

Queensland - To wit

I, Kristi Maree Geddes of c/- Minter Ellison, [REDACTED] Brisbane in the State of Queensland, Solicitor do solemnly and sincerely declare that:

1. ***What are Ms Geddes's current professional role/s and qualifications? Please provide a copy of Ms Geddes's current/ most recent curriculum vitae.***
 - 1.1 I am a Senior Associate, employed at Minter Ellison, Brisbane where I work in the Health Team.
 - 1.2 I have been employed at Minter Ellison since February 2004 and have been in the role of Senior Associate since January 2012.
 - 1.3 I was awarded a Bachelor of Laws (Hons 1) and Bachelor of Psychological Science by Griffith University in 2007.
 - 1.4 I was awarded a Graduate Diploma of Legal Practice, Skills and Ethics by Griffith University in 2007 and admitted as a solicitor later that year.
 - 1.5 I was awarded a Graduate Diploma in Health and Medical Law by the University of Melbourne in 2013.
 - 1.6 Attached and marked 'KG-1' is my current curriculum vitae.
2. ***Outline any past or present professional relationship(s) between Ms Geddes and any Queensland Government entity (if any). In particular, detail Ms Geddes's past and present professional relationships (if any) with the Department of Health and Queensland Health and any of its Health Services***
 - 2.1 The nature of all of my past and present professional relationships with Queensland Government entities has been through my employment with Minter Ellison, either as a client, other party or stakeholder in a matter.
 - 2.2 Minter Ellison has been on the Queensland Health, and now Department of Health, panel of external law firms since I commenced in the Health Team in 2008. I have acted in various matters on its behalf during that period.
 - 2.3 I have acted and also currently act on behalf of the Queensland Government Insurance Fund in respect of medical malpractice claims against the State and directly for individual Hospital and Health Services, previously Health Service Districts, in various matters.
 - 2.4 Prior to commencing in the Health Team, I also worked in the Property, Energy and Resources and Employment teams at Minter Ellison. I would have had some professional relationships with other government entities during that period, however with the passage of time, I cannot now recall any specific details.
 - 2.5 I was seconded on a part time basis to the Logan Hospital Legal Unit during July and August 2009 and sat on the Royal Brisbane and Women's Hospital Human Research Ethics Committee during 2012. I was not provided with any separate remuneration for these roles.

3. ***Details Ms Geddes's experience (if any) in:***

(a) ***adolescent mental health***

3.1 I do not have any clinical experience in adolescent mental health.

3.2 I have studied some aspects of adolescent mental health as part of my undergraduate degree in psychological science.

3.3 I have also given some medico-legal advice to health care providers regarding adolescent mental health practice.

(b) ***transition planning in the area of adolescent mental health***

3.4 I do not have any experience in the area of transition planning in adolescent mental health.

(c) ***hospital administration and governance***

3.5 I have provided various legal advice to public and private hospitals regarding administration and governance since commencing practice in the area of Health Law in 2008.

4. ***The Commission understands that Ms Geddes was appointed as a Health Services Investigator under the Hospital and Health Boards Act 2011 and partook in an investigation called Health Service Investigation – Barrett Adolescent Centre (the investigation) while employed as a Senior Associate at Minter Ellison:***

(a) ***At the time of this appointment, had Ms Geddes ever acted as a Health Services Investigator previously? If so, outline and explain the circumstances including the date and nature of such an appointment***

4.1 I was appointed by the [REDACTED] Hospital and Health Service in December 2013 as an Investigator under the *Hospital and Health Boards Act 2011* and the *Crime and Misconduct Act 2011* in relation to suspected misconduct of an employed medical officer.

4.2 Although I was personally appointed to the role of Investigator, my role was performed as part of my employment with Minter Ellison.

(b) ***On what date, by whom and by what means was Minter Ellison contacted about the prospect of being engaged as part of the Investigation?***

4.3 This is not within my personal means of knowledge, but from a file note prepared by Shane Evans, Partner at Minter Ellison, he appears to have been contacted by telephone by Annette McMullan, Chief Legal Counsel, Department of Health, on 7 August 2014.

4.4 Attached and marked 'KG-2' is a copy of the relevant file note.

(c) ***Detail all communications and consultation with Minter Ellison in relation to their engagement with the Investigation***

4.5 I was consulted by Mr Evans on either Friday 8 August 2014 or Monday 11 August 2014 regarding my availability to accept appointment as an Investigator.

4.6 I understand that the Department of Health had indicated a preference for Edward Hooper of our office to be appointed, but there were issues regarding his availability.

4.7 I understood that I would be appointed with two other external investigators with clinical backgrounds and that I would only be responsible for the procedural aspects of the investigation.

- 4.8 I confirmed that I was available to accept the appointment.
- 4.9 I next received an email from Ms Wensley Bitton, Senior Principal Lawyer, Legal and Governance Branch, Department of Health, on 14 August 2014 enclosing my Instrument of Appointment and Terms of Reference for the Investigation.
- 4.10 Attached and marked 'KG-3' is a copy of that email, with enclosure.
- 4.11 I was also copied into emails that day to Associate Professor Beth Kotze and Ms Tania Skippen enclosing their Instruments of Appointment and Terms of Reference for the Investigation.
- 4.12 Attached and marked 'KG-4' are copies of those emails, with enclosures.
- 4.13 From a review of the Minter Ellison file, I can see that emails had otherwise passed between Mr Evans and the Department of Health regarding relevant media contact for any calls from the community to our office and confirmation of which solicitor from our office was to be appointed as Investigator.
- 4.14 I was not a recipient or author of any of those emails.
- (d) What were the Terms of Reference and Instructions give to Ms Geddes and/or Minter Ellison in this role?**
- 4.15 The Terms of Reference were those provided by the Department of Health and contained as a schedule to my Instrument of Appointment.
- 4.16 I was otherwise instructed verbally by Mr Evans that my role in the Investigation was to assist with and facilitate the procedural aspects of the investigation, ensure that it was conducted in accordance with the *Hospital and Health Services Act 2011*, adhered to principles of natural justice and also that it appropriately addressed the Terms of Reference. This was confirmed by Ms Bitton in her emails to Associate Professor Kotze and Ms Skippen on 14 August 2014, attached at KG-4.
- (e) What role if any did Minter Ellison play in the Investigation after Ms Geddes was appointed as Health Services Investigator? For example, did anyone from Minter Ellison supervise Ms Geddes investigation? If so, explain who supervised Ms Geddes and the particular tasks that were supervised.**
- 4.17 As my supervising partner at Minter Ellison, I received some supervision from Mr Evans throughout the Investigation.
- 4.18 This supervision was primarily in the form of providing guidance on direction and next steps when I consulted him and occasionally approving external correspondence that I had drafted.
- (f) Detail any timeframe imposed on Minter Ellison/Ms Geddes for the Investigation**
- 4.19 The Instrument of Appointment, dated 14 August 2014, required that the written investigation report be provided to the Department of Health by 16 September 2014.
- 4.20 I had a telephone conversation with Ms Bitton and sent an email to her on 22 August 2014 questioning the feasibility of this timeframe given the absence of relevant material at that time and limited availability of Associate Professor Kotze and Ms Skippen to conduct the investigation.

- 4.21 Following receipt of the first bundle of investigation material on 25 August 2014, I sent an email to Ms Bitton advising that I no longer considered the timeframe for the investigation to be achievable and requested a response in relation to a previously foreshadowed extension.
- 4.22 I exchanged further emails with Ms Bitton and Associate Professor Kotze and Ms Skippen that week regarding timeframes.
- 4.23 Attached and marked 'KG-5' are copies of those emails.
- 4.24 On 29 August 2014, I received correspondence from Dr Michael Cleary, Acting Director-General Department of Health, agreeing to the requested extension until 31 October 2014.
- 4.25 Attached and marked 'KG-6' is a copy of that letter.

(g) What remuneration (if any) did Minter Ellison receive in association with the appointment of Ms Geddes as Health Services Investigator?

4.26

4.27

- 4.28 I did not receive any remuneration as a result of my appointment as Health Service Investigator, separate to my standard remuneration as an employed solicitor with Minter Ellison

(i) How many hours did Ms Geddes spend on the Investigation? Provide copies of the relevant timesheets.

- 4.29 I recorded a total of 79.80 hours in relation to the Investigation.

- 4.30 Attached and marked 'KG-7' is a record of my individual time entries.

(j) How long was the Investigation envisaged to last (and the source/basis of this information)? How long did Ms Geddes, investigations (role as Health Services Investigator) actually take?

- 4.31 As set out in paragraphs 4.19 to 4.25 above, I initially envisaged my role as Health Services Investigator to last until 16 September 2014, being the date provided in my Instrument of Appointment.

- 4.32 During the week commencing 25 August 2014, I realised it would take longer given the volume of material and availability of Associate Professor Kotze and Ms Skippen and therefore requested an extension until 31 October 2014.

- 4.33 My role as Health Service Investigator concluded on 31 October 2014 when the final report was submitted to the Department of Health.

5. *Outline and elaborate on the methodology undertaken by Ms Geddes for the Investigation including:*
- (a) *Who/which entities Ms Geddes contacted and requested information and documentation from;*
 - (b) *What documents and information Ms Geddes sought from these individuals or entities and when and by what means;*
 - (c) *Which people or entities responded and provided Ms Geddes with information and/ or documentation;*
 - (d) *Who Ms Geddes contacted, spoke to or interviewed as part of her investigations (and when and how), and provide transcripts of these interviews plus copies of any working notes and recordings;*
 - (e) *How did Ms Geddes record her investigations? Provide copies of her working notes;*
 - (f) *What processes did Ms Geddes undertake with the Investigation material with respect to her role/function?*
 - (g) *Were any reports (draft or otherwise) or preliminary documents drafted? Provide copies if so.*
- 5.1 On 15 August 2014, I sent an email to Ms Bitton in relation to requests for investigation documents. I received a telephone call in response, advising that I would need to formalise a written request and direct it to Dr John Allen, Chief Psychiatrist, Mental Health Alcohol and Other Drugs Branch, Department of Health.
- 5.2 Attached and marked 'KG-8' is a copy of my email and file note of conversation.
- 5.3 I then made a written request to Dr Allen, pursuant to section 194(2) of the *Hospital and Health Boards Act 2011* (Qld), for the following information considered relevant to the health service investigation:
- (i) Documents and information relating to the governance model in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage and oversight the healthcare transition plans for the then current inpatients and day patients of the Centre post 6 August until its closure in January 2014;
 - (ii) Copies of the relevant healthcare transition plans for the then current inpatients and day patients of the Centre post 6 August 2013 and until its closure in January 2014;
 - (iii) As relevant to the development, interpretation and implementation of those transition plans, clinical records of the then current inpatients and day patients of the Centre; and
 - (iv) Details of relevant clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

- 5.4 This request was sent via email to Ms Bitton and I was copied in to an email from Ms Bitton on forwarding the request to Dr Allen.
- 5.5 Attached and marked '**KG-9**' is a copy of that request and Ms Bitton's email.
- 5.6 On 25 August 2014, I received a bundle of material contained on USB sticks from the West Moreton Hospital and Health Service, in response to my request.
- 5.7 The material provided in that bundle is listed at documents 1 to 147 in the Investigation Document Index, contained at Appendix 1 of the Report: Transitional Care for Adolescent Patients of the Barrett Adolescent Centre, dated 30 October 2014.
- 5.8 I undertook a preliminary review of that material in order to prepare an investigation and report framework for Associate Professor Kotze and Ms Skippen.
- 5.9 A copy of that framework and my covering email to Associate Professor Kotze and Ms Skippen is attached and marked '**KG-10**'.
- 5.10 Also on 25 August 2014, I received a bundle of material contained on USB sticks from the Children's Health Queensland Hospital and Health Service, in response to my request.
- 5.11 The material provided in that bundle is listed at documents 148 to 232 in the Investigation Document Index, contained at Appendix 1 of the Report: Transitional Care for Adolescent Patients of the Barrett Adolescent Centre, dated 30 October 2014.
- 5.12 I conducted a preliminary review of the material received.
- 5.13 Following a preliminary review of the governance material provided by West Moreton Hospital and Health Service and the Children's Health Queensland Hospital and Health Service, I sought confirmation from Ms Holly Ahern, Lawyer, West Moreton Hospital and Health Service regarding some potentially missing material.
- 5.14 I requested a diagram of the governance structure in place and was advised by Ms Ahern that she was not sure if one existed. I therefore advised her that I would prepare one based on my understanding of the material provided and forward to her for confirmation or correction.
- 5.15 Attached and marked '**KG-11**' is a copy of the file note of my telephone conversation with Ms Ahern on 28 August 2014 and my email to her on 29 August 2014.
- 5.16 In response, I was offered a meeting with the Executive Director of Mental Health at West Moreton Hospital and Health Service to obtain further information about what governance arrangements were actually in place during the relevant period.
- 5.17 This meeting was initially arranged on a day that Associate Professor Kotze was going to be in Brisbane, with the intention that she would also attend.
- 5.18 On 29 August 2014, I received an email from the [REDACTED] Hospital and Health Service enclosing a bundle of material, in response to my request.
- 5.19 The material provided in that bundle is listed at documents 233 to 236 in the Investigation Document Index, contained at Appendix 1 of the Report: Transitional Care for Adolescent Patients of the Barrett Adolescent Centre, dated 30 October 2014.

- 5.20 I conducted a preliminary review of the nature of the documents received, before printing a hard copy for review by the other investigators.
- 5.21 On 1 September 2014, I received an email from Sharon Kelly, Executive Director Mental Health and Specialist Services at West Moreton Hospital and Health Service, providing a detailed list of the Barrett Adolescent Centre patients during the relevant period with individual care coordinators identified for each patient. Ms Kelly also identified other key clinical personnel that may be relevant to the investigation given their significant involvement in the transition process:
- (i) Dr Anne Brennan;
 - (ii) Vanessa Clayworth; and
 - (iii) Megan Hayes.
- 5.22 A copy of this email and enclosure is attached and marked '**KG-12**'.
- 5.23 On 2 September 2014, I forwarded copies of the material received from the West Moreton Hospital and Health Service, Children's Health Queensland Hospital and Health Service and [REDACTED] Hospital and Health Service to Associate Professor Kotze and Ms Skippen.
- 5.24 Attached and marked '**KG-13**' are copies of these covering letters.
- 5.25 Also on 2 September 2014, I was advised by Associate Professor Kotze that she would not be able to attend Brisbane on the Thursday for the meeting with Ms Kelly as originally planned.
- 5.26 Associate Professor Kotze also raised a concern about the volume of material to be reviewed and basis for identifying relevant witnesses to interview.
- 5.27 I exchanged further emails with Associate Professor Kotze the following day confirming that the interviews were intended to assist investigators in determining whether, in light of the information available during the relevant period, the transition plans were appropriate. Associate Professor Kotze confirmed that a review of documents would be required before identifying which witnesses were relevant.
- 5.28 Attached and marked '**KG-14**' are copies of those emails.
- 5.29 On Thursday, 4 September 2014, I met with Sharon Kelly, Executive Director Mental Health and Specialist Services at West Moreton Hospital and Health Service, Leanne Geppert, Director of Strategy Mental Health and Specialist Services at West Moreton Hospital and Health Service, Jacqueline Keller, General Counsel West Moreton Hospital and Health Service, and their legal representative, at the Brisbane office of Minter Ellison.
- 5.30 Attached and marked '**KG-15**' is a copy of the file note prepared during that meeting.
- 5.31 Following that meeting, I updated the draft Investigation and Report Framework I had prepared for Associate Professor Kotze and Ms Skippen with the information provided.
- 5.32 Attached and marked '**KG-16**' is a copy of that updated draft framework.
- 5.33 Associate Professor Kotze attended the Brisbane Minter Ellison offices on Friday, 5 September 2014, to undertake a hard copy review of the investigation material received to date.
- 5.34 I met with Associate Professor Kotze various times throughout the day, during which she advised that she planned to interview Dr Anne Brennan, Dr Trevor Sadler, the care coordinators for the

- deceased patients (preferably on 13 and 14 October 2014) and review governance. At that stage, it was planned for Ms Skippen to conduct the remaining interviews.
- 5.35 Attached and marked 'KG-17' is a copy of my file note from my discussions with Associate Professor Kotze that day.
- 5.36 I received a telephone call from Ms Keller, General Counsel West Moreton Hospital and Health Service, on 5 September 2014 regarding my contacting staff and clinicians.
- 5.37 Ms Keller advised that Ms Ahern would be the central contact at the Hospital and Health Service if necessary and that there may be some ill-will from displaced staff. She also queried whether there would be the opportunity to respond to any adverse comments. I confirmed that if any adverse comments were to be made about any individual or organisation, they would be given an opportunity to respond.
- 5.38 A copy of my file note from that conversation is attached and marked 'KG-18'.
- 5.39 That day, I also telephoned Dr Anne Brennan and RN Matthew Beswick to advise of the investigation, that I had been appointed as investigator along with Associate Professor Kotze and Ms Skippen and that they were being requested to attend for an interview with Associate Professor Kotze and/or Ms Skippen.
- 5.40 I then followed up my telephone call with a written request for interview with Associate Professor Kotze and/or Ms Skippen.
- 5.41 Attached and marked 'KG-19' is a copy of my file notes from telephone conversations with these witnesses and the subsequent written requests for interviews.
- 5.42 I received an email response from Dr Brennan's Medical Defence Organisation requesting copies of relevant patient records at least 7 days prior to the interview and a summary of the issues to be discussed. It was also requested that a clear statement be provided of any matters critical of Dr Brennan in any way.
- 5.43 Attached and marked 'KG-20' is a copy of that email.
- 5.44 On Monday, 8 September 2014, I telephoned the following witnesses to advise of the investigation, that I had been appointed as investigator along with Associate Professor Kotze and Ms Skippen and that they were being requested to attend for an interview with Associate Professor Kotze and/or Ms Skippen:
- (i) RN Peta-Louise Yorke;
 - (ii) Dr Trevor Sadler;
 - (iii) RN Mara Kochardy; and
 - (iv) Megan Hayes, OT.
- 5.45 I again followed up my telephone calls with written requests for interview with Associate Professor Kotze and/or Ms Skippen.
- 5.46 Attached and marked 'KG-21' are copies of my file notes from telephone conversations with these witnesses and the subsequent written requests for interviews.
- 5.47 I received an email in response from Dr Sadler, a copy of which is attached and marked 'KG-22'.

