

**TRANSCRIPT OF PROCEEDINGS**

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**INQUIRY INTO THE COVID-19 HOTEL QUARANTINE PROGRAM**

**BOARD: THE HONOURABLE JENNIFER COATE AO**

**DAY 12**

**10.00 AM, THURSDAY, 03 SEPTEMBER 2020**

**MELBOURNE, VICTORIA**

**MR A. NEAL QC appears with MS R. ELLYARD, MR B. IHLE,  
MR S. BRNOVIC and MS J. MOIR as Counsel Assisting the Board of Inquiry**

**MS J. FIRKIN QC appears with MS S. KEATING and MR S. STAFFORD for  
the Department of Environment, Land, Water and Planning**

**MS C. HARRIS QC appears with MS P. KNOWLES and MR M. McLAY for  
the Department of Health and Human Services**

**MS J. CONDON QC appears with MS R. PRESTON and MR R. CHAILE for  
the Department of Jobs, Precincts and Regions**

**DR K. HANSCOMBE QC appears with MS H. TIPLADY for the Department  
of Justice and Community Safety**

**MR R. ATTIWILL QC appears with MS C. MINTZ for the Department of  
Premier and Cabinet**

**MR J. GRAHAM appears for Meteorite Land (Pearl River) Pty Ltd as trustee for the Meteorite Land (Pearl River) Unit Trust, trading as the Four Points by Sheraton Melbourne, Docklands**

**MS A. ROBERTSON appears with MS E. GOLSHTEIN for MSS Security Pty Ltd**

**MR A. WOODS appears with MR A. FLORO for Rydges Hotels Ltd**

**MR A. MOSES SC appears with MS J. ALDERSON for Unified Security Group (Australia) Pty Ltd**

**MR R. CRAIG SC appears with MR D. OLDFIELD for Wilson Security Pty Ltd**

**MS D. SIEMENSMA appears for Your Nursing Agency (Victoria) Pty Ltd**

CHAIR: Good morning, Ms Ellyard.

MS ELLYARD: Good morning, Madam Chair. The two witnesses to be called this morning are Mr Adams and Mr Krikelis from MSS Security. I'll call each of them in  
5 turn for the purposes of the oath. The first is Mr Jamie Adams.

CHAIR: Good morning, Mr Adams. Are you able to both see and hear me?

MR ADAMS: I am, Madam Chair, yes.  
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CHAIR: Thank you. And, Mr Krikelis, I'll come to you next. First I'll ask Mr Adams, I understand you're going to take the affirmation, Mr Adams?

MR ADAMS: That's correct.  
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CHAIR: So I'll hand you over to my associate while that's being done.

**MR JAMIE ADAMS, AFFIRMED**  
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CHAIR: Thank you, Mr Adams.

MS ELLYARD: The next witness is Mr Sam Krikelis. I call him.  
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CHAIR: Mr Krikelis, I understand that you will be taking the oath for the purpose of giving your evidence, so for that purpose, I'll hand you over to my associate also. Thank you.

MR KRIKELIS: Thank you.  
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**MR SAM KRIKELIS, SWORN**  
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CHAIR: Thank you, Mr Krikelis and Mr Adams. I'll hand you both to Ms Ellyard now.

MS ELLYARD: Thank you, Madam Chair.  
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**EXAMINATION BY MS ELLYARD**

MS ELLYARD: Mr Adams, I'll turn to you first, please. Could you tell the Board your full name, your occupation, and your employer?  
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MR ADAMS: My full name is Jamie Grant Lachlan Adams. I'm the General Manager for Victoria and Tasmania for MSS Security.

5 MS ELLYARD: You've made a statement in response to a request made of you by the Board?

MR ADAMS: That's correct.

10 MS ELLYARD: Have you got a copy of that statement in front of you?

MR ADAMS: I do.

MS ELLYARD: It's dated 17 August 2020?

15 MR ADAMS: That's correct.

MS ELLYARD: Are the contents of that statement true and correct?

20 MR ADAMS: They are.

MS ELLYARD: I tender that statement, Madam Chair.

CHAIR: That will be Exhibit 65.

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**EXHIBIT #65 - STATEMENT OF JAMIE GRANT LACHLAN ADAMS**

30 MS ELLYARD: Mr Adams, throughout your statement you refer to a number of documents by way of the document numbering system that's been adopted for the purposes of this Inquiry.

MR ADAMS: That's correct.

35 MS ELLYARD: As I understand it, it's your wish that those attachments be included and understood by the Board to form part of the evidence that you're giving in response to the request made by you?

40 MR ADAMS: That's also correct.

MS ELLYARD: Madam Chair, may I tender the bundle of attachments, being the bundle of attachments identified in the Hearing Book as the exhibits to the statement of Mr Adams.

45 CHAIR: That bundle of documents will be marked Exhibit 66.

**EXHIBIT #66 - ANNEXURES TO STATEMENT OF JAMIE GRANT  
LACHLAN ADAMS**

5 MS ELLYARD: May I turn to you, please, Mr Krikelis, and ask you in turn to give your full name, your occupation and your employer?

MR KRIKELIS: My full name is Sam Krikelis, and I'm the Business Manager for Events Services at MSS Security.

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MS ELLYARD: You too have prepared a witness statement in response to a request made of you by the Board?

MR KRIKELIS: That's correct.

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MS ELLYARD: And there's a copy of that statement in front of you?

MR KRIKELIS: That's correct.

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MS ELLYARD: It's dated 17 August 2020. Are the contents of that statement true and correct?

MR KRIKELIS: They are.

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MS ELLYARD: I tender that statement, Madam Chair.

CHAIR: Exhibit 67.

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**EXHIBIT #67 - STATEMENT OF SAM KRIKELIS**

MS ELLYARD: Mr Krikelis, you too refer in your statement to a number of documents by way of reference to a document numbering system. As in the case of  
35 Mr Adams, do you intend that those documents as referred to be part of your evidence given to the Board in this case?

MR KRIKELIS: Yes, I do.

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MS ELLYARD: Madam Chair, I tender the bundle of attachments identified in the hearing book as attachments to the statement of Mr Krikelis.

CHAIR: Exhibit 68.

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**EXHIBIT #68 - ATTACHMENTS TO STATEMENT OF SAM KRIKELIS**

MS ELLYARD: Thank you. Mr Adams, may I turn to you to begin with. What's the usual work --- you deal with this at paragraph 7 of your statement. What's the usual work of MSS Security in terms of the kinds of services it provides and the client base to whom it usually provides those services?

You're on mute, Mr Adams. And I'll ask Mr Krikelis to go on mute.

MR ADAMS: Sorry about that. MSS Security provides security guarding services to a variety of what we refer to as blue-chip clients, so large corporate bodies, Government Departments, both State and Federal, the aviation sector, major events, and manufacturing, logistics, and the healthcare sector to a lesser degree as well.

MS ELLYARD: You expand on the range of services ordinarily provided at paragraph 15 of your statement. May I ask you to what extent, prior to involvement in this program, had your company been involving in providing services to Government?

MR ADAMS: So we've been providing, particularly to Victorian Government, security services for a number of years. I can't say precisely how long, but it's certainly an extended period. We have been on the Government panel, so we've had a State Purchase Contract arrangement with the Victorian Government for many years, for as long as I've been with the company, which is a little over 16 years, and we've been providing services to Department of Health and Human Services particularly at public housing establishments, in the most recent iteration, since 2018. We've been providing security services to the Transport Accident Commission for a significantly longer period than that. And likewise, to the Office of Chief Examiner.

MS ELLYARD: Thank you. You mentioned being on the panel. Are you aware of the evidence that was given yesterday afternoon by Mr Watson on behalf of Wilson Security in relation to the particular issue of the process and purpose, as he understood it, of the Panel for Security Services?

MR ADAMS: Yes, I'm aware of his evidence, yes.

MS ELLYARD: And can I ask you, did you agree with that evidence? Is that consistent with your own understanding of the role of the Panel and the process followed by MSS to become a member of that panel?

MR ADAMS: Yes, it is consistent with my understanding, that's correct.

MS ELLYARD: Mr Krikelis, can I turn to you? At paragraphs 7 to 11 of your statement, you refer to your particular role in event management, business manager for events services within MSS. Can I ask you to explain what are event services, as I understand they're a discrete area of service provision by MSS?

MR KRIKELIS: Yes, they are. We're a specialised and dedicated events team that focuses on large-scale events. We look after the three largest international sporting events in Victoria, possibly Australia. We do many other events in the sporting and festival fields. We undertake lots of different aspects within the event space. My  
5 role within that space is to look after the --- to ensure that the operation runs smoothly. So I look after the logistics and the rostering, the training, the manpower assessments, lots of different areas, transportation, accreditation, uniforms, et cetera. But the major part of my job is to attend pre-planning meetings to ensure that we have stakeholder engagement throughout the process, making sure we know what's  
10 expected of MSS at these events.

MS ELLYARD: So am I right in understanding, Mr Adams, that there are parts of MSS's work which are ongoing, in the sense that there is a standing obligation for security services from week to week, and there's also parts of MSS's work that are  
15 seasonal, if I might use that word, because they're focused on events that occur for a particular period of time but are then over?

MR ADAMS: Yes, that is correct. The vast majority of the work that we perform is consistent ongoing, what we refer to as permanent work, if you like.  
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MS ELLYARD: And to what extent did you approach the role of MSS in the Hotel Quarantine Program as an event or as a potentially new form of permanent work?

MR ADAMS: I guess to respond to that, I'd say that the indication that was given to me in my first contact with the Department of Jobs, Precincts and Regions was that there was a likelihood that this service would commence in a very short turnaround. There would be resources required, although they weren't quantified. But the nature of the start-up process, I guess, was such I felt that it needed some dedicated  
25 management to actually oversee that. Mobilising resources in such a short turnaround is a difficult exercise to fulfil. Simultaneously, I guess, we had a downturn as a result of the COVID outbreak nationally in our events portfolio. As a result, I was able to free up three resources from my major events team, and Sam, Mr Krikelis, was one of those, to actually oversee this operation. So from my ---  
30 I guess, twofold. It was about the ability to ramp up and oversee this operation in very short order, but also ensuring that we weren't impacting the remainder of our business as a result of taking on potentially this additional work.  
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MS ELLYARD: You say, Mr Adams, at paragraph 30 of your statement that as at 27 March, the date on which the Hotel Quarantine Program was announced, MSS Security had 1,103 permanent employees. But as I understand it, MSS also from  
40 time to time made use of subcontractors, before the Hotel Quarantine Program, as part of its ordinary business practices; is that right?

MR ADAMS: Yes, that is correct.  
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MS ELLYARD: And can I ask you for an explanation of why it is, with such a large standing workforce, there's still a role in your business for the use of subcontractors?

MR ADAMS: Yes, certainly. So there are probably two main reasons why, and one overrides the other, I would suggest, and that is that the nature of --- and particularly in our events work, is that while we can plan and prepare throughout the year for the three major events, particularly, that we provide, the nature of the work is that it is very short-term. You know, sometimes a week at a time, perhaps three to four weeks. But beyond that time, prior to, there may not be the requirement for us to have those resources permanently engaged within our organisation. As such, we rely on our subcontractor network and we've undertaken a fairly stringent due diligence process to establish that network, and so we retain those subcontractors to provide those services, and then I guess concurrently allow them to also carry on alternate business outside of our organisation, albeit with some controls in place around who they're supplying to and what services they are supplying.

MS ELLYARD: May I turn to you, Mr Krikelis. You mentioned that one of your key roles is to be involved in pre-planning for major events, and I take it that that would also include appropriate coordination where necessary with subcontractors who are going to provide services at those events? You're on mute, Mr Krikelis.

MR KRIKELIS: Apologies. That's correct.

MS ELLYARD: What kind of timeframe is usually involved in the planning for major events? Between you, you've indicated that there are some very large sporting events that your firm takes responsibility for. If, for example, an event were to take place in January, what's the usual timeframe over which your planning for such an event will occur?

MR KRIKELIS: For an event starting in January, we would start planning around July. So at least six months out.

MS ELLYARD: Okay. And thinking about the ultimate scope of what became MSS's role in the Hotel Quarantine Program, how did it compare in terms of its scale to some of the other events that you've been involved in and had to plan for?

MR KRIKELIS: I think the scale of this event, or the hotel operations, doesn't differ a lot from a lot of the events that we do. The challenges we had with this operation was the little lead-in time, the little planning opportunity that we had. We would often go to the site the day before to do a walk-around, which would be a fact-finding walk-around to determine what or how many staff we would need for the hotel, based on lots of different observations. And then we would roster accordingly as required.

MS ELLYARD: So in some cases you might have a day to get ready for an event that was going to turn out to be of a comparable size to events that in other circumstances you might plan for, for three or four months. Is that fair?

MR KRIKELIS: That's correct.

MS ELLYARD: Mr Adams, can I turn to you. At paragraph 42 and following of your statement, you detail how you, on behalf of your company, initially became aware of the existence of the hotel quarantine system and the possibility of being provided services in it. Could I ask you, by reference to that statement, to tell the Board what was your initial contact with any Government Department about the possibility of security services being required?

MR ADAMS: Certainly. So on the morning of Sunday, 29 March, I received an SMS message from the managing director of MSS Security, and subsequently I telephoned him to have a conversation about that text message. In that conversation, he advised me that we had been contacted, and I say "we", I mean MSS Security had been contacted by the Department of Jobs, Precincts and Regions to ascertain our interest in participating in the Hotel Quarantine Program. He then provided me with the contact details for Katrina Currie, who was then the Executive Director for Employment Inclusion at the Department of Jobs, Precincts and Regions. And after receiving Katrina's contact details, I then telephoned Ms Currie. We had a brief conversation. And that brief conversation, maybe five or so minutes, not particularly long.

We had another brief conversation later in the day, probably around lunchtime. And then that was interrupted very early on. And then finally we had a more in-depth conversation, I would suggest probably 20 minutes or thereabouts in duration, at about 3.00 to 3.15 in the afternoon, and I made some notes about that conversation as we were discussing what she believed the requirements were, and I subsequently emailed those notes immediately following the conclusion of that discussion.

MS ELLYARD: So from that initial discussion with Ms Currie, what did you understand to be the nature of the security services that the Government was looking to obtain?

MR ADAMS: So the --- what I took away from that conversation was that the Hotel Quarantine Program was going to be in place and in fact by that stage that we had that conversation, I knew it was already in effect. And that there would be a requirement for a security presence at each of the hotel facilities that were going to be used for this program. The essence of those roles were, I guess, from a security standpoint, reasonably simplistic and they really equated to access control to each of the facilities, presence on each of the floors to prevent the potential for quarantine guests to abscond, and then providing generally a security presence on site, with some infection control awareness.

MS ELLYARD: At paragraph 50 of your statement, you refer particularly to information Ms Currie gave you about the potential role of Victoria Police. What did you understand in these early days was going to be the role played by Victoria Police at hotel quarantine sites?

MR ADAMS: So I guess generally Ms Currie advised me that there would be

representatives from what I would class the stakeholders, so that would be Department of Jobs, DHHS, medical staff, and Victoria Police. There was a very clear instruction that in the event, for example, of a guest absconding or attempting to abscond from the facility, or in the event of a guest becoming agitated or aggravated, that we were not to respond and that Victoria Police would manage those situations.

MS ELLYARD: Then what about the extent to which there were going to be any health or medical staff? You mention this at paragraph 55 of your statement. As the set-up was originally presented to you, what did you understand would be the role of any health staff on site?

MR ADAMS: I don't know if there was a great elaboration on the roles, but I was assured that there would be medical staff on site and they would deal with any potential health cases, and health cases, by that I mean --- I guess there's two aspects to this. One was the assurance that anybody prior to moving into hotel quarantine upon arrival into Australia who was either symptomatic or a confirmed positive case would not be brought to the hotels. Secondary to that was the potential for people to test positive once they'd arrived in hotel quarantine, and I was assured that medical staff would manage the transfer of those quarantine guests from that facility to a medical facility.

MS ELLYARD: Following on from those initial discussions, you detail in your statement a range of further communications that you had with Ms Currie and then with the person to whom she referred you, [Redacted], with whom you had further discussion. When was the first date that you knew for sure that your firm was going to be required to provide services at a hotel?

MR ADAMS: Well, there's probably a couple of dates in particular, but the first contact I had from [Redacted] was on the morning of 2 April. We had a phone conversation and --- on the back of that first email contact, and then a number of email exchanges throughout the day, and by --- my recollection is by around about 4 o'clock that afternoon on 2 April, [Redacted] confirmed in an email that he wanted to engage the services of MSS Security. During the day, I'd made reference and an email introduction to Anthony Bandeira, who's our Major Events Manager, and indicated he would be taking operational control of the quarantine program as and when we provided services. There were some subsequent communications that I'm aware of between Anthony and [Redacted], and they were ongoing throughout the program. But it was probably not until Friday that week, so I would suggest 4 April or 3 April, I should say, that [Redacted] confirmed that we would likely be commencing services, and the venue that was initially cited was the Novotel, which never eventuated ultimately. However, it was confirmed on the Sunday, and I believe that was 5 April, that we would be commencing services at the Travelodge on 6 April.

MS ELLYARD: And perhaps if I turn to you, Mr Krikelis. Given what I understand to have been the relatively short notice between confirmation that services would

start and services being required, what was the process that you or those working with you went through to get ready to have staff on the ground once you knew they were going to be required at a particular hotel?

5 MR KRIKELIS: So, initially, what we did is we contacted our staff and informed them that there was an opportunity for work coming up. We also put out a couple of emails to some of our contractors informing them of the same, to just to pre-plan a bit because we were unsure of when, how many people, when we were starting, et cetera. And then what we did was, before we were engaged into the first hotel,  
10 which was the Park Royal, we caught up with the other key stakeholders the day before and we did a walk-around to ascertain what we would require to ensure that we could do this job properly.

MS ELLYARD: You deal with this, the walk-arounds, at paragraph 42 and  
15 following in your statement. Can I ask you to, perhaps by reference to paragraph 45 of your statement, tell the Board what was the process by which you worked out the numbers that were going to be required to provide at every hotel?

MR KRIKELIS: Sure. So what we needed to understand was the hotel in general,  
20 how many floors it had, how many fire escapes or fire stairwells there were on each floor, the size of the floors. We also needed to understand the layout of the foyer, the entry and exit points to the foyer, if they were going to use loading docks for deliveries, and then we would work out how many staff it would require for each floor, extrapolate that out with how many floors that we had, add in our supervisor,  
25 who would take control of the shifts, and also put in relievers to ensure that all our staff had sufficient comfort and lunch breaks. So we worked on that formula.

MS ELLYARD: And was it left to you to identify and tell those who were engaging you how many staff you needed, or were there other people, whether it was Victoria  
30 Police or DJPR or anyone else, playing a role in deciding how many staff would be required?

MR KRIKELIS: So although there were other stakeholders at these walk-arounds, we initiated the requirements based on our assessment of the job. Then Anthony  
35 Bandeira sent what we suggested was the requirements for the hotel to DJPR, because we needed to make sure that we had their authority and their confirmation that these numbers are suited, and they agreed with those numbers. Once we had that, then we proceeded with the rostering for that hotel.

MS ELLYARD: Mr Adams, coming back to you, at paragraphs 90, 91 and 92 of  
40 your statement, you deal with the hotels where your company provided services and when it started, and then also when the contract with the Government was finalised, and it appears from that, that of the five hotels that your firm was responsible for, you were up and running with four of them before the formal contract documentation  
45 was done. Is that right?

MR ADAMS: That's correct, yes.

MS ELLYARD: So can I ask you whether or not the contract duties as they were ultimately contained in the schedules to the contract were the same as or different from the role that had been initially explained to you on the 29th and 30th, or if there had been changes?  
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MR ADAMS: I can't say that there were changes as such. I think that there was --- it's probably best to describe the duties as they are represented in the Purchase Order Contract as reasonably generic, and there's a little bit of specificity about them, but they are not what you would class --- or what I would refer to as a standard scope of works which clearly articulates the duties that are required to be performed in their totality for the security officers on site. I think they were reasonably generic, but I don't know that they necessarily changed fundamentally what I believed the requirements of the role were going to be from my initial conversation with Ms Currie.  
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MS ELLYARD: So at paragraph 84, you set out the duties and you describe them as being in general terms. So all of those things set out there in the contract, they were all things that you had understood from an earlier time than the date of the contract signing were the jobs that your staff were going to be called upon to perform?  
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MR ADAMS: Yes, that's substantially correct, yes.

