

of the BAC as well as the operation and management of the BAC (which may have, in effect, changed direction).

Paragraph 7 of the Notice

As to paragraph 7 specifically, we draw your attention to the quite confined scope of the documents sought. That paragraph seeks documents “*limited to*” the three specific categories. Those categories are limited to policy or similar documents. Essentially it is necessary to understand why the BAC was set up and whether it had a specific charter.

Paragraph 8 of the Notice

We accept your concerns about the breadth of the documents that may fall within paragraph 8 of the Notice and we advise that we are content to amend the preamble to paragraph 8 by substituting the words “*limited to*” for the word “*including*”.

We understand you are making enquiries as to the likelihood of the documents falling under paragraph 7 of the Notice still being in existence. Can you please let us know the outcome of these inquiries?

Otherwise we trust this clarifies our position.

Yours sincerely


Paul Freeburn QC
Senior Counsel Assisting
Barrett Adolescent Centre Commission of Inquiry
12/10/2015

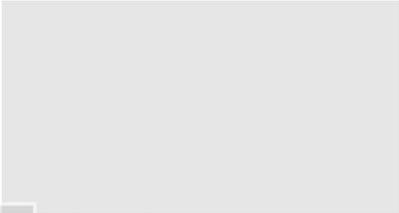

Catherine Muir
Junior Counsel Assisting

EXHIBIT C4

Barrett Adolescent Centre Commission of Inquiry

Your Reference: PL9/PRE52/2103/SZL
 In reply please quote: 569928/1; 3053073

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Ms Louise Syme
 Crown Law
 GPO Box 5221
 BRISBANE QLD 4001

By email to: [REDACTED]

Dear Louise

**PARTIAL COMPLIANCE WITH REQUIREMENT TO PRODUCE DOCUMENTS
 TO THE BARRETT ADOLESCENT CENTRE COMMISSION OF INQUIRY**

On the following dates your clients were served with a notice pursuant to s 5(1)(b) of the *Commissions of Inquiry Act 1950* (Qld) requiring your clients to produce to the Commission certain documents in your client's custody or control and the specified time for production of those documents were as set out below:

Date of Service	Client	Due Date
14 September 2015	Department of Health, addressed to Michael Walsh, Director-General	12 October 2015
15 September 2015	Department of Communities, Child Safety and Disability Services, addressed to Mr Michael Hogan, Director-General	12 October 2015
15 September 2015	Department of Education and Training, addressed to Dr Jim Watterson, Director-General	12 October 2015
15 September 2015	Department of Premier and Cabinet, addressed to Mr Dave Stewart, Director-General	12 October 2015

Date of Service	Client	Due Date
15 September 2015	Queensland Treasury, addressed to Mr Jim Murphy, Under Treasurer	12 October 2015
24 September 2015	Queensland Children's Health Hospital and Health Service Board, addressed to Ms Jan Yacopetti, Chair	2 October 2015
24 September 2015	Queensland Children's Health Hospital and Health Service, addressed to Ms Fionnagh Dougan, Chief Executive	2 October 2015
24 September 2015	Queensland Mental Health Commission, addressed to Dr Lesley van Schoubroeck, Commissioner	2 October 2015
29 September 2015	Department of Health, addressed to Mr Michael Walsh, Director-General	26 October 2015

According to the Commission's records those notices have been complied with only in part.

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

Yours sincerely



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

EXHIBIT C5

Your Reference: PL9/PRES2/2103/SZL
In reply please quote: 569928/1; 3056689

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The Crown Solicitor
GPO Box 5221
BRISBANE QLD 4001

Attention: Ms L Syme

By email to: [REDACTED]

Dear Sir

Barrett Adolescent Centre Commission of Inquiry – Production of Documents

I refer to my letter of 27 October 2015 setting out the non-compliance by a number of your clients with the extended times set for production of documents pursuant to notices issued under s 5(1) (b) of the *Commissions of Inquiry Act 1950* (Qld).

- Department of Health;
- Department of Communities, Child Safety and Disability Services;
- Department of Education and Training;
- Department of Housing and Public Works;
- Department of Premier and Cabinet;
- Queensland Treasury
- Queensland Children’s Health and Hospital Health Service (and Board)

The letter of 27 October 2015 referred to the notices being complied with “only in part”. The partial compliance referred to was your provision of a reasonably small volume of documents to the Commission to allow it to undertake some inquiries immediately, all parties being cognisant of the tight time frame for the delivery of the Commissioner’s report on 14 January 2016. The documents you provided were in PDF text searchable format, but were otherwise non-compliant with the Commission’s Document Management Protocol.

All of the stakeholder government departments relevant to the Inquiry are represented by you. Their failure to produce documents in a timely manner is continuing to cause major disruptions to the Commission's work, including the scheduling of public hearings.

I appreciate that your Special Counsel, Ms Syme, and the Senior and Junior Counsel you have retained have met with Counsel Assisting the Commission on a number of occasions to explain delays and difficulties in complying with these notices. However, your clients' failure to meet the extended time frames for production of documents has reached crisis point.

Any further delays will not be tolerated.

Further requests for extensions of time to comply with the notices to produce will have to be supported by detailed explanations in writing. They may necessitate the Commission's convening a public hearing on short notice so that the issues can be ventilated in a full and open way. Whilst such a course is not a desirable one, there may be no alternative.

I understand that Ms Syme is meeting with your litigation support service provider again today, and that she expects to be able to provide responses to my letter of 27 October 2015 today.

Please provide a written response to this letter by 4.00pm today.

Yours sincerely



Ashley Hill
Executive Director
Barrett Adolescent Centre Commission of Inquiry
29/10/2015

EXHIBIT C6



Crown Solicitor

29 October 2015

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

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

Dear Mr Hill

Barrett Adolescent Centre Commission of Inquiry - State representation

I refer to your letter of 27 October 2015 to Ms Louise Syme of my office concerning the issue of compliance with notices requiring various departments and agencies to produce documents and your further correspondence to me today.

On 28 September 2015, Ms Syme wrote to the Commissioner, noting that due to the technical requirements of the Document Management Protocol, documents responding to the notices would not be able to be immediately produced in a compliant format.

