

BARRETT ADOLESCENT CENTRE COMMISSION OF INQUIRY**FURTHER AFFIDAVIT OF LAWRENCE JAMES SPRINGBORG**

I, **LAWRENCE JAMES SPRINGBORG**, of Parliament House, Brisbane, Member for Southern Downs in the 55th Parliament of Queensland, make oath and say as follows:

- 1 I have previously provided a statement, made on 27 January 2016, to the Barrett Adolescent Commission of Inquiry (**First Statement**). I also provided oral evidence to the Inquiry, on Friday 26 February 2016.
- 2 Exhibited hereto and marked **LJS-14** is a further notice to provide a written statement, dated 4 March 2016, issued to me by the Commission (**Notice**). In this statement, I provide answers to the questions raised by the Notice.

Question 1: The Commission understands that from approximately December 2012:

- a. ***The services then provided by the Barrett Adolescent Centre (the BAC) were under review and alternative models of service were to be developed to replace those services; and***
- b. ***The opening of the Extended Forensic Treatment and Rehabilitation Unit (the EFTRU) at The Park - Centre for Mental Health (the Park), was proposed for early 2013.***

Please state whether that is correct and, if not, why not. If that is correct then outline:

- c. ***When, from whom and in what circumstances, you (or your office) first became aware of the proposal to open the EFTRU at The Park in early 2013.***

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Taken by:
Solicitor/Justice of the Peace/Commissioner
for Declarations

Affidavit of Lawrence James Springborg

McCullough Robertson Lawyers

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BRISBANE QLD 4000

GPO Box 1855, BRISBANE QLD 4001
Ref: GJH:167046-00001

- 3 As to Question 1(a): my understanding is that the services provided by the BAC had been under review well before my commencing as Minister in April 2012. I had this understanding from my discussions with Departmental officers (referred to in paragraphs [38] and [40] of my First Statement) in which I became aware that senior clinicians had expressed the view that a facility such as the Barrett Centre was not regarded as contemporary. I understand that in late 2012 West Moreton HHS instituted a process to consider models of service to be developed to replace the services then provided at the Barrett Centre. I am unaware of what work was done prior to this time to develop alternative models of service.
- 4 As to questions 1(b) and (c): It is my understanding that as at approximately December 2012, WMHSS was proposing to open EFTRU in early 2013. My recollection as to when, from whom and in what circumstances I became aware of the proposal to open the EFTRU at The Park in early 2013 is that which I gave in oral evidence on 26 February 2016 (the relevant transcript of which is attached to the Notice: see LJS-14): namely, as best I recall, I became aware in about late 2012 that the re-purposing of The Park to provide more residential-type services to some forensic patients was proposed to be implemented in early 2013, and whilst I cannot be certain of precisely when I obtained this understanding, it was probably at the meeting with Dr Corbett, Ms Dwyer and Ms Kelly in December 2012. As best I can recall, I was not told that this new unit was called "EFTRU". That name was not familiar to me in 2012 or 2013.

Question 2: Did you receive any oral or written briefing notes or advice at any time between the date when you became Minister for Health and 16 May 2012 (being the date when the Director-General, Dr Tony O'Connell, approved the cessation of the Redlands Adolescent Extended Treatment Unit), about the development of EFTRU in geographical proximity to the BAC? If yes, what briefing or advice did you receive, from whom and when?

- 5 I have no specific recollection of receiving an oral or written briefing note or advice between the date I became Minister for Health (3 April 2012) and 16 May 2012 (being the date when I

now understand that the Director-General approved the cessation of the Redlands project)
about the development of EFTRU in geographical proximity to the BAC.

Question 3: Look at exhibit LJS-3 to your statement.

- a. To your knowledge, were any documents or reports produced before you approved this Briefing Note in August 2012, which addressed the consequences of the cancellation of the Redlands unit in the context of the development of EFTRU and/or the plan to open EFTRU in early 2013?**
- b. Did you receive any oral briefing at any time before you approved the Briefing Note in August 2012 which addressed the consequences of the cancellation of the Redlands unit in the context of the development of EFTRU and/or the plan to open EFTRU in early 2013?**

6 As to question 3(a), I am not aware of any such documents or reports.

7 As to question 3(b), not to my recollection.

8 I would add that, looking again at the August 2012 Briefing Note at LJS-3, paragraph 14 of the attached Briefing Note to the Director-General states that "*Dr Bill Kingswell, Executive Director – Mental Health, Alcohol and other Drugs recommended the cessation of the replacement Adolescent Extended Treatment Unit at Redlands...*". My assumption now is that Dr Kingswell was the Departmental Officer who was aware of, and who had considered, any consequences of the cancellation of the Redlands unit in the context of the development of the EFTRU and/or a plan to open that unit in early 2013. My assumption also is that if Dr Kingswell considered that there existed any significant issues around this, or he had any concerns, he would have escalated the matter to Dr Cleary, who would in turn have raised the matter with the Director-General or with me directly, if Dr Cleary or the Director-General considered that this was a matter that the Minister should be briefed about. I am fairly confident that neither Dr Cleary, nor the Director-General, Dr O'Connell, briefed me in relation to the matters identified in question 3 above, before I approved the Briefing Note of August 2012, at **LJS-3**.

