

# **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE**

## **Inquiry into the Victorian Government's Response to the COVID-19 Pandemic**

Melbourne—Wednesday, 16 December 2020

### **MEMBERS**

Ms Lizzie Blandthorn—Chair

Mr Richard Riordan—Deputy Chair

Mr Sam Hibbins

Mr David Limbrick

Mr Gary Maas

Mr Danny O'Brien

Ms Pauline Richards

Mr Tim Richardson

Ms Nina Taylor

Ms Bridget Vallenge



**WITNESSES**

Ms Lisa Neville, MP, Minister for Coordination of Environment, Land, Water and Planning: COVID-19,

Ms Rebecca Falkingham, Secretary, Department of Justice and Community Safety,

Mr John Bradley, Secretary, Department of Environment, Land, Water and Planning,

Mr Shane Patton, Chief Commissioner, Victoria Police,

Mr Andrew Crisp, Emergency Management Commissioner,

Ms Corri McKenzie, Deputy Secretary, Police, Fines and Crime Prevention, and

Dr Emma Cassar, Commissioner, COVID-19 Quarantine Victoria (*via videoconference*), Department of Justice and Community Safety.

**The CHAIR:** I declare open this hearing of the Public Accounts and Estimates Committee.

I would like to begin by acknowledging the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, their culture, their elders past, present and future and elders from other communities who may be here today.

Welcome to the third series of public hearings for the Public Accounts and Estimates Committee Inquiry into the Victorian Government's Response to the COVID-19 Pandemic. The committee is reviewing and reporting to the Parliament on the responses taken by the Victorian government, including as part of the national cabinet, to manage the COVID-19 pandemic.

We note that witnesses and members may remove their masks when speaking to the committee but should replace them afterwards.

All mobile telephones should now be turned to silent.

All evidence taken by this committee is protected by parliamentary privilege. Comments repeated outside this hearing may not be protected by this privilege.

Witnesses will be provided with a proof version of the transcript to check. Verified transcripts, presentations and handouts will be placed on the committee's website as soon as possible.

Minister, we invite you to make an opening statement of no more than 8 minutes. We ask that you state your name, position and departments for the record. We also welcome, again, the Commissioner for emergency services, the commissioner for police and officials from your departments. Thank you very much, Minister.

**Ms NEVILLE:** Thank you, Chair. Lisa Neville, Minister for Police and Emergency Services, water, and in this context, I was the COVID minister for the Department of Environment, Land, Water and Planning.

**Visual presentation.**

**Ms NEVILLE:** I will just start off by giving you a little bit of a sense of the time line that happened and the various steps. This sort of sets the frame really in a sense for particularly the operations of emergency services and Victoria Police in particular—the different stages, different directives and therefore the different responses that occurred over that time. One thing that is not on there is 8 July, when we had the regional roadblocks that were put in place, which of course was a significant effort by Victoria Police along the way as well.

Since April we have had the State Control Centre operating 24 hours a day, seven days a week, and of course that is on top of the bushfire period, when it operated for that. I think it only had a very short downtime from 24 hours. It has been operating the whole time but went very quickly back up to 24 hours as well.

I know technically that this actually is post my being a COVID minister, but I presume there may be opportunities and that people want to ask me some questions. I took over the responsibility for the hotel

quarantine program on 27 November of this year, and obviously we had flights that were resumed from 7 December.

That gives you a sense of how many people—it is 1222 as of 11.00 pm last night; we have got about another 100 coming in today—that have been in through mandatory quarantine. So far over 5000 tests have been done on staff in the program, so all staff. We have been doing contact mapping. In terms of guests we have done over 900 tests to date of guests, and they are done on days three and 11, or if you are symptomatic, they are done as soon as you are symptomatic. People are probably aware we have now established an administrative office, so that is a legal entity. Emma Cassar, who will be online shortly, is the head of that administrative office, and that reports directly to me.

I am sure we will talk about it a little bit more, but just before we get to that, there have been significant resets in relation to the hotel quarantine program, so from the testing of all staff, the quality of staff—no private security; the only place in the country with no private security operating—a greater police presence on every floor in the health hotels as well as ADF involvement, contact mapping but also, most importantly, embedding infection prevention and control public health measures into the system, and they have been there from the ground floor up. We still have seven cases; there have been no changes in terms of that.

If we just talk a little bit more about the police effort, and again, it has been a massive year for Victoria Police. I want to thank each and every police officer, PSO and unsworn member from the Chief Commissioner down for the work that has been done this year. I do not think there has been a time that they have in any way said no to taking on the tasks that have been set under the Chief Health Officer's directives or in helping to enforce those.

There were over 1000 police officers that were involved in Operation Sentinel, and obviously that has gone up and down as the case numbers went up and down. There have been over 533 000 spot checks, and that is actually where they have gone and checked something as opposed to proactive patrols. The number of cars that were checked at vehicle checkpoints was very significant. They had really three significant operations. Operation Sentinel, which was the overarching statewide police operation ensuring compliance. Sentinel 2 was 8 July when they did the roadblocks. Sentinel 3 was when they did the border closures for South Australia; that was done incredibly quickly and an amazing effort. They have been involved in 10 key operations. One of those was Operation Shielding, involving the PSOs. That program has now ended and those PSOs are now working in the hotel quarantine program alongside police. We have had Operation Ribbon, which is the family violence proactive outreach program, and we have had a number of other operations—Vestige, where they worked alongside ADF and DHHS checking if people were self-isolating at home where we had not been able to reach them; and Operation Benessere, which was where police were called upon to assist DHHS at high-risk locations where they needed to ensure that people did not leave isolation.

This slide I think really does show you the balance that Victoria Police had in terms of public infringements and how they dealt with them. The lighter blue is the infringements and the darker blue is as case numbers grew. At the start, if you recall, numbers were relatively low, but we were very concerned about the risk to community, so the messages were very strong about, 'We're going to enforce these directions'. As case numbers really dropped, so did VicPol's use of infringements as the tool to ensure compliance. But as case numbers grew, so did their enforcement again, and you will see that it has started to come back off significantly since that. Again, as I said, I think that shows police did the right thing, they got the balance right. It also shows that most people did the right thing, which I thank Victorians for. I am not sure we would have thought a year ago that when asking 95 per cent of the population to comply with health directives that people would have complied. But thank goodness they did, because we know that is the sort of compliance you need to really tackle a public health issue like this.

Just for the interest, particularly I think of the Member for—

**Mr HIBBINS:** Prahran.

**Ms NEVILLE:** Prahran—sorry, I should know that—there were 1553 fines given to children, so anyone under 18. The Chief Commissioner will be happy if you want to ask about what they are doing in relation to those. All up, there were 39 985 fines issued during that period, out of 533 000 spot checks—again, proportionate to those issues. Just to give you a sense, Victoria Police continued, particularly if you look at those crimes that you would identify as very much about proactive policing—drug use and possession are very

much about how police are out there identifying and arresting, so those have been areas of increase. Family violence continues to be an area of increase pre-, post- and during COVID. But it does show the police have continued their focus, despite their resources going into COVID, on the crime rate and particularly on tackling some of the high-harm crimes. We will see the crime stats tomorrow, which will give us a picture of what happened during COVID.

I have not got much longer to go, but just in terms of a reminder to the committee about how emergency management roles work in relation to particular emergencies, Class 1 absolutely falls under me—fire, earthquakes, floods, the control agency will be one of those agencies. Class 3, ‘police’—again, clearly under me, and class 2 are those other ones where the primary agency is the control agency, and in relation to the pandemic it was the health department.

**The CHAIR:** Thank you, Minister. Mr Richard Riordan.

**Mr RIORDAN:** Thanks, Chair Welcome back, everybody, for our third go around at this. The first question is to you, Commissioner Crisp. You wrote to this committee, the PAEC committee, on 5 October retracting your 26 August testimony that you had briefed your minister. You were very adamant on the day—in fact you told us three times—that you had. Why did we backflip on that?

**Mr CRISP:** Thanks, Mr Riordan, Deputy Chair, for the question. When I read the transcript from appearing before this committee I realised I needed to clarify a particular matter, the one you have raised in relation to briefing the minister. That is why I submitted that statement.

**Mr RIORDAN:** So, Commissioner, you provided evidence that you spoke to the Secretary of the department of justice, Ms Falkingham, before releasing your 12 August statement supporting the Premier on ADF resources. Did you also speak to Ms Falkingham or anybody else in relation to changing your evidence that you resubmitted on 5 October in order to support Minister Neville?

**Mr CRISP:** No, I did not speak to any other person, and it was not to support Minister Neville. It was to do with my integrity and my credibility. When I read the transcript I realised that I needed to correct the record and that is what I did.

**Mr RIORDAN:** Commissioner, it is a legislative requirement of you to keep your minister well briefed. Are you telling us that you did not comply with your legislative requirements?

**Mr CRISP:** No, I believe that I do fulfil those legislative requirements day in and day out in terms of briefing the minister. The minister was aware that I would be coordinating a meeting on 27 March. I was regularly in discussion with the minister over that weekend, but with regard to other matters, and I again briefed the minister once the operation came into effect on the 29th.

**Mr RIORDAN:** Okay. Moving to other topics, the *Age* reported today that Emergency Management Victoria did an assurance and learning report on the Colac outbreak. Can you tell the committee whether similar reports were done for other significant COVID issues such as hotel quarantine and the Flemington towers?

**Mr CRISP:** Yes, the report today with regard to those Colac outbreaks—just to be clear, that piece of work was commissioned by the state coordination team, which has been running since March, so in effect it was under the auspices of the control agency, who was the Department of Health and Human Services. We have developed a significant learning and assurance capability within EMV, but it is working very much in support of the control agency. That particular capability has undertaken other pieces of work throughout this COVID emergency.

**Mr RIORDAN:** Okay, so the question, though, is—it is labelled as an Emergency Management Victoria piece of work—is that a ‘yes’ that you have done that sort of assurance and learning analysis of the other significant events?

**Mr CRISP:** There has been a range of other work done in relation to other parts of this emergency, that is correct.

**Mr RIORDAN:** Okay. Is it possible for this committee to have a copy of those reports?

**Mr CRISP:** I will have to take that one on notice and see what I can find with regard to those other pieces of work.

**Mr RIORDAN:** You need to find them, or find out whether you can release them?

**Mr CRISP:** Access them. There has been a range of work and it has been in relation to some exercising around different scenarios.

**Mr RIORDAN:** I want to draw you to an area that was dealt with in the report, which was very significant at the time. I guess declaring my own interest is that I was an elected representative, but I was not the only one in the area. The report goes into some detail—and I quote—and says:

[QUOTE AWAITING VERIFICATION]

It is important to give local elected representatives a role in the response.

The report goes into quite a lot of detail about how the local community worked very well together and that the local community was actually ahead of the game compared to DHHS and the State Control Centre and others. Through that period the mayor, Jason Schram, as another elected representative, was continually pointing out that:

[QUOTE AWAITING VERIFICATION]

We were being ignored and not being included in decision-making and in fact being briefed on what was happening.

