

SUPPLEMENTARY STATUTORY DECLARATION OF MS KRISTI GEDDES*Oaths Act 1867***BARRETT ADOLESCENT CENTRE COMMISSION OF INQUIRY***Commissions of Inquiry Act 1950**Section 5(1)(d)*

I **Kristi Maree Geddes** of c/- Minter Ellison, Level 22, Waterfront Place, 1 Eagle Street, Brisbane, in the State of Queensland, do solemnly and sincerely declare that:

1. I refer to my previous Statutory Declaration, sworn on 22 October 2015 (the **"Statutory Declaration dated 22 October 2015"**).
2. On 10 December 2015, I received correspondence from the Barrett Adolescent Centre Commission of Inquiry (**Commission**) outlining a number of further questions arising from my Statutory Declaration dated 22 October 2015.
3. Attached and marked **"KG-1"** is a copy of the further questions arising from my Statutory Declaration dated 22 October 2015.

Timeframe for the Investigation

4. On 14 August 2014, I received an email from Ms Wensley Bitton, Senior Principal Lawyer, Legal and Governance Branch, Department of Health, enclosing the Instrument of Appointment and Terms of Reference for the Investigation.
5. At the time of receiving the Instrument of Appointment for the Investigation, I had no investigation material or detailed background. I did not know anything about the Barrett Adolescent Centre (the **"BAC"**) or the patients who were treated there other than what was publicly available through media articles that had been released around that time. I did not have a view about the appropriateness of the timeframe for the Investigation when I received the Instrument of Appointment.
6. Following receipt of the first bundle of investigation material on 25 August 2014 and having become aware during the previous week that both Ms Tania Skippen and Associate Professor Beth Kotze had pre-arranged leave during the investigation period, I no longer considered the timeframe would be sufficient for the investigation.
7. Associate Professor Beth Kotze also advised me around that time that she preferred to review the material in hard copy. A complete printed copy of all material was maintained in the Brisbane office of Minter Ellison. I believe that this was a matter of personal preference, but was relevant to the investigation timeframe.

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8. Notwithstanding this, I ensured that both Ms Skippen and Associate Professor Kotze also had access to all the materials electronically as I was aware that Ms Skippen and Associate Professor Kotze would be writing the Report while in Sydney.
9. Towards the end of the Investigation timeframe, I acted as a intermediary between the Department of Health, and Ms Skippen and Associate Professor Kotze in relation to the issue about whether the Investigation was on track to be completed by 30 October 2014.
10. An extension was never specifically requested or discussed at that stage, but the Department had foreshadowed that one would not be granted.
11. There was a lot of a material for Ms Skippen and Associate Professor Kotze to review during the Investigation. However, as I was not the one reviewing that material or preparing the content of the report, it is difficult for me to say whether a longer Investigation timeframe would have been preferred and if so, how long.

Selection of patients for detailed review

12. Attachment KG-8 to my Statutory Declaration dated 22 October 2015 is a file note of a telephone conversation which I had with Ms Bitton during which she relayed details of a conversation she had with Dr John Allan, Chief Psychiatrist, Mental Health Alcohol and Other Drugs Branch, Queensland Health. Ms Bitton told me that Dr Allan had stated that it would be absurd to review transition plans without patient history. The Terms of Reference for the Investigation required a review of transition plans for the patients.
13. This was the first discussion I had with Ms Bitton following my appointment and was about what kind of information we would need and therefore should be requesting to carry out the Investigation.
14. I did not make, nor was I involved in, any of the decisions regarding the selection of patients for detailed review during the Investigation.
15. I recall that when Associate Professor Kotze visited Brisbane on 4 or 5 September 2014 to review the investigation material for the first time, she advised that she considered that the best approach would be to focus on six patients for detailed review and then consider the transitions generally. I understood these six were [REDACTED] [REDACTED] "more complex". I do not know whether these patients had complex care needs or otherwise what Associate Professor Kotze meant when she described these patients as "more complex".
16. It has been subsequently brought to my attention by the Commission that the six patients whose histories or files Associate Professor Kotze reviewed are the same six patients which West Moreton Hospital and Health Service provided updated transition guides for when responding to my request for material for the Investigation. To my knowledge, no

[REDACTED]

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[REDACTED]

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one from West Moreton Hospital and Health Service was involved in the selection of patients for detailed review.

17. Following my discussion with Associate Professor Kotze and as requested by her, I obtained confirmation from the Department of Health that this approach was appropriate. I refer to attachment KG-17 to my Statutory Declaration dated 22 October 2015.
18. I understand that the phrase "patients associated with serious adverse events" in paragraph 3.1.4 of the Terms of Reference for the Investigation was a reference to [REDACTED]
19. I am unable to comment on what is meant by the phrase "highest complexity of needs and risk" in the Report as Ms Skippen and Associate Professor Kotze drafted the Report. I am also unable to comment on how this phrase relates to the phrase "patients associated with serious adverse events" in paragraph 3.1.4 of the Terms of Reference for the Investigation.