- 5.48 That afternoon, I received an email from Associate Professor Kotze seeking to have interviews with clinicians grouped by patients and that the care coordinators for [REDACTED], would also be relevant. Associate Professor Kotze also identified that further information would be required from receiving agencies for those six patients.
- 5.49 Attached and marked 'KG-23' is a copy of that email.
- 5.50 On 9 September 2014, I sent an email to Ms Bitton seeking confirmation whether there was an expectation that the investigation and report would specifically consider the appropriateness of the transition plan for each patient or if it would be sufficient to consider the appropriateness of the plans generally and then give specific consideration of [REDACTED].
- 5.51 I recall that this query arose from a discussion with Associate Professor Kotze, but cannot now recall specifically how or when this occurred and cannot identify any written record of that discussion, other than the email attached at KG-23 from the day before making reference to the six patients whose files Associate Professor Kotze reviewed while in Brisbane the week before.
- 5.52 Ms Bitton's response was that she had been instructed that it would be sufficient to consider the appropriateness of the plans generally and then give specific consideration to [REDACTED].
- 5.53 Copies of those emails are attached and marked 'KG-24'.
- 5.54 Also on 9 September 2014, I telephoned the following witnesses to advise of the investigation, that I had been appointed as investigator along with Associate Professor Kotze and Ms Skippen and that they were being requested to attend for an interview with Associate Professor Kotze and/or Ms Skippen:
- (i) RN Brenton Page;
 - (ii) RN Rosangela Richardson;
 - (iii) RN Daisy Aclan, who advised that she was not in face care coordinator for any of the six patients under review;
 - (iv) RN Moira Macleod; and
 - (v) RN Vanessa Clayworth, who advised she would be declining to participate due to medical reasons and on advice from the Queensland Nurses Union.
- 5.55 Attached and marked 'KG-25' are copies of my file notes from discussion with these witnesses and the subsequent written request for interview with Associate Professor Kotze and/or Ms Skippen.
- 5.56 I also left telephone messages that day for RN Susan Daniel and RN Victoria Young.
- 5.57 On 10 September 2014, I received emails from Associate Professor Kotze and Ms Skippen setting out an agreement they had reached regarding their conduct of the investigation moving forward and a number of queries for further information.
- 5.58 Copies of those emails are attached and marked 'KG-26'.

- 5.59 I sent an email to Ms Bitton on 11 September 2014 providing an update on the status of the investigation and confirming appropriate contact for the further information requests raised by Associate Professor Kotze and Ms Skippen.
- 5.60 A copy of my email and Ms Bitton's response is attached and marked '**KG-27**'.
- 5.61 In response to the further requests for information made by Associate Professor Kotze, I forwarded requests for information, pursuant to 194(2) of the *Hospital and Health Boards Act 2011*, on 11 September 2014 to:

(i)

(ii)

(iii)

(iv)

(v)

- 5.62 Copies of these requests for information are attached and marked '**KG-28**'.
- 5.63 I also sent emails on 11 September 2014 to:

- (i) RN Brenton Page;
- (ii) RN Mara Kochardy;
- (iii) Dr Trevor Sadler; and
- (iv) RN Rosangela Richardson;

confirming arrangements for interviews with Associate Professor Kotze and Ms Skippen, and an email to Associate Professor Kotze and Ms Skippen enclosing a proposed interview schedule:

- 5.64 Copies of those emails are attached and marked '**KG-29**'.
- 5.65 On 12 September 2014, I received a telephone call from Ms Ahern. She asked whether the Coroner was aware of the Investigation and we also discussed arrangements for staff interviews. She queried whether herself or the Hospital and Health Service's external legal representative could attend as a support person for staff and I advised that any support person could not have been involved in relevant events themselves and that they needed to keep in mind issues of confidentiality, given the sensitivity of the matters under investigation. I also identified the former staff we were interested in interviewing as the care coordinators for the six patients under

- review by Associate Professor Kotze and Ms Skippen, the Centre Directors and potentially also Megan Hayes and Vanessa Clayworth, given their reported involvement in the transition.
- 5.66 Attached and marked '**KG-30**' is a copy of my file note from that conversation.
- 5.67 On 12 September 2014, I spoke with RN Victoria Young to advise of the investigation, that I had been appointed as investigator along with Associate Professor Kotze and Ms Skippen and that she was being requested to attend for an interview with Associate Professor Kotze and/or Ms Skippen.
- 5.68 Attached and marked '**KG-31**' is a copy of my file note of that conversation and the subsequent written request for interview with Associate Professor Kotze and/or Ms Skippen.
- 5.69 On 15 September 2014, I sent a written request for interview to RN Susan Daniel via registered post, as I had not been able to establish any telephone contact with her.
- 5.70 A copy of that letter is attached and marked '**KG-32**'.
- 5.71 I also received a telephone call on 15 September 2014 from [REDACTED] in relation to my request for information. He explained that because [REDACTED], my request did not provide an exception to [REDACTED].
- 5.72 Attached and marked '**KG-33**' is a copy of my file note of that conversation.
- 5.73 I received an email later in the day from [REDACTED] providing the non-confidential information that had been requested.
- 5.74 The material provided by [REDACTED] is listed at documents [REDACTED] in the Investigation Document Index, contained at Appendix 1 of the Report: Transitional Care for Adolescent Patients of the Barrett Adolescent Centre, dated 30 October 2014.
- 5.75 On 15 September 2014, I sent a letter to Dr Brennan and her legal representative confirming arrangements for her interview with Associate Professor Kotze and Ms Skippen and providing further information about the proposed interview, including copies of relevant patient records.
- 5.76 A copy of that letter is attached and marked '**KG-34**'.
- 5.77 On 18 September 2014, I received a telephone call from Ms Keller regarding the request for further information, dated 11 September 2014. She sought further information regarding the 'BAC Review' around 2008 referred to in the request. I advised that the request had come from another investigator, so I would seek further clarification from them.
- 5.78 I then forwarded an email to Associate Professor Kotze in that regard.
- 5.79 Attached and marked '**KG-35**' are copies of my file note of that conversation and subsequent email to Associate Professor Kotze.
- 5.80 I also received a telephone call from Ms Ahern again seeking information about the interview process. She requested confirmation as to who the support person should be, to which I responded that I did not want to dictate who, but that all witnesses are health professionals and aware to keep in mind confidentiality when considering appropriate support persons, and that it could not be a person who could themselves be a potential witness in the matter.

- 5.81 Ms Ahern also asked what the witnesses would be asked and I advised that I could not give any further information than what had already been provided to the witnesses. I again set out that the Terms of Reference require a consideration of the appropriateness of transition plans in light of the information available, so it was necessary to speak with staff to determine that.
- 5.82 A copy of my file note of this conversation is attached and marked 'KG-36'.
- 5.83 On 18 September 2014, I received a letter from [REDACTED] Hospital and Health Service in response to my request for information, dated 11 September 2014.
- 5.84 That letter and the material provided is listed at documents [REDACTED] in the Investigation Document Index, contained at Appendix 1 of the Report: Transitional Care for Adolescent Patients of the Barrett Adolescent Centre, dated 30 October 2014.
- 5.85 On 18 September 2014, I received a response from Ms Skippen to my email to Associate Professor Kotze about the 'BAC Review' around 2008 and relayed that to Ms Keller by way of a telephone conversation that day.
- 5.86 Attached and marked 'KG-37' is a copy of that email and file note of my subsequent conversation.
- 5.87 On 19 September 2014, I received responses from the following entities in relation to my requests for information, dated 11 September 2014, and have indicated the document reference for each response in the Investigation Document Index, contained at Appendix 1 of the Report: Transitional Care for Adolescent Patients of the Barrett Adolescent Centre, dated 30 October 2014, as per below:
- (i) [REDACTED] Hospital and Health Service, set out at documents [REDACTED];
 - (ii) West Moreton Hospital and Health Service, set out at documents [REDACTED] and
 - (iii) [REDACTED] Hospital and Health Service, set out at documents [REDACTED].
- 5.88 On 22 and 23 September 2014, Ms Skippen attended the Brisbane office of Minter Ellison to continue a review of the hard copy Investigation Documents, which had been updated to include the additional information provided by [REDACTED] Hospital and Health Service, [REDACTED] Hospital and Health Service, West Moreton Hospital and Health Service, [REDACTED] Hospital and Health Service and [REDACTED].
- 5.89 I recall that Ms Skippen requested photocopying of various material while in attendance at our offices, but do not have any specific record of what documents were copied and provided to her in hard copy.
- 5.90 On 22 September 2014, I received a letter from [REDACTED] in response to my request for information, dated 11 September 2014.
- 5.91 That letter and the material provided is listed at documents [REDACTED] in the Investigation Document Index, contained at Appendix 1 of the Report: Transitional Care for Adolescent Patients of the Barrett Adolescent Centre, dated 30 October 2014.

- 5.92 On 23 September 2014, I sent emails to the following witnesses confirming arrangements for their interviews with Associate Professor Kotze and Ms Skippen:
- (i) RN Matthew Beswick;
 - (ii) RN Peta-Louise Yorke;
 - (iii) RN Moira MacLeod;
 - (iv) Megan Hayes;
 - (v) RN Vanessa Clayworth; and
 - (vi) Dr Trevor Sadler.
- 5.93 Attached and marked 'KG-38' are copies of those emails.
- 5.94 I received a telephone call from Dr Sadler regarding his interview. He advised me that he would be attending with a legal representative. I advised him that he was fine to bring a support person, but that there had been no criticisms of him at that stage and that I would advise him if any arose. He stated that there was some difficulty at the Centre at that time, managing a ward full of adolescents who were dumbstruck by the announcement and that there were quite a few incidents of self harm, which would be recorded in Ward Report Books and PRIME Incident Reports. He also stated that there were supposed to be 20 nursing staff, but that the staff list was over 60 names due to a huge number of casuals.
- 5.95 Attached and marked 'KG-39' is a copy of my file note of this conversation.
- 5.96 Also on 23 September 2014, I sent an email to Associate Professor Kotze and Ms Skippen with the further response and material received from West Moreton Hospital and Health Service. I advised that we had received responses from all of the receiving agencies for the six complex patients under review and that they had been printed and included with the hard copy investigation documents held in the Brisbane Minter Ellison offices.
- 5.97 I also provided Associate Professor Kotze and Ms Skippen with an updated interview schedule and updated framework for investigation/report, including the flowcharts of governance and details of the discussions I had with representatives from West Moreton Hospital and Health Service on 4 September 2014.
- 5.98 Finally, I advised them of the conversation I had with Dr Sadler. I noted that I had not reviewed any of the clinical records myself, so wanted to confirm whether either of them had identified any of the relevant Ward Record Books or PRIME Incident Reports through their review.
- 5.99 Attached and marked 'KG-40' is a copy of my email, with updated interview schedule and framework for investigation/report.
- 5.100 On 24 September 2014, I received a lengthy email from Dr Trevor Sadler with a number of issues he felt were relevant to the transition.
- 5.101 I forwarded this email to Associate Professor Kotze and Ms Skippen on 25 September 2014.
- 5.102 Attached and marked 'KG-41' are copies of these emails.
- 5.103 On 29 and 30 September 2014, I exchanged a number of emails with Ms Ahern regarding the further information flagged by Dr Sadler.

- 5.104 Copies of these emails are attached and marked '**KG-42**'.
- 5.105 Ms Skippen attended the Brisbane office of Minter Ellison again on 1 and 2 October 2014 to continue review of the investigation material.
- 5.106 On 1 October 2014, I received an email from Ms Skippen requesting further information about the relevant governance structure. On my instruction, my assistant again forwarded her the updated framework for investigation/report, which included the flowcharts of governance and details of the discussions I had with representatives from West Moreton Hospital and Health Service on 4 September 2014.
- 5.107 Attached and marked '**KG-43**' is a copy of the emails that were exchanged that day, with relevant enclosures.
- 5.108 On 2 October 2014, I received a telephone call from Lisa Harris, Lawyer, in relation to the proposed interview with Megan Hayes. She had been asked to attend the interview with Ms Hayes.
- 5.109 Ms Harris advised me that she was aware the representative for Dr Brennan had been provided with material for the interview. I advised that Dr Brennan's interview would be much more involved than Ms Hayes, and that Ms Hayes would be directed to and provided the opportunity to review any relevant document during the interview, but that I could provide records prior if she required them. I also explained that six of the more complex patients were being closely reviewed, plus there may be general questions about the transition as she was involved. I explained that for those six patients, there were [REDACTED]
- 5.110 I also advised that Ms Hayes was not under review herself and if there were any adverse comments to be made about her, she would be given an opportunity to respond, with copies of the relevant material, at that time.
- 5.111 A copy of my file note of that conversation is attached and marked '**KG-44**'.
- 5.112 On 2 October 2014, I forwarded a formal request for information to the West Moreton Hospital and Health Service seeking:
- (i) copies of any PRIME incident reports for Barrett inpatients during the transition period;
 - (ii) copy of the ward record book for the relevant period; and
 - (iii) policies, procedures or guidance provided to staff for the transition.
- 5.113 A copy of that letter is attached and marked '**KG-45**'.
- 5.114 I received a telephone call from Ms Ahern that day advising that there were 88 PRIME incident reports, that would not be prepared by the requested time, so I confirmed that an extension until close of business the following Wednesday would be acceptable.
- 5.115 Attached and marked '**KG-46**' is a copy of my file note of that conversation.
- 5.116 I had a number of telephone conversations and emails exchanged with witnesses, confirming arrangements for interviews with Associate Professor Kotze and Ms Skippen on 13 and 14 October 2014.

- 5.117 On 9 October 2014, I sent an email to Associate Professor Kotze and Ms Skippen, enclosing the following material:
- (i) Queensland Health Clinical Services Capability Framework for Mental Health;
 - (ii) Index to investigation material;
 - (iii) Final interview schedule;
 - (iv) Draft Report/Investigation Framework;
 - (v) Consumer list with care co-ordinators listed.
- 5.118 In that email, I also confirmed that I would provide each of them with a USB upon their attendance in Brisbane the following week, with electronic copies of all of the investigation material received to date. I also confirmed arrangements for transcripts to be prepared and provided to them from each of the witness interviews.
- 5.119 Attached and marked '**KG-47**' is a copy of this email, with enclosures.
- 5.120 On 10 October 2014, I received an email from Dr Brennan's legal representative with a pre-interview statement for her. I immediately forwarded that to Associate Professor Kotze and Ms Skippen.
- 5.121 Copies of those emails and the enclosed statement are attached and marked '**KG-48**'.
- 5.122 Interviews with staff were conducted by Associate Professor Kotze and Ms Skippen at the Brisbane Minter Ellison offices on 13 and 14 October 2014.
- 5.123 I did not attend any of the interviews that were conducted with witnesses as part of the Investigation.
- 5.124 I arranged for recordings to be taken of all of the interviews and for these recordings to be transcribed by our Word Processing staff.
- 5.125 On 13 October 2014, I exchanged emails with The Australian Workers' Union in relation to Ms Clayworth's formal advice that she would not be participating in an interview for health reasons.
- 5.126 Copies of those emails are attached and marked '**KG-49**' (with Ms Clayworth's confidential health information redacted).
- 5.127 I was advised by Associate Professor Kotze and Ms Skippen that Dr Brennan provided a copy of an 'Issues Register' during their interview with her on 13 October 2014 and a signed copy of her pre-interview statement, copies of which are attached and marked '**KG-50**'.
- 5.128 Following the interviews conducted on 13 October 2014, Associate Professor Kotze and Ms Skippen identified a need to interview Dr Stephen Stathis, given his involvement in the transition process on behalf of Children's Health Queensland.
- 5.129 I forwarded an email to Dr Stathis that afternoon, requesting his assistance with the investigation.
- 5.130 Attached and marked '**KG-51**' is a copy of that email.
- 5.131 I recall that Dr Stathis called me later that evening to confirm that he could be available by phone for a short period at 11:00am the following morning.

- 5.132 I do not have any file note of that conversation, but updated the interview schedule the following morning and had an email exchange with Ms Hayes' legal representative to rearrange her interview time to accommodate Dr Stathis.
- 5.133 Attached and marked '**KG-52**' is a copy of that email exchange.
- 5.134 Attached and marked '**KG-53**' is a final copy of the interview schedule.
- 5.135 Attached and marked as below are copies of the following transcripts of witness interviews:
- (i) RN Mara Kochardy '**KG-54**';
 - (ii) RN Moira MacLeod '**KG-55**';
 - (iii) RN Brenton Page '**KG-56**';
 - (iv) RN Matthew Beswick '**KG-57**';
 - (v) RN Peta-Louise Yorke '**KG-58**';
 - (vi) RN Susan Daniel '**KG-59**';
 - (vii) Dr Anne Brennan '**KG-60**';
 - (viii) RN Rosangela Richardson '**KG-61**';
 - (ix) RN Victoria Young '**KG-62**';
 - (x) Dr Stephen Stathis '**KG-63**';
 - (xi) Megan Hayes '**KG-64**';
 - (xii) Dr Trevor Sadler '**KG-65**'.
- 5.136 On 14 October 2014, I received an email from Ms Bitton seeking an update on the progress of the investigation and likelihood of meeting the 31 October 2014 deadline. I responded to Ms Bitton's email by telephone and explained that both investigators had been to Brisbane on separate occasions to review investigation material and were also currently in Brisbane conducting interviews. I explained that I was not aware of any issues requiring natural justice as yet, but if such issues were raised an extension would be required in order to give a sufficient opportunity for relevant parties to respond. I was advised that the Director-General was unlikely to grant an extension beyond 31 October 2014. I advised that we would know more at the end of the week when the other investigators commenced writing the report.
- 5.137 I followed up this phone call with an email to Ms Bitton.
- 5.138 Attached and marked '**KG-66**' is a copy of my email exchange with Ms Bitton and file note of my conversation with her.
- 5.139 On 15 October 2014, I received an email from Dr Brennan's legal representative providing clarification of a statement she had made during her interview. I forwarded this to Associate Professor Kotze and Ms Skippen for their consideration.
- 5.140 Copies of these emails are attached and marked '**KG-67**'.
- 5.141 On 20 and 21 October 2014, I had an email exchange with Associate Professor Kotze and Ms Skippen seeking an update and whether it appeared any adverse findings were likely. I also relayed that the Department of Health had requested immediate notification if it appeared that an extension would become necessary.