In the normal method of operation during an incident control centre emergency or a state emergency or a disaster—and we can look at the fires earlier in the year—your department has been traditionally very good at communicating with local people and giving briefings. So my question is: was it a deliberate decision of government to change the way you communicated with the community during the COVID response?

**Mr CRISP:** No, not if we are talking specifically about those Colac outbreaks. As you are quite well aware, Mr Riordan, it is very important to have the community at the centre of whatever we are doing, no matter what the emergency is. I do actually recall that the deputy incident controller, who was a CFA member, was on local radio because that was really important to get those local messages out from local people. The important point also with regard to that piece of work that was done at Colac, if we go back to the reason it was done, is about learning and assurance, and so it was about: how do you learn from that particular experience? DHHS and others have actually done that over the last few months, and we will have seen significant differences in terms of the way say, for example, the Kilmore or the Shepparton outbreaks were dealt with or the south-eastern suburbs or what has been referred to as the northern suburbs outbreak. A lot was learned, and there were definitely lessons to learn from Colac.

**Mr RIORDAN:** So my question, though, was: was it a deliberate decision to exclude locally elected representatives, whether it was local government or state government or federal government? I refer to an email sent from the deputy controller that you refer to—and this is at day 10 of the crisis—where myself, the mayor and many others who were at the coalface of dealing with the community at the time were repeatedly sending emails, trying to make phone contact that was never returned. The email basically says, and I will quote:

For your information the leaders at Colac are only Deputy Controllers to the State team as defined under the State's Emergency Management Arrangements, and do not deal with many of the issues you—

refer to.

That was the statement put out by the incident control centre, and that is a very, very different response to what EMV would traditionally do at a time of crisis.

**Mr CRISP:** Again, the context around this is it is not EMV. We had a health emergency. The Department of Health and Human Services were the control agency, so they were responsible for incident control. They have been responsible for state control, and the communications strategy and plan is a responsibility of DHHS.

**Mr RIORDAN:** So it would be your evidence to this committee that it was DHHS's decision to exclude locally elected representatives from being involved in communicating with their community?

**Mr CRISP:** What I am saying is—I will not go to the exclusion point; they are your words, not mine—that DHHS were—

**Mr RIORDAN:** Well, it is actually your report.

**Mr CRISP:** the control agency. They were responsible at state and, if there was to be a regional layer, at region, at an incident. So the communications plan, the strategy, was the responsibility of DHHS. The report you refer to I acknowledge has got EMV on it, but as I explained, it is a report that was developed under the auspices of again the control agency, the Department of Health and Human Services.

**Mr RIORDAN:** Right. So from your point of view, you are the good guys; it was DHHS who caused the problem in communication?

**Ms NEVILLE:** Sorry, the *Emergency Management Act*—and I think I pointed it out again—is very clear. The roles for the Emergency Management Commissioner and EMV are very different in a class 2 pandemic. The State Control Centre itself is the statewide emergency operations centre; it is not EMV's centre. So you have just got to understand the way that the relationships and the powers and responsibilities work under legislation, and that is what Andrew as the Commissioner is outlining to you.

**Mr RIORDAN:** So, Minister, you will forgive us for getting a bit confused about who is responsible—

**Ms NEVILLE:** No, I think it is very clear.

**Mr RIORDAN:** because you are now the third minister responsible.

**Ms NEVILLE:** I think it is very clear.

**Mr RIORDAN:** We have changed leadership every 5 minutes on this issue.

**Ms NEVILLE:** It might be unclear to you; it is very clear to me.

**Mr RIORDAN:** I am glad it is clear for you, Minister, because you and many of your colleagues have forgotten a lot of what has gone on and who made what decision, so you can understand the confusion. But look, I will move on. My question is to the Secretary now, in the time we have left. Secretary, what has been the total legal cost paid with the DELWP legal representation during the Coate inquiry?

**Mr BRADLEY:** John Bradley, Secretary of DELWP. I do not have that figure with me. I am happy to get you an update, but I do not have a current figure for that.

**Mr RIORDAN:** You will provide that on notice for us?

**Ms NEVILLE:** I do not know that that is available yet until the board of inquiry is finished.

**Mr BRADLEY:** I will have to look at what we have available and come back to you—sorry, on notice.

**Mr RIORDAN:** All right, we are deliberating. We will take that on notice. Thank you. Secretary, did the department fund any further legal costs such as providing costs for ministers in that legal representation?

**Mr BRADLEY:** No.

**Mr RIORDAN:** No? So your legal costs were confined to what costs, to what areas?

**Mr BRADLEY:** Our departmental costs were in support of the departmental staff that were participating in and supporting the inquiry.

**Ms NEVILLE:** As I am sure the committee has been informed by other ministers or secretaries, this is all covered by VMIA.

**Mr RIORDAN:** Right. And on notice again too, I guess, Secretary, can you please provide a breakdown—when you provide this on notice—of the expenditure DELWP has incurred related to COVID, including any

advertising or any other expenditure, such as entertainment or others that you may have had to incur through the pandemic.

**Mr BRADLEY:** I am happy to take the question on notice and respond to you on notice. It will be difficult to separate costs incurred in response to COVID over the period of 2020, recognising that the department's activities have been disrupted by COVID, but we have not necessarily separated COVID line items. But I am happy to try and provide you with the best response I can on notice.

**Mr RIORDAN:** Thank you. Just in conclusion, then, and back to you, Commissioner Crisp, in terms of the EMV report that we were talking about that is not an EMV report, will those reports be aggregated and collated for the benefit of both DHHS and your department in terms of how we manage a crisis—you know, if it is to flare up again next year or a point in the future?

**Mr CRISP:** Yes. Good question. That is exactly what we are doing. We brought someone in to undertake a further review. We are developing an enterprise risk model at the moment, and again for us it is always about that continuous improvement. So, yes, we will look at aggregating all of that.

**Mr RIORDAN:** Thank you.

**The CHAIR:** Thank you, Deputy Chair. I will pass the call to Mr Gary Maas, MP.

**Mr MAAS:** Thank you, Chair, and thank you, Minister, commissioners and departmental officials. Minister, I would like to take you to COVID-19 Quarantine Victoria, and I am hoping you can provide the committee with an overview of how the new agency is working and the steps taken to strengthen the model.

**Ms NEVILLE:** Thank you, Mr Maas, and I welcome Emma Cassar here as well. As I said earlier, I have taken on responsibility since 27 November. There have been a number of changes that have been made to give me that responsibility under the *Public Health and Wellbeing Act*, and the administrative office that has been established, which the Premier has established, is also a legal entity. Look, we did that because we had done a major reset. Justice had led that. Significant changes were made to the program, but we were conscious that we needed to wait for the board of inquiry to make sure that we picked up their recommendations or their sentiment or some of the issues that they were going to deal with and embed those into the program. So we could not finalise the model until such time as the board of inquiry reported. As you know, they wanted a delay in the final report, so we asked for this to come so that we could resume travel as soon as we could, and we did that on 7 December.

As a result of that—and there were some clear recommendations in there, particularly in relation to clear lines of accountability and responsibility, and the establishment of the administrative office in a sense puts that beyond doubt. There is an administrative office headed by Emma Cassar—who, can I say, is doing a fantastic job. She did not even smile then—sort of smiled. No, she is doing a fantastic job, and then reporting directly to me. As I say, I do not shy away from the fact that ultimately I am responsible for this program, for the good and the bad. Hopefully there will be a lot more good, and I have confidence that that will be the case, that this reset, the new administrative office, has set us up to have both a really strong, robust program for those in quarantine and also, if we saw another case in New South Wales where it came out again that they had a community transmission, good contact tracing and health measures in place.

Some of the critical things that we have done that I think are fundamental to this program: firstly, infection prevention and control. I have met some of the team who are part of that incredible group of people who have extensive experience across the world in infection prevention and control, including Ebola, for example. They have really put in place the measures that we need—how to manage each hotel, how to manage the airport. I spent a morning out at the airport with one of the leaders of infection prevention and control in full PPE. I take my hat off to anyone who has to wear full PPE all day. It is hot, it is hard and those N95 masks are difficult to wear all day, so I take my hat off to them. So that is embedded in the program.

Contact tracing is embedded in the program, so if there is an outbreak at all—on it straightaway. We have got contact mapping of staff, so that means we know who lives there, where the families' kids go to schools, so if there was anything in terms of staff movement of virus, we would know exactly who and how we need to lock down. Mandatory testing of every staff member, and as I said before, over 5000 tests have now been completed—and that is daily testing of each of the staff. I think that is a really critical component of this, and

they are being turned around really quickly—8, 9 hours, so before people are back on shift again we have got all of that.

Exclusivity of the workforce: aside from Victoria Police's need to keep up their training in guns and also some of the doctors needing to keep up some of their clinical practice, staff work nowhere else. They only work at one site. That is double-checked, and we have got systems to do that. Everyone has IDs coming in. So really fundamental changes to the program and to the accountability and governance of the program. So I am very confident in where we are now. We have got over 1100 people back into Australia. We will have more over this week—100 more to come in today; flights come each day. So from the time people get on that plane to the time they leave the hotel quarantine program, it is a completely reshaped program to what it was.

**Mr MAAS:** Terrific. Thank you, Minister. You mentioned governance and accountability. I was hoping that you could outline some of those measures that are in place for CQV.

**Ms NEVILLE:** Yes, so the administrative office, Emma Cassar is the top of that. She has also been, in order to fit in the emergency management arrangements, appointed as the state controller for hotel quarantine, so again, putting beyond doubt that she is the person in control at that operational level. Sitting under her we also have our deputy chief health officer responsible for hotel quarantine. We have a deputy controller, which is the deputy commissioner of police, Ross Guenther, who is responsible for security and enforcement, and we are in the process of recruiting for the logistics administrative process as well.

One of the things that I did forget to mention before: all the contracts are also held by one agency, which was also an issue last time, so we have got that all under CQV as well. So we have got, I suppose, the senior people in organisations that are a key partner to this program—a really critical part of it. The commissioner has just passed me a note saying, 'And of course Emma sits now on the state control team', so she is reporting through that regularly as well so that there is that oversight from other secretaries of the department and everyone is aware of what is going on. I have daily meetings with Emma and also with the deputy controllers for briefings, and obviously if there are any incidents, any issues that come up, I am notified immediately. So from all aspects of those governance arrangements, there have been changes made.

**Mr MAAS:** Thank you, Minister. You made mention that we already have 1000 returned travellers in quarantine at the moment. Are you able to give the committee an update on the status of the program right at this moment?

**Ms NEVILLE:** Yes. As I indicated before, we have got 1222 returned travellers in our hotel quarantine at the moment. Just so everyone is aware, I suppose the other accountability we have done is that we now have a website. Every morning you can check on the website to know how many are in quarantine, how many are in health hotels, how many positives, how many are coming in. We will report that on a daily basis so that everyone can have a look at that information. I have also committed that obviously if there are any breaches in terms of virus getting out, we will immediately report back to the public as well.

