

Secure Mental Health Unit
Mental Health, Justice Health & Alcohol and Drug Services
T: 02 512 41853

Penelope.Ginich@act.gov.au

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND



ACT
Government

**Canberra Health
Services**

From: Vieira, Mariadefatima <Mariadefatima.Vieira@act.gov.au>

Sent: Tuesday, 14 December 2021 3:56 PM

To: Ginich, Penelope (Health) <Penelope.Ginich@act.gov.au>

Subject: RE: HRC Dhulwa CIC - consumer consultations

OFFICIAL

Lol, no worries 😊

From: Ginich, Penelope (Health) <Penelope.Ginich@act.gov.au>

Sent: Tuesday, 14 December 2021 2:35 PM

To: Vieira, Mariadefatima <Mariadefatima.Vieira@act.gov.au>

Subject: RE: HRC Dhulwa CIC - consumer consultations

OFFICIAL

How rude of me - Sincere apologies Maria! I need to put my glasses on.

Thanks for being flexible – I will get back to you shortly.

Have a great day.

Penelope

Penelope Ginich

Administration and Data Manager

Secure Mental Health Unit

Mental Health, Justice Health & Alcohol and Drug Services

T: 02 512 41853

Penelope.Ginich@act.gov.au

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND



ACT
Government

**Canberra Health
Services**

From: Vieira, Mariadefatima <Mariadefatima.Vieira@act.gov.au>

Sent: Tuesday, 14 December 2021 2:27 PM

To: Ginich, Penelope (Health) <Penelope.Ginich@act.gov.au>

Subject: RE: HRC Dhulwa CIC - consumer consultations

OFFICIAL

Hi Penelope,

Not a problem at all – happy to do one day per week over a few weeks if that works better.

Kind regards,
Maria de Fatima

From: Ginich, Penelope (Health) <Penelope.Ginich@act.gov.au>
Sent: Tuesday, 14 December 2021 2:25 PM
To: Vieira, Mariadefatima <Mariadefatima.Vieira@act.gov.au>
Subject: RE: HRC Dhulwa CIC - consumer consultations

OFFICIAL

Hi Vieira,

Great – Thank you

I'll discuss with our clinical team the option of a few hours over the course of a fortnight and anticipate what days will suit to block out some time. We have lots of planned outings now the restrictions have eased which has been wonderful.

It may suit us better to have a day per week over 2-3 weeks if this approach would be suitable for you?

With Kind Regards
Penelope

Penelope Ginich
Administration and Data Manager
Secure Mental Health Unit
Mental Health, Justice Health & Alcohol and Drug Services
T: 02 512 41853

Penelope.Ginich@act.gov.au

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND



ACT
Government

**Canberra Health
Services**

From: Vieira, Mariadefatima <Mariadefatima.Vieira@act.gov.au>
Sent: Tuesday, 14 December 2021 1:25 PM
To: Ginich, Penelope (Health) <Penelope.Ginich@act.gov.au>
Subject: RE: HRC Dhulwa CIC - consumer consultations

OFFICIAL

Dear Penelope,

Thank you for your email. I'm happy to work around Dhulwa's daily schedule/timetable – would it be easier to block out a couple of hours over a few days, to ensure people have an opportunity to speak with us at a time that suits them?

I can then email through a poster for printing to let consumers, carers and staff know the Human Rights Commission will be visiting, so that they are aware of our visit beforehand.

I would anticipate allowing around 30 min per consumer, so depending on the number of consumers at Dhulwa, happy to come out for a few hours during the course of a week or two e.g. a few hours over 3-4 days in a fortnight? Would that approach work?

Kind regards,
Maria de Fatima

Maria de Fatima Vieira | Senior Conciliator and Review Officer
ACT Human Rights Commission

T: 6205 2222 | F: 6207 1034 | TTY: 6205 1666 [REDACTED]

Level 1, 5 Constitution Avenue, CANBERRA CITY | GPO Box 158 CANBERRA ACT 2601

www.hrc.act.gov.au



**We acknowledge the Traditional Custodians of the ACT, the Ngunnawal people
We acknowledge and respect their continuing culture and the contribution they make
to the life of this city and this region**

Artwork by Ngarrindjeri artist Jordan Lovegrove

From: Ginich, Penelope (Health) <Penelope.Ginich@act.gov.au>

Sent: Tuesday, 14 December 2021 12:24 PM

To: Vieira, Mariadefatima <Mariadefatima.Vieira@act.gov.au>

Subject: RE: HRC Dhulwa CIC - consumer consultations

OFFICIAL

Good Afternoon Vieira,

Thank you – Hope you are well also during this busy time of year.

I believe early Feb will be a great time. If you would like to let me know how much time is required I can send through some preferred dates?

Many Thanks

Penelope

Penelope Ginich

Administration and Data Manager

Secure Mental Health Unit

Mental Health, Justice Health & Alcohol and Drug Services

T: 02 512 41853

Penelope.Ginich@act.gov.au

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND



ACT
Government

**Canberra Health
Services**

From: Vieira, Mariadefatima <Mariadefatima.Vieira@act.gov.au>
Sent: Monday, 13 December 2021 4:24 PM
To: Ginich, Penelope (Health) <Penelope.Ginich@act.gov.au>
Subject: RE: HRC Dhulwa CIC - consumer consultations

OFFICIAL

Dear Penelope,

Hope you are well. I know it's been a little while since I've been in touch due to COVID lockdown. I was hoping to book in some time early in the new year for consumer consultations at Dhulwa. What is late Jan/early Feb looking like from your perspective?

Kind regards,
 Maria de Fatima

Maria de Fatima Vieira | Senior Conciliator and Review Officer
ACT Human Rights Commission

T: 6205 2222 | F: 6207 1034 | TTY: 6205 1666 [REDACTED]
 Level 1, 5 Constitution Avenue, CANBERRA CITY | GPO Box 158 CANBERRA ACT 2601
www.hrc.act.gov.au



We acknowledge the Traditional Custodians of the ACT, the Ngunnawal people
We acknowledge and respect their continuing culture and the contribution they make
to the life of this city and this region

Artwork by Ngarrindjeri artist Jordan Lovegrove

From: Vieira, Mariadefatima
Sent: Monday, 16 August 2021 4:56 PM
To: Ginich, Penelope (Health) <Penelope.Ginich@act.gov.au>
Subject: RE: HRC Dhulwa CIC - consumer consultations

OFFICIAL

Dear Penelope,

Very happy to play things by ear and see what happens with lockdown. Thursday 16 September in the visitor lounge sounds like a good date to work towards pending current covid situation.

Hope you guys are all going ok.

Kind regards,
 Maria de Fatima

Maria de Fatima Vieira | Senior Conciliator and Review Officer

ACT Human Rights Commission

T: 6205 2222 | F: 6207 1034 | TTY: 6205 1666 [REDACTED]

Level 1, 5 Constitution Avenue, CANBERRA CITY | GPO Box 158 CANBERRA ACT 2601

www.hrc.act.gov.au



We acknowledge the Traditional Custodians of the ACT, the Ngunnawal people
We acknowledge and respect their continuing culture and the contribution they make
to the life of this city and this region

Artwork by Ngarrindjeri artist Jordan Lovegrove

From: Ginich, Penelope (Health) <Penelope.Ginich@act.gov.au>

Sent: Friday, 13 August 2021 3:37 PM

To: Vieira, Mariadefatima <Mariadefatima.Vieira@act.gov.au>

Subject: RE: HRC Dhulwa CIC - consumer consultations

OFFICIAL

Hi Maria,

Understand with the current lock down this will impact the HRC consumer drop in.

I am happy to book something in our visitor lounge and we can play by ear regarding CHS restrictions to visitors?

Would Thursday the 16th of September sound like a suitable date to work towards?

With Many Thanks

Penelope

Penelope Ginich

Administration and Data Manager

Secure Mental Health Unit

Mental Health, Justice Health & Alcohol and Drug Services

T: 02 512 41853

[REDACTED]

Penelope.Ginich@act.gov.au

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND



ACT
Government

**Canberra Health
Services**

From: Vieira, Mariadefatima <Mariadefatima.Vieira@act.gov.au>

Sent: Wednesday, 4 August 2021 3:13 PM

To: Ginich, Penelope (Health) <Penelope.Ginich@act.gov.au>

Subject: RE: HRC Dhulwa CIC - consumer consultations

OFFICIAL

Dear Pene,

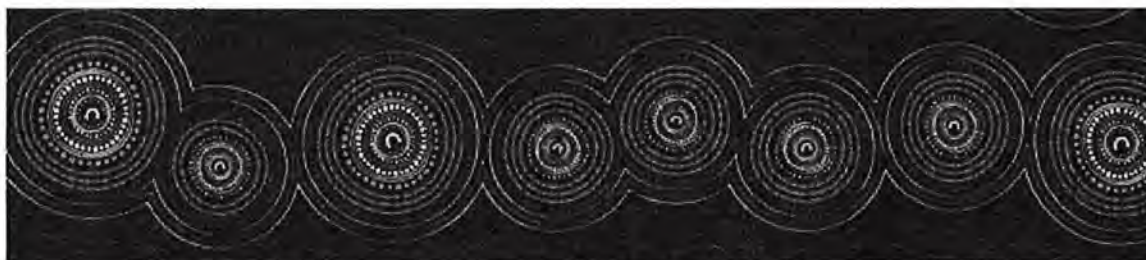
I'd like to organise some times to meet with consumers and talk about their experiences of Dhulwa. Would it be easier to meet with consumers individually, or in small groups? Happy to be guided by you in terms of what would be least disruptive for consumers and staff.