- 5.142 I was advised that the report was on track and adverse findings unlikely. Associate Professor Kotze's response also sought feedback regarding the records issue raised by Dr Brennan in her interview. I cannot now recall specifically what the issue was or when it was conveyed to me, but I note my response set out in paragraph 5.146 below.
- 5.143 Attached and marked '**KG-68**' is a copy of this email exchange.
- 5.144 On 22 October 2014, Dr Sadler forwarded me two emails with a belated response to a question during his interview. I immediately forwarded both of these emails to Associate Professor Kotze and Ms Skippen.
- 5.145 Attached and marked '**KG-69**' are copies of these emails, with enclosures.
- 5.146 On 23 October 2014, I sent an email to Associate Professor Kotze and Ms Skippen noting that the West Moreton Hospital and Health Service had advised in their covering correspondence of 24 August 2014 that transition guides for the selected patients had been updated at the time of responding to our request for information to assist investigators in providing a snapshot of transitional documents. I felt that this satisfied the issue that had been raised in Dr Brennan's interview, but invited Associate Professor Kotze and Ms Skippen to forward any further queries if they had them.
- 5.147 Attached and marked '**KG-70**' is a copy of this email.
- 5.148 I also received a telephone call from Ms Keller that day noting the report was due the following week and asking if West Moreton Hospital and Health Service would receive a draft to respond to. I advised that they would only receive a draft for response if adverse comments or findings were to be made. I advised that there was no suggestion of it at that stage, but that we would advise them immediately if there was and provide opportunity to respond. I noted that we were aware this would affect the deadline.
- 5.149 Attached and marked '**KG-71**' is a copy of my file note of that conversation.
- 5.150 I received a further email from Ms Bitton on 23 October 2014 enquiring if the report was still on track, to which I responded that it was as far as I was knew and that I would advise immediately if and when I heard anything different.
- 5.151 Attached and marked '**KG-72**' is a copy of that email exchange.
- 5.152 On 24 October 2014, I received an email from Associate Professor Kotze advising me that the draft report had been completed, but that she was at home sick so could not send it to me.
- 5.153 Attached and marked '**KG-73**' is a copy of that email.
- 5.154 On 27 October 2014, I had a number of telephone conversations and email exchanges with the Department of Health and other investigators regarding the draft report, copies of which are attached and marked '**KG-74**'.
- 5.155 That afternoon, I received a draft report from Associate Professor Kotze and Ms Skippen for review. It was noted that appendices were yet to be added and final editing completed.
- 5.156 Attached and marked '**KG-75**' is a copy of the draft report and covering email.

- 5.157 On review, I identified a potentially adverse comment in relation to [REDACTED] Hospital and Health Service as the receiving agency for a patient.
- 5.158 I confirmed this by email with Associate Professor Kotze and Ms Skippen before writing to the agency that day, urgently seeking further information.
- 5.159 Attached and marked 'KG-76' is a copy of the relevant correspondence.
- 5.160 On 27 and 28 October 2014, I also provided general feedback on the draft report to Associate Professor Kotze and Ms Skippen for their consideration.
- 5.161 A copy of my email exchanges with Associate Professor Kotze's and Ms Skippen in this regard are attached and marked 'KG-77'.
- 5.162 I received further information from [REDACTED] Hospital and Health Service by email on 29 October 2014 and on forwarded the material to Associate Professor Kotze and Ms Skippen that day.
- 5.163 A copy of these emails, with enclosures, are attached and marked 'KG-78'.
- 5.164 On 30 October 2014, I received a telephone message from Ms McMullan advising that the Director-General had stated that the final report must be submitted by the following day. I sent an email to Associate Professor Kotze and Ms Skippen advising of that message.
- 5.165 I also had a telephone conversation with Dr Bill Kingswell and Dr John Allen from the Department of Health regarding the deadline.
- 5.166 A copy of my email and file note of my conversation with the Department are attached and marked 'KG-79'.
- 5.167 On 31 October 2014, I received an email from Associate Professor Kotze enclosing a final report.
- 5.168 Attached and marked 'KG-80' is a copy of that email, with the enclosed report.
- 5.169 I noted that the version of the Investigation Document Index that had been included at Appendix A was not the current version and would require updating. Associate Professor Kotze confirmed that she was happy for me to update that document and submit the report to the Department of Health.
- 5.170 Attached and marked 'KG-81' is a copy of my email exchange with Associate Professor Kotze.
- 5.171 I then proceeded to email the final report to Ms McMullan and received a response requesting the removal of the confidential watermark across the document.
- 5.172 A copy of that email exchange is attached and marked 'KG-82'.
- 5.173 I then removed the watermark and submitted a final version by email.
- 5.174 A copy of that email, with the enclosed final report is attached and marked 'KG-83'.

6. *Explain Ms Geddes's working relationship with the other Health Service Investigators appointed under s190 of the Hospital and Health Boards Act 2011 (Associate Professor Beth Kotze and Tania Skippen). In particular:*

- (a) *When was Ms Geddes first made aware of the identities of the Health Service Investigators?***

- 6.1 I was not aware of the identities of the other two Health Service Investigators until I was copied into the emails sent to them by Ms Bitton on 14 August 2014 enclosing their Instruments of Appointments (attached at KG-4)
- (b) *Did Ms Geddes have any role in the appointment of the Health Service Investigators?*
- 6.2 I did not have any role in the appointment of the other two Health Service Investigators.
- (c) *Detail the nature of any previous professional relationship (if any) between Ms Geddes and the Health Service Investigators.*
- 6.3 I did not have any previous relationship, professional or otherwise, with the other two Health Service Investigators.
- 6.4 I had in fact not even heard of either of them prior to our joint appointment.
- (d) *Amongst the Health Service Investigators, what was each party's role and function? What was the reporting structure?*
- 6.5 As noted above, I had understood my role in the Investigation was to assist with and facilitate the procedural aspects of the investigation, ensure that it was conducted in accordance with the *Hospital and Health Services Act 2011*, adhered to principles of natural justice and also that it appropriately addressed the Terms of Reference.
- 6.6 As such, I prepared the necessary requests under the *Hospital and Health Boards Act 2011* for the provision of relevant information, distributed the information electronically to Associate Professor Kotze and Ms Skippen upon receipt and maintained a central hard copy register of all documents at the Brisbane Minter Ellison Offices. I also prepared a complete Investigation Document Index of all relevant investigation material received from external entities.
- 6.7 If Associate Professor Kotze or Ms Skippen identified missing records or further information potentially relevant to the Investigation, they advised me and I made a formal request to the relevant entity.
- 6.8 I also liaised with relevant witnesses to arrange necessary interviews and with the Department of Health in respect of timeframes and other clarification regarding the Terms of Appointment.
- 6.9 I understood that it was the role of Associate Professor Kotze and Ms Skippen to review the material in detail, interview relevant witnesses and to make the necessary findings and recommendations in the report.
7. *We understand that Ms Geddes attended a meeting with the Health Service Investigators, the Executive Director, Mental Health & Specialist Services at West Moreton Hospital and Health Service (WMHHS) and the Director of Strategy, Mental Health & Specialised Services WMHHS on 4 September 2014:*
- (a) *Who initiated this meeting?*
- (b) *What was the purpose and objective of the meeting?*
- (c) *What were the outcomes of the meeting?*
- (d) *What material did Ms Geddes provide to Associate Professor Beth Kotze and Ms Tania Skippen following the meeting?*

(e) Were there minutes of meetings taken? If so, provide copies.

7.1 I have set out this information at paragraphs 5.13 to 5.32 above.

8. Provide details as to the 'additional information' provided by Ms Geddes with respect to the Report: Transitional Care for Adolescent Patients of the Barrett Adolescent Centre (the Report) and all report(s) (both draft and final) provided by Ms Geddes pursuant to s 136 of the Hospital and Health Boards Act 2011 (and provide copies).

8.1 This is contained in the updated draft framework for investigation/report attached at KG-16.

9. What was Ms Geddes' s involvement in the preparation, editing and finalisation of the Report? If Ms Geddes authored or was provided with drafts of this Report please provide copies.

9.1 I have set out this information at paragraphs 5.152 to 5.174 above.

10. At what point and under what circumstances did Ms Geddes's involvement in the Investigation cease?

10.1 My involvement in the Investigation ceased upon submission of the final investigation report on 31 October 2014.

11. What is Ms Geddes' current relationship with and obligations to the entity that retained her for the investigation (and identify that entity)?

11.1 Through my employment at Minter Ellison, I was retained by the Department of Health for my involvement in the Investigation.

11.2 My current relationship is that the Department of Health is a regular client as part of my practice at Minter Ellison Lawyers.

11.3 Between 19 December 2014 and 28 September 2015, I was on maternity leave from my employment with Minter Ellison.

11.4 Since my return, I have not had any instructions directly from the Department of Health and do not hold any active matters with them.

12. Outline and explain any other information and knowledge (and the source of that knowledge) Ms Geddes has relevant to the Commission's Terms of Reference.

12.1 I do not have any other information relevant to the Commission's Terms of Reference than what has already been included in this statutory declaration.

13. Identify all documents in Minter Ellison's custody or control that are not referred to in Ms Geddes witness statement but which are relevant to the Commission's Terms of Reference.

13.1 I am not aware of any other documents not referred to above that are relevant to the Commission's Terms of Reference.

14. Identify and exhibit all documents in Ms Geddes's custody or control that are referred to in her witness statement which are not included in the material provided to the Coroner by Ms Geddes (that is, material attached to the Report).

14.1 I have identified and exhibited all relevant documents where appropriate to my statutory declaration above.

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

Signed and Declared by the Declarant at
Brisbane on 22 October 2015 before me



Signature of witness

BERNADETTE ELIZABETH SALIBA

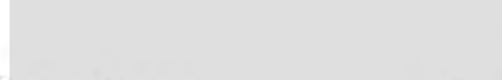
Full name of witness (print)

110 Minter Ellison,

Address of witness

Solicitor

Capacity of witness



Signature of declarant

Kristi Maree Geddes

Full name of declarant (print)

KG-1

**Kristi Geddes****Senior Associate**

LLB (HONS 1) 2007

BACHELOR OF PSYCHOLOGICAL SCIENCE 2007

GRADUATE DIPLOMA OF LEGAL PRACTICE, SKILLS AND ETHICS 2007

GRADUATE DIPLOMA OF HEALTH AND MEDICAL LAW 2013

Principal areas of practice

- Litigation and Dispute Resolution
- Coronial Matters
- Medico-Legal Advisory
- Privacy
- Risk Management
- Quality and Safety
- Governance and Regulatory
- Health Industry Commercial Advisory

Professional work experience

Kristi is a Senior Associate within our Insurance and Corporate Risk division. She has been with Minter Ellison since 2004 and has worked exclusively for clients in private and public health sectors since 2008. In addition to qualifications in law, Kristi holds undergraduate qualifications in psychological science.

Kristi has acted in defence of a variety of medico-legal claims against public and private hospitals and their employed doctors, nurses and allied health care professionals. These claims have been made both through commencement of civil legal proceedings and through the Health Quality and Complaints Commission, now the Office of Health Ombudsman.

She has acted for various health practitioner registration boards in disciplinary proceedings that have been referred to the Queensland Civil and Administrative Tribunal, as well as more recently acting on behalf of individual practitioners in those forums.

Kristi has also advised both private and public clients with respect to privacy, employment, issues surrounding capacity and consent, risk management, as well as compliance with the various statutory and common law obligations of health care providers.

Specific project involvement

- **Medico-Legal Claims:** acting in medico-legal claims including negligent obstetric care resulting in severe brain damage; toxicity following inappropriate drug administration; suicide attempts by mental health inpatients; delay in diagnoses; negligent performance of surgical procedures; failure to warn of inherent risks; and negligent or sub-optimal post-operative care.
- **Coronial:** assisting health care providers in respect of reporting requirements for deaths, responding to coronial investigations, and acting on behalf of health care providers at coronial inquests.
- **Privacy:** advising health care providers on privacy and confidentiality requirements (in the public and private sector), including collection of information, use and disclosure of information in certain circumstances, requests for access to information by patients and families, storage and security of information and privacy policies. Also advising on and assisting with privacy impact assessments for eHealth projects.

- **Medico-Legal Advisory:** advising health facilities in respect of lawful provision of health care including capacity of patients, substitute decision making, consent requirements for patients, including those under the Mental Health Act, managing conditional consent, consent for the treatment of children in varying situations, including court applications for special medical procedures, and consent for termination of pregnancy and withdrawing and withholding life sustaining measures.
- **Risk Management:** assisting health care providers with development and review of policies and procedures, as well as advising on specific risks such as inpatient leave, discharge without medical approval, refusal of medical treatment and telehealth.
- **Complaints and Procedure with Regulatory Authorities:** acting on behalf of individual practitioners in responding to allegations of unsatisfactory professional conduct, including allegations of unsanitary practice, alleged substandard surgical decision making and performance, acting on behalf of individual practitioners in responding to Medicare audits and advising health facilities in responding to complaints to Office of the Health Ombudsman and Office of the Information Commissioner.
- **Health Prosecution Matters:** acting on behalf of various health practitioner registration boards in prosecuting alleged unsatisfactory professional conduct, unprofessional conduct or unprofessional conduct.
- **Quality and Safety:** advising on requirements for safety and quality under the and compliance with various statutory obligations for hospitals, including policy and procedure review and development to ensure compliance with the National Safety and Quality Health Service Standards. Also advising on and assisting with internal review and investigations such as Root Cause Analyses and establishing Quality and Safety Review Committees.
- **Governance and Regulatory:** advising on various aspects of health service governance and compliance with regulatory requirements, such as credentialing of practitioners, compliance with regulations surrounding use and storage of medication.

107705

108 4936

DATE _____

7, 8, 14

TIME (start) :

am/pm

TIME (end)

am/pm

PAGE

OF

Reminders	Who agreed to do what?	By when?	Without prejudice stipulated?
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KG-3

From: Wensley Bitton [REDACTED]
Sent: Thursday, 14 August 2014 05:07 pm
To: Kristi Geddes
Cc: Wensley Bitton
Subject: Instrument of Appointment and TOR for Health Service Investigation (LN14_0821)
Attachments: 20140814_Instrument of Appointment and Terms of Ref Kristi Geddes.pdf


Dear Kristi

Please find **attached** your letter of appointment and the Terms of Reference for this Health Service Investigation. Thank you in advance for accepting the appointment.

Both Annette (and myself) will be points of contact for the duration of the investigation.

I will be the point of contact if you require documents, access or information.

As you will note from my prior emails, I have asked the other two HSIs, (Dr Beth Kotze and Ms Tania Skippen) to make contact with you as soon as is practicable.

 Kind regards
Wensley

Wensley Bitton
Senior Principal Lawyer

Legal and Governance Branch
System Support Services
Department of Health


[REDACTED]
BRISBANE QLD 4000

Phone: [REDACTED]

Fax [REDACTED]

Email: [REDACTED]

Work days: Monday, Wednesday, Thursday, Friday

 *****
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**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

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

Conditions of appointment

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



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014

14 AUG 2014

SCHEDULE 1**QUEENSLAND HEALTH****INVESTIGATION INTO STATEWIDE TRANSITION AND CARE PLANNING MEASURES
FOLLOWING CLOSURE OF THE BARRETT ADOLESCENT CENTRE****TERMS OF REFERENCE****1. Purpose**

The purpose of this health service investigation is to:

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

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers, as a health service investigator to conduct the investigation.

Ms Geddes is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health.

3. Scope of the investigation

The functions of the health service investigators are to:

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

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

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

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

4. Power of the Health Service Investigators

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

5. Conduct of the investigation

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

KG-4

From: Wensley Bitton [REDACTED]
Sent: Thursday, 14 August 2014 05:06 pm
To: [REDACTED]
Cc: Kristi Geddes
Subject: Instrument of Appointment and TOR for Health Service Investigation (LN14_0821)
Attachments: 20140814_Instrument of Appointment and Terms of Ref Beth Kotze.pdf; Part 9 Health Service Investigations - legislation.pdf

Dear Dr Kotze,

I am writing to you to provide you with some key information regarding the Hospital and Health Service investigation that you have kindly agreed to participate in. Your letter of appointment and terms of reference are now **attached**.

I have also attached for your reference, the terms and conditions of your indemnity and copy of the relevant provisions of the legislation regarding health service investigations.

Two other investigators have been appointed to assist you (Ms Tania Skippen and Ms Kristi Geddes) and you will be required to work with them to produce one report. Ms Skippen is an Occupational Therapist. Ms Geddes is a senior lawyer from Minter Ellison Lawyers (cc'd) and her appointment is to assist with the procedural aspects of the process of performing the investigation and also to ensure that the report is constructed in a robust manner.

I would ask that you make contact with Ms Geddes as soon as you are able so that a coordinated approach to the investigation can commence. Kristi's contact details are ph: [REDACTED] or (m) [REDACTED] or via the email above.

If you have any queries throughout the process, I would ask that all contact to the Department come through Ms Geddes.

Kindest regards
Wensley Bitton

Wensley Bitton
Senior Principal Lawyer

Legal and Governance Branch
System Support Services
Department of Health
[REDACTED]

BRISBANE QLD 4000

Phone: [REDACTED]

Fax [REDACTED]

Email: [REDACTED]

Work days: Monday, Wednesday, Thursday, Friday

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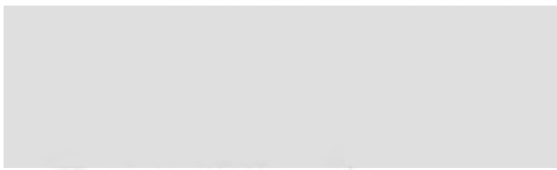
Unless stated otherwise, this email represents only the views of the sender and not the views of the Queensland Government.

