

COMMISSIONS OF INQUIRY ORDER (No. 4) 2015

TABLE OF PROVISIONS

Short title

1. THIS Order in Council may be cited as the *Commissions of Inquiry Order (No. 4) 2015*.

Commencement

2. THIS Order in Council commences on 14 September 2015.

Appointment of Commission

3. UNDER the provisions of the *Commissions of Inquiry Act 1950* the Governor in Council hereby appoints the Honourable Margaret A Wilson QC from 7 September 2015 to make full and careful inquiry in an open and independent manner with respect to the following matters:

- (a) the decision to close the Barrett Adolescent Centre (**BAC**) announced on 6 August 2013 by the then Minister for Health, including with respect to the cessation of the on-site integrated education program (the **closure decision**);
- (b) the bases for the closure decision;
- (c) without limiting paragraphs (a) and (b) above—the information, material, advice, processes, considerations and recommendations that related to or informed the closure decision and the decision-making process related to the closure decision;
- (d) for BAC patients transitioned to alternative care arrangements in association with the closure or anticipated closure, whether before or after the closure announcement (**transition clients**):
 - i. how care, support, service quality and safety risks were identified, assessed, planned for, managed and implemented before and after the closure (**transition arrangements**); and
 - ii. the adequacy of the transition arrangements;
- (e) the adequacy of the care, support and services that were provided to transition clients and their families;
- (f) the adequacy of support to BAC staff in relation to the closure and transitioning arrangements for transition clients;
- (g) any alternative for the replacement of BAC that was considered, the bases for the alternative not having been adopted, and any other alternatives that ought to have been considered;
- (h) without limiting paragraphs (d)-(g) above—the information, material, advice, processes, considerations and recommendations that related to or informed the transition arrangements and other matters mentioned in paragraphs (d)-(g) above;
- (i) whether any contraventions of the *Mental Health Act 2000* or other Acts, regulations or directives have occurred with regard to patient safety and confidentiality.

4. THE Commissioner may make any other recommendations arising out of the evidence, considerations or findings of the inquiry in relation to the matters set out in paragraphs 3(a) to (i) above that the Commissioner considers appropriate, including for clinically appropriate models of care for intensive mental health services to young people with severe and complex mental illness.

Commission to Report

5. AND directs that the Commissioner make full and faithful report and recommendations on the aforesaid subject matter of inquiry, and transmit the same to the Honourable the Premier by 14 January 2016

Application of Act

6. THE provisions of the *Commissions of Inquiry Act 1950* shall be applicable for the purposes of this inquiry except for section 19C – Authority to use listening devices.

Conduct of Inquiry

7. THE Commissioner may hold public and private hearings in such a manner and in such locations as may be necessary and convenient.

ENDNOTES

1. Made by the Governor in Council on 16 July 2015.
2. Notified in the Gazette on 17 July 2015.
3. Not required to be laid before the Legislative Assembly.
4. The administering agency is the Department of Justice and Attorney-General.