

In the matter of *Commissions of Inquiry Act 1950*

Commissions of Inquiry Order (No. 4) 2015

Barrett Adolescent Centre Commission of Inquiry

**AFFIDAVIT OF WILLIAM DAVID THOMPSON**

I, **William David Thompson** of c/- Barrett Adolescent Centre Commission of Inquiry, Level 10, 179 North Quay, Brisbane in the State of Queensland, solicitor, solemnly and sincerely affirm and declare:

1. I am the Instructing Solicitor for the Barrett Adolescent Centre Commission of Inquiry ('the Commission').

**Department of Communities, Child Safety and Disability Services**

2. On 15 September 2015 the Commission served on Crown Law, on behalf of the Director-General of the Department of Communities, Child Safety and Disability Services, a notice requiring the production of documents to the Commission ('Documents Notice') pursuant to s 5(1)(b) of the *Commissions of Inquiry Act 1950* (Qld). Exhibit 'A1' to this affidavit is a copy of that notice.
3. On 28 September 2015 the Commission received a letter from Crown Law supplying some documents and requesting an extension until 2 October 2015 for the balance of the documents. Exhibit 'B1' is a copy of that letter.
4. On 2 October 2015 Crown Law wrote to the Commission seeking a further extension of time. Exhibit 'B2' is a copy of that letter.
5. On 6 October 2015 Counsel Assisting the Commission emailed Crown Law granting a further extension to 7 October 2015. Exhibit 'B3' is a copy of that letter.
6. On 6 October 2015 Crown Law wrote to the Commission seeking a further extension of time to 12 October 2015. Exhibit 'B4' is a copy of that letter.
7. On 9 October 2015 the Commission wrote to Crown Law extending time for compliance to 12 October 2015. Exhibit 'B5' is a copy of that letter.
8. On 2 November 2015 Crown Law wrote to the Commission seeking a further extension of time to 6 November 2015. Exhibit 'B6' is a copy of that letter.

9. On 2 November 2015 the Commission wrote to the Director-General (care of Crown Law) enquiring about full compliance. Exhibit 'B7' is a copy of that letter.

**Children's Health Queensland**

10. On 23 September 2015 the Commission served on Crown Law, on behalf of the Children's Health Queensland, a Documents Notice. Exhibit 'A2' is a copy of that notice.
11. On 2 October 2015 the Commission received a letter from Crown Law supplying some documents and requesting an extension until 9 October 2015 for the balance of the documents. Exhibit 'B8' is a copy of that letter.
12. On 9 October 2015 Crown Law wrote to the Commission enclosing a second tranche of documents. Exhibit 'B9' is a copy of that letter.
13. On 2 November 2015 Crown Law wrote to the Commission concerning that Documents Notice (and others) seeking an extension of time to 6 November 2015. Exhibit 'B10' is a copy of that letter.

**Department of Education and Training**

14. On 15 September 2015 the Commission served on Crown Law, on behalf of the Department of Education and Training, a Documents Notice. Exhibit 'A3' is a copy of that notice.
15. On 28 September 2015 the Commission received a letter from Crown Law supplying some documents and requesting an extension until 2 October 2015 for the balance of the documents. Exhibit 'B11' is a copy of that letter.
16. On 2 October 2015 Crown Law wrote to the Commission enclosing a second tranche of documents and requesting an extension until 9 October 2015 for the balance of the documents. Exhibit 'B12' is a copy of that letter.
17. On 6 October 2015 Crown Law wrote to the Commission seeking an extension of time to 12 October 2015. Exhibit 'B4' is a copy of that letter.
18. On 9 October 2015 the Commission wrote to Crown Law extending time for compliance to 12 October 2015. Exhibit 'B5' is a copy of that letter.
19. On 2 November 2015 Crown Law wrote to the Commission seeking an extension of time to 6 November 2015. Exhibit 'B10' is a copy of that letter.

**Department of Premier and Cabinet**

20. On 15 September 2015 the Commission served on Crown Law, on behalf of the Director-General of the Department of Premier and Cabinet a Documents Notice. Exhibit 'A4' is a copy of that notice.
21. On 28 September 2015 the Commission received a letter from Crown Law supplying some documents and requesting an extension until 2 October 2015 for the balance of the documents. Exhibit 'B13' is a copy of that letter.
22. On 2 October 2015 Crown Law wrote to the Commission enclosing a second tranche of documents and sought an extension of time for the balance to 6 October 2015. Exhibit 'B14' is a copy of that letter.
23. On 6 October 2015 Crown Law wrote to the Commission seeking a further extension of time to 12 October 2015. Exhibit 'B4' is a copy of that letter.
24. On 9 October 2015 the Commission wrote to Crown Law extending time for compliance to 12 October 2015. Exhibit 'B5' is a copy of that letter.
25. On 2 November 2015 Crown Law wrote to the Commission seeking an extension of time to 6 November 2015. Exhibit 'B10' is a copy of that letter.

**Department of Housing and Public Works**

26. On 15 September 2015 the Commission served on Crown Law, on behalf of the Director-General of the Department of Housing and Public Works, a Documents Notice. Exhibit 'A5' is a copy of that notice.
27. On 6 October 2015 Crown Law wrote to the Commission seeking an extension of time to 12 October 2015. Exhibit 'B4' is a copy of that letter.
28. On 9 October 2015 the Commission wrote to Crown Law extending time for compliance to 12 October 2015. Exhibit 'B5' is a copy of that letter.
29. On 27 October 2015 the Commission sent a letter to Crown Law setting out non-compliance with the Document Notice. Exhibit 'B15' is a copy of that letter.
30. On 29 October 2015 Crown Law wrote to the Commission seeking an extension of time to 3 November 2015. Exhibit 'B16' is a copy of that letter.
31. On 2 November 2015 Crown Law wrote to the Commission seeking a further extension to 6 November 2015. Exhibit 'B10' is a copy of that letter.

**Department of Health**

32. On 14 September 2015 the Commission served on Crown Law, on behalf of Queensland Health, a Documents Notice. Exhibit 'A6' is a copy of that notice.
33. On 28 September 2015 the Commission received a letter from Crown Law supplying some documents and requesting an extension until 6 October 2015 for the balance of the documents. Exhibit 'B17' is a copy of that letter.
34. On 6 October 2015 Crown Law wrote to the Commission seeking a further extension to 12 October 2015. Exhibit 'B4' is a copy of that letter.
35. On 9 October 2015 the Commission wrote to Crown Law extending time for compliance to 12 October 2015. Exhibit 'B5' is a copy of that letter.
36. On 15 October 2015 Crown Law wrote to the Commission enclosing some documents and seeking an extension of time to 26 October 2015 for the balance. Exhibit 'B18' is a copy of that letter.
37. By email from the Commission to Crown Law dated 19 October 2015 time was extended to 26 October 2015. Exhibit 'B19' is a copy of that email.
38. On 2 November 2015 Crown Law wrote to the Commission seeking a further extension to 6 November 2015. Exhibit 'B10' is a copy of that letter.

**Queensland Treasury**

39. On 15 September 2015 the Commission served on Crown Law, on behalf of Queensland Treasury, a Documents Notice. Exhibit 'A7' is a copy of that notice.
40. On 6 October 2015 Crown Law wrote to the Commission seeking an extension of time to 12 October 2015. Exhibit 'B4' is a copy of that letter.
41. On 9 October 2015 the Commission wrote to Crown Law extending time for compliance to 12 October 2015. Exhibit 'B5' is a copy of that letter.
42. On 11 October 2015 Crown Law wrote to the Commission. Exhibit 'B20' is a copy of that letter.
43. On 2 November 2015 Crown Law wrote to the Commission seeking a further extension to 6 November 2015. Exhibit 'B10' is a copy of that letter.

**Multi-Department Correspondence**

44. On 28 September 2015 Crown Law sent to the Commission a letter addressing compliance with a number of notices. Exhibit 'C1' is a copy of that letter.



45. On 29 September 2015 the Commission wrote to Crown Law extending the date for compliance with a number of notices. Exhibit 'C2' is a copy of that letter.
46. On 12 October 2015 the Commission wrote to Crown Law. Exhibit 'C3' is a copy of that letter.
47. On 27 October 2015 the Commission sent a letter to Crown Law setting out non-compliance with a number of Document Notices. Exhibit 'C4' is a copy of that letter.
48. On 29 October 2015 the Commission sent a letter to the Crown Solicitor. Exhibit 'C5' is a copy of that letter.
49. On 29 October 2015 the Crown Solicitor sent a letter to the Commission. Exhibit 'C6' is a copy of that letter.
50. On 30 October 2015 the Commission sent a letter to the Crown Solicitor. Exhibit 'C7' is a copy of that letter.
51. On 2 November 2015 the Crown Solicitor sent a letter to the Commission. Exhibit 'C8' is a copy of that letter.
52. On 3 November 2015 the Commission sent a letter to the Crown Solicitor. Exhibit 'C9' is a copy of that letter.
53. On 6 November 2015 the Crown Solicitor sent a letter to the Commission (with one of two enclosures). Exhibit 'C10' is a copy of that letter.
54. On 10 November 2015 Crown Law sent a letter to the Commission. Exhibit 'C11' is a copy of that letter.

**Priority Email Boxes**

55. Exhibits 'D1', 'D2' and 'D3' are respectively:
  - (a) an email from Ms Syme from Crown Law to Ms Muir, Counsel Assisting on 30 September 2015;
  - (b) a letter from Crown Law to the Commission dated 30 September 2015 (and enclosure);
  - (c) an email from Ms Muir to Ms Syme dated 1 October 2015.

**Schedule of Documents**

56. I have caused to be prepared a schedule which sets out the documents which the Commission can identify as having been produced by Crown Law pursuant the Document Notices referred to above and some of the documents which the Commission staff are able to say have not been produced. Exhibit 'E' is a copy of that schedule in A3 format.
57. Parts of exhibits to this affidavit have been redacted so as to remove references to confidential information. That is generally because patient names are mentioned or patients are otherwise identified. Those redactions should not impair a proper understanding of the material. Where requested to do so the Commission is prepared to re-consider those redactions and will do so in a manner consistent with the orders made by the Commissioner and the Commission's confidentiality protocols.