Interviews

20. Interviews were conducted with each of the care coordinators for the six patients who were subject to detailed review during the Investigation. I note that patient [REDACTED] had two care coordinators, who were both interviewed, and one associate care coordinator, who was not interviewed.
21. I also recall that Ms Daisy Acland, had been incorrectly listed as a care coordinator for patient [REDACTED]. When I contacted her to request her attendance at an interview, she advised me of that error and as a result, she was not interviewed.
22. I note that the care coordinators who were interviewed also covered off on a number of other patients, as well as the six who were selected for detailed review during the Investigation. This was because many of the care coordinators were responsible for two or more patients.
23. I recall that West Moreton Hospital and Health Service indicated to me that Ms Megan Hayes and Ms Vanessa Clayworth were involved in the transition process. Ms Hayes was interviewed, but Ms Clayworth declined to be interviewed. I recall that under the *Hospital and Health Boards Act 2011* (Qld), we did not have the power to compel Ms Clayworth to attend an interview because she was not a current employee of the Department of Health.
24. Dr Anne Brennan and Dr Trevor Sadler, as Clinical Directors during the transition period, were interviewed.

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25. The decisions about who was going to be interviewed were made in consultation with Ms Skippen and Associate Professor Kotze, in light of the parameters of the Investigation including timeframes and limitations upon investigation powers under the *Hospital and Health Boards Act 2011*.
26. I did not prepare for, or participate in, the interviews. I am therefore unable to comment on whether a set of questions or a plan was devised for the interviews.
27. I do not recall the basis for the decision *not to conduct interviews with staff* from the Department of Education, Training and Employment or the receiving agencies for the patients after they were transitioned from the BAC.
28. I also do not recall the basis for the decision not to conduct interviews with the patients or their families. I received an email from Associate Professor Kotze on 10 September 2014 which included, among other things, a query about whether in order to satisfy paragraph 3.1.2 of the Terms of Reference for the Investigation, interviews should be conducted with the patients and their families. This email was attachment KG-26 to my Statutory Declaration dated 22 October 2015. I cannot recall responding to that aspect of her email and I do not recall whether a discussion occurred in relation to conducting interviews with patients and their families.
29. It is likely that the decisions referred in paragraphs 20 and 21 of this Statutory Declaration were influenced by the Terms of Reference, the timeframe for the Investigation, and/or the limits of investigation powers under the *Hospital and Health Boards Act 2011* (Qld).

Investigation material

30. I understood that the patient histories which I received from West Moreton Hospital and Health Service were incomplete because they only covered the transition period, plus an additional period of time necessary to provide sufficient background and context to the transition plans.
31. I do not recall that Ms Skippen or Associate Professor Kotze raised any significant concerns with me about the incomplete nature of the patient histories received from West Moreton Hospital and Health service.
32. The "facility" referred to in attachment KG-34 to my Statutory Declaration dated 22 October 2015 is West Moreton Hospital and Health Service.
33. Attached and marked "KG-2" is a copy of a file note of a telephone conversation I had with Ms Holly Ahern on 29 August 2014 regarding information which I had requested about governance structures.

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34. Attached and marked "KG-3" is a copy of an email which I sent to Ms Sharon Kelly, Executive Director, Mental Health and Specialised Services, West Moreton Hospital and Health Service on 3 September 2014 in relation to meeting to discuss the information which I had requested about governance structures.
35. Attached and marked "KG-4" is a copy of an email which I received from the [REDACTED] on 15 September 2014 in response to a request for information for the Investigation. In relation to this email:
- (a) I do not recall responding to this email.
 - (b) I do recall that the *Hospital and Health Boards Act 2011* (Qld) did not override the prohibition against [REDACTED] from disclosing any information under its own governing legislation.
 - (c) I believe that I had a discussion with Ms Skippen and Associate Professor Kotze about the limits of our powers under the *Hospital and Health Boards Act 2011* (Qld) to compel [REDACTED] or external agencies generally to provide information, but I do not now recall any details of such a discussion.
 - (d) I advised Ms Skippen and Associate Professor Kotze that we had received material from the receiving agencies and that I would print it out for inclusion with the hard copy of investigation material maintained in our office. I believe Ms Skippen and Associate Professor Kotze were also provided with an electronic copy of all material around the time of their attendance in Brisbane for staff interviews on 13 and 14 October 2014.
36. Attached and marked "KG-5" is a copy of a letter which I received from West Moreton Hospital and Health Service on 24 August 2014 in response to a request for information for the Investigation. I do not recall receiving copies of, or taking any action in relation to, Dr Anne Brennan's emails. I do not recall discussing Dr Brennan's emails with Ms Skippen or Associate Professor Kotze.

Concerns raised by Associate Professor Beth Kotze

37. With reference to attachment KG-77 to my Statutory Declaration dated 22 October 2015, I have no knowledge of any agreement which was made to provide interstate support to Ms Skippen and Associate Professor Kotze.
38. I recall having a discussion with Ms Skippen and Associate Professor Kotze when they were visiting Brisbane about whether I would be writing the governance section of the Report. I recall advising Ms Skippen and Associate Professor Kotze that I would not be drafting any of the content of the report. The governance information I had prepared

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[REDACTED]

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and provided during the Investigation was a result of me trying to understand the governance arrangements and the involvement of all of the relevant bodies, to ensure that I had requested information from all of the correct entities.