On 12 October 2015, after a discussion with Counsel Assisting (Ms Muir), Ms Syme sent an email to Ms Muir requesting confirmation of the Commission's position regarding the ongoing disclosure of documents to the Commission in circumstances where the disclosed documents did not comply with the Document Management Protocol, but a process for compliance with that Protocol was anticipated in the near future.

On 15 October 2015 Ms Muir responded by email noting that apart from documents that were considered important by Crown Law, the Commission would prefer that the balance of the documents be provided in accordance with the Document Management Protocol. That position was struck on the basis of Ms Syme's belief that litigation support software would be fully functional by 21 October 2015.

Ms Syme is working with the litigation software provider to ensure that full functionality of the service is achieved over the next few days. Further, Crown Law staff will be available, if necessary, to work this weekend to facilitate some disclosure of documents in a format that complies with the Document Management Protocol on or before **Wednesday 4 November 2015** with full disclosure being made as soon as possible after that date.

The various departments combined have provided millions of individual documents to Crown Law for disclosure. The sheer volume of documents has meant that documents could only be disclosed in a timely fashion with the assistance of operational litigation support software. For each Department, with the exception of Queensland Treasury, some disclosure has been made to assist the Commission. Crown Law has also worked with, and continues to work with our clients to provide statements as required by the Commissioner. Further, Crown Law has worked and continues to work collaboratively with other parties to assist in the production of statements and documents.

Crown Law remains committed to assisting our clients to meet the requirements imposed upon them. However, the timing of disclosure of the remaining departmental documents will be dependent on how quickly they can now be processed through our litigation support service. At this stage, I cannot provide further guidance on the timing, however, I undertake to have an update to you as to when full compliance is anticipated by **4pm on Friday, 6 November 2015**.

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

Yours sincerely



Or Cooper
Crown Solicitor

PRE052/2103:6212395

EXHIBIT C7

Barrett Adolescent Centre Commission of Inquiry

Your Ref: PL9/PRE52/2103/SZL
In reply please quote: 569928/1; 3057638

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The Crown Solicitor
GPO Box 5221
BRISBANE QLD 4001

Attention: Ms L Syme

By email to: [REDACTED]

Dear Sir

Barrett Adolescent Centre Commission Of Inquiry – Production of Documents

I refer to your letter of 29 October 2015 which unfortunately has served only to heighten the Commission's earlier expressed concerns as to your clients' non-compliance with the notices to produce issued to them.

To say, as you now seem to have done, that non-compliance with these notices is attributable to the Commission's Document Management Protocol, is not consistent with the facts as the Commission understands them to be.

At the outset, on 15 September 2015, I made a consultant from e.law available to meet with Crown Law, to explain the challenges of managing large volumes of materials, the approach the Commission was taking, and the function of the Document Management Protocol. On 21 September 2015, the proposed Document Management Protocol was raised at a meeting with Ms Syme, your Senior Counsel Ms E. Wilson QC and Counsel Assisting the Commission, Ms Muir. On this occasion, I offered further assistance if it was required. Again, on 29 September 2015, I offered advice and assistance in obtaining software, but was assured by Ms Syme that Crown Law's IT team was well advanced in the procurement process. In late September 2015, I also offered a number of hours of free training for Crown Law staff on the Delium system being used by the Commission. None of my offers of assistance have been followed up.

In your letter of 29 October 2015, you have made some selective references to your letter of 28 September 2015, which indeed identified some perceived short term issues in meeting the Document Management Protocol. These issues were expressed with no great concern and certainly no major delays were anticipated past 6 October 2015. The main focus of that letter was to inform the Commission of the volume of documents held by Queensland Health and the need to access litigation support software for the purposes of identifying the "relevant

materials". This letter stated that, with the assistance of the litigation support software (the procurement of which would be completed that day at the earliest), the notice to produce issued to Queensland Health, would be complied with by 4:00 pm 6 October 2015, apart from production of the de-archived email inboxes. The Commission granted an extension to your client accordingly.

On 2 October 2015, Ms Syme wrote to the Commission in relation to the notice to the Department of Communities, Child Safety and Disability, stating that this department was continuing to undertake searches and attempting to provide relevant documents to Crown Law, and that an extension of time for compliance with this notice was required (and subsequently granted) until 4:00 pm 7 October 2015.

On 6 October 2015, Ms Syme advised in writing that software to allow for the proper searching and consideration of large volumes of material obtained from Queensland Health and the Department of Education and Training, had been purchased that day, and that an extension of the time to comply with these notices was required until 4:00 pm 12 October 2015. A meeting was also requested with Counsel Assisting the Commission to discuss the scope of some of the notices.

On 7 October 2015, at a meeting convened with your Senior and Junior Counsel, Ms Syme and Counsel Assisting the Commission, clarification was sought in relation to the breadth of some of the notices. Counsel Assisting the Commission subsequently wrote to Ms Syme on 12 October 2015 addressing (apparently satisfactorily) the issues raised.

On 12 October 2015 and on 15 October 2015, Counsel Assisting the Commission was assured that compliance with the Document Management Protocol was anticipated in the very near future. I note your advices in your recent letter that as at 15 October 2015 Ms Syme's belief was that the litigation software would be "fully functional" by 21 October 2015.

The Commission is now told that, as at 29 October 2015, Ms Syme is working with the litigation software provider to ensure that "functionality" of the service is achieved over the next few days, and that some documents will be produced in accordance with the Document Management Protocol on or before 4 November 2015, with full disclosure being made as soon as possible after that. However, the timing of the disclosure is said to be dependent on how quickly the documents can now be processed through your litigation support service, and the Commission is told that you will provide us with an update on Friday 6 November 2015.

It is apparent that you are unable to realistically advise the Commission when compliance with the notices will in fact be made.

The Commission does not understand the reason for the delay and wishes to assist in finding an immediate solution. To that end, can you please answer the following questions?

- 1) Absent the Document Management Protocol, when do you say the notices could have been complied with?
- 2) What litigation support software was actually acquired? When and for what purpose was this software chosen?

