

Questions taken on notice

Portfolio:	Police and Emergency Services
Witness:	Emergency Management Commissioner, Andrew Crisp
Committee member:	Mr Richard Riordan
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Relevant text:

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

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

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

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

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

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

Response:

At the request of the control agency, resources within the State Control Centre undertake assurance and learning processes during emergencies to enable continuous learning and to identify areas for improvement. Most recently this included the development of an Assurance and Learning Report COVID-19 Colac Response.

Reports prepared as part of the assurance and learning process are for internal use only. The assurance and learning functions rely on an open and fulsome exchange of information and views by those involved in the emergency response and the information contained in the reports is provided in confidence. The public release could potentially undermine the integrity and confidential nature of these processes.

Questions taken on notice

Portfolio:	Police and Emergency Services
Witness:	Minister for Police and Emergency Services
Committee member:	Mr Sam Hibbins
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Relevant text:

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

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

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

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

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

Mr HIBBINS: Okay. Can we get that—

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

Response:

Classification of events into tiers under the Public Events Framework

- The Public Events Framework includes guidance on venue capacity limits, an approval process for event management plans, guidance materials for COVIDSafe Event Plans or Checklists and outlines a process for review of Tier 1 and Tier 2 events.
- Public events are classified into three tiers based on the number of attendees and consideration of public health risks that may increase the risk of COVID-19 spread to ensure the appropriate level of public health oversight is applied.
- The level of government scrutiny for event management plans is determined by the scale and risk involved in running the public event.
- Government approval for a planned public demonstration is required if the event is classified as a Tier 1 or Tier 2 event based on attendee limits and density requirements under the Public Events Framework. This will require a lead in time of 4-6 weeks for Tier

2 events (1,000 – 5,000 people) or 8-10 weeks for Tier 1 events (more than 5,000 people).

- Tier 3 events comprise the lowest risk events, featuring audiences of less than 1000 people. Examples of Tier 3 events include community sporting events, local outdoor performances and the Melbourne Fringe Festival. Businesses and organisations that already have an industry COVIDSafe Plan can operate a Tier 3 event within the permissions of the Restricted Activity Directions (Victoria) and under that COVIDSafe Plan. Where a COVIDSafe Plan is not already in place, businesses and organisations will need to fill out and submit a COVIDSafe Event Checklist, and the event will still need to operate within the permissions of the Restricted Activity Directions (Victoria).
- Approvals for Tier 1 and Tier 2 events are made by the Major Events Ministerial Taskforce, based on advice from the Chief Health Officer (CHO) and the Public Health Events Advisory Panel and guided by the Public Events Framework.
- Before being approved for delivery, Tier 1 and 2 events are required to submit COVIDSafe Event Plans that set out how they will be delivered in a COVIDSafe way, including provisions for crowd management. Tier 3 events will only need to complete and publish a COVIDSafe Event Checklist online.
- The Department of Jobs Precincts and Regions engages with event organisers to ensure self-compliance with Chief Health Officer (CHO) Directions and COVID-Safe requirements and refers any instances of non-compliance to High Risk Industries Engagement and Enforcement Operation (HRIEEO) for enforcement action, where appropriate.
- The decision on whether an event should proceed will take into consideration the Public Events Framework, the Public Health Directions, and the epidemiological conditions at the time.

Planned public demonstrations are public events and may require government approval

- A planned public demonstration is a public event for the purposes of the Public Events Framework. Organisers of a planned public demonstration will need to develop a COVIDSafe Event Plan or COVID Safe Event Checklist depending on the tier that applies to the event.
- Government approval for a planned public demonstration may be triggered for Tier 1 and Tier 2 planned public demonstrations based on their expected attendance and level of risk involved.
- Organisers of planned public demonstrations that are classified as a Tier 3 event under the Public Events Framework will need to develop a COVID Safe Event Checklist and take the necessary public health measures to ensure their event is safe for people attending.
- The CHO retains veto powers for all public events, including planned public demonstrations, to ensure the appropriate alignment with the broader COVID-19 public health strategy and directions, and appropriate mitigation of the public health risk.