I'd be very happy to also chat on the phone – please feel free to give me a call on my direct number 6205 1413.

Kind regards,
Maria de Fatima

Maria de Fatima Vieira | Senior Conciliator and Review Officer
ACT Human Rights Commission

T: 6205 2222 | F: 6207 1034 | TTY: 6205 1666 [REDACTED]
Level 1, 5 Constitution Avenue, CANBERRA CITY | GPO Box 158 CANBERRA ACT 2601
www.hrc.act.gov.au



**We acknowledge the Traditional Custodians of the ACT, the Ngunnawal people
We acknowledge and respect their continuing culture and the contribution they make
to the life of this city and this region**

Artwork by Ngarrindjeri artist Jordan Lovegrove

From: Agyemang-Duah, Eric (Health) <Eric.K.Agyemang-Duah@act.gov.au>
Sent: Friday, 30 July 2021 12:00 PM
To: Vieira, Mariadefatima <Mariadefatima.Vieira@act.gov.au>
Cc: Ginich, Penelope (Health) <Penelope.Ginich@act.gov.au>
Subject: RE: HRC Dhulwa CIC - consumer consultations

OFFICIAL

Hello Vieira
Pene is the contact person, I have copied her in the email

Thanks

From: Vieira, Mariadefatima <Mariadefatima.Vieira@act.gov.au>
Sent: Thursday, 29 July 2021 3:03 PM
To: Agyemang-Duah, Eric (Health) <Eric.K.Agyemang-Duah@act.gov.au>
Subject: HRC Dhulwa CIC - consumer consultations

OFFICIAL

Dear Eric,

I'm writing about the Commission-initiated consideration about Dhulwa. I previously liaised with Casey Shaw, but I understand she is no longer at Dhulwa.

Who would be the best person for me to speak with about organising some times to meet with consumers and talk about their experiences of Dhulwa?

Kind regards,
Maria de Fatima

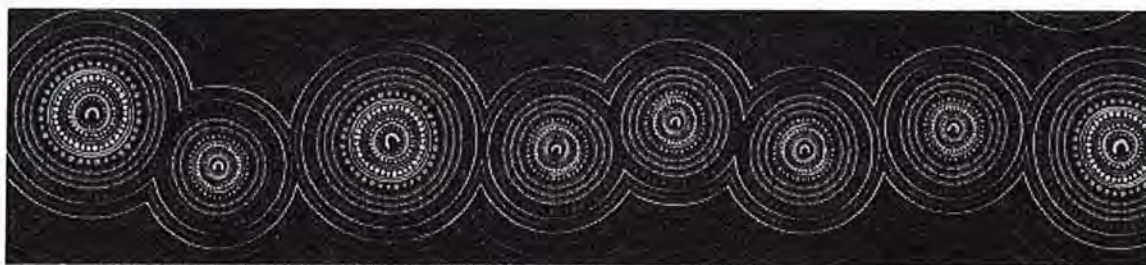
Maria de Fatima Vieira | Senior Conciliator and Review Officer

ACT Human Rights Commission

T: 6205 2222 | F: 6207 1034 | TTY: 6205 1666 [REDACTED]

Level 1, 5 Constitution Avenue, CANBERRA CITY | GPO Box 158 CANBERRA ACT 2601

www.hrc.act.gov.au



**We acknowledge the Traditional Custodians of the ACT, the Ngannawal people
We acknowledge and respect their continuing culture and the contribution they make
to the life of this city and this region**

Artwork by Ngarrindjeri artist Jordan Lovegrove



ACT HUMAN RIGHTS
COMMISSION

Australian Capital Territory



The ACT Human Rights Commission is interested in your experiences of Dhulwa Mental Health Unit

If you have something to say about your experiences at Dhulwa, the Commission wants to hear from you— consumers & family members, carers, staff & other people working onsite or delivering programs. If you would like have a say, you can:

- Talk to us on the phone by calling **(02) 6205 2222** and asking for Maria de Fatima Vieira
- Send us an email at **HRCintake@act.gov.au** or a letter to GPO Box 158 Canberra ACT 2601
- Talk to us in person. You can visit the Commission's office at 56 Allara Street, Canberra City.
- If you are a consumer, you can talk to us when we visit Dhulwa on **Thursday 3 March 2022** and **Thursday 10 March 2022**
- Speak with the Public Advocate or Official Visitors if you would like assistance in contacting the Commission

From: Guthrie, Daniel (Health)
Sent: Friday, 25 February 2022 9:37 AM
To: Grey, Brooke
Subject: RE: Worksafe investigation at Dhulwa

Follow Up Flag: Follow up
Flag Status: Flagged

OFFICIAL

Hi Brooke,

Thanks I will give you a call today if you have time.

Regards

Daniel

Daniel Guthrie
 Senior Director | Work Health Safety
 People and Culture | Canberra Health Services
 Level 1, Building 23 | Canberra Hospital
 Phone: 5124 9544 [REDACTED]
 Email: daniel.guthrie@act.gov.au

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND



ACT
Government

**Canberra Health
Services**

From: Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>
Sent: Thursday, 24 February 2022 8:40 AM
To: Guthrie, Daniel (Health) <Daniel.Guthrie@act.gov.au>
Subject: RE: Worksafe investigation at Dhulwa

OFFICIAL

Good morning Daniel,

Looks like we were phone tagging yesterday. Thanks for your call. Kalena and I did chat yesterday and has forwarded the contact details of Katerina Rea as the contact person.

Chat later

I'll be in teams meeting all day but available tomorrow if you wish to chat

thanks

Brooke Grey | Senior Director – Investigations and Operations
 P: 02 6205 0753 [REDACTED] E: Brooke.Grey@worksafe.act.gov.au
 Office of the Work Health and Safety Commissioner

GPO Box 158 Canberra ACT 2601

WORKSAFEACT



I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.

From: Guthrie, Daniel (Health) <Daniel.Guthrie@act.gov.au>

Sent: Wednesday, 23 February 2022 5:54 PM

To: Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>

Subject: FW: Worksafe investigation at Dhulwa

OFFICIAL

Hi Brooke,

No need to call back, Kalena spoke to you.

You are still welcome to call if you need to.

Will no doubt be chatting in the next few weeks.

Regards

Daniel

Daniel Guthrie

Senior Director | Work Health Safety

People and Culture | Canberra Health Services

Level 1, Building 23 | Canberra Hospital

Phone: 5124 9544 [REDACTED]

Email: daniel.guthrie@act.gov.au

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND



**Canberra Health
Services**

From: Smitham, Kalena (Health) <Kalena.Smitham@act.gov.au>

Sent: Wednesday, 23 February 2022 5:48 PM

To: Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>

Cc: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>; Peffer, Dave (Health) <Dave.Peffer@act.gov.au>; Guthrie, Daniel (Health) <Daniel.Guthrie@act.gov.au>

Subject: Worksafe investigation at Dhulwa

OFFICIAL

Hi Brooke,

I write to acknowledge your correspondence to the Chief Executive regarding the intent of WorkSafe to investigate concerns regarding breaches of the Workplace Health and Safety(WHS) Act by Canberra Health Services (CHS).

The key contact for making arrangements in relation to the investigation is Katrina Rae, Executive Director of Mental Health, Justice Health, Alcohol and Other Drug Services. She is cc'd to the email and she can be contacted on +61 (02)5124 1623. Katrina will be supported by the CHS WHS team.

Please do not hesitate to make contact if you have any further questions or require any assistance.

Regards,

Kalena Smitham

Executive Group Manager

People and Culture | Canberra Health Services

Level 1, Building 23 | Canberra Hospital

Phone: 5124 9631 [REDACTED]

Email: kalena.smitham@act.gov.au

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND



ACT
Government

**Canberra Health
Services**



ACT
Government

**Canberra Health
Services**

UNCLASSIFIED - FOR OFFICIAL PURPOSES ONLY

ADVISORY NOTE

Minister for Mental Health

TRIM Ref: MCHS22/98	Request for Advice - Minister for Mental Health - Current Situation at Dhulwa
Critical Date	Not applicable
Chief Executive Officer	Dave Pepper/...../.....

Minister's question/s:

Briefing on the current issues at Dhulwa Mental Health Unit (Dhulwa)

Occupational Violence at Dhulwa

- Between 6 January and 13 February 2022 there have been 30 incidents of Occupational Violence (OV) at Dhulwa.
- Of these, 24 related to an individual consumer, [REDACTED]
- An overview of incidents on two key dates are provided below.

