



12 October 2020

Email: lawyers@quarantineinquiry.vic.gov.au

Mr Will Yates
Office of Solicitors Assisting
Board of Inquiry into the COVID-19
Hotel Quarantine Program

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Your reference:
Our reference:
4032447

Dear Mr Yates

Board of Inquiry into the COVID-19 Hotel Quarantine Program
Our client: Chief Commissioner of Police (CCP)

We refer to your letter dated 8 October 2020.

In order to ensure that all potentially relevant information will be available to the Board, Victoria Police has conducted exhaustive enquiries and searches for the purposes of the preparation of its and former CCP Ashton's responses to each of the Board's notices to produce.

On that basis, we are instructed to respond to the Board's questions as follows:

- 1 (i) Does any relevant police member know who made the decision to engage private security contractors in the hotel quarantine program?
- No.*
- (ii) If so, please provide all relevant details including who holds that knowledge, how they came to be in possession of that knowledge, who made the decision to engage private security contractors and the circumstances in which that decision came to be made.
- Not applicable.*
- (iii) If not, please provide any information that may assist the Board in determining who made the decision to engage private security contractors in the hotel quarantine program.
- Victoria Police has no such information to provide.*
- (iv) Does any relevant police member know who contacted or may have contacted Mr Ashton between 1:16pm and 1:32pm on 27 March 2020?
- If so:
1. who made that contact or may have made that contact; and
 2. what was said or may have been said?

No, other than what has been disclosed in the media today.

APAC-#114992228-v6

12 October 2020

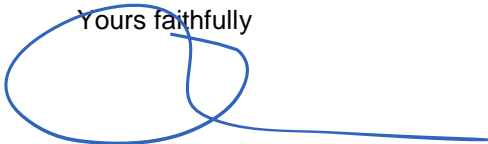
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- 2 Copies of any correspondence with Telstra relating to the request for Mr Ashton's incoming telephone records or, if such documents do not exist, the following information to be included in the abovementioned letter:
- (a) How, when, by whom and in what terms was the request made of Telstra?
 - (b) How, when, by whom and in what terms was the response from Telstra provided?

Victoria Police made verbal requests to Telstra. On 1 September 2020, a Victoria Police lawyer contacted Telstra's law enforcement section to request records for the mobile phone used by former CCP Ashton as of 27 March 2020. The lawyer was informed at that time that Telstra could not provide those records to Victoria Police other than for the purposes of an investigation of an offence. Victoria Police understands that this information was referable to sections 178 to 180 of the Telecommunications (Interception and Access) Act 1979.

Also on 1 September 2020, a manager in Victoria Police's Business Support team contacted Telstra's Telecommunications and Purchasing and Management Strategy Client Services Help Desk by phone and asked what data would be available via billing transactions. The manager was advised that no numbers external to Victoria Police would be available via billing data due to relevant legislation.

Yours faithfully



Peter Cash
Partner and Head of Office
Norton Rose Fulbright Australia



7 November 2020

Email: lawyers@quarantineinquiry.vic.gov.au

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Office of Solicitors Assisting
Board of Inquiry into the COVID-19
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Dear Mr Yates

Board of Inquiry into the COVID-19 Hotel Quarantine Program
Our client: Chief Commissioner of Police (CCP)

We refer to your letter dated 31 October 2020 and the enclosed NTP-171.

We confirm our advice to Ms Ellyard that, to our client's knowledge, formal minutes of the COVID-19 Police Commissioners Forum meetings held prior to 28 March 2020 were not taken.

In accordance with NTP-171, the CCP produces the following documents:

- 1 **VPOL.0034.0001.0005** Graham Ashton diary note of 22 March 2020 Police Commissioners Forum meeting.
- 2 **VPOL.0034.0001.0008** Rick Nugent diary note of (part of) VicPol Command Teams meeting on 22 March 2020 (at which Graham Ashton briefed the Deputy Commissioners on the 22 March 2020 Police Commissioners Forum meeting).
- 3 **VPOL.0034.0001.0010** Shane Patton diary note of (part of) VicPol Command Teams meeting on 22 March 2020 (at which Graham Ashton briefed the Deputy Commissioners on the 22 March 2020 Police Commissioners Forum meeting).
- 4 **VPOL.0034.0001.0007** Graham Ashton diary note of 24 March 2020 Police Commissioners Forum meeting.
- 5 **VPOL.0034.0001.0006** Graham Ashton diary note of 25 March 2020 Police Commissioners Forum meeting.
- 6 **VPOL.0034.0001.0001** Shane Patton diary notes of:
 - (i) briefing from Graham Ashton on 26 March 2020 (prior to 26 March 2020 Police Commissioners Forum meeting);
 - (ii) 26 March 2020 Police Commissioners Forum meeting; and