Victoria Police enforcement activity at public demonstrations

- Victoria Police does not have a role in the enforcement of compliance with COVIDSafe Event Plans and its involvement with each event is determined as per operational requirements and subject to commitments in relation to prioritising other demands.

- Under the Major Events Framework, Victoria Police provides support to major events for crowd management and public safety. This includes traffic management, community safety and public order responses.
- There may be a requirement for Victoria Police attendance at unplanned demonstrations if necessary, to maintain public safety. Victoria Police enforcement at these unplanned demonstrations is therefore a public order response and may be necessary if demonstrations breach laws or CHO directions.
- Victoria Police regularly works with event organisers to facilitate peaceful planned demonstrations.
- During the COVID period, there have been strict CHO directions in place that limit the numbers of people who can gather, including in a public place. Victoria Police is required to enforce the law to stop the spread of the virus. On occasions, this has prevented people from attending public demonstrations.
- Victoria Police will continue to enforce CHO directions including at public demonstrations.

Police exercise of discretion

- Victoria Police will continue to exercise discretion when using police powers in the enforcement of the law and CHO directions at major events and demonstrations.
- When exercising discretion at major events and demonstrations, police officers take into account CHO directions and factors such as whether the breach was blatant or if the person or organisation had received warnings prior to the event or demonstration taking place.
- Police discretion can extend to arrests, issuing of infringement notices or official warnings.

Questions taken on notice

Portfolio:	Police and Emergency Services
Witness:	Chief Commissioner Police, Shane Patton
Committee member:	Mr Sam Hibbins
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Relevant text:

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

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

Response:

As at 16 December 2020, 137 COVID-19 fines issued to people under the age of 18 years have been withdrawn.

Questions taken on notice

Portfolio:	Police and Emergency Services
Witness:	Chief Commissioner Police, Shane Patton
Committee member:	Ms Bridget Vallence
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Relevant text:

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

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

Mr D O'BRIEN: It was provided previously.

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

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

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

Response:

As at 17 December 2020, Victoria Police has issued 38,279* fines for COVID related offences.

In December 2020, the CCP took on notice to provide infringement data at LGA level based on an understanding that this information had previously been provided to the Committee following a question taken on notice by the then CCP in May 2020.

Further consultation on this matter with the Crime Statistics Agency has confirmed that infringement information to this level is crime statistics data and therefore, Victoria Police is only able to confirm the aggregate number of infringements.

On the 17 December 2020, the Crime Statistics Agency released data to 30 September 2020 including COVID-19 offences by LGA. This information is available on the CSA website and is provided below.

Table 1. COVID-19 Offences¹ recorded by Local Government Area - April to September 2020

Police Region	Local Government Area	2020							Apr-Sep Total
		April	May	June	July	August	September		
1 North West Metro	Banyule	9	28	8	48	179	123	395	
	Brimbank	58	119	11	232	600	483	1,503	
	Darebin	41	67	18	112	423	322	983	
	Hobsons Bay	26	49	0	70	114	143	402	
	Hume	61	86	12	335	658	663	1,815	
	Maribyrnong	44	47	0	98	288	123	600	
	Melbourne	244	392	25	864	1,222	1,327	4,074	
	Melton	78	60	7	99	331	229	804	