- 3) Why have your stated expectations as to this software's capabilities to meet the extended timeframes not been met?
- 4) What do you mean by "full functionality of the service"?
- 5) What do you mean by "operational litigation software"?
- 6) Do you have access to fully functional and operational litigation software now? If not why not, and when will you have that access?
- 7) What does "processed through our litigation support service" actually mean and what does it entail?
- 8) What will the task envisaged for this weekend to facilitate some disclosure of documents in a format that complies with the Document Management Protocol entail?

The Commission requests a written response to the above questions by **midday, Monday 2 November 2015**, with the view to an urgent meeting being convened at the Commission's Rooms that afternoon.

Yours sincerely



Ashley Hill
Executive Director
Barrett Adolescent Centre Commission of Inquiry
30/10/2015

EXHIBIT C8



Crown Solicitor

2 November 2015

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

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

Dear Ms Hill

Barrett Adolescent Centre Commission of Inquiry - State representation

I refer to our recent correspondence in relation to this matter and in particular your letter of 30 October 2015 in which you sought further explanation of the delay in providing additional information to the Commissioner on behalf of Crown Law represented clients and particularly the provision of further documents compliant with the Document Management Protocol.

Background

In response to your questions, I provide the following detailed overview of the State's efforts to meet the requirements issued by the Commissioner to date.

On 14 September 2015 Crown Law received the first requirement issued to Queensland Health. The receipt of that requirement at 2.35pm was the first notice Crown Law had received of the requirements of the Document Management Protocol. Ms Syme contacted you that afternoon and you informed her that she could receive support from "e.Law" and advised her to make contact with Ms Kylie Petersen of that company.

On 15 September 2015, Ms Petersen met with Ms Syme and two representatives of Queensland Health. Ms Petersen informed Ms Syme that Ms Petersen had received a copy of the requirement issued to Queensland Health and had assured you that the requirement could

be met in the timeframes. Ms Petersen had not, to Ms Syme's knowledge, made any inquiries with Queensland Health about the volume of documents that would be produced by Queensland Health or the electronic management systems in place within Queensland Health. At that meeting Queensland Health estimated that 40-50GB of data would need to be searched and considered for disclosure. On 15 September 2015 Ms Petersen subsequently provided a quote for the processing of that volume of information.

Subsequent to the meeting with Ms Petersen, Queensland Health identified that the volume of electronic documents that would require searching would in fact be in the range of 9-10 TB. Based on the quote provided by Ms Petersen, the expense to the State of Queensland for Queensland Health's partial compliance with the requirement would be approximately [REDACTED]. Partial compliance would only be achieved for that fee because Queensland Health was continuing to "de-archive" emails and had estimated a further extended period of time for that task to be undertaken. We subsequently raised the concerns about the costs of using a litigation support service with the Commission.

On 21 September 2015 Ms Syme, with Senior Counsel and Junior Counsel, met with Junior Counsel Assisting Ms Muir. During the course of that meeting the difficulties with complying with the notice were discussed. In particular, two issues were addressed. Firstly, that Queensland Health did not have a centralised Electronic Records Management System (ERMS) as anticipated in the requirement issued by the Commissioner. In particular, Queensland Health does not have a centralised place for storing its electronic records. Electronic records are stored across a number of network drives with no standard form for document management and no document naming protocols. As such Queensland Health were working to identify network drives across the whole of Queensland Health that may contain documents that met the terms of the requirement issued to its Director-General. Secondly, the expense of using the recommended "e.Law" service was cost prohibitive for the State of Queensland.

You attended the later part of that meeting and were advised accordingly of the issues above. The details of the volume of material to be considered and the cost of using "e.Law" were provided to you. You were also provided with a letter from the Chief Technology Officer of Queensland Health detailing the technological challenges he confronted in de-archiving emails for Queensland Health. You confirmed for Ms Syme that the litigation support

system / software called “Ringtail” could interact with the “Delium” system being used by the Commissioner. At that meeting you advised Ms Syme that in your experience the procurement process could be completed within 1-2 days. You further offered to provide Ms Syme with contact details and draft “memos” and other documents to assist with that process.

On 22 September 2015 Ms Syme rang and left a message for you. Later that same day Ms Syme sent you an email seeking your assistance with the expeditious procurement of the necessary litigation support. Ms Syme included our Crown Law Finance Manager in that email. Ms Syme also subsequently passed on your contact details to Mr John McKenzie of the IT support services within Crown Law. When her call and email were not responded to, Ms Syme with the Crown Law finance team commenced the procurement process.

On 28 September 2015 Ms Syme wrote to the Commissioner seeking an extension of time to comply with the requirement issued by the Commissioner on behalf of all departments represented by Crown Law. With respect to Queensland Health in particular, Ms Syme wrote:

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

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

A full copy of Ms Syme’s letter of 28 September 2015 is **enclosed** with this letter.

On 28 September 2015 Ms Syme also wrote to the Commissioner producing documents on behalf of Queensland Health, the Department of The Premier and Cabinet (DPC), Department of Education and Training (DET), the Department of Communities, Child Safety and Disability Services (DCCSDS). A full table of the disclosures made on 28 September 2015 and subsequent dates is attached to this letter.

On 29 September 2015 you wrote to Ms Syme asking if Crown Law was still interested in obtaining some software to assist with preparation. You advised that you had attempted (twice) to return a call from Mr McKenzie and had left a message. Ms Syme responded to your email and confirmed Mr McKenzie's role and asked if she could arrange for Mr McKenzie to call you that day. Ms Syme accordingly left a message for Mr McKenzie to call you. Ms Syme was subsequently informed that Mr McKenzie was not in the office. Ms Syme wrote and advised you of that and informed you that she would follow-up with the finance procurement team to see if they would like to take advantage of your knowledge. By this stage, the quotations for the procurement process had been received and the matter was progressing.

On 30 September 2015 Ms Syme emailed you about data room training for Counsel. Ms Syme did not receive a response to that email.

On 2 October 2015 Crown Law, on behalf of the Department of Justice and Attorney General entered into a contract with FTI Consulting Pty (Sydney) Pty Ltd to provide the necessary services to allow for the production of documents in compliance with the Document Management Protocol including services to allow for the review of significant volumes of documents from Queensland Health and DET in particular.

