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Tabled by: [Signed]
At: 11.30 am
Date: 15/7/2014
Signature: [Signed]

Crime and Corruption Act 2001
Chapter 2 Commission functions, investigations and reporting
Part 3 Corruption

[§ 37]

- an intelligence report from a law enforcement agency
- a Crime Stoppers report
- information about a significant police event such as a death in police custody or police shooting
- information or matter referred to the commission by a coroner, a court, a commission of inquiry or another investigative body or public inquiry

(6) However, subsection (3) does not apply to—
(a) information or matter involving corruption given to the commission under subsection (5); or
(b) a complaint about corruption made as a disclosure, or a referral of a disclosure, to the commission under the Public Interest Disclosure Act 2010; or
(c) a complaint about, or information or matter involving, corruption given to the commission as a referral, notification or recommendation under another law.

Division 3 Duty to notify

37 Duty to notify commission of police misconduct
(1) This section applies if the commissioner of police reasonably suspects that a complaint, or information or matter (also a complaint), involves police misconduct.
(2) The commissioner of police must notify the commission of the complaint, subject to section 40.

38 Duty to notify commission of corrupt conduct
(1) This section applies if a public official reasonably suspects that a complaint, or information or matter (also a complaint), involves, or may involve, corrupt conduct.
(2) The public official must notify the commission of the complaint, subject to section 40.
39 Duty to notify is paramount

(1) The duty of a public official to notify the commission of a complaint under section 37 or 38 must be complied with despite—

(a) the provisions of any other Act, other than the Police Service Administration Act 1990, section 7.2(3); or

(b) any obligation the person has to maintain confidentiality about a matter to which the complaint relates.

(2) Subsection (1) does not affect an obligation under another Act to notify corruption.

40 Commission may issue directions about notifications

(1) The commission may issue directions about the following—

(a) the kinds of complaints a public official must notify, or need not notify, the commission of under section 37 or 38;

(b) how and when a public official must notify the commission of complaints under section 37 or 38.

(2) Before issuing a direction, the commission must consult with, and consider the views of—

(a) the relevant public official; and

(b) if the direction relates to the chief executive officer of a department or a public service office within the meaning of the Public Service Act 2008—the public service commission.

(3) In particular, if a direction would require the commissioner of police to disclose information otherwise protected by the Police Powers and Responsibilities Act 2000, section 266 or the Drugs Misuse Act 1986, section 119, the commission may issue the direction, but before doing so must have regard to the desirability of protecting confidentiality.

(4) A public official must comply with a direction given under subsection (1).
On denying the debt:

"They've tried very, very hard to find a massive black hole that doesn't exist."
Member for Mulgrave, Brisbane Times 15 July 2012

“We will never hear the Premier or Treasurer thank Labor for leaving Queensland's economy in a position of strength.”
Member for Mulgrave, Queensland Parliament (Hansard), 31 July 2012

“The truth is Queensland is in a strong position – the legacy of a Labor Government.”
Member for Mulgrave, opinion piece, Cairns Weekend Post, September 1 2012

"There simply is no 'debt crisis' in Queensland."
Member for Mulgrave, Budget Speech (cognate debate), September 2012

"The LNP's claim about the level of state debt has been part of a misleading political strategy."
Member for Mulgrave, Media release 21 August 2012/The Australian August 21 2012
MICHAEL SMITH:

...ranging from the tragedy of the 80 year old Mum trying to get an ambulance to attend to her 40 odd year old son who’d tragically had a stroke and you heard the calls on the air. The day after...that same day we spoke with a Mum of a five year old, 32 hour wait, little bloke two broken arms, two broken bones in his arm. A couple of days ago Valerie rang her Mum, five hour wait and I understand that the Emergency Services Minister has announced an examination and investigation into that wait, but all of this hinges on access blocked, ambulances ramped, people ramped on trolleys at our emergency wards. That seems to be the consistent element, the bloke responsible for that is the Health Minister Stephen Robertson who’s on the phone. Minister good afternoon.

STEPHEN ROBERTSON:

Good afternoon Mike.

MICHAEL SMITH:

How big is your advertising and PR budget?

STEPHEN ROBERTSON:

Well, what needs to be understood is that the advertising and PR budget that you refer to is designed to run campaigns such as being broadcast at the moment to encourage people to give up smoking...
Look it’s not centralised in one particular amount, but yes Queensland Health has a significant budget for running public health campaigns designed to promote better behaviour such as giving up smoking and a range of other public health campaigns.