At the moment we have got still quite significant capacity across our hotels. We have got about 1800 rooms still available, so we are in a good position. If people think about it, as we move people in and out of the system we need to terminally clean—that is the terminology—each of the rooms as people go, so you need enough rooms in other hotels to fill up as you move other people out. It is quite a well-oiled machine now, and having watched people come in and out of the hotels from the time they get off the plane right through, there are red zones and green zones—it is very clear where you can go and where you cannot go. There are bubbles for staff, where they can go and where they cannot go. We are splitting across hotels, so as we fill up one or as we get further we start another one. But again we have often got two or three on the go so you do not have arrivals all arriving at once. It is a very well-oiled machine, and we have got the seven positive cases.

I think at the time the Chief Health Officer had indicated that he thought you might get—this was previously—one in every 100, given the extent of the virus overseas and the countries it is in. That could be a bit higher, but we are running a bit below that. But I am imagining that will continue to grow given the countries that people are coming from and the extent of the virus in those countries. We have got another six flights that are coming today; 100 people are coming in today. When I say 'estimates', because sometimes people do not end up making it on the plane either, we are estimating about 100 will be in today. But we are well within the cap that we have set, which is 160 persons per day averaged over the week.

**Mr MAAS:** Okay, thank you. Can you tell the committee what the role of Victoria Police and the ADF is in the new program?

**Ms NEVILLE:** Yes. There are two distinct parts, I suppose, to the program—well, there are more than that. But the two key bits here are that you have got your health hotel, where you have got your positive cases, and we also have complex care cases. It might be somebody who is nine months pregnant or something like that, where they need much greater health care. Alfred Health is the provider there. In that hotel Victoria Police are floor monitors. Two members are on every floor, and that is to make sure that, given we know that people in that hotel potentially are positive—not all of them at the moment as there are just seven of them—people are not leaving their room and there are not breaches. They are also very good at picking up any PPE or other infection control breaches, and they can get reported. So they play a really significant role there. In all the other hotels they do perimeter, plus they are up and down on the floor monitoring. They respond to any issues that the residential support officers who are on every floor might have—so if someone tries to leave the room or there is a disturbance. We have had some people who have had health issues, for example; I think today there was someone who had a heart problem. So Victoria Police would often be there to assist but also then help escort that person to hospital if that is required. So they are playing that role. The ADF is also playing a role, particularly in the main foyer area, where they are doing staff ID checks, for example. But overall what I would say is Victoria Police is absolutely clearly responsible for security and enforcement. They have got senior people involved overseeing all the hotels, at each hotel, and of course, given the seriousness of the issue, having a deputy commissioner who is a deputy controller as part of this program indicates the seriousness with which they are taking it and we are taking it. Again can I thank them for the work that they are doing. I should acknowledge we have got PSOs in there doing some of that work as well.

**Mr MAAS:** Terrific. Thanks very much, Minister.

**The CHAIR:** Thank you, Mr Maas. The call is with Mr Sam Hibbins, MP.

**Mr HIBBINS:** Thanks, Chair. Thank you, Minister, Commissioner and your team, for appearing this afternoon. First I just want to ask something that is probably best for Chief Commissioner Patton. The government recently published information on public events for organisers, and particularly this relates to demonstrations as well. I want just some insight into how you are intending to enforce those rules, given that demonstrations can often be spontaneous and they can often draw larger crowds than anticipated. Obviously some tier 2 events require four to six weeks of planning or suggested planning and sign-off by the government, whilst lower events require just a checklist. Is there going to be any discretion? Can I get some insight into how you intend to police those?

**Chief Comm. PATTON:** So as I understand it, there are two issues there. We are talking two separate issues. The first one I will deal with, about events, if you like. Obviously in Victoria Police we have a state event planning unit. We have continually over many years been involved in providing support and working with the key stakeholders that set up all these major events. We work with a range of government and non-government departments. This is no different, other than it has a COVID overlay, and so there has to be a COVID-safe plan that is endorsed and approved by the Chief Health Officer, in effect. So a COVID-safe plan is endorsed and approved. We also have an interdepartmental committee which we are represented on by an assistant commissioner to work with a range of different government departments. So there is quite some structure and process in this, and it is looking at the immediacy of events and it is also looking at longer term events as well, to try and plan and plan out to the future, as well as a range of work with music festivals that come up over the summer and everything. I have another assistant commissioner who has the lead on that. So we are represented in a range of different forums and we are absolutely trying to facilitate what can occur, but it has to occur within a safe environment. So we plan for the event as we have done but then put the structures and processes in place under the guidance of the CHO so that we can say, 'This is a safe number, these are safe protocols, these are safe activities'. So that is I think our answer on the major events.

In respect to the demonstrations, we are absolutely there to facilitate safe demonstrating, safe protesting. We always have done. Rightly or wrongly, I think I have described Melbourne as the protest capital of Australia. You can have your views, whether that is good, bad or indifferent. So we are very practised in working with them, and generally speaking we work with and facilitate a peaceful demonstration. As we have seen throughout the COVID period, there were strict Chief Health Officer guidelines in place that, by the numbers

that they prevented, prevented people gathering to demonstrate. We were required to enforce and prevent people from demonstrating, and we did that, to stop the spread of the virus.

Moving forward, now that the numbers from the Chief Health Officer, saying, ‘Yes, you can demonstrate’, are I think up to 100 outside, we are happy to work with and do work with people who are organising protests and demonstrations so that they can peacefully express their views, and we will continue to do that.

**Ms NEVILLE:** Also I do not think the events framework triggers protests. It is silent on protests, and we do not think the framework will trigger protests having to go through that process. We can come back to that if—

**Mr HIBBINS:** Just on the Q and A on the website it says:

Do I need to develop a COVIDSafe Event Plan if I am organising a public demonstration?

**Ms NEVILLE:** Yes, but it will not then go through the whole tick-off by the whole events process that we have. So everyone needs to have a COVID-safe plan. There will be requirements around that but it will not necessarily trigger the IDC, the ministers task force, all of that.

**Mr HIBBINS:** Okay. Can we get that—

**Ms NEVILLE:** Yes, sure. We will get something to you.

**Mr HIBBINS:** Okay, because by just reading the government website it seems to indicate otherwise.

**Ms NEVILLE:** Yes.

**Mr HIBBINS:** I appreciate that. I did want to ask about fines for children as well—obviously 1500 issued, community legal centres indicating that many of them are disadvantaged young people—and then obviously, if they are unable to pay the fine or are suddenly engaged in the criminal justice system, the negative impacts of that. Given that you are issuing the fines, is there any look to review those fines or withdraw those fines?

**Chief Comm. PATTON:** Absolutely. I mean, I think it is, first, important to state that when we talk about children we are talking about those between 14 and 18. We have not issued infringements to children under 14. If by default anyone had by accident, that would have been withdrawn. So we do not issue them to them. The number of fines issued to children have been and would have been only because of deliberate, obvious and blatant breaches. But I put in place when I was a deputy commissioner a range of different review arrangements, even back then, in the first instance when I was a deputy commissioner, and that has continued along now. With Operation Sentinel, we would have a range of people who would review under guidelines in the first instance to say, ‘Does this pass the commonsense test? Should this really have been issued or could it have been dealt with in a different way?’.

So a number get withdrawn then. And now deputy commissioner Rick Nugent, who is sitting over our COVID operations, is doing the same with his team. He then applies a review process over that—sorry, I should say an assessment process, because it is not a formal review process and not one we are required to put in place, but we do because we want to get this right. We continue to, and I have continued to, say, ‘We must use discretion and continue to do so’. But if a child has been issued with an infringement, they then have a range of abilities under the *Infringements Act* to be able to, in the first instance, apply to have that reviewed. Our traffic camera office reviews those, and they have guidelines to review those in which they can take into account a range of factors under the *Infringements Act*—exceptional circumstances which take into account such things as homelessness, ability to pay, drug usage, mental health.

There is a whole range of issues there that are formal processes that exist in the *Infringements Act*, and they may then have the matter withdrawn under those exceptional circumstances, or we may then say it proceeds to court. Now, unlike an adult a child would not be put through Fines Victoria into the Magistrates Court. They would go to the Children’s Court through the CAYPINS process, I think that is what is called, the children and young persons infringements process, where the court gets to consider their circumstances and will not automatically be hitting them with a big stick, so to speak.

But in addition to all of those factors—so apart from the directions I have been giving to my staff to use discretion and be mindful of that—we entered into a range of different processes along the way. We have been

engaged with those who are responsible for running residential care, to make sure that those children in residential care who are even more at risk of getting those infringements—so that we have an understanding and they can approach our Operation Sentinel and say, ‘Can we really address this? This child this is disadvantaged’.

But in addition to all of those factors I have recently requested that our guidelines be made even more flexible for people, children and adults as well, who may have applied and that we look at other factors. In the past it has been they had to admit the offence to be cautioned or whatever, but we are saying, ‘No, now it’s just they don’t have to deny it’.

So by default we have opened up a whole new range of avenues, and when people who have had their pleas rejected are up for review, I have now also asked to put in place—and this is currently occurring—that where they go to court we are looking at diversions and cautions, those types of things because we do not want them in the justice system if they are willing to admit, ‘I made a mistake’. Of course for the higher end—multiple, deliberate offending at protests—well, they are different matters that we need to step through.

But I hope I have given you some assurance that we are absolutely trying to make sure children are not inadvertently pushed into the justice process.

**Mr HIBBINS:** Okay, thank you. Are you able to take on notice, if around 1500 is the number of fines issued, how many fines have been withdrawn?

**Chief Comm. PATTON:** I may have those with me. Of children that were actually withdrawn—no, I will take that and I will come back to you.

**Mr HIBBINS:** Thank you. Minister, I just wanted to ask about the new hotel quarantine program, given that now the government is charging for the program. Can you give an update as to how many of those people now accessing hotel quarantine have paid it and how many have accessed hardship provisions or waivers?

**Ms NEVILLE:** So at this stage no-one, and for good reason. We have to put the regulations in place. That is why we needed to get the legislation through as quickly as we could. We hope that the regulations will be in place just before Christmas, and then we will commence a process of doing that. So everyone has been notified of the fee charges, and so it is backdated to 7 December, and notified of hardship arrangements and what they can do about that.

**Mr HIBBINS:** And what is the criteria for hardship arrangements?

**Ms NEVILLE:** Look, it is income related. Say you are on a Centrelink benefit, all of those issues, for that group it will be automatic. So we are not going to do a massive assessment process. I think that was clear in the legislation—that, you know, if you are on one of those benefits, you claim hardship, you automatically get it and you get the reduced fee.

**Mr HIBBINS:** Okay, thank you. I have a small time left. Previously we have discussed environmental issues under your COVID ministerial portfolio responsibilities, but I do just ask: how much of your time was actually spent on environmental or those COVID-related responsibilities versus your responsibilities as police minister and emergency services minister?

**Ms NEVILLE:** Well, again, nobody lost their portfolios. So the only bit that I did as COVID DELWP was in relation to those matters that were affected. So we had statutory entities who needed funding, so zoos and those who were struggling. The summer safe stuff—the beaches and coastal parks if they had to close doing COVID. But the minister for environment, who I think you have got later, still carried all the other things—the EPA, waste, all of those issues. The only bit in waste, for example, was that I was part of raising issues that she asked me around collection times, which we made some time about. But absolutely, because Lily and Richard still had all their portfolios, it was only those matters. Did I spend much more time on police? Yes. That is just the nature of the COVID pandemic.