39. I also recall Ms Skippen and Associate Professor Kotze asking me whether I would be preparing the patient background summaries and I confirmed this was not the case. I recall confirming with Ms Skippen and Associate Professor Kotze that my role was limited to assisting with and facilitating the procedural aspects of the investigation, ensuring that it was conducted in accordance with the *Hospital and Health Services Act 2011*, adhered to principles of natural justice and appropriately addressed the Terms of Reference.
40. To the best of my recollection, these discussions occurred on 13 or 14 October 2014 when Ms Skippen and Associate Professor Kotze were both visiting Brisbane to conduct the interviews.
41. With reference to attachment KG-79 to my Statutory Declaration dated 22 October 2015 and my telephone discussion with Dr William Kingswell, Executive Director of Mental Health, Mental Health Alcohol and Other Drugs Branch, Queensland Health and Dr Allan on 30 October 2014:
- (a) This discussion came about because I received a telephone message asking me to contact Dr Kingswell and Dr Allan.
 - (b) The "alterations" and "list" referred to in attachment KG-79 to my Statutory Declaration dated 22 October 2015 are the comments in my email to Associate Professor Kotze, which is on page 1024 of my Statutory Declaration dated 22 October 2015.
 - (c) Associate Professor Kotze had provided me with a PDF version of the draft Report. I confirmed with Associate Professor Kotze that she would be happy to receive comments in an email rather than marked up in a word version of the report. I was advised that after receiving my email, Associate Professor Beth Kotze felt that I was interfering with the content of the Report.

Further documents

42. Attached and marked "KG-6" is a copy of an email which I received from Ms Tania Skippen dated 26 August 2014 which was referred to in attachment KG-7 to my Statutory Declaration dated 22 October 2015.
43. Attached and marked "KG-7" is a copy of page 380 of my Statutory Declaration dated 22 October 2015.


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And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.

Taken and declared before me at Brisbane this 14th day of January 2016.

Witness Signature:


**Justice of the Peace / Commissioner for
Declarations / Lawyer**

Witness Signature:

Justice of the Peace / Commissioner for Declarations / Lawyer

BARRETT ADOLESCENT CENTRE COMMISSION OF INQUIRY

Commissions of Inquiry Act 1950
Section 5(1)(d)

Oaths Act 1867

INDEX OF ANNEXURES TO STATUTORY DECLARATION

Bound and marked "KG-1" to "KG-7" are the annexures to the Statutory Declaration of **Kristi Maree Geddes** declared 14 January 2016:

Annexure	Document	Date	Page
KG-1	Further questions arising from Statutory Declaration dated 22 October 2015 as discussed during meeting with Commission staff on 17 December 2015	17.12.2015	1-4
KG-2	File note of telephone conversation between Ms Kristi Geddes and Ms Holly Ahern	29.08.2014	5
KG-3	Email Ms Kristi Geddes to Ms Sharon Kelly	03.09.2014	6-7
KG-4	Email [REDACTED] to Ms Kristi Geddes	15.09.2014	8-22
KG-5	Letter West Moreton Hospital and Health Service to Dr John Allan care of Ms Kristi Geddes	24.08.2014	23-27
KG-6	Email Ms Tania Skippen to Ms Kristi Geddes	26.08.2014	28-30
KG-7	Page 380 of the Statutory Declaration dated 22 October 2015	22.10.2015	31

[REDACTED]

Witness Signature:

[REDACTED]

**Justice of the Peace / Commissioner for
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KG-1

FURTHER QUESTIONS ARISING FROM STATUTORY DECLARATION OF KRISTI GEDDES DATED 22 OCTOBER 2015**Investigation timeframe**

1. In Ms Geddes' opinion, did the investigation process feel rushed?
2. Would Ms Geddes have preferred a longer period to investigate? If so, how long and why?

Selection of patients for detailed review

3. With reference to exhibit KG-8, please clarify the details of Ms Geddes' discussion with Wensley Bitton, Senior Principal Lawyer, Queensland Health regarding the comments made by Dr John Allan, Chief Psychiatrist, Mental Health Alcohol and Other Drugs Branch, Queensland Health, in relation to reviewing transition plans during the investigation. In particular, please confirm that Dr Allan suggested that it would be absurd to review the transition plans for all BAC patients. What, if any explanation did Dr John Allan give for this view?
4. With reference to exhibit KG-10 and the selection of patients whose clinical files and transition plans would be subjected to detailed review during the investigation, to Ms Geddes' knowledge:
 - a. Why did Ms Tania Skippen and Associate Professor Beth Kotze only conduct a detailed review of the clinical files for six of the 20 patients listed in the Investigation and Report Framework drafted by Ms Geddes on 25 August 2014?
 - b. What methodology did Ms Skippen and Associate Professor Kotze use to select these six patients from the 20 who were listed in the Investigation and Report Framework drafted by Ms Geddes on 25 August 2014?
 - c. Was the selection based on the updated transition plans which were provided to Ms Geddes by Holly Ahern, Lawyer, West Moreton Hospital and Health Service? If so, please detail any discussions which Ms Geddes had with Ms Ahern regarding the basis for selecting these six patients.
5. What does Ms Geddes understand the phrase 'patients associated with serious adverse events' in paragraph 3.1.4 of the Terms of Reference for the Investigation to mean? Are 'serious adverse events' [REDACTED]
6. What does Ms Geddes understand the phrase 'highest complexity of needs and risk' in the Report to mean? How does this phrase relate to the phrase 'patients associated with serious adverse events' in paragraph 3.1.4 of the Terms of Reference for the Investigation?
7. Please explain how patients [REDACTED] were chosen for detailed review. On what basis, if any, was it determined that these patients were 'associated with serious adverse events' as