All the facts affirmed are true to my knowledge and belief except as stated otherwise.

Affirmed by William David Thompson )  
on 11 November 2015 at 179 North )  
Quay, Brisbane in the presence of: )

  
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Lawyer

  
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**William David Thompson**

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**CERTIFICATE OF EXHIBIT**

Exhibits 'A1' to 'A7' to the Affidavit of William David Thompson affirmed on 11 November 2015.

  
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**William David Thompson**

  
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**Solicitor**

# EXHIBIT A1

Barrett Adolescent Centre Commission of Inquiry

*Commissions of Inquiry Act 1950*  
*Section 5(1)(b)*

**REQUIREMENT TO PRODUCE DOCUMENTS**

**To:** Mr Michael Hogan, Director-General of the Department of Communities, Child Safety and Disability Services  
**Of:** c/- Crown Solicitor, 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 produce the following documents to the Commission:

*All documents (including copies and originals of any books, writings, letters, emails, recordings or other records of information in any form, electronic or otherwise) in your possession or control set out in the Schedule hereto.*

**YOU MUST COMPLY WITH THIS REQUIREMENT BY GIVING THE DOCUMENTS TO THE COMMISSION BY 4.00 PM ON MONDAY 28 SEPTEMBER 2015.**

You may do so:

- (a) in the manner described in the accompanying letter; or
- (b) by making the documents available for inspection by Commission staff at Level 10, 179 North Quay, Brisbane, and permitting Commission staff to take such copies of them as they require.

If you intend to hand deliver the documents, please contact the Commission's Executive Director, Mr Ashley Hill, on telephone (07) 3239 6040 or email to [info@barrettinquiry.qld.gov.au](mailto:info@barrettinquiry.qld.gov.au). Your solicitor may attend and produce the documents in your stead.

If you believe 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 15th day of September 2015

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

## Barrett Adolescent Centre Commission of Inquiry

## SCHEDULE

**Preliminary Matters***Version of Documents Required*

1. Where the Department of Communities, Child Safety and Disability Services (**DCCSDS**) Document Management System has preserved multiple versions of a document requested below, all versions, in so far as they reflect the approval chain from initial author through to the final version, are required to be produced. *The request does not include any draft versions prior to the approval at each stage of the approval chain from initial author through to the final version.* It is each approved version of the document that must be provided.
2. Together with each approved version of a document extracted from the DCCSDS Document Management System that is provided to the Commission, all electronic annotations relating to and or attached to the document must also be provided.

*Definitions*

3. The term "Staff" in the request below includes all professional and non-professional persons performing work at or for the Barrett Adolescent Centre (**BAC**), such as:

medical practitioners,  
 nurses,  
 Allied Health professionals,  
 social workers,  
 administrative and clerical workers,  
 security officers,  
 ground keepers, and  
 cleaners,  
 teachers,  
 teacher aids,  
 guidance officers,

whether:

as employees of or pursuant to and contractual relationship with the Department of Education (whether on a permanent, casual, temporary or volunteer basis),

as employees of the Queensland Government or the West Moreton Hospital and Health Service or any other Health Service,



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pursuant to any contractual relationship with the Queensland Government or the West Moreton Hospital and Health Service or any other Health Service,

as employees, contractors or sub-contractors of any person or entity in a contractual relationship with the Queensland Government or the West Moreton Hospital and Health Service or any other Health Service,

as professional consultants (for example, specialist medical practitioners and psychologists),

as non-professional consultants,

as visiting consultants (whether professional or non-professional),

as locums,

as employees, contractors or sub-contractors of any employment agency providing personnel to BAC,

as volunteers,

or otherwise.

4. The term "Relevant Stakeholder" in the request below is a reference to a non-Government person, entity, association or organisation.
5. The term "Human Services Agency" in the request below is a reference to a Government Department or arm of a Government Department with portfolio responsibilities for key human services including but not limited to Education, Child Safety, Disability Services, Community Services and Housing.
6. The acronym "TOR" is a reference to the "terms of reference" set out in the *Commissions of Inquiry Order (No. 4) 2015*.

### Documents Required

*Establishment of the Barrett Adolescent Centre: [TOR: 3(b) and 3(c)]*

7. The documents relating to and leading up to the establishment of the Barrett Adolescent Centre (**BAC**) at Wacol in 1983 (**Commencement**), limited to:
  - (a) documents outlining the policy and legislative framework underpinning the establishment and the proposed operation and management of the BAC;
  - (b) policy documents, memoranda or other writings, relating to the entry criteria for all patients to the BAC at the time of Commencement;
  - (c) the initial BAC implementation plan in so far as it related to the delivery of an identified suite of services to inpatients and or outpatients, and or a day program care and or an on-site integrated education program at the BAC.

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*Operation and Management of the BAC after Commencement: [TOR: 3(a), 3(b) and 3(c)]*

8. Documents relating to the operation and management of the BAC between its Commencement and the decision to close the BAC made on or about 6 August 2013 (the **Closure Decision**), including:
- (a) internal review or evaluation documents and briefing papers relating to the operation and management of the BAC during this time;
  - (b) policy documents, memoranda or other writings relating to the entry criteria for all patients to the BAC during this time;
  - (c) documents relating to any actions arising from internal considerations of any reviews or evaluations of the operation and management of the BAC during this time;
  - (d) any external advice commissioned or received by the DCCSDS relating to the operation and management of the BAC during this time;
  - (e) any feedback (complaints or support) made by inpatients and outpatients, their families, carers, friends, Staff of the BAC, any other Relevant Stakeholder or Human Services Agency, relating to the operation and management of the BAC during this time;
  - (f) arising from the feedback in 8(e) above, any:
    - (i) correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service (and its Board), Queensland Treasury, or any Human Services Agency or any other Relevant Stakeholder;
    - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DCCSDS and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and its Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
  - (g) documents relating to the intention to close the BAC in 1999 (the **Earlier Intention to Close Decision**), such as documents concerning or including:
    - (i) who made the Earlier Intention to Close Decision;
    - (ii) the bases for the Earlier Intention to Close Decision;
    - (iii) why the earlier Intention to Close Decision was never carried out;
    - (iv) any letters or other documents from inpatients and outpatients of the BAC and their families, carers, friends, Staff of the BAC, any other Relevant Stakeholder or Human Services Agency, relating to the Earlier Intention to Close Decision;

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- (v) arising from the Earlier Intention to Close Decision:
  - a. any correspondence, memoranda, submissions to or from the Department of Health, the West Moreton Hospital and Health Service, the Department of the Premier and Cabinet, Queensland Treasury, any Human Services Agency, or any other Relevant Stakeholder;
  - b. briefing papers, meeting notes between DCCSDS and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
- (h) any external advice commissioned or received by DCCSDS relating to the Earlier Intention to Close Decision;
- (i) documents relating to the ongoing viability of the BAC, and or the adequacy and appropriateness of the services it was providing or could provide to young people with severe and complex mental illness, in the period from the Earlier Intention to Close Decision up to and including the Closure Decision, such as:
  - i. correspondence with and records of, meetings with patients and outpatients, their families, carers, friends, Staff of the BAC, or any Relevant Stakeholder;
  - ii. correspondence, memoranda, submissions to or from the Department of Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service (and its Board), Queensland Treasury, any Human Services Agency or any other Relevant Stakeholder;
  - iii. briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DCCSDS and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and its Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency.

*Closure Decision and Announcement of the Closure Decision in 2013: [TOR: 3(a) to 3 (h) and 4]*

- 9. All documents relating to the Closure Decision and the Announcement of the Closure Decision, including documents relating to:
  - (a) the bases of the Closure Decision;
  - (b) the information, material, advices, processes, considerations and recommendations that related to or informed the Closure Decision and the Announcement of the Closure Decision;

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- (c) the decision-making process.
10. The documents sought in paragraph 9 above include but are not limited to documents relating to:
- (a) when the Closure Decision was made;
  - (b) who made the Closure Decision;
  - (c) the communication of the Closure Decision to inpatients and outpatients of the BAC and their families, carers, friends, Staff of the BAC, any Relevant Stakeholder and any Human Services Agency;
  - (d) the timing of the Announcement of the Closure Decision;
  - (e) cost benefit analyses of keeping the BAC open;
  - (f) cost benefit analyses of closing the BAC;
  - (g) the Barrett Adolescent Strategy Group including:
    - (i) any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, Queensland Treasury, any Human Services Agency, or any other Relevant Stakeholder;
    - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DCCSDS and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
  - (h) the Expert Clinical Reference Group;
    - (i) any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, Queensland Treasury, any Human Services Agency, or any other Relevant Stakeholder;
    - (ii) briefing papers, meeting notes between DCCSDS and any of the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
  - (i) all documents relating to clinically appropriate models of care for intensive mental health services to young people with severe and complex mental illness that were considered before the Closure Decision was made;

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- (j) all documents relating to best practice models of care for intensive mental health services to young people with severe and complex mental illness that were considered before the Closure Decision was made;
  - (k) any internal or external documents or briefing papers relating to the Closure Decision;
  - (l) any external advice commissioned or received by DCCSDS relating to the Closure Decision;
  - (m) any clinical advice obtained in relation to the potential effect of the Closure Decision on inpatients and outpatients of the BAC or their families, carers or friends, the Staff of the BAC or any other Relevant Stakeholder;
  - (n) in relation to the Closure Decision:
    - (i) any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service (and its Board), Queensland Treasury, any Human Services Agency, or any other Relevant Stakeholder;
    - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DCCSDS and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other relevant Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
  - (o) documents relating to the Closure Decision in so far as they concern the Queensland Government's obligations with respect to the Australian Government and its mental health priorities;
11. In relation to the announcement of the decision to close the BAC made by the Minister for Health on 6 August 2013 (the **Announcement of the Closure Decision**):
- (a) any correspondence with and records of meetings with inpatients and outpatients, their families, carers, friends, Staff of the BAC, or any Relevant Stakeholder;
  - (b) any correspondence, memoranda, submissions to or from the Department of Health, the West Moreton Hospital and Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any Human Services Agency, or any other Relevant Stakeholder;
  - (c) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DCCSDS and any of the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency.