MS ELLYARD: So can I ask you this question: There was some evidence again from Mr Watson yesterday about some issues and discussions that arose in his company's experiences about staff being asked to take on additional jobs or responsibilities within the Program. I'll ask you, Mr Adams, but it may be you think Mr Krikelis is best to answer it, did MSS have the experience of security staff being asked to take on additional duties that might not have been conventionally strictly security officer jobs?  
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MR ADAMS: I think Mr Krikelis might be in a better position to respond to that question than I, Ms Ellyard.

MS ELLYARD: Okay. Mr Krikelis?  
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MR KRIKELIS: When we initially started this operation, we were told that we would have guests arriving, they'd check in, they'd be escorted up to the hotel rooms, and then that's where they'd stay for 14 days. Upon their completion of their quarantine, they'd leave, and then we would start the process again. Throughout the process, that changed. We undertook other --- we undertook other tasks such as escorting guests for smoke breaks, for fresh air walks. We --- at a couple of the hotels, DJPR and DHHS initiated family rooms to assist with some additional, I guess, areas for families to come and just get out of their hotel rooms. Towards the end of our stay at the Stamford, we were asked if we could help deliver meals, breakfast, lunches and dinners. So it changed along the way and we were fluid with those changes, but it wasn't what we, I guess, initially thought our tasks would be.  
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MS ELLYARD: Were you ever asked to do things like searching bags, for example?

5 MR KRIKELIS: Yes, we were. So we were asked to search the care packages that would come from the guests' families and friends. We were looking for items that were, I guess, restricted; cigarettes, lighters, et cetera and for items that were prohibited, such as drugs. But we do that a lot at our events, so it was nothing different for our staff to undertake those tasks.

10 MS ELLYARD: Okay. Mr Adams, at paragraphs 73 and following in your statement, you deal with the common practice, the usual practice of MSS to conduct a risk assessment before starting work at a new site. Can I ask you to explain to the Board briefly what's the purpose of such a risk assessment, and was it done once in this case or was it an ongoing process, given some of the changes that Mr Krikelis  
15 has detailed to staff duties?

MR ADAMS: Certainly. So prior to undertaking any work, well, preferably prior to undertaking any work, we will undertake a health and safety risk assessment of not only the venue or the location at which we're providing services, but based on the  
20 nature of the tasks that we're performing. The intent of that risk assessment is obviously to identify any potential health and safety risks that may exist to our staff, and then put into place mitigating measures to either remove or significantly reduce that risk. That risk assessment then becomes essentially the basis from which we work and which we expect our staff to work in order to carry out their duties in  
25 a healthy and safe manner.

MS ELLYARD: And given that, as I understand it, the initial scope of works was that staff would have contact with guests at the beginning and the end of a 14-day period and not otherwise, to what extent was there any revisiting or review of the  
30 risks or the potential risks to staff as they started to have contact with guests of a different kind through deliveries or fresh air walks and things of that kind?

MR ADAMS: Yes, so --- and again, this is probably more geared to directions and briefings rather than the risk assessment per se. So the risk assessment itself, while it  
35 might be the basis for what we do and how we perform our duties from the onset is going to be subject to review as and when things develop, as it did in this case. So the manner in which we dealt with that was to provide additional information to our staff as and when it became relevant. That was delivered through the form of shift briefings. There would be on site training, whether that be just simple instructions  
40 provided by the supervisors. But in all cases it was based on not only the evolving risk but also on the directions and guidance from DHHS, as I understand it.

MS ELLYARD: On the question of staff, as I understand it, some of these MSS staff who you diverted to work in hotel quarantine were staff who otherwise might have  
45 been working in other places where demand for them might have been reduced. Was there any concern or resistance expressed from some of your permanent staff about being asked to work in the hotel quarantine environment?

MR ADAMS: Yes, is the simple answer. We had one significant contract which had been fairly significantly impacted by the COVID shut-down which displaced around about 120 staff. We had already commenced the process of redeploying those staff within our workforce, but a number of those displaced staff were quite prepared to come and work at the Hotel Quarantine Program. Concurrently, we'd also had a significant downturn in our aviation business. A number of those people, in fact a lot of those people, were contacted to ascertain their interest. My recollection is there was in the order of 120 to 130 staff who had been displaced. I don't think I'd be too far off the mark if I indicated that there was probably about 12 to 14 of those who were prepared to come and work, and a number were not, for those reasons.

MS ELLYARD: And what approach did your organisation take to permanent staff who didn't want to come and work in this different location?

MR ADAMS: So, first and foremost, and I sent a communication out personally around about mid-March that --- when things started to become evident that COVID was going to impact our wider business. The instruction to my team was we will do all that we can to protect the livelihoods of our own staff and manage that appropriately. So the instruction to our wider workforce was if you have a compelling reason to take leave or to not work, then we will absolutely look at that, but what we want to do is protect your employment. We don't know how long this pandemic is going to go for. What we really wanted to do was ensure that everybody who could work continued to work until such time as it really became physically impossible for us to provide them work, in which case they would then have the capability to fall back on their leave entitlements rather than be put in a position where they were stood down and potentially not be paid for any of that work.

MS ELLYARD: Linked to the question of potential risk to staff or perceived risk is the question of how they were trained to undertake this work. Mr Adams, you deal with this at paragraph 120 and following in your statement. Firstly, what did you understand to be the Government's expectation through its contractor, DJPR, of the training that would be provided or undertaken by staff before they took up roles in hotel quarantine?

MR ADAMS: Sure. So in my initial conversation with Ms Currie, she indicated to me that staff would have to undertake the online Federal Government COVID or Infection Control Training Module. So we instructed our staff and our subcontractors to undertake that training module. Almost simultaneously, MSS Security developed our own Infection Control Module, so that was issued to all of our permanent staff. And then I know that Mr Krikelis also emailed the link and the requirement to all of our subcontractors for their staff to undertake that same training.

The requirement under the contract was really only to provide that infection control training based on the Government's Online Module.

MS ELLYARD: And had you had any expectation that there would be training materials or guidance given to you by the Government, whether DJPR or DHHS?

5 MR ADAMS: Simply, yes. The inference and certainly the context of the discussions I had with Ms Currie on 29 March indicated to me that there would be DHHS staff on site at each of the facilities, and also medical staff, and medical staff being nurses and/or doctors, who would also provide guidance and assistance along the way as well.

10 MS ELLYARD: And perhaps I'll ask Mr Krikelis. Mr Krikelis, to what extent was there on-site guidance or training provided to staff, either by DHHS or DJPR?

15 MR KRIKELIS: Yes, there wasn't a lot of documented or, I guess, guidance given to our staff. It was a little bit of an ad hoc basis rather than something a bit more structured. So, yes, there wasn't a lot.

20 MS ELLYARD: I'll come later on to the specific question of PPE. But from your observation, Mr Krikelis, what was the level of understanding of the staff on the ground about the potential risks to them of COVID-19 and the need for them to follow any necessary precautions or advice?

25 MR KRIKELIS: Well, initially when we started, we ensured that all of our staff wore masks and gloves. At the start of this hotel operation, the virus --- there wasn't a lot known about it --- so we'd rather be safe than sorry. As we progressed throughout the operation, we received some PPE guidelines that were sent through from DJPR and was cascaded down to our teams. That was on 29 May. And that was the first bit of guidance that we actually received on paper.

30 Once we received that, we ensured that everyone was across it. We put it in all of our staff rooms and break-out rooms and ensured that everyone followed it. Whilst that was happening, our supervisors would constantly and daily remind all staff about the importance of hand hygiene, of socially distancing, about sneezing, just all the general stuff that you would hear constantly on the TV, on the radio, everywhere.

35 MS ELLYARD: Thank you, Mr Krikelis. Mr Adams, can I ask you about the question of to whom you understood your business was accountable, and to whom staff on the ground were accountable. Who did you understand to be in charge at hotel sites in terms of being able, if necessary, to give directions to your staff and your supervisors?

40 MR ADAMS: My understanding was that each hotel would have an authorised officer, and that we would ultimately report to them at a site day-to-day operational level. From a contractual standpoint, it's very clear that our contract and our customer was the Department of jobs.

45 MS ELLYARD: So where did you understand the authorised officer was coming from within Government?

MR ADAMS: DHHS.

5 MS ELLYARD: So, in practical terms, how did that work? On a site level, people are accountable or reporting to the authorised officer, but in contractual terms, it's the Department of Jobs, Precincts and Regions. From your perspective, did that create any confusion or difficulty?

10 MR ADAMS: I think it does create, and it did create, difficulties, in the sense that you have a --- our customer being a contracting department of the Government, with a number of other stakeholders who have not only responsibility but authority to make decisions at a site level. Those decisions, from what I can gather through my experience with the Program but probably more so retrospectively, was that it was not consistent. There was no clear demarcation of responsibility. There didn't  
15 appear to be one person who was particularly in charge of all decisions that were made on each facility. And that certainly would be something that I would be reviewing were this to ever occur again.

20 MS ELLYARD: Mr Krikelis, you comment on this matter at paragraphs 55 and 56 of your statement. What did you understand at the more operational level to be the distinction between the role of DHHS representatives and the role of DJPR representatives?

25 MR KRIKELIS: My understanding was that DJPR were running the operation on a site level. So whenever there were, I guess, concerns or anything needed to be raised in regards to security, to the hotel, to cleaning, to catering, they would go to DJPR. Further to that, my understanding was that if we, as security personnel, had any issues that we needed to raise, we would go to the authorised officer. They were our escalation point. When I say "raise", it would be anything to do with guests or  
30 patrons that were agitated or if the guards on the floors heard any screaming or anything coming out of the hotels, we would escalate that to the authorised officer.

Further to that, DHHS had a team leader and that team leader, as far as I understand, was in charge of the nurses and I guess the medical side of the operation. What  
35 I understood from talking to our teams was that they would get conflicting, I guess, requests from all the parties. There wasn't a consistent approach to the leads or the team leaders or the AOs, and as with everything, when a new person comes in, people do things differently. It's not always the same. And they would change things up, confusing not only the supervisors, but the guards as well.

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MS ELLYARD: There was some evidence given by Mr Gupta, who ran one of the companies who was a subcontractor to MSS yesterday, that in his experience, the authorised officers would change very frequently. Was that your experience as well?

45 MR KRIKELIS: That's correct.

MS ELLYARD: Can I turn, sticking with you, Mr Krikelis, please, to some

questions of logistics. You've answered in your statement some questions about rostering practices and you've already explained to the Board how you worked out how many guards were going to be needed. At paragraphs 57 and following in your statement, you describe the way in which you identified what scope there was going to be at each hotel for security to have a necessary space for them to meet and do their work. What was the process by which you ensured that there was going to be sufficient space at each hotel for security to gather and meet and do anything that they needed to do before going on shift and taking up their positions in the hotel?

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10 MR KRIKELIS: During the walk-arounds, that was one of the questions that we raised. With every event that we do, you need to have a base. You need to have a control room, as such, where you can arrange for your radios, for your log books, for your staff to --- like, a central focal point. So we ensured that at each walk-around, we found out where a space would be allocated for MSS, and  
15 depending on the numbers or I guess the hotel size that we would be securing would depend on the space that we needed. So, for example, some of the other hotels that we didn't have as large numbers, we had a smaller space, still enough space to keep socially distancing and ensure everyone stayed safe, but specifically for the Stamford, the allocated space that we had was a really large space.

20 MS ELLYARD: Are you aware there's been some evidence given to the Board or raised with the Board about a complaint that was made at some time about the Stamford and about guards not socially distancing whilst at shift turn-over. Are you aware in general terms, Mr Krikelis, of that concern having been raised?

25 MR KRIKELIS: Yes, I am.

MS ELLYARD: And are you aware of --- from your perspective, did you or those working with you reach any view about whether or not there had been a breach of  
30 social distancing by guards in that way?

MR KRIKELIS: First of all, I'd just like to say that I wasn't present at that meeting or when that meeting occurred, but following the investigation and the questions that I asked to our supervisors, which was pretty much the day after or it could have been  
35 even on the day of, yes, the supervisor did tell me that they held the meeting. He told me that there wasn't 70 people in that room at that one time; he said it was less than that. And he told me that he also already spoke to the DJPR lead in regards to that concern, and that they had suggested alternative spaces to hold any meetings. And when we say "meetings", it's an operational meeting. It wasn't a get-together for no  
40 reason. It was a quick operational briefing meeting for the shift ahead.

Consequently, I and Anthony Bandeira attended a meeting with the DJPR and DHHS, and we discussed the concern that was raised, and we already notified them that we had spoken to the supervisor and this wasn't going to happen again. But we  
45 also took the measure of changing the roster, and we did that to, I guess, alleviate the pressure of 60 or 70 guards signing on at any one time. So we split the rest of the roster in half, and we had half signing on at one time and the other half signing on at

a different time, thus making sure that congestion in that space wouldn't occur again.

5 But I'd like to note that when I did speak to my supervisor about this concern, he said  
that they held a similar meeting the day before --- I'm not too sure about the numbers  
--- but no one raised any concerns about it on that day. So, moving forward, we  
spoke, we dealt with it, I sent out an email to all of our team in regards to the  
concern, about the shift changes, the roster changes, and just encouraged them that  
10 this was a concern that was raised, but it was only one concern over our entire  
three-month period that we provided services there, and they should be happy with  
the job that they're doing, and maybe, you know, people can see things differently  
and I guess perception is a big thing, and if they do the right things and continue to  
social distance and hand hygiene and all the rest of it, then we wouldn't have any  
further problems, and we never did.

15 MS ELLYARD: Thank you. Mr Krikelis, sticking with the question of rostering, at  
paragraphs 35 and 36, you respond to a question from the Board about numbers  
changing over time. And I take it you're aware of the evidence that was given by  
some of MSS's subcontractors yesterday?

20 MR KRIKELIS: Yes, I am.

MS ELLYARD: Their evidence was from their perspective, they would receive  
instructions through their head contractor, whether you or someone else with MSS,  
sometimes with quite short notice, regarding the numbers that were going to be  
25 needed on a particular shift and whether they might need to go up or go down?

MR KRIKELIS: That's correct.

30 MS ELLYARD: And their understanding was that the reason they were getting  
those sometimes changing instructions from you was because of changing  
information being made available to you by DJPR about what the numbers were  
going to be at hotels?

35 MR KRIKELIS: That's correct.

MS ELLYARD: And was that right? That was how it was working?

40 MR KRIKELIS: Yes, so the process for us was that we would receive an email  
down the line from DJPR with flights, and we'd get the information that a flight was  
arriving to one of our hotels at a certain time and would have X amount of guests on  
it. We would then roster accordingly, based on those numbers, whether we needed to  
scale up or scale down. The challenge with that was that, often, the numbers that we  
were informed of, the arrivals, wasn't always the case, and in most cases it was less  
45 than we initially thought. So we would scale up to X, and we would receive Y. So  
we would either need to send people home or, I guess, cut the numbers beforehand if  
we could.

The other challenge with the rostering was we would often get families. Now, families would need more rooms than if there was six individuals, or more space. So we roster on the number, but it's not always as accurate because there's families or couples or the like. So, again, we would on different occasions need to scale down even after arrivals had come to the hotel. It was challenging, but we dealt with it the best we could.

MS ELLYARD: And as I understand it, you relied to some extent on subcontractors in turn sourcing and filling rosters for you from the staff that they had on their books?

MR KRIKELIS: Yes, that's correct.

MS ELLYARD: And were there any expectations in place that were put by MSS on subcontractors, Mr Krikelis, about how often people would be rostered and whether there needed to be any guard against overwork, for example?

MR KRIKELIS: There wasn't expectations as such, but I informed our contractors, our long-term contractors who have been with MSS for quite a few years, and especially with our department, that initially the uncertainty of how long this project would go for would make it difficult to keep staff numbers at a regular basis. So I informed them that we would be undertaking what we call the four-on, four-off process, which is a staff member works four days and then has four days off, just to keep them fresh, just to keep them, I guess, spreading the work to more staff members, and I recommended to them that that would be a good option for them as well.

In saying that, I'm not there to tell them how to run their business. I'm happy to advise them, but everyone can do what they see fit for their own businesses.

MS ELLYARD: What about the question of whether or not workers would work only at one hotel or might be rostered by subcontractors who were working at multiple places to do shifts at multiple places? Was there any approach that you asked or required people to take about that, Mr Krikelis?

MR KRIKELIS: Yes. We discussed that throughout the operation, and what we thought was the best approach would be to have a contractor assigned to a hotel, thus limiting cross-over as much as we could. We understood that at times that may have not always occurred for operational reasons, but the advice that I gave the contractors was to limit the cross-over from hotels, keep a team to a hotel to try and ensure to the best of our abilities that there's no cross-contamination and cross-over from staff.

MS ELLYARD: Okay.

MR KRIKELIS: And we, I think, achieved that on most occasions.

MS ELLYARD: Thank you. Mr Adams, can I turn to you on another aspect of the

subcontracting arrangements, which is money. The contract between MSS and the Government provided for effectively a scale of hourly rates for the provision of security services at different levels and across different periods of the week?

5 MR ADAMS: That's correct, yes.

MS ELLYARD: And then in turn, as the Board understands it, MSS had a number of agreements in place with contractors for the hourly rate which those contractors would charge MSS, similarly, for the provision of services by the ---

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MR ADAMS: Yes, that's also correct.

MS ELLYARD: It's clear from the evidence of the subcontractors that we heard yesterday that not all subcontractors were charging the same rate to you, to MSS, for the provision of services. Can I ask you to explain the process by which agreements were reached or decisions were made about what the appropriate rate to pay subcontractors was for the provision of work that they were going to be giving to MSS?

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MR ADAMS: Certainly. So I probably need to start from the commencement of the subcontract services agreements that we hold with our subcontractors. So similarly to the way in which we respond to requests for tenders for work, as MSS is an entity, we conducted a request for tender process most recently late 2018 and into early 2019 where we put an RFT out to all of our existing subcontractors and a number of other entities who had expressed interest in working with MSS Security. Now, the intent of that was --- I guess there was a number of intents around that. One was to re-establish new subcontract agreements with our preferred providers.

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Secondly, we wanted to be sure that we'd subjected all of our subcontractors to a reasonable degree of scrutiny around their business and employment practices particularly, and that is making sure that their employees are genuinely employees, that they are remunerated in accordance with the prevailing Security Award or a relevant and valid industrial instrument, and that they had the capacity and capability, and we were very much aware of what their capacity and capability was, to provide security resources to us as and when we required them.

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At the end of that, we agreed on rates, and as with any tender process, there is a negotiation and discussion process that occurs prior to executing those agreements. And then those agreements were executed, I think eventually around mid-2019. So we already had a pre-determined schedule of rates for the work that the subcontractors were providing to us. When this work --- when the opportunity was presented for the Hotel Quarantine Program, we offered the opportunity to our subcontractor group and specifically when I charged Mr Krikelis and Mr Bandeira to oversee this project, I gave them the approval to utilise the subcontractors they believed could best serve our purposes, and by that I mean that they would have the capacity and capability to deliver the resources consistently that we required, that they were reliable and able to deliver on the training requirements, and that they were

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going to be responsive as and when we needed them to be in the event of any issues that may arise, as they do from time to time.

5 They were also offered the opportunity to provide us with a revised schedule of rates specifically for the hotel quarantine work. As with any tender process, each of those subcontractors makes a commercial decision about what they believe is the right rate in order to do all the things that we expect, and that is that they can pay their guards in accordance with the award, at the very least; that they cover their commercial and overhead costs for management and what have you, and they're able to make a profit  
10 out of that as well. They are all critical things. We're not about holding our subcontractors to ransom. This is about having a strong, ongoing, commercially-viable working arrangement between us and our subcontractors. So that's essentially how we arrived at the rates. They prescribed the rates to us, and then we accepted those rates.

15 MS ELLYARD: Okay. And then perhaps it's an obvious question, Mr Adams, but there's obviously a difference too between the hourly rate that the Government was paying you and the hourly rate that you were paying your subcontractors. What was the Government purchasing from you with that amount of money that MSS was  
20 keeping out of each hour of services delivered?