5 February 2022 incident

- On 5 February 2022, at approximately 0900 hours, [REDACTED]
- [REDACTED]
- [REDACTED]
- Staff consulted with the on-call psychiatrist and a call to the Special Emergency Response Team (SERT) was activated at approximately 1100 hours.
- At approximately 1140 hours, the SERT arrived.
- Just before 1200 hours, [REDACTED] entered the nurses station however staff were able to redirect [REDACTED] without incident.
- At approximately 1215 hours, [REDACTED]
- The SERT remained at Dhulwa [REDACTED] and [REDACTED] was verbally de-escalated.
- A staff member was kicked by [REDACTED] and presented to the Canberra Hospital Emergency Department with an injured wrist.
- The staff member sustained a fractured wrist during this incident.

UNCLASSIFIED

13 February 2022 incidents

- On 13 February 2022, at approximately 1100 hours, [REDACTED] become aggressive and assaulted three staff members.
- All three staff members were seen in the Emergency Department (ED) and cleared to go home with minor injuries.
- Reporting of the incidents through Riskman were completed for each staff member.
- A call to the SERT was activated around midday, however [REDACTED] de-escalated and went to sleep so the SERT was stood down.
- On 13 February 2022, at approximately 1820 hours, a further incident of aggression had occurred involving consumer [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Correspondence from the Australian Nursing and Midwifery Federation (ANMF) and Canberra Health Service response:

- On 7 February 2022, Canberra Health Services (CHS) received a letter of correspondence from the Australian Nursing and Midwifery Federation (ANMF) regarding concerns raised by ANMF members working at the Dhulwa.
- Concerns raised relate to serious Work Health and Safety (WHS) matters, use of personal leave, changes to staffing levels/numbers, and use of CCTV footage within the unit.
- Specifically, the serious WHS matters raised relate to
 - Decision-making on the management of 'violent and aggressive consumers';
 - Timely and appropriate care/management plans for consumers who are known to become aggressive;
 - Workplace culture leaving staff feeling discouraged from reporting WHS issues;
 - Unclear direction on the appropriate restraint methods staff are to utilise;
 - Staff being requested to remove personal protective equipment (PPE); and

UNCLASSIFIED

- CHS's compliance with reporting obligations pursuant to Part 3 – Incident Notification of the Work Health Safety (WHS) Act 2011, in respect to notifying Worksafe ACT of any Notifiable Incident.
- CHS formally responded to the ANMF addressing the issues raised on 16 February 2022. Additionally, CHS met with three ANMF representatives and the Dhulwa staff union representative on the same day to discuss concerns.
- CHS communicated strategies implemented to address these concerns by close of business the same day.

Worksafe ACT attendance at Dhulwa

- On Tuesday 15 February 2022, two WorkSafe Inspectors arrived without notice to Dhulwa and requested entry.
- Their attendance was in relation to any anonymous complaint on 11 February 2022 that detailed information of a staff member who had been kicked by a consumer (OV incident).
- The Inspectors were given a tour of the facility by the Assistance Director of Nursing (ADON) and then interviewed selected staff. Accompanying the inspectors during interviews were the CHS WHS Senior Director, Director of Nursing (DON) and ADON.
- The Inspectors were provided an overview of the current challenges, risk control measures and work in progress to reduce OV risks.
- This included relevant information regarding the ANMF visit to the unit the day prior; supports being provided by the DON and ADON; and the consumer's Behaviour Management Plan, including engagement in therapeutic activities as a mechanism to de-escalate behaviours.
- The Inspectors were interested to speak to the Health and Safety Representatives (HSRs), however none were on shift.
- The HSRs will be emailed and given the Inspector's contact details should they volunteer to make contact.
- Worksafe ACT has since written to the CEO, CHS advising of the intent to investigate OV between 10-13 February 2022, to identify if there is a contravention of the *WHS Act (2011)*.

Current strategies in place

- A review of [REDACTED] treatment decision support plan has occurred and additional medications have been prescribed to manage behaviours. These changes have been communicated to the team by the Clinical Director and ADON
- A roster of senior and experienced clinicians from across Mental Health Services has been established. This additional support will be in place Monday to Sunday, morning and evening shifts. This support will provide strong leadership and additional support to staff over the weekend, and will encourage staff in their interactions with [REDACTED] as this is a de-escalation technique established in [REDACTED] current Behavioural Support Plan.

UNCLASSIFIED

- [REDACTED]
An environmental assessment has occurred of the physical environment [REDACTED] is residing in. This resulted in [REDACTED] being moved to a different room [REDACTED]
[REDACTED]
An urgent work order has been submitted to fix a loose benchtop. There were no other environmental risks requiring mitigations required
- Scenario based training has been provided to staff on 15 February 2022 and will continue. This will provide staff with an opportunity to practice techniques and team based working. Security will also join the team in this training.
- All staff at Dhulwa have been now advised the Violence Prevention and Management (VPM) training techniques will continue to be in place until everyone has been trained in OV.
- Staff debrief sessions will continue twice weekly. This will provide staff with an opportunity to raise any concerns and share key learnings from interactions with [REDACTED]
- [REDACTED] Behavioural Support Plan will be updated to include information on restraint guidelines.
- Structured activities will be planned for [REDACTED] at the weekend for staff to follow.
- Other patients are being granted leave from the unit to minimise exposure to [REDACTED] behaviour and reduce stimulus within unit. This will also allow remaining staff to focus on [REDACTED]
- Staff have been encouraged to familiarise themselves with [REDACTED] longstanding Behavioural Support Plan.
- Consideration of the implementation of Wardspersons in Dhulwa is occurring to provide additional support and situational security for staff and consumers. This has been a highly effective model in the Adult Mental Health Unit and will leverage from that model.
- Guidance on the use of PPE under Clinical Health Emergency Coordination Centre (CHECC) advice 106 is being recommunicated to staff, identifying the provision to remove PPE where mask wearing creates a risk to health and safety, and where clear enunciation or visibility of their mouth is essential.
- A senior nurse has been allocated to focus on OV across Mental Health, Justice Health and Alcohol and Drug Services (MHJHADS) for the next three months with a focus on Dhulwa. The role will support training, education, reporting, governance, coaching, mentoring and the development and implementation of new strategies to reduce OV.

Media Interest

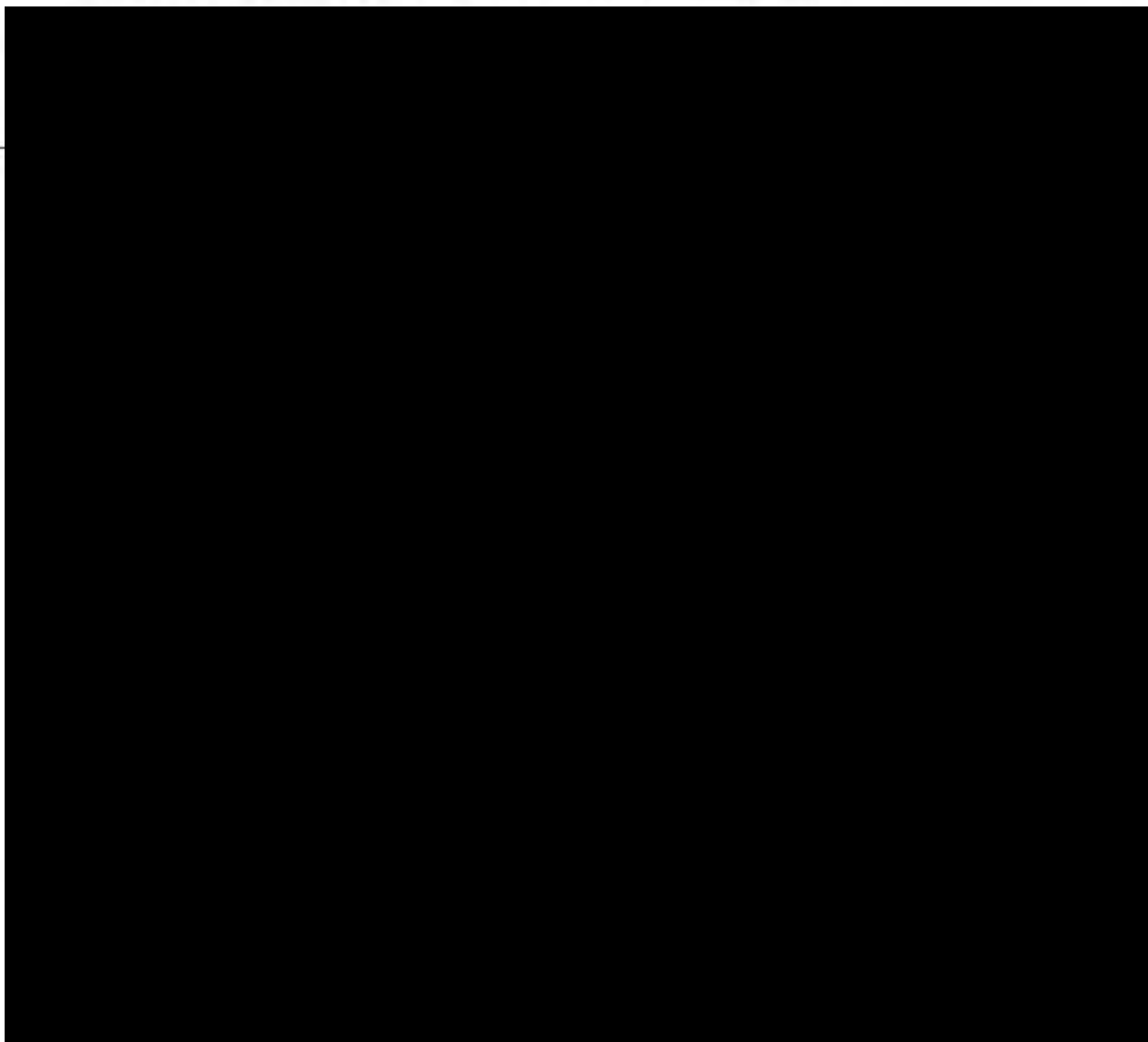
- Dhulwa staff have taken to Social Media to escalate their concerns to the Minister's Office.

