

SUBMISSION

by

ROB MESSENGER MP
MEMBER FOR BURNETT

and

SHADOW MINISTER FOR EDUCATION
AND THE ARTS

BUNDABERG HOSPITAL
COMMISSION OF INQUIRY

JUNE 2005



Mr Rob Messenger MP
Member for Burnett
Shadow Minister for
Education and the Arts

14 June 2005

Mr A J H Morris QC
Commissioner
Bundaberg Hospital Commission of Inquiry
PO Box 13145
GEORGE STREET QLD 4003

Dear Mr Morris

I refer to your request at the public hearing on 25 May 2005 of the Bundaberg Hospital Commission of Inquiry to provide the Commission with an edited version of my initial submission and attachments to comply with the provisions of the *Parliament of Queensland Act 2001*.

Enclosed is an edited version of my submission and associated attachments. At the public hearing you advised me to seek the assistance of Mr Neil Laurie, the Clerk of the Parliament to determine that no contempt of Parliament could inadvertently occur with the release of my submission to the Commission. I am happy to provide you with a copy of Mr Laurie's letter following his examination of my initial submission. Also enclosed is a disk copy of my interview with Ms Toni Hoffman.

Thank you for the opportunity to provide the Commission with my submission and attachments, and I wish you and your Deputy Commissioners continued success with your investigations and deliberations.

Yours sincerely

ROB MESSENGER MP
Member for Burnett
and Shadow Minister for
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**ROB MESSENGER MP
MEMBER FOR BURNETT
SHADOW MINISTER FOR EDUCATION AND THE ARTS**

14 JUNE 2005

BACKGROUND:

Whilst campaigning during 2004 State Election campaign, I was approached by many constituents who drew my attention to the many problems besetting the Bundaberg Hospital and Health Service District. These problems varied from long waiting lists for elective surgery through to bullying and the intimidatory practices of some managers towards some Queensland Health staff.

As a direct result, I developed campaign advertisements which stated in part *"I know how run down our State hospitals area. We need more doctors, nurses and specialists. We don't need more excuses"* and *"I'll be there to speak out for those people who've been bullied, forgotten and ignored"*. The advertisements resonated throughout the electorate providing me with the Parliamentary responsibility to effect improvement within the Bundaberg public health system for the benefit of the constituency.

It was fundamental to my Maiden Speech wherein I appealed for additional resources and a comprehensive independent review for the Bundaberg Base Hospital.

Subsequent to that speech, I have continued to raise my concerns about the Bundaberg Health District and its facilities even under intense vilification from my political opponents. To date, I have delivered sixteen (16) Parliamentary speeches; issued twenty (20) media releases and delivered numerous electronic media interviews; and written over forty (40) letters relating to serious matters in the Bundaberg Hospital and Health District.

PUBLIC COMMENT BY MEMBER FOR BURNETT:

Attachment A –

- A1 - a list of my Parliamentary speeches commencing with my Maiden Speech on 18 March 2004;
- A2 - a copy of a press statement issued by me on 7 April 2004 referring to the Health Minister's visit to the Bundaberg Hospital on that day and requesting again a full and open inquiry into the management of the Bundaberg Hospital.
- A3 - a list of media statements released by me since 29 March 2004.

- A4 - a list of my Parliamentary Questions without Notice and Questions on Notice relating to the Bundaberg Hospital and Health Service District.

CONSTITUENTS AND EMPLOYEES COMPLAINTS:

Attachment B – (Patel related)

- B1 - a list of constituent correspondence which was referred to the Honourable G Nuttall MP, Minister for Health for his attention and necessary action. This list of concerns relate exclusively to Dr Jayant Patel and the Bundaberg Hospital.
- B2 - a sample of letters from former patients of Dr Patel which were provided to me at the first public meeting held in Bundaberg at which the patient support group was formed.
- B3 - another letter which is from a patient who is not involved in any litigation, nor is he a member of the support group. This patient reveals that only one doctor is reviewing Dr Patel's former patients quite contrary to the government's announcement that a panel of doctors would be assessing the Bundaberg patients.