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

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

Conditions of appointment

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



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

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

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

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

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists, as a health service investigator to conduct the investigation.

Ms Kotze is to conduct the investigation jointly with the other appointed Health Service Investigators, Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health and Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers).

3. Scope of the investigation

The functions of the health service investigators are to:

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

any other relevant Hospital and Health Service) to manage and oversight the healthcare transition plans for the then current inpatients and day patients associated with the closure of the Barrett Adolescent Centre (BAC) in January 2014 of the BAC post 6 August 2013 until its closure in January 2014;

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

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

3.1.3. Advise if the healthcare transition plans developed for individual patients by the transition team were appropriate and took into consideration patient care, patient support, patient safety, service quality, and advise if these healthcare transition plans were appropriate to support the then current inpatients and day patients associated with the closure of the Barrett Adolescent Centre (BAC) in January 2014;

3.1.4. Based on the information available to clinicians and staff at the time of closure of the BAC, advise if the individual healthcare transition plans for the then current inpatients and day patients associated with the closure of the Barrett Adolescent Centre (BAC) in January 2014 were appropriate. A detailed review of the healthcare transition plans for patients [REDACTED]

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

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

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

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

4. Power of the Health Service Investigators

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

5. Conduct of the investigation

5.1 The investigators have the authority under the HHBA to interview any person who may be able to provide information which assists in the investigation. The investigators may seek to interview persons who are not employees of Queensland Health who may be able to assist in their investigation. The investigators need only interview persons who

can provide information that they believe is credible, relevant and significant to the matters under investigation.

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

SCHEDULE 2

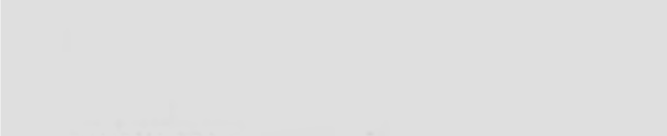
INSTRUMENT OF INDEMNITY

Grant of Indemnity

The State of Queensland, through the Queensland Department of Health ("the Department"), agrees to indemnify Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists ("the indemnified") in respect of this Health Service Investigation, as an associated clinical service, in accordance with the terms and conditions of HR Policy 12, "Indemnity for Queensland Health Medical Practitioners" as at the date of this Instrument

14 AUG 2014

Signed this day of 2014.


IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH

Hospital and Health Boards Act 2011
Part 9 Health service investigations

[s 188]

obstruct includes assault, hinder, resist, attempt to obstruct and threaten to obstruct.

188 Impersonating authorised person or security officer

A person must not impersonate an authorised person or security officer.

Maximum penalty—100 penalty units.

Part 9 Health service investigations

189 Functions of health service investigators

The functions of a health service investigator are to investigate and report on any matters relating to the management, administration or delivery of public sector health services, including employment matters.

190 Appointment of health service investigators

- (1) The chief executive (the *appointer*) may, by instrument in writing, appoint a person as a health service investigator to undertake an investigation under this part in the department or a Service.
- (2) A health service chief executive (also the *appointer*) may, by instrument in writing, appoint a person as a health service investigator to undertake an investigation under this part in the Service.
- (3) However, a person may be appointed as a health service investigator only if the appointer is satisfied the person is qualified for appointment because the person has the necessary expertise or experience.

Hospital and Health Boards Act 2011

Part 9 Health service investigations

[s 191]

191 Appointment conditions and limit on powers

- (1) A health service investigator holds office on any conditions stated in—
 - (a) the investigator's instrument of appointment; or
 - (b) a signed notice given to the investigator; or
 - (c) a regulation.
- (2) The instrument of appointment, a signed notice given to the investigator or a regulation may limit the investigator's powers.
- (3) In this section—
signed notice means a notice signed by the appointer.

192 When office ends

- (1) The office of a person as a health service investigator ends if any of the following happens—
 - (a) the term of office stated in a condition of office ends;
 - (b) under another condition of office, the office ends;
 - (c) the investigator's resignation under section 193 takes effect.
- (2) Subsection (1) does not limit the ways the office of a person as an investigator ends.
- (3) In this section—
condition of office means a condition under which the investigator holds office.

193 Resignation

- (1) A health service investigator may resign by signed notice given to the appointer.
- (2) However, if holding office as an investigator is a condition of the investigator holding another office, the investigator may

Hospital and Health Boards Act 2011
Part 9 Health service investigations

[s 194]

not resign as an investigator without resigning from the other office.

194 Powers of health service investigators

- (1) A health service investigator may enter a public sector health service facility at any time the facility is open for business or otherwise open for entry.
- (2) A health service investigator may, in the exercise of the investigator's functions, ask an employee of the department or a Service to give to the investigator a document, including a document containing confidential information, that—
 - (a) is relevant to the investigator's functions; and
 - (b) is in the possession or control of the employee.
- (3) The employee must comply with the request.
- (4) If requested by the employee, the health service investigator must produce the investigator's instrument of appointment to the employee.
- (5) The health service investigator may make copies of, and take extracts from, the document.
- (6) In this section—

confidential information means any information that—

 - (a) is about a person who is receiving or has received a public sector health service; and
 - (b) could identify the person.

195 Giving health service investigator false or misleading information

- (1) A person must not, in relation to an investigation under this part, give a health service investigator information, or a document containing information, that the person knows is false or misleading in a material particular.

Maximum penalty—100 penalty units.

Hospital and Health Boards Act 2011
Part 9 Health service investigations

[s 196]

- (2) Subsection (1) applies to information or a document given in relation to an investigation under this part whether or not the information or document was given in response to a specific power under this part.

196 Obstructing investigator

- (1) A person must not obstruct a health service investigator exercising a power unless the person has a reasonable excuse.
Maximum penalty—100 penalty units.
- (2) If a person has obstructed a health service investigator and the investigator decides to proceed with the exercise of the power, the investigator must warn the person that—
 - (a) it is an offence to cause an obstruction unless the person has a reasonable excuse; and
 - (b) the investigator considers the person's conduct an obstruction.
- (3) In this section—
obstruct includes assault, hinder, resist, attempt to obstruct and threaten to obstruct.

197 Duty of confidentiality of health service investigators

- (1) This section applies to a person who—
 - (a) is or has been a health service investigator; and
 - (b) in that capacity was given information.
- (2) The person must not disclose the information to anyone else.
Maximum penalty—100 penalty units.
- (3) However, the person may disclose the information to someone else—
 - (a) to the extent necessary to perform the person's functions under or in relation to this Act; or

Hospital and Health Boards Act 2011
Part 9 Health service investigations

[s 198]

- (b) if the person to whom the information relates consents in writing to the disclosure; or
 - (c) if the disclosure is otherwise required or permitted by another Act or law.
- (4) Also, the person may disclose the information to someone else if—
- (a) the disclosure is to—
 - (i) the relevant chief executive; or
 - (ii) another person authorised in writing by the relevant chief executive to receive the information; and
 - (b) the purpose of the disclosure under this section is to allow further disclosure of the information under section 160.

198 Disclosure to person under Coroners Act 2003

Section 197 does not apply to the disclosure of information to a person who requires the information to perform a function under the *Coroners Act 2003*, other than for the preparation of an annual report.

199 Reports by health service investigators

- (1) A health service investigator must prepare and provide a report to the appointer for each health service investigation.
- (2) In preparing the report, the health service investigator must—
 - (a) have regard to any report provided by a clinical reviewer under section 136; and
 - (b) attach the reviewer's report to the investigator's report.
- (3) The investigator's report may include recommendations on ways in which the administration, management or delivery of public sector health services, including employment matters, can be improved.

Hospital and Health Boards Act 2011
Part 10 Monitoring and enforcement

[s 200]

- (4) Subsection (5) applies to a report provided to the chief executive after an investigation in a Service.
- (5) After considering the report, the chief executive may issue a direction to the Service.
- (6) The Service must comply with the direction.
- (7) Subsection (8) applies to a report provided—
 - (a) to the chief executive after an investigation in the department; or
 - (b) to a health service chief executive after an investigation in the Service.
- (8) After considering the report, the chief executive or the health service chief executive may take the action he or she considers appropriate in relation to the matters identified in the report.

200 Chief executive may request report from health service chief executives

- (1) This section applies if a report is provided to a health service chief executive after an investigation in the Service.
- (2) If requested by the chief executive, the health service chief executive must give a copy of the report to the chief executive.

Part 10 Monitoring and enforcement

Division 1 Interpretation

201 Definitions for pt 10

In this part—

court means a Magistrates Court.

disposal order see section 244(2).

From: Wensley Bitton [REDACTED]
Sent: Thursday, 14 August 2014 05:07 pm
To: [REDACTED]
Cc: Kristi Geddes
Subject: Instrument of Appointment and TOR for Health Service Investigation (LN14_0821)
Attachments: 20140814_Instrument of Appointment and Terms of Ref Tania Skippen.pdf; Part 9 Health Service Investigations - legislation.pdf

Dear Ms Skippen

I am writing to you to provide you with some key information regarding the Hospital and Health Service Investigation that you have kindly agreed to participate in. Your letter of appointment and terms of reference are now **attached**.

I have also attached for your reference, the terms and conditions of your indemnity and copy of the relevant provisions of the legislation regarding health service investigations.

Two other investigators have been appointed to assist you (Associate Professor Beth Kotze and Ms Kristi Geddes) and you will be required to work with them to produce one report. Dr Kotze is a Psychiatrist. Ms Geddes is a senior lawyer from Minter Ellison Lawyers (cc'd) and her appointment is to assist with the procedural aspects of the process of performing the investigation and also to ensure that the report is constructed in a robust manner.

I would ask that you make contact with Ms Geddes as soon as you are able so that a coordinated approach to the investigation can commence. Kristi's contact details are ph: [REDACTED] or (m) [REDACTED] or via the email above.

If you have any queries throughout the process, I would ask that all contact to the Department come through Ms Geddes.

Kindest regards
 Wensley Bitton

Wensley Bitton
 Senior Principal Lawyer

Legal and Governance Branch
 System Support Services
 Department of Health

[REDACTED]
 BRISBANE QLD 4000

Phone: [REDACTED]

Fax [REDACTED]

Email: [REDACTED]

Work days: Monday, Wednesday, Thursday, Friday

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

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

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

Conditions of appointment

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

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

SCHEDULE 1**QUEENSLAND HEALTH****INVESTIGATION INTO STATEWIDE TRANSITION AND CARE PLANNING MEASURES
FOLLOWING CLOSURE OF THE BARRETT ADOLESCENT CENTRE****TERMS OF REFERENCE****1. Purpose**

The purpose of this health service investigation is to:

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

2. Appointment

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

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

3. Scope of the investigation

The functions of the health service investigators are to:

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

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

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

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

4. Power of the Health Service Investigators

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

5. Conduct of the investigation

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

SCHEDULE 2

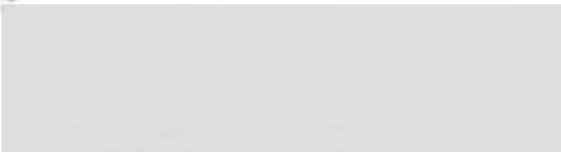
INSTRUMENT OF INDEMNITY

Grant of Indemnity

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

14 AUG 2014

Signed this day of 2014.


IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH

Hospital and Health Boards Act 2011
Part 9 Health service investigations

[s 188]

obstruct includes assault, hinder, resist, attempt to obstruct and threaten to obstruct.

188 Impersonating authorised person or security officer

A person must not impersonate an authorised person or security officer.

Maximum penalty—100 penalty units.

Part 9 Health service investigations

189 Functions of health service investigators

The functions of a health service investigator are to investigate and report on any matters relating to the management, administration or delivery of public sector health services, including employment matters.

190 Appointment of health service investigators

- (1) The chief executive (the *appointer*) may, by instrument in writing, appoint a person as a health service investigator to undertake an investigation under this part in the department or a Service.
- (2) A health service chief executive (also the *appointer*) may, by instrument in writing, appoint a person as a health service investigator to undertake an investigation under this part in the Service.
- (3) However, a person may be appointed as a health service investigator only if the appointer is satisfied the person is qualified for appointment because the person has the necessary expertise or experience.

Hospital and Health Boards Act 2011
Part 9 Health service investigations

[s 191]

191 Appointment conditions and limit on powers

- (1) A health service investigator holds office on any conditions stated in—
 - (a) the investigator's instrument of appointment; or
 - (b) a signed notice given to the investigator; or
 - (c) a regulation.
- (2) The instrument of appointment, a signed notice given to the investigator or a regulation may limit the investigator's powers.
- (3) In this section—
signed notice means a notice signed by the appointer.

192 When office ends

- (1) The office of a person as a health service investigator ends if any of the following happens—
 - (a) the term of office stated in a condition of office ends;
 - (b) under another condition of office, the office ends;
 - (c) the investigator's resignation under section 193 takes effect.
- (2) Subsection (1) does not limit the ways the office of a person as an investigator ends.
- (3) In this section—
condition of office means a condition under which the investigator holds office.

193 Resignation

- (1) A health service investigator may resign by signed notice given to the appointer.
- (2) However, if holding office as an investigator is a condition of the investigator holding another office, the investigator may

Hospital and Health Boards Act 2011
Part 9 Health service investigations

[s 194]

not resign as an investigator without resigning from the other office.

194 Powers of health service investigators

- (1) A health service investigator may enter a public sector health service facility at any time the facility is open for business or otherwise open for entry.
- (2) A health service investigator may, in the exercise of the investigator's functions, ask an employee of the department or a Service to give to the investigator a document, including a document containing confidential information, that—
 - (a) is relevant to the investigator's functions; and
 - (b) is in the possession or control of the employee.
- (3) The employee must comply with the request.
- (4) If requested by the employee, the health service investigator must produce the investigator's instrument of appointment to the employee.
- (5) The health service investigator may make copies of, and take extracts from, the document.
- (6) In this section—

confidential information means any information that—

 - (a) is about a person who is receiving or has received a public sector health service; and
 - (b) could identify the person.

195 Giving health service investigator false or misleading information

- (1) A person must not, in relation to an investigation under this part, give a health service investigator information, or a document containing information, that the person knows is false or misleading in a material particular.

Maximum penalty—100 penalty units.

Hospital and Health Boards Act 2011

Part 9 Health service investigations

[s 196]

- (2) Subsection (1) applies to information or a document given in relation to an investigation under this part whether or not the information or document was given in response to a specific power under this part.

196 Obstructing investigator

- (1) A person must not obstruct a health service investigator exercising a power unless the person has a reasonable excuse.
Maximum penalty—100 penalty units.
- (2) If a person has obstructed a health service investigator and the investigator decides to proceed with the exercise of the power, the investigator must warn the person that—
 - (a) it is an offence to cause an obstruction unless the person has a reasonable excuse; and
 - (b) the investigator considers the person's conduct an obstruction.
- (3) In this section—
obstruct includes assault, hinder, resist, attempt to obstruct and threaten to obstruct.

197 Duty of confidentiality of health service investigators

- (1) This section applies to a person who—
 - (a) is or has been a health service investigator; and
 - (b) in that capacity was given information.
- (2) The person must not disclose the information to anyone else.
Maximum penalty—100 penalty units.
- (3) However, the person may disclose the information to someone else—
 - (a) to the extent necessary to perform the person's functions under or in relation to this Act; or

Hospital and Health Boards Act 2011
Part 9 Health service investigations

[s 198]

- (b) if the person to whom the information relates consents in writing to the disclosure; or
 - (c) if the disclosure is otherwise required or permitted by another Act or law.
- (4) Also, the person may disclose the information to someone else if—
 - (a) the disclosure is to—
 - (i) the relevant chief executive; or
 - (ii) another person authorised in writing by the relevant chief executive to receive the information; and
 - (b) the purpose of the disclosure under this section is to allow further disclosure of the information under section 160.

198 Disclosure to person under Coroners Act 2003

Section 197 does not apply to the disclosure of information to a person who requires the information to perform a function under the *Coroners Act 2003*, other than for the preparation of an annual report.

199 Reports by health service investigators

- (1) A health service investigator must prepare and provide a report to the appointer for each health service investigation.
- (2) In preparing the report, the health service investigator must—
 - (a) have regard to any report provided by a clinical reviewer under section 136; and
 - (b) attach the reviewer's report to the investigator's report.
- (3) The investigator's report may include recommendations on ways in which the administration, management or delivery of public sector health services, including employment matters, can be improved.

Hospital and Health Boards Act 2011
Part 10 Monitoring and enforcement

[s 200]

- (4) Subsection (5) applies to a report provided to the chief executive after an investigation in a Service.
- (5) After considering the report, the chief executive may issue a direction to the Service.
- (6) The Service must comply with the direction.
- (7) Subsection (8) applies to a report provided—
 - (a) to the chief executive after an investigation in the department; or
 - (b) to a health service chief executive after an investigation in the Service.
- (8) After considering the report, the chief executive or the health service chief executive may take the action he or she considers appropriate in relation to the matters identified in the report.

200 Chief executive may request report from health service chief executives

- (1) This section applies if a report is provided to a health service chief executive after an investigation in the Service.
- (2) If requested by the chief executive, the health service chief executive must give a copy of the report to the chief executive.

Part 10 Monitoring and enforcement

Division 1 Interpretation

201 Definitions for pt 10

In this part—

court means a Magistrates Court.

disposal order see section 244(2).

KG-5

From: Kristi Geddes [REDACTED]
Sent: Friday, 22 August 2014 02:07 pm
To: Wensley Bitton
Subject: Barrett Adolescent Psychiatric Centre - Health Service Investigation [ME-ME.FID2743997]

Dear Wensley,

As discussed, we have just been advised by Tania Skippen (Investigator) of the following leave arrangements in place for her and Beth Kotze (Investigator) over the coming weeks:

- Tania has advised that she is officially on leave from today. She is travelling to Queensland for a conference from next Monday 25 August to Wednesday 27 August. She had planned to travel back to Sydney on Wednesday and then return to Queensland on Saturday to commence pre-booked leave for two weeks, but has said that she could stay in Queensland and make herself available for interviews on Thursday, Friday and even Saturday if necessary.
- Tania will then return from leave on 15 September 2014.
- I am advised that Beth is on leave from 11 September 2014 until 2 October 2014.