Question 4: You have given evidence to the Commission in respect of a 'linkage' between the opening of EFTRU in early 2013 and the cessation of the services provided by the BAC at The Park after June 2013 (T15-30, Lines 13-30). State whether the evidence given by you at T15-30, Lines 13-30 is in reference to a meeting with Ms Lesley Dwyer and Ms Sharon Kelly in December 2012.

- a. ***If yes, state whether this was the first occasion on which the 'linkage' between the services provided by the BAC at The Park and the opening of EFTRU in early 2013 was discussed with you;***
- b. ***If no, state when you were first advised as to a 'linkage' between the opening of EFTRU and the cessation of the services provided by the BAC at The Park (and provide details).***

9 I certainly became aware in 2012 that one of the reasons why it was thought necessary to close the Barret Centre, was that The Park was being repurposed into an adult campus with a focus on forensic patients, and that it was thought inappropriate to have young people co-located there. I was aware that part of the repurposing involved a less secure setting for some adult forensic patients. However, I do not think that I was familiar with the details of the repurposing of The Park. The term "EFTRU" was not familiar to me at the time.

10 My clearest recollection is that I was advised that the changes to The Park meant that the Barrett Centre could not continue there, and in particular, because the expansion carried risks to the patients and staff at the Barrett Centre. It is likely that the issue was discussed at the meeting with Dr Corbett, Ms Dwyer and Ms Kelly in December 2012. However, I may well have become aware of this before then.

11 All of the facts and circumstances herein deposed to are within my own knowledge and belief save as are deposed to from information only and my means of knowledge and sources of information appear on the face of this my affidavit.

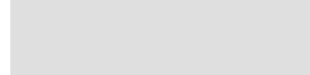
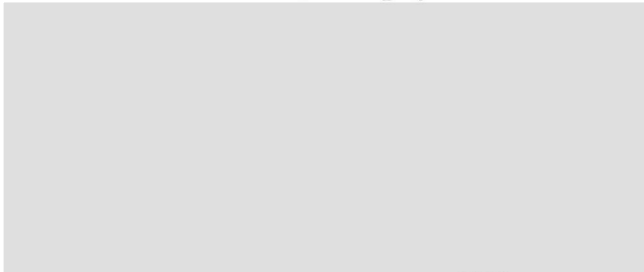
Sworn by Lawrence James Springborg on 10 March 2016 at Brisbane in the presence of:

Taken by:
Solicitor / ~~Justice of the Peace /~~
~~Commissioner for Declarations~~

BARRETT ADOLESCENT CENTRE COMMISSION OF INQUIRY

CERTIFICATE OF EXHIBIT

Exhibit **LJS-14** to the affidavit of Lawrence James Springborg sworn 10 March 2016.



Taken by:
Solicitor / ~~Justice of the Peace~~ /
~~Commissioner for Declarations~~

In reply please quote: LJS/20160304/PF/RC

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Mr Guy Humble
Partner
McCullough Robertson Lawyers

By email to: [REDACTED]

Dear Mr Humble

**REQUIREMENT TO GIVE INFORMATION IN A WRITTEN STATEMENT TO
THE BARRETT ADOLESCENT CENTRE COMMISSION OF INQUIRY**

Please find enclosed a notice requiring your client, **The Hon. Lawrence Springborg**, to give information in a written statement to the Barrett Adolescent Centre Commission of Inquiry ("the Commission") established pursuant to the Commissions of Inquiry Order (No. 4) 2015.

Also enclosed is an extract of the hearing transcript (TR15-30), as relevant to question four of the notice.

Mr Springborg's statement is to be provided to the Commission on or before **4.00pm on Thursday 10 March 2016** at the place and in the manner specified in the notice. To this end, we refer you to paragraph 19 of the Commission's Practice Guideline 01/2015, which can be located on the Commission's website: www.barrettinquiry.qld.gov.au.

If you require further information or clarification, please contact me on [REDACTED].

Yours sincerely

[REDACTED]
Ashley Hill
Executive Director
Barrett Adolescent Centre Commission of Inquiry
04/03/2016

Barrett Adolescent Centre Commission of Inquiry

BARRETT ADOLESCENT CENTRE COMMISSION OF INQUIRY

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

REQUIREMENT TO GIVE INFORMATION IN A WRITTEN STATEMENT

To: Mr Lawrence Springborg

Of: C/- McCullough Robertson Lawyers, by email to
[REDACTED]

I, the Honourable MARGARET WILSON QC, Commissioner, appointed pursuant to *Commissions of Inquiry Order (No. 4) 2015* to inquire into certain matters pertaining to the Barrett Adolescent Centre ("the Commission") require you to give a written statement to the Commission pursuant to section 5(1)(d) of the *Commissions of Inquiry Act 1950* in regard to your knowledge of the matters set out in the Schedule annexed hereto.

