



Victoria Government Gazette

No. S 338 Thursday 2 July 2020
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Inquiries Act 2014

APPOINTMENT OF A BOARD OF INQUIRY INTO THE COVID-19 HOTEL QUARANTINE PROGRAM

Order in Council

The Governor in Council, on the recommendation of the Premier under section 53(1) of the **Inquiries Act 2014**, appoints the Honourable Jennifer Coate AO to constitute a Board of Inquiry to inquire into, report on and make any recommendations considered appropriate in relation to the terms of reference specified in paragraphs 1 to 6 of this Order.

This Order comes into effect on the date it is published in the Government Gazette.

BACKGROUND

Having regard to the global COVID-19 pandemic and the following:

- a. Previous and current Directions on Detention, issued under section 200 of the **Public Health and Wellbeing Act 2008**, requiring returned overseas travellers to be quarantined for at least 14 days in certain hotels following their arrival in Australia as part of the Victorian government's COVID-19 hotel quarantine program (Quarantine Program);
- b. The dynamic environment under which the Quarantine Program was established, including the concern at the time for the immediate safe return of Victorians from overseas areas impacted by the pandemic;
- c. The use of certain hotels to facilitate the Quarantine Program;
- d. The use of private sector providers, including security, transport, medical and food service providers (Private Service Providers) to administer the Quarantine Program;
- e. Recent epidemiological material collected up to 15 July 2020 in relation to travellers quarantined as part of the Quarantine Program, potentially linking subsequent increases in the spreading of the COVID-19 virus from such quarantined travellers through to the broader Victorian community;
- f. The Government's objective of effectively identifying, managing and containing the spread of COVID-19 from returned overseas travellers in the Quarantine Program into the community (COVID-19 Quarantine Containment); and
- g. Subsequent efforts to diagnose and treat, and to contain case numbers and the community transmission of COVID-19, as a result of the Quarantine Program.

TERMS OF REFERENCE

You are required to inquire into, report and make any recommendations considered appropriate in relation to the following terms of reference:

1. The decisions and actions of Victorian government agencies, hotel operators and Private Service Providers, including their staff/contractors and any other relevant personnel involved in the Quarantine Program (each Relevant Personnel), relating to COVID-19 Quarantine Containment;
2. Communications between Victorian government agencies, hotel operators and Private Service Providers relating to COVID-19 Quarantine Containment;
3. The contractual arrangements in place across Victorian government agencies, hotel operators and Private Service Providers to the extent they relate to COVID-19 Quarantine Containment;
4. The information, guidance, training and equipment provided to Relevant Personnel for COVID-19 Quarantine Containment and whether such guidance or training was followed, and such equipment was properly used;

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5. The policies, protocols and procedures applied by Relevant Personnel for COVID-19 Quarantine Containment; and
6. Any other matters necessary to satisfactorily resolve the matters set out in paragraphs 1 to 5.

REPORTING DATES

You must report your findings and any recommendations to the Governor as soon as possible, and not later than 25 September 2020.

CONDUCTING THE INQUIRY

1. You may:
 - (a) conduct your inquiry as you consider appropriate, subject to the requirements of procedural fairness;
 - (b) have regard to any research relevant to your inquiry;
 - (c) consult with and engage experts as necessary to provide relevant advice and assistance;
 - (d) engage Australian legal practitioners to assist you as counsel.
2. You must conduct your inquiry in accordance with this Order, the **Inquiries Act 2014**, and all other relevant laws.
3. It is anticipated that in conducting your inquiry, you will:
 - (a) to the extent you think it appropriate, work co-operatively with, and seek not to prejudice, any ongoing response or recovery activities or investigations;
 - (b) adopt informal and flexible procedures to ascertain the relevant facts as directly and effectively as possible;
 - (c) avoid unnecessary duplication; and
 - (d) avoid unnecessary cost or delay.

BUDGET

4. You may incur expenses and financial obligations to be met from the Consolidated Fund up to \$3 million in conducting this Inquiry.

Dated 2 July 2020

Responsible Minister:

THE HON DANIEL ANDREWS MP

Premier

CLAIRE CHISHOLM
Clerk of the Executive Council

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