MR ADAMS: Sure. So as I've previously outlined, I dedicated three of my management staff to oversee this contract. So we had the operational management resources that are applied to this project. In addition to that, I have --- had a health  
25 and safety coordinator who was largely dedicated to supporting the management team in the provision of those services, and that support comes in the form of the purchasing of PPE, the bundling and packaging of PPE, and delivery to sites, as well as the undertaking of risk assessments that needed to be completed for the hotels.

30 In addition to that, we have other resources within our business that also helped out, so again, expanding on that PPE theme, you know, other people were assisting with the purchasing, packaging and delivering of PPE. We had security officers that we specifically used to deliver, and we structured that in such a way that we used three or four security officers using our motor vehicles to deliver that to eliminate the risk  
35 of those deliveries crossing over between hotels and further mitigating the risk of potential for cross-infection.

The corporate overheads that we have in our business obviously all come out of our cost to the Government, and I think we also need to put some context around the  
40 rates that we provide. They were probably reflective of the risk that we as the head contractor own, notwithstanding the fact that we obviously flow down the head contract provisions in accordance with the Purchase Order Contract and the State Purchase Contract to our subcontractors. Ultimately, we don't contract out of that risk. That risk resides with MSS Security.

45 Also, the nature of the work was such that we didn't have, at the commencement of these services, any real indication on just how much work was going to be required

in terms of the number of security officers that we were going to provide, nor did we have any surety around the tenure of those services. We didn't know how long this was going to go on for.

5 MS ELLYARD: One aspect of the risk issue relates to PPE. In the terms of the contract that MSS signed with the Government, provided that MSS would find its own PPE but be reimbursed by the Government for it. Were there issues, Mr Adams, particularly in the early weeks of the program, in identifying and obtaining appropriate PPE resources for your staff?

10 MR ADAMS: Yes. I listened to Mr Watson's evidence yesterday where he made it very clear, and we had the same experience, that the availability of PEE was --- well, limited would have been a step up from where we were in the lead-up to this project commencing. I made it very clear to Ms Currie, as I did to [Redacted], that we didn't believe we were going to have the capability to provide PPE to our staff, and the indication ---

15 MS CONDON QC: I'm sorry, Mr Adams. Madam Chair, I've just got a concern about the identification there of [Redacted].

20 CHAIR: Yes.

MS CONDON QC: In accordance with the Practice Direction, obviously I ask that Mr Adams perhaps be advised just to refer to him as a policy officer at the DJPR. I apologise for the interruption.

25 CHAIR: Yes. Thanks, Ms Condon. I'll make that direction with respect to the redaction of [Redacted] 's name. Both Mr Adams and Mr Krikelis, to just give an indication to you, that there's been a decision made with respect to the use of [Redacted] 's name, so he's being referred to now as the I think Principal Policy Officer. That's the agreed term?

30 MS ELLYARD: Yes, Principal Policy Officer is the agreed term, Madam Chair. But perhaps I think both witnesses can take it as understood if they refer to the person that they were in contact with at the DJPR, we will understand the person to whom they're referring.

35 CHAIR: Thank you. Sorry for that interruption, Mr Adams. I'm not sure if you'd finished the answer to the question. Do you want Ms Ellyard to put it to you again?

40 MR ADAMS: No, thank you, Madam Chair. I think I can continue.

MS ELLYARD: Thank you, Mr Adams. Please do.

45 MR ADAMS: So having had those conversations with DJPR in relation to our perceived or our anticipated issues with sourcing PPE, I was assured that in the event that we couldn't provide PPE, that DHHS would provide that PPE. Notwithstanding

that, certainly when we got to the point of commencement, the requirement for us to provide PPE was still very much being pushed from the Department, if I can say that. Despite the fact that we had a number of issues and an indication, I'd placed an order, I had arranged for an order to be placed for the provision of face masks in the week  
5 prior to being first in contact with DJPR, and had received an indication that that supply was probably three weeks away.

Our health and safety coordinator was able to source a supply of masks. We even went to the extent of --- effectively every available manager within my business  
10 going to the extent of driving to whatever venue we could find, whether it be a pharmacy or whether it be Bunnings, to source disposal latex gloves in order to be prepared for that supply. And ultimately when we got to the commencement date, we actually did have sufficient quantities of PPE to commence that service. And  
15 then subsequently our three-week period that we were anticipating for the delivery of our order came in a little bit sooner, so once we sort of were close to exhausting or initial supplies, we were able to provide those and then ongoing throughout the program.

I'm also aware that DHHS supplied our staff with PPE at site level throughout the  
20 program as well.

MS ELLYARD: Also on the question of risk, Mr Adams, you said earlier in your evidence, and you say at paragraph 51 of your statement, that the initial idea as  
25 presented to you was that people who were symptomatic for or who had been diagnosed with COVID-19 wouldn't be in the hotels. That was your initial understanding?

MR ADAMS: That's correct.

30 MS ELLYARD: Obviously the Board knows now that that isn't entirely the case. When did you understand that there were in fact going to be people who were symptomatic for or positive for COVID-19 in the hotels where your staff were working?

35 MR ADAMS: Personally, very late in the piece. So when I say "late", I mean around about the time of the outbreak at the Stamford. I wasn't made personally aware that there were any COVID-positive cases in the hotels prior to that, that I can recall.

40 MS ELLYARD: What about you, Mr Krikelis? At what point were you aware that there might be or were COVID-positive guests at any of the hotels where your staff were working?

MR KRIKELIS: The same as Mr Adams. The time when one of our staff members  
45 contracted it.

MS ELLYARD: Okay. So prior to becoming aware that your staff members had

contracted COVID, neither of you were aware that there were guests at the Stamford Plaza who had been tested or who were positive for COVID-19; is that right?

MR ADAMS: That's correct.

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MS ELLYARD: Perhaps might I ask this question, starting with you, Mr Adams. Had you been aware that staff, either directly employed or subcontracted by MSS, were working at a hotel where there were actual positive cases, what if any, difference might it have made to the way in which your business was being run or supervised at the hotel?

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MR ADAMS: It's difficult to say. I think we certainly would have wanted to engage with DJPR to understand exactly how those risks were going to be mitigated. We would have taken, I think, measures to try and limit the amount of contact, even indirect contact, and by that I mean staff on COVID-positive floors, for example, just to try and minimise that risk. And I think if I go back to an earlier comment I made, my initial understanding was that there were to be no COVID-positive or symptomatic guests brought to those hotels at which we were going to be working. That was made clear to me by Ms Currie in our initial conversations.

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And then secondly to that, where in the event that a guest did test positive, that it would be medical staff, i.e. nurses and/or doctors, that would then escort that person out of the facility to another health facility. Those two factors in my mind significantly reduced the risk to our staff working at those hotels, given that the inference was that we wouldn't have any direct or indirect contact with COVID-positive guests staying in those hotels.

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MS ELLYARD: At paragraph 133 and following of your statement, Mr Adams, you deal with concerns of a more general nature that you had to ensure that the safety of your staff, and you deal with an issue, particularly at paragraphs 135 and 136 that, as I understand it, related to some changes in advice that was being received from different sources about how PPE should be used at the hotels. Could you tell us about that, please?

30

MR ADAMS: Yes, I can. And the first contact or the first notification I had that there was a deviation from what I perceived to be the norm, which is staff wearing face masks and disposal gloves while they were on duty, was a direction that had been sent to Mr Bandeira who then forwarded that to myself and our health and safety adviser, seeking some advice and guidance in terms of the direction that was received, and that direction was essentially that our staff were to cease using gloves. My immediate response back to Mr Bandeira and Mr Hooper was that that wasn't what was the direction that was contained within either the Purchase Order Contract, nor was it my understanding of the operational requirements from the hotels and my direction was that we were to continue to supply gloves and that we should seek further guidance.

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MS ELLYARD: And so how was that issue resolved, as far as you're aware,

Mr Adams? Was there a resolution reached about, firstly, who was going to be in charge regarding whether the guards were to wear gloves or not, and what that decision was?

5 MR ADAMS: So the resolution was that we would have to comply with the directives issued to us. That's what our contract says we have to do. There was a discussion, as I understand it, between Mr Bandeira and the DHHS and/or DJPR representatives at that site in particular as to the reasons for that direction being issued for the gloves to be removed, and as I understand it there was some further  
10 training provided by way of a demonstration, if you like, not long after that, essentially which demonstrated how cross-infection could occur through the use of wearing gloves as opposed to deferring to good hand hygiene practices.

MS ELLYARD: Mr Krikelis, can I turn to you on the question of any concerns that were raised or brought to your attention about poor or inappropriate conduct by staff working under or for MSS, and you deal with this at paragraphs 132 and following of your statement where you outline a number of matters that you became aware of and that were dealt with by you or your colleagues during the period of the Hotel Quarantine Program. Is this list that you've provided a list of all of the matters of  
20 which you were aware?

MR KRIKELIS: Yes.

MS ELLYARD: Can I ask you in particular about the incident referred to at  
25 paragraph 146 of your statement, which is an incident that the Board previously heard some evidence about from Mr Ferrigno, the manager of the relevant hotel. Are you aware of the evidence that he gave on this topic?

MR KRIKELIS: No, I'm not.

30 MS ELLYARD: Okay. So the evidence that he gave was about a guest coming down, as you've identified in your paragraph, into the foyer level and being escorted back, and the conclusion that was ultimately drawn, that he had walked past a guard who was on their mobile phone and who didn't take any steps to stop them. Is that  
35 your understanding of the issue?

MR KRIKELIS: Yes, it is.

MS ELLYARD: And how was that particular issue dealt with by either you or the  
40 contractor for whom that guard worked?

MR KRIKELIS: So when I was made aware of this incident through my supervisor, he quickly gave me a brief on what had happened and what actions he took, and the actions he took were immediate, in the sense that he stood down that guard, and let  
45 his contractor know what had happened, and then passed the incident on to me for further investigation. The day after, I contacted Mr Ferrigno and we had what I thought was an amicable chat. We spoke about the incident. He informed me he

wasn't happy with the incident, and I did the same. I was very apologetic and told him that the officer had been stood down and that this incident was unfortunate and that it wouldn't happen again.

5 MS ELLYARD: Can I ask you, Mr Adams, you say in your statement at  
paragraph 140 and following that you weren't aware, and nor would you have  
expected to be, given your role, of every issue of concern or complaint raised in the  
list that Mr Krikelis has given. Can I ask you whether or not in your experience the  
10 range and number of issues that were raised were unusual or out of kilter with what  
you would expect in other parts of MSS's business?

MR ADAMS: I would suggest that it is unusual, in fact, it's probably, without being  
too disparaging, it's probably a little bit smaller than what we would otherwise see.  
It is not unusual for --- you know, if you look at the magnitude of this program and  
15 the length of time that this program ran for, three months may not seem like  
a particularly long time, but ultimately, we're talking about almost 900 security  
officers that worked across this program 24 hours a day, and then the numbers that  
were required at each hotel, that individuals will make decisions about what they will  
do from day to day, and, you know, I heard Mr Gupta say yesterday that for the most  
20 part, people go to work intending to do the best job they can possibly do.

Momentary lapses in concentration or momentary moments of poor judgment are  
likely to happen from time to time, but that's the reason why we manage this team.  
That's why we provide supervisors at each of these sites, to ensure that if something  
25 does occur, we're in a position to address it immediately and ensure we don't see  
repeat occurrences. I think if you look at the nature of the complaints or the nature  
of the issues raised, the number of them is very small, and the nature of them is not  
repetitive. They're quite distinct from each other. Individuals will, as I say, make  
these calls, and it is up to us how we respond.

30 In my view, I think Mr Krikelis and the team responded exceptionally well and very  
promptly in any instance where an issue was escalated, and by virtue of the fact that  
there were no issues escalated to me personally by DJPR, my view on that is that  
that's an indication that DJPR and/or the stakeholders involved were satisfied with  
35 the manner in which they were responded to.

MS ELLYARD: May I come then to the question, Mr Adams, of the fact that there  
were ultimately some infections amongst security guards who were subcontracted to  
MSS, and you deal with this at paragraphs 148 and following of your statement.  
40 Perhaps going back to evidence you've just given, I take it that because you yourself  
didn't know there was positive or potentially positive cases at the Stamford Hotel,  
that wasn't information that had been given to those who were subcontracting to  
MSS at those locations?

45 MR ADAMS: Not to my knowledge, no.

MS ELLYARD: Mr Krikelis, are you aware whether or not any of the

subcontractors working at the Stamford were made aware prior to the infections, of the existence or the possibility of COVID-positive cases at the Stamford Hotel?

MR KRIKELIS: Not to my knowledge.

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MS ELLYARD: So may I ask you, starting with you, Mr Krikelis --- I think you might have found out first --- how did MSS come to know that there had been any positive cases and what steps did your organisation take in response?

10 MR KRIKELIS: I personally found out the next morning about the positive cases, reading lots of emails that came through overnight. The actual positive cases and the handling of the positive cases was handled by Mr Bandeira. He was in communication with DHHS about what actions needed to happen moving forward in regards to isolations, of rosters, contact numbers, close contacts, et cetera. I guess  
15 my focus once all this had happened, and I was made aware of it, was to work out how we would move forward because we needed to isolate our team. And when I say "our team", we're talking about 150 staff. So I had to work out how we were going to swap over the night shift, which was starting at 1900 that night, with a whole new team. So I began my part in this process of facilitating the process of  
20 building another team, ringing the contractors, seeing who was available, because it had to be a fresh team that hadn't worked at a hotel. That was my involvement in that part of --- once we found out we had positive cases.

MS ELLYARD: Mr Adams, you say at paragraph 150 of your statement that there  
25 were a number of actions taken and reference is made to some assistance that was provided by DHHS. Can I ask you, what was the advice or instructions that MSS received from DHHS once it was known that there was a positive case or the potential for positive cases amongst guards?

30 MR ADAMS: Certainly. So understanding that I wasn't dealing directly with DHHS and this was through the communication channel with Mr Bandeira, my understanding is DHHS advised Mr Bandeira there had been a positive case recorded, and then Mr Bandeira worked with DHHS to understand, first and  
35 foremost, who were the potential close contacts or even indirect contacts that might need to be isolated, and then providing the information to DHHS from our side of all of those individuals so that they could be contacted. Then over a period of time, it was really about Anthony, or Mr Bandeira, working with DHHS to understand what were the protocols for the potential isolation and testing of these individuals, and as I understand it, there was a number of different potential outcomes from that, and  
40 I guess they did fluctuate a little bit.

So initially people who were I guess identified as indirect contacts, we were advised they didn't need to be isolated. That soon changed and then it became the fact that they did need to be isolated and they all needed to be tested. So Mr Bandeira  
45 coordinated the standing down and communication --- sorry, let me go back. He coordinated communication of that information back to DHHS so they had those details and could take whatever action they needed to take. Secondly, coordinated

with the subcontractors and our staff to advise those people who actually needed to be stood down and isolated. And then, thirdly, obviously, overseeing what Mr Krikelis has referred to, which was ascertaining whether we could continue services beyond that particular shift, and coordinating resources to be trained and then implemented into the hotels afterwards.

MS ELLYARD: And, Mr Krikelis, from your perspective, since I understand that MSS did continue to provide services at the Stamford for a period of time after this, until the program was transferred into other hands, were there any changes that you were made aware of about the way in which things were managed at the Stamford, for example with relation to temperature testing or anything of that kind?

MR KRIKELIS: I'm not aware of any temperature testing that was conducted or undertaken at the Stamford post this outbreak.

MS ELLYARD: Were there any other changes that you were made aware of about -- perhaps in the nature of additional infection protection measures arising from the fact that there had been some forms of infection occurring in security guards?

MR KRIKELIS: Not that there was any more or any more, I guess, information or guidance in regards to that. From our perspective, we pushed again hard on the social distancing and the hand hygiene and those areas to try and make sure that everyone stays as healthy as possible, but nothing officially, no.

MS ELLYARD: Mr Adams, you will have heard the evidence, I think, of Mr Attalah as well as Mr Gupta yesterday, your two subcontractors, that from their own investigations, they hadn't identified any overt breaches or poor conduct by those guards who became infected. You refer in your statement to having conducted an investigation. Did you find anything to suggest the infections had occurred because of misconduct or inappropriate conduct by the guards?

MR ADAMS: No, and I've not seen any evidence that suggests otherwise.

MS ELLYARD: One issue that was raised as a potential means by which transmission occurred between guards was the issue of car-pooling. Was that something that you became aware of after the event?

MR ADAMS: Yes, it was. So that was brought to my attention probably within a couple of days of being first notified about the first positive test. It became clear that there were some members of that group who had car-pooled. So there was --- I guess there's two aspects to that. One is that we are unfortunately not in control of what employees do outside of the workplace. But notwithstanding that, the immediate directive that came from me and was issued to the subcontractors and our own staff for that matter, from Mr Bandeira, was that car-pooling was to cease and was not to occur under any circumstances.

MS ELLYARD: Thank you, Mr Adams. The last thing I wanted to ask each of you

is to perhaps invite something by way of a more general reflection, whether by adding to the evidence you've already given or something new. Starting with you, Mr Adams. From the perspective on the other side of your work in this program, including the fact that staff under MSS's control were exposed and became infected, 5 would you, through your firm, participate in a program like this again, and if you would, what kinds of changes, if any, would you recommend to the Board as being worthy of consideration?

10 MR ADAMS: The simple answer is yes, we would. We would consider being involved again. And I think just for context, we were contacted by one of our largest, if not the largest client that we have in Victoria, and we were asked to provide assistance. And that frankly goes to the core of what we do as an organisation. We did what we believe is the best job we could possibly have done under the circumstances. I think, though, probably in keeping with some of the 15 themes of the information that's been provided to the Inquiry already, the first thing I would be looking for if we were to participate in something like this in the future is a greater period in which to plan the operation.

20 You know, typically if we were to win a new contract at tender, we would get at least four weeks to prepare for that transition and commencement of that contract. And during that period of time, we would undertake a number of tasks, and those tasks would include some of the things we've already done, such as undertaking risk assessments of the site. But it would also be about understanding exactly what the duties are that are required of our staff while they're performing their roles, in what 25 context they're required to perform them, and then developing operational procedures that are approved by our customers and understood by our staff by the time we commence. So prior planning is definitely the first point I'd make.

30 I think the second thing is you need to have a really clearly established command and control regime oversee the operation, and as an example, I guess, that the one thing I would suggest is that if you have one person who is responsible for each facility, and then oversees all of the stakeholders at each of those facilities, and that person is ultimately charged with making decisions. So where circumstances arise, as they inevitably will, where the correct response may be a little ambiguous, that person is 35 ultimately charged with making that decision. And there's risk that's attached to that. But ultimately there's a decision made and everybody who's involved understands exactly what's required. But I think that clear command and control structure will allow for clear lines of reporting for the stakeholders as well as clear lines of escalation. And then when a matter arises, there's no ambiguity about who is 40 responsible for taking control of and responding to that situation or dealing with that complaint as it may arise.

45 Thirdly, I think having a clear set of standards and guidelines provided to not only security but all staff on site. So I referred to the generic nature of the descriptions of the duties within the Purchase Order Contract, and it's not a criticism, it's an observation that, taking into consideration the very short turnaround time to actually establish this program and get it underway, it is perfectly understandable that

you're not going to have a highly prescriptive procedure or list of duties and tasks that may be required of, in this case, security. But certainly that is something that with a bit more planning and time to collaborate and clarify in that planning process, you're able to establish those guidelines.

5

Then I think probably just as an operational matter, while there was evidence, I guess, and certainly from our experience, there was a degree of shift briefings that would occur, I think having a structured shift briefing twice a day, and typically they could occur at shift hand-overs, where they are coordinated by the person who is in charge of that facility with each of the key leads from each of the stakeholders' departments or contracting entities are present, where information that is really important to the running of those facilities, such as incoming flight schedules, outgoing persons, whether it be changes to infection control protocols, operational procedures, the manner in which we're going to deal with care packages, all those sorts of aspects can be discussed on a consistent and structured basis, and any questions that any individuals have can then be addressed in those forums and then taken back to their work groups to make sure that that information is then disseminated appropriately.

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20

They're probably the things that I would see as being critical in this operation.