**Mr HIBBINS:** Okay, terrific. Thanks. Thanks, Chair.

**The CHAIR:** Thank you, Mr Hibbins. Mr Danny O’Brien.

**Mr D O'BRIEN:** Thanks, Chair. I would just like to start with a question to Secretary Falkingham if I could. We heard from Commissioner Crisp at the last hearings on his statement about the offer or the request for ADF that he put out on 12 August that he spoke to you about it before he put it out but no-one else. Did you speak to any of your ministers or their staff about it before discussing that with Commissioner Crisp?

**Ms FALKINGHAM:** No, I did not, Mr O'Brien.

**Mr D O'BRIEN:** What was your role in putting that release out? Why was it deemed necessary?

**Ms FALKINGHAM:** As is normally the case, I speak to Commissioner Crisp daily, usually, about a whole range of things. What we discussed at the time was there was a huge amount of public confusion in relation to the ADF request, and it was deemed appropriate that Commissioner Crisp was able to set out in his words what those requests were.

**Mr D O'BRIEN:** So the Premier had made a statement that there was no ADF on offer, there had been a significant amount of evidence to the contrary, and you did not have anyone from any minister's office, the Premier's office, the Premier's department, raise that with you before you put that statement out?

**Ms FALKINGHAM:** No, I did not discuss it with any minister, Premier or minister's office or their staff.

**Mr D O'BRIEN:** Okay, thank you. Minister, just some questions on the new arrangements. Does hotel quarantine have paediatricians available?

**Ms NEVILLE:** Yes, so at the mandatory quarantine hotels there are two different health arrangements. At the health hotel, which has got complex care as well, that is run by the Alfred, so they have a range of doctors, nurses, access to the Alfred—a number of people have been transferred to the Alfred hospital due to different health issues through the last period—

**Mr D O'BRIEN:** COVID related? In the last week or—

**Ms NEVILLE:** No, not COVID related. These are people who have gone into the health hotel/complex care because they have got other health issues and they have deteriorated and have gone into the Alfred—

**Mr D O'BRIEN:** Returned travellers?

**Ms NEVILLE:** Yes, returned travellers. Sorry, yes. And then in the mandatory quarantine program we have Healthcare Australia, which is the same provider as is used in New South Wales. Yes, we have doctors, we have nurses, mental health nurses and we have access to paediatricians.

**Mr D O'BRIEN:** Sorry, so Healthcare Australia is a private provider that has been contracted for the whole program?

**Ms NEVILLE:** Yes, that is right. For the mandatory quarantine Alfred Health is doing the health hotel.

**Mr D O'BRIEN:** So is the health hotel, sorry, where the COVID-positive patients otherwise go and anyone who might have other—

**Ms NEVILLE:** Yes. Yes, that is right.

**Mr D O'BRIEN:** Okay. Is there only one or are there two of those?

**Ms NEVILLE:** At the moment there is one. There will be two.

**Mr D O'BRIEN:** There will be two, yes. There have been issues with the second one.

**Ms NEVILLE:** No. Well, I would not say there are issues. What we asked Alfred Health—because we do not need it yet—is to have a look at it to assess the ventilation is appropriate. We had engineers, Alfred Health, and they recommended some changes. Those changes are being made, and that will be ready when we need it.

**Mr D O'BRIEN:** Okay. They are the issues I referred to. What is the maximum number of returned travellers that we can accommodate?

**Ms NEVILLE:** Well, we have got a cap at the moment. So the cap is 160 a day, so that is 2280 I think a fortnight we can have. At the moment I think I have said we have got 1122 in there and we have still got 1873 beds available, so we have got quite a bit of capacity in the system now, but that capacity is necessary in order to do the in and out of passengers as people come in and out of the program.

**Mr D O'BRIEN:** If I am not mistaken, I think the first day 250 came in.

**Ms NEVILLE:** Yes, it is possible, because it is an average over a week, and we are well within the 1120, is it? I am looking at Emma there. I am working it out—160 per day over seven—so yes.

**Mr D O'BRIEN:** Do you have capacity to increase that?

**Ms NEVILLE:** Not at the moment, no.

**Mr D O'BRIEN:** So what is the maximum number of COVID-positive travellers we could accommodate, presumably in those two hotels?

**Ms NEVILLE:** I think we are working on the basis, based on evidence from New South Wales and on health advice, that we will at the most be at something like—this is, in a sense, worst case—490 cases. We have got the capacity in the health hotels for that. That is when we are at a higher rate too, that is when we are taking more passengers than we are now.

**Mr D O'BRIEN:** If people get infected while they are in hotel quarantine, presumably they have to stay longer?

**Ms NEVILLE:** Well, firstly, if they are in mandatory quarantine, they have arrived, they are not symptomatic, they then get a day 3 test and a day 11 test. If, say, they are positive on any of those days, they then firstly get moved to the health hotel. Secondly, then they do not leave until they have been cleared from DHHS. Say if it was day 11, they would need enough time in hotel quarantine to be clear, and that is a health decision.

**Mr D O'BRIEN:** Which is usually 14 days from the date of infection?

**Ms NEVILLE:** Not necessarily. I think I would have to leave that to the health experts about—

**Mr D O'BRIEN:** Exactly how long.

**Ms NEVILLE:** how many days and all of that at that point.

**Mr D O'BRIEN:** If someone does get infected and they have to stay longer, do they pay extra, or does the government cover that?

**Ms NEVILLE:** No, it is the same price.

**Mr D O'BRIEN:** So the government would have to cover the additional—

**Ms NEVILLE:** Yes. I suppose I should point out that even the cost we are charging people at the moment comes nowhere near the cost of the program.

**Mr D O'BRIEN:** I was going to come to that. If someone gets infected while in quarantine, are they entitled to any compensation for loss—wages or anything like that?

**Ms NEVILLE:** I do not understand the question. If they have come back from overseas, they will have got COVID from overseas.

**Mr D O'BRIEN:** The question is: if they get it in hotel quarantine, for example—

**Ms NEVILLE:** Well, that is not going to happen, Mr O'Brien.

**Mr D O'BRIEN:** We would like to think it will not happen. I am just wondering: there will be a whole lot of people in these hotels, and many of them will come in—

**Ms NEVILLE:** Who do not leave the room, and that is why we do not have fresh air breaks unless absolutely required by the health professionals—in order to minimise that risk. At this stage it is a very hypothetical question, and I do not believe it is going to happen.

**Mr D O'BRIEN:** Well, I am glad you are very confident, Minister, because there were certainly issues last time.

**Ms NEVILLE:** I agree. That is why we have completely reset this program.

**Mr D O'BRIEN:** Yes. You mentioned the \$3000 does not cover the cost. What is the cost average per—

**Ms NEVILLE:** When the Treasurer does a budget update some of that cost will be provided. For example, even on hotels I could not tell you yet, because it will depend on how many people they end up with over what period of time. There will be something in the budget update, but if you just think about the costs: we have got hotels; we have got food we provide; we have got healthcare providers—quite extensive numbers; infection prevention and control people. We have got residential support officers, which are 1300; we have got Victoria Police members, 500 of those; transport, SkyBus. It is going to touch the surface of it only.

**Mr D O'BRIEN:** I get all that—

**Ms NEVILLE:** And we will provide that in the budget update

**Mr D O'BRIEN:** But in planning all that, you will have had to work out—you know, 160 a day, that means 2280 a fortnight, that means this many hotels, 'What is the cost of that hotel? What is the cost of that hotel? What is the cost of?—

**Ms NEVILLE:** And it will be in the budget update, which will be publicly available.

**Mr D O'BRIEN:** I am not asking for a total.

**Ms NEVILLE:** I cannot give you a figure.

**Mr D O'BRIEN:** I am asking for an average. Do you know what the average cost is?

**Ms NEVILLE:** No.

**Mr D O'BRIEN:** How long have nurses, doctors, extra staff, ADF and the like been booked to run hotel quarantine?

**Ms NEVILLE:** Alfred Health have been operating out of the health hotel since July I think it is—prior to my time taking over. Healthcare Australia has been contracted for probably about three weeks, two weeks prior to the commencement of travellers coming back.

**Mr D O'BRIEN:** Sorry, I mean prospective—have they been contracted for a period of time?

**Ms NEVILLE:** Twelve months, and that will then vary on do we have vaccines? It is possible. We have seen airlines saying that you have to be vaccinated before you come back. So at the moment we are planning we need the program for at least 12 months.

**Mr D O'BRIEN:** Okay. Does that include the ADF contingent? They will be there for 12 months, do you think?

**Ms NEVILLE:** I cannot answer that. You would have to ask the ADF. We do need them to continue.

**Mr D O'BRIEN:** We have had issues between what the Victorian government says and what ADF says. I am not being cute, I am just being—

**Ms NEVILLE:** We put in a request for assistance. That keeps getting updated. Our intention is to continue to use them. I would like to go back to them and discuss with them doing floor monitoring, which they are not doing, because that would assist us greatly, particularly in terms of police resourcing, and also to do some

luggage stuff, which they do in other states. We intend to continue to use them. Whether they say yes is up to them, but we hope that that is the case.

**Mr D O'BRIEN:** Okay. They would be expected on a 12-month basis as well, but subject to change.

**Ms NEVILLE:** Yes, that is right.

**Mr D O'BRIEN:** Is it implicit in that that the state of emergency will likely run for 12 months?

**Ms NEVILLE:** Well, look, I think I answered that before. I think that is right. At the moment we need it not just for that, we still have other restrictions in place. COVID-safe plans are required—all of those things. So the state of emergency provides the legal framework to have directions, and obviously one of those is hotel quarantine. At this stage that is the easiest, but we have got more than just that currently, so we will continue to assess that.

**Mr D O'BRIEN:** Okay. Chief Commissioner, can I just ask: how much is policing of the program going to cost?

**Chief Comm. PATTON:** I do not know the answer to that at this stage. We have only just started out there.

**Mr D O'BRIEN:** Well, perhaps I could ask it another way. How many officers and PSOs are allocated to the program, if you like?

**Chief Comm. PATTON:** Currently there are 528, which includes PSOs in that 528.

**Mr D O'BRIEN:** How many PSOs, do you know?

**Chief Comm. PATTON:** I think it is around 300 off the top of my head, something like that.

**Mr D O'BRIEN:** How much does that impact on your rostering situation?

**Chief Comm. PATTON:** Oh, it has an impact. But there can be no greater priority than what we are engaged in at the moment I don't think.

**Mr D O'BRIEN:** Okay. Have you got an estimate of what your overtime budget might increase by as a result of the extra work that is being done?

**Chief Comm. PATTON:** No, I do not off the top of my head. It will be significant. We have had significant overtime over the last year because these are unprecedented times and we are required to do what we need to do. But it will impact substantially on our budget, yes.

**Mr D O'BRIEN:** Okay. Minister, can I go back to you, sorry, just on the ADF. Do you know when the request for ADF help with the new program went in?