Talking Points

- Workplace culture continues to be a priority for CHS and I can assure you there will be no ramifications for staff who report WHS issues.
- Staff are encouraged to escalate matters of concern, including WHS issues, to their immediate manager or their workplace Health and Safety Representative (HSR).

UNCLASSIFIED

- If staff remain concerned, we would like to remind them of their Speaking Up For Safety (SUFS) training, and reassure them that they can also escalate their concerns and issues via the Executive Director's Office, at CHS.EDMHJHADS@act.gov.au.



Background – Detailed responses to ANMF

- CHS is committed to providing a healthy and safe working environment for staff to the farthest extent that is reasonably practicable. The current circumstances at Dhulwa are very challenging and all efforts are being made to support and keep staff safe.
- CHS acknowledges the ANMF concern regarding clarity on the expected restraint methods staff are to utilise. As a result, staff have been advised VPM techniques are to be used at all times until all staff receive the newly introduced OV training.
- CHS acknowledges the concerns regarding the use of PPE. Under current CHECC advice no. 106, it is acceptable for staff to remove their mask where it creates a risk to health and safety, and where clear enunciation or visibility of their mouth is essential.

This is necessary to reduce overall risks in respect to the care of some consumers e.g. where

INTERNAL ADVISORY NOTE

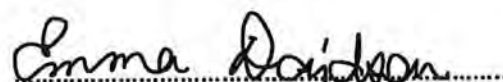
UNCLASSIFIED

UNCLASSIFIED

mask wearing increases consumer agitation and occupational violence. This also will be clarified and communicated to staff to explain the rationale for not wearing masks at times in these situations.

- With regards to access to care/management plans Dhulwa use, Behaviour Support Plans outline specific activities that may support de-escalation, thereby avoiding restraint and seclusion.
- Workplace culture continues to be a priority for CHS. CHS can assure there will be no ramifications for staff who report WHS issues. CHS has implemented a number of programs to support staff in escalating their concerns, including Speaking Up For Safety (SUFS) training, Safewards initiatives, and participation in Workplace Culture Surveys.
- WHS matters are the responsibility of all members of staff and CHS strongly encourages staff at every level to report any WHS concerns they may have. Further to this, incident reporting via Riskman is actively reviewed to ensure risks are identified and mitigated in a timely manner.
- CHS has a governance structure with mechanisms in place to ensure compliance with reporting obligations pursuant to Part 3 – Incident Notification of the *WHS Act 2011*, in respect to notifying Worksafe ACT of any notifiable incidents.
- Unfortunately, due to the current staffing and rostering challenges, the requirement for medical certificate was regrettably circulated to the DMHU staff group. A revised communication has been circulated by the Director of Dhulwa, Inpatient Mental Health. Line managers will assess personal leave on an individual basis.
- It is acknowledged that there is short staffing at times despite significant efforts to backfill when these shortages are identified. Due to the impact of COVID-19, similar challenges are being experienced across CHS and in other jurisdictions.
- CHS has been consulting with staff on these matters to provide them with an opportunity to raise any concerns. It is acknowledged further consultation with external agencies could be strengthened and CHS will endeavour to achieve this.
- With respect to concerns regarding the use of CCTV, CHS reserves the right to continue the use of CCTV in Dhulwa as governed by the *Information Privacy Act, 2014* and CHS' Closed Circuit Television Procedure. Camera systems are one tool in a suite of important security systems used to enhance the safety and security of staff, consumers and visitors.

Noted / Please Discuss



Emma Davidson MLA
Minister for Mental Health

03./03/2022

Signatory Name: Katrina Rea

Phone: 5124 1577

Daly, Kelly (Health)

From: Rea, Katrina (Health)
Sent: Tuesday, 8 March 2022 2:37 PM
To: Grey, Brooke
Cc: Foster, Michael; Canberra Health Services ED MHJHADS
Subject: RE: Worksafe investigation at Dhulwa

OFFICIAL

Thank you so much Brooke.
 It was great to speak with yourself and Mick.

Mick if you cc my teams central mailbox (cc'd to this email), this is managed so we can make sure we action your requests in as quickly as possible in the enviable scenario where I am in back to back meetings. As discussed my mobile is [REDACTED] so if you need to get in contact with me directly, please do.

Wishing you a lovely break Brooke.

Kind Regards,

Katrina Rea

A/Executive Director Mental Health, Justice Health, Alcohol & Drug Services

Phone: 02 5124 1577 | **Email:** Katrina.M.Rea@act.gov.au
 Building 28, Level 2, Canberra Hospital, Yamba Drive, Garran ACT 2605

From: Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>
Sent: Tuesday, 8 March 2022 1:41 PM
To: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>
Cc: Foster, Michael <Michael.Foster@worksafe.act.gov.au>
Subject: RE: Worksafe investigation at Dhulwa

OFFICIAL

Good afternoon Katrina,

Thanks for your time this afternoon to discuss the sec 171. Copied into this email is Mick Foster,

[REDACTED]

Regards

Brooke Grey | Senior Director – Investigations and Operations
 P: 02 6205 0753 [REDACTED] E: Brooke.Grey@worksafe.act.gov.au
 Office of the Work Health and Safety Commissioner
 GPO Box 158 Canberra ACT 2601

WORKSAFEACT



I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.



From: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>
Sent: Wednesday, 23 February 2022 7:25 PM
To: Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>
Cc: Canberra Health Services ED MHJHADS <CHS.EDMHJHADS@act.gov.au>
Subject: RE: Worksafe investigation at Dhulwa

OFFICIAL

Hi Brooke,

I just wanted to confirm the best contact number to reach me on is 02 5124 1577. There was a slight omission in Kalena's email below.

Additionally I have cc'd our central mailbox that is only viewed by myself and direct support team. This is a managed mailbox so the team can make sure they flag anything you send though urgently with me.

Kind Regards,

Katrina Rea

A/Executive Director Mental Health, Justice Health, Alcohol & Drug Services

Phone: 02 5124 1577 | **Email:** Katrina.M.Rea@act.gov.au
 Building 28, Level 2, Canberra Hospital, Yamba Drive, Garran ACT 2605

From: Smitham, Kalena (Health) <Kalena.Smitham@act.gov.au>
Sent: Wednesday, 23 February 2022 5:48 PM
To: Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>
Cc: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>; Peffer, Dave (Health) <Dave.Peffer@act.gov.au>; Guthrie, Daniel (Health) <Daniel.Guthrie@act.gov.au>
Subject: Worksafe investigation at Dhulwa

OFFICIAL

Hi Brooke,

I write to acknowledge your correspondence to the Chief Executive regarding the intent of WorkSafe to investigate concerns regarding breaches of the Workplace Health and Safety(WHS) Act by Canberra Health Services (CHS).

The key contact for making arrangements in relation to the investigation is Katrina Rae, Executive Director of Mental Health, Justice Health, Alcohol and Other Drug Services. She is cc'd to the email and she can be contacted on +61 (02)5124 1623. Katrina will be supported by the CHS WHS team.

Please do not hesitate to make contact if you have any further questions or require any assistance.

Regards,

Kalena Smitham

Executive Group Manager

People and Culture | Canberra Health Services

Level 1, Building 23 | Canberra Hospital

Phone: 5124 9631 [REDACTED]

Email: kalena.smitham@act.gov.au

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND



ACT
Government

**Canberra Health
Services**

Canberra Health Services**To:** Minister for Mental Health

Tracking No.: MCHS22/154

Date: 10 March 2022**CC:** Dave Pepper, Chief Executive Officer**From:** Colm Mooney, Acting Deputy Chief Executive Officer**Subject:** Minister's Weekly Brief – 7 - 11 March 2022**Critical Date:** 11/03/2022**Critical Reason:** To ensure you are briefed on current issues and events

- DCEO .../.../...