stated in paragraph 3.1.4 of the Terms of Reference for the Investigation, or considered to have the 'highest complexity of needs and risk' as stated in the Report?

8. To Ms Geddes' knowledge, why did Associate Professor Kotze only review six patient files when she visited Brisbane on 5 September 2015?

Interviews

9. Please explain the basis on which care coordinators from the BAC were selected to participate in the interviews for the investigation. In particular, please explain how:
 - a. Ms Geddes, Ms Skippen and Associate Professor Kotze decided which care coordinator to interview for patients who had more than one care coordinator.
 - b. Information obtained by Ms Geddes regarding the relationship between care coordinators and their duties and responsibilities was used to decide which care coordinators would be interviewed.
10. What was the basis for the decision not to interview staff from the Department of Education and Training or staff from the receiving agencies? Who made this decision?
11. Why were patients and their families not interviewed?
12. With reference to exhibit KG-26, what further discussion, if any, occurred between Ms Geddes, Ms Skippen and Associate Professor Kotze following the email of 10 September 2014 from Associate Professor Kotze to Ms Geddes querying whether in order to satisfy paragraph 3.1.2 of the Terms of Reference for the Investigation, interviews should be conducted with the patients and their families to get the other side of the story?
13. Did Ms Geddes, Ms Skippen or Associate Professor Kotze devise a set of questions or a plan for the interviews? If so, please provide a copy.

Investigation material

14. With reference to exhibit KG-34 and Ms Geddes' correspondence with Harry McCay (legal representative for Dr Anne Brennan) on 15 September 2014:
 - a. Please confirm the basis on which the records held by Ms Geddes in relation to the six patients under review were incomplete. For example, were the records incomplete because they were only for the period of time between April/June 2013 and January 2014?
 - b. Was Ms Geddes satisfied that the patient records contained sufficient information to allow Ms Skippen and Associate Professor Kotze to undertake the investigation?
 - c. Is the 'facility' referred to in this correspondence, West Moreton Hospital and Health Service?

15. Please detail any discussions or correspondence which occurred between Ms Geddes and Ms Ahern between 29 August 2014 and 1 September 2014 in relation to the investigation. In particular, with reference to exhibit KG-11, please detail any discussions or correspondence about arranging a face-to-face meeting to provide the further information which Ms Geddes requested regarding governance structures, in her email to Ms Ahern dated 29 August 2014. Please provide copies or file notes as appropriate.
16. With reference to documents 267-269 in the Investigation Document Index in Appendix 1 to the Report, and the email of 15 September 2015 from [REDACTED] to Ms Geddes:
- Did Ms Geddes respond to this email? If so, please provide a copy of the response or file note as appropriate.
 - Did Ms Geddes consider whether Associate Professor Kotze and Ms Skippen would be able to undertake a detailed review of the transitional arrangements for patient [REDACTED] without any patient-specific documents [REDACTED]
 - Did Ms Geddes advise Associate Professor Kotze and Ms Skippen that the material received from [REDACTED] did not contain any patient specific information? If not, why?
17. With reference to document 1 in the Investigation Document Index in Appendix 1 to the Report, and the letter from West Moreton Hospital and Health Service to Dr Allan care of Ms Geddes dated 24 August 2014:
- Did Ms Geddes receive any of Dr Brennan's emails?
 - If not, was any action taken to contact West Moreton Hospital and Health Service about retrieval of these emails?
 - Did Ms Geddes advise Associate Professor Kotze and Ms Skippen that Dr Brennan's emails had not been provided?

Concerns raised by Associate Professor Kotze

18. The Commission understands from exhibit KG-77 that Associate Professor Kotze told Ms Geddes on 27 October 2014 that an agreement was entered into to provide local support for the interstate investigators and this agreement was not honoured. In relation to this agreement:
- Was Ms Geddes a party to, or aware of, this agreement? If so, provide further details about the agreement.
 - To Ms Geddes' knowledge, why did Associate Professor Kotze believe that the agreement was not honoured?