	Moonee Valley	5	14	1	105	235	234	594
	Moreland	18	24	2	58	306	278	686
	Nillumbik	1	9	0	9	35	20	74
	Whittlesea	12	71	1	118	414	264	880
	Wyndham	119	62	28	274	364	368	1,215
	Yarra	138	168	8	191	339	308	1,152
	Total	854	1,196	121	2,613	5,508	4,885	15,177
2 Eastern	Alpine	1	13	0	3	8	8	33
	Bass Coast	6	12	0	3	12	15	48
	Baw Baw	39	43	10	26	99	56	273
	Benalla	2	5	0	0	14	4	25
	Boroondara	27	27	1	45	94	101	295
	East Gippsland	46	30	3	8	16	37	140
	Greater Shepparton	36	24	0	6	82	62	210
	Indigo	3	3	0	1	14	3	24
	Knox	38	26	0	71	204	123	462
	Latrobe	85	35	0	5	134	73	332
	Manningham	1	17	0	19	87	43	167
	Mansfield	0	6	0	4	26	12	48
	Maroondah	6	27	1	32	93	108	267
	Mitchell	37	26	0	57	40	48	208
	Moira	15	24	0	1	37	32	109
	Monash	23	59	8	133	247	286	756
	Murrindindi	4	14	2	18	22	16	76
	South Gippsland	7	17	1	6	14	10	55
	Strathbogie	0	3	0	3	9	5	20
	Towong	0	0	0	1	0	1	2
	Wangaratta	3	30	2	2	38	33	108
	Wellington	25	29	0	1	32	31	118
	Whitehorse	30	49	5	84	174	121	463
	Wodonga	12	64	0	0	71	84	231
	Yarra Ranges	40	48	2	132	247	173	642
	Total	486	631	35	661	1,814	1,485	5,112
3 Southern Metro	Bayside	9	30	1	49	98	64	251
	Cardinia	44	52	1	67	229	273	666
	Casey	91	169	7	206	457	412	1,342
	Frankston	137	161	7	121	505	293	1,224
	Glen Eira	8	68	1	56	187	156	476
	Greater Dandenong	113	217	13	253	760	481	1,837
	Kingston	36	72	5	87	172	208	580
	Mornington Peninsula	86	125	2	135	310	223	881
	Port Phillip	66	50	0	120	330	405	971
	Stonnington	34	43	7	118	472	272	946
	Total	624	987	44	1,212	3,520	2,787	9,174
4 Western	Ararat	3	15	0	3	14	7	42
	Ballarat	26	45	7	5	105	101	289
	Buloke	0	0	0	1	8	2	11

Campaspe	7	25	6	11	48	34	131
Central Goldfields	10	5	0	0	5	11	31
Colac-Otway	27	59	0	4	26	30	146
Corangamite	10	61	0	4	8	26	109
Gannawarra	6	22	0	1	19	17	65
Glenelg	2	13	0	2	26	18	61
Golden Plains	0	7	0	0	1	0	8
Greater Bendigo	27	76	6	11	87	50	257
Greater Geelong	100	96	16	71	281	116	680
Hepburn	7	24	0	4	1	6	42
Hindmarsh	0	0	0	0	5	3	8
Horsham	18	18	0	2	32	18	88
Loddon	0	5	1	2	9	12	29
Macedon Ranges	8	28	0	57	44	42	179
Mildura	39	30	6	1	35	42	153
Moorabool	18	19	1	64	112	92	306
Mount Alexander	6	9	0	0	16	10	41
Moyne	2	4	1	3	5	13	28
Northern Grampians	13	18	0	2	20	21	74
Pyrenees	0	2	0	2	7	1	12
Queenscliffe	0	0	0	0	1	1	2
Southern Grampians	7	25	2	0	18	9	61
Surf Coast	13	16	1	2	28	17	77
Swan Hill	9	16	2	2	72	64	165
Warrnambool	11	12	0	1	34	52	110
West Wimmera	0	3	0	2	4	2	11
Yarriambiack	0	13	0	0	9	0	22
Total	369	666	49	257	1,080	817	3,238
Grand Total²	2,333	3,482	249	4,747	11,928	9,974	32,713

¹ Includes offences recorded under:

837AQ - REFUS/FAIL COMPLY DIR/REQ AUTH OFF (B/C)

837AT - REF/FAIL COMPLY REQ SELF-ISO/QUARANTINE

837AV - LEAVE RESTRICTED AREA W/O VALID REAS/EXC

837AW - REF/FAIL COMPLY REQ-PRIV/PUB GATHERINGS

837AR - REF/FAIL COMPLY DIR/REQ WEAR FACE COVER

837AP - REFUS/FAIL COMPLY DIR/REQ AUTH OFF (IND)

² Includes offences recorded at Justice institutions and immigration facilities, Unincorporated Victoria and where the geographic location is unknown or outside of Victoria.