

LTS:DAT

IN THE NEW SOUTH WALES STATE CORONER'S COURT

STATE CORONER O'SULLIVAN

5 THURSDAY 1 MAY 2025

2024/00139002 - BONDI JUNCTION INQUEST

PART HEARD

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AUDIO VISUAL LINK COMMENCED AT 10.01AM

15 HER HONOUR: Good morning. Ms Sullivan.

SULLIVAN: Good morning, your Honour. The next witness is known by a pseudonym, Special Operations Team 1, or SOT1, and I call SOT1.

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<SOT1, SWORN(10.01AM)

<EXAMINATION BY MS SULLIVAN

5 Q. In these proceedings, you are known by the pseudonym SOT1, correct?
A. That is correct.

10 Q. Your full identity is known to the Court and the parties in these proceedings?
A. That's correct.

15 Q. Are you an acting inspector within the New South Wales Ambulance service?
A. That is correct, I am, yes.

20 Q. Your current role within the New South Wales Ambulance service?
A. My current role is an intensive care paramedic, Acting Inspector, New South Wales Ambulance Special Operations, and I'm currently sitting in the position of the Special Operations Team coordinator.

25 Q. Before I proceed further with your evidence, I understand there's something you would like to say?
A. There is. I wish to express my sincere condolences and sympathy to the families of the victims and to all those who were affected, both physically and psychologically, by this tragic event. I cannot comprehend the grief that the families and the victims' associates have experienced throughout their loss.

Q. Thank you.

30 HER HONOUR

Q. Thank you.

35 SULLIVAN

Q. You referred to being a Special Operations intensive care paramedic. What is that?

40 A. Intensive care paramedic is a level of clinical qualification within New South Wales Ambulance, and that exists throughout the entirety of New South Wales Ambulance. Special Operations Team specifically is a group of trained paramedics who have undertaken a speciality access course to enable them to provide access, treatment, and provision for extrication of patients in any environment that would be challenging or difficult or not reasonable for the general paramedic workforce to access.

45 Q. Is it correct that SOTs - Special Operation Team - paramedics often have involvement with their counterparts in the New South Wales Police Force, that is, the Tactical Operations Unit?

50 A. That is correct. We also work closely with a number of other specialist police groups.

Q. How long have you been involved in the Special Operations space within the New South Wales Ambulance service?

A. I completed my Special Operations Team training in 2017.

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Q. Since that time have you operated as the duty officer for that team?

A. Intermittently at various times I have acted as that role, yes.

Q. When did you first commence in that role?

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A. It would - that was in early 2024.

Q. When did you first become a paramedic?

A. In 2006 I completed my initial training.

15

Q. With the New South Wales Ambulance service?

A. With New South Wales Ambulance, yes.

Q. On 13 April 2025, in what capacity were you involved with the relevant events?

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A. I was the Special Operations duty officer on-call Inspector across a seven-day period.

Q. For the purposes of this coronial proceeding, you've provided two statements, that's correct?

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A. That's correct.

Q. The first one is dated 15 May 2024 and has annexed an operational log?

A. That's correct, yes.

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Q. The second is dated 24 April 2025?

A. Yes, that's correct.

Q. Any corrections you wish to make to those statements?

A. No, not at this time.

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Q. The structure of your examination is that I'm going to deal with some matters, some procedural matters relating to the training and selection process for SOT paramedics and the model for SOT paramedics within the New South Wales Ambulance service, as a matter that may be of potential relevance to her Honour's function in relation to recommendations. You understand?

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A. Yes, I do.

Q. Then I'm going to turn to your involvement on the day and run through the matters based on what you were involved with. And finally, ask you about your reflections.

45

A. Mm-hmm.

Q. Turning first to a matter that is primarily dealt with in your second statement, and that is the Special Operations Unit and the qualification process for a SOT paramedic. You deal with this at paragraphs 8 to 12, but just in

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general terms, can you explain how does one become a SOT paramedic?