**Ms NEVILLE:** Oh, the formal request, I cannot remember the date, but we had been in conversations with the ADF for at least two or three weeks beforehand. They came down to have a look, looked at the hotels. We had indicated—Victoria Police had had a number of conversations with them about what they thought they needed. We had, as I said, wanted them to help with the floor monitoring at the health hotel. They went down, they spent time with Alfred Health. So basically we worked with them before we put in the request for assistance so that it reflected what we knew they were going to do. That would be a normal process.

**Mr D O'BRIEN:** Could I just get on notice the date that you made the formal request to the ADF?

**Ms NEVILLE:** I will have to get it back to you. As I said, though, it was at least three weeks before that VicPol and everyone was in conversations with them—pretty much as soon as the board of inquiry report came out we started those conversations.

**Mr D O'BRIEN:** Yes, thank you.

**The CHAIR:** Thank you, Minister. Ms Pauline Richards, MP.

**Ms RICHARDS:** Thank you, Chair. Thank you, Minister, commissioners and officials again for your time and all of the work. I am going to take you back, just like Mr O'Brien, to COVID-19 Quarantine Victoria, CQV, and I am interested in perhaps furthering that discussion you were having earlier about what public health and infection prevention and control measures there are in the new program. You touched on it before. I was just hoping for a little bit more understanding and evidence.

**Ms NEVILLE:** Infection prevention and control is really at the heart of the model, so sitting around that is some really important initiatives around testing, police and security. But at the heart of it is in infection prevention and control. I think I spoke to you a little bit before about the team that has been employed to help us right from the start to set this program up. They are an incredible team of people. I think all up we have got 68 years of infection prevention and control experience amongst the people that are working with us, 45 years of education, 106 years of safety and experience—people who had been involved in the Ebola IPC practices overseas, tsunami strategy and infection control there in Indonesia, so people with incredible experience and outbreak management as well.

So they have taken the program from the ground up and set this in place, as I said, from the airport and from the PPE that you wear. I had always thought that one of the critical things about infection prevention and control was gloves. They would say that is absolutely a really bad thing to do because it stops people sanitising. They have gloves and they touch everything and they keep using them. What you want is sanitisers everywhere, and you watch people. I have watched them at the hotels and at the airport, and that is literally what they are doing constantly—using sanitiser all the time. Because you do, you forget. When I was in the full PPE, the amount of times you wanted to touch your face or move your glasses was one thing I have learned. So that is the sort of training—get rid of the myths you have got about infection prevention and control, understand what works and understand how you put the PPE on. We have got PPE spotters who are watching people put it on as well, checking each other, building a culture of sharing information between each other about what is working and what is not working.

We have also got in place as part of that obviously the testing regime, which is really important, and that is a pretty systematic thing at every hotel. Again, I had a look at that happening, and that is everyone from the SkyBus drivers right through hotel staff to our staff, who are being tested every day—again, a really important measure to understand the extent to which virus might be there. I think one of the things that the board of inquiry made clear is that you needed public health and you needed infection prevention and control at the centre of everything you did. That is what we have tried to do. We have tried to embed it. That is why we have got a deputy chief health officer who sits within our program with Emma and the team. I already can feel that, given I meet with her daily, how important that is—just being able to work through issues: work through, if there have been any breaches, how you fix it, how you might change processes. And having the teams on the ground in each of the hotels—the infection prevention control staff on the ground all the time just watching how it is operating, what is not operating. I think I mentioned there are red zones and green zones. So there are lifts that are red zones, only for travellers. One is for staff to go up to the bubbles that have been set up in staff bubbles. So 'This group of staff—only this group. The police officers use this toilet. This group uses this toilet. This is where you eat. This is where you eat'. So there are really significant changes around that, and then obviously cleaning. There is just this constant extensive cleaning that is going on, sanitisation going on, across each of those hotels across the airport constantly. So it is a massive effort, but you can see why it would make a difference given the nature of this virus—if you keep on top of that, how critical that is into the future about preventing the spread of the virus.

**Ms RICHARDS:** Thank you, Minister. I am going to now take you to the role that Victoria Police have. I am interested in finding out what was Victoria Police's primary role during the coronavirus pandemic.

**Ms NEVILLE:** Well, it has been an amazing role really. I did touch a bit on it in my presentation, and the commissioner has spoken a little bit about it as well. But it has been an extraordinary year for Victoria Police. If I think about state of disaster, the evacuation orders, the tens of thousands of people that Victoria Police rescued during those bushfires to then lead almost straight into COVID and to then unfortunately see the tragic deaths of the four police officers as well this year, it has been a really tough year in some ways. But it is one year that I think has reminded Victorians just about the versatility, the capability and the importance of Victoria Police in our community. To see how they have adapted and really changed their operational response during this period shows again, I think, that it is probably a different organisation than it was 10, 20 years ago. That has been a positive, and I think this will provide learnings and adaptation as well. I think I mentioned when we were

talking about the police budget at PAEC that I often reflect on the fact that, since we came to government, 2880 more police are now on the beat, and more are being trained at the moment and where we would have been this year without that. Victoria Police—if the trend had continued with only doing a little bit below attrition in terms of police numbers, their ability to respond to bushfires, other emergencies and this would have been much diminished.

So just to really give you a sense, I think all up—like we talked about before—over 1000 police have been involved through the COVID period. We had the task force Operation Sentinel, which had 500 then went to 750 police members. They were general duties, PSOs, spot checks on returning travellers, all that—so they did all of that range of work. We had also the state police operation centre—so you know, we have got the State Control Centre operating, but we have got the state police operation centre running 24 hours, seven days a week as well. So every day you are looking at anywhere from 30, 40, 50 people just in that, who are coordinating and rostering and tasking people through this. We have got the police assistance line, so there is the tasking that came through that process—you know, record numbers of calls there. And since I was last here we have had the roadblocks—what was it?—over 2 million cars checked, you know, significant numbers of roadblocks. That was from 8 July and that went to November.

Then there was the period when we lifted the 5-kilometre directive—the CHO did that—and we were very concerned about some of the peak areas where you were going to get large numbers of people out, so the Mornington Peninsula out to the Dandenongs, all of that. So the police then set up—and I think it was the start of school holidays from my memory as well—weekend roadblocks there. We did a seven-day-a-week one down to the Mornington Peninsula—again, making sure people were doing the right thing, not seeing large numbers of people congregate because we had lifted the 5-kilometre rule.

But you know, I think one thing about all of that showed that, again, most people did the right thing. There were lots of warnings given during that period as well and not many fines issued, but I know people down on the Mornington Peninsula were very concerned that they were going to see large numbers of people flock down there during that period. It gave them reassurance that there were going to be some controls about it and that the virus that was in Melbourne was not going to spread down to their communities. I certainly know that as a regional member I would equally get from Melburnians, you know, ‘Too many roadblocks; I’m waiting too long to get through’ as much as I would get emails from my residents saying, ‘They’re not stopping everyone’. So I think on those roadblocks it was something like 80 to 90 per cent of cars were checked, and it was based very much on traffic congestion not being worse than waiting about 20 minutes to half an hour—so again, getting the balance right. I should thank the ADF for assisting Victoria Police during that period as well. But I think on any average it was around 200 police who were involved in that particular operation alone.

I think I have mentioned before we have had the PSOs doing Operation Shielding. We had transport numbers way, way down. We redeployed them to be able to work in commercial areas. We had all those businesses closed. They were very fearful that there were going to be increases in commercial burglaries. Having the PSOs there patrolling that just did not happen, unlike in other states. It really was reassurance but actually prevention as well, and they played a really big role. And of course since July we have had Victoria Police in the health hotels in Melbourne, and Operation Ribbon. There has just been this ongoing, increasing role that they have played throughout this period—and again, thank you to each and every one of them.

**Ms RICHARDS:** Yes. We are very fortunate and grateful. I know you touched on this with Mr Hibbins, but I would just be interested in how police have used their powers with on-the-spot fines during this time. Perhaps could you just in the little bit of time left expand a little bit on the discussion you were having with Mr Hibbins before.

**Ms NEVILLE:** Yes. So again, the slide that I showed at the beginning I think really shows that police, when they issued—

I remember the deputy commissioner saying clearly at the time ‘deliberate, blatant and obvious breaches’ and that Victoria Police otherwise were playing a reassurance and engagement role with the community. When most infringements were issued it was during the period when our restrictions and the case numbers were at the highest, the risk to our community was the highest. As that tapered off so did Victoria Police’s enforcement, and I think it was a clear message. It really showed clearly that Victoria Police were very balanced in how they operated over that time. Again often you would equally get that they are not giving enough fines or they are

giving too many. Often that suggests to me that they had the balance right, and I think that graph really showed that they understood when they needed to increase their enforcement and when it could be much more about warnings and just engagement with the community—‘Why aren’t you wearing masks?’. I know at the start of wearing masks Victoria Police members would carry masks around and offer them to people if they were not wearing one as well. So this was not about ‘gotcha’ moments; this was about making sure people were complying and were doing the right thing, and Victoria Police saw that they had a role in doing that. But there were people who would keep doing it and would refuse to do it. We have had businesses that refused to comply or come anywhere near complying; they deserve a fine.

**Ms RICHARDS:** Thank you.

**The CHAIR:** Thank you, Minister. Mr David Limbrick, MLC.

**Mr LIMBRICK:** Thank you, Chair, and thank you, Minister and team, again for appearing. I would like to direct my first question to Chief Commissioner Patton, please. Something that I have been querying a lot during this inquiry and I asked Professor Sutton about the other week was this idea that the public health directions, when they are made up, must consider proportionality and must be the least restrictive of rights. Now, the issue that I have got is that when the public health team draws up these things and imagines the least restrictive rights that they are going to have a direction for the actual restrictions on rights are not caused by the public health team; they actually happen with Victoria Police. When I queried the CHO about this—and the specific example I gave was a protest outside on Cup Day, which I am sure the commissioner is familiar with—he was not even aware that that was happening. When I asked him about that—‘Well, the rights that you are imagining being limited might be quite different to the reality’—his response was, ‘Well, that’s Victoria Police’s job’. How do you manage that? I know you spoke this morning about communication with the CHO and this sort of thing, but it still seems that there is this gap between what the directions imagine the limitations on rights will be and the actual reality on the ground when they are enforced.

**Chief Comm. PATTON:** Could you just give me a bit more of an example of what you mean and what that gap actually is, please?

**Mr LIMBRICK:** Okay. If there was a protest like what was happening on that day and the enforcement tactics that were used were that the people were surrounded and compressed together, that did not seem like something that would have been imagined when the public health directions were drawn up. In my mind I would have imagined that the Chief Health Officer would have given some guidance or something on how he expects these directions to be enforced or expects them to happen, but he was not even aware of it in this case. It seemed like there was some sort of communication issue going on there.

