

Queensland Public Hospitals *Commission of Inquiry*

I, Professor Robert Lynton Stable, of an address known to the Commission of Inquiry state as follows:

Qualifications and Experience

1. I was the Director-General of Queensland Health from January 1996 until January 2004 (although I was on leave from 31 October 2003). I was also the Chair of the Australian Health Ministers' Advisory Council from May 2000 until June 2003.
2. I am a Fellow of the Royal Australian College of General Practitioners, the Royal Australian College of Medical Administrators, the Australian College of Health Service Executives, the Australian Institute of Management and the Australian Institute of Company Directors.
3. I am also an Honorary Doctor of the Queensland University of Technology (QUT) and an Adjunct Professor of the University of Queensland and the James Cook University.
4. I have a Bachelor of Medicine, Bachelor of Surgery from the University of Queensland. I also have a Masters in Health Planning from the University of New South Wales.
5. I have been the Chair of the Australian Rural and Remote Workforce Agency Group since 1 June 2004.
6. Attached to this statement as exhibit **RLS 1** is my curriculum vitae.
7. The Health Minister at the time of my appointment was the Honourable Mr Peter Beattie who was followed by the Honourable Mr Mike Horan from February 1996 to June 1998.
8. Between 1998 and 2003, the Minister for Health was the Honourable Ms Wendy Edmond.

Assistance to the Bundaberg Hospital *Commission of Inquiry* and Queensland Public Hospitals *Commission of Inquiry*

9. I am pleased to have this opportunity to assist the Commission. My first offer to assist was made to the Bundaberg Hospital Commission of Inquiry via email on 27 April 2005. Attached as exhibit **RLS 2** to this statement are copies of the following emails to the former Commission, offering assistance:

- (a) My email to Commissioner Morris dated 27 April 2005 and his reply dated 4 May 2005;
- (b) My email to the Bundaberg Hospital Commission of Inquiry (BHCI) website dated 27 May 2005; and
- (c) My email to the BHCI website dated 2 June 2005.

Response to Allegations made by the former Commissioner Morris

10. I would like to address allegations made by the former Commissioner that, amongst other things, I accused the former Commissioner and possibly the former Deputy Commissioners of "*wining and dining the people whom he perceives as being the enemies of Queensland Health*", was attempting to bully the former Inquiry or the former Commissioner personally, and attempting to "*derail*" the former Inquiry. I would like to take some time to outline what occurred, so as to demonstrate that those allegations were completely unfounded.
11. At approximately 6.35 am on Thursday 2 June 2005, and as I was leaving the foyer of the Chairman's Lounge at Brisbane Airport, I met Ms Sally-Anne Atkinson, a long term friend and acquaintance of my family. We had a very short and passing discussion of less than a minute and during which her question as to 'How are you?', and the tone of how it was asked, was interpreted by myself to be a reference to my possible involvement in The Commission of Inquiry. This was especially so as I had just read an article in The Courier Mail of that days date which had referred to the Inquiry and my appointment as Director General. I was unhappy about certain inferences in that article (and I subsequently penned a 'Letter to the Editor' whilst on the plane to Melbourne). In response to Ms Atkinson's question, I advised her that I was "fine", although the Commission of Inquiry was a concern (or words to that effect). Ms Atkinson then said "David Molloy...". I am not clear as to what she then said. I indicated I understood the Commissioner had had lunch with him. We then said our goodbyes, as I was leaving the lounge to board a plane.
12. Whilst at the Melbourne airport on the afternoon of Thursday 2 June 2005, I opened an email from Mr Sean Parnell, a journalist with The Australian newspaper. A copy of this email is attached to my statement as exhibit **RLS 3**. In that email, Mr Parnell said the Commissioner had inferred that I had tried to misuse the media to intimidate the inquiry.

13. Upon receipt of this email, I contacted Mr Parnell who advised me that he had been informed by Mr Lawrence Springborg's office that I was the target of the attack by the Commissioner. Mr Parnell further informed me that he understood that Mr Springborg's office had been advised by a member of the Commission's staff on this issue.
14. I then received a cellphone text message (SMS) from my Executive Officer. She advised me that a Mr Tony Keim from The Courier Mail had contacted my office and was giving me the right of reply to allegations made, provided that I returned his call within 15 minutes. I contacted Mr Keim who asked whether I wished to make a statement. I informed him that I was absolutely shocked by the unfair and untrue allegations which had been made against me and reiterated my previous offers to assist the Inquiry in any way that I could.
15. I state that contrary to the Commissioner's statement on Thursday 2 June 2005, I did not reveal myself to the media. I reiterate the advice to me by Mr Sean Parnell that information identifying me as the person against whom the Commissioner was making the allegations, referred to in paragraph 11 of this statement, had been provided to him by Mr Springborg's office, allegedly on the advice of a staff member of the Commission.
16. The email from Mr Parnell and my subsequent discussion with him, and the phone call in reply to Mr Keim prompted me to forward an email to the Commissioner from Melbourne Airport on Thursday 2 June 2005. At the time, I was still unaware as to what the allegations actually were and as to what I had allegedly done. Attached as exhibit RLS 4 is a copy of that email.
17. On the morning of Friday 3 June 2005 Ms Sally-Anne Atkinson telephoned me to express her dismay at what had transpired in the Commission. She also forwarded to me an email confirming the contents of our brief discussion at the airport as per her recollection. In her email, she advised as follows:

*"I am absolutely devastated by what has transpired re the Morris Commission and am writing to you to apologise
I never for one moment thought you were trying to spread rumours or sabotage the enquiry in any way."*

Attached as exhibit RLS 5 is a copy of that email.

18. At 2.56 pm on Friday 3 June 2005, I forwarded Ms Sally-Anne Atkinson's email to the Commissioner. The Commissioner responded at 5.30 pm on that day. My email and the Commissioner's response to it are attached as exhibits RLS 6 and RLS 7 to this statement.

19. In his email of 3 June 2005 the Commissioner refers to my *"appology (sic), as offered through the media"*. I do not know what apology the Commissioner is referring to, as I had nothing to apologise for, and do not believe that I made any apology for any of the alleged comments through the media.
20. The allegations made against me in the Commission were published without any attempt to seek clarification from me as to whether I was the source. My name was allegedly released to Mr Springborg's office and then to the media, by staff of the Commission without providing me with any right of reply. There was no procedural fairness afforded to me. I am very concerned to correct any impression that I may have been attempting to interfere with the Inquiry in any way - this was an allegation completely without foundation.

Qualifications to my statement

21. I left Queensland Health two years ago and therefore I have not had full access to Departmental files or staff other than those limited files made available to me for preparation of this statement to date, and in the short timeframe allowed since I was advised that the (former) Commission would like to speak to me.
22. Where anywhere in this statement I say words to the effect, *"I am informed"*, I intend by that to indicate that that information has been given to me by Counsel Assisting the Commission, and I cannot vouch for the accuracy of the same.
23. This statement seeks to fully and properly answer the questions expressly asked of me by Counsel Assisting the Commission. I have been advised by Counsel Assisting the Commission that these are all matters within the terms of reference of the former and current Commission of Inquiry.

My practice regarding correspondence

24. Before I begin to comment upon or address any particular issue, I wish to identify my practice in relation to correspondence and documents read by me during my tenure as Director General. If I received and read a document, my invariable practice was to use a special office date stamp which included my name and title and to initial same. Occasionally, I might just initial and date a document if I was not at my desk – for example, reading files after hours at home.