- c. In what way would the Report have been “more superior” if the agreement had been honoured?
19. With reference to exhibit KG-79, provide details of Ms Geddes’ telephone discussion with Dr William Kingswell, Executive Director of Mental Health, Mental Health Alcohol and Other Drugs Branch, Queensland Health, and Dr Allan on 30 October 2014. In particular, provide details about the following extracts from Ms Geddes’ file note of the conversation: “Most alterations except executive summary. She thinks this is up to the Department to do that. John (Dr Allan) has spoken to Beth (Associate Professor Kotze). Has list and has responded to some”. For example:
- a. How did the discussion come about? Who initiated the discussion?
 - b. What were the “alterations” and who made them?
 - c. What was the “list” and who compiled it?
 - d. Please provide copies of the “alterations” and “list”, if applicable.

Request for further documents

20. Please provide copies of the following documents:

- a. The email correspondence between Queensland Health and Mr Evans referred to in paragraph 4.13.
- b. A complete version of exhibit KG-34, including page 380 which is currently missing.
- c. Dr Brennan’s emails, as referred to in document 1 in the Investigation Document Index in Appendix 1 to the Report, and the letter from West Moreton Hospital and Health Service to Dr Allan care of Ms Geddes dated 24 August 2014.
- d. Correspondence from Ms Skippen to Ms Geddes on 26 August 2014 referred to in exhibit KG-7.

CLIENT

DATE

29.8.14

MATTER

Barnett

TIME (start)

am/pm

FILE NO

TIME (end)

am/pm

AUTHOR

K&M

PAGE

OF

Circle activity

With whom

Kelly Shear

TO

TI

CW

AT

Has spoken to M&FED
+ Div Strategy.

Have offered meeting
early next week.

Attend Park Da Troop
morning / around lunch

Kelly can do Monday.

I will see when Butch
& coming up + let
he know.

KG-3

Kristi Geddes

From: Kristi Geddes
Sent: Wednesday 3 September 2014 08:15 am
To: Sharon Kelly
Cc: Holly Ahern; Leanne Geppert; Jacqueline Keller
Subject: Re: further documentation requested regarding BAC investigation

@AfterMailServer: http://archivemanager.int.minterellison.com
@Attachments: <?xml version="1.0" encoding="utf-8"?>
 <aftermail xmlns:xsd="http://www.w3.org/2001/XMLSchema"
 xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance" />
 66ef60fd-55c9-7991-2cb0-e26cd82ff6cc
@CheckSum: <?xml version="1.0"?>
@Message: <aftermail xmlns:xsd="http://www.w3.org/2001/XMLSchema"
 xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance">
 <message checksum="66ef60fd-55c9-7991-2cb0-e26cd82ff6cc" type="3" />
 </aftermail>
@OriginalMessageClass: IPM.Note

Hi Sharon,

My apologies for the delayed reply, I've been unwell and completely out of action the last couple of days.

I was advised yesterday afternoon that unfortunately the other investigator, A/Prof Beth Kotze, is now travelling to Brisbane on Friday, not Thursday as initially advised.

I would, however, still really appreciate the opportunity to meet with you and Dr Geppert on Thursday if that is an option. I am available all morning and can arrange a meeting room in our offices if that is suitable for you. We are located on level 22 Waterfront Place, 1 Eagle Street, Brisbane.

Thank you very much for your assistance and cooperation, it is very much appreciated.

Kind regards,
 Kristi.

Kristi Geddes
 Senior Associate
 Minter Ellison

On 1 Sep 2014, at 3:37 pm, "Sharon Kelly" [REDACTED] wrote:

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]

The Park - Centre for Mental Health
Administration Building, Cnr Ellerton Drive and Wolston Park Road, Wacol, Qld 4076
Locked Bag 500, Sumner Park BC, Qld 4074
Australia

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<Barrett Adolescent Centre - In&Outpatients - 06-08-13 - Updated with CCdoc>

KG-4

Kristi Geddes

From: [REDACTED]
Sent: Monday 15 September 2014 04:09 pm
To: Kristi Geddes
Subject: [REDACTED] Intake Policy and Procedures
Attachments: needs-assessment.pdf; eligibility.pdf

Good afternoon Kristi

In response to your request for information from the [REDACTED]
[REDACTED] regarding our involvement with a Barrett Adolescent Psychiatric Centre client.

I understand you spoke with [REDACTED] and I confirm that, as discussed, the department cannot provide the information sought in item 1 of your letter as this would contravene the confidentiality provision in [REDACTED]

Please see attached however two documents relating to your request for "further information generally about the service provided by [REDACTED] including any policies and/or procedures about intake of patients".

Please do not hesitate to contact me should you require further clarification of the intake and assessment processes

Regards

[REDACTED]

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EXHIBIT 54

Pages 17 through 30 redacted for the following reasons:

-----This document has been partially redacted in accordance with the Confidentiality Protocol published by the Commission on 15 October 2015 and the Order made by the Commissioner on 15 October 2015, which was amended on 28 January 2016.