**Chief Comm. PATTON:** I am not sure that is necessarily the case. I do understand your concerns, and human rights are one of the key factors we consider in any policing operation we do. I actually chair a human rights strategic advisory committee that is made up of quite eminent persons in this state who provide advice to Victoria Police so that we can take on board and learn and get better from where we have had failings in the past. But in terms of every operation that we run, we have an operation order, and human rights are a key factor in every one of those matters. Of course it is made more complex with the overlay of COVID-19 and the imposition of the Chief Health Officer guidelines. But I want to be really clear: the Chief Health Officer guidelines apply to everybody, and they are not just segmented to protests. They are about limiting numbers and movement—it was all about movement in any shape or form—and the fact that people chose to demonstrate when that was prohibited. At that time it was virtually totally prohibited—it was totally prohibited—in terms of numbers. People have chosen to breach those CHO directions.

So when you talk about human rights, I want to talk about the human rights of the community in general and everyone else who is doing the right things. We absolutely consider human rights in our enforcement, and we did on that day. In the lead-up to all these events I think we issued something like, over the journey, 100 letters where we went to people saying, ‘You are breaching the Chief Health Officer guidelines. You cannot do this. You may be arrested. You may be charged with incitement, which is an indictable offence’. In addition to that, on the day that you are talking about we again warned them not to participate in those events. They did. They chose to breach the Chief Health Officer guidelines while the rest of the community were not doing that. They had a mass gathering which potentially put the community at risk. So in light of that we were in a position where we took action. People were cordoned, and they were then systematically arrested and processed as was

the case. They were provided drinks on the day, they were allowed to sit in the shade and they were treated as humanely as they possibly could be, and we engaged with all of them, allowing anyone who was suffering any type of medical condition to be dealt with first of all.

But the reality is that we are very cognisant of human rights. We appreciate human rights as a key factor in everything we do in policing, and we absolutely want it to be a vital factor for confidence from the community. But I do not think there is any gap in the CHO directions in the way we enforce them. The reality is that those CHO directions were there to restrict exactly what occurred on this day.

**Mr LIMBRICK:** Thank you, Commissioner. With that in mind, though, there have been other protests as well. Another protest that I witnessed back in June concerned Aboriginal deaths in custody—larger protest. What was the reason that this was treated so differently? Because there have been a lot of questions put to me. At one protest I actually thought that the police managed that protest very, very well; I have said that publicly a number of times. I thought people were allowed to exercise their right to free assembly, people were kept apart as much as they could be. They were breaching the CHO guidelines, but police were very professional and let them to their thing.

But the reaction to the other protest on Cup Day was quite different, even though the directions were not a lot different. I think back in June it was a limit of 20 people, and in November it was a limit of 10 people. What drives the difference in the policing of these events?

**Chief Comm. PATTON:** I think the circumstances were vastly different. When we had the protest that you are referring to, that I have just spoken of, I do not think anyone was allowed out in groups at that stage. I stand to be corrected, but I believe that to be the case—or if it was, it was a maximum of 10.

**Mr LIMBRICK:** I think it was 10. That was my understanding.

**Chief Comm. PATTON:** Okay. Yes, sure—significantly more than that though on that day. But for the June Black Lives Matter protest, and I have spoken about this publicly on numerous occasions, we said before it occurred, ‘We do not support it occurring. It will be illegal, and it will breach the Chief Health Officer guidelines’. But in the circumstances where we had at that time in terms of, if you like, the COVID environment, the spread was very low at that stage. We had not just gone through a whole range of lockdowns and everything you like, so the circumstances were totally different.

But I think one of the primary key factors: we eventually made a decision to reluctantly allow that Black Lives Matter to go ahead because of the emotion that was in the community, because of the emotion that was being displayed across the world and because of what we had seen in other communities across the world. We had seen arson, we had seen looting, we had seen assaults. We had seen cities, and I am sure everyone here has seen the reporting on the news, that were damaged and continue to this day to still suffer the impact economically and from a reputational point of view. My major concern at that time, as a deputy commissioner then: we said, ‘This should not occur’, but we had over 10 000—between 10 000 and 20 000 people—who were intent on marching, so my main aim at that stage was on public order, to ensure public order so this city could then get back on with its role. That is what we did. We did fine the organisers of that protest, because we told them, ‘This should not occur, and we will fine you’, and we did that.

But they are vastly different events at vastly different times in different scenarios with different underlying factors involved.

**Mr LIMBRICK:** Thank you. You mentioned incitement. We had a limit of 20 people back in June, 10 in November and 100 people now. Usually the objective of a protest is to get a lot of people, and usually the organisers of a protest have no practical means of controlling the number of people that turn up. They might advertise it—they say, ‘We’re having a protest on this day’—and then people come along. How can an organiser in practical terms organise a protest without risking being charged with incitement? Even if they said, ‘We only want 100 people to turn up’, they cannot guarantee that they can do that. I am not sure if there is a practical means through which they can avoid being charged with incitement.

**Chief Comm. PATTON:** Look, I think the people we have charged with incitement are people who incited a protest when they were not allowed to have protests, full stop.

They were not allowed to protest because it would have been a breach, and they put on Facebook, they advertise, they make a range of representations saying, 'We're going to have a protest here; we're going to do this'. We go and say, 'No, you cannot do that. It's against the law. You are committing an indictable offence. Here is a letter telling you you cannot do it. Take it down'. On occasions they have listened to us and taken it down and we say, 'That's great', and then the thing peters out and we have done our job, but people who disregarded it, we have just continued on and we have charged them. As I have said before, we are not anti-protest. We are happy for people to voice their opinions and demonstrate peacefully and we will support that, and we will continue to do moving forward. But I make no apologies for the actions that we took in stopping movement that should not have occurred and that was unlawful because of the CHO guidelines.

**Mr LIMBRICK:** Thank you. So if I advertised a protest now and I said I only want 100 people to turn up and go ahead with it, and maybe I liaise with police to say, 'You know, I'm going to have this protest', presumably more than 100 people would turn up. I still do not understand how in practical terms people can exercise this right without risking incitement charges?

**Chief Comm. PATTON:** Look, there is a complexity to what you are describing, if that is the case, yes. But we have seen it occur, and we have seen it occur successfully out at the Mantra hotel out at Preston, for example, where their refugee protests occur regularly. We have worked with those people to make sure that they come within the cap of that. But we cannot allow the breach to occur and grow and suddenly have 5000 people, because it will again put at risk the health of the other people in the community. So yes, there is complexity with it. Your point is right, but we try and do our best.

**Mr LIMBRICK:** Thank you. My next question is for the minister. You mentioned earlier this morning about how the state of emergency is required for quarantine. Why can't there be a new legislation specifically to manage the quarantine? Why do we need to lean on the state of emergency for the entire quarantine period? I mean, my concern is that if we are going to have quarantine for longer than expected, which may be the case—and we were talking 12-month contracts at least—are we really planning on having a state of emergency that long? Why can't we draw up specific legislation just to manage the quarantine?

**Ms NEVILLE:** Well, firstly I would say I think I mentioned before that the state of emergency at the moment is for more than hotel quarantine, so just to do COVID-safe plans required for businesses, limits on restaurants, that is not changing yet. So we need the state of emergency powers to enforce around those directions. Look, I would not rule it out either, but let us see what happens. The state of emergency is providing a number of protections at the moment.

**The CHAIR:** Thank you, Minister. I will pass the call to Mr Tim Richardson.

**Mr RICHARDSON:** Thanks, Chair. Thank you, Minister, Commissioner and department representatives, for joining us today. I want to take you, Minister, back to Victoria Police's role during the coronavirus pandemic and take you to the issue of vehicle checkpoints. How have they been used to slow the spread of coronavirus, and how important were those operations during that time?

**Ms NEVILLE:** Thank you for the question. I did touch briefly on it, but I have more to add to that issue. From 8 July right up to 8 November, so that was a significant amount of time, we had a border between regional Victoria and metropolitan Melbourne, and I imagine that is the first ever we have had something like that that has not related to particular road closures because of a particular emergency in an area.

In fact I think I said about 200 police were involved. It was actually up to 320 sworn police that were involved in that operation. It involved general policing, ADF of course, our public order response teams, mounted branch at times, highway patrol you would have seen—well, you would not have, because you are from Melbourne and you would not have been allowed to go up to regional Victoria and go through those checkpoints, but there were a number of highway patrol vehicles. We used our booze buses. At that point we were not able to use them because of the health risks in relation to doing blood alcohol testing. Police also used the automatic numberplate recognition technology as well, so we were able to use that and often it would be earlier than the roadblocks, so we could look at it and police would be aware of: did we have people who were obviously not from the region where their registration was? So that again helped with being able to identify both numbers as well as individual drivers who were potentially breaching, because of course you could still travel for work purposes.

Not all vehicles were stopped. Even though a ring of steel was created, we did take into account safety and traffic congestion. So 15 to 30-minute delays were what seemed acceptable at the time. Occasionally that was ramped up higher, particularly if it was a long weekend or if we knew it was going to be good weather. That might encourage people to try and head down to the coast, for example. The tolerance for longer delays was sometimes increased in order to manage what we thought were some particularly greater risks.

So for the 121 days there were 13 sites—eight static—and we also had mobile sites as well. We also did back roads. So we had places like the Princes Freeway, obviously at Little River; also through Werribee there would be mobile checks. Princes Freeway, Nar Nar Goon—there was one there. There are a number of back roads there and police would often be there. I think with the Nar Nar Goon one the police officers down there got quite a lot of community support and would often get baked goods down there. I did hear about that. I think they particularly did well out of the site and particularly on cold, rainy evenings, because if you think about this, this was the middle of winter. Although there were a number of amenities provided to police officers there, you would not have said it was an ideal working spot that you would like to spend 121 days at. Again, no complaints—police did their job.

**Mr D O'Brien** interjected.

**Ms NEVILLE:** Sorry?

**Mr D O'BRIEN:** Anywhere in Gippsland is good at any time of the year.

**Ms NEVILLE:** Of course. And we had Western Freeway, Bacchus Marsh; Calder Freeway and Hume Freeway. So we had the 13 sites—eight permanents. Then, as I said earlier, when we increased the 5 k's—being able to leave your home from more than 5 k's to 25—we also had some other sites, which we put in from 6 September. That was at Peninsula Link; we had them at Warburton Highway, Wandin East; Burwood Highway, Upper Ferntree Gully; Nepean Highway, Mount Eliza, and we did another at Bacchus Marsh Road, Greater Geelong. We would also do some on the ring-road going down to the Surf Coast as well. So it was a substantial resource involved from Victoria Police. Certainly my experience of regional Victorians was we had very low numbers and we got on top of that very quickly, so it provided reassurance. I think it did help with the spread at the time. I know that there was a point where Geelong numbers were going up, and we were concerned about the numbers of people who worked from the west coming into Geelong, but in the end we got on top of that and were able to stay with the rest of regional Victoria—kept that separation, provided reassurance to the communities in those regional Victoria areas that Melburnians were not going to bring the virus down.

The other thing I should say is that the other less obvious places that Victoria Police were on were trains as well, so regional trains. They would have patrols on those. They would be at Spencer Street booking people who were getting onto regional trains. I know in my community I have got the Sorrento ferry, so they spent quite a bit of time at the Queenscliff end and on the ferry as well, checking people were going for legitimate reasons and not trying to get across the bay. So there was an extensive amount of work, but I think at the time really critical to really containing the spread in metropolitan Melbourne.