Complaints regarding Vincent Berg

25. I am informed that evidence before the former Commission is that Vincent Berg was practicing as a psychiatric registrar (a supervised position) at the Townsville Hospital

between January 2000 and January 2001. I have been informed that his employment was terminated following disciplinary issues although, as I can recall, his appointment lapsed and was not renewed. I am informed that in January 2002 the Medical Board of Queensland received information from the Royal Australian and New Zealand College of Psychiatrists (RANZCP), suggesting that Mr Berg's qualifications were forgeries. I am informed that the Hospital learnt of this information in November 2002, almost two years after Mr Berg had ceased to be employed by Queensland Health.

26. I am informed that the former Commission has also heard evidence from Executives of the Townsville Hospital District (Dr A Johnson and Mr K Whelan) that despite having performed a comprehensive audit of patient files, the Hospital had concerns about the possible impact on patients. I am informed that the Executives wished to release the matter to the media to encourage other possible patients to come forward for assessment.
27. I have been shown a document titled "*Queensland Health Director-General Correspondence Action Slip*" dated 5 December 2002 ("the 5 December 2002 slip"). The second page of the 5 December 2002 slip is a memorandum of 4 December 2002 from the Minister for Health to the Director-General of Health.
28. As to the 5 December 2002 slip, my handwriting does not appear on that document but does appear on the attached memorandum. I referred the issues raised in the Minister's memorandum to the General Manager Health Services (which is what "GMHS" refers to) and to the Manager of Legislative Projects (in conjunction with the Chief Health Officer (CHO)).
29. I have been shown a document titled "*A Briefing to the Minister*" dated 9 January 2003 ("the 9 January 2003 Briefing Note"). At page 6 of the Briefing Note, there is handwriting which I recognise as that of Dr Steve Buckland (GMHS).
30. As to the 9 January 2003 Briefing Note, I have no recollection of dealing with this issue which had previously been referred on to Dr Buckland, the Manager of Legislative Projects, and the CHO on 5 December 2002.
31. I have been shown a copy of the Briefing Note to the Minister dated 9 January 2003 which has a stamp in the top right hand corner that bears the date 13 January 2003 ("the 13 January 2003 Briefing Note"). At the foot of that document is handwriting which I recognise as Dr Steve Buckland's.
32. As I have already said, I cannot recall whether the issue outlined in the Briefing Note to the Minister, or Dr Buckland's comments, were raised with me. A matter such as this is one which would have been referred to me if Dr Buckland or Ms Norelle Deeth (the then Deputy Director General and, as I recall, the Acting Director General for a period at the

time of this correspondence) were handling the matter, and considered it appropriate to do so. I was confident in their ability to deal with matters like this.

33. On the 9 January 2003 Briefing Note, Dr Buckland has written that the Brief is incomplete. In the event that I, Dr Buckland, Ms. Deeth, the Ministers Staff or the Minister, as appropriate, considered a Brief to be incomplete, it would be returned to the appropriate person to be reconsidered / completed, before being forwarded to the relevant person for noting.
34. I have been shown a document which is titled "*A Briefing to the Director-General*" dated 17 December 2002 ("the Director-General Briefing Note") from the Legislative Projects Unit. At the foot of that document are my initials, and the date 3 February 2003. Given the reference to the Acting Director General, Ms Deeth, and the last mentioned date, I assume that I read this document on my return from being absent either on leave or for another reason which I now cannot recall.
35. The "Director-General Briefing Note" responds to the issues raised by the Minister regarding any possible need for amendment to the legislation regarding medical registration.
36. As I interpret the briefing note of 9 January 2003, some fifty patients were identified as being considered of highest or high priority, requiring clinical follow up as a matter of urgency. On my reading of the Briefing Note, my interpretation is that the fifty patients or their relatives had or were being contacted by telephone so that the patients could be assessed.
37. I have been asked by Counsel Assisting the former Commission to express a view about the decision taken not to make a media release concerning Mr Berg's apparent lack of qualifications. The issue is framed in this way in the Briefing Note – "*Direction is sought from GMHS (General Manager Health Services) as to whether any of the patients subject to this audit are to be informed of the validity of Vincent Berg's claimed qualifications*". The handwritten note of Dr. Buckland indicates to me that he made a decision based upon a clinical judgement, possibly taking into account the nature of the illnesses involved, the fact that it was a supervised position and the time that had elapsed which due to the nature of the illnesses would have usually meant that the patients would already have been further reviewed.
38. I think that it is fairly arguable that the potential detriment to those patients from receiving information that they may have been treated by an apparently unqualified practitioner outweighed any potential benefit to those patients. In expressing that view, I take into account the fact that Vincent Berg had been in a supervised position. I also take into account the fact that it is likely that most of the patients in question were under regular review and were likely to have been seen by another practitioner between the time

Vincent Berg ceased to 'practice' at Townsville in January 2001 and the time when this matter became an issue for determination in December 2002 or January 2003, a period of approximately two years.

39. I have no reason to think that Dr Buckland had any motivation to avoid embarrassment to Queensland Health (or any other body), which might have prevented him from making a decision based upon appropriate clinical considerations.
40. I do not recall MBQ ever advising either myself or Corporate Office of Queensland Health that it had information about Mr. Berg's qualifications.
41. In response to the Minister's request for advice regarding the Act under which Medical Practitioners are registered, contained in her memo dated 4 December 2002, Mr. Ridsdill-Kenny (the Acting Project Manager of the Legislative Projects Unit) prepared a Briefing Note dated 17 December 2002. The effect of this Briefing Note was to advise that amendments to the Act were considered unnecessary. That is the Briefing Note to which I have referred when I said I did not see that note until 3 February 2003. It is possible that the substance of that advice was conveyed by the Acting Director General, Ms. Deeth, to the Minister, or an Acting Minister, in my absence.

The Lennox Report

42. I have been shown Attachment DRL5 to Dr Lennox's statement which is Exhibit 55 before the previous Commission. I am advised that this is a Submission to the Minister prepared by Dr Lennox proposing the establishment of 'two managed pathways' for OTD's, also referred to as International Medical Graduates (IMGs), to practice in Queensland and the provision of an integrated program of IMG assessment.
43. The Centre for Overseas Trained Doctors (COTD) was located at The University of Queensland. It was jointly funded by the Australian and Queensland Governments, through the Department of Health and Ageing (DoHA) and Queensland Health respectively. As I recall, its purpose was to provide programs so that doctors who were already in Australia as refugees or otherwise could be assessed and given appropriate support / training to allow them to gain registration. As I also recall, many of them had already unsuccessfully attempted the Australian Medical Council (AMC) examinations.
44. OTDs fall in to two groups. The first are doctors seeking permanent resident status. In order for those doctors to practice, they are required to sit the AMC exams or to be accredited by the relevant Specialist College. The second category is temporary resident OTDs. They are recruited for varying periods usually on a basis involving payment of airfares to and from Australia and other relocation costs. They have not been required to pass the AMC exams and / or do not require accreditation from the relevant College unless they are seeking registration as specialists.