Also on 2 October 2015 Crown Law on behalf of Queensland Health, DPC and DET made further disclosures to the Commissioner.

On 6 October 2015 Ms Syme was made aware of the contract with FTI Consulting. She then commenced the process of copying hard drives of information that had been provided by Queensland Health before providing those hard-drives to FTI Consulting. A number of delays occurred in the copying of those hard-drives due to the volume of material to be copied, limitations on the resources for Crown Law network drives imposed by JAG IT and difficulties copying the documents because the file names given to documents were too long for copying within our system. I would be happy to arrange for a formal technological explanation for those difficulties to be provided as required. Some of this information took in the order of 9 hours, with more than one computer working overnight, to copy the data.

Ultimately, the data was forwarded to FTI Consulting on three hard drives. One was sent by overnight courier on Thursday 8 October 2015 and the other two hard drives were sent same-day courier on Friday 9 October 2015. FTI Consulting had all three hard-drives by the evening of Friday 9 October 2015. I understand that upon receipt of one of the hard drives on Thursday, FTI Consulting started loading the information into their server.

On 7 October 2015 Ms Syme and Senior Counsel and Junior Counsel met with Ms Muir. During that meeting Ms Syme asked about Delium training. On 11 October Ms Muir wrote to Ms Syme and confirmed that she had spoken to you about training. Ms Muir recommended that Ms Syme liaise directly with you. The same day Ms Syme emailed you again. She confirmed that she had returned a call to you the previous week and asked what arrangements she can make for data room training. Ms Syme did not receive a response to that email.

On 12 October 2015 Ms Syme received confirmation from FTI Consulting that 70 % approximately of the data provided on three hard drives had been processed into their system. In the early evening (5.45 pm) of the same day Ms Syme attempted to deliver other documents to the Commission.

On 12 October 2015 Ms Syme spoke with Ms Muir about the ongoing production of documents in PDF format. At the time of that conversation Ms Syme anticipated that the service procured from FTI Consulting, that is the Ringtail software, would be fully operational such that Crown Law staff could search and identify documents that meet the requirements, particularly the requirement issued to Queensland Health, by early- mid the following week (that is 21 October 2015). Ms Muir confirmed that she would consider the matter. That conversation was conducted in the context of materials being required for production that day.

On 14 October 2015, Ms Syme wrote to Ms Muir as follows:

Further to our discussion on Monday evening, can you please confirm your position regarding the ongoing receipt of documents that are not compliant with the document management protocol.

As discussed that evening, we have documents available for production in PDF text readable format. However, it is anticipated that we will not be in a position to

provide documents compliant with the data management protocol until early to mid-next week on current projections. I am particularly mindful that material was required to be produced for a number of my clients on Monday and I have not formally sought an extension of time awaiting your advice about the format in which documents should be provided.

On 15 October 2015 you spoke to Ms Syme in the court following the hearing. You advised Ms Syme that there were very few documents in Delium at that point and that she could arrange Delium training in the future with e.Law directly. As you have advised, Ms Syme will make arrangements directly with e.Law for that training. Ms Syme recalls advising you during that conversation that FTI Consulting had been engaged to provide Ringtail software.

Later on 15 October 2015 Ms Muir wrote to Ms Syme as follows:

“I confirm our telephone conversation this morning and confirm that that you will provide us with some of the more important documents such as patients records that are in PDF text readable form today.

Apart from the documents which you consider are important and ought to come over despite their non – compliance, the Commission would prefer that the balance of the documents be provided in accordance with the document managements protocol.

We understand you are endeavouring to take every step possible to meet the extended timeframes and that you will be in a better position to advise the Commission later this afternoon. If further extensions are required , such requests ought be to made in writing and as soon as possible .

I look forward to your update.”

On 15 October 2015 Ms Syme also spoke with representatives of FTI Consulting and confirmed that the information provided to them to that date (i.e. the three hard-drives), that is a proportion of the material provided from Queensland Health, had been processed and they were ready to apply search terms. They indicated that they will apply some key words and see how that would affect the volume of documents.

The original information totalled approximately 1.8 million documents, which had at that time been de-duplicated to approximately 1.4 million documents. That same day an extension of time was sought in relation to the production of documents on behalf of Queensland Health until 26 October 2015.

On 21 October 2015 Ms Syme provided FTI Consulting with the names of Crown Law staff who would have secured access to Ringtail and search terms relevant to the documents provided by Queensland Health.

On 22 October 2015, FTI Consulting sought further information regarding search terms as the search terms provided culled the approximately 1.4 million documents in their system to approximately 57,000 to 71,000 documents depending on whether “non-responsive hosts and attachments were included”, which results initially were causing FTI Consulting some concern. The results appeared to them to have been skewed.

On 22 October 2015 documents that were previously disclosed to the Commission (but not in the Commission’s preferred format) were provided to FTI Consulting to be “uploaded” into Ringtail.

Following consultation with Queensland Health further search terms were provided to FTI Consulting on 27 October 2015. After the application of those search terms and further refinement, approximately 260,000 documents of the initial “1.4M” were identified as requiring further consideration by Crown Law.

Between 21 and 26 October 2015, further information was sought regarding the security of Ringtail software. That software was not utilised by Crown Law while that clarification was being sought.

During your discussion with Ms Syme on 27 October 2015 she again advised you that FTI Consulting had been engaged to provide support through the Ringtail software.

We have also provided additional USBs to FTI Consulting – one on 29 October 2015 and three further on 30 October 2015. That information includes information from other departments.

On 30 October 2015 Crown Law staff received training about the use of Ringtail. Despite checks being undertaken by Mr McKenzie on or around 25 September 2015 with JAG IT services, it became apparent on the evening of 30 October 2015 that full functionality of Ringtail has not been achieved. In particular, documents can only be viewed in content

format rather than in its native format. I am informed that this is some issue in relation to a “trusted site setup”. The issue was escalated to JAG IT on Friday afternoon but was not rectified despite JAG IT services being notified that Crown Law would need the system to complete work over the weekend. JAG IT did not resolve that problem on Friday evening.