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12. All files relating to BAC patients (including inpatients, outpatients, patients at the day program care and students at the on-site integrated education program) at the time of the:
- (i) Closure Decision;
  - (ii) Announcement of the Closure Decision;
  - (iii) actual physical Closure of the BAC (including the closure of the on-site integrated education program), in early 2014 (the **Closure**).

*Education Program Closure: [TOR: 3(a) to 3(d)]*

13. Any documents relating to the decision to cease the on-site integrated education program located at the BAC (the **Education Program Closure Decision**), including but not limited to, documents relating to:
- (a) the bases of the Education Program Closure Decision;
  - (b) the relationship between the Closure Decision and the Education Program Closure Decision;
  - (c) the information, material, advice, processes, considerations and recommendations that related to or informed the Education Program Closure Decision;
  - (d) the decision-making process.
14. The documents sought in paragraph 13 above include but are not limited to, documents relating to:
- (a) the implementation of the Education Program Closure Decision;
  - (b) any internal or external documents or briefing papers relating to the Education Program Closure Decision;
  - (c) the Education Program Closure Decision:
    - (i) any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service (and its Board), Queensland Treasury, any Human Services Agency, or any other Relevant Stakeholder;
    - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DCCSDS and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;



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- (d) the Education Program Closure Decision and the Queensland Government's obligations with respect to the Australian Government and its mental health and educational priorities.

*The Closure: [TOR: 3(d) to (h)]*

15. All documents relating to the Closure (including the closure of the on-site integrated education program following the Education Program Closure Decision) including, but not limited to, documents relating to:

- (a) the timing of the Closure in so far as it related to the closing of the BAC and the closing of the on-site integrated education program;
- (b) how the Closure was to be implemented;
- (c) the internal and external planning and consultation that took place and resulted in the timing of the Closure;
- (d) the Closure, including:
  - (i) any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service, the Department of Premier and Cabinet, Queensland Treasury, any Human Services Agency or any other Relevant Stakeholder;
  - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DCCSDS and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), or any other relevant Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
- (e) the internal and external planning and consultation leading up to the Closure including arrangements made in relation to the:
  - (i) physical premises at The Park - Centre for Mental Health at which the BAC and the on-site integrated education program were located (**Premises**);
  - (ii) furniture and office equipment located at the Premises;
  - (iii) storage and safe-keeping of patient files, education records, Staff records and BAC records generally, held on the Premises;
  - (iv) any property belonging to inpatients and outpatients of the BAC and their families, carers, friends, Staff of the BAC, any other Relevant Stakeholder and Human Services Agency which was located at the Premises;
- (f) what in fact happened after the Closure to the:
  - (i) premises (including land and all buildings/material infrastructure);

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- (ii) furniture and office equipment located at the Premises;
- (iii) patient files, education records, Staff records and BAC records generally, held on the Premises;
- (iv) property belonging to inpatients and outpatients of the BAC and their families, carers, friends, Staff of the BAC, any other Relevant Stakeholder and Human Services Agency which was located at the Premises.

*Transition Arrangements: [TOR: 3(d), 3(e), 3(f) and 3(h) and 4]*

16. All documents relating to:

- (a) the identity of the BAC patients transitioned to alternative care arrangements in association with the Closure (or anticipated closure), whether before or after the Closure Decision Announcement (the “**Transition Clients**”);
- (b) how care, support, service quality and safety risks were identified, assessed, planned for, managed and implemented for the Transition Clients before and after the Closure (the “**Transition Arrangements**”);
- (c) the process leading to the development of the Transition Arrangements, such as:
  - (i) any correspondence, memoranda, submissions to or from the Department of Health, the West Moreton Hospital and Health Service, the Department of the Premier and Cabinet, Queensland Treasury, any other Human Services Agency, or any other Relevant Stakeholder;
  - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DCCSDS and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
- (d) the information, material, advice, processes, considerations and recommendations that related to or informed the Transition Arrangements;
- (e) clinically appropriate models for the transition of young people with severe and complex mental illness from one form of intensive mental health services to another that were considered and implemented or considered and dismissed in association with the anticipated closure or the Closure;
- (f) best practice models for the care of young people with severe and complex mental illness being transitioned from one form of intensive mental health services to another that were considered and implemented or considered and dismissed in association with the anticipated closure or the Closure;
- (g) any internal or external documents or briefing papers relating to the Transition Arrangements;

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- (h) any assessment, monitoring and evaluation of the adequacy of the Transition Arrangements before, during and after implementation;
- (i) any clinical or other advice and or reports obtained as to the likely or actual effect of the Transition Arrangements on the Transition Clients;
- (j) the Transition Arrangements including:
  - (i) any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service (and its Board), Queensland Treasury, any Human Services Agency or any other Relevant Stakeholder;
  - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DCCSDS and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
- (k) the Transition Arrangements in so far as they concern DCCSDS obligations with respect to other Queensland Government departments and also the Queensland Government's obligations with respect to the Australian Government and its mental health priorities.

*Families of Transition Clients: [TOR: 3(e) and 3(h)]*

17. All documents relating to the care, support and services that were provided to the families of the Transition Clients, including all documents relating to:
- (a) any advice and or reports obtained as to the likely or actual effect of the Transition Arrangements on the families of Transition Clients;
  - (b) any consultations, meetings or dealings between DCCSDS and the Department of the Premier and Cabinet, the Department of Health, Staff of the BAC, the Department of Education, the families, carers, and or friends of the Transition Clients, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, Queensland Treasury, any Human Services Agency or any Relevant Stakeholder, about the adequacy of the care, support and services that were provided to the families of the Transition Clients during the carrying out of the Transition Arrangements.

*Alternatives to the BAC: [TOR: 3(g), 3(h) and 4]*

18. All documents relating to whether, in association with the Closure Decision, there was any consideration of alternatives for replacing the BAC, including but not limited to documents dealing with:
- (a) any alternative for the replacement of the BAC that was considered;
  - (b) the bases for any alternative that was considered not being adopted;

## Barrett Adolescent Centre Commission of Inquiry

- (c) any alternatives that were not considered;
  - (d) the information, material, advice, processes, considerations and recommendations that related to or informed the matters in 20(a), 20(b) and 20(c) above.
19. The documents referred to in paragraph 18 above include but are not limited to documents relating to:
- (a) clinically appropriate models of care for intensive mental health services to young people with severe and complex mental illness;
  - (b) best practice models of care for intensive mental health services to young people with severe and complex mental illness;
  - (c) any consultations, meetings or dealings between DCCSDS and any of the Department of the Premier and Cabinet, the Department of Health, Staff of the BAC, the families, carers, and or friends of the Transition Clients, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, Queensland Treasury, any Human Services Agency or any Relevant Stakeholder, about alternatives for replacing the BAC;
  - (d) the option of transferring the on-site integrated education program to an alternative site.

*Other Matters: [TOR: 3(i)]*

20. All documents concerning patient safety and confidentiality in relation to the Closure Decision and Transition Arrangements including:
- (a) any report of self-harm by any patient or former patient of the BAC or Transition Client;
  - (b) any report of harm to any patient or former patient of the BAC or Transition Client, by Staff of the BAC;
  - (c) any report of harm to any patient or former patient of the BAC or Transition Client, by other patients or former patients of the BAC or Transition Clients;
  - (d) any consequential internal or external investigations or reports arising from or related to 22(a) to (c) above;
  - (e) policy or practice changes as a result of any such incidents or events in 22(a) to (c) above;
  - (f) any complaints from patients or former patients of the BAC or Transition Clients, their families, carers, friends, Staff of the BAC, any other Relevant Stakeholder or Human Services Agency, relating to the compromise of patient safety or confidentiality in relation to the Closure Decision or the Transition Arrangements;

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- (g) any consultations, meetings or dealings about patient safety and or confidentiality in association with the Closure and or the Transition Arrangements that took place between DCCSDS and any of the Department of Health, the Staff of the BAC, the families, carers, and or friends of the patients or former patients of the BAC or Transition Clients, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, any Human Services Agency and any Relevant Stakeholder;
- (h) any directives relevant to patient safety and or confidentiality that were issued by any Health Service Chief Executive appointed under s. 7 of the *Hospital Health Boards Act 2011* or otherwise.

*General*

- 21. Any other documents relating to the TOR.

## EXHIBIT 2



# EXHIBIT A2

Barrett Adolescent Centre Commission of Inquiry

*Commissions of Inquiry Act 1950*  
*Section 5(1)(b)*

**REQUIREMENT TO PRODUCE DOCUMENTS**

**To:** Ms Fionnagh Dougan, *Chief Executive of Children's Health Queensland Hospital and Health Service*  
**Of:** c/- Crown Solicitor, 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 produce the following documents to the Commission:

*All documents (including copies and originals of any books, writings, letters, emails, recordings or other records of information in any form, electronic or otherwise) in your possession or control set out in the Schedule hereto.*

**YOU MUST COMPLY WITH THIS REQUIREMENT BY GIVING THE DOCUMENTS TO THE COMMISSION BY 4.00 PM ON FRIDAY 2 OCTOBER 2015.**

You may do so:

- (a) in the manner described in the accompanying letter; or
- (b) by making the documents available for inspection by Commission staff at Level 10, 179 North Quay, Brisbane, and permitting Commission staff to take such copies of them as they require.

If you intend to hand deliver the documents, please contact the Commission's Executive Director, Mr Ashley Hill, on telephone (07) 3239 6040 or email to [info@barrettinquiry.qld.gov.au](mailto:info@barrettinquiry.qld.gov.au). Your solicitor may attend and produce the documents in your stead.

If you believe 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** 23rd **day of** September **2015**

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

## Barrett Adolescent Centre Commission of Inquiry

## SCHEDULE

**Preliminary Matters***Version of Documents Required*

1. Where Children's Health Queensland Hospital and Health Service (**Children's Health Queensland**) Document Management System has preserved multiple versions of a document requested below, all versions, in so far as they reflect the approval chain from initial author through to the final version, are required to be produced. *The request does not include any draft versions prior to the approval at each stage of the approval chain from initial author through to the final version.* It is each approved version of the document that must be provided.
2. Together with each approved version of a document extracted from the Children's Health Queensland Document Management System that is provided to the Commission, all electronic annotations relating to and or attached to the document must also be provided.