45. I am informed that the previous Commission received evidence from Dr Lennox that from late 2002 into 2003, the COTD became insecure as a result of the discontinuation, or planned discontinuation, of the project funding received from DoHA. I am advised that a series of submissions including Attachment DRL7 to Dr Lennox's statement were made relating to the ongoing funding of the Centre (paragraph 17 of Exhibit 55 before the previous Commission).
46. I have been shown attachment DRL7 and have been informed that Dr Lennox has stated it contains a response from Dr Buckland advising that I had not approved additional funding from Queensland Health for the Centre. It shows that approval was sought for funding from Queensland Health for the Centre of \$108,000 for the year 2003/04, this being continuation of the project funding already committed by Queensland Health. Yet despite the stated purpose for the Submission, I am informed that Dr Lennox gave evidence that this would consign the Centre to a level of funding at which its operations would certainly close.
47. As to this evidence, the attachment DRL 7 appears to be an incomplete copy of a submission. I note at the foot of the 2nd page there is a heading "*Benefits and Costs*". There is nothing which follows that heading. Given that the Submission was to do with funding, I would have expected an analysis of benefits and costs to form part of the Submission. It is not clear to me from the stated purpose for the Submission precisely what funding was being sought. The reason I say that is that the response to the submission in handwriting by Dr Buckland confirms that there has already been approval for \$108,000 for a full year. The amount of \$108,000 for the full year is what is sought on the face of the Submission. This also leads me to believe that the Submission is either incomplete or that there are other communications relevant to this topic which have not been brought to my attention.
48. I did not oppose funding for \$108,000 for the full year. As I recall, I did not have any capacity at the time in the Queensland Health budget to increase funding for the Centre to a sum greater than \$108,000 per year. Therefore, I favored the idea that the Centre charge either the OTD or the employer on a user pays basis in order to increase its funding. It should be noted that approximately 50% of the OTDs in Queensland took up private sector employment. It should also be noted that this method of funding was being used to retrain Registered Nurses for re-entry to the workforce, at least for a period of time.
49. It is incorrect to suggest that I was trying to close down the Centre for Overseas Trained Doctors.
50. The future status of the COTD as at July 2003 needs to be seen against the background of the creation of the Queensland Health Skills Development Centre (QHSDC). On 4

October 2001, Dr John Menzies, the then District Manager of the Royal Brisbane and Women's Hospital District, wrote a detailed business case for what he then described as a Rapid Learning Centre for Clinical Skills acquisition. I thought the idea was an excellent one, and became actively involved in trying to secure the necessary funds and the preparation of a detailed proposal and Cabinet Submission for the Centre, which in due course became known as the QHSDC.

51. A proposal was developed by 23 July 2002 and later taken to Cabinet. One of the roles I intended for the Centre was the assessment and development of skills for OTDs, both resident and temporary OTDs. I established the Board of the QHSDC in late 2002 / early 2003. I chaired that Board because I regarded the project as an important one. I had it in mind that eventually the functions performed by the COTD would be incorporated into the QHSDC because, amongst other things, it would have state of the art purpose-built facilities to provide better assessment and training for health professionals, including OTDs.
52. The Centre was completed and started operation after I ceased in the role of Director General. I understand that the functions of the COTD were incorporated into the Centre in 2004.
53. If Dr Lennox is suggesting that I was unconcerned with the proper assessment and training of OTDs, I totally reject the suggestion as being completely without foundation.
54. I am informed that Dr Lennox also gave evidence to the previous Commission (see paragraph 17 Exhibit 55 before the previous Commission and attachment DRL8 of that exhibit) of a business case having been presented for integration of the IMG management, incorporating operation of the COTD. I have been shown a briefing dated 28 August 2003 (attachment DRL9) and letter (attachment DRL10) having been prepared outlining the proposal to the Medical Board of Queensland.
55. I have been informed that Dr Lennox stated it had become evident from September 2003 that management of IMGs was no longer receiving Queensland Health's management support, and the continued operation of Medical Jobs @ Health became untenable with it closing as a result.
56. As to this evidence, I have been shown exhibits DRL8, DRL9 and DRL10. I do not recall seeing these documents during my time as Director General. My best recollection is that the first time I became aware of the existence of such a report by Dr Lennox, was when I became aware of media reports very shortly before I went on leave on 31 October 2003.
57. Having looked now at the documents, and in particular at the letter from Dr Buckland to the Medical Board of Queensland dated 8 September 2003, I do not understand the basis upon which Dr Lennox asserts that Queensland Health management had

withdrawn support for the proposal which Dr Buckland was apparently advocating to the Board in that letter.

58. As far as I can recall, I had no involvement in any briefing of the Minister as to the status of that report.
59. I am informed that the previous Commission has also heard evidence that a report written by Dr Lennox titled *"Medical Jobs @ Health, Management of International Graduates"* (Attachment DRL12) to a Joint Overseas Trained Doctor/Temporary Resident Doctor Support Committee approved by Queensland Health and supported by the Australian Medical Association – Queensland Branch (AMAQ), was suppressed and not progressed by Queensland Health at about this time (see paragraphs 27-31 of Exhibit 55 before the Commission).
60. I am informed that Dr Lennox has given evidence that the report version as it was prepared, and dated August 2003, was complete and in its final form.
61. As to this report, this appears to be a version of the report at DRL8 and DRL9. I have already indicated that I do not recall seeing that report in any form. I have now been shown attachment DRL 13, a letter from the AMAQ to Dr Lennox apparently dated 12 September 2003. Having seen that letter, it appears to me that the statement that the report was supported by the AMAQ was an overstatement of the position of the AMAQ. It seems to me that the AMAQ contemplated at least an appreciable rewriting of Dr Lennox's report before it was considered further.
62. I also note the document contains a fax header indicating that the letter was faxed from the Medical Advisor Rural Health Queensland Health (Dr Lennox) to the Health Advisory Unit on 4 November 2003. This appears to suggest that Dr Lennox did not communicate the content of that letter to Corporate Office until several weeks after he had received it (after I had gone on leave). It is curious if Dr Lennox asserts that the AMAQ was expressing full support for the proposal, that he apparently did not inform Corporate Office of the letter until more than 7 weeks after its receipt.
63. I am informed that on 21 October 2003, a journalist, Hedley Thomas, asked Steve Rous of the Minister's office by email, for a copy of *"a report by Qld Health's Dr Denis Lennox earlier this year into issues arising from overseas doctors"*.
64. I have been shown an email from Ms Kate O'Donnell to Mr Thomas dated 30 October 2003. That email was copied to me and Dr Buckland. I do not recall having seen that email or its attachments. 30 October 2003 was my second last day before I went on leave. I have been shown a document titled *"Media Request"* which contains what I am informed is the formal response from the Minister's Office which was that the *"report has*

no official status and was not accepted or endorsed by Queensland Health Executive". I do not recall having seen that document previously.

65. I am informed that in November 2003, The Courier Mail published a number of articles concerning an alleged major problem in the public health system, namely OTDs allegedly working with inadequate qualifications, particularly in regional areas. These articles were published at a time when I was on leave from the position as Director General.

Dr Lennox's allegations re bullying

66. I understand that in response to a question about alleged examples of bullying, secrecy, suppression and a *"shoot the messenger"* culture in Queensland Health, Dr Lennox gave evidence that he had *"experienced far more significant forms of what you describe than I experienced at the public disclosure"* of his report. I understand that Dr Lennox gave evidence that his *"previous ill experience in Queensland Health"* related to the period of time when I was Director General of Health. I understand that Dr Lennox inferred that the experience to which he was referring was the circumstances in which he ceased to be Medical Superintendent of Toowoomba Hospital in 1999.
67. I reject the allegation that the cessation of Dr Lennox as Medical Superintendent at Toowoomba Hospital was an example of bullying in any respect. Dr Lennox was removed from that position, as were the other two members of the executive from their positions of that Hospital/District as a result of what I regarded and still regard as significant failures of management, including the mismanagement of the \$65 million dollar redevelopment of the Toowoomba Hospital.
68. I note the recent announcement on 2 June 2005 of the installation of air-conditioning for the patient wards of Toowoomba Hospital, some eight years after it should have occurred as part of the \$65 million Capital Works Project. It should be noted that Toowoomba has climatic extremes and air-conditioning of patient wards was provided in the other capital works projects across the State.
69. In addition, I recall numerous patient and staff complaints, issues with numbers of patients increasing on the elective surgery waiting list, which was contrary to many other hospitals at the time and despite additional funding being made available, and a significant overrun of the Toowoomba Hospital budget, possibly and as I recall to the tune of \$12 million per annum.
70. In my view, this was plainly a matter of appropriate and necessary performance management, which occurred after an extensive period of ultimately unsuccessful support to the District Executive from Senior Officers, including myself, and colleagues. Such performance management is necessary on occasions for a Chief Executive Officer

to take, particularly when the Chief Executive Officer is himself or herself being held accountable through legislation and Government policies and directives. This is perhaps a good example of how personal perspectives regarding alleged bullying, can be distorted.