MS ELLYARD: Thank you, Mr Adams. Mr Krikelis, for completeness, is there anything that you would wish to say from the more operational perspective that you had to add to or comment on what Mr Adams has said?

25

MR KRIKELIS: Yes. I think Mr Adams covered off a lot of it. But operationally, for the people on the ground, there just needs to be clear lines of communication. There's just got to be that understanding. You can't have times when one thing is acceptable and then a week later, it's changed. It's confusing. You just run the risk of something going wrong. So clear lines of communication. I think a weekly or fortnightly senior management catch-up with all the key stakeholders. Like, we never got that opportunity on that level to talk to DJPR and DHHS and talk about things, you know. We would only find out things as they got escalated up. But clear --- weekly or fortnightly catch-ups I think is really important.

30

35

Another one for me is although we were all --- and I'm talking all the security companies --- were doing their best at all the hotels, the hotels didn't talk amongst themselves. You know, why --- if a hotel is doing a good job at one hotel, there should be an opportunity to find out why they're doing a good job, how they're doing it, and maybe putting it into your hotel, and vice versa. If something is not working, let other people know, "Hey, don't do this. It's not working. Maybe try something different." So maybe some communication between the different hotels as well.

40

45

More expert training prior. If there's one thing we learned about events, it is if you don't have the pre-planning down, and if it's not the pillar of your event, then you're going to struggle as the event comes. So as much pre-planning as you can with the experts in the field. MSS Security was tasked with providing security officers, and

we did the best we could for the security officer tasks that we were given. But we're not infectious control experts. We're there for security. So more interaction with the experts in the fields, with the people that know about this virus and how it transmits and the like, before, and then ongoing training, communication, guidance.

5

There's probably one other one which would be, I guess, evacuation drills. We were lucky that we didn't have to evacuate any of our hotels, and I'm not sure if any other hotels were evacuated. But in the case of an evacuation, who's assuming control? Who's doing what? How are we going to get these people out? Where are we going to put them? How are we going to maintain social distancing and the like? We were lucky that didn't happen, but who's to say that that's not going to happen in the future when this program restarts?

10

They're the kind of things I would think are operationally. There's probably a lot more. But if the question was asked of me, "Would you do this again?", my boss asked me, I would do it again knowing everything we know now and the challenge that it will bring with it. But they're my observations.

15

MS ELLYARD: Thank you, Mr Krikelis.

20

Madam Chair, those are the questions I have for the witnesses. I've had notice of either potential, or subject to the evidence this morning, or actual applications. I'll call first on Ms Condon on behalf of DJPR. I had notice of a proposed question that she may still seek to raise.

25

MS CONDON QC: Thank you, Ms Ellyard. Yes, Madam Chair, the matter that I sought to pursue in cross-examination has been covered by Counsel Assisting, so thank you.

30

CHAIR: Thank you, Ms Condon.

MS ELLYARD: I'm grateful. Similarly, I understood that there might be a question to be put on behalf of the Department of Health and Human Services, depending on how the evidence went this morning, so I'll call on Mr McLay if he still wishes to make any application?

35

CHAIR: Mr McLay?

MR McLAY: Thank you, Madam Chair. Most of the matters I did raise with my learned friend Counsel Assisting have been addressed. There are two matters though that very briefly have arisen in examination, from transcript, and I'll be very brief with them. As I see it, they relate to paragraphs 54 and 64 and I'd seek leave to ask some questions in relation to those.

40

CHAIR: Of which statement?

45

MR McLAY: Sorry. Mr Krikelis' statement, and also I have a question that arises

from paragraph 51 of Mr Adams' statement.

CHAIR: All right. I'll grant you that leave, Mr McLay.

5 MR McLAY: Thank you, Madam Chair.

**CROSS-EXAMINATION BY MR McLAY**

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MR McLAY: Mr Krikelis first, perhaps. In your evidence, and I think it's at transcript 822, line 46, and then follows on to page 823, if that assists any of the parties, Mr Krikelis, you were asked some questions in regards to potential risks of COVID-19, and you said this:

15

*Well, initially when we started, we ensured that all of our staff wore masks and gloves. At the start of this hotel operation, the virus --- there wasn't a lot known about it --- so we'd rather be safe than sorry. As we progressed throughout the operation, we received some PPE guidelines that were sent through from DJPR and was cascaded down to our teams. That was on 20 29 May. And that was the first bit of guidance that we actually received on paper. Once we received that, we ensured that everyone was across it. We put it in all of our staff rooms and break-out rooms and ensured that everyone followed it.*

25

Do you recall that line of questioning, Mr Krikelis?

MR KRIKELIS: Yes, I do.

30

MR McLAY: Now, what I wanted to raise with that, sir, is you're not suggesting that there wasn't other advice provided; you were just highlighting that advice? Is that right?

MR KRIKELIS: That's correct.

35

MR McLAY: And if I take you to paragraph 64 of your statement, you say this, Mr Krikelis:

40

*I was informed --*

And this is in regards to the walk-throughs that would be conducted. You say:

45

*I was informed during the walk arounds that DHHS would conduct training on site so that security staff would understand the particular requirements of the job.*

You say you did not manage or audit this process, but you say this:

.... but was informed by site supervisors that some informal training and instruction was given by DHHS staff on site.

5 And then you go on to say this:

*I understood that our staff were shown how to safely use PPE.*

That's true, isn't it, what you said in your statement?

10

MR KRIKELIS: Yes, it is.

MR McLAY: So to the extent that your answer to that question might not have contained that, that was just because you forgot to highlight that area as well; is that right?

15

MR KRIKELIS: Yes, it is.

MR McLAY: And, of course, you agree that MSS Security had weekly updates on safety; is that right?

20

MR KRIKELIS: They did.

MR McLAY: Now, thank you, Mr Krikelis. I don't have any further questions for you. I do have a question for Mr Adams. Again, it's on transcript. You were asked some questions in regard to your knowledge of COVID-19 patients or symptomatic people. Do you recall those questions?

25

MR ADAMS: Yes, I do.

30

MR McLAY: And you said this, sir. You said:

*Personally, very late in the piece. So when I say "late", I mean around about the time of the outbreak at the Stamford. I wasn't made personally aware that there were any COVID-positive cases in the hotels prior to that, that I can recall.*

35

Do you recall that evidence?

40

MR ADAMS: I do.

MR McLAY: Now, you're not suggesting there was any doubt that the security guards were working in an environment that was a quarantine environment. You were aware of that, weren't you?

45

MR ADAMS: Of course.

MR McLAY: And if I can ask the operator to bring up  
MSSS.0001.0002.0050\_0063.

CHAIR: Is this out of the tender bundle, Mr McLay?

5

MR McLAY: It's out of the statement. It's the schedule 3 specifications to the contract.

CHAIR: Yes. Certainly.

10

MR McLAY: Perhaps if I short-circuit it for the operator. Perhaps if we went to \_0065 rather than \_0063, that might be quicker.

Would the Board be assisted with me just reading --

15

CHAIR: Here it comes.

MR McLAY: Thank you, Operator. Perhaps you could highlight the paragraph under heading 3, "Service Provider Personnel Training", that first paragraph, please. Just the first paragraph is probably fine. I'm grateful, Operator.

20

Mr Adams, can you see that paragraph? It says:

25

*The Service Provider acknowledges and agrees that it and its Personnel, while delivering the Security services, are likely to come into contact with people who have or may potentially have COVID-19.*

You were certainly aware of that, weren't you, Mr Adams, from the contract?

30

MR ADAMS: That's correct, yes, I was.

MR McLAY: So to the extent that you've given evidence today, you're not suggesting at all that that wasn't something that you were aware of and was pointed out from the outset?

35

MR ADAMS: No, what I'm suggesting is that I wasn't personally made aware, that I can recall, that we specifically had COVID-positive cases inside the hotels at which we were providing security services. I'm not suggesting that I didn't believe that there was a risk that people may be tested positive subsequent to their admission to those hotels, and as I indicated, the inference that was made or the suggestion made to me was our staff wouldn't have to directly interact with those where they were removed for transference to a health facility.

40

MR McLAY: And if I can take it further, Mr Adams, you had an expectation that all guards would at all times treat any person they came into contact as if they did have COVID-19, in terms of the safety precautions. Is that what your expectation was?

45

MR ADAMS: That is my expectation, correct.

MR McLAY: Thank you, Mr Adams. Thank you, Madam Chair.

5 CHAIR: Thanks, Mr McLay. Nothing further, Ms Ellyard?

MS ELLYARD: No. I haven't had notice of any further applications that are pressed, Madam Chair, so I'll invite the Board to excuse these two witnesses with our thanks.

10

CHAIR: Yes. It doesn't appear that anyone else is coming up on the screen, so that being the case, thank you to both Mr Adams and Mr Krikelis for your attendance at the Inquiry, and both of you are now excused.

15 MR ADAMS: Thank you, Madam Chair.

### **THE WITNESSES WITHDREW**

20

MS ELLYARD: Madam Chair, the next witnesses were due to start at 12, and I wonder whether it might be convenient in any event for the Board to take a morning break, for everyone's benefit, so may I invite the Board to stand down and return perhaps at 12 or shortly thereafter.

25

CHAIR: Yes. I can see Mr Moses appearing on the screen. Is there something you wanted to say?

30 MR MOSES SC: No, no, Madam Chair. I just thought my friend may want to enquire about our witnesses, but they're ready to proceed when you're ready to proceed, Madam Chair.

CHAIR: Thank you. We'll take a break now, Mr Moses, for 15 minutes and return on schedule ready to start with your clients at 12.

35

MR MOSES SC: Yes, Madam Chair. Thank you.

MS ELLYARD: If the Board pleases.

40

**ADJOURNED** [11.46 AM]

**RESUMED** [12.01 PM]

45

CHAIR: Yes, Ms Ellyard.

MS ELLYARD: Thank you, Madam Chair. There are two witnesses who I propose to call before you jointly. May I call them each individually first so that they can be taken through the formulas by your associate. Firstly I call Mr Nigel Coppick.

5

CHAIR: Yes. Mr Coppick, I understand that you're wishing to take the affirmation for the purpose of giving your evidence?

MR COPPICK: Yes, that's correct.

10

CHAIR: So I will hand you over to my associate for that to be done. Thank you, Madam Associate.

15 **MR NIGEL ARTHUR COPPICK, AFFIRMED**

CHAIR: Thank you, Mr Coppick.

20 MS ELLYARD: I next call Mr Mo Nagi.

CHAIR: Mr Nagi, I understand that you too wish to take the affirmation?

MR NAGI: That is correct.

25

CHAIR: Thank you, Madam Associate.

**MR MO NAGI, AFFIRMED**

30

CHAIR: Thank you, Mr Nagi. Thank you, Ms Ellyard.

MS ELLYARD: Thank you, Madam Chair.

35

**EXAMINATION BY MS ELLYARD**

40 MS ELLYARD: Mr Coppick, may I begin with you. Could you tell the Board, please, your full name, your occupation and who you work for?

MR COPPICK: My name is Nigel Arthur Coppick. I'm the National Operations Manager for Unified Security Group.

45

MS ELLYARD: Now, the Board originally sought and received a statement from Mr David Millward who is the CEO, as I understand it, of Unified Security Group, is

that right?

MR COPPICK: That is correct.

5 MS ELLYARD: As we understand it you've had the opportunity to look at that statement, originally prepared for Mr Millward?

MR COPPICK: Yes, that's correct.

10 MS ELLYARD: And, indeed, you were the source of a lot of the information that he included in that statement?

MR COPPICK: Yes, that's correct.

15 MS ELLYARD: So do I take it that you have before you a copy of his statement dated 31 August 2020, with some redactions to remove matters that were personal to him?

MR COPPICK: Yes, that's correct.

20

MS ELLYARD: And are you content for that statement to be adopted as your statement for the purposes of this Inquiry?

MR COPPICK: Yes, that's correct.

25

MS ELLYARD: And are the contents of it, you having taken the opportunity to familiarise yourself with it, true and correct?

MR COPPICK: Yes, that's correct.

30

MS ELLYARD: I tender the statement, Madam Chair, being the statement of Mr Millward as adopted by this witness.

CHAIR: Thank you. Exhibit 69.

35

#### **EXHIBIT #69 - STATEMENT OF DAVID MILLWARD**

40 MS ELLYARD: Mr Coppick, in the statement now adopted by you, there's a number of documents referred to by way of the numbering system used by the Inquiry.

MR COPPICK: Yes.

45

MS ELLYARD: Am I right in understanding that you would wish all of those documents as referred to in the statement to be included as part of the evidence that

you are giving to the Board today?

MR COPPICK: Yes, please.

5 MS ELLYARD: Madam Chair, may I tender the bundle of documents referred to in the statements of Mr Coppick, those being the documents identified on the hearing book as exhibits to the statement of Mr Millward.

10 CHAIR: Exhibit 70.

**EXHIBIT #70 - ANNEXURES TO STATEMENT OF DAVID MILLWARD**

15 MR COPPICK: Thank you. May I turn to you, please, Mr Nagi, and ask you for your full name and your occupation and who you work for?

MR NAGI: My name is Mohammed Nagi. I am the State Manager, Victorian Operations Manager, for Unified Security.

20 MS ELLYARD: And you have made a statement in response to a request that was made of you by the Board?

MR NAGI: Correct.

25 MS ELLYARD: Have you got a copy of that statement in front of you?

MR NAGI: Yes, that's correct.

30 MS ELLYARD: It's dated 24 August 2020?

MR NAGI: That is correct.

MS ELLYARD: And are the contents it true and correct?

35 MR NAGI: Yes, they are.

MS ELLYARD: I tender that statement, Madam Chair.

40 CHAIR: Exhibit 71.

**EXHIBIT #71 - STATEMENT OF MOHAMMED NAGI**

45 MS ELLYARD: Mr Nagi, as is the case with Mr Coppick, you refer in your statement to a number of documents?

MR NAGI: That's correct.

5 MS ELLYARD: And I take it that you would wish those documents to be understood as forming part of the evidence that you're giving to the Board today?

MR NAGI: That's correct.

10 MS ELLYARD: Madam Chair, I tender the bundle of documents marked in the hearing book as the attachments or exhibits to Mr Nagi's statement.

CHAIR: That's Exhibit 72.

15 **EXHIBIT #72 - ANNEXURES TO STATEMENT OF MOHAMMED NAGI**

MS ELLYARD: Thank you, Madam Chair.

20 Mr Coppick, may I begin with you, and noting the information that is at paragraphs 10 and following of your statement, could you tell the Board, please, what's the ordinary work done by Unified Security and what's its ordinary client base or usual client base?

25 MR COPPICK: So Unified Security has a base of transport, infrastructure, manufacturing, retail.

MS ELLYARD: So you provide security services in all of those fields?

30 MR COPPICK: Sorry, yes. That's correct.

MS ELLYARD: To what extent prior to Unified's involvement in the Hotel Quarantine Program had Unified performed security services for the Victorian Government?

35

MR COPPICK: We haven't in the past, no.

MS ELLYARD: Okay. And I understand that your firm is also involved in doing hotel quarantine work in Sydney?

40

MR COPPICK: Yes, that's correct.

MS ELLYARD: And is that work ongoing or has it concluded?

45 MR COPPICK: No, that's ongoing at this stage.

MS ELLYARD: I'll ask you some more about that in a little while. The Board's

heard some evidence that you might have heard --- evidence called from witnesses acting for other security providers of the existence in Victoria of a panel for certain security providers who would ordinarily provide services to the Victorian Government.

5

MR COPPICK: Yes, I have.

MS ELLYARD: You're familiar with what that panel is?

10 MR COPPICK: Yes, I am.

MS ELLYARD: And is the Board right in understanding that Unified has previously sought to be included on the panel, but it isn't on the panel at the present time?

15 MR COPPICK: Yes, to my understanding, yes.

MS ELLYARD: Okay. Mr Coppick, can I ask you, looking at paragraphs 23 and following of your statement, you refer --- or the statement refers to a previous contact with or perhaps a professional relationship between Unified Security and the Victorian Government through Jobs Victoria?

20

MR COPPICK: Yes, that's correct. There was an engagement for our organisation back in --- late 2019, around some recruitment process with Jobs Victoria.

25 MS ELLYARD: So the Board has heard some evidence previously that that involved employment programs and workers being placed with your organisation under those employment programs?

MR COPPICK: Yes, that's correct.

30

MS ELLYARD: It didn't involve the direct provision of security services to the Government though; is that right?

MR COPPICK: No. That's --- yes, that's correct.

35

MS ELLYARD: Okay. The statement refers to the fact that, at paragraph 21, as at 27 March, Unified employed 39 permanent staff. Is that in Victoria or across Australia?

40 MR COPPICK: That was in Victoria.

MS ELLYARD: And to the extent that Unified Security had been carrying on security work in Victoria prior to this time, and you give some details at paragraph 16 of work previously done in Victoria, how was that work being performed? Was it being done by those 89 people or through a combination of them and subcontractors?

45

MR COPPICK: No, a direct in-house model.

MS ELLYARD: Okay. So the work done that's referred to at paragraph 16 for Metro Trains and so forth, that was done by Unified employees?

5

MR COPPICK: Yes, that's correct.

MS ELLYARD: Prior to this work in hotel quarantine, did Unified have established contact with or relationships with other security companies by way of subcontracting?

10

MR COPPICK: Yes. Yes, we did.

MS ELLYARD: Okay. So may I ask you to turn to paragraphs 27 and following of the statement that you've adopted, conscious that some of those paragraphs are matters that were previously in Mr Millward's knowledge and are now --- you understand. What was the way in which Unified first became aware that there was going to be a Hotel Quarantine Program and the need for security in that program?

15

MR COPPICK: So Mr Millward received a phone call from a member of the Department, DJPR. He subsequently returned that phone call, I believe, on the morning of the 28th. There was some discussion held in relation to a possible opportunity of delivery of service. Mr Millward contacted me on or about 12 o'clock, 12.30 on the 28th, asking if I could be available for a 2 pm conference call.

20

25

MS ELLYARD: And as I understand it, there was a request made by Ms Currie, or an indication of the number of guards that might be required at that early stage, of about 40 guards; is that right?

30

MR COPPICK: Yes. The initial discussion was that it would be approximately 10 guards per shift, during that conference call at 2 o'clock.

MS ELLYARD: And as I understand it, there was a discussion prior to the conference call about whether Unified had the capacity to assist with a job of that size?

35

MR COPPICK: Yes, to my understanding, that's correct. Mr Millward had a conversation in relation to that, and of that number, we indicated we'd be able to provide service.

40

MS ELLYARD: And would that have been, as far as you understood it, service from existing permanent Unified staff?

45

MR COPPICK: Yes, from our current personnel.

MS ELLYARD: Okay. So did you then participate in a conference call at 2 o'clock

on that day?

MR COPPICK: Yes, I did. Myself and my GM were involved in a conference call with members from DJPR and also some members from DHHS.

5

MS ELLYARD: And paragraphs 34 and following in your statement deal with the question. As part of that conversation, were you asked to attend a walk-through, or it's been referred to elsewhere effectively as a dry run that was going to be conducted at the Crown hotels that afternoon?

10

MR COPPICK: So at the end of that conversation, we were asked to attend Crown Casino Resorts at or around the 4 o'clock mark to meet with some Departmental personnel and also members of Victoria Police and Crown.

15 MS ELLYARD: Mr Nagi, can I turn to you. When were you first contacted about involvement in Unified's work in the Hotel Quarantine Program?

MR NAGI: So I was notified around the 28th, 29th, sorry, it was the Saturday, the night before the program began, on the Sunday by the general manager from Unified Security.

20

MS ELLYARD: So were you one of the people who was brought onboard particularly for this project, or were you already onboard with Unified prior to 28th and 29th?

25

MR NAGI: No, I was brought onboard for this project.

MS ELLYARD: Did you first attend on the 29th or did you attend on the 28th when this initial walk-through was being conducted?

30

MR NAGI: On the 29th, on the Sunday.

MS ELLYARD: So might I ask you, Mr Coppick, going back to paragraphs 34 and following of your statement, to describe to the Board what happened when you attended at the Crown hotel? What was the discussion and how did the particular issue of security get discussed and perhaps evolve during that time?