Despite that challenge, as highlighted in my letter of 29 October 2015, Crown Law staff have been working over the weekend to identify documents for disclosure. Whilst it may take a further day or two for the documents identified this weekend to be disclosed, as a result of processes that must be undertaken by FTI Consulting to produce the documents in compliance with the Document Management Protocol, Ms Syme remains optimistic that documents can be produced compliant with the Documents Management Protocol on or before **Wednesday 4 November 2015**.

Your Questions

In response to your questions of 30 October 2015 I can provide the following short answers:

1. Crown Law have held documents that could have been produced in PDF form over the weeks since the Commission commenced on a staged basis in partial compliance. That document production has not continued to occur as we understood that the Commission did not want to continue to receive documents that were not compliant with the Document Management Protocol unless Crown Law identified those documents as important. If we have misunderstood this position or the Commission wishes to change this position, we are able to recommence providing documents in PDF text searchable format.
2. Crown Law has engaged FTI Consulting to assist with achieving compliance with the Document Management Protocol through use of their software “Ringtail”. This software was chosen because the cost of e-Law was cost prohibitive. “Ringtail” is a software product that is currently being used by Crown Law in different litigation – a new engagement was, however, required.
3. Anticipated dates for this software being usable have been delayed for a number of reasons, as detailed above, including delays in the procurement process, unexpected

delays copying electronic documents before sending to FTI Consulting, delays processing documents by FTI Consulting (between when they first received documents on Friday 9 October and when they advised that they were ready to apply search terms on 15 October 2015), and delay while JAG IT amend the system access available to Crown staff so that relevant staff have full use of Ringtail. This process is still not complete.

4. As you will be aware, the Ringtail software cannot be fully “functional” or “operational” until documents have been loaded into the software, staff have been trained in use of the software and the software is working for the use to its full capacity.
5. See answer above.
6. As at 9 am this morning Crown Law did not have access to fully functional Ringtail service. As referred to above, the latest in a line of technological difficulties and delays is the system issues associated with JAG, which was unable to be addressed over the weekend.
7. I have detailed above the processes, in layman’s terms, for providing a number of hard drives to FTI Consulting and the steps taken to refine the estimated 1.4 million documents to the current 260,000 (approx.). If you require a technical explanation of those processes, I will arrange for one to be provided.
8. This past weekend Crown Law staff worked Saturday and Sunday reviewing, in person, the documents in Ringtail (although unfortunately not in their native format as that system difficulty is yet to be resolved) to identify documents that meet the terms of the Requirement issued to Queensland Health on 14 September 2015. This involves a review of the 260,000 documents, being the narrowed results produced by the Ringtail system of the documents from Queensland Health provided on three hard drives. This review is not yet complete. Obviously to individually review 260,000 documents would be an extremely time consumptive process and so efforts are also being made to identify means to further refine the task in a time productive manner.

Until those processes are trialled, it is difficult to provide a definitive answer as to when the disclosure will be complete.

Further Disclosure

Ms Syme has written to the Commissioner separately about a further request for an extension of time for compliance with the requirements issued to Queensland Health, DET and DPC. In particular I note that Ms Syme will write providing an explanation of the failure to provide documents on behalf of DCCSDS as required on 7 October 2015.

I further note that Ms Syme was willing and able to make further disclosure on behalf of all departments, with the exception of DPC, since her initial inquiry with Ms Muir on 12 October 2015 regarding the ongoing production of documents in PDF text searchable format.

Progress to date

We have received far greater volumes of base material than was originally anticipated in early communications with Commission staff. Not all of this base material will be relevant to the requirements that have been issued, nor the terms of reference in general. Nevertheless, the material needs to be considered in order to identify and provide those documents that are relevant.

To further complicate matters:

- a number of departments do not have a centralised place for storing its electronic records;
- a number of departments do not have a standard form for document management or document naming protocols;
- the constitution of a number of departments has changed over time with machinery of government changes, thereby presenting difficulties with varied documents storage and management protocols;
- some of the documents being sought are hard copy materials;

- some of the documents being sought relate to a timeframe in the early 1980s and have required further physical searches to be made of State archives.

Crown Law staff have been working very hard to provide the required information. While, at times, the information has been with FTI Consulting (as this was considered to be the most time effective means of narrowing the information for production), Crown Law staff have continued to work long hours including evenings and weekends to address the timely provision of other information to the Commission. The other information includes, for example, statements and the documents associated with those statements. In addition, time has been taken to identify, for the benefit of the Commission, how the provided documents relate to each of the paragraphs of the notices, as well as to identify those documents (or parts thereof) that may fall within the terms of the order of the Commissioner that protects confidentiality.

Unfortunately, the task of responding to the requirements is not yet complete. However, we will continue (as we have to date) to apply copious hours in the attempt to deliver the documents as soon as possible to the Commission and in the form that the Commission prefers.

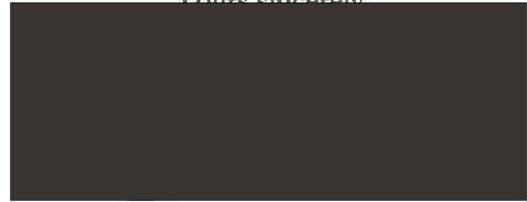
Ms Syme and Senior Counsel and Junior Counsel have met frequently with Ms Muir and Mr Freeburn to discuss the progress of the State's efforts to assist the Commissioner by providing prompt disclosure of documents. I trust that these meetings have been of assistance and will continue.

We hope the process for achieving full functionality of Ringtail will be completed shortly, but will keep the Commission updated in this respect. On current information we hope that documents in a format that complies with the Document Management Protocol will be disclosed on or before **Friday 6 November 2015**. In the interim, we will use our best endeavours to provide rolling disclosure as soon as possible.

Unfortunately we cannot provide a definitive answer as to when all disclosure will be completed. However, Ms Syme will provide you further daily updates before 12 pm each day this week. Crown Law staff will continue to work assiduously to meet the requirements of the

Commissioner and to assist in the production of documents in a timely manner.