Attachment C – (Bundaberg District Health Service related)

- C1 - a list of constituent correspondence received in relation to the Bundaberg Hospital and district health service including mental health matters. These letters were referred to the Minister for Health for attention and necessary action.
- C2 - copies of correspondence provided by P129 of Bundaberg who was outraged when she heard the televised comments by the Member for Bundaberg stating that she had received no complaints about Dr Patel. On 27 August 2003 Mrs Cunningham's attention was drawn to P129's plight and feelings of deception and manipulation suffered at Bundaberg Hospital.

Attachment D – (Mental Health employees related)

- D1 - a file copy of my letter to the Senior Adviser to the Minister for Health dated 30 April 2004 which was forwarded after confidentially meeting with the mother of a mental health nurse and nurses who were employed at the Bundaberg Mental Health Unit.
- D2 - copies of transcripts of the interviews conducted with the mother and each mental health nurse. The Queensland Health employees declared they were whistleblowers and sought whistleblower protection. I raised their concerns in the Parliament on 11 May 2004 and later that day, the nurses and I met with the Director General of Health. The Director General tried some intimidatory tactics even though he was well aware of the fragility of the nurses. As a result of the Parliamentary exposure and the meeting with the Director General of Health, an independent review was undertaken into the Bundaberg Integrated Mental Health Service. It was unfortunate for all concerned with Bundaberg mental health services, that the independent reviewer returned to a senior executive position with Queensland Health upon

the completion of the review. I have included these transcripts to provide you and your Deputy Commissioners with an insight into the treatment and lack of respect that was meted out to experienced and well qualified staff at the Bundaberg Mental Health Unit.

- D3 - a copy of various communiqués sent by a mental health nurse who was employed in the Bundaberg Integrated Mental Health Unit and who was seeking redress from harassment, bullying and administrative abuse.

Attachment E – (Mental Health related)

- E1 - a transcript of a meeting with *Pgs* whose son, committed suicide after failing to receive the appropriate treatment *"because he was not sick enough"* at the Bundaberg Mental Health Unit.

Attachment F – (Patel Whistleblower related)

- F1 - a transcript of a meeting which was held late afternoon on 18 March, 2005 with a Queensland Health whistleblower. Due to the intense fear and concerns about the whistleblower's welfare and livelihood, I was requested and obliged, and therefore did not reveal the whistleblower's name. Since that meeting and subsequent events resulting in the Commission of Inquiry, I have discussed with the whistleblower my intention to provide the Commission with a copy of the meeting transcript. Nevertheless the whistleblower remains fearful of repercussions.
- F2 - a copy of the letter written by the Bundaberg Hospital's ICU unit manager as well as other relevant notes provided by the whistleblower.
- F3 - a copy my letter to the Health Minister. Whilst providing anonymity to the whistleblower my letter outlined the serious contents of the letter written by the ICU unit manager.

The timetable following my meeting with the whistleblower was as follows:

- Friday 18 March 2005 met with the whistleblower.
- Saturday 19 March 2005 meeting notes were transcribed.
- Monday 21 March 2005 took the matter to Shadow Cabinet to seek advice on a course of action.
- Monday 21 March 2005 drafted relevant letters to the Health Minister, Chair of the Medical Board of Queensland, and the Commissioner of the Health Rights Commission. A copy of the reply from the Medical Board of Queensland is attached – F4.
- Tuesday 22 March 2005 the Shadow Minister for Health, Stuart Copeland MP asked a Question without Notice to the Minister for Health regarding Dr Jayant Patel
- Tuesday 22 March 2005 I delivered a Matters of Public Interest Speech in the Parliament and tabled a copy of the letter written by the Bundaberg Hospital's ICU unit manager.

- Following the Parliamentary expose of the concerns surrounding Dr Jayant Patel and the associated publicity, I was personally vilified by the Health Minister, the Member for Bundaberg, Nita Cunningham MP, and received ongoing censure from the President of the Australian Medical Association Queensland until he was forced into a position where he could not longer protect the doctor.
- F5 - a copy of the relevant media statement released by the Queensland AMA President. The personal attacks were vicious and enduring and provided me with a degree of understanding about the fear and intimidation Queensland Health employees face or suffer.

