



**Government
of South Australia**

Minister for Human Services

Our ref: 20MCOR/0019

Your ref: 8353836

Level 12 South
1 King William Street
Adelaide SA 5000
GPO Box 2832
Adelaide SA 5001
DX 115
Tel 08 8463 6560
Fax 08 8463 4480

Ms Nat Cook
Member for Hurtle Vale
PO Box 158
WOODCROFT SA 5162

Sent by email: shadowhumanservices@parliament.sa.gov.au

Dear Ms Cook,

Freedom of information application

I refer to your application under the *Freedom of Information Act 1991* (the Act), received by the Office of the Minister for Human Services on 24 June 2020. Your initial application sought access to:

Between 1 June 2020 and 24 June 2020, copies of any and all documents (including but not limited to physical, electronic or written briefs, internal discussion papers, minutes, emails, diary entries, text/whatsapp messages and any other correspondence) between the Office of the Minister for Human Services and the Office of the Premier of South Australia.

I made contact with you via email on 30 June, 2020 to request a narrowing of the scope, which you agreed with on the 1 July 2020 that the request *related to the death of Debra Ann Pearce*.

Eight documents have been identified as falling within the scope of your application and I have determined to release two documents in part, one document in full and refuse five documents in full.

Document 1 and 4 contain information currently being investigated by our Incident Management Unit and releasing details that are not in the public domain may prejudice that investigation and would on balance be against the public interest. The documents also contain personal information and I determine the disclosure of this information to be unreasonable having regard to the protecting personal welfare. The documents contain personal information of a staff member, and suggestions of improper conduct that have not yet been proven. I have therefore determined to

exempt the document in part pursuant to clause 4(2)(iii)(a) and (b), clause 6(3a), and clause 6(1) and 6(2) of the Act.

Documents 5, 6 and 8 are Media documents that are publicly available, and I have determined to refuse these documents in full under section 20S (1)(b) of Schedule 1 of the Act.

Documents 2 and 7 are briefing notes prepared specifically for use in Parliament, the disclosure of which would infringe the privilege of Parliament. I have therefore determined to exempt the document in full pursuant to clause 17(c) of Schedule 1 to the Act.

Please find enclosed a copy of the documents, and a document schedule containing a brief description of the documents.

If you are dissatisfied with my determination, you can seek an internal review by writing to the Minister for Human Services as the Principal Officer of the agency. Your request should be sent within 30 days of your receipt of this letter.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your FOI application, and the documents to which you are given access, may/will be published on the agency's disclosure log. A copy of PC045 can be found at <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>.

If you have any questions in relation to this matter, please contact Amanda Hockings, Office Manager, on telephone 8463 3388 or by email at amanda.hockings2@sa.gov.au. If you are dissatisfied with the outcome of your FOI application, you have the right to complain to the Ombudsman SA. Please contact the Ombudsman directly on (08) 8226 8699.

Yours sincerely



Amanda Hockings
ACCREDITED FOI OFFICER

3 / 8 / 2020

SCHEDULE OF DOCUMENTS – 20MCOR/0024

Freedom of information application from the Nat Cook MP seeking access to *Between 1 June 2020 and 24 June 2020, copies of any and all documents (including but not limited to physical, electronic or written briefs, internal discussion papers, minutes, emails, diary entries, text/whatsapp messages and any other correspondence) between the Office of the Minister for Human Services and the Office of the Premier of South Australia relating to the death of Debra Ann Pearce.*

| No | Author | Addressee | Date | Description of document | Determination | Reason |
|----|---|--|--------------|---|------------------|--|
| 1. | Chief of Staff to the Minister for Human Services | Media Adviser to the Attorney-General, Ministerial Adviser to the Attorney-General | 18 June 2020 | Email regarding emails in the MR | Released in part | Exempt – Cause 4(2)(iii)(a) and 6(2) |
| 2. | Chief of Staff to the Minister for Human Services | Media Adviser to the Attorney-General | 18 June 2020 | Email regarding PBN | Refused in full | Exempt – Clause 17(c) Parliamentary privilege |
| 3. | Chief of Staff to the Minister for Human Services | Ministerial Adviser to the Attorney-General, DPC | 18 June 2020 | Email regarding Ministerial Statement regarding | Released in full | |
| 4. | Chief of Staff to the Minister for Human Services | Media Adviser to the Attorney-General | 18 June 2020 | Email regarding Critical Client Incident - Injury to Accommodation Services Disability Client | Released in part | Exempt - Clause 4(2)(iii)(a) and (b) Clause 6(3a) Clause 6(1) and 6(2) |
| 5. | Chief of Staff to the Minister for Human Services | Ministerial Adviser to the Attorney-General, Media Adviser to the Attorney-General | 18 June 2020 | Email regarding Document 05 - Media Release - Nat Cook MP - Whistleblower raises shocking allegations of new disability death | Refused in full | Exempt – Publicly available - 20S (1)(b) |
| 6. | Media Adviser to the Minister for Human Services | Chief of Staff to the Minister for Human Services, DHS Ministerial Adviser | 18 June 2020 | Email regarding ABC clips from radio yesterday - | Refused in full | Exempt – Publicly available - 20S (1)(b) |