**Mr RICHARDSON:** Just taking you, Minister, further to business enforcement. Obviously our business communities have done an extraordinary amount of work to comply with restrictions and do the very best to get through this difficult year. But I am interested in those that were not complying and what the role of Victoria Police was in enforcement of restrictions on businesses once restrictions were eased.

**Ms NEVILLE:** So businesses could be subject to a fine of up to \$9900—almost \$10 000. There were a number of different sorts of restrictions applied to businesses during this period, whether it was the square-metre rules. At some point, though, some were closed. So some were not able to open. I know that for some, like the sex industry businesses, there were quite a lot of fines in that space. People continued to work there. But there was a period where we had a large number closed altogether. We then had square-metre rules, patronage rules, COVID-safe rules. Of course this was not just Victoria Police's role. We had a number of other agencies who were involved in this, from WorkSafe to authorised officers to liquor and gaming staff as well, who have been doing this, But Victoria Police did play a really big role.

They performed over 11 000 checks on businesses, and they continue to play a role now. But a lot of these came through the police assistance line or from others ringing in to the police to provide intelligence, and some

was through proactive policing. Of those, again most people did the right thing—10 000 of those businesses were found to be compliant. We did not issue many infringement notices—only eight—but we had a lot of warnings to businesses. Again, where Victoria Police were able to assess that businesses were making genuine mistakes and people were not deliberately doing it—I know we had a couple of businesses recently who had decided that, because of the money they were making out of alcohol, it was worth breaching the directions on how many people they could have and paying the fine, because the money they were raising was greater. In those cases, absolutely they get fined, and in those cases one of those businesses got shut for a period of time as well. They are the sort of businesses that we are particularly focused on when we talk about business enforcement. In terms of those 11 000—I should put that in context as well—there were about 92 000 proactive checks, so that is where they are not necessarily responding to a problem but they are going into businesses, checking they are doing the right thing, providing advice and providing contacts if businesses are confused around the directions. There was a lot more of that work than there was on those spot checks on whether people were compliant or not.

Since about July we have had what is called a high-risk industry operation underway, and that has involved Victoria Police and, as I said, those other agencies. We have had particular surveillance of high-risk industries. So what does that mean? You know, some of the meat industry, abattoirs et cetera, aged care—industries where we know the risk and the spread has been greater, where it is easier and where there are rules in place. We have had the high-risk industry program operating significant surveillance and significant checking-in with those industries about COVID-safe practices. There have been some fines and some interventions, but again it is an attempt to really educate and take those industries with us to improve their practices without it always being a penalty.

**Mr RICHARDSON:** Minister, you mentioned briefly the police assistance line, and obviously Victorians felt equally invested in driving down the cases and supporting one another during that time. I am wondering how the police assistance line helped in that response to the coronavirus pandemic.

**Ms NEVILLE:** Yes. I think I might have said this at our last hearing about, ‘Thank goodness we had it, really’. I mean, it has been invaluable in terms of reporting crime generally. I think in terms of theft now, 49 per cent or something of all theft and burglary goes to the police assistance line or online reporting. It has really changed the way people engage with police, and it is getting really good results and feedback as well. But in terms of the police assistance line and COVID, we had nearly 301 000 calls from Victorians who wanted to make sure everyone was doing the right thing and who would report potential breaches to the police assistance line, so it was really significant engagement from people.

I know there were lots of things around the directives and people being, ‘Oh, they’re too harsh’, but people overwhelmingly felt that we all needed to do the right thing, and I think the numbers that rang the police assistance line indicate that. Of those, 90 000 of them were for mass gatherings, and that is probably one of the areas where there were a number of infringements issued. It might have been people having parties or renting Airbnbs. There were significant numbers reported, but also through the infringement process we had people who reported around isolation where they felt people were not isolating when they were supposed to be isolating—24 000 of those. Business calls around breaches was 37 000. There were almost 2000 calls around the curfew, which is low but that is not surprising given no-one was out. It was only when those people were obviously breaching where individuals lived that that was occurring. The way it would work was that it would be assessed by the police assistance line, and where it was urgent and immediate—where clearly something was occurring right then and there—it would go to 000 and it would get an immediate response through that process. So it has been a really useful tool for crime reporting generally but has played a really central role for COVID.

**Mr RICHARDSON:** Thank you.

**The CHAIR:** Thank you. Ms Bridget Vallence, MP.

**Ms VALLENCE:** Thank you, Chair. Thank you, Minister and everyone, for appearing. First up, Chief Commissioner Patton, a question for you. When we had our hearings last time, on 26 August, you confirmed that Victoria Police had initiated inquiries into potential criminal activity or breaches of licences by the private security companies involved in the hotel quarantine program number one. What is the status of those investigations?

**Chief Comm. PATTON:** I think there were four that were referred to us externally. They have been investigated by our licensing and regulation division and they are not being proceeded with. There is insufficient evidence or no evidence to be able to prove those matters. There were 10 incident reports that we were made aware of by the Department of Jobs, Precincts and Regions relating to, if you like, a number of those issues relating to private security guards working in the hotel quarantine inquiry. They assessed those. I think there are three or four matters that are still outstanding that, if you like, would be broadly putting—sorry, the other issues out of those 10 were broadly put in the category of performance and are being addressed internally within the companies and were not of concern to the licensing and regulation division in terms of fit and proper person assessments for security guards. But I think there are three or four that are still being investigated by LRD for—

**Ms VALLENCE:** So we had a couple of numbers there. You said four for breaches of licence. Four have been investigated and nothing found, concluded.

**Chief Comm. PATTON:** Correct.

**Ms VALLENCE:** And another three or four—

**Chief Comm. PATTON:** So they are four companies. Then there were 10 incident reports that were raised with the Department of Jobs, Precincts and Regions during the hotel quarantine, the first phase, and of those there are three or four that are still I will call outstanding. The others were simply performance issues which were not affecting a fit and proper person or fit and proper character assessment, and of those other three or four they still being assessed and investigated by LRD.

**Ms VALLENCE:** So for the companies, that is finalised and ruled out. For the others, what is the time frame for concluding those?

**Chief Comm. PATTON:** Look, I would expect that they would be completed anytime soon now in respect to those other individuals in those three or four matters that are still outstanding.

**Ms VALLENCE:** Do you anticipate any criminal charges might come of those?

**Chief Comm. PATTON:** No, they are not criminal matters; they are conduct matters, I would say. So no, there will not be criminal charges flowing from that.

**Ms VALLENCE:** And they are just individuals that are being investigated?

**Chief Comm. PATTON:** Yes.

**Ms VALLENCE:** Okay. Chief Commissioner, in terms of the 39 000 or thereabouts fines issued, how many have been withdrawn?

**Chief Comm. PATTON:** I will tell you in just half a second.

**Ms VALLENCE:** We can take it on notice.

**Chief Comm. PATTON:** I beg your pardon? I do not need to take on notice.

**Ms VALLENCE:** You have got it there? Great.

**Chief Comm. PATTON:** I have got the document here—4869 fines have been withdrawn or cancelled.

**Ms VALLENCE:** And how many have been paid?

**Chief Comm. PATTON:** Two thousand, eight hundred and six have been paid in full.

**Ms VALLENCE:** Are we able to get a breakdown of the 39 000 issued by LGA? On notice if that is—

**Chief Comm. PATTON:** I would have to take that on notice if it is available. I am not sure whether we can do it, but if it is available, certainly. I do not think that is possible, but we will certainly come back to you.

**Mr D O'BRIEN:** It was provided previously.

**Ms NEVILLE:** Was it? Maybe it was postcodes, the original. There was one we could not provide, so we will have a look.

**Ms VALLENCE:** Yes, it has been provided previously, so if we could have an update, that would be great.

**Chief Comm. PATTON:** Yes, well, if it is able to be provided and it is not requiring a new whole thing to be run, then yes, sure.

**Ms VALLENCE:** Thank you. How much is a fine for failing to carry a face mask?

**Chief Comm. PATTON:** It is \$200.

**Ms VALLENCE:** Have any fines been issued to date?

**Chief Comm. PATTON:** I do not, I am not—

**Ms NEVILLE:** Four thousand and ninety-seven for face coverings.

**Ms VALLENCE:** For failing to carry?

**Chief Comm. PATTON:** For failing to carry.

**Ms NEVILLE:** Oh, to carry—I do not know—

**Chief Comm. PATTON:** I am not aware of any having been issued to date, no. And as we have stated, this is an environment where we are trying to use discretion but be enforcing as well.

**Ms VALLENCE:** Okay. We have just recently heard that the Australia Day parade will be cancelled in relation to outdoor gatherings and in anticipation of a crowd. From a policing perspective, are you concerned at all and have you done any perhaps thinking or planning in relation to any protests in relation to that?

**Chief Comm. PATTON:** I am not personally aware of any specific protest for Australia Day, but we have—

**Ms VALLENCE:** No, I am not suggesting that there are, and hopefully there are not, but in terms of the mere fact that the government has cancelled that parade, has there been any contemplation that there might be?

**Chief Comm. PATTON:** We are constantly contemplating and evaluating a range of protests that are occurring every weekend and still now. As I said before, we will plan for that, we will conduct our risk evaluations and we will do our monitoring that we do to inform us about any risks that are appearing, and we will take appropriate action. And if that means that we need to be visiting people to prevent them from having a protest, if a specific one has been cancelled, we will. Conversely, if someone is protesting lawfully, well, we will work with them.

**Ms VALLENCE:** Minister, on that, in terms of that particular event being cancelled due to COVID and outdoor gatherings, are there any other events that are also being cancelled in the similar time frame—for example, tennis supporters gathering at Federation Square for watching the tennis or Chinese New Year celebrations?

**Ms NEVILLE:** Look, I am not aware. I think we have spoken about it before: there is an events framework that is in place that people can go through that is then assessed and ultimately signed off or not signed off by the CHO.

**Ms VALLENCE:** So was there an events process gone through for the Australia Day celebration?

**Ms NEVILLE:** It does not come to me; it comes to the Chief Health Officer, so that is a question you need to direct to them.

**Ms VALLENCE:** Okay. Just to pick up on what Mr O'Brien was asking before, Minister or panel, in terms of the date that the formal written request was made to the ADF—

**Ms NEVILLE:** It is actually 27 November, I have been informed.

**Ms VALLENCE:** Twenty-seven November. That was a formal written request for ADF?

**Ms NEVILLE:** That was the day I commenced responsibility for the program. That is when the formal request went in, yes, but as I understand it, there were discussions prior to that, at least for the couple weeks prior to that.

**Ms VALLENCE:** And in that request how many ADF personnel did you request?

**Ms NEVILLE:** I think originally we had hoped to have—the original request was going to be 172, I think it was. In the end, once they told us they would not do floor monitoring, that request then came down to about 140. Was that right, Andrew? Can you remember?