Recommendation

1. Note the information contained in the Minister's Weekly Brief – 7 to 11 March 2022.

Noted / Please Discuss

Emma Davidson MLA/...../.....

Minister's Office Feedback

KEY TOPICS/EMERGING ISSUES

Out of Scope



Worksafe Investigation at Dhulwa Mental Health Unit

- On 7 March at approximately 1300 hours, Worksafe Investigator BG contacted Mental Health, Justice Health and Alcohol and Drug Services (MHJAHDS) to advise of their intent to visit Dhulwa Mental Health Unit (Dhulwa) between 9am and 10am Tuesday 8 March.
- Preliminary discussions with BG highlighted an interest in Worksafe accessing CCTV and records relating to their investigation for events during 10 and 13 February inclusive.

OFFICIAL

- On 8 March at the conclusion of BG's visit to Dhulwa, BG issued a requirement to give information and provide documents under Section 171 (1)(b) of the Work Health Safety Act 2011. Scope included *CCTV footage capturing workplace incidents and violence occurring at [REDACTED] of Dhulwa involving staff and consumer [REDACTED] on 28 January 2022, 13 February 2022 and 2 March 2022.*
 - There is no CCTV footage of [REDACTED] of Dhulwa on 28 February 2022, 13 February 2022 and 2 March 2022.
-
- MHJHADS have since been advised that a new Worksafe Inspector MF has been allocated to the investigation.
 - In addition, MF has issued a requirement to give information and provide documents under Section 155 (2)(a) and (b) of the Work Health and Safety Act 2011. The scope has significantly increased to *all video files depicting workplace violence incidents that have been bookmarked on the CCTV memory relating to the Dhulwa Mental Health Unit between the dates of Friday 28 January and Thursday 3 March 2022 inclusive.*
 - MHJHADS will work with CHS Security to provide the requested copies by 11 March 2022.
 - Further consultation with MF from Worksafe will take place to support the process and ensure a collaborative engagement.

Signatory Name:	Colm Mooney Acting Deputy Chief Executive Officer	Phone:	5124 4680
Action Officer:	Kath Macpherson Senior Director Policy, Planning and Government Relations	Phone:	5124 9590

Daly, Kelly (Health)

From: Ward, Georgia (Health) on behalf of Canberra Health Services ED MHJHADS
Sent: Friday, 11 March 2022 12:18 PM
To: Sullivan, Clare
Subject: FW: Letter to ANMF - Dhulwa Occupational Violence, MHJHADS Strategies
Attachments: Letter to ANMF - Dhulwa Occupational Violence, MHJHADS Strategies.pdf

OFFICIAL

Morning Clare,

Hope you are well. Katrina mentioned that the Minister's office may do some proactive communications around the OV incidents at Dhulwa and the implementation of MHJHADS strategies, I thought this letter may be of use to you.

Katrina is happy to chat with you about the content if you require clarification on any of the items.

Kind Regards,

Georgia Ward | A/g Executive Assistant to
 Katrina Rea | A/g Executive Director
 Mental Health, Justice Health and Alcohol & Drug Services
 Phone: 02 5124 1577 | Email: CHS.EDMHJHADS@act.gov.au
 MHJHADS | Canberra Health Services | ACT Government
 Building 28, Level 2 – The Canberra Hospital | health.act.gov.au
 RELIABLE | PROGRESSIVE | RESPECTFUL | KIND



Canberra Health
Services

From: Ward, Georgia (Health) On Behalf Of Canberra Health Services ED MHJHADS

Sent: Friday, 11 March 2022 9:40 AM

To: 'anmfact@anmfact.org.au' <anmfact@anmfact.org.au>

Cc: Guthrie, Daniel (Health) <Daniel.Guthrie@act.gov.au>; Smitham, Kalena (Health) <Kalena.Smitham@act.gov.au>;
 Pepper, Dave (Health) <Dave.Pepper@act.gov.au>; O'Neill, Cathie (Health) <Cathie.O'Neill@act.gov.au>; Sonny Ward
 (Health) <Sonny.Ward@act.gov.au>

Subject: Letter to ANMF - Dhulwa Occupational Violence, MHJHADS Strategies

OFFICIAL

Good morning Mr Daniel,

Please find attached correspondence from the Executive Director of Mental Health, Justice Health and Alcohol & Drug Services.

If you have any further questions, please contact our office at CHS.EDMHJHADS@act.gov.au.

Kind Regards,

Georgia Ward | A/g Executive Assistant to
 Katrina Rea | A/g Executive Director
 Mental Health, Justice Health and Alcohol & Drug Services
 Phone: 02 5124 1577 | Email: CHS.EDMHJHADS@act.gov.au

MHJHADS | Canberra Health Services | ACT Government
Building 28, Level 2 – The Canberra Hospital | health.act.gov.au
RELIABLE | PROGRESSIVE | RESPECTFUL | KIND



Canberra Health
Services



ACT
Government

**Canberra Health
Services**

Matthew Daniel
Australian Nursing and Midwifery Federation
Branch Secretary
Email: anmfact@anmfact.org.au

Dear Mr Daniel

I am writing regarding the recent incidents of Occupational Violence (OV) at the Dhulwa Mental Health Unit (DMHU).

As you know, we have been working closely and collaboratively with staff members at the DMHU to ensure their concerns are heard and supported, as well as to ensure a safe environment for them to come to work each day.

I would also like to take this opportunity to thank you and your team for your ongoing support, collegiality and advocacy in this space. We both share the same goal of providing a safe work environment for our staff. I thank you for your contribution and ongoing commitment to working in partnership with us on these matters.

Below is an overview of the strategies we have implemented so far. These will be evaluated regularly to ensure staff safety is our priority.

- A roster of senior and experienced clinicians from across Mental Health, Justice Health and Alcohol and Drug Services (MHJHADS) has been established for DMHU. This additional support was put in place from the week of 14 February 2022 from Monday to Sunday, across both morning and evening shifts. From 21 February, senior management has also been made available to the staff on Saturday and Sunday. This provides strong leadership, encouragement, and additional support for staff, to safely interact with consumers aligned to individual Behavioural Support Plans.
- Environmental assessments have occurred in the physical environments where we care for high-risk consumers. All environmental risks requiring mitigations have been complete.
- Scenario based training was provided to staff on 15 February 2022 and will continue to be available. This will provide staff with an opportunity to practice techniques and team-based working. Security will also join the team in this training. This aims to support the staff to feel confident in leading effective responses to incidents.

- All staff at DMHU have now been advised that the Violence Prevention and Management (VPM) training techniques will continue to be in place until 80% staff have been trained in the OV methodology. We will clearly communicate this milestone to staff and the change in methodology once this occurs.
- DMHU has 5 OV 'Train - the - Trainers' within the staff cohort, more than twice the trainers than any other area of CHS. We have also provided 8 hours of OV training per DMHU staff member, double of what is prescribed in the implementation of the new OV training.
- People and Culture are working with MHJHADS to establish on site practical scenario based OV training to ensure the new methodology is well understood and implemented insitu. This will be led by the current OV trainers.
- Staff debrief sessions will continue twice weekly, providing staff with an opportunity to raise any concerns and share key learnings from incidents.
- The multi-disciplinary team are working together to focus on increasing the availability and accesses to structured activities and engagement in therapeutic group programs.
- Consideration of the implementation of Wardspersons in DMHU is occurring to provide additional support and situational security for staff and consumers. This has been a highly effective model in the Adult Mental Health Unit and will leverage from that model.
- Guidance on the use of PPE under Clinical Health Emergency Coordination Centre (CHECC) advice 106 is being recommunicated to staff, identifying the provision to remove PPE where mask wearing creates a risk to health and safety, and where clear enunciation or visibility of their mouth is essential.
- EAP Critical Incident debriefing was arranged, and staff have been invited to attend two sessions a week beginning 7 February 2022.
- Seated massage sessions have been arranged to support staff well-being and to assist in stress management.
- MHJHADS are working with P&C to roll out a series of role clarification workshops to empower staff to clearly understand their roles and responsibilities and resolve any clarification or role demarcation issues.

I acknowledge that ongoing work to reduce OV not just in DMHU but across MHJHADS is required. I am very committed to ongoing targeted work in this space. To commence this work, a senior nurse has been allocated to focus on OV across MHJHADS for the next three months with a focus on DMHU. The role will support

training, education, reporting, governance, coaching, mentoring and the development and implementation of new strategies to reduce OV.

I would support you sharing this correspondence with your members and would be open to any further suggestions that the ANMF or members may have to support this work and our team.

If you have any further questions or concerns in relation to the above, please don't hesitate to contact my office at CHS.EDMHJHADS@act.gov.au or on 5124 1577.