SCHEDULE OF DOCUMENTS – 20MCOR/0024

| No | Author | Addressee | Date | Description of document | Determination | Reason |
|----|---------------------------------------|---|--------------|--|-----------------|---|
| 7. | Media Adviser to the Attorney-General | Chief of Staff to the Minister for Human Services, Ministerial Adviser to the Attorney-General, DPC | 18 June 2020 | Email regarding Draft - Dixer 18 June 2020 - | Refused in full | Exempt – Clause 17(c) Parliamentary privilege |
| 8. | Media Adviser to the Attorney-General | Chief of Staff to the Minister for Human Services, Media Adviser to the Minister for Human Services | 18 June 2020 | Email regarding VAC grievance | Refused in full | Exempt – Publicly available - 20S (1)(b) |

Hancock, Janette (DHS)

From: Hancock, Janette (DHS)
Sent: Thursday, 18 June 2020 9:33 AM
To: Hancock, Eleisa (DPC); Church, Madeleine (AGD)
Subject: Fwd:

Sent from my iPhone

Begin forwarded message:

From: "Hancock, Janette (DHS)" <Janette.Hancock@sa.gov.au>
Date: 18 June 2020 at 8:53:00 am ACST
To: "Stokes, Katrina (DPC)" <Katrina.Stokes@sa.gov.au>
Subject: FW:

These were the emails in the MR



Hancock, Janette (DHS)

From: Hancock, Janette (DHS)
Sent: Thursday, 18 June 2020 12:47 PM
To: Church, Madeleine (AGD)
Cc: Hancock, Eleisa (DPC)
Subject: FW: Ministerial Statement - Ms Pearce
Attachments: Parliamentary Statement - Ms Pearce.docx

From: Chee, Karen (DHS) <karen.chee@sa.gov.au>
Sent: Thursday, 18 June 2020 12:47 PM
To: Hancock, Janette (DHS) <Janette.Hancock@sa.gov.au>
Cc: Boswell, Lois (DHS) <Lois.Boswell@sa.gov.au>; DHS:Parliamentary Briefing Notes <DHSParliamentaryBriefingNotes@sa.gov.au>; Young, Joe (DHS) <Joe.Young@sa.gov.au>
Subject: Ministerial Statement - Ms Pearce

Hi Janette,

Here's the Ministerial statement re Ms Debra Pearce. Let us know if you need anything else for this.

Just a reminder that if you're submitting this to be published, to remove the Minister's only information please.

Thanks
Karen

Hancock, Janette (DHS)

From: Hancock, Janette (DHS)
Sent: Thursday, 18 June 2020 11:36 AM
To: Hancock, Eleisa (DPC)
Subject: Fwd: Critical Client Incident - Injury to Accommodation Services Disability Client - Debra Pearce

Sent from my iPhone

Begin forwarded message:


From: "Dodd, Stewart (DHS)" <Stewart.Dodd2@sa.gov.au>
Date: 12 June 2020 at 3:33:06 pm ACST
To: "Lensink, Michelle (DHS)" <Michelle.Lensink@sa.gov.au>, "Hancock, Janette (DHS)" <Janette.Hancock@sa.gov.au>, "Boswell, Lois (DHS)" <Lois.Boswell@sa.gov.au>, "Summers, Kim-Sherie (DHS)" <Kim-Sherie.Summers@sa.gov.au>, "Maddeford, Selena (DHS)" <Selena.Maddeford@sa.gov.au>, "Young, Joe (DHS)" <Joe.Young@sa.gov.au>, "Kirkby, Muriel (DHS)" <Muriel.Kirkby@sa.gov.au>
Cc: "Cappella, Joe (DHS)" <Joe.Cappella@sa.gov.au>, "Crawford, Rohan (DHS)" <Rohan.Crawford@sa.gov.au>, "Srpek, Michelle (DHS)" <Michelle.Srpek2@sa.gov.au>
Subject: Critical Client Incident - Injury to Accommodation Services Disability Client - Debra Pearce



Background



Incident Details

- Date of incident occurred: 2 May 2020
- Date of incident reported to IMU: 7 May 2020
- Location of incident: 

Incident Summary



[REDACTED]

On 7 May IMU determined that the incident required investigation. On Saturday 9 May 2020, Ms Pearce passed away due to pneumonia whilst in palliative care in the Lyll McEwin hospital.

[REDACTED] As such the incident is now being declared a critical client incident.

Current Safety issues

[REDACTED] There are no other current safety issues.

Coordination requirements

IMU will continue with the investigation.

Critical Incident Manager

Stewart Dodd

Stewart Dodd

Director | Incident Management Unit
Department of Human Services
Mobile [REDACTED]
E: stewart.dodd2@sa.gov.au

www.dhs.sa.gov.au



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