MICHAEL SMITH:

And approximately how much do you spend?

STEPHEN ROBERTSON:

Oh look I can’t think of the top of my head but I’m happy to get back to you mate.

MICHAEL SMITH:

Righto. What is the average waiting time that Queenslanders should expect to endure at a hospital emergency department?

STEPHEN ROBERTSON:

Well it depends what’s wrong with them Mike, if there in critical need of care, they’ll be seen immediately.

MICHAEL SMITH:

And you can give a guarantee on that Stephen Robertson?

STEPHEN ROBERTSON:

Well that’s why we have a classification...

MICHAEL SMITH:

What’s your definition of critical?

STEPHEN ROBERTSON:

That’s why we have a classification system, from Category 1 to Category 5 and that’s based on assessment by the...

MICHAEL SMITH:

As the Minister do you believe that?

FORMER MINISTER STEPHEN ROBERTSON:

Well they are nationally consistent definitions that are used by all doctors in all emergency departments.

MICHAEL SMITH:
See I speak to the emergency, the College of emergency doctors. They don’t agree with that, they tell me that 1500 people die because they can’t get into the emergency wards in this country. You’re aware of that, I know we sent you the stuff?

STEPHEN ROBERTSON:

Well I’m sorry Mike but you’re simply wrong.

MICHAEL SMITH:

Well don’t say that I’m wrong, because this is the emergency doctors who say, not me.

STEPHEN ROBERTSON:

I’m sorry but you’re wrong the classification system that is used right throughout Australia is the classification system that’s provided by the College of Emergency Medicine.

MICHAEL SMITH:

And your... do you disagree that their study says that the same amount of people who die on road toll, 1500 die because of delays in emergency departments in this country?

STEPHEN ROBERTSON:

That’s not what this study says Mike, you’re misrepresenting exactly what they say.

MICHAEL SMITH:

One thousand five hundred people die as a result of delays in treatment.

STEPHEN ROBERTSON:

Well Mike, can I give you this indication, the local President of the College of Emergency Medicine makes specific allegations about four deaths, two at Royal Brisbane Hospital and two others. I actually asked her to provide details of those particular incidents. Eventually we got the details of them and on each occasion it was found not to be the case.

MICHAEL SMITH:

So you’re saying she, the emergency doctor represented the situation?

STEPHEN ROBERTSON:

No, what I’m saying is when she provided the information to us as to the incidents that she believed resulted in deaths of patients, when they were investigated it was found not to be case.

MICHAEL SMITH:
I have in front of me a document entitled ‘Overview of Hospital Beds in Queensland and Australia’ by Professor Gerry Fitzgerald and it was prepared for Emergency Health Services Queensland, September 2008, you’re familiar with the document?

STEPHEN ROBERTSON:
Yes I am,

MICHAEL SMITH:
Which has been leaked as you know today to the Opposition and I’ve got it in front of me. His findings say that there’s been an overall reduction in beds in Queensland in public hospitals, 27.62%, of course you’d be familiar with that, right?

STEPHEN ROBERTSON:
Correct.

MICHAEL SMITH:
What do you say?

STEPHEN ROBERTSON:
Well, these are old figures, these figures...

MICHAEL SMITH:
It’s dated September 2008.

STEPHEN ROBERTSON:
I’m sorry you’ll have to let me finish Mike. If you actually look at the Report you’ll find those figures are over a year old. They are figures that are published by the Australian Institute of Health and Welfare. They’ve been out in the public gaze for oh look probably eight to nine months. There is nothing new in this Report, what Professor Fitzgerald has simply done is bring together information that is publicly available about hospital bed numbers through...

MICHAEL SMITH:
So there accurate, there accurate numbers?

STEPHEN ROBERTSON:
Well, in terms of the definition that is supplied by the Australian Institute of Health and Welfare.

MICHAEL SMITH:
They’re accurate. And they say that in ten years to September 2007 the ten year change in the availability of public hospital beds and this is substantially under your watch, it is certainly under your Beattie/Bligh Government’s watch, the reduction is 27.62%?

STEPHEN ROBERTSON:

And what you’ll also see is that in the two years before that when the Coalition was in power, over a two year period the number of beds under the Coalition’s watch reduced by round about 150.