APAC-#115305431-v2

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- (iii) subsequent Teams meeting (at which he debriefed with Graham Ashton on the 26 March 2020 Police Commissioners Forum meeting).

Finally, we note Ms Ellyard's confirmation that production of documents of the nature listed above was not required by any NTP previously served on the CCP.

Yours faithfully



Peter Cash
Partner and Head of Office
Norton Rose Fulbright Australia

82	Voice	AXEGSM Originating	2020-03-27 06:15:09 UTC	2020-03-27 17:15:09 +11:00		115	Andrew Crisp	Graham Ashton
84	Voice	AXEGSM Terminating	2020-03-27 06:15:09 UTC	2020-03-27 17:15:09 +11:00		115	Andrew Crisp	Graham Ashton
89	Voice	AXEGSM Originating	2020-03-27 06:48:31 UTC	2020-03-27 17:48:31 +11:00		119	Shane Patton	Graham Ashton
91	Voice	AXEGSM Terminating	2020-03-27 06:48:31 UTC	2020-03-27 17:48:31 +11:00		119	Shane Patton	Graham Ashton
93	Voice	AXEGSM Originating	2020-03-27 06:52:04 UTC	2020-03-27 17:52:04 +11:00		304	Shane Patton	Graham Ashton
95	Voice	AXEGSM Terminating	2020-03-27 06:52:04 UTC	2020-03-27 17:52:04 +11:00		305	Shane Patton	Graham Ashton

Subject to Restricted Publication Order

Monthly Overtime _____ Monthly Court Hours _____ Rest Days Owed _____

Date / Time

Particulars of Duties

Claims

1015

REDACTED
Not Relevant

1017

1021

1021

1025

Teams: ALV with CCP (mb).

REDACTED
Not Relevant

- ③ Discussed me speaking at Commissioner's meeting:-
 - Border Closures - (still reciting here and that is our position to Govt).
 - PPE - still adequate here. Noir - ^{Mask} - ^{Gloves} - ^{Glasses}
 - Beaches - Fri-Sunday (26-29) - Premier (air wing / footage, & if necessary deploy 'sentinel' patrols).
 - Op. Shielding - Commercial burg - Pso' Deployed - N/Shift - terrible - Noir? ^{25x teams} ^{1/2/6 & Pso'} Probably media Monday? ^{25 teams} ^{comp of hundred}
 - Op. Sentinel - compliance only - Finalize op. order today but have been doing checks, more to come - (did footage of checks in line - well received).
 - 520 cases in Vic. 2x Deceased. / VPol - ²⁷ ^{Positiv} ^{Quarantined} } 398 Patrols.
²⁸⁸ ^{Positiv} ^{Quarantined} } +
²⁹ ^{VPS} } +
²⁷ ^{x Pso'} } +