I understand the proposal had been for Tania and Beth to commence the investigation together, reviewing documents and conducting relevant interviews this week and next, following which Beth would draft a report for Tania to finalise upon her return from leave.

Given we still do not have any documents, I wonder whether the above availability and proposed manner for investigation is feasible given the due date for the final report is 16 September 2014.

I understand both Tania and Beth are available throughout October.

Please let me know how the Department wishes to proceed in the circumstances.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

www.minterellison.com

From: KOTZE, Beth [REDACTED]
Sent: Friday, 22 August 2014 03:22 pm
To: Kristi Geddes; SKIPPEN, Tania
Subject: RE: Barrett Adolescent Psychiatric Centre - Health Service Investigation [ME-ME.FID2743997]

Dear Kristi

The original time-table was sketched out as follows:

Week of 11 August

- paper based review
- Identification and scheduled appointments for interviews

Week of 18 August

- Review Team in Brisbane for interviews

Week of 25 August

- 28, 29 available for additional interviews if required
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Week 1 September

- potential for any additional interviews to be completed without Tania this week

Week 8 September

- Beth Kotze to sign off review ahead of leave from 11 September

Week 15 September

- Tania to review the report on her return from and sign off if satisfied.

With the delay in securing the paperwork, we've actually yet to commence with the paper-based review so the time-frames now don't work.

I am wondering if we need to check with John/Bill that the revised time-frames are going to work for their purposes. Have spoken with John and will await his feedback.

Regards

B.

Associate Professor Beth Kotze
 MBBS FRANZCP FRACMA Cert Child Psychiatry MMed (Psychotherapy) MHA (UNSW)
 Acting Associate Director, Health System Management
 Mental Health and Drug and Alcohol Office
 NSW Ministry of Health
 Direct Dial: [REDACTED] | Mobile: [REDACTED] | Fax: [REDACTED]

Address: [REDACTED]

Email: [REDACTED]

Website: www.health.nsw.gov.au/mhdao



NSW Health

From: Kristi Geddes [mailto:[REDACTED]]
Sent: Friday, 22 August 2014 1:16 PM
To: KOTZE, Beth; SKIPPEN, Tania
Subject: RE: Barrett Adolescent Psychiatric Centre - Health Service Investigation [ME-ME.FID2743997]

Sorry Beth, but unfortunately I'm not available on Wednesdays.

Perhaps if I send through an email on Monday with a proposed plan, for your consideration and comment, and then we can discuss together on Thursday if necessary.

Anticipating that arrangements will need to be made for you to interview staff, could you both let me know your availability over the coming two weeks for interviews and if you will be available to attend in person (where possible) or will need to conduct the interviews via tele/video conference?

Kind regards,
 Kristi.

Kristi Geddes Senior Manager

[REDACTED]

From: KOTZE, Beth [mailto:[REDACTED]]
Sent: Friday 22 August 2014 01:07 pm
To: SKIPPEN, Tania; Kristi Geddes
Subject: RE: Barrett Adolescent Psychiatric Centre - Health Service Investigation [ME-ME.FID2743997]

Dear all
I am on leave Monday and Tuesday but back and available on Wednesday.
9.30 am is possible for me on Wednesday
Beth

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



From: SKIPPEN, Tania
Sent: Friday, 22 August 2014 1:06 PM
To: 'Kristi Geddes'; KOTZE, Beth
Subject: RE: Barrett Adolescent Psychiatric Centre - Health Service Investigation [ME-ME.FID2743997]

Dear Kristi and Beth,
I will have 10.30-11am, 12.30-1.30pm and 3-3.30pm free on Monday if any of those times suit for the discussion.
Kind regards,
Tania

From: Kristi Geddes [mailto:[REDACTED]]
Sent: Friday, 22 August 2014 12:50 PM
To: SKIPPEN, Tania; KOTZE, Beth
Subject: Barrett Adolescent Psychiatric Centre - Health Service Investigation [ME-ME.FID2743997]

Dear Beth and Tania,

Unfortunately, despite much chasing, I am yet to receive any material in relation to this investigation. However, I have been assured that it will start to come through this afternoon.

Anticipating then that we will have some information after today, I was hoping to arrange a time for a teleconference with you both on Monday to discuss where we are at, what we have and what steps we will need to take from here.

I am available anytime from 9:30am. Please let me know your availability and the best contact number for you.

I look forward to hearing from you.

Kind regards,
Kristi.

Kristi Geddes Senior Associate
[REDACTED]

www.injntelifeun.com



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From: Wensley Bitton [REDACTED]
Sent: Friday, 22 August 2014 03:22 pm
To: John Allan
Cc: Wensley Bitton; Annette McMullan; Kristi Geddes
Subject: FW: Barrett Adolescent Psychiatric Centre - Health Service Investigation [ME-ME.FID2743997] [14_821]

Dear John

Please note the below email from one of the HSIs, Kristi Geddes.

I confirm our discussion just now that you have also just spoken with Dr Kotze and that you will be separately escalating the matter of a potential extension to the Acting Director-General. Please keep me advised on Dr Cleary's reply, so that I may respond to Ms Geddes in a timely fashion.

Kindest regards
 Wensley

From: Kristi Geddes [mailto:[REDACTED]]
Sent: Friday, 22 August 2014 2:07 PM
To: Wensley Bitton
Subject: Barrett Adolescent Psychiatric Centre - Health Service Investigation [ME-ME.FID2743997]

Dear Wensley,

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I understand the proposal had been for Tania and Beth to commence the investigation together, reviewing documents and conducting relevant interviews this week and next, following which Beth would draft a report for Tania to finalise upon her return from leave.

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I understand both Tania and Beth are available throughout October.

Please let me know how the Department wishes to proceed in the circumstances.

Kind regards,
 Kristi.

Kristi Geddes Senior Associate

www.minterellison.com



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From: Kristi Geddes [REDACTED]
Sent: Friday, 22 August 2014 03:31 pm
To: KOTZE, Beth; SKIPPEN, Tania
Subject: RE: Barrett Adolescent Psychiatric Centre - Health Service Investigation [ME-ME.FID2743997]

Thanks Beth.

The issues have been drawn to my attention today by Tania, as has the limitation in availability for you both over the next couple of weeks, so I've raised it with the Department and am waiting to hear how they propose to proceed.

I will let you both know as soon as I hear.

Kind regards,
 Kristi.

Kristi Geddes Senior Associate

www.minterellison.com

From: KOTZE, Beth [mailto:REDACTED]
Sent: Friday 22 August 2014 03:22 pm
To: Kristi Geddes; SKIPPEN, Tania
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 Acting Associate Director, Health System Management
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NSW Health
 GOVERNMENT

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Kristi Geddes Senior Associate

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From: Kristi Geddes [redacted]
Sent: Friday, 22 August 2014 03:33 pm
To: Wensley Bitton
Subject: RE: Barrett Adolescent Psychiatric Centre - Health Service Investigation [ME-ME.FID2743997] [14_821]

Thanks Wensley.

For your information, this is the timetable that Beth Kotze had been advised for the investigation:

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- Week of 25 August
 - 28, 29 available for additional interviews if required
 - Could push out into weekend 30,31 Aug if absolutely necessary.
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 - potential for any additional interviews to be completed without Tania this week
- Week 8 September
 - Beth Kotze to sign off review ahead of leave from 11 September
- Week 15 September
 - Tania to review the report on her return from and sign off if satisfied.

As discussed, this timetable does not appear to have ever allowed time for us to review and finalise the report.

Kind regards,
 Kristi.

Kristi Geddes Senior Associate

www.minterellison.com

From: Wensley Bitton [mailto:redacted]
Sent: Friday 22 August 2014 03:22 pm
To: John Allan
Cc: Wensley Bitton; Annette McMullan; Kristi Geddes
Subject: FW: Barrett Adolescent Psychiatric Centre - Health Service Investigation [ME-ME.FID2743997] [14_821]

Dear John

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I confirm our discussion just now that you have also just spoken with Dr Kotze and that you will be separately escalating the matter of a potential extension to the Acting Director-General. Please keep me advised on Dr Cleary's reply, so that I may respond to Ms Geddes in a timely fashion.

Kindest regards
 Wensley

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

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Kristi Geddes Senior Associate

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consequence of receiving this email.

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From: Wensley Bitton [REDACTED]
 Sent: Friday, 22 August 2014 06:28 pm
 To: Kristi Geddes
 Cc: Wensley Bitton; Annette McMullan
 Subject: RE: Barrett investigation

Thanks Kristi and the extension has been foreshadowed by John Allan with the DDG. Just keep going and provide a progress update (with firmer reasoning for extension) next week.

-----Original Message-----

From: Kristi Geddes [mailto:[REDACTED]]
 Sent: Friday, 22 August 2014 4:59 PM
 To: Wensley Bitton
 Subject: Barrett investigation

Hi Wensley,

Just letting you know that both West Moreton and [REDACTED] HHS have called this afternoon to advise that they were not able to get the documents to us by COB today, so they will be coming on Monday instead.

Kind regards,
 Kristi.

Kristi Geddes
 Senior Associate
 Minter Ellison

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From: Kristi Geddes [REDACTED]
Sent: Monday, 25 August 2014 11:41 am
To: Wensley Bitton
Cc: Annette McMullan
Subject: RE: Barrett investigation [ME-ME.FID2743997]
Attachments: Investigation and report framework.DOCX

Dear Wensley,

I have now received a bundle of material from West Moreton HHS. Following my initial review of the material provided, I have prepared the enclosed draft investigation and report framework, identifying the necessary steps for the investigation.

Given the volume of records from West Moreton (which appears likely to exceed 12 folders of documents), the number of potential witnesses to be interviewed (up to 36), the fact that we are still awaiting material from at least the [REDACTED] HHS, and the other investigator's leave arrangements over the coming weeks, I no longer consider it feasible for this investigation to be completed by the current deadline of 16 September 2014.

I look forward to hearing from you in relation to the foreshadowed extension.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

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

Minter Ellison Lawyers [REDACTED]

www.minterellison.com

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Kristi Geddes
Senior Associate
Minter Ellison

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File Note

Author Kristi Geddes

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

Date 25 August 2014

Subject Investigation and report framework

Introduction

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

Part A – Governance Model

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

RE: Battered Investigation (1488 ME FID2747487) - Investigation and report framework.DOCX

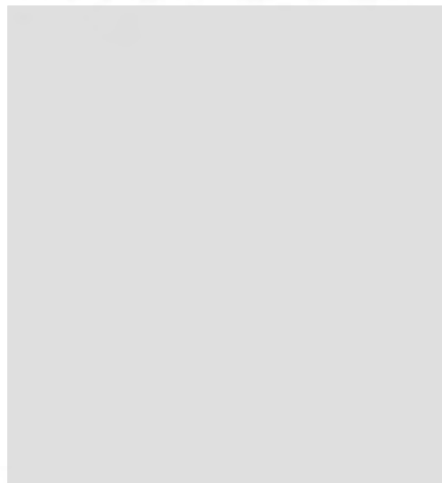
2

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

4. Findings

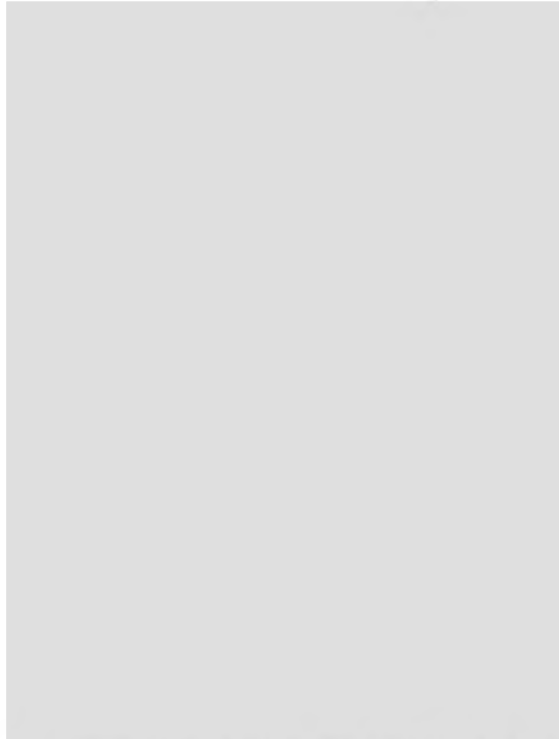
Part B – Transition Plans

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



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

3



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

5. Interviews with relevant staff

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

RE: Barrett investigation [ME-ME.FID2743997]->Investigation and report framework.DOCX

4

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

6. Findings

- (a) General
- (b) Patient specific

RE: Barrett investigation [ME-ME.F(D2743997)]->Investigation and report framework.DOCX

5

Findings and Recommendations

From: Wensley Bitton [REDACTED]
Sent: Monday, 25 August 2014 01:16 pm
To: Kristi Geddes
Cc: Wensley Bitton; Annette McMullan
Subject: FW: Barrett investigation [ME-ME.FID2743997] (14_821)
Attachments: Investigation and report framework.DOCX

Hi Kristi

I will escalate an extension. Do you have any particular date envisaged for that - to accommodate the HSI movements and scope of work please?

Regards
Wensley

-----Original Message-----

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Kind regards,
Kristi.

Kristi Geddes Senior Associate

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[REDACTED] www.minterellison.com

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Senior Associate
Minter Ellison

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

Date 25 August 2014

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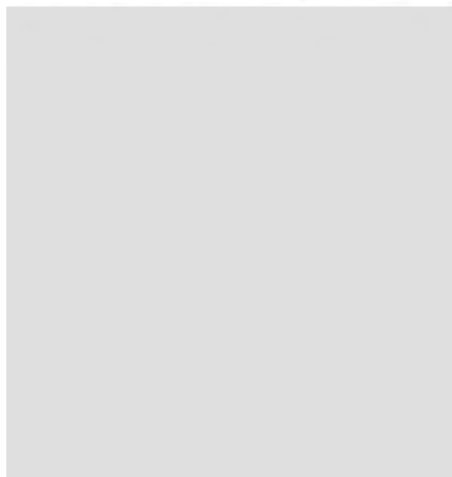
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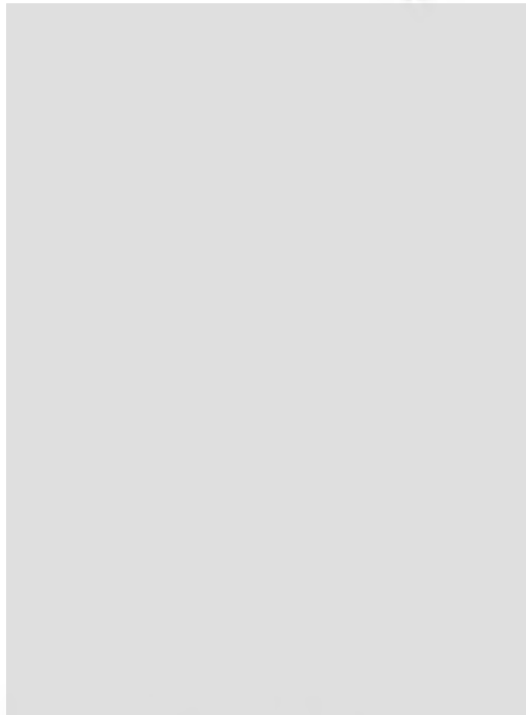
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FW: Barrett investigation [ME-ME.FID2743997] (14_821)->Investigation and report framework.DOCX

3



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6. Findings

- (a) General
- (b) Patient specific

FW: Barrett investigation [ME-ME.FID2743997] (14_821)->Investigation and report framework.DOCX

5

Findings and Recommendations

From: Kristi Geddes [REDACTED]
Sent: Monday, 25 August 2014 01:47 pm
To: Wensley Bitton
Cc: Annette McMullan
Subject: RE: Barrett investigation [ME-ME.FID2743997]

Thanks Wensley.

In order to undertake the work set out in the framework I have prepared, I think we will need the following timeframes:

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

Unfortunately, neither of the other two investigators are available today or tomorrow for their input into this timeframe, so this will need to be confirmed with them before being finalised.

I look forward to hearing from you.

Kind regards,

Kristi Geddes Senior Associate

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

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

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I look forward to hearing from you in relation to the foreshadowed extension.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

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

Minter Ellison Lawyers [REDACTED]

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From: Kristi Geddes [REDACTED]
Sent: Monday, 25 August 2014 02:08 pm
To: KOTZE, Beth; SKIPPEN, Tania
Subject: RE: Barrett Centre Investigation [ME-ME.FID2743997]

Importance: High

Dear Beth and Tania,

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

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

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

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

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

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

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

I look forward to hearing from you.

Kind regards,
 Kristi.

Kristi Geddes, Senior Analyst

www.minterellison.com

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

Dear Beth and Tania,

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

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

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

I will continue to keep you both updated.

Kind regards,
 Kristi.

Kristi Geddes Senior Associate

[REDACTED]

[REDACTED]

www.minterellison.com

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

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

Tania Skippen

Associate Director, Specialist Programs | **MH-Children and Young People**
 NSW Ministry of Health, LMB 06L, North Sydney NSW 2060

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

Dear Beth and Tania,

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

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

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

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

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

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

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

I look forward to hearing from you.

Kind regards,
 Kristi.

Kristi Geddes ~~Senior Associate~~

kristi.geddes@minter Ellison.com

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

Dear Beth and Tania,

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

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

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

I will continue to keep you both updated.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

www.minterellison.com



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From: KOTZE, Beth [REDACTED]
Sent: Wednesday, 27 August 2014 03:49 pm
To: Kristi Geddes
Cc: SKIPPEN, Tania
Subject: RE: Barrett Centre Investigation [ME-ME.FID2743997]

Importance: High

Thanks Kristi

The timeframe may work bearing in mind that we really won't know the volume until we start doing the review and also there is the other component to the ToR re governance and oversight arrangements.

Given the very large volume of material for review I am even wondering about the feasibility of me flying up one day before I go on leave to make a start? Given the very large volume the first task will be eliminating the redundant material from the clinical files and developing time-lines for the patients – its work better suited to hard copy review where you can move back and forth between pages, highlight and cross-reference and take out pages that are not material for a separate file.

The other option would be hard-copy delivery by courier of the first lever arch file and I can get the flavour of the material and how to most efficiently process.