Elective Surgery Waiting Lists

71. I am informed that the previous Commission has received evidence that the waiting lists for elective surgery published by Queensland Health may be somewhat misleading in that they disclose the patients waiting for surgery, but not the people waiting to be reviewed to determine whether or not they need surgery (eg, exhibit 267).
72. Initially, information regarding waiting lists for outpatients and elective surgery were taken to Cabinet by Minister Horan. When The Honourable Ms Wendy Edmond became Minister, she made a commitment to publish elective surgery waiting lists.
73. The definition as to what should appear on the elective surgery waiting list and the categories used are agreed and used nationally.
74. I have no difficulty in transparency of outpatient lists broken down into specialty, which will include surgical and non surgical specialties.
75. The decision as to whether or not to publish outpatient lists was one made by the Government of the day and not the department.
76. Successive Governments were focussed on the elective surgery waiting lists and not on waiting lists for outpatients with patients who may or may not be awaiting assessment for a possible surgical procedure.

Credentialing and privileging

77. Queensland Health has long had in place policies of credentialing and privileging of medical staff to ensure the practice of safe, high quality care. I am informed that during Dr Patel's period of employment, the relevant policy was the Queensland Health Policy 15801 (Exhibit 279) which applied the Credentials and Clinical Privileges Guidelines for Medical Practitioners, July 2002.
78. Under this policy, District Managers were responsible for ensuring that all medical practitioners employed within the Health Service Districts had their credentials and clinical privileges periodically reviewed by a relevant committee.
79. Before commenting further, I believe it is important for me to give a brief outline as to what role delineation, credentialing and privileging mean in practice. Role delineation is

about assessing a given hospital, its staff and other resources, and determining what type of services the hospital is able to provide. Credentialing requires a doctor's actual training and capabilities to be assessed. Privileging is a process by which Queensland Health determines what services a doctor can provide at a particular hospital. By way of example, a specialist neurosurgeon may wish to work at a small rural hospital. Under role delineation, that hospital would not be delineated to perform complex neurosurgery. Consequently, whilst the doctor might be credentialed as a specialist neurosurgeon, he or she may only be privileged to perform emergency procedures at the small rural hospital.

80. I qualify my statement by saying I know nothing about Dr Patel, other than what I have been made aware of through the media.
81. In my opinion, as a Senior Medical Officer (SMO) and not a registered specialist in Queensland, Dr Patel should never have been appointed to the position of Director of Surgery. His appointment as an SMO in Surgery ought to have meant that he was under supervision.
82. Credentialing and privileging is a District responsibility. The policy requires the process to initially occur at the time of the candidate's appointment.
83. The policy on its face requires all medical staff other than junior medical staff to be credentialed and privileged. The issue of SMOs needs to be considered further as it now appears that they could 'slip between the cracks'. Once Dr Patel was appointed as a Surgeon, and indeed as Director of Surgery, there is no doubt that the credentialing and privileging policy applied.
84. I am informed by the previous Commission that there appears to be nothing in the Credentialing and Privileging policy which provides for a review of compliance with the policy by the various districts.
85. There is however a clear compliance review process as part of the accreditation reviews to which all hospitals are subject. In 1998, I introduced a policy requiring all Queensland Health hospitals, and other facilities, to be accredited. That process involved regular reviews by the Australian Council on Health Care Standards or an equivalent body. One of the criteria for accreditation was compliance with the Credentialing and Privileging policy. If an accreditation review revealed non compliance with credentialing and privileging standards, that would inevitably lead to action, at least at District and Zonal Manager level to bring about compliance.

Complaints and Incident Management

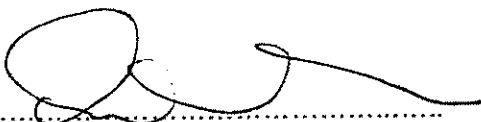
86. I am informed that the previous Commission has been told that Queensland Health had the following policies in place during the Dr Patel period relating to complaint and incident management:

- (a) Queensland Health Policy on Complaints Management 15184 issued July 2002 and accompanying work instruction outlining the roles and responsibilities of various persons. I am informed that that this policy related specifically to patient or consumer complaints and did not relate to staff complaints;
- (b) Queensland Health Integrated Risk Management Policy 13355 and accompanying work instruction. I am informed that this policy was initially issued on 20 February 2002 and reviewed and updated in June 2004;
- (c) Queensland Health Incident Management Policy. I initiated the preparation of that policy but have not seen the final document.

87. I have been informed that there are allegations made to the former Commission that medical and nursing staff who have raised serious matters of public interest have been subject to, or threatened with, apparently unrelated disciplinary proceedings. I am unable to comment on the allegations which are very general in nature without being informed of specific details and being afforded the opportunity to consider any relevant documents and other information to assess the accuracy of the allegations. It should be noted that such behaviour, if it actually occurred, would be contrary to the Queensland Health Code of Conduct, a code which I understand had to be approved by the Office of the Public Service Commissioner prior to its endorsement by Queensland Health. As far as I can recall, it also had to be approved by Cabinet. The former Commission has suggested in Discussion Paper Number 2 that there may need to be increased protection for whistleblowers within Queensland Health and the creation of a central agency such as the Health Sector Ombudsman to receive complaints, to ensure they are referred to the appropriate body and to monitor the handling of each complaint.

88. In November 2000, Queensland Health issued a Policy and Procedure on the Management of Public Interest Disclosures, made in accordance with the Whistleblowers Protection Act 1994. This Policy outlines the types of matters that would be afforded protection, including issues which relate to danger to public health. It also details the types of action which could be classified as an unlawful reprisal against a Queensland Health employee.

Signed at Brisbane this 16th day of September 2005



Robert Lynton Stable

CURRICULUM VITAE

ROBERT LYNTON STABLE

MBBS (Qld), MHP (NSW), DUniv (QUT), FRACGP,
FRACMA, FCHSE, FAIM, FAICD

July 2005

PERSONAL INFORMATION

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TITLE: Professor

DATE OF BIRTH: Brisbane, Queensland

CITIZENSHIP: Australian

ADDRESS: Queensland
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POSITION(S): Vice-Chancellor and President
Bond University,

Director
Bond University Limited, and

Chair,
Australian Rural and Remote Workforce Agency Group

EDUCATION / AWARDS

SCHOOL: Grades 1 - 2 Coorparoo State School, Brisbane
Grades 3 to 12 Church of England (now Anglican) Grammar, Brisbane

TERTIARY: 1971-76 University of Queensland
Awarded MBBS, December 1976

POST GRADUATE:

♦ *By course work and examination* 1982-83 University of New South Wales
Awarded MHP (Master of Health Planning), 1984

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| Results: Computing Techniques - Health | HD | |
| Epidemiology | HD | |
| Health Services Statistics 1 | HD | |
| Health Services Accounting | HD | |
| Australian Health Care System | DN | |
| Health Economics 1 | DN | |
| Health Planning 2 | DN | |
| Health Services Statistics 2 | DN | |
| Hospital Organisation | | DN |
| Intro to Organisation Theory | DN | |
| Physical Planning and Design | DN | |

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| Seminar in Health Policy | DN | |
| Health Planning 1 | CR | |
| Health Services Law 1 | CR | |
| Health Services Law 2 | CR | |
| Health Services Research and Evaluation | | CR |
| Intro to Behavioural Science | CR | |

1985 Fellow of the Royal Australian College of General Practitioners (FRACGP)

1990 Fellow of the Royal Australian College of Medical Administrators (FRACMA)

♦ *Awarded*

1990 Associate Fellow of the Australian College of Health Service Executives

1990 Fellow of the Australian Institute of Management (FAIM)

1998 Fellow of the Australian College of Health Service Executives (FCHSE)

2002 Doctor of The University, The Queensland University of Technology (DUniv)

2003 Centenary of Federation Medal

2004 Fellow of the Australian Institute of Company Directors (FAICD)

APPOINTMENTS HELD

1977 **Intern**
Princess Alexandra Hospital, Brisbane

1978 **Senior Resident Medical Officer**
Charleville Base Hospital to provide relief to Medical Superintendents of Augathella, Charleville, Cunnamulla, Mitchell and Quilpie Hospitals, South West Queensland and, on occasions, to the Royal Flying Doctor, Dr Timothy O'Leary, based in Charleville.