35

MR COPPICK: So myself and my general manager attended to Crown Casino on or thereabouts at 4 pm on Saturday. We met several staff members from the DJPR. We also met members of Victoria Police and Crown Resorts. We initially made our way up to a level to understand the security overlays that were required for the operation. Through that process and engagement and consultation with everyone involved, it was established that the key concerns were for returned travellers to remain in their rooms and not be able to decamp from those spaces. So areas of concern were stairwells, lifts, back-of-house lifts. So the numbers jumped quite substantially from potentially one guard per level to, I think at the first hotel, I think it was three.

40

45

We then walked downstairs, had a discussion around the entry protocol and what Victoria Police would be provided. It was indicated they would provide a ring of steel around the entry point to ensure that buses could get into the complex, and we would support with a group of security personnel to support that complex as well.

5

MS ELLYARD: And so over the course of that review, did you form the view that 10 guards per shift wasn't going to be sufficient?

10 MR COPPICK: Yes, that's correct. Our numbers grew very quickly. I think the first hotel was going to be 10 floors or 13 floors, so our numbers grew drastically from 10 to 30 just on levels, plus foyer and entry personnel to assist with the arrivals.

15 MS ELLYARD: And so at paragraph 40 of your statement, you say that by the end of that day, being the 28th, the estimate of the number of guards that would be required had substantially risen, to about 200; is that right?

MR COPPICK: Yes, 200 personnel by 24 hours.

20 MS ELLYARD: Okay. And obviously those weren't numbers that Unified had on its books?

MR COPPICK: No, that's correct.

25 MS ELLYARD: Was there any discussion on the 28th about whether or not, in your assessment or in others at Unified's assessment, Unified would have the capacity to take on the security role, given that it was so much larger than had been originally contemplated?

30 MR COPPICK: No. We thought with our service partners, we'd be able to achieve the outcome for the Government.

35 MS ELLYARD: Mr Nagi, can I ask you just about the role of Victoria Police. Mr Coppick has indicated that the role of Victoria Police was going to be foreshadowed at the initial walk-through as creating a ring of steel or a cordon, as it were, around hotels where guests were arriving and then perhaps later when they were departing. Is that what ended up happening?

MR NAGI: That's correct.

40 MS ELLYARD: Other than that role, from your perspective, did you see Victoria Police take on other functions at the hotels?

45 MR NAGI: Not at the hotels. Only when incidents did occur where Victoria Police were required to attend.

MS ELLYARD: So, Mr Coppick, coming back to you. Once you'd formed the view that the numbers were going to be much higher than anticipated, can you tell the

Board what conversation you had with Government representatives about the need for much more than they thought and what they instructed you to do?

5 MR COPPICK: Yes. I believe that around 6.30 that evening, I'd had a conversation in relation to the numbers growing from the initial 40. That was followed up by an email outlining the requirements that we all agreed on that would be required for hotel quarantine on the initial hotels.

10 MS ELLYARD: So that's 6.30 in the evening, on the Saturday night?

MR COPPICK: Yes. I'd had a phone call and I don't think I'd followed it up, after being on the phone till probably about 11 o'clock at night, I think I ended up sending a formalised email to Ms Currie at around 9.30, 10 o'clock that night, just with an overlay.

15 MS ELLYARD: You say at paragraph 44 of your statement, and this is I think during the walk-through or shortly after, that you were informed by Ms Serbest that guards would be needed at 5 am the next morning. That's the Sunday morning.

20 MR COPPICK: Yes, that's correct. We were advised that they would be required at 5. We had to get them in a little bit earlier, because part of the requirements at Crown was that all personnel had to be inducted for Crown Casino, so we were on site for 4 am.

25 MS ELLYARD: So can I ask you to explain to the Board how you and those working with you went about finding, staffing a roster so you could start supplying a total of 200 guards from 5 am the next morning?

30 MR COPPICK: So we engaged with our service partners, indicating that there was a need for surge capacity. We worked through that process up until maybe midnight, where we had confirmed numbers for the day component, and then worked through the first day's operation to ensure that we had the night-time support as well.

35 MS ELLYARD: So when you say you worked through service providers, I take it there were a number of calls or emails put out to subcontractors seeking for them to offer people to you for the purposes of filling these rosters?

MR COPPICK: Yes, that's correct.

40 MS ELLYARD: And at the time you were sending out that request, what did you understand, yourself, was going to be the work that guards were going to be doing at the hotel?

45 MR COPPICK: So essentially supporting the initiative of the hotel quarantine, ensuring that people coming into the hotels remained in quarantine, in their rooms for 14 days, and to provide that overlay support to the Government.

MS ELLYARD: So was it a standard static guarding type of job, or was it from the earliest stages understood to be a bit more of a mixture?

5 MR COPPICK: No, from the get-go, it sounded like it was going to be a static requirement for service.

MS ELLYARD: Mr Nagi, can I ask you, you've indicated you came onboard the next morning. What were you originally involved in when you first became associated with the program?

10 MR NAGI: So when I first arrived, I did have a brief over the phone with the general manager from Unified, of what the role looked like and what the expectations were. I believe I arrived around 8 am that Sunday morning, where I observed what was actually occurring, because there was actually buses entering the hotel. So there was organised presence of security, police and Government officials. So then once I had the opportunity to enter the site once it was clear, that's when I met --- had a conversation with the general manager and Mr Coppick.

MS ELLYARD: Okay. So, Mr Coppick, you've explained the work that was done on the Saturday night to identify some guards. Can I ask you a little bit more about any process that was used to identify appropriate guards, if I might use that expression, for the work that you were wanting them to undertake? Were there any limitations placed by you on your service partners or subcontractors about the kinds of staff that should be sent and what the expectations of them would be?

25 MR COPPICK: Yes, so I provided an overview to our service partners in relation to what we foresaw as the requirement, including some online training, and that had to be completed prior to arrival.

30 MS ELLYARD: And did any Unified employees form part of that 5 am roster on the first morning, or was that entirely from your service partners?

MR COPPICK: No, we did have a component of our own personnel on site with us at the time.

35 MS ELLYARD: I know you were both there, but I think I'll start with you, Mr Coppick. Can I ask you to describe to the Board, and it starts in your statement, Mr Coppick, at paragraphs 53 and following, what happened as the first bus of quarantine arrivals arrived at the hotel? How did you observe the process to work?

40 MR COPPICK: So on the initial operational day, it was a bit chaotic. We had advised our personnel and showed them the appropriate use of PPE, had them on levels waiting for the first arrivals. When the first bus rolled in for --- sorry, excuse me. When the first bus rolled in, there was a concern that the people just stayed in the bus and no one really knew what to do. There was no one to help them get off the bus if they had a lot of luggage. So we jumped in to support, ensured that we had social distancing as they came into the hotel, and assisted the Department with the

entry process. We did eventually also provide the incoming with PPE as well, because we did note in the bus that a lot of people weren't wearing PPE at all.

5 MS ELLYARD: Okay. So this is dealt with at paragraphs 54 and following of the statement. I take it that there hadn't been any directions given to Unified staff or to you in advance of the arrival about precisely what the security role would be, if any, in helping people bring their luggage and get into the hotel?

10 MR COPPICK: Yes, that's correct. There was no real clear guidelines at that time. We thought it important to support and assist, being the first day of operation.

15 MS ELLYARD: And at paragraph 57, there's a reference to Unified providing PPE to a number of different people or groups of people. Can you explain to the Board how that happened?

20 MR COPPICK: Yes. Our CEO drove down from Sydney the night prior to the commencement of operation. We had a significant amount of PPE. We did note that there was a lack of PPE on the ground on the initial operation date. So we offered and supported PPE to Departmental staff, our own personnel, obviously, and everyone involved, including members of Victoria Police and the egressing passengers.

25 MS ELLYARD: Was that something that then became part of the usual process or was that a one-off on that first, slightly chaotic day?

MR COPPICK: No, so probably that lasted for quite some time. Until everyone caught up with PPE requirements, we were supporting multiple departments.

30 MS ELLYARD: Mr Nagi, you indicated in your evidence that you arrived at or around the time that buses started to roll in. And you say that paragraph 26 of your statement that you recall there being people there who were from multiple departments, but it wasn't clear what their roles and responsibilities were. Can I just ask you to paint a bit of that picture for the Board, please, of what your observed occurring on that first morning?

35 MR NAGI: So when I arrived, I noticed there was a large presence of police, security. Once I entered the Promenade Hotel, I did see a lot of people in the foyer area. However, there was no clear understanding on who was with which department. So as I started to get to introduce myself to Department officials, there was a fair amount of DJPR staff on the ground, but I didn't know who the authorised officers were or DHHS were until late morning or early afternoon.

45 MS ELLYARD: Mr Coppick, at paragraph 73 and following of your statement, you summarise or you list the table of hotels at which Unified ultimately provided services. And there's a substantial number of them, and as one looks down, one sees that there were the two Crown hotels which were opened on 29 March, and I take it you were present on that first day when passengers arrived and were placed in those

two hotels?

MR COPPICK: Yes, that's correct.

5 MS ELLYARD: And then it seems that you opened up at five hotels simultaneously a couple of weeks later, on 12 April?

MR COPPICK: Yes, that is correct as well.

10 MS ELLYARD: So between that first chaotic weekend and when the next lot of hotels opened up, what, if any, discussions had been had to get a more concrete understanding of the work that security guards were going to be doing in the hotel quarantine system?

15 MR COPPICK: Yes, so through that initial phase, we had consultation with Department on the ground to better understand and deliver what we all saw as the requirements for security personnel.

20 MS ELLYARD: And you deal with what the services are as they're set out in the formal agreement that was ultimately signed, and you say that at paragraph 48. But it seems like over time there were a number of issues that were identified and tasks which were allocated or sought to be performed by security guards. Is that how it worked?

25 MR COPPICK: Yes. So the operation itself was forever evolving. Unknowns, arrivals, it continued to vary through the process. So going from requirement for everyone to remain in 14 days' isolation in their rooms, to requests for exercise breaks, and then obviously Uber Eats and deliveries.

30 MS ELLYARD: So can I ask you, Mr Nagi. You deal with a number of other services that, over time, came to be requested of Unified guards, and you deal with this at paragraphs 21 and following of your statement. At paragraph 22, you say that you had an initial expectation that the role of security guards was just to make sure people didn't leave their rooms.

35

MR NAGI: That's correct.

40 MS ELLYARD: But as we go on through your statement, it's clear that a number of other tasks were ultimately assigned. Firstly, thinking about fresh air walks, you deal with that at paragraphs 30 and following of your statement. What was the process, as you understood it, that led to you and your staff being requested to support fresh air walks for people in quarantine?

45 MR NAGI: So my initial understanding of the fresh air walks, which I received an email or phone call from Mr Coppick, advising that it would be under mental health situations where guests would need to be walked --- taken out at certain times for a break with the support of a mental health nurse. That later changed where we

had to put additional guards on, to support where we will at least take out guests between the hours of 8 am and 8 pm, which was then managed by the authorised officer and the nursing team to take out guests, to give them a break.

5 MS ELLYARD: And how would that work? How would security find out who was being taken out and what arrangements were then in place for security to be appropriately protected, perhaps, while the breaks were occurring?

10 MR NAGI: So at this time, every guard was wearing PPE, full PPE, mask, gloves, et cetera. The nurses would create a list based on their daily phone calls. That would then need to be handed over to the authorised officer, who would then confirm and then contact those guests and advise of their allocated time slots. That would then be  
15 handed to the security supervising team to go, "Here's your list for the day, here's the times," and then the guards would then basically escort the guests out. What it initially was, we had to find a suitable area to ensure we maintained social distancing, there was no cross-contamination. The lifts were used for those guests, so there was no lifts being used where the guards were using or the hotel staff were using. So we ensured that part was there as well, but we also made sure we had  
20 enough space to do those walks.

MS ELLYARD: You also refer at paragraphs 39 and 40, Mr Nagi, to a request that was made, not just for help with luggage that was coming in but also for luggage during the check-out process. Was there ever any concern raised by or with you about the appropriateness of security guards being asked to do those luggage-related  
25 jobs?

MR NAGI: There was a concern, and we did raise concerns regarding, you know, the infection control piece where how often did we need to change those gloves, the masks. Because at stages we had, you know, 600, 700 guests arriving in one day  
30 across multiple hotels. So we wanted that understanding that with the guidance of DHHS and the nursing team, if we continually changed masks, gloves, hands sanitised, we would have no risk. And if we were within 1.5, great, we each all had PPE. If we were outside the 1.5m rule, then we were at low risk.

35 MS ELLYARD: You also then say at paragraphs 42 and 43 there were also requests for guards to do housekeeping and other care services. Can you tell the Board a bit about that?

40 MR NAGI: Yes, that occurred at one hotel where we had the general manager of the hotel advised she would like us to assist with collecting linen, going in, unblocking toilets, into the rooms, also delivering food as required. Once I was notified of that, I said we will assist in certain areas where we will not engage with the guests whatsoever. However, this wasn't our duties and they need to look at that.

45 MS ELLYARD: And was that a request made directly by the hotel to your staff, or was it a request that came to you through more formal channels, through your contacts at DJPR?

Are you there, Mr Nagi? I think Mr Nagi's screen is frozen, Madam Chair.

5 CHAIR: Yes. I'm not sure whether it's possible to give a message to Mr Nagi, perhaps, to log in and log off.

10 MS ELLYARD: The alternative is, Madam Chair, I note the time, and I won't be finished with this panel of witnesses before the lunch break, so I wonder whether it might be convenient to take an earlier lunch break and those who are assisting Mr Nagi and the Board staff too can see if we can fix the problem. But I see Mr Moses. He may have a solution.

15 MR MOSES SC: We're making some enquiries now, Madam Chair, in respect of what's occurred. It might be if we just --- he's just trying now, we're told. So if you just give us a minute, we'll see whether we can bring him back on for you.

CHAIR: Yes. Thank you. Your instructors are endeavouring to give him some assistance, are they, Mr Moses?

20 MR MOSES SC: I'm told that he's trying to come back on, but so far not successful. So we might just, subject to your views, Madam Chair, perhaps adjourn at this point if we're unsuccessful.

25 CHAIR: All right. Mr Nagi is in a location separate to your instructors, is that --- oh, here he is. He's back again.

MR NAGI: Apologies.

30 CHAIR: Can you hear us and see us now, Mr Nagi?

MR NAGI: Yes, correct.

CHAIR: Yes, all right. Thanks, Ms Ellyard.

35 MS ELLYARD: Thank you, Madam Chair.

40 Mr Nagi, I was asking you and I think you were trying to answer a question about how the request for housekeeping services had occurred, had it come direct from the hotel or had it been made through official channels, through the Government contracting staff who you were dealing with?

MR NAGI: No, this was made through the hotel general manager.

45 MS ELLYARD: And you said that you ultimately agreed to do some things. What was it that you were ultimately prepared to have your staff do out of the list of things the manager had wanted done?

MR NAGI: I agreed that we will assist in delivering certain things where we had no contact or any items that will come out of the guest's room. So in a sense --- in the middle of the night, if a water bottle needed to be delivered to the room, just like Uber Eats deliveries, we did, we agreed to that, but around linen, rubbish that came out of that room, I didn't agree to.

MS ELLYARD: Did you know why the hotel was making that request of security guards, for distinctly non-security-related work?

MR NAGI: Obviously we had a larger presence on the ground, and she didn't have the team to assist at that point. That was later raised with DJPR and DHHS to supporting the hotel general manager with more support around that piece.

MS ELLYARD: At paragraph 44 of your statement, Mr Nagi, you refer to a role that was played by security effectively in the relocation of guests who had been identified as having COVID-19, and then later on, a plan to move them to Rydges, which was one of the hotels that Unified managed. Was that a particular process that was different from the other kinds of work that staff were doing, for example, taking people out on fresh air walks?

MR NAGI: Yes, definitely it was different.

MS ELLYARD: And how was it done? Was it done with a greater degree of PPE, for example, in recognition that these were people who definitely did have the infection?

MR NAGI: Yes. So anyone that was to be tested positive to COVID-19, the initial set-up was there was a red floor at every hotel. So anyone who was tested positive, what would occur is DHHS and the YNA nursing team would advise the team that we have a positive case. Then obviously the teams would then dress up in full PPE, gown, mask, gloves, goggles. The nursing team will then, with the support of the authorised officer and DHHS, escort that guest from one level to the red floor. And then obviously security will remain a safe distance presence to ensure that there was no escape, and then that would be the piece.

When it came to the red hotel being established, when that occurred, the nursing team took full control of that piece with the authorised officer and the Department of Human Services, and then they would go through the logistics piece with that, where organising transport and et cetera. We would be advised once transport arrives.

MS ELLYARD: So was there ever a time where as part of security guards' work moving patients to another floor or then having patients move from one hotel to another, where security guards were actively involved in close contact, as you saw it, with those patients?

MR NAGI: We weren't in close contact. We supported in the piece where we would assist in removing the luggage. So the agreement came in, if one of my guards were

to assist, the nursing team will have to go in with bio bags, rubbish bags, wipe down the suitcases, the luggage, place any secured bags, then we'll have a trolley on standby, to place that on the trolley. And then that would be removed to --- obviously to the transport team once it goes to the ground.

5

MS ELLYARD: You also mention at paragraphs 49 and following of your statement, Mr Nagi, a number of requests that you received from the Department of Jobs, Precincts and Regions and some of them related to the deliveries of Easter eggs and Mother's Day presents. You refer at paragraph 50 to being asked to go to Toyland to get some toys. Can you tell us about that?

10

MR NAGI: So we were requested by the Department of Jobs, Precincts and Regions, DJPR, to assist in selecting toys from Toy World which was located in Docklands. As we had a Unified vehicle van located at Promenade which was filled with PPE, we were asked if we could go and assist in collecting toys, because there was young children in hotels who didn't have toys. So as we had the van there, I was asked and I said, yeah, I was happy to assist. We then had two of our senior team members attend Toy World in Docklands and the Department of --- DJPR created an account in a sense, and we were given a brief of what amounts we could spend per toy, so we selected as much toys as we could that will fit. We then removed them back to the Crown Promenade where we worked with DNATA in separating them for all the hotels through the network, and then we then delivered them to those hotels and provided them to the Department.

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MS ELLYARD: Mr Coppick, can I turn to you. A number of the things that Mr Nagi has been describing could never in any world be suggested to be security services. What was the process by which Unified, which had been contracted to provide security services, came to be doing a number of quite un-security-related tasks?

30

MR COPPICK: So through the consultation and engagement with the Department, it was a real need for some support, on-the-ground support to provide them additional resource, as their numbers were locked in to certain locations and I guess they may have not had the numbers they required. We thought it prudent to support them with some initiatives that took some respite from them.

35

MS ELLYARD: When you're talking about the Government people, can you be a bit more precise? Who are you talking about that you thought needed that support from you and your staff?

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MR COPPICK: So our major engagement obviously is from DJPR. We engage with them on a day-to-day basis and they seemed to be running the logistical operations for the hotel quarantine. We thought it important to support them through that space.

45

MS ELLYARD: Okay. So I took you earlier, Mr Coppick, to paragraph 73 of your statement when you set out the substantial number of hotels that Unified was ultimately asked to provide security for. And perhaps following on, you might feel

that you've answered this from the evidence you've already given, but it's clear that Unified ultimately were allocated substantially more hotels and substantially more than the other contractors who worked in the program. Were you ever given any explanation by the Department of Jobs, Precincts and Regions about why it was that so many hotels were being allocated to Unified?

MR COPPICK: No, not at all. We were just --- I was contacted and I was asked if we could support. I'd speak to my leadership team on the ground to get some capacity and understanding, and if we could provide the service safely, then we would.

MS ELLYARD: Again, perhaps it seems that it must have been a very substantial undertaking for your business, since it must have been, by the time of the third or fourth hotel on, relying almost entirely on subcontracting arrangements. Was there ever any discussion about the risk of the company over-extending itself and taking on hotels that it wasn't going to be able to appropriately manage?

MR COPPICK: No, not with the Department or with my senior leadership group within the organisation. We were comfortable with our abilities, and we delivered.

MS ELLYARD: Mr Nagi, can I ask you, from your perspective, coming on with the purpose of assisting to run this, were there times when you were concerned about the capacity of Unified, through the service partner model, to stand up and support the hotels that the Department was asking it to run?

