

Bundaberg Hospital Commission of Inquiry

30 August 2005

Mr Simon Alroe
Minter Ellison
Lawyers
Waterfront Place
1 Eagle Street
BRISBANE QLD 4000

Your Ref: SGE:SJA:40-4992430

By Facsimile: 3119 1169

Dear Mr Alroe

Bundaberg Hospital Commission of Inquiry

Re: Dr Steve Buckland

Thank you for your facsimile of 29 August 2005 providing an update on your client's progress in preparing his detailed. As I understand it on behalf of your client, you are requesting:

1. Whether it may be possible to reduce the range of matters required to be addressed in your client's statement.
2. Whether the Commission is prepared to facilitate the provision of documents.
3. Whether it may be possible to postpone your client giving oral evidence until a later time.
4. A better description of the "systemic issues" that your client may wish to address.

With respect to the second request, the Commission will, of course, provide you with any documents it receives from Queensland Health that may be relevant to your client. Commission staff will provide any such documents as soon as possible. Furthermore should your client identify any specific documents in the possession of the Commission that he requires please alert the Commission immediately and any such those documents will be provided.

As to your third request, unfortunately the Commission has a fixed deadline that it must meet and accordingly, unless circumstances change, it is not possible to alter the date on which your client will be called before the Commission.

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As to your request for the clarification of the "systemic issues" that your client may wish to address, those matters are largely identified in the six discussion papers on the Commission web site. The Commission seeks your client's assistance and input on those matters, given that he has a great deal of experience in the administration of the public health system. It is hoped he might provide some insight into those matters. He can deal with those of them he feels best able to contribute.

As to your first request, it may be possible to reduce the issues upon which your client is should comment. I have reviewed Mr Morzone's memorandum of 19 August 2005 and in the light of the recent evidence of Ms Edmond, I can advise that the specific areas on which your client should focus are as follows:

- With respect to topics 1 and 2, it is not proposed that your client provide detailed examination of the policy that has been known as "*Reversal of Flow In*". However, your client should address the remaining matters under those two headings.
- With respect to topic 3, the workload of clinicians, your client should focus on the questions posed in 3(i).
- With respect to topic 4, funding arrangements and elective surgery lists, your client should address those issues, however should focus on the questions in 4(ii) and 4(iii).
- With respect to topic 5, medical workforce shortages, your client should focus on those matters as set out in 5(iii).
- With respect to topic 6, Vincent Berg, your client should focus on the question set out in 6(i), (ii), (iv), and (vi). As to the other question, your client is not required to answer those questions in significant detail. However, he should provide some response.
- With respect to topic 7, the Lennox Report, your client should focus on the questions in 7(B), 7(C), 7(E) and 7(F).
- With respect to topic 8, the Giblin-North report, your client should focus on the questions in 8(ii).
- With respect to topic 9, the Rockhampton Hospital Report, your client should focus on the matters in questions 9(ii) and (iii).
- With respect to topic 10, Jayant Patel, your client should respond to all matters except perhaps question 10(i).

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- With respect to topic 11, Disclosure of Information, your client should respond to all matters under that heading.
- With respect to topic 12, Mental Health Unit review, your client should respond to all matters under that heading.
- With respect to topic 12, District Health Council Chairs, your client should focus on the matters in question 12(i).
- With respect to topic 13, General Issues, your client should focus on the matters in questions 13(A), 13(B) (i) and (iv).

With respect to your inquiry concerning whether your client will be questioned in relation to 'Waiting Lists', I can advise that the questions in Part 4 of Mr Morzone's memorandum will majority of the information sought from your client.

However, the Commission would like some explanation of the assertion that you point out on page 3 of your facsimile regarding the cessation of the production of the monthly *Surgical Access Team Report*, and the collection of *Specialists Outpatients Waiting List* data. However, all that the Commission requires on this issue is a brief explanation of the reasons for cancelling of the collection that data. For example, it has not been suggested that the decision to stop collecting *Specialists Outpatients Waiting List* data ceased completely, as clearly that information continued to be collected as demonstrated by the *Surgical Outpatients Waiting List* audit prepared on 1 July 2004.

The Commission is only interested in an explanation of why the process changed. Your client is not expected to provide an explanation of the contents of any of the waiting list data. Queensland Health have agreed to provide a witness to explain the documents to the Commission, your client is not required to do so.

I anticipate that by providing a detailed statement, the time that your client will be required to give evidence will be minimized. Keep in mind the Commissioner's statement of last week. The focus is on recommendations for the future but to make those the Commission needs to fully understand the strengths and weaknesses of the past.

At the end of the day what the Commission seeks from your client is an insight into how Queensland Health has operated, and should operate in the future through the focus of his expertise. I ask you to exercise your good sense in the preparation of a statement detailing the issues identified.

I trust this information provides some assistance to your client. I look forward to receiving your client's statement in the near future. May I also ask if you might provide a copy of your client's statement in electronic form.

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Should you wish to discuss anything contained in this letter further, could you please contact, in the first instance, Mr Jarrod Cowley-Grimmond on 0419 741 824.

Yours faithfully

Richard Douglas
Senior Counsel assisting the Inquiry