions of time for compliance with the notices to the six (6) departments as follows:

Queensland Treasury

1. Time for compliance is extended to 2 October 2015 for all documents except Cabinet documents.
2. Time for compliance is extended to 6 October 2015 for Cabinet documents, with Crown Law to provide the Commission with an update on the production of any relevant Cabinet documents by 2 October 2015.

Department of Housing

3. Time for compliance is extended to 6 October 2015.

Department of Communities, Child Safety and Disability Services

4. Time for compliance is extended to 2 October 2015.

Department of Education and Training

5. Time for compliance is extended to 2 October 2015 for all documents, except for emails.
6. Time for compliance for emails is extended to 6 October 2015.

Department of Premier and Cabinet

7. Time for compliance is extended to 2 October 2015 for all documents, except for Cabinet documents.

Barrett Adolescent Centre Commission of Inquiry

8. Time for compliance is extended to 6 October 2015 for Cabinet documents, with Crown Law to provide the Commission with an update on the production of any relevant Cabinet documents by 2 October 2015.

Queensland Health

9. Time for compliance is extended to 6 October 2015, except for email inbox documents.
10. Time for compliance is extended to 8 October for email inbox documents, with Crown Law to provide the Commission with an update on the production of any relevant email inbox documents by 6 October 2015.

You will note that in those cases where Crown Law has sought to provide an update the Commissioner has nevertheless extended the time to a specific date.

Yours sincerely

Ashley Hill
Executive Director
Barrett Adolescent Centre Commission of Inquiry
29/09/2015

EXHIBIT C3

Barrett Adolescent Centre Commission of Inquiry

Your Reference: PL9/PRE52/2103/SZL
In reply please quote: 569976/1; 3022370

Level 10, 179 North Quay
Brisbane Queensland 4000
PO Box 13016
George Street Post Shop
Brisbane Queensland 4003
Telephone +61 7 3239 6040
Email info@barrettinquiry.qld.gov.au
Web www.barrettinquiry.qld.gov.au

Ms Louise Syme
Crown Law
GPO Box 5221
BRISBANE QLD 4001

By email to: [REDACTED]

Dear Louise

Barrett Adolescent Centre Commission of Inquiry

We refer to the meeting held at the Commission rooms on Wednesday 7 October 2015 between Mr Paul Freeburn QC, Ms Catherine Muir, Ms Elizabeth Wilson QC, Ms Nicole Kefford and you.

The Concerns

Your concerns and requests for clarification relate to whether and how some of the [same] requests for documents contained in the Requirements to Produce Documents issued to Children's Health Queensland, Queensland Treasury, the Department of the Premier and Cabinet, the Department of Housing and Public Works and Queensland Health fell within the Commission's Terms of Reference.

The example we focussed on in the meeting were paragraphs 7 and 8 of the Requirement to Produce Documents issued to Mr Michael Walsh, the Director General of the Department of Health dated 14 September 2015 ("the **Notice**"). We understand the main point raised by your counsel is that the Inquiry into the closure decision, and the bases for the closure decision, is confined because paragraph 3(c) of the Terms of Reference refers to "*the information, material, advice processes, considerations and recommendations that related to or informed the closure decision and the decision-making process related to the closure decision*".

Clarification

We have considered the concern and advise that the Commission maintains the documents sought in paragraphs 7 and 8 of the Notice complained of above are sufficiently relevant to the Terms of Reference.

Paragraphs 3(a) and (b) of the Terms of Reference expressly provide that the Commission must conduct a full and careful inquiry, in an open and independent manner, with respect to the decision to close the Barrett Adolescent Centre (**BAC**) announced on 6 August 2013, and the bases for that closure decision.

With respect, the narrow reading of the scope of the Inquiry proffered by your counsel overlooks two crucial matters. First, it fails to consider the express commencing words of paragraph 3(c) which are “*without limiting paragraphs (a) and (b)*”. In inquiring in an open and independent manner with respect to the decision to close, and the bases for the closure decision, the Commission therefore is expressly not limited to “*the information, material, advice process, considerations and recommendations that related to or informed the closure decision and the decision-making process related to the closure decision*”. Secondly, it fails to recognise the inquisitorial nature of the Commission’s task, and that to preform its task adequately the Commission must dig and probe to an extent that may not be appropriate in adversarial litigation. The Commission’s task is to find what the facts are.

Width of the Terms of Reference

The inquiry into the closure decision and its bases cannot be undertaken in a full and careful way in isolation or in a vacuum. The establishment, the policies and plans underpinning the establishment, and the subsequent operation and management of the BAC are likely to be relevant to the ‘*considerations that related to or informed the decision to close the BAC*’ [3(c)]. Any earlier decisions to close, or not to close, the BAC are likely to be relevant to that aspect, as well as to ‘*any alternative for the replacement of BAC that was considered or ought to have been considered*’ [3(g)]. We also draw your attention to the width of 3(h) which requires an inquiry into considerations related to the other matters referred to in 3(d) to (g) – one of which is the issue of alternatives (i.e. 3(g)).

Of course, we have not seen the documents, and so it is difficult to assess them in abstract. However, we would have thought it highly likely that the prior proposals to close the BAC in 1999 and 2009 involved a consideration of alternatives such as Redlands. And, even if alternatives were not considered on those occasions, that would be relevant to a proper consideration of the decision and the alternatives.

Paragraph 4 of the Terms of Reference

Further, any concern that your clients may have in relation to these documents falling within the scope of the Terms of Reference must be allayed by the inclusion of paragraph 4 of the Terms of Reference. There is scope under that paragraph for the Commission to make appropriate recommendations including for clinically appropriate models of care for intensive mental health services to young people with severe and complex mental illness. Again, such an inquiry necessitates a consideration of the policies and plans underpinning the establishment