Yours sincerely



Katrina Rea

Executive Director

Mental Health, Justice Health and Alcohol and Drug Services

11 March 2022

cc.	Karen Grace
	Sonny Ward
	Daniel Guthrie
	Cathie O'Neill
	Dave Pepper
	Kalena Smitham

Daly, Kelly (Health)

From: Rea, Katrina (Health)
Sent: Friday, 11 March 2022 1:44 PM
To: Foster, Michael; Grey, Brooke
Cc: Canberra Health Services ED MHJHADS; Lauder, Jamie; Smithers, Tyrone; Samara, Rohan (Health); Mooney, Chris (Health)
Subject: RE: WorkSafe investigation at Dhulwa
Attachments: ANMF K.S.

OFFICIAL

Hi Mick,

The team have the footage ready for you. They are just downloading it now.
 Would you be able to pick this up between 3.30pm and 4.30pm from the Security Control Room?
 Either Rohan Samara or Chris Mooney will be there to provide this to you.

Thanks,

Katrina Rea

A/Executive Director Mental Health, Justice Health, Alcohol & Drug Services

Phone: 02 5124 1577 | **Email:** Katrina.M.Rea@act.gov.au
 Building 28, Level 2, Canberra Hospital, Yamba Drive, Garran ACT 2605

From: Foster, Michael <Michael.Foster@worksafe.act.gov.au>
Sent: Friday, 11 March 2022 12:32 PM
To: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>; Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>
Cc: Canberra Health Services ED MHJHADS <CHS.EDMHJHADS@act.gov.au>; Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>
Subject: RE: WorkSafe investigation at Dhulwa

OFFICIAL

Good afternoon Katrina,

I am just touching base to see how the S155 request is progressing? I am happy to contact Rohan directly if that would be easier?

If you can let me know, we are just planning our movements for the rest of the day.

Thank you,

Mick.

Michael Foster | Assistant Director | Major Investigations Team
P: 02 6207 3036 **E:** michael.foster@act.gov.au

Office of the Work Health and Safety Commissioner
GPO Box 158 Canberra ACT 2601

WORKSAFEACT



ACT
Government

We acknowledge the traditional custodians of the ACT the ngunawal people, and their continuing connection to land and community. We pay our respects to them, and to the Elders both past and present.

From: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>
Sent: Tuesday, 8 March 2022 4:37 PM
To: Foster, Michael <Michael.Foster@worksafe.act.gov.au>; Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>
Cc: Canberra Health Services ED MHJHADS <CHS.EDMHJHADS@act.gov.au>; Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>
Subject: RE: WorkSafe investigation at Dhulwa

OFFICIAL

Hi Michael,

Thank you for this. I will inform the team of the new scope and deadlines.
 Appreciate your time as well. Don't hesitate to get in touch if there is anything else I can do to assist.

Katrina.

Katrina Rea

A/Executive Director Mental Health, Justice Health, Alcohol & Drug Services

Phone: 02 5124 1577 | **Email:** Katrina.M.Rea@act.gov.au
 Building 28, Level 2, Canberra Hospital, Yamba Drive, Garran ACT 2605

From: Foster, Michael <Michael.Foster@worksafe.act.gov.au>
Sent: Tuesday, 8 March 2022 4:28 PM
To: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>; Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>
Cc: Canberra Health Services ED MHJHADS <CHS.EDMHJHADS@act.gov.au>; Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>
Subject: WorkSafe investigation at Dhulwa

OFFICIAL

Good afternoon Katrina,

As discussed, please see attached S155 notice to supply documents.

The information is due by COB on Friday 11 March, 2022.

If your staff have any issues with the time frame please let me know and we can adjust accordingly.

Today when I was on site at TCH I supplied a brand new external hard drive to Rohan Sumara to facilitate the storage of the footage.

Thank you again for your time on the phone today,

Regards,

Mick Foster.

Michael Foster | Assistant Director | Major Investigations Team
P: 02 6207 3036 [REDACTED] **E:** michael.foster@act.gov.au

Office of the Work Health and Safety Commissioner
GPO Box 158 Canberra ACT 2601

WORKSAFEACT



ACT
Government

*We acknowledge the traditional custodians of the ACT the Ngunawal people,
and their continuing connection to land and community. We pay our respects
to them, and to the Elders both past and present.*

Daly, Kelly (Health)

From: Rea, Katrina (Health)
Sent: Friday, 11 March 2022 4:23 PM
To: Foster, Michael
Cc: Canberra Health Services ED MHJHADS; Harland, Jennifer (Health); Ward, Georgia (Health)
Subject: RE: WorkSafe investigation at Dhulwa

OFFICIAL

Hi Michael,

Great to hear!

A couple of moving parts I'm sorry. I will be in the role until the 25th of March. From the 25th of March to the 19th of April, Jennifer Harland will be in the role.

I have cc'd her for you into this correspondence.

After that date, Katie Mackenzie will be stepping into the role for a 12 month contract. Katie hasn't yet commenced with CHS however the team will provide you with her details as soon as this occurs.

I have also cc'd Georgia Ward who is my EA. Georgia will also be a great point of contact if you need to get in touch with me or anyone acting in the ED role.

Wishing you a restful long weekend.

Katrina.

Katrina Rea

A/Executive Director Mental Health, Justice Health, Alcohol & Drug Services

Phone: 02 5124 1577 | **Email:** Katrina.M.Rea@act.gov.au

Building 28, Level 2, Canberra Hospital, Yamba Drive, Garran ACT 2605

From: Foster, Michael <Michael.Foster@worksafe.act.gov.au>

Sent: Friday, 11 March 2022 4:16 PM

To: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>

Subject: RE: WorkSafe investigation at Dhulwa

OFFICIAL

Hi Katrina,

We made it over in time and Rohan has provided us with the footage as requested.

Thank you again, and can you also let me know who the point of contact will be when you go on leave?

Thanks,

Mick.

From: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>

Sent: Friday, 11 March 2022 2:31 PM

To: Foster, Michael <Michael.Foster@worksafe.act.gov.au>; Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>

Cc: Canberra Health Services ED MHJHADS <CHS.EDMHJHADS@act.gov.au>; Lauder, Jamie

<Jamie.Lauder@worksafe.act.gov.au>; Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>; Samara, Rohan

(Health) <Rohan.Samara@act.gov.au>; Mooney, Chris (Health) <Chris.Mooney@act.gov.au>
Subject: RE: WorkSafe investigation at Dhulwa

OFFICIAL

No problems at all Mick,

The team will be able to issue this to you out of hours if required. But yes, if you let Rohan know if this occurs, he will be able to let you know who to ask for when you arrive.

Thanks so much,

Katrina,

Katrina Rea

A/Executive Director Mental Health, Justice Health, Alcohol & Drug Services

Phone: 02 5124 1577 | **Email:** Katrina.M.Rea@act.gov.au
 Building 28, Level 2, Canberra Hospital, Yamba Drive, Garran ACT 2605

From: Foster, Michael <Michael.Foster@worksafe.act.gov.au>
Sent: Friday, 11 March 2022 1:57 PM
To: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>; Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>
Cc: Canberra Health Services ED MHJHADS <CHS.EDMHJHADS@act.gov.au>; Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>; Samara, Rohan (Health) <Rohan.Samara@act.gov.au>; Mooney, Chris (Health) <Chris.Mooney@act.gov.au>
Subject: RE: WorkSafe investigation at Dhulwa

OFFICIAL

Thank you Katrina,

We will do our absolute best to be there by 4:30pm, we have just been given another job to attend in Dickson. If we get held up, I will contact Rohan and let him know, in which case we will re-schedule for Tuesday.

Regards,
 Mick.

From: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>
Sent: Friday, 11 March 2022 1:44 PM
To: Foster, Michael <Michael.Foster@worksafe.act.gov.au>; Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>
Cc: Canberra Health Services ED MHJHADS <CHS.EDMHJHADS@act.gov.au>; Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>; Samara, Rohan (Health) <Rohan.Samara@act.gov.au>; Mooney, Chris (Health) <Chris.Mooney@act.gov.au>
Subject: RE: WorkSafe investigation at Dhulwa

OFFICIAL

Hi Mick,

The team have the footage ready for you. They are just downloading it now.
 Would you be able to pick this up between 3.30pm and 4.30pm from the Security Control Room?
 Either Rohan Samara or Chris Mooney will be there to provide this to you.

Thanks,

Katrina Rea

A/Executive Director Mental Health, Justice Health, Alcohol & Drug Services

Phone: 02 5124 1577 | **Email:** Katrina.M.Rea@act.gov.au

Building 28, Level 2, Canberra Hospital, Yamba Drive, Garran ACT 2605

From: Foster, Michael <Michael.Foster@worksafe.act.gov.au>

Sent: Friday, 11 March 2022 12:32 PM

To: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>; Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>

Cc: Canberra Health Services ED MHJHADS <CHS.EDMHJHADS@act.gov.au>; Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>

Subject: RE: WorkSafe investigation at Dhulwa

OFFICIAL

Good afternoon Katrina,

I am just touching base to see how the S155 request is progressing? I am happy to contact Rohan directly if that would be easier?

If you can let me know, we are just planning our movements for the rest of the day.

Thank you,

Mick.