REDACTED
Not Relevant

REDACTED
Not Relevant

March 2020

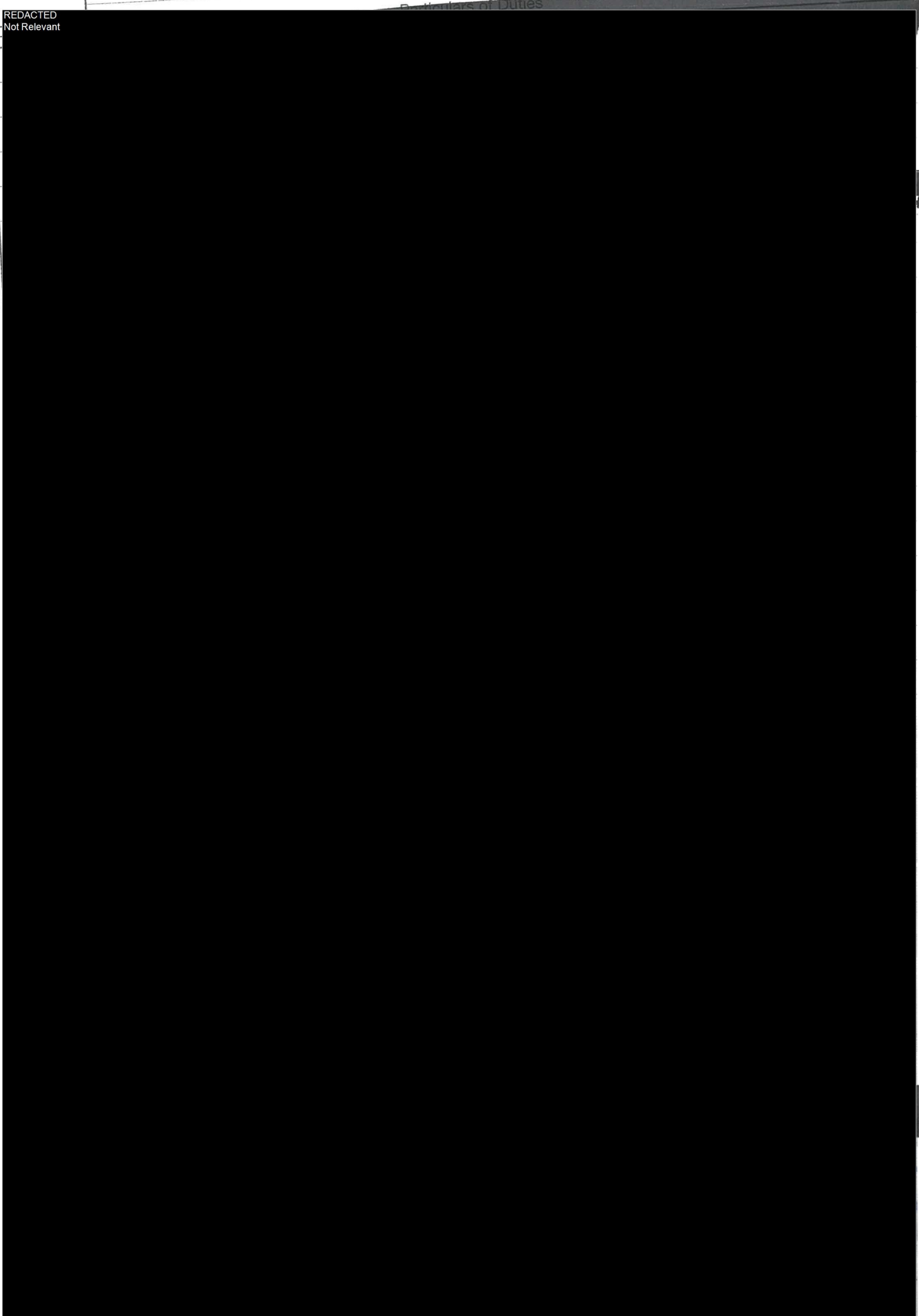
80

Monthly Overtime _____ Monthly Court Hours _____ Rest Days Owed _____

Claims

REDACTED
Not Relevant

Particulars of Duties



Monthly Overtime _____ Monthly Court Hours _____ Rest Days Owed _____

Date / Time

Particulars of Duties

Claims

REDACTED
Not Relevant

1500 Distilled in to Australian Police Commissioner's meeting:
(representing CCP) - I detailed air situation, 21 per
order (to 29 of diary) - other points raised -

REDACTED
Claim for prohibition on publication

Reece AFP
Tracy QLD
21- WA
Mike B. NZ
Jamie - NT
Scott T. - TAS

NSW } NO
SA }

Reece Kerihaw: (AFP) 10,000 per day arriving by air into

Australia

REDACTED
Claim for prohibition on publication

(28,000 last 2-3 days arrival). plc

Scott Tilyard (ST) says yes doing random checks - Reece
we need to be prepared for quarantine.

REDACTED
Claim for prohibition on publication

REDACTED
Claim for prohibition on publication

(Next 2-3 weeks
modelling - have we received numbers yet?