If not possible we'll just have to start as you suggest

Address as per below.

Regards



Associate Professor Beth Kotze
 MBBS FRANZCP FRACMA Cert Child Psychiatry MMed (Psychotherapy) MHA (UNSW)
 Acting Associate Director, Health System Management
 Mental Health and Drug and Alcohol Office
 NSW Ministry of Health

Direct Dial: [REDACTED] | Mobile: [REDACTED] | Fax: [REDACTED]

Address: [REDACTED]

Email: [REDACTED]

Website: www.health.nsw.gov.au/mhdao



NSW Health

From: Kristi Geddes [mailto:[REDACTED]]
Sent: Wednesday, 27 August 2014 1:33 PM
To: KOTZE, Beth
Subject: Re: Barrett Centre Investigation [ME-ME.FID2743997]

Hi Beth,

Just touching base to confirm the proposed timeframe below would be feasible for you, if approved.

Also, the best postal address for us to forward a copy of the bundle of material (on USBs) to you.

I look forward to hearing from you.

Kind regards,
 Kristi.

Kristi Geddes
 Senior Associate
 Minter Ellison

On 25 Aug 2014, at 2:08 pm, "Kristi Geddes" [REDACTED] wrote:

Dear Beth and Tania,

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

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

1. From now until 26 September 2014 - commence document review (for Beth, that will provide two weeks until planned leave

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

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

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

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

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

I look forward to hearing from you.

Kind regards,
Kristi.

Kristi Geddes-Senior Associate

[REDACTED]
Minter Ellison Law

www.minterellison.com

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

Dear Beth and Tania,

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

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

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

I will continue to keep you both updated.

Kind regards,
Kristi.

Kristi Geddes-Senior Associate

[REDACTED]
www.minterellison.com

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

From: Wensley Bitton [REDACTED]
Sent: Thursday, 28 August 2014 02:48 pm
To: Kristi Geddes
Cc: Annette McMullan
Subject: RE: Barrett investigation [ME-ME.FID2743997]

Hello Kristi

I have escalated a request for an extension as requested. However, I flag that as the 6 week extension is not guaranteed, the investigators will need to work quickly notwithstanding, to conclude the investigation as quickly as possible.

Please note that John Allan has confirmed he is rounding up the final documentation from [REDACTED] and has spoken with all HHSs about this. I have impressed that those preparing documentation be made aware of the need to deliver it as quickly as possible.

Kind regards,
Wensley

-----Original Message-----

From: Kristi Geddes [mailto:[REDACTED]]
Sent: Wednesday, 27 August 2014 4:14 PM
To: Wensley Bitton
Subject: Re: Barrett investigation [ME-ME.FID2743997]

Hi Wensley,

I've just heard from Beth and she has advised that the proposed timeframe may be feasible, but she will need to get started on the initial review of documents straight away.

I look forward to hearing from you about the proposed extension as soon as possible.

Kind regards,
Kristi.

Kristi Geddes
Senior Associate
Minter Ellison

> On 27 Aug 2014, at 2:46 pm, "Wensley Bitton" [REDACTED] wrote:

>
> ok

> -----Original Message-----

> **From:** Kristi Geddes [mailto:[REDACTED]]
> **Sent:** Wednesday, 27 August 2014 2:20 PM
> **To:** Wensley Bitton
> **Subject:** Re: Barrett investigation [ME-ME.FID2743997]

> I've heard from Tania, but not Beth. I sent a follow up email earlier, but no response yet, unfortunately.

>
> Kristi Geddes
> Senior Associate
> Minter Ellison

>> On 27 Aug 2014, at 10:35 am, "Wensley Bitton" [REDACTED] wrote:

>>
>> HI Kristi
>> Have you heard further from the other HSI's on the timing of the plan? I'm reluctant to escalate an extension without knowing.

>>
>> Thanks

>> Wensley
>>
>> -----Original Message-----
>> From: Kristi Geddes [mailto: [REDACTED]]
>> Sent: Monday, 25 August 2014 2:09 PM
>> To: Wensley Bitton
>> Subject: RE: Barrett investigation [ME-ME.FID2743997]
>>
>> Hi Wensley,
>>
>> Unfortunately, I don't work Wednesdays so I've sent an urgent email to them both in the hope they are checking their emails. I will let you know as soon as I hear.
>>
>> Thanks,
>> Kristi.
>>
>> Kristi Geddes Senior Associate
>> t [REDACTED] f [REDACTED] m [REDACTED]
>> Minter Ellison Lawyers [REDACTED]
>> QLD 4000 [REDACTED] www.minterellison.com
>>
>>
>> -----Original Message-----
>> From: Wensley Bitton [mailto: [REDACTED]]
>> Sent: Monday 25 August 2014 01:51 pm
>> To: Kristi Geddes
>> Cc: Annette McMullan; Wensley Bitton
>> Subject: RE: Barrett investigation [ME-ME.FID2743997]
>>
>> Do you wish for me to escalate the final date or await further confirmation and escalate Wednesday (I do not work Tuesdays). It's probably best to wait if that's likely to change?
>>
>> -----Original Message-----
>> From: Kristi Geddes [mailto: [REDACTED]]
>> Sent: Monday, 25 August 2014 1:47 PM
>> To: Wensley Bitton
>> Cc: Annette McMullan
>> Subject: RE: Barrett investigation [ME-ME.FID2743997]
>>
>> Thanks Wensley.
>>
>> In order to undertake the work set out in the framework I have prepared, I think we will need the following timeframes:
>>
>> 1. From now until 26 September 2014 - commence document review (for
>> Beth Kotze, that will provide two weeks until her planned leave from
>> 11 September 2014 and for Tania Skippen, that will provide two weeks
>> from her return from leave on 15 September 2014)
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>> 2. Two weeks from 29 September 2014 - staff interviews and further
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>> prepare draft report
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>> 4. 24 October 2014 - draft report to be submitted to Minter Ellison
>> for review
>>
>> 5. 31 October 2014 - final report to be submitted to Department
>>
>> Unfortunately, neither of the other two investigators are available today or tomorrow for their input into this timeframe, so this will need to be confirmed with them before being finalised.
>>
>> I look forward to hearing from you.
>>

>> Kind regards,
>>
>> Kristi Geddes Senior Associate
>> t [REDACTED] f [REDACTED] m [REDACTED]
>> [REDACTED]
>> QLD 4000 [REDACTED] www.minterellison.com
>>
>>
>> -----Original Message-----
>> From: Wensley Bitton [mailto:[REDACTED]]
>> Sent: Monday 25 August 2014 01:16 pm
>> To: Kristi Geddes
>> Cc: Wensley Bitton; Annette McMullan
>> Subject: FW: Barrett investigation [ME-ME.FID2743997] (14_821)
>>
>> Hi Kristi
>>
>> I will escalate an extension. Do you have any particular date envisaged for that - to
accommodate the HSI movements and scope of work please?
>>
>> Regards
Wensley
>>
>> -----Original Message-----
>> From: Kristi Geddes [mailto:[REDACTED]]
>> Sent: Monday, 25 August 2014 11:41 AM
>> To: Wensley Bitton
>> Cc: Annette McMullan
>> Subject: RE: Barrett investigation [ME-ME.FID2743997]
>>
>> Dear Wensley,
>>
>> I have now received a bundle of material from West Moreton HHS. Following my initial review of
the material provided, I have prepared the enclosed draft investigation and report framework,
identifying the necessary steps for the investigation.
>>
>> Given the volume of records from West Moreton (which appears likely to exceed 12 folders of
documents), the number of potential witnesses to be interviewed (up to 36), the fact that we are
still awaiting material from at least the [REDACTED] HHS, and the other investigator's leave
arrangements over the coming weeks, I no longer consider it feasible for this investigation to be
completed by the current deadline of 16 September 2014.
>>
>> I look forward to hearing from you in relation to the foreshadowed extension.
>>
>> Kind regards,
>> Kristi.
>>
>> Kristi Geddes Senior Associate
>> t [REDACTED] f [REDACTED] m [REDACTED]
>> Minter Ellison Lawyers [REDACTED]
>> QLD 4000 [REDACTED] www.minterellison.com
>>
>> -----Original Message-----
>> From: Wensley Bitton [mailto:[REDACTED]]
>> Sent: Friday 22 August 2014 06:28 pm
>> To: Kristi Geddes
>> Cc: Wensley Bitton; Annette McMullan
>> Subject: RE: Barrett investigation
>>
>> Thanks Kristi and the extension has been foreshadowed by John Allan with the DDG. Just keep
going and provide a progress update (with firmer reasoning for extension) next week.
>>
>> -----Original Message-----
>> From: Kristi Geddes [mailto:[REDACTED]]
>> Sent: Friday, 22 August 2014 4:59 PM

>> To: Wensley Bitton
>> Subject: Barrett investigation
>>
>> Hi Wensley,
>>
>> Just letting you know that both West Moreton and [REDACTED] HHS have called this afternoon to advise that they were not able to get the documents to us by COB today, so they will be coming on Monday instead.
>>
>> Kind regards,
>> Kristi.
>>
>> Kristi Geddes
>> Senior Associate
>> Minter Ellison
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>> *****
>> *****
>>

From: Kristi Geddes [REDACTED]
Sent: Thursday, 28 August 2014 04:05 pm
To: Wensley Bitton
Cc: Annette McMullan
Subject: RE: Barrett investigation [ME-ME.FID2743997]

Thanks Wensley.

Beth Kotze has flagged that she would prefer to initially review the documents in hard copy. Given the volume, she feels that would be the most productive way to eliminate irrelevant material and identify any missing material that will need to be chased.

In total, once printed, the material has filled 23 level arch folders.

Rather than have to re-copy and courier that to Sydney, and to allow us to meet with Beth and narrow the issues for investigation, are you happy for us to arrange for her to travel to Brisbane? Hopefully we can arrange for that to occur next week.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

t [REDACTED] f [REDACTED] m [REDACTED]
Minter Ellison Lawyers [REDACTED]
[REDACTED] www.minterellison.com

-----Original Message-----

From: Wensley Bitton [mailto:[REDACTED]]
Sent: Thursday 28 August 2014 02:48 pm
To: Kristi Geddes
Cc: Annette McMullan
Subject: RE: Barrett investigation [ME-ME.FID2743997]

Hello Kristi

I have escalated a request for an extension as requested. However, I flag that as the 6 week extension is not guaranteed, the investigators will need to work quickly notwithstanding, to conclude the investigation as quickly as possible.

Please note that John Allan has confirmed he is rounding up the final documentation from [REDACTED] and has spoken with all HHSs about this. I have impressed that those preparing documentation be made aware of the need to deliver it as quickly as possible.

Kind regards,
Wensley

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From: Kristi Geddes [mailto:[REDACTED]]
Sent: Wednesday, 27 August 2014 4:14 PM
To: Wensley Bitton
Subject: Re: Barrett investigation [ME-ME.FID2743997]

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I've just heard from Beth and she has advised that the proposed timeframe may be feasible, but she will need to get started on the initial review of documents straight away.

I look forward to hearing from you about the proposed extension as soon as possible.

Kind regards,
Kristi.

Kristi Geddes
Senior Associate
Minter Ellison

> On 27 Aug 2014, at 2:46 pm, "Wensley Bitton" <[REDACTED].gov.au> wrote:

>

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>

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> Senior Associate

> Minter Ellison

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>> Thanks

>> Wensley

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>> Kristi Geddes Senior Associate

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

>> Minter Ellison Lawyers | [REDACTED]

>> QLD 4000 [REDACTED] www.minterellison.com

>>

>>

>> -----Original Message-----

>> From: Wensley Bitton [mailto:[REDACTED]]

>> Sent: Monday 25 August 2014 01:51 pm

>> To: Kristi Geddes

>> Cc: Annette McMullan; Wensley Bitton

>> Subject: RE: Barrett investigation [ME-ME.FID2743997]

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>> From: Kristi Geddes [mailto:[REDACTED]]
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>> To: Wensley Bitton
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>> Subject: RE: Barrett investigation [ME-ME.FID2743997]
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>>

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>> Kristi.

>>

>> Kristi Geddes Senior Associate

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

>> Minter Ellison Lawyers [REDACTED]

>> QLD 4000 [REDACTED] www.minterellison.com

>>

>> -----Original Message-----

>> From: Wensley Bitton [mailto:[REDACTED]]

>> Sent: Friday 22 August 2014 06:28 pm

>> To: Kristi Geddes

>> Cc: Wensley Bitton; Annette McMullan

>> Subject: RE: Barrett investigation

>>

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>> Sent: Friday, 22 August 2014 4:59 PM

>> To: Wensley Bitton

>> Subject: Barrett investigation

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>> Kristi.

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>> Kristi Geddes

>> Senior Associate

>> Minter Ellison

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>> *****

>> *****

>>

From: Kristi Geddes [REDACTED]
Sent: Thursday, 28 August 2014 05:19 pm
To: Wensley Bitton
Cc: Annette McMullan
Subject: RE: Barrett investigation [ME-ME.FID2743997]

Hi Wensley,

I think the plan is to start with one day, but given the volume of material, I suspect it may take more. I'm waiting to hear from Beth regarding her availability, but in the lead up to her leave, I doubt she will have two consecutive days available. Are you happy for us to arrange flights for one day and go from there, depending how far she can get through and whether she requires further time?

Thanks,
Kristi.

Kristi Geddes Senior Associate

t [REDACTED] f [REDACTED]
m [REDACTED]
Minter Ellison Lawyers [REDACTED]

www.minterellison.com

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From: Wensley Bitton [mailto:[REDACTED]]
Sent: Thursday 28 August 2014 04:34 pm
To: Kristi Geddes
Cc: Annette McMullan; Wensley Bitton
Subject: RE: Barrett investigation [ME-ME.FID2743997]

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Regards
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Beth Kotze has flagged that she would prefer to initially review the documents in hard copy. Given the volume, she feels that would be the most productive way to eliminate irrelevant material and identify any missing material that will need to be chased.

In total, once printed, the material has filled 23 level arch folders.

Rather than have to re-copy and courier that to Sydney, and to allow us to meet with Beth and narrow the issues for investigation, are you happy for us to arrange for her to travel to Brisbane? Hopefully we can arrange for that to occur next week.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

t [REDACTED] f [REDACTED]
m [REDACTED]
Minter Ellison Lawyers [REDACTED]

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Sent: Thursday 28 August 2014 02:48 pm
To: Kristi Geddes
Cc: Annette McMullan
Subject: RE: Barrett investigation [ME-ME.FID2743997]

Hello Kristi

I have escalated a request for an extension as requested. However, I flag that as the 6 week extension is not guaranteed, the investigators will need to work quickly notwithstanding, to conclude the investigation as quickly as possible.

Please note that John Allan has confirmed he is rounding up the final documentation from [] and has spoken with all HHSs about this. I have impressed that those preparing documentation be made aware of the need to deliver it as quickly as possible.

Kind regards,
Wensley

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Subject: Re: Barrett investigation [ME-ME.FID2743997]

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I've just heard from Beth and she has advised that the proposed timeframe may be feasible, but she will need to get started on the initial review of documents straight away.

I look forward to hearing from you about the proposed extension as soon as possible.

Kind regards,
Kristi.

Kristi Geddes
Senior Associate
Minter Ellison

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> ok
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> To: Wensley Bitton
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>
> Kristi Geddes
> Senior Associate
> Minter Ellison
>

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>> Have you heard further from the other HSI's on the timing of the plan? I'm reluctant to escalate an extension without knowing.
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>> Thanks
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>> Sent: Monday, 25 August 2014 2:09 PM
>> To: Wensley Bitton
>> Subject: RE: Barrett investigation [ME-ME.FID2743997]
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>> Hi Wensley,
>>
>> Unfortunately, I don't work Wednesdays so I've sent an urgent email to them both in the hope they are checking their emails. I will let you know as soon as I hear.
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>> Kristi Geddes Senior Associate
>> t f m
>> Minter Ellison Lawyers
>> QLD 4000 www.minterellison.com
>>
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>> From: Wensley Bitton [mailto:]
>> Sent: Monday 25 August 2014 01:51 pm
>> To: Kristi Geddes
>> Cc: Annette McMullan; Wensley Bitton
>> Subject: RE: Barrett investigation [ME-ME.FID2743997]
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>> 1. From now until 26 September 2014 - commence document review (for
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>> 11 September 2014 and for Tania Skippen, that will provide two weeks
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>> 4. 24 October 2014 - draft report to be submitted to Minter Ellison
>> for review
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>> 5. 31 October 2014 - final report to be submitted to Department
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>> Unfortunately, neither of the other two investigators are available today or tomorrow for their input into this timeframe, so this will need to be confirmed with them before being finalised.
>>
>> I look forward to hearing from you.

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>> Kind regards,
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accommodate the HSI movements and scope of work please?
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the material provided, I have prepared the enclosed draft investigation and report framework,
identifying the necessary steps for the investigation.
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documents), the number of potential witnesses to be interviewed (up to 36), the fact that we are
still awaiting material from at least the [REDACTED] HHS, and the other investigator's leave
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>> Just letting you know that both West Moreton and [REDACTED] HHS have called this afternoon to advise that they were not able to get the documents to us by COB today, so they will be coming on Monday instead.
>>
>> Kind regards,
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>> P Please consider the environment before printing this email
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Hi Kristi

Not ignoring you. I am seeking authority to approve your request.

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Sent: Friday, 29 August 2014 09:22 am
To: 'Wensley Bitton'
Cc: Annette McMullan
Subject: RE: Barrett investigation [ME-ME.FID2743997]

Hi Wensley,

As well as the other investigators wanting to review the documents first, to get a better background on the matter and each of the relevant patients, a review of the documents is also likely to minimise the list of relevant witnesses.

My plan was for Beth to attend one day next week to commence review, at which time we would discuss which witnesses she considers relevant and her availability for interviews ahead of her scheduled leave. There also may be some witnesses that Beth would prefer be directly involved in and others she is happy to leave to Tania. There will be a number of witnesses who can only be interviewed by one investigator, given their various unavailability and also a gap in witness interviews altogether while both investigators are on leave and the other investigator, Tania, returns from leave and starts her own document review.