KG-5



West Moreton Hospital and Health Service

Enquiries to: Sharon Kelly
Telephone: [REDACTED]
Facsimile: [REDACTED]

Dr John Allan
Chief Psychiatrist
Mental Health Alcohol and Other Drugs Branch
Department of Health

C/o Minter Ellison Lawyers
Level 22 Waterfront Place
3 Eagle Street
Brisbane QLD 4000

Dear Dr Allan

Investigation under Part 9 of the *Hospital and Health Boards Act 2011* – Barrett Adolescent Centre

I refer to the correspondence to you dated 15 August 2014 from Minter Ellison Lawyers regarding the investigation under Part 9 of the *Hospital and Health Boards Act 2011* into the closure of the Barrett Adolescent Centre (**Centre**).

I understand that the investigation has been commissioned to examine the governance model and transitional planning arrangements put in place for a number of adolescents who were inpatients or outpatients of the Centre. Specifically, the investigation relates to those adolescents who were inpatients or day patients between 6 August 2013 (when the Centre's closure was announced) and January 2014 when the Centre was closed.

I note the appointment of Health Service Investigator Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers in relation to the investigation. Whilst I am yet to receive a copy of the instruments of appointment, I understand that the following two representatives from the Mental Health and Drug and Alcohol Office, NSW Ministry of Health have also been appointed to conduct the investigation:

- Associate Professor Beth Kotze, Acting Associate Director, Health System Management; and
- Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health – Children and Young People.

In summary, we have been asked to provide documents and information relating to:

- the governance model in place within West Moreton to manage and oversight the health care transition plans for the then current inpatients and day patients;
- healthcare transition planning;
- clinical records; and
- details of relevant clinicians and staff of the Centre.

Overview of the Centre's history

The Centre was, until its closure, a 15-bed inpatient service located at The Park Centre for Mental Health (**The Park**) that also offered day program services as a step down intervention following inpatient admission. The Centre provided extended treatment and rehabilitation programs for adolescents across Queensland presenting with complex mental health diagnoses including eating disorders, anxiety and mood disorders, and severe self-harm and suicidal behaviour.

The Centre was constructed in 1976 as part of the Adult Inpatient Service at the Wolston Park Hospital. The Centre was intended to close in 1999 once the child and youth acute inpatient service in the adjacent districts were commissioned. However, in 1997, families of consumers and staff successfully lobbied for the retention of the Centre as a medium stay inpatient service for adolescents in Queensland. However neither the Ten Year Mental Health Strategy for Queensland nor the Queensland Health Capital Rebuilding program allowed for programs for medium stay treatment and rehabilitation for adolescents 18 years and under. As a result, the Centre has had no major refurbishment since opening.

Queensland's public mental health system has undergone significant reform over the past ten years. The reform agenda includes a shift from institution-based service models, including extended treatment and rehabilitation, to more contemporary models of care that align with state and national policy. The impact of these important reforms has seen the care of consumers moved primarily into community-based settings that support the consumer to engage in their own local neighbourhoods and facilities. This has been particularly vital for consumers requiring medium to longer-term care.

In alignment with the Queensland Plan for Mental Health 2007-17, a key area for reform within Mental Health and Specialised Services in the West Moreton Hospital and Health Service has been the development of The Park as an adult-only forensic and secure mental health campus. The high security forensic services have been expanded, and a new service option was established on the campus (Extended Forensic Treatment and Rehabilitation Unit) in July 2013.

In light of these significant changes, it was no longer safe or contemporary practice to provide long-term inpatient care for adolescents at the Centre on The Park campus.

Overview of governance model put in place for the Centre's closure

The foundational work for the Centre's closure commenced in late 2012 when a project plan titled 'Barrett Adolescent Strategy' was tabled by the Chief Executive at a West Moreton Board meeting. A copy of the strategy is contained as **Attachment 1** for your reference.

The project was led by the Adolescent Strategy Planning Group (**Planning Group**) which was comprised of senior clinical and management representatives of West Moreton Hospital and Health Service, Townsville Hospital and Health Service, Children's Health Queensland, Education Queensland and the Department of Health.

The purpose of the project was to consider options for the provision of mental health services for adolescents requiring extended treatment and rehabilitation in Queensland. To assist with the process, the Planning Group appointed an Expert Clinical Reference Group (**ECRG**) of child and youth mental health clinicians, a consumer representative, a carer representative, a child and youth senior clinical representative from interstate, and other key stakeholders to explore and identify alternative service options for this target group.

On 8 May 2013, the ECRG endorsed the Proposed Service Model Elements for Adolescent and Extended Treatment Rehabilitation Services and made seven recommendations for the Planning Group's consideration.



West Moreton Hospital and Health Service

Later in May 2013, the recommendations were accepted by the Planning Group subject to a number of conditions. The recommendations of the ECRG and Planning Group can be found at **Attachment 2** and were supported by the West Moreton Board based on extensive consultation and no gap to service provision for the adolescent target group.

On 6 August 2013, Minister for Health, Mr Lawrence Springborg announced the closure of the Centre and that new service options for adolescent extended treatment and rehabilitation would be available in early 2014. Additionally, it was announced that Children's Health Queensland (CHQ) would hold governance of new service options.