5 A. Special Operations Team recruitment is undertaken at various times, and there is a selection process designed to provide a group of applicants with a level of exposure to some of the environments that Special Operations Team paramedics operate in.

10 Firstly, there is a written application and followed from that is a number of barrier testing exercises, aptitude testing, and also physical testing to determine suitability for the environment and also the ability to learn and adapt. And from the barrier testing and aptitude testing, a suitability list for interviews is created, and then interviews are conducted on those that are deemed suitable, and an eligibility list for a training course is then determined from those interviews.

15 Q. Pausing there, at paragraph 10 of your second statement you refer to that process usually yielding around 60 to 80 applicants?

A. Yes, that's, that's correct. That's the general starting point before the barrier testing.

20 Q. Then it's whittled down to about 12 applicants who proceed through to complete the actual SOT course, is that right?

A. The eligibility list will consist of the 12 top ranked applicants who will be offered a position on an upcoming course.

25 Q. Then they take part in a seven-week rigorous training course?

A. That's correct.

Q. With continual assessment, is that right?

30 A. That's correct, yes.

Q. A person gets three potential passes and then is otherwise disqualified?

A. That's correct.

Q. So, a very rigorous process, in summary?

35 A. There is continual assessments and a significant amount of stress on every applicant throughout that course.

Q. Is it rare for all 12 to pass?

40 A. It is very rare. Normally we will finish with eight to ten from the original 12.

Q. In your experience, how often does this recruitment process occur?

A. It's, it's generally a number of years between each recruitment process.

45 Q. Do you think that recruitment is happening enough to generate SOTs to service the State of New South Wales?

A. It's my belief that we need more numbers, and recruitment would be beneficial to be taking place more frequently.

50 Q. Once trained as a SOT paramedic, a specialist operator, there's a requirement to maintain currency in those skills, is that right?

A. That's correct, yes.

5 Q. In fact in your second statement you've attached at annexure A the relevant policy directive, that is, specialist operator scope of operations training currency and authorisation. I don't need to take you to it, but it's clear that there's an ongoing training requirement to maintain your credentials as a SOT?

A. That is correct, yes.

10 Q. Indeed, during the 12-month cycle for a SOT paramedic during their rostering, in a ten-week block - which we'll come to - there's a requirement to undergo training during each ten-week block of rostering as a SOT?

A. Each ten-week block has a scheduled four days of specific specialist training to enable the ongoing currency of skills.

15 Q. In terms of the SOT paramedic model within New South Wales, does SOTs exist within a Special Operations Unit that is a standalone model, or are they embedded into other clinical operation units throughout the State?

20 A. Special operations unit exists as a unit, however, we do not have a substantive workforce under that unit of operators. All of those that are trained with the specialist skill set occupy a substantive position within clinical operations in broader ambulance, and then are seconded into Special Operations to work on the SOT roster for a ten-week period.

25 Q. I see. So they can come from any station or zone, and they're rostered on to do that ten-week block, is that right?

A. In the metropolitan, in the metropolitan zone or metropolitan operations, yes.

30 Q. Does that mean that they need to be released by those particular metropolitan areas?

A. That is correct.

Q. In your experience, is there some reluctance to do that sometimes?

35 A. There has been some reluctance and challenges around having staff released to work the Special Operations roster modules.

Q. Is that because those positions then need to be backfilled within the clinical operations area they've come from?

40 A. That is my understanding, yes.

Q. Does that mean that if there's a reluctance to release paramedics to fill the SOT roster, that you, as the duty officer for the SOT team, can have difficulties finding enough SOTs to put on the roster?

45 A. That is correct, yes.

Q. Is that a frequent problem in your experience?

A. Yes, it is.

50 Q. At paragraph 16 of your second statement, you note that in 2024, a briefing note was prepared for the executive concerning the proposed restructure of

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the Special Operations Unit so that it would be a standalone operational unit?

A. Yes, that's correct.

5 Q. Do you know if that briefing report was prepared before or after April 2024?
A. I'm not sure of the timing of that, the preparation.