- Need to be restricting returnees.

Mike Bush - All international travellers drive - taken to
(met at airports)
a 'triage hotel' interrogated - if no triage plan,
they are put into quarantine. He has modelling &
can share with us. All essential services are exempt
from movement - if no exemption - they are asked to
go home.

Reece stated 3x weeks time 'peak' of cliff - doubling
currently.

REDACTED
Claim for prohibition on publication

82

March 2020

Monthly Overtime _____ Monthly Court Hours _____ Rest Days Owed _____

Claims

Date / Time

REDACTED
Claim for prohibition on publication

Particulars of Duties

[REDACTED]

→ I briefed. NSW & SA not present.

REDACTED
Claim for prohibition on publication

REDACTED
Claim for prohibition on publication

REDACTED
Claim for prohibition on publication

- Next meeting Sat/ Sun - Katherine vs Garp to arrange -
probably Saturday.

1542 Conclude.

REDACTED
Not Relevant

REDACTED
Not Relevant

REDACTED
Not Relevant

REDACTED
Not Relevant

1559 Rang by (Team) CCP -

REDACTED
Not Relevant

- I briefed him re Commissioner

Conference: -

REDACTED
Not Relevant

[REDACTED]

Not Relevant

Not Relevant

~~12/2~~ 2020
 Commissioners ready
 1300
 -lock down non
 essential gatherings

to

AE Contact tracing
 → support
 Singapore App - Contact tracing

AE 45,000
 face mask go
 out 300,000
 USD

Commissioner Hockley.
1500 hrs.

~ limiting Alcohol purchases.
- Not Cabinet tonight.

"Cost of all classes
too great, economically"

Next Cab tonight

economic impact of
higher peak??

Sutton wants more
aggressive approach.

only Federal diversity
voiced.

⑤ "Forrest Hills directive"
Possibly state or place
based / specialties... -
state going further

Bret 7 or 8 per Howard.

REDACTED

Not Relevant

LD

(SA) - SS isolated Positive
 not ~~positive~~
 Declaration cross border
 4 pm today 10 fixed
 sites. - Heavy vehicle
 wayborders. - Self
 Compliance by road lanes
 Business Premises Patrol

(AET) ABE document
 Cont isolation

(M4) Borders close
 14 day isolation

(Pps) - Tight enough
 on travel → Return
 non essential.

⊕ Dispute declaration exists
 in qd:
 Compassion and Compliance
 Morale (PPE)
 Prison still taking
 Prison

REDACTED
 Not Relevant

✓

Ccl. Shane Patton
Wendy,
Graham

National Cabinet

- Lock down Tuesday possibly rest, non ess shops, pubs, clubs, gyms, etc.
- Schools close Tuesday
- People need to look after kids
- Border closures SA NI
- Major Hwy points SA
- TML's @ major points.
- Must have 14 days in isolation (must have some where to stay or be turned away).

REDACTED
Claim for prohibition on publication

[Redacted line]

REDACTED
Not Relevant

REDACTED
Not Relevant

70

March 2020

Date / Time	Monthly Overtime	Monthly Court Hours	Rest Days Owed	Claims
			2	
2108 0908				
2117				
2118				
SUN. 22/3/20	R/D			
0845				
1029				
1039	C			
1130				
1356	<p>Teamr Call (AV) from CCP Ashton, D/C' Steendam / Nugent Held Commissioner's Lookup - Stater more directive with C/M. National Cabinet - Lockdown stage restaurants, pubs etc; non-essential shops - schools to close Tuesday, Border closures: NT / SA putting in place - TMP's at major Highway Points N/S/W - entering must have a 14 day isolation place - or turned around. (Victoria not yet). Eastern Seaboard still open - lists of exemptions to be compiled.</p>			

REDACTED
Claim for prohibition on publication

REDACTED
Not Relevant

March 2020

Monthly Overtime _____ Monthly Court Hours _____ Rest Days Owed _____		
Date / Time	Particulars of Duties	Claims
<u>A item</u>	REDACTED Not Relevant	
<u>A item</u>		
1440	Conclude	
1715		
1800		
2158		
MON 0720		
23/3/20		
0734		
0740		
0900		
<u>A item</u>		