Yours sincerely,



GR Cooper
Crown Solicitor

PRE052/2103:6214119

EXHIBIT C9

Your reference: PRE052/2103:6214119
Our Reference: QDH/20151103 v2

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The Crown Solicitor
GPO Box 5221
BRISBANE QLD 4001

Attention: Ms L Syme

By email to: [REDACTED]

Dear Sir

Barrett Adolescent Centre Commission of Inquiry – Production of Documents

I refer to your 12 page letter of 2 November 2015 and to the urgent meeting held at the Commission later that afternoon, attended by your Ms Syme and senior and junior Counsel for the State, Ms E. Wilson QC, Ms N Kefford and Ms J Crawford together with Counsel Assisting the Commission Mr Freeburn QC and Ms Muir, and me.

Whilst I thank you and your legal team for your efforts in attempting to address the questions raised in my letter of 30 October 2015, it remains the position that you are unable to realistically advise the Commission when compliance with the notices issued to your clients will be actually be made. You have articulated difficulties you have encountered in identifying, in a timely way, the documents relevant to the notices to produce, issued to the Department of Education and Training and Queensland Health.

Nevertheless, the continued and uncertain delay in the production of the bulk of the documents relevant to the Terms of Reference is seriously impeding the Commission's work and the Commissioner's capacity to reach the deadline for her report.

Having considered the information you have provided to date in relation to the production of documents by your clients, the Commission must insist upon the following-

First, the notices to produce documents issued to the Departments of Housing and Public Works, Communities, Child Safety and Disability Services, the Premier and Cabinet Queensland Treasury, and both the Queensland Children's Health Hospital and Health Service and Board, must be complied with in accordance with the Commission's Document Management Protocol, by 4.00pm Friday 6 November 2015.

Secondly, by 4.00pm Friday 6 November 2015, you must provide the Commission with a full and detailed written update, setting out your capacity (or otherwise) to, and the method by which you will, comply with the notices to produce documents issued to the Department of Education and Training and Queensland Health, in accordance with the Commission's

Document Management Protocol, by 4.00pm Friday 13 November 2015 (apart from the de-archived inboxes).

Thirdly, by 4.00 pm Friday 6 November 2015, you must provide the Commission with a considered and realistic estimate of when the de-archived inboxes will be produced.

If these requirements are not met to the Commission's satisfaction, it will convene an urgent public hearing mid next week, when all parties who have not fully complied will be required to explain their positions with supporting evidence.

Yours sincerely



Ashley Hill
Executive Director
Barrett Adolescent Centre Commission of Inquiry
03/11/2015

EXHIBIT C10



Crown Solicitor

6 November 2015

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

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

Dear Mr Hill

Barrett Adolescent Centre Commission of Inquiry - State representation

I refer to your letter of 3 November 2015 and in particular your request that I:

- Provide the Commission with a full and detailed written update, setting out our capacity (or otherwise) to, and the method by which Crown Law will comply with the Requirement to Produce Documents, issued by the Commissioner to Queensland Health on 14 September 2015 and the Department of Education and Training on 15 September 2015, by Friday 13 November 2015; and
- Provide a considered and realistic estimate of when the de-archived email inboxes will be provided from Queensland Health and the Department of Education and Training.

I note that your letter also includes a requirement for the full production of documents from the Department of Housing and Public Works, the Department of Communities, Child Safety and Disability, the Queensland Treasury, the Department of the Premier and Cabinet and Children's Health Queensland Hospital and Health Service by 4pm today. Ms Syme will write to you separately about that disclosure. However, she has informed me that documents for disclosure have been with our providers at Ringtail since 29 October 2015 with additional documents, particularly further CIMHA records, being provided at lunchtime yesterday.

Ms Syme has further confirmed that full disclosure for those departments in a format which is compliant with the Document Management Protocol will be achieved today with the exception

of the Department of the Premier and Cabinet and Queensland Treasury and Children's Health Queensland Hospital and Health Service.

With respect to the Department of the Premier and Cabinet and Queensland Treasury, we have sought instructions particularly in relation to the production of Cabinet documents and parliamentary privilege for some additional documents that are to be disclosed by those departments. It will take some time to obtain those instructions as approval is required at the highest level of government. We will provide an update on the progress of obtaining those instructions on **Monday 9 November 2015**.

With respect to Children's Health Queensland Hospital and Health Service, it has become apparent today that some additional redactions were required to the Board's meeting minutes to remove references to Board business which fell outside of the Terms of Reference. A copy of all of the correctly redacted Board meeting minutes will be provided today in text searchable PDF format. A copy of those documents will also be delivered to FTI Consulting today so that full compliance can be achieved in accordance with the Document Management Protocol as soon as possible. The timeframe for production of those documents from FTI Consulting is dependent on the volume of the documents provided and can only be determined by FTI Consulting when they have reviewed the volume of documents. Crown Law will provide you with an update about those timeframes as information comes to hand.

Compliance by 13 November 2015

Crown Law currently has approximately 26 FTE staff available and working on the disclosure of documents through the use of Ringtail and other systems. Staff will be available over the weekend and during nights to complete the task that has been detailed to you in my previous letters. In addition to my previous explanations of the volume of material that is to be reviewed and the difficulties that Crown Law has confronted, I have annexed to this letter summaries of the volume and types of documents that have been provided to Crown Law for consideration prior to disclosure.

As previously discussed, Crown Law is dealing with a significant volume of documents in response to the requirements as illustrated in the annexures to this letter. Given the volume of documents to be considered, with current support and staffing levels I remain optimistic that Crown Law will largely meet the requirement for disclosure on Friday 13 November 2015.

A rolling disclosure to FTI Consulting will occur each day next week and as soon as those documents are available from FTI Consulting they will be provided to the Commission.

As you will appreciate further searches of Queensland Health and Department of Education and Training records will continue over the coming weeks to identify any further relevant documents particularly in relation to the requirement to produce certain documents from 1983 until the closure of the Barrett Adolescent Centre. If additional relevant documents are identified, they will be provided to the Commission as soon as practicable.