I am currently awaiting a list of relevant Care Coordinators (primary carer for each patient) from West Moreton, following which I was going to start contacting them to ascertain their upcoming availability, given that they will most certainly be relevant. We should have that by the end of today, so I will commence that task from Monday morning.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

t [REDACTED] f [REDACTED] m [REDACTED] Minter Ellison Lawyers . [REDACTED]
[REDACTED] www.minterellison.com

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Cc: Annette McMullan; Wensley Bitton
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Importance: High

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Kristi Geddes Senior Associate

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

Minter Ellison Lawyers [REDACTED]

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-----Original Message-----

From: Wensley Bitton [mailto:[REDACTED]]

Sent: Thursday 28 August 2014 02:48 pm

To: Kristi Geddes

Cc: Annette McMullan

Subject: RE: Barrett investigation [ME-ME.FID2743997]

Hello Kristi

I have escalated a request for an extension as requested. However, I flag that as the 6 week extension is not guaranteed, the investigators will need to work quickly notwithstanding, to conclude the investigation as quickly as possible.

Please note that John Allan has confirmed he is rounding up the final documentation from

[REDACTED] and has spoken with all HHSs about this. I have impressed that those preparing documentation be made aware of the need to deliver it as quickly as possible.

Kind regards,
Wensley

-----Original Message-----

From: Kristi Geddes [mailto:[REDACTED]]
Sent: Wednesday, 27 August 2014 4:14 PM
To: Wensley Bitton
Subject: Re: Barrett investigation [ME-ME.FID2743997]

Hi Wensley,

I've just heard from Beth and she has advised that the proposed timeframe may be feasible, but she will need to get started on the initial review of documents straight away.

I look forward to hearing from you about the proposed extension as soon as possible.

Kind regards,
Kristi.

Kristi Geddes
Senior Associate
Minter Ellison

> On 27 Aug 2014, at 2:46 pm, "Wensley Bitton" [REDACTED] wrote:

>

> ok

>

> -----Original Message-----

> From: Kristi Geddes [mailto:[REDACTED]]
> Sent: Wednesday, 27 August 2014 2:20 PM
> To: Wensley Bitton
> Subject: Re: Barrett investigation [ME-ME.FID2743997]

>

> I've heard from Tania, but not Beth. I sent a follow up email earlier, but no response yet, unfortunately.

Kristi Geddes
> Senior Associate
> Minter Ellison

>

>> On 27 Aug 2014, at 10:35 am, "Wensley Bitton" [REDACTED] wrote:

>>

>> HI Kristi

>> Have you heard further from the other HSI's on the timing of the plan? I'm reluctant to escalate an extension without knowing.

>>

>> Thanks

>> Wensley

>>

>> -----Original Message-----

>> From: Kristi Geddes [mailto:[REDACTED]]
>> Sent: Monday, 25 August 2014 2:09 PM
>> To: Wensley Bitton
>> Subject: RE: Barrett investigation [ME-ME.FID2743997]

>>

>> Hi Wensley,

>>

>> Unfortunately, I don't work Wednesdays so I've sent an urgent email to them both in the hope they are checking their emails. I will let you know as soon as I hear.

>>

>> Thanks,

>> Kristi.
>>
>> Kristi Geddes Senior Associate
>> t [REDACTED] f [REDACTED] m [REDACTED]
>> Minter Ellison Lawyers [REDACTED]
>> QLD 4000 [REDACTED] www.minterellison.com
>>
>>
>> -----Original Message-----
>> From: Wensley Bitton [mailto:[REDACTED]]
>> Sent: Monday 25 August 2014 01:51 pm
>> To: Kristi Geddes
>> Cc: Annette McMullan; Wensley Bitton
>> Subject: RE: Barrett investigation [ME-ME.FID2743997]
>>
>> Do you wish for me to escalate the final date or await further confirmation and escalate Wednesday (I do not work Tuesdays). It's probably best to wait if that's likely to change?
>>
>> -----Original Message-----
>> From: Kristi Geddes [mailto:[REDACTED]]
>> Sent: Monday, 25 August 2014 1:47 PM
>> To: Wensley Bitton
>> Cc: Annette McMullan
>> Subject: RE: Barrett investigation [ME-ME.FID2743997]
>>
>> Thanks Wensley.
>>
>> In order to undertake the work set out in the framework I have prepared, I think we will need the following timeframes:
>>
>> 1. From now until 26 September 2014 - commence document review (for
>> Beth Kotze, that will provide two weeks until her planned leave from
>> 11 September 2014 and for Tania Skippen, that will provide two weeks
>> from her return from leave on 15 September 2014)
>>
>> 2. Two weeks from 29 September 2014 - staff interviews and further
>> document review
>>
>> 3. Two weeks from 13 October 2014 - finalise investigations and
>> prepare draft report
>>
>> 4. 24 October 2014 - draft report to be submitted to Minter Ellison
>> for review
>>
>> 5. 31 October 2014 - final report to be submitted to Department
>>
>> Unfortunately, neither of the other two investigators are available today or tomorrow for their input into this timeframe, so this will need to be confirmed with them before being finalised.
>>
>> I look forward to hearing from you.
>>
>> Kind regards,
>>
>> Kristi Geddes Senior Associate
>> t [REDACTED] f [REDACTED] m [REDACTED]
>> Minter Ellison Lawyers [REDACTED]
>> QLD 4000 [REDACTED] www.minterellison.com
>>
>>
>> -----Original Message-----
>> From: Wensley Bitton [mailto:[REDACTED]]
>> Sent: Monday 25 August 2014 01:16 pm
>> To: Kristi Geddes
>> Cc: Wensley Bitton; Annette McMullan
>> Subject: FW: Barrett investigation [ME-ME.FID2743997] (14_821)

>>
>> Hi Kristi
>>
>> I will escalate an extension. Do you have any particular date envisaged for that - to accommodate the HSI movements and scope of work please?
>>
>> Regards
>> Wensley
>>
>> -----Original Message-----
>> From: Kristi Geddes [mailto:]
>> Sent: Monday, 25 August 2014 11:41 AM
>> To: Wensley Bitton
>> Cc: Annette McMullan
>> Subject: RE: Barrett investigation [ME-ME.FID2743997]
>>
>> Dear Wensley,
>>
>> I have now received a bundle of material from West Moreton HHS. Following my initial review of the material provided, I have prepared the enclosed draft investigation and report framework, identifying the necessary steps for the investigation.
>>
>> Given the volume of records from West Moreton (which appears likely to exceed 12 folders of documents), the number of potential witnesses to be interviewed (up to 36), the fact that we are still awaiting material from at least the HHS, and the other investigator's leave arrangements over the coming weeks, I no longer consider it feasible for this investigation to be completed by the current deadline of 16 September 2014.
>>
>> I look forward to hearing from you in relation to the foreshadowed extension.
>>
>> Kind regards,
>> Kristi,
>>
>> Kristi Geddes Senior Associate
>> t f m
>> Minter Ellison Lawyers |
>> QLD 4000 www.minterellison.com
>>
>> -----Original Message-----
>> From: Wensley Bitton [mailto:]
>> Sent: Friday 22 August 2014 06:28 pm
>> To: Kristi Geddes
>> Cc: Wensley Bitton; Annette McMullan
>> Subject: RE: Barrett investigation
>>
>> Thanks Kristi and the extension has been foreshadowed by John Allan with the DDG. Just keep going and provide a progress update (with firmer reasoning for extension) next week.
>>
>> -----Original Message-----
>> From: Kristi Geddes [mailto:]
>> Sent: Friday, 22 August 2014 4:59 PM
>> To: Wensley Bitton
>> Subject: Barrett investigation
>>
>> Hi Wensley,
>>
>> Just letting you know that both West Moreton and HHS have called this afternoon to advise that they were not able to get the documents to us by COB today, so they will be coming on Monday instead.
>>
>> Kind regards,
>> Kristi.
>>
>> Kristi Geddes
>> Senior Associate

>> Minter Ellison
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>> *****
>>

From: Kristi Geddes [REDACTED]
Sent: Friday, 29 August 2014 01:42 pm
To: 'KOTZE, Beth'; SKIPPEN, Tania
Subject: Barrett Centre Investigation [ME-ME.FID2743997]

Importance: High

Dear Beth and Tania,

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

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

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

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

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

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

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

Kind regards,
Kristi.

Kristi Geddes Senior Associate

t [REDACTED]

Minter Ellison Lawyers [REDACTED]

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From: Wensley Bitton [REDACTED]
Sent: Friday, 29 August 2014 12:56 pm
To: Kristi Geddes
Cc: Wensley Bitton
Subject: FW: Instrument of Appointment and TOR for Health Service Investigation (LN14_0821)
Attachments: 20140829_Letter to Ms Kristi Geddes.pdf

Dear Ms Geddes,

Please note the **attached** correspondence from Acting Director-General, Dr Michael Cleary, for your attention.

Kind regards
Wensley Bitton

From: Wensley Bitton
Sent: Thursday, 14 August 2014 5:07 PM
To: [REDACTED]
Cc: Wensley Bitton
Subject: Instrument of Appointment and TOR for Health Service Investigation (LN14_0821)

Dear Kristi

Please find **attached** your letter of appointment and the Terms of Reference for this Health Service Investigation. Thank you in advance for accepting the appointment.

Both Annette (and myself) will be points of contact for the duration of the investigation.

I will be the point of contact if you require documents, access or information.

As you will note from my prior emails, I have asked the other two HSIs, (Dr Beth Kotze and Ms Tania Skippen) to make contact with you as soon as is practicable.

Kind regards
Wensley

Wensley Bitton
Senior Principal Lawyer

Legal and Governance Branch
System Support Services
Department of Health
[REDACTED]

BRISBANE QLD 4000

Phone: [REDACTED]

Fax [REDACTED]

Email: [REDACTED]

Work days: Monday, Wednesday, Thursday, Friday

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Enquiries to: Wensley Bilton
Senior Principal Lawyer
Legal Branch
Department of Health
Telephone: [REDACTED]
File Ref: DG074820

28 AUG 2014

Ms Kristi Geddes
Senior Associate
Minter Ellison Lawyers
By Email: [REDACTED]

Dear Ms Geddes

I refer to your recent appointment by the Director-General, Mr Ian Maynard, as a Health Service Investigator, to conduct a health service investigation into the statewide transition and healthcare planning measures following the closure of the Barrett Adolescent Centre.

The health service investigation report is due to be provided to Mr Maynard pursuant to section 199 of the *Hospital and Health Boards Act 2011* (Qld) (the Act) by 16 September 2014.

I understand, however, that certain factors have collectively delayed the progress of the investigation, such that an extension of the due date to 31 October 2014 is required, to enable sufficient time for completion of the investigation and production of a report to the Director-General under section 199 of the Act. I note that the impacting factors are the voluminous records received to date, the number of records not yet provided to the investigators, the significant number of potential witnesses to be interviewed, and the pre-arranged leave arrangements for the appointed investigators over the coming weeks.

In the circumstances, I agree to the requested extension and confirm that the investigation report must now be provided to the Director-General by 5.00pm, 31 October 2014.

Your terms of reference for the health service investigation otherwise remain unchanged.

Should you require any further information, the Department of Health's contact is Ms Wensley Bilton on telephone [REDACTED].

Yours sincerely

[REDACTED]
Dr Michael Cleary
Acting Director-General

Office
Department of Health
[REDACTED]

Postal
GPO Box 48
BRISBANE QLD 4001

Phone [REDACTED]

Fax [REDACTED]

Timekeeper Name	Work Date	Client Name	Matter	Matter Name	Work Hours	Narrative
Kristi Geddes	31-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	1.2	Correspondence in from Beth Kotze. Reviewing final report. Correspondence out to Beth Kotze. Correspondence in from Beth Kotze. Finalising and submitting Final Report to Department.
Kristi Geddes	30-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.7	Various correspondence and telephone conversations with Department. Correspondence out to investigators.
Kristi Geddes	29-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.3	Correspondence in from [REDACTED] Mental Health. Correspondence out to investigators.
Kristi Geddes	28-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	1	Correspondence from and to Beth Kotze. Further review of draft report in light of specific terms of reference and instructions for report. Further correspondence out to investigators.
Kristi Geddes	27-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	3.5	Correspondence and telephone calls out to investigators x 2. Correspondence with Department of Health. Telephone conversation with Department of Health. Correspondence in from investigators with draft report. Reviewing draft report. Further correspondence with investigators. Correspondence out to [REDACTED] Mental Health. Correspondence out to investigations re recommended amendments to draft report.
Kristi Geddes	24-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.1	Correspondence in from investigators.
Kristi Geddes	23-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.7	Reviewing transcript of Dr Anne Brennan re issues about when transition guides were prepared. Reviewing information provided by WMHHS. Correspondence out to investigators. Telephone conversation with WMHHS. Correspondence from and to Department.
Kristi Geddes	22-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.2	Correspondence from and to Beth Kotze. Correspondence in from Dr Sadler x 2. Correspondence out to investigators x 2.
Kristi Geddes	21-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.1	Correspondence out to investigators.

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Timekeeper Name	Work Date	Client Name	Matter	Matter Name	Work Hours	Narrative
Kristi Geddes	20-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.1	Correspondence out to investigators.
Kristi Geddes	10-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.6	Correspondence with WMHHS x 2. Receipt of pre-interview statement of Dr Anne Brennan from Avant Law. Correspondence out to investigators. Receipt of further response from WMHHS. Telephone conversation with QNU lawyer. Updating interview schedule.
Kristi Geddes	15-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.3	Finalising witness transcripts. Correspondence in from Avant Law. Correspondence out to investigators.
Kristi Geddes	16-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.1	Correspondence in from Wensley Bitton.
Kristi Geddes	14-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	3.2	Preparing for and attending meetings with investigators. Progressing investigation and investigation material. Updating document index. Correspondence in from Wensley Bitton. Telephone conversation with Wensley Bitton. Correspondence out to Wensley Bitton.
Kristi Geddes	13-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	3.3	Updating investigation document index with further documents from WMHHS. Preparing for meeting with investigators and interviews with witnesses. Various meetings with investigators. Correspondence from and to AWU re witness. Correspondence out to investigators. Correspondence in from investigators. Correspondence in from AWU re witness. Various meetings with investigators. Telephone call and correspondence out to Dr Stephen Stathis. Telephone conversation with Dr Stephen Stathis.
Kristi Geddes	09-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	1.1	Correspondence out to investigators. Compiling additional USB with further information for other investigators. Telephone conversation with WMHHS.
Kristi Geddes	09-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.1	Correspondence in from witness.
Kristi Geddes	07-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.5	Telephone calls with witnesses. Chasing outstanding appointment confirmations. Considering extent of ability to compel attendance.

Timekeeper Name	Work Date	Client Name	Matter	Matter Name	Work Hours	Narrative
Kristi Geddes	02-Oct-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	3.7	Meetings and correspondence with Tania Skippen. Correspondence from and to WMHHS. Telephone conversation with Corrs. Updating witness schedule. Chasing witnesses. Telephone conversation with WMHHS. Finalising index to investigation documents.
Kristi Geddes	30-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	4.7	Preparing investigation document index. Correspondence in from WMHHS. Correspondence out to WMHHS.
Kristi Geddes	29-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	5.4	Preparing for document review by Tania Skippen. Correspondence in from investigator. Correspondence out to WMHHS. Correspondence in from WMHHS. Telephone conversation with witness. Telephone conversation with WMHHS. Preparing investigation document index.
Kristi Geddes	28-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	2.8	Preparing investigation document index.
Kristi Geddes	26-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	2.6	Preparing investigation document index.
Kristi Geddes	25-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	5	Correspondence in from Tania Skippen. Correspondence out to WMHHS. Correspondence in from Dr Trevor Sadler. Correspondence out to Tania Skippen and Beth Kotze. Preparing index to investigation documents.
Kristi Geddes	23-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	2.8	Correspondence and meeting with Tania Skippen. Further meetings with Tania Skippen. Telephone calls out to witnesses x 2. Correspondence out to witnesses x 6. Updating interview schedule. Updating framework for investigation/report. Telephone conversation with Dr Trevor Sadler. Correspondence out to investigators. Preparing document index.
Kristi Geddes	22-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	4	Correspondence in from [REDACTED] HHS. Correspondence in from [REDACTED] HHS. Correspondence in from WMHHS. Correspondence in from [REDACTED]. Reviewing various material. Meetings with Tania Skippen. Telephone conversation with [REDACTED]. Progressing investigation.

Timekeeper Name	Work Date	Client Name	Matter	Matter Name	Work Hours	Narrative
Kristi Geddes	18-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.6	Correspondence in from [REDACTED] HHS. Review of documents received. Correspondence in from investigator. Telephone conversation with WMHHS.
Kristi Geddes	18-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.5	Telephone call out to [REDACTED] x 2. Telephone conversation with WMHHS x 2. Correspondence out to investigators.
Kristi Geddes	18-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.2	Correspondence in from [REDACTED] with enclosures.
Kristi Geddes	16-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.1	Correspondence out to PAH.
Kristi Geddes	15-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.6	Preparing for document review meeting with Brenton Page. Correspondence out to CN Susan Daniel. Correspondence out to Avant for Dr Anne Brennan. Telephone conversation with [REDACTED]
Kristi Geddes	12-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.2	Telephone conversation with witness. Correspondence out to witness.
Kristi Geddes	12-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.2	Correspondence in from Wensley Bitton. Correspondence in from witness. Telephone conversation with [REDACTED] HHS.
Kristi Geddes	11-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	2.9	Liaising with investigators, witnesses, MDO, Wensley Bitton. Progressing investigation.
Kristi Geddes	11-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	1.3	Correspondence in from Tania Skippen x 2. Correspondence out to Wensley Bitton. Correspondence out to Beth Kotze and Tania Skippen
Kristi Geddes	10-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.3	Correspondence in from RN Brenton Page. Correspondence in from Wensley Bitton. Correspondence in from Beth Kotze. Correspondence out to Beth Kotze. Correspondence in from Beth Kotze.
Kristi Geddes	09-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	2.5	Various correspondence with other investigators. Finalising witness list and allocation. Witness contact by telephone and formal written letter. Correspondence out to Wensley Bitton.