MICHAEL SMITH:

But you are telling me, you’ve just confirmed that the number of beds in our hospital system has reduced by 27.62%.

STEPHEN ROBERTSON:

Yes, well up until the end of 2007. But since then we’ve opened more beds so that...

MICHAEL SMITH:

But this an incredible number. That’s more than a quarter less beds. How can you presided over that?

STEPHEN ROBERTSON:

Well I didn’t preside over that Mike. In fact under my watch the number of hospital beds have increased by 778 over the last three years. But what has happened and this happened in all health services, not just in Queensland, but Australia and through much of the western world, is that what we’ve seen is significant reductions in the length of stay of patients who get an operation. So for example, my late father when he had his heart attack, he was in hospital for six weeks. When I had my heart attack, bit over 18 months ago, I was in hospital over a weekend. As a result of those kinds of advances in medicine the amount of time that people spend occupying a hospital bed has significantly reduced.

MICHAEL SMITH:

And so you reckon we need less of them?

STEPHEN ROBERTSON:

No I didn’t say that at all Mike, please don’t put words in my mouth.

MICHAEL SMITH:

So what are you saying, what’s the conclusion you can draw from that?

STEPHEN ROBERTSON:
Well what I’m saying to you is that was the information that all governments, irrespective of political persuasion were provided with by health planners.

MICHAEL SMITH:

And you’ve allowed the number of beds in those 10 years to 2007 to reduce?

STEPHEN ROBERTSON:

Mike you’re going to have to let me finish. Because what I was about to say is that arguably governments got it wrong and that is why, under my watch, we’ve seen a significant increase in hospital beds, 778 hospital beds over the last three years. We actually have a funded commitment that between 2006 and 2016, 2,500 additional hospital beds will be put into hospitals throughout Queensland.

MICHAEL SMITH:

I would have so much more confidence in you if you didn’t say arguably governments got it wrong. If you said we got it wrong. We decreased beds by 27%, it was wrong, it was a mistake and now we’re fixing it.

STEPHEN ROBERTSON:

Well I’m happy to say that Mike. We got it wrong but the important thing is we’re fixing it. We’re fixing it through our $10 billion health action plan, 778 extra beds over the last three years and a firm, funded commitment to 2,500 new beds into new hospitals such as Gold Coast University Hospital, Sunshine Coast, Children’s, and other hospitals throughout the State.

MICHAEL SMITH:

Hallelujah we agree that it was wrong, up until 2007, you reckon that we’re turning it around now. Do you agree...

STEPHEN ROBERTSON:

2006 was when we brought in, well let’s...

MICHAEL SMITH:

Well a 27% reduction in beds in the 10 years to 2007.

STEPHEN ROBERTSON:

Mike, Mike, you’ve got to let me finish. Because what happened in 2005 we had the Bundaberg Inquiry. That was a cathartic moment when it was clear, when it was clear that governments had got it wrong. And by October 2005 when I’d just become Health Minister we announced a $10 billion health action plan and what we’ve been doing since 2005 is rebuilding capacity in our hospital system and as I said over the last three years, 778 beds
have already been, new beds, acute care beds etc have been put in place and funded commitments to 2,500 over the decade between 2006-2016.

MICHAEL SMITH:

Which brings us to today and the litany of calls, which of course you have heard, the 000 calls, the little child with 32 hours with the broken arm, the lady that waits five hours because emergency services are clogged. Everybody seems to be of the same view except you that there is a crises.

STEPHEN ROBERTSON:

Well can I deal with firstly the unfortunate little fellow with the broken arm? He attended the Mater Private Hospital. The Mater Private Hospital is not part of the public health system.

MICHAEL SMITH:

He was taken there by an ambulance though?

STEPHEN ROBERTSON:

It is not part of Queensland Health. The allegation that you made was that he was a victim of poor service by Queensland Health. Let me quote what you said ‘Thanks for speaking to us Paula, it’s no joy in hearing your story, it’s just another example of Queensland Health at work’.

Mater Private Hospital is not part of Queensland Health hospital network.

MICHAEL SMITH:

The ambulance picked this little bloke up and took him...

STEPHEN ROBERTSON:

Neither is the Queensland Ambulance service Mike.

MICHAEL SMITH:

Ah Stephen Robertson you can’t... how can you say to people who are listening, like that 80 year old lady who rings up for an ambulance...