Q. But you are aware that that's an ongoing body of work?

A. Yes.

10 Q. And there will be an institutional witness, to your knowledge, who can speak to that issue?

A. Yes, I believe so.

15 Q. This problem of rostering, in your experience, is this a recent thing, or has it been an ongoing problem?

A. This has been an historical problem for a number of years.

Q. Has it been a historical problem ever since you've been a SOT?

20 A. Yes, it has been.

Q. Do you know how many fully trained SOTs there are in the State of New South Wales?

25 A. Currently we have 57 that are dedicated Special Operations Team trained paramedics in the metropolitan area. That's not including the rescue operators in regional areas.

Q. Are the full 57 available to you as a duty officer who's dealing with rostering?

30 A. No, not specifically. From that 57, we then draw secondments into the specialist training roles, and also some management roles and coordinator roles, and generally speaking, we have around 45 in any roster period that we may be able to request to be released.

35 Q. At paragraph 17 of your statement you say it's common to have 35 SOT paramedics on each ten-week roster projection?

A. That's correct.

Q. Is that right?

40 A. Yes.

Q. Is that enough?

A. No, it's not enough.

Q. How many more to you need?

45 A. Our current roster model requires a minimum of 41. That does not include the tactical paramedic roster. We then draw off the on-road rosters to fill the tactical paramedic roster. If we included five for every single module, we would need a minimum of 50, and then extras to allow us to backfill any vacancies created by annual leave, long service leave, paternity leave, and
50 other unforeseen leave.

Q. Do you, from your experience, think the notion that a standalone unit for the Special Operations Team paramedics, do you think that that is a way to address this rostering issue that you're referring to?

5 A. Yes, I do.

Q. Do you think there's some urgency in relation to addressing that issue?

10 A. I would like to think that there was some urgency, and I believe it should be processed as, as timely as possible.

Q. Did those rostering issues impact on your capacity as the duty officer on 13 April 2024 to find the SOTs to respond?

A. Yes, they did.

15 Q. We'll come to the details of that. In terms of the policy framework that underlines the SOT operation model, you've set that out at paragraph 19 of your second statement, but in general terms, when is a SOT response activated?

20 A. A SOT response is activated where patient access is required in any area that is not reasonably accessible by the general ambulance workforce. That could be a confined space, it could be an isolated environment, it could be a cliff or marine environment. It's an environment that has associated risks that require specific training and knowledge of the environment to be able to mitigate those risks. And then ongoing PPE requirements, as well.

25 Q. An active armed offender situation is a circumstance in which SOT paramedics may be activated?

A. Absolutely.

30 Q. How is that response activated in your experience?

35 A. Generally, when an incident is identified by the ambulance control centre that a specialist response is required, they will source those responses from the roster that is available to them. They have visibility of where the on-shift SOT paramedics are at the time, and they will generally contact the duty officer to discuss the nature of the activation, and also seek advice and discuss any further requirements regarding specialist assets or activations.

Q. Can other agencies request a SOT response?

40 A. They can. We have a, a longstanding relationship with New South Wales Police specialist groups, and if they require a specialist response group, they make direct contact with the SOT duty officer to request those responses.

Q. What's the role of the SOT duty officer if a SOT response is activated?

45 A. It provides a number of things. There may be information directly in the case that has not been identified by the control centre as needing specialist - further specialist response. It can be tactical advice, and also a level of mission oversight for the overall mission, and also a point of contact for the specialist paramedics if they require any further resourcing or asset activations.

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Q. Is there a point where your role as duty officer turns into a tactical advisory role?

5 A. It certainly can, and as was the case on 13 April where I responded as a tactical advisor. Due to the number of, of SOT paramedics that we had in the field, and the nature of their operations, I, I deemed it necessary to respond to have a presence at the scene to be able to be a intermediary and go-between communication channel between New South Wales Ambulance forward command centre, and also the Tactical Operations Unit and the, the SOT paramedics on site.