Timekeeper Name	Work Date	Client Name	Matter	Matter Name	Work Hours	Narrative
Kristi Geddes	08-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	1.6	Contact with witnesses. Correspondence out to witnesses. Arrangements for interviews with other investigators. Correspondence out to other investigators.
Kristi Geddes	05-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	4	Telephone conversation with Jacqueline Keller, WMHHS. Telephone conversation with Dr Anne Brennan, witness. Preparing for and attending various meetings with A/Prof Beth Kotze regarding document review and investigation. Correspondence from and to Dr Brennan. Telephone conversation with Avant. Drafting letter to Dr Brennan. Telephone conversation with Holly Ahern, WMHHS. Telephone conversations with Wensley Bitton. Correspondence to and from Wensley Bitton. Telephone conversation with witness, Matthew Beswick. Correspondence out to Matthew Beswick. Correspondence in from WMHHS. Correspondence in from Avant Law. Progressing investigation. Correspondence out to WMHHS.
Kristi Geddes	04-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	2.5	Preparing for and attending meeting with Sharon Kelly, Leanne Guppert, Jacqueline Keller and Lisa Harris. Correspondence from and to Jacqueline Keller. Progressing investigation and draft report.
Kristi Geddes	04-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.1	Telephone conversation with Wensley Bitton.
Kristi Geddes	03-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.3	Various correspondence with other investigators and West Moreton HHS.
Kristi Geddes	01-Sep-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	2	Correspondence in from [REDACTED] HHS. Reviewing material provided and compiling ready for document review by other investigators. Correspondence from and to other investigators. Correspondence out to other investigators.
Kristi Geddes	29-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.5	Correspondence in from Beth Kitze, Investigator. Correspondence in from Tani Skippen, Investigator. Telephone conversation with Holly Ahearn x 2. Correspondence out to Beth Kotze.
Kristi Geddes	29-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.6	Correspondence in from [REDACTED] HHS. Correspondence in from Wensley Bitton. Reviewing letter from Dr Michael Cleary. Telephone call out to other investigator. Correspondence out to other investigators. Drafting template letter for witnesses.

Timekeeper Name	Work Date	Client Name	Matter	Matter Name	Work Hours	Narrative
Kristi Geddes	29-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.5	Correspondence from and to Wensley Bitton. Telephone conversation with Wensley Bitton. Telephone conversation with WMHHS.
Kristi Geddes	29-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	1	Reviewing governance documents from West Moreton and [REDACTED] HHS. Preparing draft governance structures. Correspondence out to West Moreton HHS.
Kristi Geddes	28-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.4	Telephone conversation with West Moreton HHS. Correspondence out to West Moreton HHS.
Kristi Geddes	28-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	1.5	Correspondence out to Investigators. Correspondence in from Wensley Bitton. Correspondence out to Wensley Bitton. Further correspondence with investigator and Wensley Bitton. Preparing documents for file hard copy review.
Kristi Geddes	28-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.2	Correspondence with investigator x 2. Correspondence with Wensley Bitton x 2.
Kristi Geddes	26-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.1	Correspondence in from Tania Skippen.
Kristi Geddes	25-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	3.7	Receipt of bundle of material from West Moreton HHS. Preliminary review of material provided. Preparing draft investigation and report framework. Telephone conversation with West Moreton HHS. Correspondence out to other investigators. Correspondence out to Wensley Bitton. Correspondence from and to [REDACTED] HHS. Receipt of bundle of material from [REDACTED] HHS.
Kristi Geddes	22-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.2	Telephone conversation with [REDACTED] HHS. Correspondence out to investigators.
Kristi Geddes	22-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	1.3	Correspondence in from Wensley Bitton. Telephone conversation with Wensley Bitton. Correspondence out to other investigators. Correspondence in from investigators x 2. Correspondence out to investigators. Telephone conversation with Tania Skippen, investigator. Telephone conversation with Wes Moreton HHS. Telephone conversation with Wensley Bitton. Telephone conversation with Beth Kotze's office. Correspondence out to Wensley Bitton. Correspondence in from Beth Kotze. Correspondence out to other investigators. Correspondence in from Wensley Bitton. Correspondence out to Wensley Bitton.

Timekeeper Name	Work Date	Client Name	Matter	Matter Name	Work Hours	Narrative
Kristi Geddes	21-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.4	Correspondence in from Wensley Bitton. Telephone conversation with Wensley Bitton. Telephone conversaiton with [REDACTED] HHS.
Kristi Geddes	18-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	0.2	Correspondence from and to Beth Kotze.
Kristi Geddes	15-Aug-14	Queensland Health	1084936	Department of Health - Legal Unit - Health Service Investigations - Barrett Adolescent Psychiatric Centre	1.2	Correspondence in from Wensley Bitton x 3. Reviewing Instrument of Appointment and Terms of Reference. Preparing list of required documents and information. Correspondence out to Wensley Bitton. Correspondence from and to Tania Skippen. Telephone conversation with Wensley Bitton. Correspondence out to Dr John Allen under section 194 HHBA.
TOTAL					79.8	

From: Kristi Geddes ([REDACTED])
Sent: Friday, 15 August 2014 11:33 am
To: Wensley Bitton
Subject: RE: Instrument of Appointment and TOR for Health Service Investigation (LN14_0821) [ME-ME.FID2743997]

Thanks Wensley.

Are we to make requests for documentation directly to relevant entities, or through you?

At the outset, and based on the Terms of Reference, it appears we will require:

1. Documents and information relating to the governance model in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, [REDACTED]) to manage and oversight the healthcare transition plans;
2. The relevant healthcare transition plans for the then current inpatients and day patients of the Centre post 6 August 2013 and until its closure in January 2014; and
3. Details of relevant clinicians and staff.

If we are to make such requests directly, are you aware which entity/ies would hold this information, given that the Centre itself is now closed?

I look forward to hearing from you.

Kind regards,
Kristi.

Kristi Geddes Senior Associate

Minter Ellison Lawyers

www.minterellison.com

From: Wensley Bitton [mailto:[REDACTED]]
Sent: Thursday 14 August 2014 05:07 pm
To: Kristi Geddes
Cc: Wensley Bitton
Subject: Instrument of Appointment and TOR for Health Service Investigation (LN14_0821)

Dear Kristi

Please find attached your letter of appointment and the Terms of Reference for this Health Service Investigation. Thank you in advance for accepting the appointment.

Both Annette (and myself) will be points of contact for the duration of the investigation.

I will be the point of contact if you require documents, access or information.

As you will note from my prior emails, I have asked the other two HSIs, (Dr Beth Kotze and Ms Tania Skippen) to make contact with you as soon as is practicable.

Kind regards
Wensley

Wensley Bitton
Senior Principal Lawyer

Legal and Governance Branch
System Support Services
Department of Health

BRISBANE QLD 4000

Phone: [REDACTED]

Fax [REDACTED]

Email: [REDACTED]

Work days: Monday, Wednesday, Thursday, Friday

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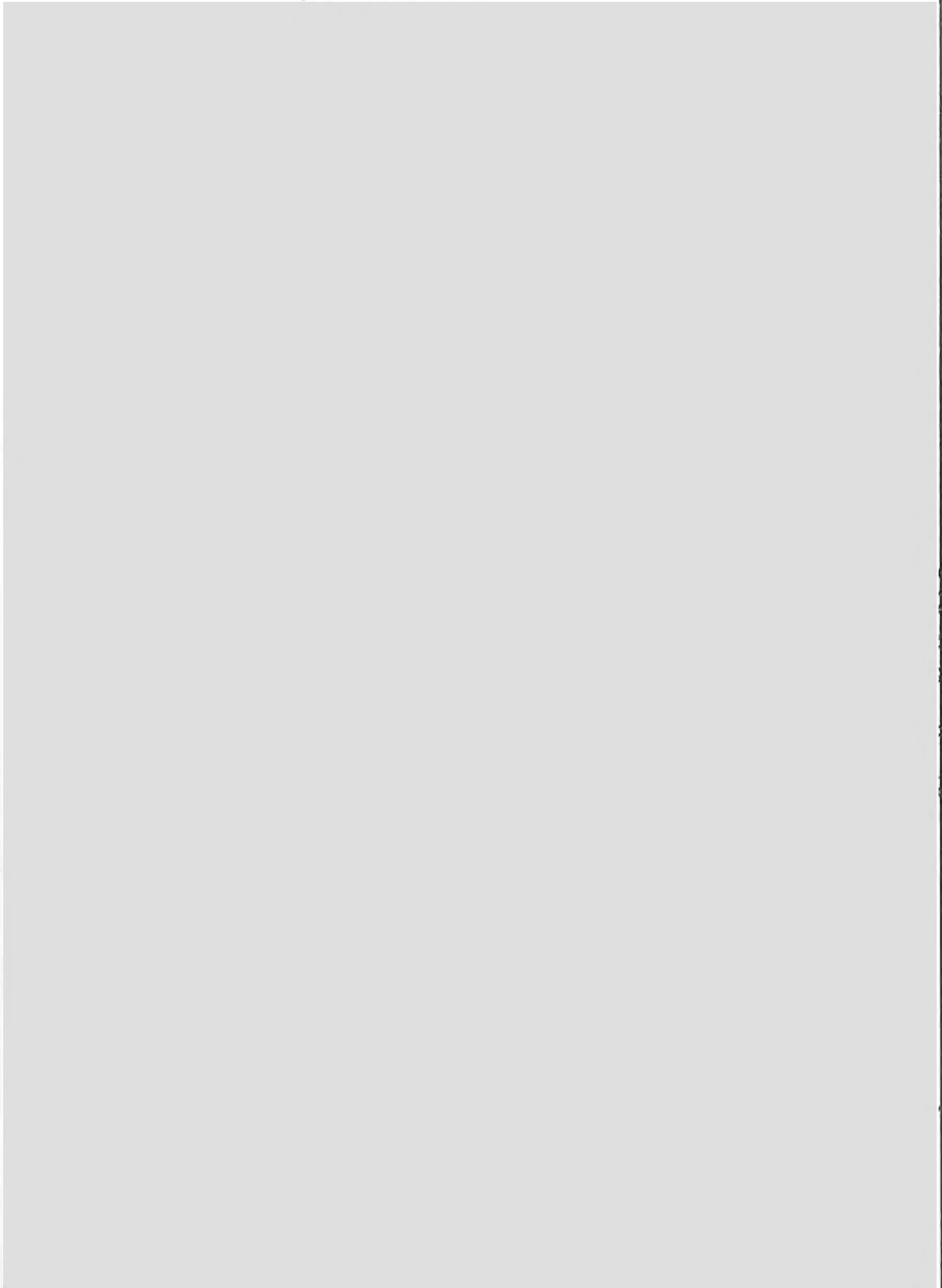
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MinterEllison

L A W Y E R S



Reminders

Who agreed to do what?

By when?

Without prejudice stipulated?

KG-9

From: Kristi Geddes [REDACTED]
Sent: Friday, 15 August 2014 01:59 pm
To: 'Wensley Bitton'
Subject: Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]
Attachments: Letter 15 August 2014 to QH re Barrett Adolescent Psychiatric Centre.pdf; Instrument of Appointment - 14 August 2014.pdf

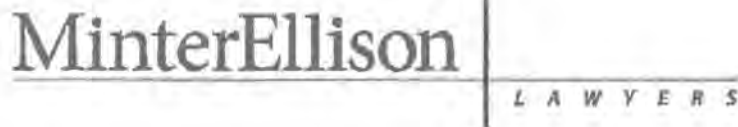
Please refer to the attached correspondence.

Regards
Kristi

Kristi Geddes Senior Associate

Minter Ellison Lawyers

www.minterellison.com



15 August 2014

DX 102 BRISBANE www.minterellison.com

BY EMAIL c/-

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

Dear Dr Allen

Health Service Investigation – Barrett Adolescent Psychiatric Centre

We confirm the appointment of Associate Professor Beth Kotze, Ms Tania Skippen and the writer as investigators for a Health Service Investigation in relation to the closure of the Barrett Adolescent Psychiatric Centre (**the Centre**). These appointments were pursuant to instruments of appointment dated 14 August 2014 and we **enclose**, for your reference, a copy of the writer's Instrument of Appointment and the relevant Terms of Reference for the investigation.

The investigators would appreciate your assistance in coordinating the provision of the following documents in order to commence their investigation. We confirm that this request is made pursuant to section 194(2) of the *Hospital and Health Boards Act 2011 (Qld)*:

1. Documents and information relating to the governance model in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, [redacted] and any other relevant Hospital and Health Service) to manage and oversight the healthcare transition plans for the then current inpatients and day patients of the Centre post 6 August until its closure in January 2014;
2. Copies of the relevant healthcare transition plans for the then current inpatients and day patients of the Centre post 6 August 2013 and until its closure in January 2014;
3. As relevant to the development, interpretation and implementation of those transition plans, clinical records of the then current inpatients and day patients of the Centre; and
4. Details of relevant clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

The investigators have been asked to complete the investigation before 16 September 2014. On that basis, we request that the documents be provided within 7 days. Please let us know if that is likely to cause you any difficulties.

MINTER ELLISON GROUP AND ASSOCIATED OFFICES

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

Health Service Investigation – Barrett Adolescent Psychiatric Centre
15 August 2014

2

Yours faithfully

MINTER ELLISON

[Redacted signature block]

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

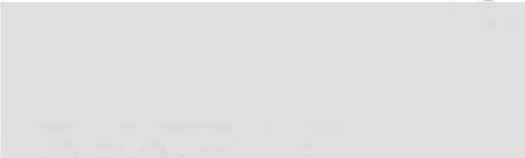
enclosure

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

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

Conditions of appointment

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



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

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

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

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

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers, as a health service investigator to conduct the investigation.

Ms Geddes is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health.

3. Scope of the investigation

The functions of the health service investigators are to:

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

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

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

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

4. Power of the Health Service Investigators

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

5. Conduct of the investigation

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

From: Wensley Bitton [REDACTED].gov.au]
Sent: Friday, 15 August 2014 03:09 pm
To: John Allan
Cc: Kristi Geddes; Annette McMullan
Subject: FW: Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]
Attachments: Letter 15 August 2014 to QH re Barrett Adolescent Psychiatric Centre.pdf; Instrument of Appointment - 14 August 2014.pdf

Hi John

Please see the attached for your direct action and if necessary, liaison back with Kristi directly for clarification as to any aspect.

The request makes clear that any confidential information may be released to the investigators under section 194(2) of the HHB Act and must be complied with.

John, if you are on-sending the request, you should make sure the recipient understands this is of utmost importance and urgency in the collation of records and that for confidentiality purposes, they store the request and the accompanying instrument of appointment away from the medical records, etc in a secure file.

ppy to assist you further.

Kind regards
 Wensley

From: Lisa Larsen [mailto:[REDACTED]] **On Behalf Of** Kristi Geddes
Sent: Friday, 15 August 2014 1:59 PM
To: Wensley Bitton
Subject: Health Service Investigation - Barrett Adolescent Psychiatric Centre [ME-ME.FID2743997]

Please refer to the attached correspondence.

Regards
 Kristi

Kristi Geddes [mailto:[REDACTED]]

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15 August 2014

DX 102 BRISBANE www.minterellison.com
T [REDACTED] F [REDACTED]

BY EMAIL c/- [REDACTED]

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

Dear Dr Allen

Health Service Investigation – Barrett Adolescent Psychiatric Centre

We confirm the appointment of Associate Professor Beth Kotze, Ms Tania Skippen and the writer as investigators for a Health Service Investigation in relation to the closure of the Barrett Adolescent Psychiatric Centre (**the Centre**). These appointments were pursuant to instruments of appointment dated 14 August 2014 and we **enclose**, for your reference, a copy of the writer's Instrument of Appointment and the relevant Terms of Reference for the investigation.

The investigators would appreciate your assistance in coordinating the provision of the following documents in order to commence their investigation. We confirm that this request is made pursuant to section 194(2) of the *Hospital and Health Boards Act 2011 (Qld)*:

1. Documents and information relating to the governance model in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, [REDACTED] and any other relevant Hospital and Health Service) to manage and oversight the healthcare transition plans for the then current inpatients and day patients of the Centre post 6 August until its closure in January 2014;
2. Copies of the relevant healthcare transition plans for the then current inpatients and day patients of the Centre post 6 August 2013 and until its closure in January 2014;
3. As relevant to the development, interpretation and implementation of those transition plans, clinical records of the then current inpatients and day patients of the Centre; and
4. Details of relevant clinicians and staff of the Centre between 6 August 2013 and its closure in January 2014.

The investigators have been asked to complete the investigation before 16 September 2014. On that basis, we request that the documents be provided within 7 days. Please let us know if that is likely to cause you any difficulties.

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

Health Service Investigation – Barrett Adolescent Psychiatric Centre
15 August 2014

2

Yours faithfully

MINTER ELLISON

[Redacted signature block]

Contact: Kristi Geddes Direct phone: [Redacted]

Email: [Redacted]

Partner responsible: Shane Evans Direct phone: [Redacted]

Our reference: SGE KXMM 1084936


enclosure

**INSTRUMENT OF APPOINTMENT
HEALTH SERVICE INVESTIGATOR**

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

Conditions of appointment

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



IAN MAYNARD
DIRECTOR-GENERAL
QUEENSLAND HEALTH
/ 08 / 2014

14 AUG 2014

SCHEDULE 1

QUEENSLAND HEALTH

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

TERMS OF REFERENCE

1. Purpose

The purpose of this health service investigation is to:

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

2. Appointment

Pursuant to section 190(1) of the *Hospital and Health Boards Act 2011* (HHBA), following my assessment that she has the necessary expertise and experience, I have appointed Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers, as a health service investigator to conduct the investigation.

Ms Geddes is to conduct the investigation jointly with the other appointed Health Service Investigators, Associate Professor Beth Kotze, Acting Associate Director, Health System Management, Mental Health and Drug and Alcohol Office, NSW Ministry of Health, Fellow of the Royal Australian and New Zealand College of Psychiatrists and Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health - Children and Young People, Mental Health and Drug and Alcohol Office, NSW Ministry of Health.

3. Scope of the investigation

The functions of the health service investigators are to:

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

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

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

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

4. Power of the Health Service Investigators

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

5. Conduct of the investigation

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