**Mr CRISP:** Yes.

**Ms VALLENCE:** Okay.

**Ms NEVILLE:** And just so you know, I do not put the request in; it is done by the commissioner, on advice from VicPol in this case. As I said, we would have liked to have had more. We would have liked them to have done another role, but they have said no.

**Ms VALLENCE:** Minister, in terms of the new legislation that we have just put through regarding charging individuals who were returning for the hotel quarantine—or the new-form hotel quarantine, to charge them for staying there—when were you first aware that we would be requiring to charge these individuals?

**Ms NEVILLE:** Well, firstly, I took over the program on 27 November. Prior to that I had other responsibilities. But the decision about charging really could not be made until after the board of inquiry report came down. If you remember, that report had recommended home quarantine, which of course after discussions with other states and the commonwealth, it is not something that is feasible for Victoria—aside from the risk, but not feasible given the other states are likely to close their borders to us. So it was not really until that time and until we had really worked our way through the full model that we were in a position to be able to introduce legislation and know what we were charging for.

**Ms VALLENCE:** Surely it is something that would have been anticipated beforehand. Do you think that having the time line to agree to receive returned travellers but not having that set out and legislated for was a complete oversight?

**Ms NEVILLE:** No, I do not accept that at all. It was a decision of national cabinet. We did not have a program at the time. We were waiting on the board of inquiry. You know, it was possible we may not have ended up with a hotel quarantine program, for example, and we did. We then set our fees accordingly to match the other states.

**Ms VALLENCE:** Well on that, it was possible that we would not have a hotel quarantine program. When did you sort of determine that you would have one?

**Ms NEVILLE:** Well, after we got the board of inquiry report. Do you know we had one operating from July? We have had one operating all year. We then waited on the board of inquiry report that then locked down what that model would look like and what the program look like. It was possible, if we did a home quarantine program, that you would have very few people in hotel quarantine. That it may have changed your decision around fees. It may have been different. So we continued to—

**Ms VALLENCE:** So why was I guess the—

**Ms NEVILLE:** We constantly said we were waiting on the board of inquiry to inform our decisions on the model, the final model, as well as on the form of quarantine that would be put in place. The issue of home quarantine was a recommendation which we have not accepted, partly based on our assessment of risk but also

based on the fact that the other states would close their borders to Victoria. So I do not think anyone would like that outcome either. So we worked as quickly as we could to bring legislation forward to the Parliament, and I think we acted in a timely way.

**Ms VALLENCE:** Will Victoria be reimbursing New South Wales or any other states for the cost to keep or hotel Victorians who could not return due to the hotel quarantine number one outbreak and the second wave of COVID because we could not take people returning from overseas?

**Ms NEVILLE:** If we go back a little bit—and again you know I have not been responsible for this program until the 27 November, but this is—

**Ms VALLENCE:** Sure but it will be your decision about whether we charge them, whether we pay.

**Ms NEVILLE:** I think right at the beginning of this program, Ms Vallence, Victoria took more than the other states, so we could seek reimbursement; that is not how it has been agreed through national cabinet. We have taken, over the time, the numbers we could take. We took more at the beginning than other states. If you remember, New South Wales had *Ruby Princess*, and they had some limits on their hotel quarantine program, so Victoria took its lion's share at the time. So I think it has balanced out, and we have made the right decision in my view for Victoria—you know, not taking anyone until we had the program, the board of inquiry. That was supported by national cabinet.

**The CHAIR:** Thank you, Minister. The member's time has expired. Ms Nina Taylor, MLC.

**Ms TAYLOR:** Thank you. Well, we have heard a lot today about the incredible way VicPol adapted and pivoted as part of our government's response to the pandemic. What are the specific operations that VicPol has conducted to ensure community safety and high-quality policing services?

**Ms NEVILLE:** Yes. So look, one of the ones I have not really had a chance to talk about is their work in family violence—so it was Operation Ribbon. I have spoken about it in the past couple of times, but just to give you sort of an update of where that work has been and as it continues, and unfortunately family violence continues to be the biggest driver of crime and harm in the state and continues to grow year on year. Unfortunately probably tomorrow's crime stats will show the same thing. This has not really been affected by COVID, and that is probably in a way because of the operation that Victoria Police have undertaken, because I think there were definitely concerns that they had, we had and the community had that there would be people who would be at risk but unable to report—you know, not able to access the phone or access police. So this was an operation was about how you reached out, how Victoria Police reached out, and they were able to do this.

We funded Victoria Police for 415 specialist family violence staff as part of the staff allocation model over the last couple of years. We have got specialist family violence teams, so what it meant was Victoria Police were in a position to identify people they knew were at risk—perpetrators as well as affected family members who might be at risk—who had been previously known to Victoria Police or had perhaps come through other mechanisms. This was an outreach, so it was visits. They also over time realised using calls or emails was another option that was available to family members who might not be able to make that phone call safely, and it has been incredibly—I do not like to use the word in family violence 'successful', but what the figures show is why it was so important.

So they conducted in the end—as of 14 December—34 000 interactions either with perpetrators or with affected family members, a significant outreach during that period. What we saw was in the end over 1100 people were remanded. So to be remanded in family violence it is significant risk and harm. So again it really identified and targeted those people most at risk—491 who were bailed and 396 people who were summonsed. All up it is around 24 000 family violence offences that were detected through that process, which again out of 34 000 interactions shows that this both was well targeted to people who are most at risk and has been I think a model that had been trialled a bit before and probably one that will continue, so not just waiting for people to come to Victoria Police but actually Victoria Police reaching out to those particular people at risk of harm. It is again one of those programs that have been tested really well during COVID and will be something that will be beneficial to Victoria Police and the community going forward. So this is probably one of the quietest unspoken operations Victoria Police were involved in but has had a significant impact on protecting particularly women and children through this period.

**Ms TAYLOR:** Thank you. We have heard a bit of a discussion about what role the PSOs have played during the pandemic. Could you expand on that a bit further?

**Ms NEVILLE:** Yes. From 9 April it became very clear once we commenced restrictions in Melbourne and across Victoria that the public transport use was going to decline and continue to. It was at very low levels, so we wanted to see how we would best utilise our PSOs in that scenario. You are probably aware, because you would have seen it through the Parliament, we have actually changed the legislation to enable the Chief Commissioner in the future to designate other areas for PSOs to operate, but I was able to do it through regulation to enable Operation Shielding to occur, which meant that we could use our PSOs to deploy to other areas across Victoria to assist in COVID. Particularly we were very concerned, as other states had raised with us concerns, around commercial burglaries where you had businesses closed, and we had a number of business areas raise with Victoria Police around, 'Can we get extra patrols? No-one's here to check'. The risk of burglaries was real for them, so we had 20 teams redeployed from the public transport system. We continued to operate on premium stations, as we do now, and of course later on the night network also closed down, so we had some additional PSOs available. In the end we had 160 PSOs who were teamed with 80 police officers in 20 different teams, and they had 14 teams of 14 sergeants, 42 police officers and 112 PSOs—so that was quite a large number that you could deploy to particular areas—and six smaller teams. They would work 9.00 pm to 7.00 am; the others would be 12.00 pm to 10.00 pm.

A total of 81 sites were identified across Geelong and Melbourne at the time, and so they were involved in all those commercial areas. They were at key locations like shopping centres: Doncaster, Chadstone, Box Hill, the Glen, Knox—all of those areas. I think Chapel Street had some as well, because that was an area of concern. So they were not just there enforcing the COVID restrictions but actually more about prevention of any damage or risk to those commercial businesses, and unlike other states we had very low levels of any commercial burglaries or property damage that occurred during that period during that particular operation. To give you a sense of the sorts of arrests they made, they did arrests around theft, retail burglaries, possession of drugs—so, much more than just COVID—possession of imitation firearms and weapons, they arrested people for serious assault. So they really did some heavy lifting during this period. I think our PSOs—and I have met many of them, particularly in Geelong when you are out and about doing your exercise—found it a great experience to have extended their work and their abilities beyond just the transport system, and we can all look back and say that they have done a great job certainly in terms of the community. I think they appreciated having PSOs out where we needed them at the right time. That particular operation has now ended, and those PSOs have now been deployed to assist in the hotel quarantine program.

**Ms TAYLOR:** Thank you. Just pivoting back slightly. With regard to Operation Ribbon, what has that shown? What are the outcomes, the stats et cetera that have been revealed through that through the pandemic?

**Ms NEVILLE:** As I was saying, overall what it has shown is that family violence happens—it does not matter what is going on, really. What we saw with other crime during this period, particularly serious assaults and all of that, is there really have been declines, whereas in this space that has not been the case. I think what it has probably shown, the operation that police ran, was that you needed to be proactive in this. Given the call numbers were down, but clearly with some of the figures I read out before—34 000 interactions, 24 000 family violence offences that were identified by police—clearly you needed to reach out. So it was not that family violence was not happening but there were some issues about the ability and freedom that people felt to be able to reach out to police at that time, and those families were particularly vulnerable. I think the operation has shown that for that group of people—and that is why it kept going—we needed to continue to be proactive and reach out, otherwise we potentially would have seen some more significant and awful outcomes that may have resulted from them.

**Ms TAYLOR:** I know the Chief Commissioner has already discussed quite a bit about the role of the police during the protests during the lockdown. Was there anything further that you wanted to add to that?

**Ms NEVILLE:** Look, I do not want to underestimate, and people should not underestimate, the resource implication that some of those protests had. You know, this is bread and butter for police. We do have massive protests all the time in Melbourne, but they are also not having to provide significant police resources to enforce COVID directions, which they were at the time, and now hotel quarantine. So to give you a sense, overall through the arrests there were something like 580 arrests and 938 penalty points. But in terms of the hours, the police numbers that we utilised—and this is from 5 September to 3 November, so we are in stage 4; this was at

the highest of our restriction levels—11 000 police numbers. It is not necessarily 11 000, but over each of the times they had to do it.

I absolutely support people's right to have a view and protest, but as the Chief Commissioner said, at that time people were fearful for their lives. People were doing the right thing. People were staying home. They were not seeing family. They were not visiting. So not only did they put others at risk; they also utilised significant police resources during a time when we also needed them to be doing the COVID directions and reassurance and all of that work as well. The roadblocks were all happening during this period of time. Again, it is just another example of the agility, the capacity, the capability of Victoria Police that we have seen over this 12-month period. It is unfortunate that we had in some cases the same group—there was one weekend I remember they caused havoc in the Victoria Market. They tried to move around. It was just this deliberate attempt. In most cases with protests they work closely with Victoria Police: we are able to work through it; we are able to make sure it is safe for everyone; people can rightly speak. These were the complete opposite to that. Again, thank you to Victoria Police for their work throughout this whole pandemic. It has been incredible.

**Ms TAYLOR:** Thank you.

**The CHAIR:** Thank you, Ms Taylor. And thank you very much, Minister, Commissioner Crisp, Commissioner Patton, secretaries, for your time with us here today. This concludes our time for consideration with you in relation to this inquiry, so we thank you for meeting with us. The committee will follow up on any questions taken on notice in writing and responses will be required within five working days of the committee's request. We now declare this hearing adjourned. Thank you for your time today.

**Committee adjourned.**