10 Q. Once you were on scene in that role as a tactical advisor, are you reporting to the TOU commander or are you still within the ambulance chain of command, reporting to the Ambulance Commander?

15 A. I'm reporting to the Ambulance Commander, but I am closely communicating with the Tactical Operations Unit regarding the intel that they have as to the nature of the incident and the evolving situation, to enable communication with the Ambulance Commander, and also coordinate the Special Operations Team responses.

20 Q. What about the SOTs who are embedded within that TOU team, who are they reporting to?

A. They're talking directly to the team leader or the shift supervisor who may be coordinating the responses. And they're also communicating and reporting directly back to me.

25 Q. In general terms, the ambulance control centre, to your understanding, what's their role in relation to the scenario where a SOT response has been activated?

30 A. So they have broad oversight of the entire incident. They have the ability to see all of the assets that are activated, and they are primarily tasked with tasking the specialist resources and then contacting the duty officer for further advice to enable any assistance that may be required.

35 Q. We'll come to the details of this, but just in short form, the activation of the SOT response on 13 April 2024, how did that occur?

40 A. I became aware of the incident kind of by accident. I'd been dealing with another matter throughout the night and I had made contact with Sydney operations control centre discussing a vehicle movement when I was subsequently told about the incident. And the, the exact words were, "Someone has just gone nuts with a gun at Bondi", and, "We don't have time for this", was essentially the, the, the nature of the conversation. It is my understanding that, however, a number of SOT resources had already been responded from their respective locations prior to me having that conversation.

45 Q. That was done by the control centre--

A. Correct.

Q. --directly with those SOTs?

50 A. Yes.

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Q. But to be clear, you weren't on notice about that?

A. No I was not.

Q. Ought you had been?

5 A. I should have been, yes.

Q. We'll come back to that. Can I just deal with a couple of matters in terms of procedural - annexures to your statement and the like. At annexure D of your second statement, you've got the New South Wales Special Operations Unit Tactical Primary Assessment. That's a document dated June 2017?

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A. Correct. Yes.

Q. That's a document that explains the guidelines for tactical emergency casualty care in a tactical environment based on the threat level. That's right?

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A. That's correct. Yes.

Q. It highlights the importance of situational awareness as being imperative to paramedic and patient safety. Correct?

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A. Yes. That's correct.

Q. It outlines the three threat levels, namely direct, indirect or evacuation care. That's right?

A. Correct. Yep.

25

Q. Is that document still current, notwithstanding that it's dated 2017?

A. Yes. The date is 2017, however, the overarching principles of a tactical primary assessment have not changed.

30

Q. Those are the principles that inform SOTs when they are responding to a given incident?

A. Correct. Yes.

Q. In terms of the Active Armed Offender Work Instruction, are you familiar with that document?

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A. I am. Yes.

SULLIVAN: We might just pull that up for reference purposes, please. That's at tab 1214 of vol 36.

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Q. Do you have access to that?

A. Yes. I do.

Q. When did you first become aware of that document?

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A. When I undertook my training, there was my SOT training, and the active - the, the tactical medical operations training that we do as part of the Special Operations Team course in 2017.

Q. Is there constant training on this document, as in it forms part of annual training requirements?

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A. The tactical medical operations currency training that we undertake as part

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of our credentialling process and our currency processes through Special Operations. The - what is established in that document is referred to on an ongoing basis through our training.

5 Q. Prior to 13 April 2024, had you been to an active armed offender situation?
A. No, I had not.

10 Q. In terms of the key principles - they're set out on page 2 of that policy - "safety of staff, patients, other agency personnel and bystanders is the primary objective". It then goes on to refer to the "escape, hide, tell" message?
A. Correct.

15 Q. At 3.3 there is reference to scene management. It's on the screen. "Police will divide the scene into three zones", and they're specified. Hot zone is an area of an active threat. Warm zone is an area of indirect threat, and a cold zone has no threat. You see the first sentence refers to the police dividing the incident into three zones?
A. Correct.