Details of Email Restoration

The Department of Education and Training has confirmed that they have reviewed approximately 22,330 emails so far for 17 of the 19 staff members whose files were provided to the Commission on 2 October 2015. At present the department expect that a further 1 to 2 days will be required to complete searches of the remaining emails, but that process may take longer. In addition to those 19 email accounts, the department has a further 20 email accounts that it has considered reviewing. Confirmation has been obtained today that those email accounts will be de-archived and searched over the coming weeks.

Queensland Health has provided a detailed update in relation to the de-archiving emails, particularly the email accounts that the Commission identified for de-archiving on 30 September 2015. That update is attached. I note that Queensland Health has estimated that the email accounts that the Commission has asked to be prioritised will be completed in roughly an additional 4-8 weeks. However, the remainder of the de-archiving process will take approximately 3-6 months to restore the entire 260 accounts that are currently marked for de-archival. As you are aware Queensland Health have been working on the de-archival of email accounts since before the Commission of Inquiry was commenced. Ms Syme has previously provided you with the details of that de-archival process and Crown Law can provide that information again if required.

Yours sincerely,


GR Cooper
Crown Solicitor

PRE052/2103:6212395



Education Disclosure:

Crown Law

AREA OF THE DEPARTMENT	NO. OF BOXES OR OTHER MATERIAL	ORIGINALS/COPIES	DATE DELIVERED TO CROWN LAW
Metropolitan Region (including Tennyson Special School & BAC at Tennyson)	9 x boxes 1 x hard drive: <ul style="list-style-type: none"> • Planning documents – 1982 onwards (this box includes a hard drive of material) • Student Files (x 2 boxes) • Principal and Administrative documents • Various school and Regional documents • Various student related documents • Guidance Officer documents/files • Staff files • Staff Wellness and PD documents <p>Please note: the Region/school have advised that they have been unable to locate the student file of [REDACTED], continuing to look [REDACTED] OneSchool is included however).</p>	Originals + a hard drive	24.09.2015
Document Management Services (DMS)	1 x box	Originals	24.09.2015
Human Resources (Material from HR, Infrastructure Services and State Schools are in the 1 box)	2 x bundles of documents.	Copies	24.09.2015
Infrastructure Services	2 x bundles of documents 1 x USB	Copies & Originals	24.09.2015

Attorney-General

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

EXHIBIT 2

AREA OF THE DEPARTMENT	NO. OF BOXES OR OTHER MATERIAL	ORIGINALS/COPIES	DATE DELIVERED TO CROWN LAW
(Material from HR, Infrastructure Services and State Schools are in the 1 box)	7 x DET files (Originals): <ul style="list-style-type: none"> • Financial Management – Payments – 34-126284 (Barrott Adolescent Centre Special School Replace Classroom furniture in 3 Classrooms • Financial Management – Capital Works – 34-126284 (Barrott Adolescent Centre Special School Replace Classroom furniture in 3 Classrooms • Financial Management – Payments – 34-125965 (Barrott Adolescent Centre Special School Shade Sail Over Existing Seats and Garden • Financial Management – Capital Works – 34-126285 (Barrott Adolescent Centre Special School Refurbishment of Existing Kitchen • Financial Management – Payments – 34-126285 (Barrott Adolescent Centre Special School Refurbishment of Existing Kitchen • Facility Management – Capital Works – 34-129134 – Barrett Adolescent Centre Spec – Resource Centre – SSS • Financial Management – Payments – 34-129134 – Barrett Adolescent Centre Spec 		
State Schools (Material from HR, Infrastructure Services and State Schools are in the 1 box)	2 x USBs: <ul style="list-style-type: none"> • results of search of department's document management system (TRIM) • results of search of State Schools email & G Drive search 2 x bundles of documents	Copies	24.09.2015

EXHIBIT 2

AREA OF THE DEPARTMENT	NO. OF BOXES OR OTHER MATERIAL	ORIGINALS/COPIES	DATE DELIVERED TO CROWN LAW
	<p><u>Please note:</u> this material also contains:</p> <ul style="list-style-type: none"> • 1 x cabinet briefing note • a document marked with a yellow tag in relation to sensitive student information 		
	<p>2 x pdf documents titled "West Morton Health Fast Facts" and "Clinical Ref Group Recommendations"</p> <p>1 x pdf document of extracts from Patrea Walton's notebook</p>		13.10.2015
	<p>1 x pdf of a ministerial briefing note and attachments on the amalgamation of Barrett Special School and Tennyson Special School</p>		14.10.2015
	<p>1 x USB of Peter Blatch's emails</p>		19.10.2015
	<p>1 x bundle of further documents from Patrea Walton</p> <p>1 x bundle of documents from Kim Bennett (Nurse Manager, Metropolitan Region).</p>		22.10.2015
Portfolio Services and External Relations	<p>Have indicated may have 1 document. Will forward on once received.</p>		

Estimation of material remaining:

- Education have reviewed approximately 22,330 emails so far, which is nearly 17 of the 19 staff members emails;
- Still have approximately 26,000 emails still to review, which is the remaining 2 staff members emails (the 2 remaining staff members had the most emails);
- Identified approximately 8,648 emails so far that they consider relevant;
- The emails are contained on a USB and are in an Outlook archive (.pst) or Outlook format. It is likely the relevant emails will be provided to Crown Law in this format;
- The estimation of 1 to 2 days to complete the review is only a guess and given the number of emails still to review it may well take longer.