*Definitions*

3. The term "Staff" in the request below includes all professional and non-professional persons performing work at or for Children's Health Queensland and the Barrett Adolescent Centre (**BAC**), such as:

Allied Health professionals,  
 social workers,  
 administrative and clerical workers,  
 security officers,  
 ground keepers, and  
 cleaners,

whether:

as employees of the Queensland Government or Children's Health Queensland or any other Health Service,

pursuant to any contractual relationship with the Queensland Government or Children's Health Queensland or any other Health Service,

as employees, contractors or sub-contractors of any person or entity in a contractual relationship with the Queensland Government or Children's Health Queensland or any other Health Service,

as professional consultants (for example, specialist medical practitioners and psychologists),

as non-professional consultants,

## Barrett Adolescent Centre Commission of Inquiry

as visiting consultants (whether professional or non-professional),

as locums,

as employees, contractors or sub-contractors of any employment agency providing personnel to BAC,

as volunteers,

or otherwise.

4. The term "Relevant Stakeholder" in the request below is a reference to a non-Government person, entity, association or organisation.
5. The term "Human Services Agency" in the request below is a reference to a Government Department or arm of a Government Department with portfolio responsibilities for key human services including but not limited to Education, Child Safety, Disabilities Services, Community Services and Housing.
6. The acronym "TOR" is a reference to the "terms of reference" set out in the *Commissions of Inquiry Order (No. 4) 2015*.

### Documents Required

*Operation and Management of the BAC after Commencement; [TOR: 3(a), 3(b) and 3(c)]*

7. Documents (if any) Children's Health Queensland (and its Board) have in relation to the operation and management of the BAC between its Commencement at Wacol in 1983 and the decision to close the BAC made on or about 6 August 2013 (the **Closure Decision**), including:
  - (a) documents outlining the services provided by, the interaction between and the involvement of Children's Health Queensland, with the BAC, during this time;
  - (b) internal review or evaluation documents and briefing papers relating to the operation and management of the BAC services provided by Children's Health Queensland to inpatients and outpatients and any patient of Children's Health Queensland who accessed these services through the BAC (**BAC Patients**) during this time;
  - (c) policy documents, memoranda or other writings relating to the entry criteria for BAC Patients during this time;
  - (d) documents relating to any actions arising from internal considerations by Children's Health Queensland of any reviews or evaluations of the operation and management of the BAC and or services provided to BAC Patients during this time;
  - (e) any external advice commissioned or received by Children's Health Queensland relating to the operation and management of the BAC and or services provided to BAC Patients during this time;

## Barrett Adolescent Centre Commission of Inquiry

- (f) any feedback (complaints or support) made by BAC Patients, their families, carers, friends, Staff of the BAC, any other Relevant Stakeholder or Human Services Agency, relating to the operation and management of the BAC and or services provided to BAC Patients during this time;
- (g) arising from the feedback in 7(e) above, any:
  - (i) correspondence, memoranda, submissions to or from Children's Health Queensland to or from Cabinet, the Department of the Premier and Cabinet, Queensland Treasury, the Department of Health, any other Health Service (and its Board), any Human Services Agency or any other Relevant Stakeholder;
  - (ii) briefing papers, meeting notes between Children's Health Queensland (and its Board), the Department of Health, any other Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any other Human Services Agency or any other Relevant Stakeholder;
- (h) documents (if any) relating to the intention to close the BAC in 1999 (the **Earlier Intention to Close Decision**), such as documents concerning or including:
  - (i) who made the Earlier Intention to Close Decision;
  - (ii) the bases for the Earlier Intention to Close Decision;
  - (iii) why the earlier Intention to Close Decision was never carried out;
  - (iv) any letters or other documents from Children's Health Queensland and BAC Patients and their families, carers, friends, Staff, any other Health Service (and its Board), any other Relevant Stakeholder or Human Services Agency, relating to the Earlier Intention to Close Decision;
  - (v) arising from the Earlier Intention to Close Decision:
    - a. any correspondence, memoranda, submissions to or from Children's Health Queensland to or from Cabinet, the Department of the Premier and Cabinet, Queensland Treasury, the Department of Health, any other Health Service (and its Board), any Human Services Agency or any other Relevant Stakeholder;
    - b. briefing papers, meeting notes between Children's Health Queensland (and its Board), and any of the Department of Health, any other Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any Human Services Agency or any other Relevant Stakeholder;
- (i) any external advice commissioned or received by Children's Health Queensland and any Health Service (and its Board) relating to the Earlier Intention to Close Decision;



## Barrett Adolescent Centre Commission of Inquiry

- (j) documents relating to the ongoing viability of the services provided to BAC Patients and or the BAC relating to the Earlier Intention to Close Decision
- (k) documents relating to the adequacy and appropriateness of the services provided to BAC Patients in the period from the Earlier Intention to Close Decision up to and including the Closure Decision, such as:
  - i. correspondence with and records of, meetings with BAC Patients, their families, carers, friends, Staff, or any Relevant Stakeholder;
  - ii. correspondence, memoranda, submissions to or from Children's Health Queensland to or from Cabinet, the Department of the Premier and Cabinet, Queensland Treasury, the Department of Health, any other Health Service (and its Board), any Human Services Agency or any other Relevant Stakeholder;
  - iii. briefing papers, meeting notes between Children's Health Queensland (and its Board) and any of the Department of Health, any other Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any other Human Services Agency or any other Relevant Stakeholder.

*Closure Decision and Announcement of the Closure Decision in 2013 [TOR: 3(a) to 3 (h) and 4]*

- 8. All documents relating to the Closure Decision and the Announcement of the Closure Decision, including documents relating to:
  - (a) the bases of the Closure Decision;
  - (b) the information, material, advices, processes, considerations and recommendations that related to or informed the Closure Decision and the Announcement of the Closure Decision;
  - (c) the decision-making process.
- 9. The documents sought in paragraph 8 above include but are not limited to documents relating to:
  - (a) when the Closure Decision was made;
  - (b) who made the Closure Decision;
  - (c) the communication of the Closure Decision to BAC Patients and their families, carers, friends, Staff, any other Health Service (and its Board), any other Human Services Agency or any other Relevant Stakeholder;
  - (d) the timing of the Announcement of the Closure Decision;
  - (e) cost benefit analyses of keeping the BAC open;



## Barrett Adolescent Centre Commission of Inquiry

- (f) cost benefit analyses of closing the BAC;
- (g) cost benefit analyses of continuing to provide services to BAC Patients;
- (h) the Barrett Adolescent Strategy Group including:
  - (i) any correspondence, memoranda, submissions to or from Children's Health Queensland (and its Board) to or from Cabinet, the Department of the Premier and Cabinet, Queensland Treasury, the Department of Health, any other Health Service (and its Board), any other Human Services Agency or any other Relevant Stakeholder;
  - (ii) briefing papers, meeting notes between Children's Health Queensland (and its Board) and any of the Department of Health, any other Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any other Human Services Agency or any other Relevant Stakeholder;
- (i) the Expert Clinical Reference Group;
  - (i) any correspondence, memoranda, submissions to or from Children's Health Queensland (and its Board) to or from Cabinet, the Department of the Premier and Cabinet, Queensland Treasury, any other Human Services Agency or any other Relevant Stakeholder;
  - (ii) briefing papers, meeting notes between Children's Health Queensland (and its Board) and any of the Department of Health, any other Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any other Human Services Agency or any other Relevant Stakeholder;
- (j) all documents relating to clinically appropriate models of care for intensive mental health services to young people with severe and complex mental illness that were considered before the Closure Decision was made;
- (k) all documents relating to best practice models of care for intensive mental health services to young people with severe and complex mental illness that were considered before the Closure Decision was made;
- (l) any internal or external documents or briefing papers relating to the Closure Decision;
- (m) any external advice commissioned or received by the Children's Health Queensland (and its Board) relating to the Closure Decision;
- (n) any clinical advice obtained in relation to the potential effect of the Closure Decision on BAC Patients or their families, carers or friends, the Staff or any other Relevant Stakeholder;
- (o) in relation to the Closure Decision:

## Barrett Adolescent Centre Commission of Inquiry

- (i) any correspondence, memoranda, submissions to or from Children's Health Queensland to or from Cabinet, the Department of the Premier and Cabinet, Queensland Treasury, the Department of Health, any other Health Service (and its Board), any other Human Services Agency or any other Relevant Stakeholder;
    - (ii) briefing papers, meeting notes between Children's Health Queensland (and its Board) and any of the Department of Health, any other Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any other Human Services Agency or any other Relevant Stakeholder;
  - (p) documents relating to the Closure Decision in so far as they concern the Queensland Government's obligations with respect to the Australian Government and its mental health priorities;
10. In relation to the announcement of the decision to close the BAC made by the Minister for Health on 6 August 2013 (the **Announcement of the Closure Decision**):
- (a) any correspondence with and records of meetings with BAC Patients, their families, carers, friends, Staff, or any other Relevant Stakeholder;
  - (b) any correspondence, memoranda, submissions to or from Children's Health Queensland (and its Board) to or from Cabinet, the Department of the Premier and Cabinet, Queensland Treasury, the Department of Health, any other Health Service (and its Board), any other Human Services Agency or any other Relevant Stakeholder;
  - (c) briefing papers, meeting notes between Children's Health Queensland (and its Board) and any of the Department of Health, any other Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any other Human Services Agency or any other Relevant Stakeholder.
11. All files relating to BAC Patients at the time of the:
- (a) Closure Decision;
  - (b) Announcement of the Closure Decision;
  - (c) actual physical Closure of the BAC (including the closure of the on-site integrated education program), in early 2014 (the **Closure**).