MR NAGI: No, I didn't initially see there was a concern from the start-up point. As we did grow through the operation, I did then say, "Okay, I think we're at capacity now from an operational perspective", so we then decided to advise that we will --- not prefer to take any hotels on at this stage, which we then did cease taking on further hotels.

MS ELLYARD: So was there a point then beyond which no further hotels were allocated to Unified, based on Unified's assessment that it was at capacity?

MR NAGI: Yes, correct. It did change when hotels ceased operation and then the Government decided not to reinstate those hotels with further quarantine guests, and then as our numbers dropped, then we made ourselves available.

MS ELLYARD: Mr Coppick, you will be aware that one of the issues that's involved in this proceeding or that's been the subject of some dispute is the extent to which contractors used subcontractors to supply labour. I take it you're aware in a general sense that that's an issue here?

MR COPPICK: Yes, I am.

MS ELLYARD: As I understand it, a very substantial percentage of the labour or the security guards that Unified supplied were indeed sourced through a number of

subcontracting partners or service partners?

MR COPPICK: Yes, that's correct.

5 MS ELLYARD: Were you ever part of any direct discussions with people within DJPR in which you told them that that was the model that you were using to obtain the resources that they were asking you to obtain?

10 MR COPPICK: No. From the onset of my engagement in the space, I wasn't aware of any discussions in relation to the use of subcontractors or service partners.

15 MS ELLYARD: So in the discussions that you had, for example, if you were contacted by someone from DJPR and asked about your capacity to take on a new hotel, was any part of that discussion that you would need to check with service partners on the availability of staff to supply you? Was that ever a topic that was raised?

MR COPPICK: No. No.

20 MS ELLYARD: Do you think that those who you were supporting in the way that you've described at DJPR knew that the workers you were supplying were being supplied through subcontracting arrangements?

25 MR COPPICK: Yes, there was some discussion between my CEO and Ms Currie in relation to engagement of ISS, so yes, there was an understanding.

MS ELLYARD: That arrangement, though, didn't proceed, as far as I understand it. There wasn't ever a contracting arrangement between Unified and that company?

30 MR COPPICK: No, I did reach out to ISS and have a discussion in relation to potential opportunity for service. After some time, they came back and indicated they were going a different avenue. We did also have engagement through TWU as well to help support some displaced employees as well.

35 MS ELLYARD: So that was going to be my next question. As far as you're aware, where did your subcontractors obtain all these workers? Were they all existing staff that had been affected by the COVID downturn, or from some other source?

40 MR COPPICK: Yes, absolutely. I guess with the onset of COVID-19 in Victoria, the day-to-day operations of security personnel were being stood down at significant locations across the industry. It was an opportunity for us to engage with our service partners to ensure gainful employment to people displaced.

45 MS ELLYARD: So how would that work? Were you relying on the subcontractors to do their own recruitment of people, or did you give directions to your subcontractors about where you wanted them to go looking for staff?

MR COPPICK: No, there was a lot of noise coming out of the marketplace around displacement, and part of our process around subcontracting or partnership engagement with our subcontractors, there's an expectation on due diligence that they need to require, need to formulate and follow certain criteria, and from my  
5 understanding, everyone met that process.

MS ELLYARD: Can you give the Board, if you know, some examples of the kinds of work locations or industries from which you were ultimately able, through your service partners, to source security guards?  
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MR COPPICK: Yes. So we were able to obtain some employees through the Crown Casino, through aviation. Retail was a big inclusion due to the shut-down of a lot of retail outlets. They were our major contributors to the space.

MS ELLYARD: Then what was done by way of training those people before and during, while they were on the Hotel Quarantine Program? Can I start with you, Mr Coppick, on that topic. You deal with this at paragraphs 65 and following in your statement, and indeed suggest that in fact even prior to being contacted about hotel quarantine, a number of office-holders within Unified had already done the  
15 course that's been referred to before the Board as the Commonwealth course. How  
20 did that come about?

MR COPPICK: So our CEO had sent out some communication to the leadership group in relation to the online COVID-19 training process. It was an expectation that  
25 all lead management push that down through to their teams to ensure that all personnel had completed that course within our business and organisation.

MS ELLYARD: And that was a directive that he sent around I think on 27 March; is that right?  
30

MR COPPICK: Yes, that's correct.

MS ELLYARD: And that was prior to any knowledge that you were going to be involved in the Hotel Quarantine Program?  
35

MR COPPICK: Yes, it was either the Thursday evening or the Friday morning that that came through. I put that out through communication to my staff, and I in fact completed that course on the Friday prior to any knowledge of hotel quarantine.

MS ELLYARD: So what was the expectation you then placed on your staff and on subcontractors about what training would be done by the guards who were being provided through you to the various hotels where you worked?  
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MR COPPICK: So that was the main requirement, to ensure that that component was completed. We also had an induction process on site. We just went through WHS space, some PPE training overlays, and some basic SOPs that we developed through the project.  
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MS ELLYARD: SOP, you mean standard operating procedures?

MR COPPICK: Yes, that's correct.

5

MS ELLYARD: I understand --- sorry, go ahead?

MR COPPICK: Sorry, and then they were signed off by our personnel.

10 MS ELLYARD: Do you know whether there was any formal process undertaken within Unified of the kind we've heard described in earlier evidence of a risk assessment or an analysis of the need for particular processes for the Hotel Quarantine Program?

15 MR COPPICK: So part of my mandate was to provide a site assessment and also an OHS risk assessment on all locations prior to commencement of service.

MS ELLYARD: Okay. In that work, were you assisted by any relevant Occupational Health and Safety adviser within Unified?

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MR COPPICK: Assisted and supported by our compliance team in that space, and also my understanding and knowledge by finishing some courses in OHS.

MS ELLYARD: Okay. Mr Nagi, I understand from Mr Coppick's statement that it was often you who would deliver the induction program to the various locations and make sure that there were copies of it. Did you have direct involvement in inducting guards yourself at locations or training those who were going to do it?

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MR NAGI: Yes, that's correct.

30

MS ELLYARD: What was the induction? Can I ask you to explain to the Board in summary what would a guard turning up for a shift have been told?

MR NAGI: Initially guards will attend the site. We ensure guards were entering at five at a time. Any new guard will potentially wait until the end, until we did the full changeover. Then we actually had like a PowerPoint presentation, also ensure we had PPE guidelines which was supplied by the Department of Human Services on site, and then we'll talk through the guard what the induction would look like, what he's getting involved in, what the requirements are with PPE, how to put PPE on safely. If we did have a group of five, et cetera, et cetera, then we'll get the support from the nursing team to show the team how to put correct PPE on and when to --- how often to hand sanitise, how often to wash their hands, et cetera.

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MS ELLYARD: Mr Coppick, was there an expectation from your perspective that there would be training offered on site from the Department of Health and Human Services?

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MR COPPICK: Yes, we were hoping that. We'd been told initially that there would be some ongoing training provided in that space. I don't think I received any sort of guidelines in relation to that until some stage in April, I think it was.

5 MS ELLYARD: So from your perspective, was there any shortfall or deficiency in the way in which you were able to train guards to do this job in the way that the job was evolving to be?

10 MR COPPICK: Yes. Look, with our being an SME in a pandemic, I was really hopeful and leaning on trying to get support from DHHS in relation to that space. I did have conversations with people at Jobs Victoria, and they certainly tried to get all information relevant and get us additional support on the ground, and as I said, I think we received a guideline sometime in April or early May.

15 MS ELLYARD: Okay. That raises the question which might be the last issue I'll deal with before lunch, Madam Chair, if that's convenient --

CHAIR: Yes.

20 MS ELLYARD: --- of the respective roles, as you understood it, Mr Coppick, of DJPR, with whom you had contracted, and DHHS. How would you describe the different roles as you understood them to be being performed by those Government departments?

25 MR COPPICK: To be fair, DJPR, were the --- from our perspective, were the logistics people. They set up the operation, supported us. With respect to the Department of Health and Human Services, I couldn't really comment because I had no real engagement with them until post-June.

30 MS ELLYARD: Okay.

MR COPPICK: There was --

MS ELLYARD: Sorry?

35

MR COPPICK: Sorry.

MS ELLYARD: Mr Nagi, from your perspective, what did you see at a more operational level to be the roles played by DJPR and DHHS people respectively?

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MR NAGI: My knowledge was that DJPR were looking after the logistics side of the operation, and the Department of Health and Human Services were looking after the hotel guests' health and wellbeing, et cetera.

45 MS ELLYARD: There's been evidence given about roles of authorised officer at hotels. From your perspective --- and you've given some evidence already about some of the things authorised officers would do. What were the particular

responsibilities you understood them to have at hotels?

5 MR NAGI: Authorised officers had a sense of any issues raised with hotel guests, where they needed to attend the room and discuss, and as well with managing the fresh air walks that were supplied. But the authorised officers were the overlay of any issues and concerns that were required where any authority needed to occur, in a way.

10 MS ELLYARD: So did that mean that authorised officer in a practical sense could give directions to or make requests of the security staff?

MR NAGI: Yes, they could at time. At times we disagreed with a number of issues they requested, but yes.

15 MS ELLYARD: And where there was disagreement, what was the process for resolving that disagreement?

MR NAGI: So then what we'd do is we'd speak to the DHHS team leader and the DJPR manager on site and get an agreement to say is this really a security operational piece, or is this --- and it more really around food, home-cooked meals coming into the hotel where at the beginning of the operation, it was no food, home-cooked meals allowed in, unless authorised by senior command. But then we were advised, no, just let it in. Well, we didn't want to take that responsibility to authorise it, so we let the AO do it, and then walk it up.

25 MS ELLYARD: Thank you. Madam Chair, it's four minutes to 1, but if it pleases the Board, that's a convenient time. I think I've probably got about half an hour more after the lunch break with these witnesses. And I've had notice of a couple of relatively limited applications for cross-examination.

30 CHAIR: Thank you. So we will take the lunch break now and have both of you back at 2.

MR NAGI: Thank you.

35 MS ELLYARD: Thanks, Madam Chair.

40 **ADJOURNED** [12.57 PM]

**RESUMED** [2.00 PM]

45 CHAIR: Yes, Ms Ellyard.

MS ELLYARD: Thank you, Madam Chair. We're continuing with the evidence of

Mr Coppick and Mr Nagi.

CHAIR: Thank you.

5 MS ELLYARD: Mr Coppick, can I address your attention to paragraph 74 and following of your witness statement. You summarise in paragraph 74 --- and I think this is updated from an earlier version --- the total number of security staff who were engaged by Unified.

10 MR COPPICK: Yes.

MS ELLYARD: So that was 1,754 separate people who worked at least one shift under the Unified banner in the Hotel Quarantine Program; is that right?

15 MR COPPICK: Yes, that's correct. Approximately, yes.

MS ELLYARD: And then at paragraph 75 you set out the numbers at the different hotels. Again, we covered this earlier, but the guards were, I take it, almost entirely, given the numbers, people employed by subcontractors?

20

MR COPPICK: Yes, by our service partners, yes.

MS ELLYARD: To what extent were there managers or supervisors who were actually Unified employees?

25

MR COPPICK: So we had a management team across every location, and then that was supported by our service partners as well. So they --

30 MS ELLYARD: So, for example, there's references in various documents to the term "operational support team" or "operational lead". Where those references occur, are they references to Unified employees or are they references to, as you call them, service partners?

35 MR COPPICK: Yes, they're a representation of my team and my service partners as --- in those comments.

40 MS ELLYARD: It's clear from the documentation that the Board has received that there are a number of people who the Board understands to have been subcontractors who were communicating with you and your team using what appear to have been Unified email addresses.

MR COPPICK: Yes, that's --

45 MS ELLYARD: Can you explain to the Board what that was about?

MR COPPICK: Yes, that was more so any integrity of any email correspondence was kept with us.

MS ELLYARD: So they had email addresses from Unified and they were referred to sometimes as operational leads of Unified, but they were at all times, as far as you were concerned, service partners or subcontractors, to use another word?

5

MR COPPICK: Yes, service partners, absolutely.

MS ELLYARD: Okay. Now, can I ask you then about the financial arrangements that were in place with subcontractors or service partners. The Board has been provided with a range of statements and pieces of information from various service partners that would seem to suggest that Unified wasn't necessarily paying the same rate to every subcontractor or service partner it was working with. Is that right?

10

MR COPPICK: Yes, that's correct. The rates varied.

15

MS ELLYARD: Can you explain why that was?

MR COPPICK: Yes, A lot of it came down to the displacement of personnel. We worked with our partners to ensure the needs of those people coming into their business.

20

MS ELLYARD: So can I just ask you to unpack that a bit. Do you mean where the displaced people were coming from was potentially relevant to the rate at which they would be being engaged by subcontractors?

25

MR COPPICK: Yes. So obviously coming into this space, there was a bit of uncertainty from some personnel. So there was some discussion in relation to varying rates. We were happy to support that through the process. We wanted to get the right calibre.

30

MS ELLYARD: So, for example, in the panel of subcontractors yesterday, I'm conscious that only one of those subcontractors worked for Unified, but a comparison of the rates would suggest that he was certainly charging less to you than some of the other people on the panel were charging to their contractors, and he seemed to have had a great deal of work from you.

35

Was it his rate that made him the person who was asked by you to work and to stand up staff at a number of hotels?

MR COPPICK: That's not the case. Through that process and with that organisation, there was some flex in those rates. Their ability to stand up and provide us a quality of people and a quantity of people was second to none.

40

MS ELLYARD: So we're speaking about Mr Aggarwal from Sterling Security?

45

MR COPPICK: Yes, that's correct.

MS ELLYARD: And he gave some evidence yesterday of on one occasion at least being asked to stand up a security roster for you at Rydges at very, very short notice. Was that right that that occurred in the way that he described?

5 MR COPPICK: Absolutely. He was able to stand that up within, I think, four to five hours.

MS ELLYARD: Did that strike you --- well, I'll rephrase it. It appears to have been a theme that people needed to be available potentially at very short notice to fill  
10 shifts in quarantine hotels, not just for Unified but across the board. Was that your experience?

MR COPPICK: Yes, absolutely it was. I think again when it comes down to the displacement of so many personnel, there was a lot of people in the market space  
15 looking for work.

MS ELLYARD: Mr Nagi, can I ask you, there was some evidence given yesterday by the subcontractors about the way in which they would get contacted and told how many people to supply and numbers going up and numbers going down. What was  
20 that like from your perspective?

MR NAGI: Yes, absolutely, the numbers did vary from time to time, depending on entry flight numbers that were provided by the Department. So, to give you an example, a flight could --- we could get notice that 220 pax would arrive or guests  
25 would arrive on a flight. However, when that flight lands in Melbourne Airport, we get told it's 30 or 40 guests, so that would change the number of guards we'd need. So from what we potentially require, then we'd sit there and go, okay, we don't need these guards, so we'd pay them the minimum four hours and then send those guys home.

30 MS ELLYARD: That was going to be my next question. The Board has been made aware of a suggestion --- and you might have heard me raise this with Mr Aggarwal yesterday --- of circumstances occurring where people would be sent home but the bill for the full 12 hours would be sent while they weren't themselves receiving that  
35 full payment. Are you aware that that allegation was made at some point about the conduct of one of Unified's subcontractors?

MR COPPICK: Yes, I am.

40 MR ADAMS: Yes.

MR COPPICK: Sorry.

MS ELLYARD: And --- perhaps either one of you who can best answer --- was that  
45 investigated?

MR COPPICK: Yes, it was. Through that process, it was established that that had

occurred, but our organisation paid those individuals and didn't on-cost that charge to the Department.

5 MS ELLYARD: So I'm just asking you to unpack that, Mr Coppick. You mean that there were times when people were stood down?

10 MR COPPICK: Yes. In the initial phase, as the information was coming to us very late and we didn't have a direct conduit to that information being provided to us, that eventually occurred where we had a bit more ability for timings and the way in which the arrivals came in did improve. There was on occasion, I think three or four occasions that I can remember, that groups of staff that we had presumed would be required weren't required, and they were paid a minimum four. We didn't pass that on. That was us ensuring that we had the service levels available.

15 MS ELLYARD: Thank you. Can I ask you then a little bit more about PPE. I asked some questions earlier on about PPE in that initial phase. Mr Coppick, you deal with that matter at paragraph 120 and following of your witness statement, and you summarise a variety of pieces of information and guidance that you received from the Government over time. The contract that Unified had with the Government  
20 provided that Unified would obtain and then invoice the Government for the cost of PPE. Did you experience any difficulties in that regard, in obtaining sufficient PPE?

25 MR COPPICK: No. Our organisation had already been thinking pre the situation that occurred and we were already starting to stockpile PPE, so we had ample supply of that and a conduit to get the levels of PPE we required.

30 MS ELLYARD: Mr Nagi, you will be aware, I think, of some evidence given by a security guard who was referred to as Security 16 earlier in these hearings. Are you aware of his evidence?

MR NAGI: Yes, correct.

35 MS ELLYARD: And you will recall that he gave evidence of working at Rydges and observing a change in practice where at first there was plenty of PPE and he was encouraged to change his gloves and mask as he needed, but then later on there was a view that it was scarce and he was only given one mask and one pair of gloves. Are you familiar with that evidence he gave?

40 MR NAGI: Yes, correct.

MS ELLYARD: Can I ask you, was that the position? Was there relevantly at Rydges a shortage of PPE in May of this year?

45 MR NAGI: No, there was no shortage of PPE at all, we still have ample supply of PPE within that business. The changes that occurred is all guards were wearing PPE through all our hotels. When the changes came through DHHS advising PPE reductions, where the guidelines from DHHS --- once we went into the Rydges, we

were advised by the YNA nursing team who then came out and trained our guards, they created packs with ziplock bags and put gloves and masks in that and said to the guards, "No PPE is required unless you come within 1.5m of a guest." So they had packs in their pockets, which was directed by the Department of Human Services and YNA, the nursing team.

MS ELLYARD: I'll just unpack that a bit more. So G16 was right when he recalled that there was a change in PPE usage practices at Rydges?

10 MR NAGI: Correct, from the information provided by the Department of Human Services and the YNA nurses.

MS ELLYARD: And the relevant change was that there was a directive that, in certain circumstances, floor guards wouldn't need to wear PPE but they could have it in their pockets if they needed it?

MR NAGI: Correct. Within a ziplock bag. So it wasn't contaminated anyway. It was sealed in a ziplock bag which was supplied by the YNA team and the Department.

20 MS ELLYARD: G16's evidence was a bit different. It was to the effect that he was given one to wear and he was told to take it off out of sight of the cameras if he went outside and then put it back on again. From your knowledge, did anything like --- was any direction like that given?

25 MR NAGI: No, that's completely incorrect. We had ample supply of PPE. We had a vehicle which was parked at the Promenade, which was our Unified van, which had --- which was pretty much full at all times with PPE. And if we did --- guards had a shortage at the hotel, one of the operational lead teams would drive and make sure every team at every hotel had ample supply throughout the day.

30 MS ELLYARD: Thank you. May I turn, Mr Coppick, to you and the matters set out at paragraph 107 and following of your statement where you were asked about the extent to which Unified had concerns about the safety of its staff. And as I understand it, one issue that arose --- and you may feel that you've touched on this already --- was changing recommendations or recommendations about when and how staff should use PPE in different parts of the hotel.

40 MR COPPICK: Yes, so I received an overview DHHS document indicating changes to the use of PPE in hotel quarantine. I did return an email querying those changes and had some concerns in relation to that. The response I received was that this was a guideline provided to us, and if our organisation chose to use additional support service and guideline around the appropriate use of PPE, then that was on us. That was the only confirmation I received.

45 MS ELLYARD: And just to put it in a bit of context, as I understand it, you received guidance on or about 12 May that there were certain activities where with security

guards shouldn't wear PPE; is that right?

MR COPPICK: That's correct, thereabouts.

5 MS ELLYARD: And your concern arose partly out of the context of Rydges, where it was known that there were COVID-positive guests?

MR COPPICK: Yes, absolutely, that; and the major sticking point for us was that the application of PPE on mental health walks. The concerns for us with our  
10 experience and journey through the process is sometimes when you ask guests or, you know, guests to return back to their rooms, some disagreement could occur. The timing factor for my guys to put on return PPE would reduce that 1.5 distancing. So I was very concerned at that space.