Following the announcement of the Centre's closure, a state-wide project was established and governed by CHQ to progress the implementation of new service options. West Moreton was a partner in this process. A state-wide Steering Committee (chaired by CHQ) was convened.

Psychiatrist, Dr Anne Brennan was temporarily appointed in the role of Acting Clinical Director until March 2014.

In October 2013, the Chief Executive and Department of Health Oversight Committee was put in place and was comprised of the Deputy Director-General from the Department of Health (**Department**), Health Service Chief Executives from key hospital and health services, the Executive Director of the Mental Health Alcohol and Other Drugs Directorate in the Department and other key representatives from CHQ. The purpose of this committee was to provide strategic leadership and governance for the State-wide Adolescent Extended Treatment and Rehabilitation Implementation Strategy.

The governance structures that were put in place at a local level within West Moreton included the:

- West Moreton Management Committee (BAC weekly update). This multidisciplinary committee met on a weekly basis from September 2013 until January 2014. Stakeholders ranged from managerial and clinical representatives from within West Moreton's Mental Health and Specialised Services Division, CHQ, the Mental Health, Alcohol and Other Drugs Branch and other external service providers as the need arose; and
- Clinical Care Transition Panel. This multidisciplinary panel met as often as required to discuss the transitional and day to day needs of each patient and was comprised mainly of the acting Clinical Director, Psychiatrist Dr Brennan, Clinical Nurse Consultant Vanessa Clayworth, Occupational Therapist Megan Hayes, Social Worker Carol Hughes, project officer Laura Johnson and initially A/Principal of the Centre's school; and
- Complex Care Review Panel. This panel was convened to support the Centre's clinical team in optimally managing the transition of care for a specific consumer [redacted] with [redacted]

A timeline of key decision points and events that occurred during the Centre's closure is contained as **Attachment 3** for your reference.

Transitional arrangements

Following the closure of the Centre, every effort was made to transition each young person according to their individual needs. A comprehensive review of the ongoing clinical needs for all young people at the Centre (including those on the wait list) was conducted. Recommendations were made by the clinical team about future service needs utilising a range of strategies including direct consumer assessments and consultation (where possible), consumer medical charts, contact with the referring agency and local mental health service, and contact with family. A series of factors were taken into account including but not limited to clinical need and risk, length of stay in the inpatient setting, age, demographics, family engagement and available community supports.

Consumers requiring ongoing care were supported during transition to a range of service types (adult or child and youth services) including public, private and non-government organisations. CHQ has continued to provide support as required to ensure there is no service gap.

Transition planning for each young person at the Centre was conducted utilising a multidisciplinary approach at an individual level with the consumer, their family and the new service providers. Each transition package was tailored to meet the clinical need and risk profile of the young person. These packages were implemented as close to their local community as was possible and safe.

For the three young people with the most complex and high risk issues, substantial funding packages were sourced to provide each of them with additional wrap-around care relevant to their needs. For example,

These support packages were in addition to care being provided through the relevant mental health service and other agencies. For two of these young people this additional funding will continue

As needed, high level inter-departmental negotiations were conducted with other agencies in order to facilitate housing and disability support.

West Moreton undertook extensive consultations with service providers and families to ensure that the best possible options for care were made available for each young person. This included discussions about the health service that would best meet the needs of the young person (i.e. whether a Child and Youth Mental Health Service or an adult mental health service would be more suitable). Where needed, varying intensities of intervention were also implemented, with some young people requiring only intermittent community outpatient care and others requiring extended inpatient care in

Information provided to us continues to support the view that a large majority of young people and their families have transitioned positively to alternative care options. Please refer to **Attachment 4** for some of the feedback received from patients following the Centre's closure. In the small number of cases where we have been informed of ongoing issues post-transition, West Moreton has engaged with the new service to support a speedy resolution to the issue/s.

We also wish to highlight that the Centre was established to meet the mental health care needs of adolescents aged between 13 and 18 years. The investigators will note that as at 6 August 2013, three quarters of the patients at the Centre were nearing, or already at the age of 18. The transitional planning for these patients therefore took into account their progression to adulthood and that they would be referred and supported within the adult mental health system even if the Centre had remained open.

Provision of documents for the Investigation

Please find enclosed three USBs which contain all collated documents and information. The documents are contained in a Sandisc Secure Access Vault and password protected.



West Moreton Hospital and Health Service

The password is: [REDACTED]

All emails should be opened in Microsoft Outlook.

A USB file index which provides a brief summary of the files contained within each folder and subfolder is contained as **Attachment 5**.

Please find a complete list of the Centre's inpatients and outpatients as [REDACTED] contained as **Attachment 6**. Given the scope of the terms of reference, we have not included clinical records or documentation relevant those patients who were on the waitlist.

We have enclosed copies of each patient's clinical file for the period April/June 2013 through until the Centre's closure in January 2014. We would be happy to provide the complete patient chart for each patient upon request. Also included are extracts from the Queensland public health sector electronic database 'Consumer Integrated Mental Health Application' (CIMHA) for each consumer.