1979 - Jun 1980 **Senior Medical Officer**
Port Augusta Base, Royal Flying Doctor Service of Australia (S.A. and N.T. Section) (now Central Australia Section).
This position was primarily clinical but with administrative functions.

Jun - Dec 1980 **General Practice**
Kingaroy, Queensland

Jan - Jul 1981

Medical Officer
Queensland Department of Health

In this position, I reported to the Director General of Health and Medical Services on specific issues such as rural health and aeromedical services as well as completing special projects as allocated.

Jul 1981 - Sep 1990

Medical Superintendent
Nambour Hospital

As the Senior Medical Superintendent of the Sunshine Coast Hospitals Board, I was a member of the Board's Executive Management Committee with responsibility for 'patient care services' at Nambour, Caloundra and Maleny Hospitals. The role had significant leadership, human resource management, budgetary and planning responsibilities. During my appointment, I was successful in having the hospital gazetted, under the legislation at the time, as a Teaching Hospital of The University of Queensland.

During the period 1981 to 1990, the number of beds at the hospitals were increased from 150 to 389. During this period, and consequential to the increasing complexity of services provided, my clinical responsibilities reduced from being the Director of the Emergency Department (1981 - 1985) to only conducting Occupational Health Clinics for staff in 1990. During the period 1981 - 1985, I personally undertook most of the medical missions with the Sunshine Coast Rescue Helicopter Service.

Due to the need for a proactive and coordinated approach to health services on the Sunshine Coast, I established and chaired a health services forum which met on a regular basis. I also convened a monthly medical education evening for all medical practitioners on the Sunshine Coast.

During January to June 1988, I undertook a major review of aeromedical services in Queensland. Many of the recommendations were subsequently implemented both by the Government and the Royal Flying Doctor Service - Queensland Section.

Sep 1990 - Dec 1994

Medical Superintendent
The Prince Charles Hospital, Chermside, Brisbane (then) 796 beds

As Head of what was termed the Medical Services Branch, I was a member of the Board's Executive Management Committee. The role had significant leadership, human resource management, budgetary and planning responsibilities.

Medical Services Staff included 94 full-time (38 Specialist and 56 Registrar/House Officer) and 49 Visiting Medical Staff and 196 Allied Health Professional Staff.

During this appointment, I was also appointed Chief Executive Officer of the Northern Health Sector, Brisbane North Health Region, following a merit-based selection process.

Dec 1991 - May 1994

Chief Executive Officer
Northern Health Sector, Brisbane North Health Region and Medical Superintendent of The Prince Charles Hospital.

This position was created following the abolition of Hospital Boards and the establishment of Health Regions in Queensland. I was the first appointee to the position.

Upon regionalisation of health services, separate health facilities with established management structures were brought under regional and sector administrations. Due to the need to engage clinicians in the necessary reorganisation of health services in the sector, and my strong conviction that clinicians need to manage issues such as resource utilisation, I established a Management for Clinicians Course as there was no such program available at the time. I negotiated with the Australian Institute of Management - Queensland Branch for it to conduct the course on a full cost recovery basis. The program was subsequently delivered throughout Queensland.

As Chief Executive Officer of the sector, I was responsible and accountable to the Regional Director for the effective and efficient management of health services and health facilities in the sector. The role required leadership and management skills and the ability to liaise with community groups. It required a population health approach to service delivery with many staff being employed in (non hospital) community services.

Northern Health Sector facilities were:

- The Prince Charles Hospital - 664 beds (reduced from 796)
- Eventide (Nursing) Home - 506 beds
- Bald Hills Hospital and Young Disabled Living Unit - 50 beds
- Ashworth House (Nursing Home) - 60 beds
- Community Health Centres - Aspley and Strathpine
- Community Mental Health Centres - Aspley and Nundah

The total Staff Establishment was 2,237 full-time equivalents and the 1993/94 budget was Australian \$124.6 million.

May 1994 - Jan 1996

General Manager - Queensland

Health Care of Australia (HCoA) – subsequently Mayne Health and currently Affinity Health

I was approached and I subsequently accepted an offer by the multi-national company, Mayne Nickless Limited, to establish a Queensland Office for Health Care of Australia which was (and is) the largest private hospital organisation in Australia.

The major responsibilities of the position included to provide leadership, communicate externally and internally, undertake strategic planning at the national level as a member of the HCoA Management Committee and at a regional (Queensland) level, advise hospitals regarding services and quality matters, assist hospitals in preparing budgets and operational performance targets, monitor hospital budgets and operational performance indicators, ensure the development and implementation of appropriate human resource management policies and procedures and to initiate, acquire and/or develop new business.

As the State Manager, I enhanced my existing skills and acquired private sector experience in quality, performance and financial management.

HCoA's Queensland hospitals at the time were:

The John Flynn Hospital and Medical Centre at Tugun (Gold Coast)
Sunnybank Private Hospital (Brisbane)
North West Private Hospital (Brisbane)
St Andrew's Private Hospital (Ipswich)
Belmont (Psychiatric) Private Hospital (Brisbane)

Jan 1996 – Jan 2004

Director-General (Chief Executive Officer), Queensland Health

Staff ~ 63,000 (~ 43,000 Full Time Equivalents), Budget ~ Australian \$4.6 billion.

Under State legislation, the Director General was the Accountable Officer for the Department of Health and, unlike other jurisdictions in Australia, was the employer of all staff as there were no Area or Hospitals Boards. The Director General was employed under a contract with the Premier of Queensland but worked on a daily basis to the Minister for Health. An annual Performance Agreement was entered into with the Premier.

At the time I commenced duty in January 1996, Queensland Health was organised into thirteen regions and a Central Office. There were considerable difficulties with service delivery, the budget, the \$2.8 B Capital Works Program and staffing.

I immediately determined and commenced implementation of strategies to 'rebuild' the Department. A restructure to create one organisation (from the thirteen regions and the Central Office) was undertaken and key staff appointed. I personally managed the processes involved including the appointment of key staff. Accountabilities and the parameters under which the executives were to operate were established and extensive training undertaken. I ensured that a strong population health approach was taken by establishing a State Manager – Public Health position and giving the position line accountability for public health staff across the State.

Several key strategies, such as leadership and management development programs, were ongoing. Staff turnover levels became the lowest recorded. As expected, my role required that I chair several forums and meetings on a regular basis, that I speak and present papers at Staff Forums also on a regular basis and that I open or speak at State and National Conferences. For examples, during my last three years, I chaired full day meetings of the Australian Health Ministers Advisory Council at least three times per year, I chaired and / or spoke at Staff or Executive Forums at least 8 to 10 times per month and I spoke at significant Conferences or Forums at least ten times per year.