15 MS ELLYARD: So ultimately, what directive did you have given to all of the Unified staff about when and how they should use PPE?

MR COPPICK: My response to that was PPE was to remain on all escorts and to be used in areas where --- what was classed as a green zone, wouldn't be required, but  
20 all requirements were that PPE was still to be worn outside of that space.

MS ELLYARD: At paragraph 109, Mr Coppick, the statement speaks to the fact that, other than at Rydges, where it was known there were positive patients, guards didn't necessarily know whether or not guests were COVID-positive; is that right?  
25

MR COPPICK: Look, I'll go back to my learned colleague earlier, where we're well aware and our teams were well aware at every hotel, prior to the start-up of Rydges, there was a red hotel --- not red hotel, a red floor in every hotel.

30 MS ELLYARD: So as I understand paragraph 109 of the statement, there was a possibility if people weren't on designated red zones but were positive or symptomatic, that wouldn't necessarily be known to guards. Is that your understanding?

35 MR COPPICK: Yes, that's correct. Only at some stages were we made aware of positive cases.

MS ELLYARD: Mr Nagi, what was your experience?

40 MR NAGI: I agree with Nigel. We weren't notified of any cases unless the move occurred prior to the Rydges Hotel being stood up, then we'd be notified and obviously we'd assist where possible the escort to the red level. In regards to Rydges Hotel, every guard did have a greater understanding that it was a red hotel.

45 MS ELLYARD: And was it a red hotel from the very first time that it opened?

MR NAGI: Yes, correct.

MS ELLYARD: Can I ask you, Mr Nagi, about a couple of particular staff-related concerns that are raised in your statement. The first is at paragraph 41 of your statement, if you want to look at that. And it was about an issue that arose in the course of the check-out process for a particular security guard. Could you tell the Board about that, please? Paragraph 41.

MR NAGI: 41. Is that relating to the Crown Promenade? Correct?

MS ELLYARD: The paragraph begins with one instance on 23 May. Paragraph 41.

MR NAGI: Yes, correct. Sorry, I just had to remember it. So what occurred there, we were going through an egress process where our guards were contacting the guests via a spreadsheet that was provided by DJPR. We then came towards the end of the day where one of my team members attended to a floor, knocked on the door, removed the male and female to come out and exit the building. As we went into the lift, as the team member went into the lift, our supervisor entered the lift as well to assist. Once they went to the authorised officer to then sign off their detention form saying that they had been released, the authorised officer then advised that, "These people shouldn't have been removed as they're COVID-positive, and to be returned back to their room." That placed a big risk because at that point of time the ground floor was dedicated as a green zone. So we then obviously notified the Departments, DJPR, DHHS. We isolated those two team members immediately within the hotel, awaiting for further instructions from Department of Human Services.

MS ELLYARD: So just to understand, Mr Nagi, two people were being escorted out by your staff because they thought they were checking out but ---

MR NAGI: They were checking out.

MS ELLYARD: --- but they were COVID-positive, so they shouldn't have been checking out. Is that what you came to understand?

MR NAGI: They were on the list to exit. However, we followed the directions from the Department to collect those guests. Once it came to the ground floor and the authorised officers at that point have to release their detention forms, so sign them to completely to say they've completed the mandatory 14-day quarantine period; they advised us then that those two guests shouldn't have left and who are COVID-positive.

MS ELLYARD: Okay. At paragraph 47, Mr Nagi, you describe another incident that you had direct involvement in which obviously had the potential to pose a risk to you and potentially others. Could I ask you to tell the others about that incident?

MR NAGI: Yes. So we had an incident where we had two mental health guests next door to each other at Crown Metropol. There was an incident the day prior to that where the guest was throwing oranges and apples at the guards, so that was escalated

directly to the authorised officer, who contacted Victoria Police. A conversation was had. The next night, the guest threw a chair and apples, et cetera, at our guards once again and threatened to self-harm --- threatened to injure a nurse. So police were called. I was notified late night. I attended the site. Police arrived. Conversations  
5 were had with the male guest first. As the police tried to knock on the door and communicate with the female guest, who was causing an uproar, she wasn't opening, so police decided they were going to force entry. As the police went down to the end of the hall on the opposite side, and I was on the phone to the Department, DJPR, to advise, because we had a flight coming in which had landed, so I was making  
10 a request to stop the buses leaving Melbourne Airport. As they left, my security supervisor was with the nurse and then, as the nurse was in front of the door, in a nutshell, the guest came out and started to attack the nurse, but then went to the opposite direction away from where police were. I heard screams, I heard my name, "Mo", yelling, so I then came out and saw the guest chasing the nurse down the  
15 hallway. She ended up getting the nurse into a closed-off area and started hitting the nurse. I then grabbed the guest, restrained her. As she was kicking me, I had to have police jump on top of me and the guest and restrain. She then assaulted police and then was removed.

20 Later that day, as she was removed, that night, she went to the Alfred Hospital, my understanding. She was released and brought back to the hotel six hours later.

MS ELLYARD: Can I ask you, what was the time period between when you were required to intervene to assist the nurse and when police arrived to assist you?  
25

MR NAGI: Police were on site, but they were going to the end of the hallway to put full PPE on. So they arrived with masks and gloves, but they also need to wear goggles and gloves to enter the room just for their protection so --- but once they heard the screaming, they were running, but I was closer, obviously, so I assisted  
30 where I could.

MS ELLYARD: And what PPE were you wearing when you assisted in that way?

MR NAGI: I was wearing masks and gloves and goggles.  
35

MS ELLYARD: That was obviously a particularly extreme incident. Were there many other cases in your experience where the police were called upon to attend at the hotels?

40 MR NAGI: There was a couple of occasions where police were required for a guest threatening to escape and just walk out. I wouldn't say anything to this extreme.

MS ELLYARD: From your observation, how often were police there? You've explained, I think, that the police had a role being on site when guests were arriving  
45 from the airport and when they were leaving, but did you observe police to be attending, patrolling, or just popping in or anything like that between those arrival and departure times?

MR NAGI: No, police on occasions did come and do welfare checks on our guards, especially through the night, which was great, but yeah, they did assist in welfare checks where possible.

5

MS ELLYARD: So can I just ask you to explain a bit more what you mean by that. The police would come in to check on your staff?

MR NAGI: Yes, so a police vehicle would patrol. They would have --- from my understanding, they had allocations to patrol certain hotels, just to do some check-ins, asking how many floors were active, how many guests did we have on site, from our understanding, had we had any incidents or any concerns. So that occurred on occasions.

15 MS ELLYARD: Okay. And did you ever yourself call for police assistance?

MR NAGI: Yes, we called for police assistance a couple of times when guests made threats to leave or escape or incidents like this.

20 MS ELLYARD: And what was your experience of how quickly police were able to attend?

MR NAGI: I think --- look, police responded pretty quickly with a number of vehicles. It wasn't just one unit. So once I mentioned "COVID-19 hotel" or "Operation Soteria" they attended pretty quickly.

25

CHAIR: Does it follow from that, Mr Nagi, that the police weren't otherwise on site?

30 MR NAGI: That's correct, Madam Chair.

CHAIR: They didn't, in any of the hotels you were working in, didn't maintain a presence but rather had a roving presence from time to time?

35 MR NAGI: That's correct.

MS ELLYARD: Mr Coppick, can I turn to you and to paragraphs 119 and following of your statement, where Mr Millward and now you were asked to provide some information about misconduct or improper conduct by staff working under the Unified banner. Have you got that paragraph there?

40

MR COPPICK: Yes, I have.

MS ELLYARD: And you've provided there a list of issues that you're aware of. Is that the totality of the issues that led to the termination or removal of staff?

45

MR COPPICK: Yes, that would be correct and accurate, yes.

MS ELLYARD: Okay. Mr Nagi, at paragraph 115 of your statement, you refer to the fact that Unified had a whistleblower email that meant that people could report concerns about bullying or anything like that. Do you know whether any matters were raised via that email in relation to the Hotel Quarantine Program?

MR NAGI: No, that was managed by our support centre.

MS ELLYARD: Okay. You too, Mr Nagi, set out at paragraph 116 and following a table of issues that were raised. The first that you raise there is a matter that we heard a little bit about in evidence earlier about a concern that guards were taking towels and using them to sleep at the hotels. Can you tell the Board what investigation was done into that allegation, as you understand it?

MR NAGI: So from my understanding, guards were used to --- at the hotel in question, there wasn't a dedicated area for our guards to sit there and have a meal. So from my understanding, what occurred is the guards would use that to wipe down the benches or put something on their bench to prevent, you know, stains or anything on the property, but that was that piece there. For the piece where the guards were using it to sleep, that wasn't part of that investigation. I didn't establish that.

MS ELLYARD: So did you ever have any allegations made to you that you found established that guards had been sleeping on the job, for example?

MR NAGI: Yes, the allegation was there. Sleeping on the job, obviously that's a separate question, which we did establish that and then those guards were removed from site.

MS ELLYARD: Okay. Mr Coppick, can I ask you perhaps from your experience, given the numbers of people that were employed and the number of people terminated, was this an unusual level of concern to have about guards, based on your previous experience?

MR COPPICK: Look, for the totality of the operation and the amount of personnel we had involved, I think the numbers are quite low. You know, we had to act, we wanted to act appropriately and efficiently in this space, and we proceeded to do that and advise the Department as information was provided to us. We provided a response quickly.

MS ELLYARD: Can I turn then to what the Board understands to have been the infection of a number of guards working under the Unified banner at the Rydges Hotel. Mr Coppick, paragraph 130 and following of your statement is where that matter is dealt with. Can I ask you, when did you personally --- and if you weren't the first Unified person, you can explain that --- but when did you personally first become aware that there was any infection at Rydges other than amongst quarantined passengers?

MR COPPICK: I was advised by the Department on 26 May that a staff member from the Rydges Hotel had tested positive the day prior to my notification.

5 MS ELLYARD: Okay. And at that time, had you yourself been made aware of any suggestion that any security guards had tested positive or were symptomatic?

MR COPPICK: Not at that stage. I subsequently made further enquiries after that notification and ensured that all our personnel were tested. I subsequently received a response from my team advising that someone had tested positive that afternoon.

10 MS ELLYARD: And you would no doubt be aware too of the security guard G16's evidence in which he describes not being tested at Rydges, as I gather some people were, but taking himself to hospital and receiving a positive test.

15 MR COPPICK: Yes, that's correct. My understanding is he'd woken up unwell that day and went to have that test. That was prior to my notification of the positive case.

MS ELLYARD: Given that Rydges was a hotel that was known to have a substantial number of COVID-positive guests, were people --- were your staff being asked to follow any more heightened infection control measures when they were dealing with patients compared to perhaps how they were approaching it at other hotels?

MR COPPICK: Nothing over and above. We did have a lot more support from the nursing staff on site. There was some cases or --- yes, there was some issues of some of my staff not adhering to 1.5m social distancing while having meals. Once we were made aware of that, we resolved that quite quickly.

MS ELLYARD: Okay. And, Mr Nagi, from your point of view, you will have seen that part of the evidence of G16 is that whilst at home awaiting his test, or perhaps even after he'd been told that he was positive but safe to work, he went out and worked at a couple of different jobs that weren't his security job. Perhaps, firstly, were you aware that there were any staff being engaged on behalf of Unified that were working other jobs at the same time that they were working in hotel quarantine?

35 MR NAGI: No.

MS ELLYARD: Okay. And was there any requirement or expectation placed by Unified on its subcontractors and staff that that wouldn't occur?

40 MR NAGI: We did advise that we preferred not having guys do other work as, you know, the hours were there for the guards, and obviously fatigue as well. However, this is up to the guards themselves, if they choose to do anything outside our remit.

MS ELLYARD: And were there any instructions given to guards or via subcontractors to guards about what they should do if they were experiencing any symptoms, given that it was known there were positive people at Rydges? Was there any particular guidance given about what they should do if they felt any symptoms?

MR NAGI: Yes, that's correct. All guards, as Mr Coppick has spoken earlier, were required to do COVID-19 training by the Federal Government. So that gave them a greater understanding. However, if anyone that did feel or had showed symptoms, we advised to let us know, then we could arrange to see if they could be tested at site, or we'd send them to the appropriate medical clinics.

MS ELLYARD: G16, based on his evidence, seems to have felt unwell but just assumed that it was a cold and so he stayed at his shift on that night and didn't get tested until the next day. In that context, was there any particular guidance that you understand was given to people about what they should do if they feel symptoms that might be just a cold?

MR NAGI: No. So Rydges --- we advised from what the Federal Government advised on the symptoms that showed COVID-19. So that's what we based on and the information that we could gather.

MS ELLYARD: Mr Coppick, what was the involvement of DHHS in following up issues of potential infections? Once it was known there had been a positive case amongst security guards, to what extent did you receive support or assistance from DHHS in following up the consequences of that?

MR COPPICK: So I dealt fairly closely throughout that short space to provide up-to-date information in rostering shifts, personnel, had they been tested, had they tested positive or negative. There was some direction documentation also supplied to me that had also been supplied to the positive cases that was again re-sent out by us to them just for them to ensure that they understood the direction by the Government.

MS ELLYARD: And was there clarity from the earliest times about who was going to be required to self-isolate? The statement goes on from paragraph 138 onwards to describe a chronology of events over a few days. What was the process by which staff who needed to isolate were identified and then instructed to self-isolate?

MR COPPICK: So the information at the time was a little bit sketchy around who should be stood down and who shouldn't be. We were given some timelines around dates. We made a decision at a senior leadership team meeting that all personnel working in that period would be stood down and be paid through that process, until we had a definitive answer.

MS ELLYARD: Thank you. Can I ask you then, just partly by way of a final question, Mr Coppick, there's a comment that's made by Mr Millward but which I understand that you would also now adopt, at paragraphs 116 and 117 of the statement, about something that could or should have been adopted by DHHS by way of testing of guards.

MR COPPICK: Yes. So I worked closely with a member of DJPR around some discussion on random testing of staff. We did start that process, and it was good for

us just to have a touchpoint on all the locations. Unfortunately she ended up going into another space and that sort of dropped off.

5 MS ELLYARD: So there had been some discussions with DJPR about the possibility of regular testing for your staff?

MR COPPICK: Absolutely. It was a discussion I had with a lead health person from the Department, and I was very interested and keen to get involved with that space just to show some overview and support to our people and ensure that we weren't  
10 having any potential COVID-19 situations occur at any of the hotels.

MS ELLYARD: But as I understand it from paragraph 117 of the statement, there was some random testing in May but there wasn't --- to your concern, there wasn't systemic random testing of guards, which you thought would have been a good idea?  
15

MR COPPICK: Yes, absolutely. As I mentioned earlier --- I probably didn't explain it enough --- I was dealing with a health expert from the Department, the DJPR, where the conversation initiated. We started accessing at a Holiday Inn, I believe, where we had six members of our team tested. Subsequently, post that, she went on  
20 to another role and that just sort of dissipated in having that process ongoing.

MS ELLYARD: Okay. That leads on to the final question I have for each of you, and I'll ask you, Mr Nagi, first --- and you might have heard me ask this question of your colleagues this morning --- on the other side of this process and working  
25 through what you did and in the context of some staff members testing positive, would you work in hotel quarantine security again, and, if so, what are some comments you would wish to make about any changes that you think could or should be made?

30 MR NAGI: Yes, definitely. Really enjoyed the program itself. We did really work really well with the Departments themselves, from DJPR, DHHS, the nursing agencies and Victoria Police, Federal Police, DNATA, naming them all. If we had more time to really prepare to execute the program correctly, that would have been a great deal. Also, we worked really well with Victoria Police where Victoria Police  
35 were more of a support for us, but if we had them as the lead and us supporting them, I think that would be beneficial a lot and a lot of things would have been resolved a lot quicker and we most likely wouldn't have been in this situation.

MS ELLYARD: Can I ask you to unpack that. The Board has heard evidence that  
40 the structure of the Hotel Quarantine Program was that private security were going to the first, level 1, level of responding and Victoria Police effectively as back-up. You're suggesting that it might have worked better the other way around; is that right?

45 MR NAGI: Yes, and that's just really based on the information I'm receiving from our Sydney-based team who have the New South Wales Police on the ground who they support. And that's working really well and that's been really effective. So

I think if they bring that into the Victorian piece, that would have worked really well.

5 MS ELLYARD: Thank you. Mr Coppick, I was going to ask you, as part of your reflections, you indicated early on that Unified is also providing services on an ongoing basis in the Hotel Quarantine Program in New South Wales. What's the nature of Unified's involvement; and, perhaps picking up on what Mr Nagi has said, what are the differences in the way in which security services are utilised there compared to your experience in Victoria?

10 MR COPPICK: Yes, so our New South Wales operation is a lot more structured. There was some significant lead-up to the operational outlay that involved multi-departmental teams, New Pol, Health, ADF. From my aspect --- and I agree with Mr Nagi --- is what I found to be more effective is the New Pol officers acting as an authorised officer appears to have more of a drive in the space and if there is  
15 any issues on location, they can get involved in that piece and that does settle it quickly and effectively.

MS ELLYARD: So in the New South Wales model, Mr Coppick, the role of authorised officer, which in Victoria is performed under legislation by DHHS or its  
20 staff, in New South Wales that's done by police; is that right?

MR COPPICK: Yes. From my oversight, yes, they play that lead authorised officer role and it seems to work far more effectively.

25 MS ELLYARD: Other than that distinction, can I ask you the same question, Mr Coppick: would you wish to work in a Hotel Quarantine Program again in Victoria, and what comments would you make to the Board about how the program might work better if it were to start up again?

30 MR COPPICK: Yes, look, I'd be more than prepared to be involved in an operation of this magnitude again in Victoria. I believe that DJPR and their team from a logistics piece got it right. They did a very, very good job. It would have been better, it would have been nice if we could all sit around a table and work out a floor plan for the operation. I certainly, and no discredit to DHHS, I certainly would like  
35 to see them provide more of an SME in the health space, you know, providing training and a better understanding of the complexities and changing of COVID-19. Certainly would like to see that as a prerequisite for the start or recommencement of the operation should it occur.

40 MS ELLYARD: So, Mr Coppick, I think you're saying from a logistical point of view, you think the structure is right. The two suggestions you might make is firstly the question of who should be the authorised officer, and secondly, the provision of additional subject matter expertise in the area of health from the relevant department; is that right?  
45

MR COPPICK: Yes, absolutely. A good example of that would be the Bradley situation at the moment where the Alfred is the principal in health service, and I see

that working quite well from discussions I've had with other colleagues in the space.

MR ELLYARD: Thank you, Mr Coppick.

5 Madam Chair, those are the questions I have for these witnesses. I've had notice of  
a couple of applications which may not be pressed in the light of what's already been  
covered, but might I call on Ms Condon on behalf of the Department of Jobs,  
Precincts and Regions to see if there are any matters outstanding from the list she  
gave me this morning.

10

MS CONDON QC: Thank you, Ms Ellyard. Yes, Madam Chair, I don't have any  
matters I wish to pursue with either Mr Coppick or Mr Nagi. Thank you.

CHAIR: Thank you, Ms Condon.

15

Mr Coppick, just before I check whether anyone else has any questions for you, can  
I just take you back to your evidence just a few moments ago about your experience  
of working in the New South Wales model. So you've given evidence about the role  
of New South Wales Police, but can I ask you to help me understand what your  
observations were about the role of the Australian Defence Force personnel?

20

MR COPPICK: So my observations in that space was ADF supported the egress and  
entry of arrivals and also provided a function of delivery of care packages and Ubers.

25 CHAIR: So they maintained a presence inside the hotels, and was that a permanent  
presence inside the hotels, so on site 24 hours a day?

MR COPPICK: Yes, they would work in teams and, yes, they would be on site to  
handle those functions.

30

CHAIR: And I can see Mr Nagi is nodding. Are you familiar with that same system,  
Mr Nagi?

35 MR NAGI: Yes, this is correct, Madam Chair, what my understanding is in the New  
South Wales piece.

CHAIR: Thank you.

40 MS ELLYARD: Madam Chair, I did have notification of the possibility that DHHS  
might have a question or two. Again, it may well be that the matters have been  
covered, but I'll invite my learned friend Ms Harris, if she's still got a matter that she  
wants to raise.

