



**COVID-19
Hotel Quarantine Inquiry**

16 October 2020

Ms Rebecca Bedford
Partner
MinterEllison
Level 23
525 Collins Street
Melbourne VIC 3000

By email: rebecca.bedford@minterellison.com

Dear Ms Bedford,

Board of Inquiry into the COVID-19 Hotel Quarantine Program

We refer to the documents produced by your client yesterday, being:

1. The email chain titled 'RE: VIC Hotel Quarantine Arrangements'; and
2. The email chain titled 'Information – Chain of Command – People in Detention'.

We note from your covering letter that these two documents:

- were not considered relevant (whether critically or otherwise) by you or your client;
- were not produced until yesterday;
- were only produced following a specific request made of your client by the Board.

We also note that, when asked to produce these documents yesterday, you advised that you did not consider these documents to be captured by Notices to Produce previously issued and requested that a new Notice to Produce expressly referring to these documents be served.

In our view, on their face, both documents relate to fundamental issues canvassed throughout the Board's Inquiry including up until the close of evidence. In our view, they fall well within the scope of Notices to Produce previously issued to DHHS by the Board and can be seen as critically relevant to one or more issues in the Board's Terms of Reference.

The Board has asked that I write to you seeking an urgent response by **12:00pm on Monday, 19 October 2020** to the following questions:

1. Who assessed these documents as not being relevant or critically relevant to Notices to Produce previously issued by the Board?
2. Why were these documents not considered relevant or critically relevant to Notices to Produce previously issued by the Board?
3. Who made the decision not to produce these documents to the Board and on what basis?

4. Even in circumstances where these documents were not considered to be captured by a Notice to Produce previously issued by the Board, why were they not drawn to the Board's attention as and when the issues to which they relate became the subject of evidence and submissions?

Yours sincerely,

A handwritten signature in blue ink that reads "Will Yates". The signature is written in a cursive, slightly slanted style.

Will Yates

Office of Solicitors Assisting

Board of Inquiry into the COVID-19 Hotel Quarantine Program