*Transition Arrangements [TOR 3(d), 3(e), 3(f) and 3(h) and 4]*

12. All documents (if any) Children's Health Queensland (and its Board) have relating to:
- (a) the identity of the BAC Patients transitioned to alternative care arrangements in association with the Closure (or anticipated closure), whether before or after the Closure Decision Announcement (the **Transition Clients**);

## Barrett Adolescent Centre Commission of Inquiry

- (b) how care, support, service quality and safety risks were identified, assessed, planned for, managed and implemented for the Transition Clients before and after the Closure (the “**Transition Arrangements**”);
- (c) the process leading to the development of the Transition Arrangements, such as:
  - (i) any correspondence, memoranda, submissions to or from Children’s Health Queensland (and its Board) to or from Cabinet, the Department of the Premier and Cabinet, Queensland Treasury, the Department of Health, any other Health Service (and its Board), or any other Human Services Agency or any other Relevant Stakeholder;
  - (ii) briefing papers, meeting notes between, Children’s Health Queensland (and its Board) and any of the Department of Health, any other Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any other Human Services Agency or any other Relevant Stakeholder;
- (d) the information, material, advice, processes, considerations and recommendations that related to or informed the Transition Arrangements;
- (e) the identities of the persons tasked to carry out the Transition Arrangements from time to time (“the **Transition Team**”);
- (f) communications and negotiations between the Transition Team and the Transition Clients and their families, carers, friends, other Relevant Stakeholders, and any other Human Services Agency, relating to the Transition Arrangements;
- (g) the transition plan prepared, developed and or implemented by the Transition Team for each of the Transition Clients;
- (h) the support given to the Transition Team to implement the Transition Arrangements;
- (i) the governance model or models put in place by Children’s Health Queensland (and its Board) and any other Health Service (and its Board), the Department of Health and or any other arm of the Queensland Government, to manage the oversight of the Transition Arrangements by the Transition Team including documents relating to:
  - (i) the principal features of the governance model;
  - (ii) when that model was put in place, and if it was varied, when it was varied and in what way;
  - (iii) the role of the Clinical Care Transitional Panel;
  - (iv) the identities of the members of the Clinical Care Transitional Panel and their respective roles ;

## Barrett Adolescent Centre Commission of Inquiry

- (v) the identities of the key Staff connected to the Transition Arrangements and their respective roles;
  - (vi) the role of the Adolescent Extended Treatment and Rehabilitation Implementation Steering Committee;
  - (vii) the identities of the members of the Adolescent Extended Treatment and Rehabilitation Implementation Steering Committee and their respective roles;
  - (viii) the role of the West Moreton Management Committee;
  - (ix) the identities of the members of the West Moreton Management Committee and their respective roles;
  - (x) what occurred at the Barrett Adolescent Update Meeting (or meetings);
  - (xi) the identities of the attendees at the Barrett Adolescent Update Meeting (or meetings);
  - (xii) the role of the Chief Executive and Department of Health Oversight Committee;
  - (xiii) the identities of the members of the Chief Executive and Department of Health Oversight Committee and their respective roles.
13. The documents referred to in paragraph 12 above include but are not limited to documents relating to:
- (a) how long the Transition Arrangements were scheduled to take;
  - (b) who was to pay for the Transition Arrangements;
  - (c) the anticipated cost of the Transition Arrangements proposed by the Transition Team;
  - (d) the anticipated cost and the actual cost of the Transition Arrangements actually implemented by the Transition Team;
  - (e) the Transition Arrangements for each of the Transition Clients that were proposed from time to time in association with the anticipated closure and the Closure;
  - (f) the Transition Arrangements for each of the Transition Clients that were in fact carried out by the Transition Team or otherwise in association with the anticipated closure and the Closure;
  - (g) clinically appropriate models for the transition of young people with severe and complex mental illness from one form of intensive mental health services to another that were considered and implemented or considered and dismissed in association with the anticipated closure or the Closure;

## Barrett Adolescent Centre Commission of Inquiry

- (h) best practice models for the care of young people with severe and complex mental illness being transitioned from one form of intensive mental health services to another that were considered and implemented or considered and dismissed in association with the anticipated closure or the Closure;
  - (i) any internal or external documents considering the models identified in 13(g) and (h) above;
  - (j) any internal or external documents or briefing papers relating to the Transition Arrangements;
  - (k) any assessment, monitoring and evaluation of the adequacy of the Transition Arrangements before, during and after implementation;
  - (l) any external advice commissioned or received by Children's Health Queensland (and its Board) or any other Health Service (and its Board), or the Department of Health or any other arm of the Queensland Government relating to the adequacy of the Transition Arrangements;
  - (m) any clinical or other advice and or reports obtained as to the likely or actual effect of the Transition Arrangements on the Transition Clients;
  - (n) the Transition Arrangements including:
    - (i) any correspondence, memoranda, submissions to or from Children's Health Queensland (and its Board) to or from Cabinet, the Department of the Premier and Cabinet, Queensland Treasury, the Department of Health, any other Health Service (and its Board), any other Human Services Agency or any other Relevant Stakeholder;
    - (ii) briefing papers, meeting notes between Children's Health Queensland (and its Board) and any of the Department of Health, any other Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any other Human Services Agency or any other Relevant Stakeholders;
  - (o) the Transition Arrangements in so far as they concern Children's Health Queensland (and its Board's) obligations with respect to both the Queensland Government's and the Australian Government's mental health priorities.
14. All (if any) documents Children's Health Queensland (and its Board) have leading up to, arising from or in any way related to the report: *Transitional Care for Adolescent Patients of the Barrett Adolescent Centre* dated 30 October 2014 authored by Associate Professor Beth Kotze and Ms Tania Skipper.

### *Families of Transition Clients: [TOR: 3(e) and 3(h)]*

15. All (if any) documents Children's Health Queensland (and its Board) have relating to the care, support and services that were provided to the families of the Transition Clients, including all documents relating to:

## Barrett Adolescent Centre Commission of Inquiry

- (a) the identities and locations of each of those families;
- (b) the information, material, advice, processes, considerations and recommendations that related to or informed the care, support and services that were provided to the families of the Transition Clients;
- (c) any advice and or reports obtained as to the likely or actual effect of the Transition Arrangements on the families of Transition Clients;
- (d) any consultations, meetings or dealings between Children's Health Queensland (and its Board) and the Department of Health and Staff, the families, carers, and or friends of the Transition Clients, or any other Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any other relevant Human Services Agency or any Relevant Stakeholder, about the adequacy of the care, support and services that were provided to the families of the Transition Clients during the carrying out of the Transition Arrangements.

*The Staff of BAC: [TOR 3(f) and 3(h)]*

16. All documents (if any) Children's Health Queensland (and its Board) have relating to the support provided to Staff in relation to the Closure and the Transition Arrangements for Transition Clients, including all documents relating to:
- (a) the identities, composition and employment or other records of Staff between 6 August 2013 and the Closure in early 2014;
  - (b) the information, material, advice, processes, considerations and recommendations that related to or informed the support given to the Staff in relation to the Closure Decision and or the Announcement of the Closure Decision;
  - (c) the information, material, advice, processes, considerations and recommendations that related to or informed the support given to the Staff in relation to the Closure;
  - (d) the information, material, advice, processes, considerations and recommendations that related to or informed the support given to the Staff in relation to the Transition Arrangements for Transition Clients;
  - (e) any clinical or other advice and or reports obtained as to the likely or actual effect of the Closure on the Staff dealing with patients connected with the BAC;
  - (f) any clinical or other advice and or reports obtained as to the likely or actual effect of the Transition Arrangements on Staff;
  - (g) how the Staff were informed of the Closure Decision;
  - (h) the support actually given to the Staff in relation to the Closure Decision and or the Announcement of the Closure Decision;
  - (i) the support actually given to the Staff in relation to the Closure;



## Barrett Adolescent Centre Commission of Inquiry

- (j) the support actually given to the Staff in relation to the Transition Arrangements for Transition clients.

*Alternatives to the BAC: [TOR 3(g), 3(h) and 4]*

17. All documents (if any) Children's Health Queensland (and its Board) have relating to whether, in association with the Closure Decision, there was any consideration of alternatives for replacing the BAC, including but not limited to documents dealing with:
  - (a) any new model for adolescent services as an alternative to replacement of the BAC that was considered;
  - (b) the bases for any alternative that was considered not being adopted;
  - (c) any alternatives that were not considered;
  - (d) the information, material, advice, processes, considerations and recommendations that related to or informed the matters in 17(a), 17(b) and 17(c) above.
18. The documents referred to in paragraph 17 above include but are not limited to documents relating to:
  - (a) clinically appropriate models of care for intensive mental health services to young people with severe and complex mental illness;
  - (b) best practice models of care for intensive mental health services to young people with severe and complex mental illness;
  - (c) any consultations, meetings or dealings between Children's Health Queensland (and its Board) and the Department of Health and Staff, the families, carers, and or friends of the Transition Clients, any other Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any other relevant Human Services Agency or any other Relevant Stakeholder, about alternatives for replacing the BAC;
  - (d) the option of transferring the on-site integrated education program to an alternative site.

*Other Matters: [TOR 3(i)]*

19. All documents concerning patient safety and confidentiality in relation to the Closure Decision and Transition Arrangements including:
  - (a) any reports of self-harm by BAC Patients or former patients of the BAC or Transition Clients;
  - (b) any reports of harm to BAC Patients or former patients of the BAC or Transition Clients, by Staff;

## Barrett Adolescent Centre Commission of Inquiry

- (c) any reports of harm to BAC Patients or former patients of the BAC or Transition Clients, by any other BAC Patients or former patients of the BAC or Transition Clients;
- (d) any consequential internal or external investigations or reports arising from or related to 19(a) to (c) above;
- (e) policy or practice changes as a result of any such incidents or events in 19(a) to (c) above;
- (f) any complaints from BAC Patients or former patients of the BAC or Transition Clients, their families, carers, friends, Staff, any other Relevant Stakeholder or Human Services Agency, relating to the compromise of patient safety or confidentiality in relation to the Closure Decision or the Transition Arrangements;
- (g) any consultations, meetings or dealings about patient safety and or confidentiality in association with the Closure and or the Transition Arrangements that took place between any of Children's Health Queensland (and its Board) and Staff, the Department of Health and Staff, the families, carers, and or friends of BAC Patients or former patients of the BAC or Transition Clients, any other Health Service (and its Board), the Department of the Premier and Cabinet, Queensland Treasury, any Human Services Agency and any Relevant Stakeholder;
- (h) any directives relevant to patient safety and or confidentiality that were issued by any Health Service Chief Executive appointed under s. 7 of the *Hospital Health Boards Act 2011* or otherwise.

