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Mr Gordon Cooper  
Director - Enforcement Group  
WorkSafe Victoria

2 June 2021

Dear Mr Cooper,

I refer to my letter of 29 September, 2020 pursuant to section 131 Occupational Health and Safety Act 2004 (Vic) (the Act) requesting WorkSafe to prosecute various individuals and agencies for indictable offences under the Act in relation to what can only be described as the entirely botched COVID-19 Hotel Quarantine Program and our subsequent correspondence.

Please note that if the Authority (WorkSafe) advises me that any or all of the prosecutions requested in my letter of 29 September, 2020 will not be brought, or that they have not brought any or all of the prosecutions requested by the 29 June 2021 (9 months after receiving my request on 29 September 2020), I hereby formally request the Authority to refer the relevant matters to the Director of Public Prosecutions to consider the matters and advise (in writing) the Authority whether or not the Director of Public Prosecutions considers that prosecutions should be brought pursuant to sections 131(3) and (4) of the Act.

Further, I note that pursuant to section 131(5) of the Act, the Authority must ensure a copy of the advice received from the Director of Public Prosecutions in relation to the relevant matters is sent to me as the person who made the request on 29 September 2020 and, if the Authority declines to follow advice from the Director of Public Prosecutions to bring proceedings, the Authority must give me written reasons for its decisions.

In addition, I note that as at the 29 June 2021, WorkSafe will have had 15 months to complete its investigations into the occurrences, acts and omissions in relation to the planning, development, control, operation of Victoria's Hotel Quarantine Program (which commenced on 26 March 2020) such a period of time being reasonably practicable for WorkSafe to have completed its investigations pursuant to section 131(2C) of the Act.

Regards

Ken Phillips  
Executive Director