45 MS HARRIS QC: Madam Chair, yes, there are two brief matters I would like to  
raise with Mr Coppick. They relate to, first, the reference to PPE, and there was  
some evidence given about some advice given on PPE by Mr Coppick, and the  
relevant document is in Mr Coppick's statement. I think it would be useful to go to

that. And then one other brief question about the evidence in relation to the awareness of COVID-positive guests in the hotel.

CHAIR: Yes, I'll grant you leave to do that, Ms Harris.

5

MS HARRIS QC: Thank you, Madam Chair.

### **CROSS-EXAMINATION BY MS HARRIS QC**

10

MS HARRIS QC: Mr Coppick, you gave some evidence about your concern, I believe, that guards wouldn't always be able to anticipate whether they could keep a 1.5m distance from guests, for example, so that the position you preferred was that they take the view that they may not be able to and they should wear masks, is that right, and PPE?

15

MR COPPICK: Yes, that's correct.

MS HARRIS QC: Can I just ask the operator to bring up some DHHS advice that I think is referred to in your statement at paragraph 107, and I don't need you to look at that paragraph, but the advice is document USG.0001.0001.2955. And the context of this, Mr Coppick, and there is some evidence about advice you were given by DHHS and perhaps different standards or different advice that was given. Now, there was a suggestion made that at some points, guards should not wear PPE, but looking at this document, the only time that would be the case, no PPE, would be where, if one looks at the first line, for example, and it's the "Hotel Lobby", accepting deliveries and checking or greeting people, and we'll see from the next line that doesn't mean people who are coming into quarantine but people who might be coming into the hotel, the activity there is that you are able to maintain distance of at least 1.5m, and it's only in that circumstance that the document suggests there would be no PPE. Do you see that?

20

25

30

MR COPPICK: Yes, I can read that. Yes.

35

MS HARRIS QC: Then if one moves on to the next line relating to when new guests are arriving for the commencement of their quarantine, it looks at the activity and it gives two options there. If you're able to maintain physical distance of at least 1.5m, there's a suggestion of no PPE, but if that 1.5m physical distance is not feasible, the recommendation is a surgical mask.

40

MR COPPICK: Yes.

MS HARRIS QC: Is that consistent with your view that if there was any doubt about whether your guards could maintain 1.5m physical distance, they should be wearing the surgical mask and the PPE?

45

MR COPPICK: We took that view post the discussion I had with respect to escorts, and it was deemed that we could put --- this was a guide and a guide only. Where practicable, we requested staff to use PPE.

5 MS HARRIS QC: And in fact the guide contemplates that, that if there's a possibility that 1.5m physical distance isn't feasible, the recommendation is that you should wear a surgical mask. That's right, isn't it?

MR COPPICK: I don't dispute that, no.

10

MS HARRIS QC: Okay. And just for the record, it says the same for when one is a hotel quarantine floor, if there's no direct contact. But if one is going to a doorway, if you're unable to ensure the 1.5m physical distance, the recommendation is a surgical mask.

15

MR COPPICK: Again, I don't dispute that.

MS HARRIS QC: Thank you. Just to confirm, this is the document you say you received in May in your statement, or Mr Millward says in his statement and you've adopted that?

20

MR COPPICK: Yes.

MS HARRIS QC: Thank you. Now, the only other matter --- that document can be taken down. Thank you. So the only other matter relates to your evidence that you were aware that there were some COVID-positive patients in hotel quarantine. And you gave evidence, I think, that you were well aware that there might be a red floor. It was also the case, wasn't it, that you were aware it was a quarantine program where there may be people coming into quarantine that either had or may potentially have COVID-19, weren't you?

25

30

MR COPPICK: Yes, that was part of the remit.

MS HARRIS QC: Yes. And I can see Mr Nagi nodding as well. Is that your understanding as well?

35

MR NAGI: Yes, that's correct.

MS HARRIS QC: And, Mr Coppick, when you say that was part of the remit, is that a reference to the contractual acknowledgment that in providing the services, your company acknowledged that its people are likely to come into contact with people who may have or potentially have COVID-19?

40

MR COPPICK: Yes, I believe --- yes, that's correct.

45

MS HARRIS QC: Thank you. And that contract is, I think --- you've referred to that agreement of 9 April at paragraph 32 of Mr Millward's statement that you've

adopted?

MR COPPICK: That's correct, yes.

5 MS HARRIS QC: Thank you, Madam Chair. Those are my questions.

CHAIR: Thanks, Ms Harris.

10 MS ELLYARD: Madam Chair, I see Mr Moses, and I'm conscious that if there's no one else, I gather he would seek the opportunity to ask some matters not already in evidence by way of examination of his witnesses.

MR MOSES SC: Yes, Madam Chair, if I could just clarify in relation to the evidence given by Mr Nagi --

15

CHAIR: Sorry, Mr Moses. Just bear with me for a moment. It would appear that a representative from Rydges is giving an indication that there might be something they wish to raise.

20 MR MOSES SC: Thank you, Madam Chair.

MR FLORO: Thank you, Madam Chair. Andrew Floro on behalf of Rydges Hotel Ltd. Madam Chair, I seek leave to ask Mr Coppick a question about evidence he gave a moment ago regarding the timing of Guard 1 being tested for COVID-19.

25

CHAIR: Sorry, just say that again --- guards being tested or not being tested?

MR FLORO: Tested. Guard 1 and the time that he was tested for COVID-19.

30 CHAIR: Yes, all right, I'll grant you leave to ask that question or series of questions.

MR FLORO: Thank you, Madam Chair.

35 **CROSS-EXAMINATION BY MR FLORO**

MR FLORO: Mr Coppick, my name is Andrew Floro. I appear on behalf of Rydges Hotel Ltd.

40

I would like to ask you a question about evidence you gave at paragraph 133 of your statement, and it's evidence you gave a short moment ago. In relation to --- at 133(a) of your statement, you say that Guard 1, who was tested for COVID-19 at 4 pm on 26 May at Box Hill Hospital and received their test results on the morning of 27 May 45 2020 --- do you see that?

MR COPPICK: Yes, I do.

MR FLORO: If I could take you to a document which is attached to paragraph 130 of your statement. Operator, the document number is USG.0001.0001.3143.

5 You will see, Mr Coppick, this is an email chain which is attached to your statement which you were copied in on. Operator, if you could go to the first email chain at the bottom. This is an email from [Redacted] of --

10 CHAIR: One of the difficulties, Mr Floro, with the document and the name that you've just used is that that name has been redacted, as have some of the names on the document that was just put up on the screen. So perhaps if you can deal with it in another way, by simply taking --- rather than holding you up, taking Mr Coppick to the contents of what you want to put to him.

15 MR FLORO: Yes. Thank you, Madam Chair. If I could perhaps read the text of the emails out.

CHAIR: Yes. Just identify the date on the emails.

20 MS CONDON QC: I'm sorry, Madam Chair, just before my learned friend does that, we haven't had any notice of this document, and if it is offered or makes reference to the individual that's just been named, then perhaps if we can have some notice of it.

CHAIR: Can you just --

25 MR FLORO: If I could assist?

CHAIR: Yes, go on.

30 MR FLORO: If I could assist, it's a document that is referred to at paragraph 130 of this witness's statement.

CHAIR: It's the number at the base of that paragraph, is it, Mr Floro?

35 MR FLORO: Yes, it is, Madam Chair.

CHAIR: So it is a document that's part of the tender bundle, Ms Condon.

MS CONDON QC: Thank you, Madam Chair.

40 CHAIR: Look, I'll let Mr Floro continue with his question, as I said, using the contents of the document to put your matter to Mr Coppick.

45 MR FLORO: Thank you, Madam Chair. The email reads as follows. I'll omit the first name that appears:

*I have just taken a call from Nigel at Unified Security who advised that one of*

*his guards at Rydges has tested positive for COVID-19. Unified has taken close contacts of the guard off duty and is arranging for them to be tested. Nigel has alerted [I'll skip that name] and will work with her on a response.*

5 That email is dated Tuesday, 26 May at 3.57 pm, Mr Coppick.

MR COPPICK: Right.

10 MR FLORO: So my question is in relation to paragraph 133(a) of your statement, where you say Guard 1 was tested for COVID-19 at 4 pm. Could you please advise whether that should read "received his results and tested positive" at around that time?

15 MR COPPICK: It would be thereabouts, yes. I don't have a definitive answer. I wasn't there at the test time.

MR FLORO: Thank you, Madam Chair. That was my question. Thank you.

20 CHAIR: All right. Thank you.

MS ELLYARD: I think Mr Moses, Madam Chair, has some matters he seeks to raise with his witnesses, as I understand, matters that he considers aren't yet in evidence.

25 CHAIR: Yes, Mr Moses.

MR MOSES SC: Thank you, Madam Chair.

30 **EXAMINATION BY MR MOSES SC**

35 MR MOSES SC: Mr Coppick, can I ask you a question in relation to the use of subcontractors by Unified in Victoria, if I can stick with that for a moment. Is there a business reason why a security company such as Unified uses subcontractors?

40 MR COPPICK: Yes. So as a business, we use service providers to support additional manpower service, so overflow, and support ad hoc services that may range from 12 hours to 1,000 hours. It just supports us as a business.

45 MR MOSES SC: In relation to the Hotel Quarantine Program that Unified was involved in, at the commencement of the work being undertaken in March, was there any guarantee or commitment given by the Department --- that is, the Department of Jobs, Precincts and Regions --- as to how long the contract would last and how many hours would be required in terms of the scope of work?

MR COPPICK: Look, in my initial conversation, no, there was no understanding of length

or requirement.

MR MOSES SC: And how long did the company provide security services to the Department under the Hotel Quarantine Program before it was provided with a draft  
5 contract to review in terms of those services?

MR COPPICK: From thereabouts 29 March through to about 12 July, I think it was.

MR MOSES SC: That is, there wasn't an executed agreement with the Department  
10 until July? Or was it --- were you referring to April? What I'm referring to is when was a written agreement --

MR COPPICK: Sorry. Sorry, April. Sorry, yes. I think I saw the contract then on  
15 or around 12 April.

MR MOSES SC: Okay. Thank you. The other question I wanted to ask you about  
was a question that my learned friend Ms Harris asked you a question about from the  
Department of Health and Human Services concerning the document that was put up  
20 on the screen concerning PPE advice for hotel security staff.

MR COPPICK: Right.

MR MOSES SC: Was it explained to you in the discussions that you had with either  
25 the DJPR or the DHHS as to why they took the view that PPE should not be worn when new guests are arriving or in the hotel lobby? Did anybody explain that?

MR COPPICK: No, there was no consultation in relation to any PPE overlay.

MS HARRIS QC: Madam Chair, can I just raise one matter with Mr Moses'  
30 question. He suggested the evidence was that there had been --- the guidance suggested that you didn't wear PPE when new guests arrive. That is not the case. The document has distinct categories, one of which relates to receiving new guests or new people coming into quarantine, and another relates to other people who might be encountered in the lobby, certainly not encompassing guests. Can I invite Mr Moses  
35 to perhaps correct that question, or the record to be corrected on that point.

MR MOSES SC: As I understand it, Madam Chair, I think what my friend is saying  
is that she's objecting to the question. I think that was the point of what was just  
40 occurring. What I was directing the witness' attention to was the document that my learned friend took the witness to, and I'm happy for that to come back on the screen in relation to the evidence the witness is giving.

MS CONDON QC: Madam Chair, while that's being done, I also have an objection  
45 to the way in which the question was phrased by Mr Moses. He conflated the DJPR and the DHHS in his proposition, and I'd ask that he break the proposition down.

CHAIR: It's probably better that the question --

MR MOSES SC: Madam Chair, what I'll do is I'll deal with one objection at a time. So I'll deal with, if I can, Ms Harris' objection first, which I think related to the content of the document. And then I'll deal with what my learned friend Ms Condon has raised.

CHAIR: The document is on the screen now, Mr Moses, so it's better to work from the document and hopefully that will address the concerns.

10 MR MOSES SC: Yes. Thank you.

Mr Coppick, if you go to the second category, which is "Hotel Lobby", "When new guests are arriving for the commencement of their quarantine". Do you see that?

15 MR COPPICK: Yes, I can.

MR MOSES SC: And alongside it, it says, "Able to maintain physical distance of at least 1.5m." Do you see that?

20 MR COPPICK: Yes, I can.

MR MOSES SC: And it says, "Security staff, no PPE, hand hygiene". Do you see that?

25 MR COPPICK: Yes, I can.

MR MOSES SC: And then under that, "1.5m physical distance is not feasible. Surgical mask. Hand hygiene." Do you see that?

30 MR COPPICK: Yes, I can.

MR MOSES SC: In relation to that category relating to when new guests are arriving for the commencement of their quarantine, was any advice provided, to the best of your recollection, by the DHHS as to the distinction that was set out there in relation to that setting?

MR COPPICK: No, not that I can recall.

MR MOSES SC: And to the best of your recollection, when new guests were arriving for the commencement of their quarantine, and security guards were providing their services in that setting, was it feasible to maintain 1.5m physical distance from the guests?

MR COPPICK: No.

45 MR MOSES SC: Can I also ask you this. When new guests were arriving for the commencement of their quarantine by reference to the second setting, were you

provided --- I withdraw that. Was Unified Security, to the best of your knowledge, provided with any information as to whether guests who were coming off buses to go into the hotel lobby were COVID-19-positive?

5 MR COPPICK: No, I --- no, not at all.

MR MOSES SC: Okay. Thank you. If that document can be taken off the screen, Madam Chair.

10 Can I ask then for the witness Mr Nagi to be shown the document which is referred to at paragraph 41 of this statement, which my learned friend Counsel Assisting asked him a question about. I just want to take him to the actual document. It's  
15 USG.0001.0001.2443. Mr Nagi, you were asked a question by Counsel Assisting in relation to your evidence at paragraph 41, and I think you were not certain but you did mention, I think, the Promenade. If you just look at the document. Does this email refresh your memory as to the incident on 23 May 2020?

MR NAGI: Yes, that's correct.

20 MR MOSES SC: And after the incident which was the subject of this email exchange, to the best of your recollection, do you know what processes were put in place in order to ensure that guards undertaking work at hotels were told as to whether a guest had tested positive for COVID-19?

25 MR NAGI: No. So on the sheet that we are provided by DJPR, on the bottom of that Excel spreadsheet, it at times announced if someone was positive or not positive, if it was highlighted in red. At this point, we weren't notified of that piece, that this person was or these guests were positive, so we did not know at that stage.

30 MR MOSES SC: And do you know what procedures were put in place either by the Department of Health and Human Services through the authorised officer to ensure that the paperwork being provided to guards was correct and that they were not inadvertently provided with the wrong information concerning guests?

35 MR NAGI: At that point, there was no additional procedures put in. However, later on it was announced that anyone who was highlighted red had to be signed off by the DHS team leader.

MR MOSES SC: Before a guard --

40

MR NAGI: Before exiting.

MR MOSES SC: Before a guard would escort them from their room?

45 MR NAGI: Correct.

MR MOSES SC: Okay. Thank you. If that document could be taken off the screen.

Thank you, Madam Chair.

Now, Mr Coppick or Mr Nagi, you might be able to answer this question. There were some questions asked by Counsel Assisting in relation to circumstances where  
5 guards who had been rostered to perform work were let go after a shorter period than what had been thought they would be required for. Do you recall that line of questioning?

MR COPPICK: Yes.

10

MR MOSES SC: What I want to ask you is, when --- and I want to just put a hypothetical to you. If you have a scenario where you had been informed that a certain amount of guests would be coming into a hotel on a particular day but were told within an hour of a shift commencing, or maybe once the shift had commenced,  
15 that the plane had actually not landed or those guests had not arrived, what would then happen as to the workforce that had been assembled in relation to that shift, and what would the Government be charged for in respect of that work? So, Mr Coppick, maybe if you could answer that question.

MR COPPICK: Yes. So with relation to that, I believe that happened within the first  
20 few weeks of operation, simply because the information being provided to myself and my colleagues was at very late notice. As I recall, it happened on a couple of occasions, and as an organisation, we would ramp up. If we identified that we'd over-ramped off the figures that were initially provided to us, we would then stand  
25 those people down and ensure that they were paid minimum hours. We didn't charge for those prospectives at the initial engagement.

MR MOSES SC: Thank you. Can I then ask you a question in relation to the Rydges. In relation to the Rydges, there's been evidence given in the statements in  
30 relation to that being a red hotel; correct?

MR COPPICK: Yes, that's correct.

MR MOSES SC: And you've heard evidence in these proceedings from Professor  
35 Grayson in relation to his views as to how persons with an infectious disease such as COVID-19 ought be dealt with in a particular setting concerning a hotel --- I withdraw that --- concerning a hospital. In respect of the Rydges, do you recall getting any inductions from the Department of Health and Human Services as to how guards ought interact with individuals who tested positive for COVID-19?  
40

MR COPPICK: I was --- yeah, no. No, I didn't. I was there from the first day of commencement of operation, and, no, there was no formalised induction at the onset or further through it provided by DHHS in relation to that.

MR MOSES SC: And I'm not suggesting that it was the responsibility of DJPR  
45 necessarily, but did you receive any training or otherwise from DJPR in respect of the Rydges?

MS CONDON QC: Well, I object to that, Madam Chair, given the acknowledgment within the question that there's no suggestion that the onus was on the DJPR for that training, and the limited nature of our involvement at Rydges, which I'm sure  
5 Mr Moses is aware of.

MR MOSES SC: Whilst I admire my learned friend's ability to make submissions during an objection, with all due respect to her, I'm entitled to put the question. I'm not making any concessions in respect of the DJPR; I'm just asking the question.  
10 How about I put the question this way: did anybody from DJPR provide you with any training or induction as to how to deal with individuals with COVID-19? I'm entitled to ask that question. The witness can say "yes" or "no".

CHAIR: Yes.  
15

MR MOSES SC: As to the legal effect, that can be dealt with later.

CHAIR: Yes. You can answer the question, Mr Coppick.

20 MR MOSES SC: Thank you.

MR COPPICK: Sorry, Madam Chair. No, there wasn't.

MR MOSES SC: Thank you. I have no further questions, Madam Chair. Thank  
25 you, Madam Chair, and thank you, Mr Coppick and Mr Nagi.

MR COPPICK: Thank you.

MR NAGI: Thank you.  
30

MS ELLYARD: Madam Chair, that being the end of the questioning, I'll ask that these two witnesses be excused, with the Board's thanks.

CHAIR: Yes. Thank you both, Mr Coppick and Mr Nagi. Thank you for your  
35 attendance, and you are now both excused, so you can turn off both your microphones and your cameras. Thank you.

MR COPPICK: Thank you.

40 MR NAGI: Thank you, Madam Chair.

### **THE WITNESSES WITHDREW**

45 MS ELLYARD: Madam Chair, notice was given to the leave to appear parties that I would propose to tender two statements that have been available on the hearing book

but in respect of which it's not proposed to call evidence. The first is the statement of Hayley Baxter dated 20 August 2020. That document has the document reference number DTF.0001.0003.0001. It's a statement relating to procurement practices generally within the Victorian Government, and I seek to tender that statement.

5

CHAIR: Thank you. Exhibit 73.

**EXHIBIT #73 - STATEMENT OF HAYLEY BAXTER**

10

MS ELLYARD: And then the second statement is the statement of Matthew Loughnan which is dated 28 August 2020, and has the document ID WIT.0001.0043.0001\_R. It's a statement on behalf of DNATA. And I tender that statement.

15

CHAIR: Thank you. Exhibit 74.

**EXHIBIT #74 - STATEMENT OF MATTHEW LOUGHNAN**

20

MS ELLYARD: Thank you, Madam Chair. That concludes the evidence for today. Notice has been given that it's proposed to call three witnesses tomorrow: firstly, Mr Cleaves, who is from DHHS and is a senior authorised officer; secondly, Commander Tim Tully of Victoria Police; and, thirdly, Ms Rachaele May of the Department of Jobs, Precincts and Regions.

25

CHAIR: Thank you, Ms Ellyard. That being so, we will adjourn now until 10.00 tomorrow to commence with those witnesses.

30

MS ELLYARD: If the Board pleases.

**HEARING ADJOURNED AT 3.11 PM UNTIL 10.00 AM ON FRIDAY,  
4 SEPTEMBER 2020**

35

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