Department of Housing and Public Works Disclosure

Crown Law has received the following devices from the Department of Housing and Public Works Disclosure:

Date provided	Type of device	Capacity
30/09/2015	1 x CD	298 GB used 404 MB free
28/09/2015	1 x CD	296 MB used 406 MB free

Mental Health Commissioner Disclosure

Crown Law has received the following devices from the Mental Health Commissioner:

Date provided	Type of device	Capacity
No Date	1 x USB	175 MB used 14.7 GB free

Children's Health Queensland Hospital and Health Service Disclosure

Crown Law has received the following devices from the Children's Health Queensland Hospital and Health Service Disclosure:

Date provided	Type of device	Capacity
24/09/2015	1 x CD	131 MB used 571 MB free
02/10/2015	1 x CD	301 MB used 401 MB free

Health Disclosure

Crown Law has received the following devices from Queensland Health:

Date provided	Type of device	Capacity
29/10/2015	1 x Hard drive	61.9 GB used 869 GB free
25/09/2015	1 x Hard drive	203 GB used 728 GB free
28/09/2015	1 x Hard drive	314 GB used 616 GB free
No date	1 x Hard drive	279 GB used 652 GB free
12/10/2015	1 x CD	170 MB used 532 MB free
No date	1 x CD	266 MB used 435 MB free
19/10/2015	3 x USB Devices (Numbered 1 – 3)	1. 6.70 GB Used (764MB Free) 2. 6.29 GB Used (1.15GB Free) 3. 1.79 GB Used (1.80GB Free)
28/10/2015	1 x USB	1.46 GB Used 5.74GB Free
12/10/2015	1 x USB	2.19 GB Used 5.25GB Free
30/10/2015	1 x USB	4.64 GB Used 2.56GB Free
03/11/2015	1 x USB	88.7 MB Used 7.12GB Used
14/10/2015	1 x USB	1.22 GB Used 6.22GB Free
15/10/2015	1 x USB	6.48 GB Used 988MB Used
12/10/2015	1 x USB	25.3 GB Used 3.63GB Free
26/10/2015	1 x CD	484 MB used 218 MB free
23/10/2015	1 x CD	626 MB used 76.3 MB free
27/10/2015	2 x CD	CD 1 - 702 MB used 0 free CD 2 - 702 MB used 0 free

EXHIBIT 2

Material Type	Source and description	Actual Size provided	Size if culled by searches - Barrett, BAC, Adolescent	Sent to Crown Law
Electronic files Business Units	TOTAL 12 Business unit directories	(4.43TB)	1.116TB	Y
External Hard Drives	TOTAL 5 External Hard Drives	202.6GB	202.6GB	29-20/10/2015
Other Electronic Material	TOTAL Patient Records CIMHA and HHS Medical Records		25.588GB	23/09/2015, 25/09/2015, 14/10/2015, 16/10/2015, 23/10/2015, 3/11/2015, 5/11/2015
	Parliamentary and Cabinet Liaison (previously CLLO within Office of Director-General) - USB provided 30/10/2015		USB size?	30/10/2015
Hard copy files	TOTAL Hard Copy Files		2.646GB	Y
Ethical Standards Unit	Copy of File Trevor Sadler	1 file on CD	CD Size?	Y
Internal Audit	No network files reviewed			30/10/2015
	Operational Efficiency – Statewide – Operational Audit of Funding Program for Mental Health Plan	1 folder	0.016GB	30/10/2015
	Project Corporate Office – Statewide Audit of Issues Associated with Substance Abuse	1 folder	0GB (65KB)	30/10/2015

EXHIBIT 2

Material Type	Source and description	Actual Size provided	Size if culled by searches - Barrett, BAC, Adolescent	Sent to Crown Law
Witness requests	Aaron Groves, including Mental Health Plan Implementation Steering Committee meetings		3.99GB	~14/10/2015
Later requests	Request to Strategic Policy Unit - pending	None relevant		
	Request to Legislative Policy Unit - pending	5 docs in network drives		
	Parliamentary and Cabinet Liaison (previously CLLO within Office of Director-General)	large volume ?12? hard copy files	Size?	Y 30/10/2015
Scanned hard copy files - see list above and check Nicola's record of scanning	All of Payroll Corporate files 19 boxes		Size?	Y
	2 Trevor Sadler Corporate HR files		Size?	Y
	All HSCI		Size?	Y
	Mental Health Tub		Size?	Y
	All RTI hard copy files		Size?	Y
	HIB			
	<i>Project Definition Plan (PDP) for Queensland Health Mental Health Capital Works Program (MHCWP) - Brisbane Metro South Health Services District - 15 Bed Adolescent Extended Treatment</i>			30/10/2015

EXHIBIT 2

Material Type	Source and description	Actual Size provided	Size if culled by searches - Barrett, BAC, Adolescent	Sent to Crown Law
	<i>Mental Health Unit at Redland Hospital"</i> Volume 1 - Appendices			
PRIME	Spreadsheet with information - Put on Hold			
Email accounts - restored	260 individual and Corro accounts of which ~115 relate to QH and DoH 100 restored at 20151020 with 160 remaining 13 QH/ DoH Priority accounts - 11 Corro and 2 individual	11.7TB restored to date (DoH and HHS) total. ~ 2.7TB in 13 Priority DoH accounts (~4-6million emails to be searched)	2.7TB	N

Estimated time to produce material:

- IT estimate the Priority 1 email accounts will be completed in roughly 4-8 weeks
- IT estimate the Microsoft exchange restore for all accounts will be completed in approximately 1 week (noting there has been a new restore requested only today);
- IT estimate it will take at least 3 -6 months to complete the entire restore of 260+ accounts requested to date.
- Emails will then need to be reviewed

EXHIBIT C11



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

Crown Law

Department of
Justice and Attorney-General

10 November 2015

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

Dear Mr Hill

Barrett Adolescent Centre Commission of Inquiry - State representation

We refer to the Crown Solicitor's letter of 6 November 2015. In that letter the Crown Solicitor advised that rolling disclosure would be made to FTI Consulting every day this week.

On Saturday 7 November and Sunday 8 November 2015 further documents were identified in Ringtail as disclosable. On 8 November, by special arrangement, we provided a further USB of material to FTI Consulting for disclosure in Document Management Protocol compliant format. That day it also became apparent that the material produced to the Commissioner on 6 November 2015 was not compliant with the Document Management Protocol as anticipated by Crown Law.

Whilst disclosable documents have been identified in Ringtail yesterday and today, as a result of the difficulties identified on Sunday we have not asked FTI Consulting to process any documents for disclosure on either of those days. Nor have we provided any additional documents for disclosure in Document Management Protocol compliant format.

Rolling disclosure to FTI Consulting as referred to in the Crown Solicitor's letter will recommence tomorrow. That will include asking FTI Consulting to process the identified document in Ringtail as well as processing documents already identified for disclosure and provided on USB.

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