*General*

20. Any other documents relating to the TOR.

## EXHIBIT 2

# EXHIBIT A3

Barrett Adolescent Centre Commission of Inquiry

*Commissions of Inquiry Act 1950*  
*Section 5(1)(b)*

**REQUIREMENT TO PRODUCE DOCUMENTS**

**To:** Mr Jim Watterston, Director-General of the Department of Education and Training  
**Of:** c/- Crown Solicitor, 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 produce the following documents to the Commission:

*All documents (including copies and originals of any books, writings, letters, emails, recordings or other records of information in any form, electronic or otherwise) in your possession or control set out in the Schedule hereto.*

**YOU MUST COMPLY WITH THIS REQUIREMENT BY GIVING THE DOCUMENTS TO THE COMMISSION BY 4.00 PM ON MONDAY 28 SEPTEMBER 2015.**

You may do so:

- (a) in the manner described in the accompanying letter; or
- (b) by making the documents available for inspection by Commission staff at Level 10, 179 North Quay, Brisbane, and permitting Commission staff to take such copies of them as they require.

If you intend to hand deliver the documents, please contact the Commission's Executive Director, Mr Ashley Hill, on telephone (07) 3239 6040 or email to [info@barrettinquiry.qld.gov.au](mailto:info@barrettinquiry.qld.gov.au). Your solicitor may attend and produce the documents in your stead.

If you believe 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 15<sup>th</sup> day of September 2015

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

## Barrett Adolescent Centre Commission of Inquiry

## SCHEDULE

Preliminary Matters*Version of Documents Required*

1. Where the Department of Education and Training (**DET**) Document Management System has preserved multiple versions of a document requested below, all versions, in so far as they reflect the approval chain from initial author through to the final version, are required to be produced. *The request does not include any draft versions prior to the approval at each stage of the approval chain from initial author through to the final version.* It is each approved version of the document that must be provided.
2. Together with each approved version of a document extracted from the DET Document Management System that is provided to the Commission, all electronic annotations relating to and or attached to the document must also be provided.

*Definitions*

3. The term "Staff" in the request below includes all professional and non-professional persons performing work at or for the Barrett Adolescent Centre (**BAC**), such as:

medical practitioners,  
nurses,  
Allied Health professionals,  
social workers,  
administrative and clerical workers,  
security officers,  
ground keepers, and  
cleaners,  
teachers,  
teacher aids,  
guidance officers,

whether:

as employees of or pursuant to any contractual relationship with DET (whether on a permanent, part time, casual, temporary or volunteer basis),



## Barrett Adolescent Centre Commission of Inquiry

as employees, contractors or sub-contractors of any person or entity in a contractual relationship with the Queensland Government,

as professional consultants,

as non-professional consultants,

as visiting consultants (whether professional or non-professional),

as locums,

as employees, contractors or sub-contractors of any employment agency providing personnel to BAC,

as volunteers,

or otherwise.

4. The term "Relevant Stakeholder" in the request below is a reference to a non-Government person, entity, association or organisation.
5. The term "Human Services Agency" in the request below is a reference to a Government Department or arm of a Government Department with portfolio responsibilities for key human services including but not limited to Education, Child Safety, Disability Services, Community Services and Housing.
6. The acronym "TOR" is a reference to the "terms of reference" set out in the *Commissions of Inquiry Order (No. 4) 2015*.

### Documents Required

#### *Establishment of the Barrett Adolescent Centre: [TOR: 3(b) and 3(c)]*

7. The documents relating to and leading up to the establishment of the Barrett Adolescent Centre (**BAC**) at Wacol in 1983 (**Commencement**), limited to:
  - (a) documents outlining the policy and legislative framework underpinning the establishment and the proposed operation and management of the BAC;
  - (b) policy documents, memoranda or other writings, relating to the entry criteria for all patients to the BAC at the time of Commencement;
  - (c) the initial BAC implementation plan in so far as it related to the delivery of an identified suite of services to inpatients and or outpatients, and or a day program care and or an on-site integrated education program at the BAC;

#### *Operation and Management of the BAC after Commencement: [TOR: 3(a), 3(b) and 3(c)]*

8. Documents relating to the operation and management of the BAC between its Commencement and the decision to close the BAC made on or about 6 August 2013 (the **Closure Decision**), including:

## Barrett Adolescent Centre Commission of Inquiry

- (a) internal review or evaluation documents and briefing papers relating to the operation and management of the BAC during this time;
- (b) policy documents, memoranda or other writings relating to the entry criteria for all patients to the BAC during this time;
- (c) documents relating to any actions arising from internal considerations of any reviews or evaluations of the operation and management of the BAC during this time;
- (d) any external advice commissioned or received by DET relating to the operation and management of the BAC during this time;
- (e) any feedback (complaints or support) made by inpatients and outpatients, their families, carers, friends, Staff of the BAC, any other Relevant Stakeholder or Human Services Agency, relating to the operation and management of the BAC during this time;
- (f) arising from the feedback in 8(e) above, any:
  - (i) correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service, Queensland Treasury, any Human Services Agency or any other Relevant Stakeholder;
  - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DET and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and its Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
- (g) documents relating to the intention to close the BAC in 1999 (the **Earlier Intention to Close Decision**), such as documents concerning or including:
  - (i) who made the Earlier Intention to Close Decision;
  - (ii) the bases for the Earlier Intention to Close Decision;
  - (iii) why the earlier Intention to Close Decision was never carried out;
  - (iv) any letters or other documents from inpatients and outpatients of the BAC and their families, carers, friends, Staff of the BAC, any other Relevant Stakeholder or Human Services Agency, relating to the Earlier Intention to Close Decision;
  - (v) arising from the Earlier Intention to Close Decision:

## Barrett Adolescent Centre Commission of Inquiry

- a. any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service, Queensland Treasury, any Human Services Agency, or any other Relevant Stakeholder;
  - b. briefing papers, meeting notes between DET and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
- (h) any external advice commissioned or received by DET relating to the Earlier Intention to Close Decision;
- (i) documents relating to the ongoing viability of the BAC, and or the adequacy and appropriateness of the services it was providing or could provide to young people with severe and complex mental illness, in the period from the Earlier Intention to Close Decision up to and including the Closure Decision, such as:
  - i. correspondence with and records of, meetings with patients and outpatients, their families, carers, friends, Staff of the BAC, or any Relevant Stakeholder;
  - ii. correspondence, memoranda, submissions to or from Cabinet, the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service, Queensland Treasury, any Human Services Agency or any other Relevant Stakeholder;
  - iii. briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DET and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and its Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency.

*Closure Decision and Announcement of the Closure Decision in 2013: [TOR: 3(a) to 3 (h) and 4]*

- 9. All documents relating to the Closure Decision and the Announcement of the Closure Decision, including documents relating to:
  - (a) the bases of the Closure Decision;
  - (b) the information, material, advices, processes, considerations and recommendations that related to or informed the Closure Decision and the Announcement of the Closure Decision;
  - (c) the decision-making process.

## Barrett Adolescent Centre Commission of Inquiry

10. The documents sought in paragraph 9 above include but are not limited to documents relating to:
- (a) when the Closure Decision was made;
  - (b) who made the Closure Decision;
  - (c) the communication of the Closure Decision to inpatients and outpatients of the BAC and their families, carers, friends, Staff of the BAC, any Relevant Stakeholder and any Human Services Agency;
  - (d) the timing of the Announcement of the Closure Decision;
  - (e) cost benefit analyses of keeping the BAC open;
  - (f) cost benefit analyses of closing the BAC;
  - (g) the Barrett Adolescent Strategy Group including:
    - (i) any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service, Queensland Treasury, any Human Services Agency, or any other Relevant Stakeholder;
    - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DET and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
  - (h) the Expert Clinical Reference Group;
    - (i) any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service, Queensland Treasury, any Human Services Agency, or any other Relevant Stakeholder;
    - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DET and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
  - (i) all documents relating to clinically appropriate models of care for intensive mental health services to young people with severe and complex mental illness that were considered before the Closure Decision was made;

## Barrett Adolescent Centre Commission of Inquiry

- (j) all documents relating to best practice models of care for intensive mental health services to young people with severe and complex mental illness that were considered before the Closure Decision was made;
  - (k) any internal or external documents or briefing papers relating to the Closure Decision;
  - (l) any external advice commissioned or received by DET relating to the Closure Decision;
  - (m) any clinical advice obtained in relation to the potential effect of the Closure Decision on inpatients and outpatients of the BAC or their families, carers or friends, the Staff of the BAC or any other Relevant Stakeholder;
  - (n) in relation to the Closure Decision:
    - (i) any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service, Queensland Treasury, any Human Services Agency, or any other Relevant Stakeholder;
    - (ii) briefing papers, including those relating to Cabinet submission from the Department of Health, meeting notes between DET and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other relevant Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
  - (o) documents relating to the Closure Decision in so far as they concern the Queensland Government's obligations with respect to the Australian Government and its mental health and education priorities;
  - (p) the identity, composition and employment or other records of the Education Staff of the BAC between 6 August 2012 and 6 August 2013.
11. In relation to the announcement of the decision to close the BAC made by the Minister for Health on 6 August 2013 (the **Announcement of the Closure Decision**):
- (a) any correspondence with and records of meetings with inpatients and outpatients, their families, carers, friends, Staff of the BAC, or any Relevant Stakeholder;
  - (b) any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service, Queensland Treasury, or any Human Services Agency, or any other Relevant Stakeholder;
  - (c) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DET and the Department of Health, the West Moreton Hospital and Health Service (and its Board), or any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency.

## Barrett Adolescent Centre Commission of Inquiry

12. All files relating to BAC patients (including inpatients, outpatients, patients at the day program care and students at the on-site integrated education program) at the time of the:
- (i) closure Decision;
  - (ii) announcement of the Closure Decision;
  - (iii) actual physical Closure of the BAC (including the closure of the on-site integrated education program), in early 2014 (the **Closure**).