YOU MUST COMPLY WITH THIS REQUIREMENT BY:

Giving a written statement prepared either in affidavit form or verified as a statutory declaration under the *Oaths Act 1867* to the Commission on or before **4:00pm, Thursday 10 March 2016**, by delivering it to the Commission at Level 10, 179 North Quay, Brisbane.

A copy of the written statement must also be provided electronically either by: email at mail@barrettinquiry.qld.gov.au (in the subject line please include "Requirement for Written Statement"); or via the Commission's website at www.barrettinquiry.qld.gov.au (confidential information should be provided via the Commission's secure website).

If you believe that you have a reasonable excuse for not complying with this notice, for the purposes of section 5(2)(b) of the *Commissions of Inquiry Act 1950* you will need to provide evidence to the Commission in that regard by the due date specified above.

DATED this 4th day of March 2016

[REDACTED]
The Hon Margaret Wilson QC
Commissioner
Barrett Adolescent Centre Commission of Inquiry

Barrett Adolescent Centre Commission of Inquiry

SCHEDULE

1. The Commission understands that from approximately December 2012:
 - a. The services then provided by the Barrett Adolescent Centre (the **BAC**) were under review and alternative models of service were to be developed to replace those services; and
 - b. The opening of the Extended Forensic Treatment and Rehabilitation Unit (the **EFTRU**) at The Park – Centre for Mental Health (the **Park**), was proposed for early 2013.

Please state whether that is correct and, if not, why not. If that is correct then outline:

 - c. When, from whom and in what circumstances, you (or your office) first became aware of the proposal to open the EFTRU at The Park in early 2013.
2. Did you receive any oral or written briefing notes or advice at any time between the date when you became Minister for Health and 16 May 2012 (being the date when the Director-General, Dr Tony O'Connell, approved the cessation of the Redlands Adolescent Extended Treatment Unit), about the development of EFTRU in geographical proximity to the BAC? If yes, what briefing or advice did you receive, from whom and when?
3. Look at exhibit **LJS-3** to your statement.
 - a. To your knowledge, were any documents or reports produced before you approved this Briefing Note in August 2012, which addressed the consequences of the cancellation of the Redlands unit in the context of the development of EFTRU and/or the plan to open EFTRU in early 2013?
 - b. Did you receive any oral briefing at any time before you approved the Briefing Note in August 2012 which addressed the consequences of the cancellation of the Redlands unit in the context of the development of EFTRU and/or the plan to open EFTRU in early 2013?

4. You have given evidence to the Commission in respect of a 'linkage' between the opening of EFTRU in early 2013 and the cessation of the services provided by the BAC at The Park after June 2013 (T15-30, Lines 13-30). State whether the evidence given by you at T15-30, Lines 13-30 is in reference to a meeting with Ms Lesley Dwyer and Ms Sharon Kelly in December 2012.
- a. If yes, state whether this was the first occasion on which the 'linkage' between the services provided by the BAC at The Park and the opening of EFTRU in early 2013 was discussed with you;
 - b. If no, state when you were first advised as to a 'linkage' between the opening of EFTRU and the cessation of the services provided by the BAC at The Park (and provide details).
5. Identify and exhibit all documents in your custody or control that are referred to in your witness statement.

20160226/D15/BMC/17/Wilson, Commissioner

Services currently provided by BAC will not remain on the campus of The Park post June 2013.

?---Yes.

5

What I want to do is just to – I can probably short-circuit this. If you turn over to the next heading, number 5, there's a discussion of what's known as EFTRU. Do you see that heading number 5?---Yes.

10 And you see actually in the heading extended – the EFTRU opening early 2013 – new 20-bed limit?---Mmm.

And then the later dots discuss what the features of that facility will be. I want to ask you about the timing. You'll see that when we go back to the Barrett Adolescent

15 Centre there's services – there's a statement there:

Services currently provided by Barrett Adolescent Centre will not remain on the campus post June 2013.

20 And then this one says about EFTRU – it's opening early 2013. Do you recall any discussion either on this occasion or any other occasion where those two things were linked?---Yes.

Do you understand the question?---Yes.

25

You do recall those things being linked?---Yes, I do.

On this occasion or some subsequent occasion?---It would have been very close. If it wasn't on that occasion, it would be either leading up to it or subsequent to that. But

30

I think it was on that occasion. Yes.

And what do you recall about that discussion?---If I can give a response around that. Barrett was to close. I've said that previously. The – The Park facility was being repurposed around adult mental health care for a range – and going towards more of a – for some people more of a residential-type model in there – lower security. And that, of course, compounded some of the safety issues there so therefore led to some of the other considerations around the closure of the Barrett Adolescent Centre. And I'll just finalise by saying that that meeting also reinforced that there should be no closure of BAC until such time as the transition services had been properly delivered to the patients who were there.

40

Right. So there were two considerations about Barrett Adolescent Centre?---Yes.

There was the consideration that – concern about EFTRU?---Mmm.

45

And the concern about making sure you had enough time to put transition plans in place?---Yes.