During my appointment, Queensland Health consistently met quality, service / activity and financial targets and I consistently achieved the annual performance targets set for myself by the Premier of Queensland. My initial five year contract was renewed by the Premier for a second five year term in January 2001.

As the Chair and/or Member of the Australian Health Ministers Advisory Council, I dealt regularly with the other Directors General of Health in Australia and New Zealand and their Ministers although on a less frequent basis. Of the then Ministers and Directors General at the time of my resignation, I was the only person who had negotiated two Health Care Agreements between the Commonwealth and the States

and Territories. Also, I was the first (and only) Queenslander to Chair the Council and the first (and only) Chair in the history of the Council to be asked by the Council to serve a second term as Chair.

In my last several months, I had given an address at an international Conference in New Zealand of Health Ministers of Countries of the Commonwealth of Nations and undertaken an AusAID consultancy in Independent (Western) Samoa. I had also established an education program for health executives in Zheijang Province, Republic of China. Queensland Health was contracted on a full cost recovery basis to provide the program to the 200 most senior health executives in Brisbane over a two year period.

During the same period, I briefed numerous delegations in Brisbane, including from the United Kingdom (Mental Health), Republic of Ireland, Republic of China and Independent Samoa (Health Leadership and Management) and Germany (Casemix and health service funding).

In late 2002, the Queensland Government agreed to my recommendation to establish a Queensland Health Centre for Skills Development at a capital cost of over \$10 million. I was appointed by the Government as the (inaugural) Chair of the Board established to develop and oversee the Centre.

During my period as Director General, I served under successive Labor and Coalition Governments. In fact, I am one of the few Directors General in Australia whose contract was continued or renewed when a Government changed.

| | |
|----------------------------|--|
| Jan 1997 - Present | Adjunct Professor, Faculty of Health Sciences, The University of Queensland (This appointment was renewed in December 2002) |
| Jan 1997 – Jan 2004 | Chief Health Officer, Queensland Health (for periods when the Chief Health Officer was absent from duty and unable to discharge the statutory function of private facility licensing) |
| Oct 2001 – Present | Adjunct Professor, James Cook University, Townsville In this role, I gave the inaugural James Cook University Medical School Annual Address on 'The State of Health in Queensland' in August 2001. This presentation addressed population health issues such as the health status of the overall population and significant subgroups. |
| Jan 2004 – Present | Vice-Chancellor and President, Bond University, Gold Coast, Australia Director, Bond University Limited Member of Council, Bond University Member of Academic Senate, Bond University |

Bond was established as the first private, not-for-profit and independent university in Australia by an Act of the Queensland Parliament in 1987. At that stage, Bond was the 21st university to be established in Australia.

In 2003, the University had approximately 2,550 student enrolments on-campus across undergraduate and graduate programs, approximately 10,000 alumni from some 60 countries and approximately 500 FTE staff. An MBA program is delivered in Japan in conjunction with Business Breakthrough, a Japanese entity.

Jun 2004 – Present **Chair, Australian Rural and Remote Workforce Agency Group Inc**

Jun 2005 – Present **Adjunct Professor (Health Care Management), Bond University**

MEMBERSHIP OF ORGANISATIONS AND POSITIONS HELD - CURRENT

Australian College of Health Service Executives

| | |
|----------------------------------|-----------------|
| Associate Fellow (AFCHSE) | 1990 to 1998 |
| Certified Health Executive (CHE) | 1991 to present |
| Councillor (Queensland Branch) | 1991 to 1996 * |
| Fellow (FCHSE) | 1998 to present |

Australian Health Policy Research Institute

| | |
|-----------------|-----------------|
| Director | 2004 to present |
| Inaugural Chair | 2004 to present |

Australian Institute of Company Directors

| | |
|----------------|-----------------|
| Fellow (FAICD) | 2004 to present |
|----------------|-----------------|

Australian Institute of Management

| | |
|---------------|-----------------|
| Fellow (FAIM) | 1990 to present |
|---------------|-----------------|

Australian Medical Association

| | |
|------------------|-----------------|
| Associate Member | 1974 to 1977 |
| Member | 1977 to present |

Australian Vice-Chancellors Committee

| | |
|--------|-----------------|
| Member | 2004 to present |
|--------|-----------------|

Bond University Council

| | |
|--------|-----------------|
| Member | 2004 to present |
|--------|-----------------|

Bond University Limited

| | |
|----------|-----------------|
| Director | 2004 to present |
|----------|-----------------|

Medico-Legal Society of Queensland

| | |
|----------------------------|-----------------|
| Honorary Member (by Award) | 2003 to present |
|----------------------------|-----------------|

Queensland Education and Training Export Board

| | |
|--|-----------------|
| Member (by Appointment by the Premier and Cabinet of Queensland) | 2004 to present |
|--|-----------------|

Queensland Society for Crippled Children (Montrose Home)

| | |
|----------|-----------------|
| Member | 1995 to present |
| Director | 1995/96 * |

Royal Australian College of General Practitioners

| | |
|----------------------------|-----------------|
| Fellow (FRACGP) | 1985 to present |
| Member - Examination Panel | 1992 to 1998 |

Royal Australian College of Medical Administrators

| | |
|--|-----------------|
| Fellow (FRACMA) | 1990 to present |
| State Committee Member | 1991 to 1993 |
| Initiator and Convenor, Management for Clinicians Course | 1991 to 1994 |
| Member, Congress Organising Committee | 1992/93 |

Royal Flying Doctor Service of Australia

| | |
|-----------------------------------|-----------------|
| Member, Central Australia Section | 1980 to 1993 |
| Member, Queensland Section | 1980 to present |
| Director, Queensland Section | 1992 to 1996 * |

Sunshine Coast Helicopter Rescue Service Limited* *(was the Sunshine Coast Westpac SLSA Helicopter)

| | |
|------------------|-----------------|
| Medical Director | 1981 to 1990 |
| Member | 1990 to present |

MEMBERSHIP OF RELEVANT ORGANISATIONS AND POSITIONS HELD – NON CURRENT***Australian Health Ministers Advisory Council***

| | |
|--------|--------------|
| Member | 1996 to 2004 |
| Chair | 2000 to 2003 |

Brisbane North Division of General Practice

| | |
|--------|--------------|
| Member | 1995 to 2003 |
|--------|--------------|

Health Leadership Network of Australia

| | |
|----------|--------------|
| Member | 1996 to 2004 |
| Director | 1996 |

Medical Services Advisory Council (to Federal Minister)

| | |
|---|---------------|
| Member (by Appointment by Federal Minister) | 2002 and 2003 |
|---|---------------|

Northside Local Medical Association

| | |
|--------|--------------|
| Member | 1995 to 2003 |
|--------|--------------|

The Prince Charles Hospital Research Foundation

| | |
|----------|----------------|
| Director | 1990 to 1996 * |
|----------|----------------|

The University of Queensland

| | |
|-----------------------------------|--------------|
| Member, Faculty of Medicine Board | 1990 to 2004 |
|-----------------------------------|--------------|

* Resigned in 1996 due to appointment as Director-General, Queensland Health and the associated potential conflicts of interest.

Robert Stable

From: Robert Stable
Sent: Wednesday, 27 April 2005 6:07 PM
To:
Subject: Commission of Inquiry

Dear Commissioner

I was Director General of Queensland Health from Jan 1996 to Jan 2004, although being on recreation leave from September 2003. I have no recollection of any issues whatsoever relating to Dr Patel being brought to my attention. However, and perhaps needless to say, I will assist your Inquiry as much as I can regarding any matters during the period of my appointment as Director General, and during my extensive career in health, if requested or required to do so. For the record, and so that you are aware, Sir Llew Edwards was one of my four referees when I successfully applied for the Director General position in late 1995.