### *Education Program Closure: [TOR: 3(a) to 3(d)]*

13. Regarding the on-site integrated education program at the BAC, documents relating to:
- (a) the initial commencement of the program including the:
    - (i) program structure and education objectives;
    - (ii) location of the teaching facility;
    - (iii) prerequisite for admission to the program;
  - (b) the continuation of, and any significant changes to, the program from Commencement to Closure, including to the:
    - (i) program structure and education objectives;
    - (ii) location of the teaching facility;
    - (iii) prerequisite for admission to the program;
  - (c) what occurred leading up to, at the time of and following the Closure, including the:
    - (i) transfer of the program and or teaching facility to another location;
    - (ii) provision such as redeployment, redundancy or other, made for Staff of the BAC employed by, or at the direction of DET, involved with the on-site integrated education program (**Education Staff**) ;
    - (iii) provision such as transfer to another education facility made for the patients of the BAC who were taking part in the program.
14. Any documents relating to the decision to cease the on-site integrated education program located at the BAC (the **Education Program Closure Decision**), including but not limited to, documents relating to:
- (a) the bases of the Education Program Closure Decision;
  - (b) the relationship between the Closure Decision and the Education Program Closure Decision;



## Barrett Adolescent Centre Commission of Inquiry

- (c) the information, material, advice, processes, considerations and recommendations that related to or informed the Education Program Closure Decision;
  - (d) the decision-making process.
15. The documents sought in paragraph 13 above include but are not limited to, documents relating to:
- (a) the implementation of the Education Program Closure Decision;
  - (b) any internal or external documents or briefing papers relating to the Education Program Closure Decision;
  - (c) the Education Program Closure Decision:
    - (i) any correspondence, memoranda, submissions to or from the Department of Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service, Queensland Treasury, or any Human Services Agency, or any other Relevant Stakeholder;
    - (ii) briefing papers, including those relating to Cabinet submission from the Department of Health, meeting notes between DET and the Department of Health, the West Moreton Hospital and Health Service (and its Board), or any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
  - (d) the Education Program Closure Decision and the Queensland Government's obligations with respect to the Australian Government and its mental health and educational priorities.

*The Closure: [TOR: 3(d) to (h)]*

16. All documents relating to the Closure (including the closure of the on-site integrated education program following the Education Program Closure Decision) including, but not limited to, documents relating to:
- (a) the timing of the Closure in so far as it related to the closing of the BAC and the closing of the on-site integrated education program;
  - (b) how the Closure was to be implemented;
  - (c) the internal and external planning and consultation that took place and resulted in the timing of the Closure;
  - (d) the Closure, including:
    - (i) any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service, Queensland Treasury, or any Human Services Agency or any other Relevant Stakeholder;

## Barrett Adolescent Centre Commission of Inquiry

- (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DET and the Department of Health, the West Moreton Hospital and Health Service (and its Board), or any other relevant Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
- (e) the internal and external planning and consultation leading up to the Closure including arrangements made in relation to the:
  - (i) physical premises at The Park - Centre for Mental Health at which the BAC and the on-site integrated education program were located (**Premises**);
  - (ii) furniture and office equipment located at the Premises;
  - (iii) storage and safe-keeping of patient files, education records, Staff records and BAC records generally, held on the Premises;
  - (iv) any property belonging to inpatients and outpatients of the BAC and their families, carers, friends, Staff of the BAC, any other Relevant Stakeholder and Human Services Agency which was located at the Premises;
- (f) what in fact happened after the Closure to the:
  - (i) premises (including land and all buildings/material infrastructure);
  - (ii) furniture and office equipment located at the Premises;
  - (iii) patient files, education records, Staff records and BAC records generally, held on the Premises;
  - (iv) property belonging to inpatients and outpatients of the BAC and their families, carers, friends, Staff of the BAC, any other Relevant Stakeholder and Human Services Agency which was located at the Premises.

*Transition Arrangements: [TOR: 3(d), 3(e), 3(f) and 3(h) and 4]*

17. All documents relating to:

- (a) the identity of the BAC patients transitioned to alternative care arrangements in association with the Closure (or anticipated closure), whether before or after the Closure Decision Announcement (the **"Transition Clients"**);
- (b) how care, support, service quality and safety risks were identified, assessed, planned for, managed and implemented for the Transition Clients before and after the Closure (the **"Transition Arrangements"**);
- (c) the process leading to the development of the Transition Arrangements, such as:

## Barrett Adolescent Centre Commission of Inquiry

- (i) any correspondence, memoranda, submissions to or from the Department of Health, the West Moreton Hospital and Health Service, Queensland Treasury, any other Human Services Agency or any other Relevant Stakeholder;
  - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DET and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;
- (d) the information, material, advice, processes, considerations and recommendations that related to or informed the Transition Arrangements;
- (e) clinically appropriate models for the transition of young people with severe and complex mental illness from one form of intensive mental health services to another that were considered and implemented or considered and dismissed in association with the anticipated closure or the Closure;
- (f) best practice models for the care of young people with severe and complex mental illness being transitioned from one form of intensive mental health services to another that were considered and implemented or considered and dismissed in association with the anticipated closure or the Closure;
- (g) any internal or external documents or briefing papers relating to the Transition Arrangements;
- (h) any assessment, monitoring and evaluation of the adequacy of the Transition Arrangements before, during and after implementation;
- (i) any clinical or other advice and or reports obtained as to the likely or actual effect of the Transition Arrangements on the Transition Clients;
- (j) the Transition Arrangements including:
  - (i) any correspondence, memoranda, submissions to or from the Department of the Premier and Cabinet, the Department of Health, the West Moreton Hospital and Health Service, Queensland Treasury, any Human Services Agency or any other Relevant Stakeholder;
  - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between DET and any of the Department of Health, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, and any Human Services Agency;

## Barrett Adolescent Centre Commission of Inquiry

- (k) the Transition Arrangements in so far as they concern DET's obligations with respect to other Queensland Government departments and also the Queensland Government's obligations with respect to the Australian Government and its mental health and education priorities.

*Families of Transition Clients: [TOR: 3(e) and 3(h)]*

18. All documents relating to the care, support and services that were provided to the families of the Transition Clients, including all documents relating to:
  - (a) any advice and or reports obtained as to the likely or actual effect of the Transition Arrangements on the families of Transition Clients;
  - (b) any consultations, meetings or dealings between DET, the Department of the Premier and Cabinet, the Department of Health, Staff, the families, carers, and or friends of the Transition Clients, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, Queensland Treasury, any Human Services Agency or any Relevant Stakeholder, about the adequacy of the care, support and services that were provided to the families of the Transition Clients during the carrying out of the Transition Arrangements.

*The Education Staff of BAC: [TOR: 3(f) and 3(h)]*

19. All documents relating to the support provided to the Education Staff in relation to the Closure and the Transition Arrangements for Transition Clients, including all documents relating to:
  - (a) the identities, composition and employment or other records of the Education Staff between 6 August 2013 and the Closure in early 2014;
  - (b) the information, material, advice, processes, considerations and recommendations that related to or informed the support given to the Education Staff in relation to the Closure Decision and or the Announcement of the Closure Decision;
  - (c) the information, material, advice, processes, considerations and recommendations that related to or informed the support given to the Education Staff in relation to the Closure;
  - (d) the information, material, advice, processes, considerations and recommendations that related to or informed the support given to the Education Staff in relation to the Transition Arrangements for Transition Clients;
  - (e) any clinical or other advice and or reports obtained as to the likely or actual effect of the Closure on the Education Staff;
  - (f) any clinical or other advice and or reports obtained as to the likely or actual effect of the Transition Arrangements on the Education Staff;
  - (g) how the Education Staff were informed of the Closure Decision;

## Barrett Adolescent Centre Commission of Inquiry

- (h) the support actually given to the Education Staff in relation to Closure Decision and or the Announcement of the Closure Decision;
- (i) the support actually given to the Education Staff in relation to the Closure;
- (j) the support actually given to the Education Staff in relation to the Transition Arrangements for Transition clients.

### *Alternatives to the BAC: [TOR: 3(g), 3(h) and 4]*

20. All documents relating to whether, in association with the Closure Decision, there was any consideration of alternatives for replacing the BAC, in particular the on-site integrated education program, including but not limited to documents dealing with:
  - (a) any alternative for the replacement of the on-site integrated education program of the BAC that was considered;
  - (b) the bases for any alternative that was considered not being adopted;
  - (c) any alternatives that were not considered;
  - (d) the information, material, advice, processes, considerations and recommendations that related to or informed the matters in 20(a), 20(b) and 20(c) above.
21. The documents referred to in paragraph 19 above include but are not limited to documents relating to:
  - (a) clinically appropriate models of care for intensive mental health services to young people with severe and complex mental illness;
  - (b) best practice models of care for intensive mental health services to young people with severe and complex mental illness;
  - (c) any consultations, meetings or dealings between DET and any of the Department of Health, Staff, the families, carers, and or friends of the Transition Clients, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, any
  - (d) Human Services Agency or any Relevant Stakeholder, about alternatives for replacing the BAC;
  - (e) the option of transferring the on-site integrated education program to an alternative site.

### *Other Matters: [TOR: 3(i)]*

22. All documents concerning patient safety and confidentiality in relation to the Closure Decision and Transition Arrangements including:
  - (a) any report of self-harm by any patient or former patient of the BAC or Transition Client;

## Barrett Adolescent Centre Commission of Inquiry

- (b) any report of harm to any patient or former patient of the BAC or Transition Client, by Education Staff of the BAC;
- (c) any report of harm to any patient or former patient of the BAC or Transition Client, by other patients or former patients of the BAC or Transition Clients;
- (d) any consequential internal or external investigations or reports arising from or related to 22(a) to (c) above;
- (e) policy or practice changes as a result of any such incidents or events in 22(a) to (c) above;
- (f) any complaints from patients or former patients of the BAC or Transition Clients, their families, carers, friends, Staff, any other Relevant Stakeholder or Human Services Agency, relating to the compromise of patient safety or confidentiality in relation to the Closure Decision or the Transition Arrangements;
- (g) any consultations, meetings or dealings about patient safety and or confidentiality in association with the Closure and or the Transition Arrangements that took place between DET and any of the Department of Health, the Staff, the families, carers, and or friends of the patients or former patients of the BAC or Transition Clients, the West Moreton Hospital and Health Service (and its Board), any other Health Service and Board, the Department of the Premier and Cabinet, Queensland Treasury, any Human Services Agency and any Relevant Stakeholder;
- (h) any directives relevant to patient safety and or confidentiality that were issued by any Health Service Chief Executive appointed under s. 7 of the *Hospital Health Boards Act 2011* or otherwise.