Michael Foster | Assistant Director | Major Investigations Team

P: 02 6207 3036 [REDACTED] **E:** michael.foster@act.gov.au

Office of the Work Health and Safety Commissioner
GPO Box 158 Canberra ACT 2601

WORKSAFEACT



ACT
Government

We acknowledge the traditional custodians of the ACT the Ngunawal people, and their continuing connection to land and community. We pay our respects to them, and to the Elders both past and present.

From: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>

Sent: Tuesday, 8 March 2022 4:37 PM

To: Foster, Michael <Michael.Foster@worksafe.act.gov.au>; Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>

Cc: Canberra Health Services ED MHJHADS <CHS.EDMHJHADS@act.gov.au>; Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>

Subject: RE: WorkSafe investigation at Dhulwa

OFFICIAL

Hi Michael,

Thank you for this. I will inform the team of the new scope and deadlines.

Appreciate your time as well. Don't hesitate to get in touch if there is anything else I can do to assist.

Katrina.

Katrina Rea

A/Executive Director Mental Health, Justice Health, Alcohol & Drug Services

Phone: 02 5124 1577 | **Email:** Katrina.M.Rea@act.gov.au

Building 28, Level 2, Canberra Hospital, Yamba Drive, Garran ACT 2605

From: Foster, Michael <Michael.Foster@worksafe.act.gov.au>

Sent: Tuesday, 8 March 2022 4:28 PM

To: Rea, Katrina (Health) <Katrina.M.Rea@act.gov.au>; Grey, Brooke <Brooke.Grey@worksafe.act.gov.au>

Cc: Canberra Health Services ED MHJHADS <CHS.EDMHJHADS@act.gov.au>; Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>

Subject: WorkSafe investigation at Dhulwa

OFFICIAL

Good afternoon Katrina,

As discussed, please see attached S155 notice to supply documents.

The information is due by COB on Friday 11 March, 2022.

If your staff have any issues with the time frame please let me know and we can adjust accordingly.

Today when I was on site at TCH I supplied a brand new external hard drive to Rohan Sumara to facilitate the storage of the footage.

Thank you again for your time on the phone today,

Regards,

Mick Foster.

Michael Foster | Assistant Director | Major Investigations Team
P: 02 6207 3036 [REDACTED] **E:** michael.foster@act.gov.au

Office of the Work Health and Safety Commissioner
GPO Box 158 Canberra ACT 2601

WORKSAFEACT



ACT
Government

We acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. We pay our respects to them, and to the Elders both past and present.

REQUIREMENT TO GIVE INFORMATION AND PROVIDE DOCUMENTS

(Section 155(2)(a) and (b) of the *Work Health and Safety Act 2011*)

To: Katrina REA

Re: The investigation into workplace violence incidents in Dhulwa Mental Health Unit.

WorkSafe ACT File reference number: Case 00161923

I am a delegate of the regulator for the *Work Health and Safety Act 2011* (the Act).

I have reasonable grounds to believe that Canberra Health Services is capable of giving information, providing documents or giving evidence in relation to a possible contravention of the Act and/or the *Work Health and Safety Regulation 2011* (the Regulation), or to assist the regulator to monitor or enforce compliance with the Act or Regulation.

I require you to:

- (a) give me the information of which Canberra Health Service has knowledge as set out in the attached Schedule 1. The information must be provided in writing. It must be signed by an authorised officer of the company. It must be provided within the time and in the manner specified in this notice; and
- (b) produce the documents set out in the attached Schedule 2 in accordance with this notice.

I must inform you that:

1. this requirement is made under section 155 of the Act;
2. failure to comply with this requirement without reasonable excuse is an offence. The maximum penalty for this offence for an individual is \$10,000 and for a body corporate, \$50,000;
3. if your attendance is required, you may attend with a legal practitioner;
4. the effect of section 172 of the Act is that, in the event that the privilege against self-incrimination is available to you, you are not excused from providing information or a document on the ground that the information or document may tend to incriminate you or expose you to a penalty. However, the information, document or thing obtained, directly or indirectly, because of the production of the document is not admissible in evidence against you in a civil or criminal proceeding, other than a proceeding for an offence arising out of the false or misleading nature of the information or document; and
5. Section 269 of the Act does not require you to produce a document that would disclose information, or otherwise provide information, that is the subject of legal professional privilege.

The time within which the information is to be provided and the documents produced is by **17:00 hours on Friday 11 March, 2022.**

MAIL
PO Box 158
Canberra ACT 2601

PHONE
02 6207 3000

EMAIL
worksafe@act.gov.au

FAX
02 6206 0336

The manner in which the information is to be provided and the documents produced is electronically transferred files to the hard drive supplied by WorkSafe Inspectors to Rohan Sumara.

If you have any questions, you may contact me on 62073036 or email Michael.foster@worksafe.act.gov.au.

Schedule 1: Information required to be given : NIL.

Schedule 2: Documents required to be produced;

All video files depicting work place violence incidents that have been bookmarked on the CCTV memory relating the the Dhulwa Mental Health Unit between the dates of Friday 28, January and Thursday 3, March 2022 inclusive, that are stored electronically at The Canberra Hospital, or any other place.



Inspector Michael Foster

Assistant Director, Major Investigations Team

Delegate of the regulator for the *Work Health and Safety Act 2011*

Date: March 8, 2022

Daly, Kelly (Health)

Subject: Visit to Dhulwa Mental Health Unit
Location: Dhulwa Mental Health Unit - 30 Mugga Lane, Symonston ACT
Start: Wed 16/03/2022 9:30 AM
End: Wed 16/03/2022 10:30 AM
Recurrence: (none)
Meeting Status: Meeting organizer
Organizer: Rea, Katrina (Health)
Required Attendees: Rea, Katrina (Health); Moloney, Eliza; De Fombelle, Felicity
Optional Attendees: Ward, Sonny (Health); Kleinig, Peta (Health); Ord, Jon; Mashhood, Ahmed (Health)
Categories: Location - Other

Dear Ms Castley, Ms de Fombelle and Ms Moloney,

Please accept this invitation to attend the Dhulwa Mental Health Unit for a tour with the Executive Director of Mental Health, Justice Health and Alcohol & Drug Services, Katrina Rea.

Dhulwa is located at 30 Mugga Lane, Symonston ACT. Katrina will greet you at the front entrance at 9:30am.

Please allow 15 minutes to enter through security followed by a 45 minute tour of the unit. Please note there is no technology allowed on the unit; this includes the use of phones, smart watches and laptops.

Entry to the unit will also require 100 points of ID, if you could please bring this with you that would be greatly appreciated. There are lockers available to securely stow your phones, smart watches and laptops as well as your 100 points of ID.

If you have any questions or concerns, please feel free to contact me.

Kind Regards,

Georgia Ward | A/g Executive Assistant to
 Katrina Rea | A/g Executive Director
 Mental Health, Justice Health and Alcohol & Drug Services
 Phone: 02 5124 1577 | Email: CHS.EDMHJHADS@act.gov.au
 MHJHADS | Canberra Health Services | ACT Government
 Building 28, Level 2 – The Canberra Hospital | health.act.gov.au
 RELIABLE | PROGRESSIVE | RESPECTFUL | KIND



Canberra Health
Services



OFFICIAL

MINISTERIAL BRIEF

Canberra Health Services

To: Minister for Mental Health

Tracking No.: MCHS22/209

Date: 31 March 2022

CC: Dave Pepper, Chief Executive Officer

From: Colm Mooney, Acting Deputy Chief Executive Officer

Subject: Minister's Weekly Brief – 28 March to 1 April 2022

Critical Date: 01/04/2022

Critical Reason: To ensure you are briefed on current issues and events

- DCEO .../.../...

Recommendation

1. Note the information contained in the Minister's Weekly Brief – 28 March – 1 April 2022.

Noted Please Discuss

Emma Davidson MLA

21/4/22

Minister's Office Feedback

OFFICIAL

KEY TOPICS/EMERGING ISSUES

Out of Scope



Worksafe ACT Investigation

On 8 March 2022, Worksafe ACT issued a requirement to give information and provide documents under Section 155 (2)(a) and (b) of the Work Health and Safety Act 2011.

The scope included *all video files depicting workplace violence incidents that have been bookmarked on the CCTV memory relating to the Dhulwa Mental Health Unit between the dates of Friday 28 January and Thursday 3 March 2022 inclusive.*

19 bookmarks met the description, and the footage was provided to Worksafe ACT on 11 March 2022.

CHS is yet to receive any further correspondence from Worksafe ACT

OFFICIAL

ACT Human Right Commission (HRC) – Commission Initiated Complaint (CIC) into Dhulwa Mental Health Unit (Dhulwa)

The report and findings from the HRC regarding the CIC into Dhulwa are still being finalised.

MHJAHDS has been advised by the HRC that once finalised, the report and findings will be provided to CHS and MHJHADS, and not published publicly.

Once the report and findings have been provided, CHS will provide an update to the Minister's Office outlining key themes as well as any recommendations made.