Yours sincerely

Professor Robert Stable
Vice-Chancellor and President
Bond University
Gold Coast Q 4229
AUSTRALIA

Telephone: From within Australia:

From Overseas:

Email: robert_stable@bond.edu.au

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Robert Stable

From: Anthony J H Morris QC
Sent: Wednesday, 4 May 2005 2:14 PM
To: Robert Stable
Subject: Re: Commission of Inquiry

At 18:06 27.04.2005, you wrote:

Dear Commissioner

I was Director General of Queensland Health from Jan 1996 to Jan 2004, although being on recreation leave from September 2003. I have no recollection of any issues whatsoever relating to Dr Patel being brought to my attention. However, and perhaps needless to say, I will assist your Inquiry as much as I can regarding any matters during the period of my appointment as Director General, and during my extensive career in health, if requested or required to do so.

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Yours sincerely

Professor Robert Stable
 Vice-Chancellor and President
 Bond University
 Gold Coast Q 4229
 AUSTRALIA

Dear Professor Stable,

Thankyou for your email, which I do greatly appreciate. I expect that staff of the Inquiry will be contacting you in due course. I have no doubt that your contribution to the Inquiry will be extremely valuable.

Kind regards,
 Tony Morris

T.J. Ryan Chambers, Level 13, 239 George Street, Brisbane, Qld., 4000, Australia
 telephone: (07) 3229 0267 secretary: (07) 3221 3996 facsimile: (07) 3221 6715 email: morris@tjryan.com.au
www.lexscripta.com Essential Web Links for Queensland Lawyers

If transmitting documents in an electronic format, you are kindly requested to liaise with my secretary on (07) 3221 3996, or to email me at morris@tjryan.com.au, to ensure that the format is compatible. Electronic documents are accepted as email attachments in any of the following formats: WordPerfect®, version 9 [wpd] or earlier, word processing documents; MicroSoft® Word, 2002 [doc] or earlier, word processing documents; Adobe Acrobat® Portable Document Format [pdf] documents. It is preferable if copies of large original documents are sent by facsimile transmission, rather than scanned and emailed in a photographic format.

The contents of this email may be confidential and/or the subject of legal professional privilege. Confidentiality and privilege are not waived in the event that this email is sent to or received by someone other than the intended addressee. Anyone other than the intended addressee who receives this transmission is kindly requested to notify me.

Robert Stable

From: Robert Stable
Sent: Friday, 27 May 2005 9:12 AM
To: 'bhci@bhci.qld.gov.au'
Subject: RE: Commission of Inquiry

Dear Sir / Madam

Further to my email (from Melbourne) to Commissioner Morris dated Wednesday 27 April and his response dated Wednesday 4 May, I wish to advise that I have since had access to my records (back in Brisbane) and advise that I commenced leave from Friday 31 October 2003, and not September 2003 as stated in the email. I recall that I was trying to commence leave sooner but for various reasons was unable to do so. I would appreciate you bringing this correction, although perhaps immaterial, and my apology for the misinformation to the Commissioner's attention.

Having read the Commissioners comments as recorded in the transcript from Day 4, I am concerned that he has been misinformed regarding the role of Medical Superintendents under the then Hospitals Act, and in practice.

For the record, I was a Medical Superintendent employed between 1978 and 1990 by the Charleville Hospitals Board, the South Burnett Hospitals Board (for a period of 'relieving'), the Sunshine Coast Hospitals Board and the Chermide Hospitals Board. I was also the President of the Medical Superintendents Association of Queensland for a period of time and was asked, on occasions, to mediate between Medical Superintendents and their Hospitals Boards. And I was a 'clinically active' Medical Superintendent until approximately 1988 when I had to reluctantly give up either clinical practice or administration as the administrative load became too much to just do at night and on (non clinical) weekends. I became one of those 'doctors that never sees patients' but I never lost my passion for, and commitment to, quality patient care and services.

The Secretary of the Hospitals Board was the Hospital Manager, who was a career Public Servant appointed by, and accountable to, the Under Secretary who was the Accountable Officer for the Department of Health under the Financial Administration and Audit Act. The Medical Superintendents, who did fantastic jobs in the circumstances, had no financial delegations, and staffing and equipment decisions were made by Head Office with the Board Manager having had the final say in the recommendation(s) to Head Office. Many Boards, including the Sunshine Coast Hospitals Board at the time of my appointment in 1990, did not allow Medical Superintendents to attend Board Meetings except when considered necessary by the Board. Departmental records will show that I argued strongly that this was inappropriate and I was allowed, although reluctantly, to attend the meetings 'on a trial basis'.

With due respect, it is not correct to say that '...medical superintendents ran the entire show....'. There are many issues involving the role of medical superintendents, the functioning of Hospitals Boards (which were extensively managed by Head Office and (Government) politicians), etc which I would be pleased to discuss. I will also outline the many different issues which now have to be managed by Medical Superintendents including an enormous increase in medico-legal matters, much more complex rostering and employment arrangements, FOI issues (which commenced in the early 1990's), the more difficult recruitment environment, the quality framework (accreditation of Hospitals by the Australian Council of Healthcare Standards or equivalent and associated quality review mechanisms which were introduced by myself in about 1998, accreditation and privileging of medical practitioners, other quality review mechanisms etc) which did not exist in Hospital Board days. In fact, it was the policy of the then Government to not allow external review of the hospitals.

The only truly decentralised structure was under the Regional Health Authorities from approximately 1990 to 1996 and which both sides of politics promised to remove as part of their election campaigns in 1995. The current structure was created by an amendment to the Health Services Act by the (Borbridge) Government. I regret to advise that there are other errors – for example, a 'surgeon who is a member of the Royal College in the United Kingdom' has not been 'automatically entitled' to registration in Australia for at least several years (p384).

I would be available to meet with a researcher if this helps the Commission.

If the Commissioner considers my providing these comments to be inappropriate, then I apologise. My commitment to quality health services in this State was ingrained in me by my father, who committed his life to paediatric services in Queensland, almost from when I was born and has continued to this day. I certainly hope that the Commission of Inquiry leads to better health services - but for this to happen, clearly the Commissioner needs all the facts before him.

Yours sincerely

20/08/2005

Professor Robert Stable
 Vice-Chancellor and President
 Bond University
 Gold Coast Q 4229
 AUSTRALIA
 Telephone: From within Australia
 From Overseas

Email: r

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Yours sincerely

Professor Robert Stable
 Vice-Chancellor and President
 Bond University
 Gold Coast Q 4229
 AUSTRALIA

Dear Professor Stable,

Thankyou for your email, which I do greatly appreciate. I expect that staff of the Inquiry will be contacting you in due course. I have no doubt that your contribution to the Inquiry will be extremely valuable.

Kind regards,
 Tony Morris

T.J. Ryan Chambers, Level 13, 239 George Street, Brisbane, Qld., 4000, Australia
 telephone: (07) 3229 0267 secretary: (07) 3221 3996 facsimile: (07) 3221 6715 email: morris@tjryan.com.au
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20/08/2005

Robert Stable

From: Robert Stable
Sent: Thursday, 2 June 2005 9:51 AM
To: 'bhci@bhci.qld.gov.au'
Subject: Federal Parliament's Migration Committee

Dear Sir / Madam

I presume that the Commission is aware that the Federal Parliament's Migration Committee is seeking community views on current arrangements for assessing the skills of people wishing to migrate to Australia under the skilled migration system.