In terms of the health care transition plans, we note that some adolescents were already well progressed through their discharge process at the time the Centre's closure was announced on 6 August 2013. There are therefore not specific documents titled 'health care plans' for all patients.

We note that within the folder titled 'Individual_transition_package_planning', there are a number of excel spreadsheet documents called 'transition guides' as well as word documents called 'community contacts'. These were created during the course of the transition planning process. Please be advised however, that these were intended as a guide only and do not reflect the entire process. To assist in providing the investigators with a snapshot of the transitional documents and actions that were taken by West Moreton and relevant stakeholders, we have updated a number of the transition guides for selected consumers, namely, [REDACTED] and [REDACTED].

These updated transition guides may be found in the individual transition folders for those consumers.

A list of all the relevant clinicians and staff employed at the Centre has been included as **Attachment 7**.

Please note that due to changes made to the email systems used within West Moreton and the fact that Dr Brennan is no longer with our service, we have not been able to provide her emails at this point. We are currently working with our information technology services to retrieve that information.

We would be happy to provide further assistance to the investigators in any way that we can. Please don't hesitate to contact Ms Sharon Kelly, Executive Director of Mental Health and Specialised Services on [REDACTED] or by emailing [REDACTED].

Yours sincerely

[REDACTED]
Lesley Dwyer
Health Service Chief Executive
West Moreton Hospital and Health Service

24 August 2014

KG-6

Kristi Geddes

From: SKIPPEN, Tania [REDACTED]
Sent: Tuesday 26 August 2014 07:10 am
To: Kristi Geddes
Cc: KOTZE, Beth
Subject: Re: Barrett Centre Investigation [ME-ME.FID2743997]

Dear Kristi,
Your suggested schedule is suitable for me. My work mailing address is below.
Kind regards,
Tania

Tania Skippen

Associate Director, Specialist Programs | **MH-Children and Young People**
NSW Ministry of Health, LMB 961, North Sydney NSW 2059

On 25 Aug 2014, at 2:11 pm, "Kristi Geddes" <[REDACTED]> wrote:

Dear Beth and Tania,

We have been asked to submit a timeframe for the proposed extension for this investigation.

As I am unfortunately not available for the first two weeks in November, I have proposed the following:

1. From now until 26 September 2014 - commence document review (for Beth, that will provide two weeks until planned leave from 11 September 2014 and for Tania, that will provide two weeks from return from leave on 15 September 2014)
2. Two weeks from 29 September 2014 - staff interviews and further document review (with Tania to commence in Beth's absence)
3. Two weeks from 13 October 2014 - finalise investigations and prepare draft report
4. 24 October 2014 - draft report to be submitted to Minter Ellison for review and finalising
5. 31 October 2014 - final report to be submitted to Department

Could you please let me know as soon as possible if these timeframes are feasible for you.

I've now received a second bundle of material from the Children's Hospital and Health Service. To give you an idea of the volume, we anticipate these together with the material received from West Moreton this morning will fill approximately 12 lever arch folders.

There were 20 current inpatient and day patients during the relevant period and 36 members of staff. I am hoping that following a review of patient records, we can narrow the list of relevant staff to be interviewed.

In addition to confirming the above timeframes as acceptable, could you please both also provide postage addresses for me to forward the material (on USBs) to this week?

I look forward to hearing from you.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

t [REDACTED] f [REDACTED] m [REDACTED]

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

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

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

t [REDACTED] f [REDACTED] m [REDACTED]
Minter Ellison Lawyers Waterfront Place • 1 Eagle Street • Brisbane • QLD 4000
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MinterEllison

L A W Y E R S

15 September 2014

LEVEL 22 WATERFRONT PLACE 1 EAGLE STREET BRISBANE
PO BOX 7844 WATERFRONT PLACE QLD 4001 AUSTRALIA
DX 102 BRISBANE www.minterellison.com
T [REDACTED] F [REDACTED]

BY COURIER

Harry McCay
Head of Legal
Avant Mutual Group
Level 11, 100 Wickham Street
FORTITUDE VALLEY QLD 4006

Dear Harry

Health Service Investigation - Barrett Adolescent Psychiatric Centre

Further to our recent correspondence and discussions about the above investigation and proposed interview between investigators, Associate Professor Beth Kotze, Ms Tania Skippen, and your client Dr Anne Brennan, we confirm the following:

1. It is intended that the discussion about the transition planning for patients include a general discussion about the process for all patients, but be focussed on the following six more complex patients of the Barrett Adolescent Psychiatric Centre:

- (a) [REDACTED]
- (b) [REDACTED]
- (c) [REDACTED]
- (d) [REDACTED]
- (e) [REDACTED]
- (f) [REDACTED]

We enclose electronic copies of the records we hold, and which form part of the investigation, for these six patients. We note that these records are not complete, but rather have been provided by the facility with the intention of covering only the transition period, plus some prior months as background to their condition.

2. The interview will take place with both A/Prof Kotze and Ms Skippen at **2:45pm on Monday 13 October 2014**. The interview will take place at our offices on Level 22 Waterfront Place, 1 Eagle Street, Brisbane.