STEPHEN ROBERTSON:

Mike your allegation in relation to the little, the poor unfortunate lad with the Mater with the amount of time that he spent in the emergency department waiting room at Mater Private Hospital and you deliberately and dishonestly attacked Queensland...

MICHAEL SMITH:

Don’t you start with dishonest with me! A lady rings up, she’s 32 hours waiting, she’s put the little bloke in the ambulance, he’s got a broken arm and you’re trying to defend it?
STEPHEN ROBERTSON:

No, I’m not defending it. What I’m saying to you is your attack on Queensland Health was inappropriate and dishonest because it was a matter to do with the Mater Private Hospital.

MICHAEL SMITH:

You want to have a think about the definition of ‘dishonest’, Minister, before you start spraying that around because that’s a pretty serious allegation.

STEPHEN ROBERTSON:

Well, it stands.

MICHAEL SMITH:

Righto, well, we might be having another chat in another forum.

STEPHEN ROBERTSON:

Fine.

MICHAEL SMITH:

Minister Stephen Robertson, see you later.

STEPHEN ROBERTSON:

Look, I’m happy to keep talking if you’d like, Mike, because there’s a few other...

MICHAEL SMITH:

What about?

STEPHEN ROBERTSON:

There’s a few other matters that we can deal with.

MICHAEL SMITH:

Like what?

STEPHEN ROBERTSON:

Well, for example, the issue regarding the Logan hospital. Again, that’s the matter with respect to the ambulance department, not Queensland Health. I mean there...

MICHAEL SMITH:

Hang on, what is the value of you as a Member of the Cabinet of this government having people listening to you and you say “I’m the Health Minister, I’m so sorry it’s an ambulance matter, you’ll have to talk to somebody else”?
STEPHEN ROBERTSON:
Because that's why we have a Minister for Emergency Services and that's why you have...

MICHAEL SMITH:
Mate, the reason the ambulances are tied up is because they cannot leave their patients in the emergency wards that you are responsible for.

STEPHEN ROBERTSON:
That is one of a number of issues that are pressuring the ambulance service.

MICHAEL SMITH:
I can't believe the buck passing.

STEPHEN ROBERTSON:
It is not the only one. Mike, I'm sorry, but I accept what I am responsible for. Always have, always will.

MICHAEL SMITH:
You're a Member of the Cabinet though, Minister. For gods sake. Can you imagine somebody listening to this thinking to themselves “Are you fair dinkum?”.

STEPHEN ROBERTSON:
I'm sorry Mike, I'm happy to answer any question that you have in relation to my portfolio responsibility. Always have. Always will.

MICHAEL SMITH:
If someone’s crook and they ring up the ambulance, do you think they're thinking “Gee, I hope that the Minister for Emergency Services is...”

STEPHEN ROBERTSON:
Mike, this is where your lack of balance, your lack of openness and transparency really comes to the fore.

MICHAEL SMITH:
Like what? What are you talking about?

STEPHEN ROBERTSON:
Of the claims that you continue to make on your show on a daily basis and frankly.

MICHAEL SMITH:
Good on you. Righto.

**STEPHEN ROBERTSON:**

Can I just...

**MICHAEL SMITH:**

Yeah, go on. Just, you do a little bit further.

**STEPHEN ROBERTSON:**

Just help me out with this one Mike. Because you keep asking me everytime I come on the air have I got the Code of Conduct in front of me? Mike, I’ve got a question for you: Do you have a copy of the Media Alliance Code of Ethics in front of you? Because this is the code of ethics which your radio station has signed up to. Do you know what the first lines of that code of ethics actually says? Let me help you out, because you obviously don’t have it in front of you. It says to report and interpret honestly, striving for accuracy, fairness, and disclosure of all essential facts. Do not suppress relevant available facts or give distorting emphasis. Do your utmost to give a fair opportunity for reply. Mike...

**MICHAEL SMITH:**

Hello. And what have you had the last twenty minutes?

**STEPHEN ROBERTSON:**

Once you adopt the Media Alliance’s Code of Ethics, which is a requirement of your radio station, I’ll be happy to talk to you again. Good afternoon and good afternoon to your listeners.

[HANGS UP]

**MICHAEL SMITH:**

Oh, never say we give you other than insightful radio.

[END]