Signatory Name:	Colm Mooney Acting Deputy Chief Executive Officer	Phone: 5124 4680
Action Officer:	Kath Macpherson Senior Director Policy, Planning and Government Relations	Phone: 5124 9590

From: Smithers, Tyrone
Sent: Friday, 1 April 2022 10:01 AM
To: Kleinig, Peta (Health); Guthrie, Daniel (Health); Ward, Sonny (Health)
Cc: Lauder, Jamie; Setttee, Madeleine; Harland, Jennifer (Health); Mooney, Chris (Health); Ludvigson, John (Health); Samara, Rohan (Health)
Subject: RE: Dhulwa Mental Health facility - WorkSafe Visit

Follow Up Flag: Follow up
Flag Status: Flagged

OFFICIAL

Yep, lets lock in 2pm the 14/04/2022.

It will be Jamie Lauder, Maddie Setttee and myself attending.

Kind Regards, Tyrone.

Tyrone Smithers | Assistant Director, Major Investigations Team
 PH: 02 6205 1989 - EMAIL: Tyrone.Smithers@worksafe.act.gov.au

Office of the Work Health and Safety Commissioner
 GPO Box 158 Canberra ACT 2601

WORKSAFEACT



I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.

From: Kleinig, Peta (Health) <Peta.Kleinig@act.gov.au>
Sent: Friday, 1 April 2022 9:44 AM
To: Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>; Guthrie, Daniel (Health) <Daniel.Guthrie@act.gov.au>; Ward, Sonny (Health) <Sonny.Ward@act.gov.au>
Cc: Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Setttee, Madeleine <Madeleine.Setttee@worksafe.act.gov.au>; Harland, Jennifer (Health) <Jennifer.A.Harland@act.gov.au>; Mooney, Chris (Health) <Chris.Mooney@act.gov.au>; Ludvigson, John (Health) <John.Ludvigson@act.gov.au>; Samara, Rohan (Health) <Rohan.Samara@act.gov.au>
Subject: RE: Dhulwa Mental Health facility - WorkSafe Visit

OFFICIAL

Is 2pm Thursday the 14/4/2022 ok?

Warm Regards

Peta

Peta Kleinig | A/g ADON

Phone: 0251241863 | [REDACTED] Email: Peta.kleinig@act.gov.au

Secure Mental Health Services | Canberra Health Services | ACT Government
 30 Mugga Lane, Symonston, ACT 2609 | health.act.gov.au

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND

From: Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>

Sent: Friday, 1 April 2022 9:08 AM

To: Kleinig, Peta (Health) <Peta.Kleinig@act.gov.au>; Guthrie, Daniel (Health) <Daniel.Guthrie@act.gov.au>; Ward, Sonny (Health) <Sonny.Ward@act.gov.au>

Cc: Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Setttee, Madeleine <Madeleine.Setttee@worksafe.act.gov.au>; Harland, Jennifer (Health) <Jennifer.A.Harland@act.gov.au>; Mooney, Chris (Health) <Chris.Mooney@act.gov.au>; Ludvigson, John (Health) <John.Ludvigson@act.gov.au>; Samara, Rohan (Health) <Rohan.Samara@act.gov.au>

Subject: RE: Dhulwa Mental Health facility - WorkSafe Visit

OFFICIAL

Hi Peta,

Unfortunately I have another commitment on Thursday morning.

Our availability the following week is:

Monday 11th April – Available any time after 11am

Tuesday 12th April – Unavailable

Wednesday 13th April – Available all day

Thursday 14th April – Available all day

Kind Regards, Tyrone.

Tyrone Smithers | Assistant Director, Major Investigations Team

PH: 02 6205 1989 - EMAIL: Tyrone.Smithers@worksafe.act.gov.au

Office of the Work Health and Safety Commissioner

GPO Box 158 Canberra ACT 2601

WORKSAFEACT



I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.

From: Kleinig, Peta (Health) <Peta.Kleinig@act.gov.au>

Sent: Friday, 1 April 2022 8:49 AM

To: Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>; Guthrie, Daniel (Health) <Daniel.Guthrie@act.gov.au>; Ward, Sonny (Health) <Sonny.Ward@act.gov.au>

Cc: Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Setttee, Madeleine <Madeleine.Setttee@worksafe.act.gov.au>; Harland, Jennifer (Health) <Jennifer.A.Harland@act.gov.au>; Mooney, Chris (Health) <Chris.Mooney@act.gov.au>; Ludvigson, John (Health) <John.Ludvigson@act.gov.au>; Samara, Rohan (Health) <Rohan.Samara@act.gov.au>

Subject: RE: Dhulwa Mental Health facility - WorkSafe Visit

OFFICIAL

Good Morning,

I can meet on Thursday morning?

Warm Regards

Peta

Peta Kleinig | A/g ADON

Phone: 0251241863 [REDACTED] Email: Peta.kleinig@act.gov.au

Secure Mental Health Services | Canberra Health Services | ACT Government

30 Mugga Lane, Symonston, ACT 2609 | health.act.gov.au

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND

From: Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>

Sent: Friday, 1 April 2022 8:40 AM

To: Kleinig, Peta (Health) <Peta.Kleinig@act.gov.au>; Guthrie, Daniel (Health) <Daniel.Guthrie@act.gov.au>; Ward, Sonny (Health) <Sonny.Ward@act.gov.au>

Cc: Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Settree, Madeleine

<Madeleine.Settree@worksafe.act.gov.au>; Harland, Jennifer (Health) <Jennifer.A.Harland@act.gov.au>; Mooney, Chris (Health) <Chris.Mooney@act.gov.au>; Ludvigson, John (Health) <John.Ludvigson@act.gov.au>; Samara, Rohan (Health) <Rohan.Samara@act.gov.au>

Subject: RE: Dhulwa Mental Health facility - WorkSafe Visit

OFFICIAL

Good Morning Peta,

Unfortunately we have another commitment on Wednesday afternoon.

We are free Thursday afternoon and from 10am onwards on Friday, if either of those days suit.

Thanks, Tyrone.

Tyrone Smithers | Assistant Director, Major Investigations Team

PH: 02 6205 1989 - EMAIL: Tyrone.Smithers@worksafe.act.gov.au

Office of the Work Health and Safety Commissioner

GPO Box 158 Canberra ACT 2601

WORKSAFEACT



I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.

From: Kleinig, Peta (Health) <Peta.Kleinig@act.gov.au>

Sent: Friday, 1 April 2022 8:35 AM

To: Guthrie, Daniel (Health) <Daniel.Guthrie@act.gov.au>; Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>; Ward, Sonny (Health) <Sonny.Ward@act.gov.au>

Cc: Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Settree, Madeleine

<Madeleine.Settree@worksafe.act.gov.au>; Harland, Jennifer (Health) <Jennifer.A.Harland@act.gov.au>; Mooney, Chris (Health) <Chris.Mooney@act.gov.au>; Ludvigson, John (Health) <John.Ludvigson@act.gov.au>; Samara, Rohan (Health) <Rohan.Samara@act.gov.au>

Subject: RE: Dhulwa Mental Health facility - WorkSafe Visit

OFFICIAL

Good Morning Tyrone,

I am able to accommodate you on Wednesday. Sorry I have a full day away from DMHU on Tuesday. Is it possible for you to come after 13.00?

Warm Regards

Peta

Peta Kleinig | A/g ADON

Phone: 0251241863 [REDACTED] Email: Peta.kleinig@act.gov.au

Secure Mental Health Services | Canberra Health Services | ACT Government

30 Mugga Lane, Symonston, ACT 2609 | health.act.gov.au

RELIABLE | PROGRESSIVE | RESPECTFUL | KIND

From: Guthrie, Daniel (Health) <Daniel.Guthrie@act.gov.au>

Sent: Thursday, 31 March 2022 7:33 PM

To: Smithers, Tyrone <Tyrone.Smithers@worksafe.act.gov.au>; Kleinig, Peta (Health) <Peta.Kleinig@act.gov.au>; Ward, Sonny (Health) <Sonny.Ward@act.gov.au>

Cc: Lauder, Jamie <Jamie.Lauder@worksafe.act.gov.au>; Settree, Madeleine

<Madeleine.Settree@worksafe.act.gov.au>; Harland, Jennifer (Health) <Jennifer.A.Harland@act.gov.au>; Mooney, Chris (Health) <Chris.Mooney@act.gov.au>; Ludvigson, John (Health) <John.Ludvigson@act.gov.au>; Samara, Rohan (Health) <Rohan.Samara@act.gov.au>

Subject: RE: Dhulwa Mental Health facility - WorkSafe Visit

Importance: High

OFFICIAL

Hi Tyrone,

Sorry for the delay responding.

Peta or Sonny will be able to organise this.

Peta/Sonny – can you organise this with Tyrone. My suggestion would be to:

1. Give Tyrone and those attending from WorkSafe a tour of the facility as per their request below
2. Ensure that Security is made aware and available to chat to WorkSafe to understand the security role (Chris and/or John, Rohan)
3. Allocate time for a discussion after the tour to answer any questions they may have in the Tribunal room.

I am happy to attend, but suggest after the tour etc. so it is not an entourage and they can do what they need to do for familiarisation. Just let me know.

Regards