I am advised that the Committee is looking at the skills recognition process for groups such as: migrants, temporary residents needing skills assessments and Australian citizens returning to Australia with overseas qualifications, and will compare Australian arrangements with other immigration countries. Some important questions that the Committee wish to address include:

- § Is there a need for greater consistency in the recognition of qualifications between states and territories?
- § Are there alternative / improved approaches to skills assessments and recognition of overseas qualifications that can be used?
- § Are the current arrangements for overseas skills recognition, licensing and registration working as well as they might?

Clearly, the work of the Commission may well assist the Migration Committee in due course.

Regards
RS

Professor Robert Stable
Vice-Chancellor and President
Bond University
Gold Coast Q 4229
AUSTRALIA
Telephone: From within Australia:
From Overseas:

Email: :

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

From: Parnell, Sean [mailto:parnell@theaustralian.com.au]

Sent: Thursday, 2 June 2005 10:36 AM

To: 'Robert Stable'

Subject: RE: Letters to the Editor from Professor Robert Stable, former Director General, Queensland Health

Hi Professor Stable

I understand the Commissioner may have inferred today that you are trying to misuse the media to intimidate the inquiry. I'm not sure how the other media will portray his comments, but I categorically deny doing your bidding or anyone else's. I have posed questions of the Commissioner on several occasions based on my observations of what has been happening in and out of the hearings, and what a range of other sources tell me is happening. The fact that I had initiated contact with you, partly as someone with knowledge of how the system is run, is Journalism 101 and should not be misconstrued.

I'll be reading the transcript tonight and responding to the Commissioner and suggest you might want to do the same. I will continue writing my analysis pieces in The Weekend Australian, though, as I believe scrutiny of the scrutineers is, in this case, very important.

Kind regards,

Sean Parnell

Robert Stable

From: Robert Stable
Sent: Thursday, 2 June 2005 3:34 PM
To:
Cc: 'bhci@bhci.qld.gov.au'
Subject: FW: Letters to the Editor from Professor Robert Stable, former Director General, Queensland Health

Commissioner

I apologise if this contact with you is inappropriate.

However, I have just received the email below from Sean Parnell and I am in Melbourne. I have also just been given 'the right of reply' by Tony Keim from The Courier Mail. For the record, Sean Parnell emailed my office yesterday at 3.04 pm and I returned his call at about 5.00 pm yesterday, Wednesday 2 June. I had not spoken to him since I retired as Director General of Health. My statement to him was the same as to all other media enquiries to date and that was that I am available to assist the Inquiry in any way that I can.

I rang him a few minutes ago and he has advised me that he emailed questions to you at about 3 pm yesterday, but clearly these were in no way connected to my statement at about 5 pm.

My conversation this morning was with Sallyanne Atkinson, an old family friend, as I was departing the lounge to board a 7.05 am flight to Melbourne. She asked how I was and I commented along the lines that I was okay. Either she or I mentioned the Inquiry (- I don't remember who) and I said that it was a difficult situation, or words to that effect. She made a comment regarding David Molloy and I commented about the information that was in The Weekend Australian last weekend and which was repeated to me by Sean Parnell last evening.

The whole conversation lasted less than 60 seconds.

I was totally unaware of any role that her son may have with the Commission.

I copied a 'Letter to the Editor' which I wrote on the plane to Melbourne today to your Commission website. Obviously, it was sent after the plane landed in Melbourne and I arrived at the venue where I was meeting today. This email was my first attempt to correct the public record on an issue raised in the media.

The final paragraph states as follows and I remain committed to supporting your Inquiry in any way that I can:

Finally, I have to date refrained from adding to the media frenzy out of respect for the Commission of Inquiry which I see as an excellent opportunity to improve a good, albeit as demonstrated not perfect, health system. I certainly hope that the Commission of Inquiry and the Forster Review are able to make evidence-based recommendations for such improvements and I look forward to this.

Again, I apologise if you consider this communication to be inappropriate but I do wish to set the record straight.

Professor Robert Stable
 Vice-Chancellor and President
 Bond University
 Gold Coast Q 4229
 AUSTRALIA
 Telephone: From within Australia:
 From Overseas:
 Email:

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

From: Sallyanne Atkinson [mailto:
Sent: Friday, 3 June 2005 11:43 AM
To: rairving@staff.bond.edu.au
Cc:
Subject: For prof. Stable

Dear Rob

I am absolutely devastated by what has transpired re the Morris Commission and am writing to you to apologise for my part in causing you distress or discomfort...I would never have thought that a simple few minutes chat would, by a series of circumstances and coincidences, have ended up as it did. As I recollect, after I'd asked you how you were (not actually even thinking about the RC!!) we talked about all the publicity and you mentioned a story the Courier Mail was doing and I happened to be talking to Damien later and mentioned it in a "Gee, did you know that..." sort of way. And then he obviously mentioned it to Tony Morris and the rest, as they say, is history.

Rob, what I wanted to stress, apart from how sorry I am, is that I never for one moment thought you were trying to spread rumours or sabotage the enquiry in any way.....it was simply a passing conversation between friends. Perhaps, in hindsight, I should have mentioned that Damien was legal counsel but there wasn't really time.....either to think of it or to mention it.

I'm sending this from my office and have copied it to my home email. My phone number is xxxx.

Best wishes, Sallyanne

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Robert Stable

From: Robert Stable |
Sent: Friday, 3 June 2005 2:56 PM
To: 'bhci@bhci.qld.gov.au';
Subject: Message from Sallyanne Atkinson

Commissioner

With due respect, the only reason my name was in the media yesterday was that a number of reporters rang me to advise that I was the 'target' of your comments. I was quite clearly dumbfounded.

Sallyanne Atkinson rang me this morning to apologise and subsequently sent the following email. She has advised me that I may submit the email to you as an Exhibit to set the record straight.

(I have deleted her mobile phone number and her personal email address).

Professor Robert Stable
Vice-Chancellor and President
Bond University
Gold Coast Q 4229
AUSTRALIA
Telephone: From within Australia: 0
 From Overseas: +
Email: :

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From: Anthony J H Morris QC [mailto:
Sent: Friday, 3 June 2005 5:30 PM
To: Robert Stable
Subject: Re: Message from Sallyanne Atkinson

"RLS 7"

At 14:56 03.06.2005, you wrote:

Commissioner

With due respect, the only reason my name was in the media yesterday was that a number of reporters rang me to advise that I was the 'target' of your comments. I was quite clearly dumbfounded.

Sallyanne Atkinson rang me this morning to apologise and subsequently sent the following email. She has advised me that I may submit the email to you as an Exhibit to set the record straight.

(I have deleted her mobile phone number and her personal email address).

Thankyou, Professor Stable, for your email.

I have noted your appology, as offered through the media, which I am very pleased to accept.

So far as I am concerned, the matter is now at an end.

Kind regards,

Tony Morris

T.J. Ryan Chambers <<http://tjryan.com.au/>> , Level 13, 239 George Street, Brisbane, Qld., 4000, Australia

telephone: (07) 3229 0267 secretary: (07) 3221 3996 facsimile: (07) 3221

6715 email: morris@tjryan.com.au

www.lexscripta.com <<http://www.lexscripta.com/>> Essential Web Links for Queensland Lawyers

If transmitting documents in an electronic format, you are kindly requested to liaise with my secretary on (07) 3221 3996, or to email me at morris@tjryan.com.au, to ensure that the format is compatible. Electronic documents are accepted as email attachments in any of the following formats: WordPerfectR, version 9 [wpd] or earlier, word processing documents; MicroSoftR Word, 2002 [doc] or earlier, word processing documents; Adobe AcrobatR Portable Document Format [pdf] documents. It is preferable if copies of large original documents are sent by facsimile transmission, rather than scanned and emailed in a photographic format.

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