*General*

23. Any other documents relating to the TOR.



# EXHIBIT A4

Barrett Adolescent Centre Commission of Inquiry

*Commissions of Inquiry Act 1950*  
*Section 5(1)(b)*

**REQUIREMENT TO PRODUCE DOCUMENTS**

**To:** Mr Dave Stewart, Director-General of the Department of Premier and Cabinet  
**Of:** c/- Crown Solicitor, 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 produce the following documents to the Commission:

*All documents (including copies and originals of any books, writings, letters, emails, recordings or other records of information in any form, electronic or otherwise) in your possession or control set out in the Schedule hereto.*

**YOU MUST COMPLY WITH THIS REQUIREMENT BY GIVING THE DOCUMENTS TO THE COMMISSION BY 4.00 PM ON MONDAY 28 SEPTEMBER 2015.**

You may do so:

- (a) in the manner described in the accompanying letter; or
- (b) by making the documents available for inspection by Commission staff at Level 10, 179 North Quay, Brisbane, and permitting Commission staff to take such copies of them as they require.

If you intend to hand deliver the documents, please contact the Commission's Executive Director, Mr Ashley Hill, on telephone (07) 3239 6040 or email to [info@barrettinquiry.qld.gov.au](mailto:info@barrettinquiry.qld.gov.au). Your solicitor may attend and produce the documents in your stead.

If you believe 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 15th day of September 2015

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

## Barrett Adolescent Centre Commission of Inquiry

## SCHEDULE

Preliminary Matters*Version of Documents Required*

1. Where the Department of the Premier and Cabinet's Document Management System has preserved multiple versions of a document requested below, all versions, in so far as they reflect the approval chain from initial author through to the final version, are required to be produced. *The request does not include any draft versions prior to the approval at each stage of the approval chain from initial author through to the final version.* It is each approved version of the document that must be provided.
2. Together with each approved version of a document extracted from the Department of the Premier and Cabinet's Document Management System that is provided to the Commission, all electronic annotations relating to and or attached to the document must also be provided.

*Definitions*

3. The term "Staff" in the request below includes all professional and non-professional persons performing work at or for the Barrett Adolescent Centre **(BAC)**, such as:

medical practitioners,  
 nurses,  
 Allied Health professionals,  
 social workers,  
 administrative and clerical workers,  
 security officers,  
 ground keepers, and  
 cleaners,  
 teachers,  
 teacher aids,  
 guidance officers,

whether:

as employees of the Department of Education or pursuant to any contractual relationship with the Department of Education,

as employees of the Queensland Government or the West Moreton Hospital and Health Service or any other Health Service,

## Barrett Adolescent Centre Commission of Inquiry

pursuant to any contractual relationship with the Queensland Government or the West Moreton Hospital and Health Service or any other Health Service,

as employees, contractors or sub-contractors of any person or entity in a contractual relationship with the Queensland Government or the West Moreton Hospital and Health Service or any other Health Service,

as professional consultants (for example, specialist medical practitioners and psychologists),

as non-professional consultants,

as visiting consultants (whether professional or non-professional),

as locums,

as employees, contractors or sub-contractors of any employment agency providing personnel to BAC,

as volunteers,

or otherwise.

4. The term "Relevant Stakeholder" in the request below is a reference to a non-Government person, entity, association or organisation.
5. The term "Human Services Agency" in the request below is a reference to a Government Department or arm of a Government Department with portfolio responsibilities for key human services including but not limited to Education, Child Safety, Disabilities Services, Community Services and Housing.
6. The acronym "TOR" is a reference to the "terms of reference" set out in the *Commissions of Inquiry Order (No. 4) 2015*.

### Documents Required

*Establishment of the Barrett Adolescent Centre: [TOR: 3(b) and 3(c)]*

7. The documents relating to and leading up to the establishment of the Barrett Adolescent Centre (**BAC**) at Wacol in 1983 (**Commencement**), limited to:
  - (a) documents outlining the policy and legislative framework underpinning the establishment and the proposed operation and management of the BAC;
  - (b) policy documents, memoranda or other writings, relating to the entry criteria for all patients to the BAC at the time of Commencement;
  - (c) the initial BAC implementation plan in so far as it related to the delivery of an identified suite of services to inpatients and or outpatients, and or a day program care and or an on-site integrated education program at the BAC.

## Barrett Adolescent Centre Commission of Inquiry

### *Operation and Management of the BAC after Commencement: [TOR: 3(a), 3(b) and 3(c)]*

8. Documents relating to the operation and management of the BAC between its Commencement and the decision to close the BAC made on or about 6 August 2013 (the **Closure Decision**), including:
  - (a) internal review or evaluation documents and briefing papers relating to the operation and management of the BAC during this time;
  - (b) policy documents, memoranda or other writings relating to the entry criteria for all patients to the BAC during this time;
  - (c) documents relating to any actions arising from internal considerations of any reviews or evaluations of the operation and management of the BAC during this time;
  - (d) any external advice commissioned or received by the Department of the Premier and Cabinet relating to the operation and management of the BAC during this time;
  - (e) any feedback (complaints or support) made by inpatients and outpatients, their families, carers, friends, Staff of the BAC, any other Relevant Stakeholder or Human Services Agency, relating to the operation and management of the BAC during this time;
  - (f) arising from the feedback in 8(e) above, any:
    - (i) correspondence, memoranda, submissions to or from the Department of Health, Queensland Treasury, West Moreton Hospital and Health Service (and its Board), or any Human Services Agency or any other Relevant Stakeholder;
    - (ii) briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between the Department of the Premier and Cabinet, and the Department of Health, the West Moreton Hospital and Health Service (and its Board), or any other Health Service and its Board, Queensland Treasury, and any Human Services Agency;
  - (g) documents relating to the intention to close the BAC in 1999 (the **Earlier Intention to Close Decision**), such as documents concerning or including:
    - (i) who made the Earlier Intention to Close Decision;
    - (ii) the bases for the Earlier Intention to Close Decision;
    - (iii) why the earlier Intention to Close Decision was never carried out;
    - (iv) any letters or other documents from inpatients and outpatients of the BAC and their families, carers, friends, Staff of the BAC, any other Relevant Stakeholder or Human Services Agency, relating to the Earlier Intention to Close Decision;



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- (v) arising from the Earlier Intention to Close Decision:
  - a. any correspondence, memoranda, submissions to or from the Department of Health, West Moreton Hospital and Health Service (and its Board), Queensland Treasury, or any Human Services Agency, or any other Relevant Stakeholder;
  - b. briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between the Department of Premier and Cabinet and the Department of Health, the West Moreton Hospital and Health Service (and its Board), or any other Health Service and Board, Queensland Treasury, and any Human Services Agency;
- (h) any external advice commissioned or received by the Department of the Premier and Cabinet relating to the Earlier Intention to Close Decision;
- (i) documents relating to the ongoing viability of the BAC, and or the adequacy and appropriateness of the services it was providing or could provide to young people with severe and complex mental illness, in the period from the Earlier Intention to Close Decision up to and including the Closure Decision, such as:
  - i. correspondence with and records of, meetings with patients and outpatients, their families, carers, friends, Staff of the BAC, or any Relevant Stakeholder;
  - ii. correspondence, memoranda, submissions to or from the Department of Health, Queensland Treasury, West Moreton Hospital and Health Service (and its Board), or any Human Services Agency or any other Relevant Stakeholder;
  - iii. briefing papers, including those relating to Cabinet submissions from the Department of Health, meeting notes between the Department of the Premier and Cabinet, and the Department of Health, the West Moreton Hospital and Health Service (and its Board), or any other Health Service and its Board, Queensland Treasury, and any Human Services Agency.

*Closure Decision and Announcement of the Closure Decision in 2013: [TOR: 3(a) to 3 (h) and 4]*

- 9. All documents relating to the Closure Decision and the Announcement of the Closure Decision, including documents relating to:
  - (a) the bases of the Closure Decision;
  - (b) the information, material, advices, processes, considerations and recommendations that related to or informed the Closure Decision and the Announcement of the Closure Decision;
  - (c) the decision-making process.



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10. The documents sought in paragraph 9 above include but are not limited to documents relating to:
- (a) when the Closure Decision was made;
  - (b) who made the Closure Decision;
  - (c) the timing of the Announcement of the Closure Decision;
  - (d) cost benefit analyses of keeping the BAC open;
  - (e) cost benefit analyses of closing the BAC;
  - (f) the Barrett Adolescent Strategy Group including:
    - (i) any correspondence, memoranda, submissions to or from the Department of Health, West Moreton Hospital and Health Service (and its Board), Queensland Treasury, or any Human Services Agency, or any other Relevant Stakeholder;
    - (ii) briefing papers, meeting notes between the Department of Premier and Cabinet, and the Department of Health, the West Moreton Hospital and Health Service (and its Board), or any other Health Service and Board, Queensland Treasury, and any Human Services Agency;
  - (g) the Expert Clinical Reference Group:
    - (i) any correspondence, memoranda, submissions to or from the Department of Health, West Moreton Hospital and Health Service (and its Board), Queensland Treasury, or any Human Services Agency, or any other Relevant Stakeholder;
    - (ii) briefing papers, meeting notes between the Department of Premier and Cabinet, and the Department of Health, the West Moreton Hospital and Health Service (and its Board), or any other Health Service and Board, Queensland Treasury, and any Human Services Agency;
  - (h) all documents relating to clinically appropriate models of care for intensive mental health services to young people with severe and complex mental illness that were considered before the Closure Decision was made;
  - (i) all documents relating to best practice models of care for intensive mental health services to young people with severe and complex mental illness that were considered before the Closure Decision was made;
  - (j) any internal or external documents or briefing papers relating to the Closure Decision;
  - (k) any external advice commissioned or received by the Department of the Premier and Cabinet relating to the Closure Decision;