Attachment G – (Bullying related)

- G1 - a copy of a file note following a meeting with an employee of Queensland Health who has been suspended on full pay for fourteen (14) months. You will note this employee provides her interpretation of management's use of suspension directives.

Attachment H – (Standards related)

- H1 - a copy of a transcript of my meeting with a Bundaberg Hospital auxiliary services employee who expressed serious concerns about cleanliness and hygiene and the lack of fire evacuation mattresses resulting in a warning from a manager about the Queensland Health Code of Conduct.
- H2 - a copy of an outline provided by the wife of a Bundaberg Hospital employee and provides a succinct overview of management problems at the hospital.

Attachment I – (Surgical delays related)

- I1 - a copy of a transcript of my meeting with a patient who has been waiting over twelve (12) months to see a specialist about for a knee operation following the failure of other possible remedies.

Attachment J – (Poor patient care related)

- J1 - a copy of a transcript of my meeting with a resident who complained about the poor patient care and lack of treatment for her mother at the Bundaberg Hospital.

Attachment K – (Employee stress related)

- K1 - an outline provided by a Bundaberg Hospital registered nurse who is currently on sick leave without pay because the nurse was told it would be ill advised to apply for stress leave or worker's compensation. The nurse chose to take leave without pay to seek assistance from a private psychologist instead of being compromised and further traumatised nursing another "Patel patient". The outline has its own attachment which is a copy of minutes of a meeting of Childers Nursing Staff held on 18 November 1999. In 1999, nurses were expressing their collective concerns about staffing levels and associated rosters and various management decisions.

Attachment L – (Staffing and management related)

- L1 - a copy of a report into the operations of the Department of Emergency Medicine prepared for management by the Unit Manager. The report revealed serious understaffing and organisational issues. Two months after the Unit Manager refused a directive to alter the report to present the Emergency Department positively, the Unit Manager was placed on a bullying charge inflicting a personal and professional "hell" with only one avenue left – resignation. This experienced and well qualified nursing manager is now selling real estate in Bundaberg.

SUMMARY:

The attachments provide the Commission of Inquiry with a brief overview and a "taste" of the clinical and organisational problems of the Bundaberg Hospital, and in particular how those problems affect patients, their families and employees. Obviously the various attachments are not an exhaustive array of the problems confronting Queensland Health and the functions of the Bundaberg Hospital.

In 2004, Queensland Health released its new Strategic Plan 2004-10. The message from the Health Minister stated *"one of the Queensland Government's highest priorities is to build and maintain the trust of Queenslanders who expect the health system to work for them when and wherever they need it."*

The Director General of Health espoused a similar positive message *"The Queensland Health Strategic Plan 2004-10 is timely for our organisation to refocus its direction, restate its commitment to the community and affirm our staff as our greatest asset. It brings all corporate planning processes into line and gives the clear direction on where we are heading in the immediate future"*.

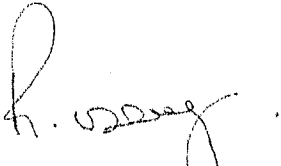
A perusal of the various attachments, which depict serious concerns expressed by both patients and employees of the Bundaberg Hospital, clearly indicates that the practical application of health service delivery in Bundaberg fails to reach the theoretical strategic goals set by a distant corporate office which appears to be more interested in image and the public relations presentation.

It is a tragedy that so many patients at the Bundaberg Hospital were denied the fundamental principles of quality health care, and it is a tragedy that their faith, trust and expectations in the health system were shattered.

Similarly, quite contrary to the profound words about affirming "our staff as our greatest asset" so many well qualified and experienced staff have been harmed by their respective employment experiences with Queensland Health or they have left the public health system. It is disconcerting to face Queensland Health employees - doctors, nurses, allied health professionals, and auxiliary members alike – and witness their respective fear of

persecution, their fear of refuting false allegations against them, or their fear of losing their livelihood. It is also disconcerting to realise that the immense stress these valuable employees endure is directly related to organisational dysfunction and management and not from the intense clinical or medical environment each faces daily.

No one – patient or employee – should be fearful of the Queensland public health system.

A handwritten signature in black ink, appearing to read 'R. Messenger', written in a cursive style.

Rob Messenger MP
Member for Burnett and
Shadow Minister for Education
and the Arts
14 June 2005