20 Q. In your experience, is that something that occurs by the police, or is that something that ambulance tend to assess based on intelligence from police?
A. It is generally my understanding that police will make the determination. Communication of those zones for ambulance staff may come through the Ambulance Commander based upon the intelligence provided to them by
25 police.

Q. Have you had discussions with police yourself on any given scene using that terminology?
A. Yes. On that scene - not, not the specific scene we're talking about, but on
30 previous jobs, or previous incidences, we use phraseology similar to that to determine the areas in which various different resources can be placed.

Q. When you say you use phraseology similar to that, what do you mean?
A. Using - I guess using area, area of safety, area of risk, or a position of
35 safety is another way that we communicate when we're working specifically embedded with the police TOU. And we, we will, you know, say "Where is the areas of safety", or "Where is the area of risk", related to this particular incident.

40 Q. Those are discussions with tactical police?
A. Yes. Correct.

Q. They're not discussions with general duties, in your experience?
A. Not my experience, no.
45

Q. But even when you're talking to tactical police you're not using hot zone, warm zone, cold zone?
A. Sometimes, but not necessarily specifically on every case. The, the delineation of a hot, warm and a cold zone when working with the Tactical
50 Operations Unit can be very fluid depending upon their movements. It is not

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necessarily a rigid, defined border; dependent upon what they may be doing and how the scene may be evolving.

Q. But in your experience, tactical police understand those concepts?

5 A. It's my understanding. Yes.

Q. The importance of this is to define, in terms of SOT operation, the warm zone, which is a dynamic area of potential threat where the threat level isn't direct or immediate, but that is a zone in which SOTs can operate, provided they have appropriate PPE?

10 A. That's correct. Yes.

Q. In contrast, a hot zone is an area where no New South Wales Ambulance personnel can operate?

15 A. That's correct.

Q. Just in terms of the structure for the TOU New South Wales Ambulance arrangement for SOTs to work with those tactical police, that's set out in an MOU that you've referred to at paragraph 35 of your second statement?

20 A. Correct.

Q. From 2008, and in fact you annex that MOU to your second statement?

A. Correct.

25 Q. The primary role of paramedics who are embedded with the tactical police, TOU, is to provide safety for the TOU officers. Is that right?

A. That's correct. Yes.

Q. Those SOTs have particular training in active armed offender situations and other matters to enable them to work with the TOU?

30 A. That's correct.

Q. Is there any distinction in terms of the training for a SOT when they're working with TOU as opposed to the Public Order Riot Squad?

35 A. We undertake - prior to working on the roster in the embedded model, we undertake an orientation process with the Tactical Operations Unit to understand their methods of deployment, their vehicles, and how we integrate into their operations in a way so that it's seamless. We also work with the Public Order Riot Squad, but not necessarily as close as we do not have an
40 embedded roster model with them.

Q. Correct that in terms of the TOU roster, it should be the position that two SOTs are rostered for each shift. Is that right?

A. That's correct. Yes.

45

Q. If the TOU team are activated, how are the SOTs then activated, from your perspective as a duty officer?

A. So our tactical paramedic team are located in the Tactical Operations Unit headquarters whilst they're on that roster, and when the TOU are activated for a case, the paramedics will contact the SOT duty officer to alert them to the

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fact that the TOU have been activated, and then the duty officer will then make contact with Sydney control to have an, an incident case built within CAD. That is then dropped to - that is allocated to the vehicle so that they have visibility over the staff when they're deployed.

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Q. Let's go to 13 April in terms of your role as the SOT duty officer. You were responsible for the rostering that day?

A. That's correct.

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Q. Had you done the roster weeks in advance, or is it done a week in advance, or how does it work?

A. The, the roster is set out in a ten-week block and then is rather fluid, depending upon requests that we have for specialist services and then any changes that need to be made. It was finalised on the Friday, and then, then it will generally be fluid over that seven days, dependent upon requirements.

15

Q. Were there SOT resources rostered on for the TOU team on Saturday 13 April?

A. No, there was not.

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Q. Why was that?

A. There - on that particular day, there was ten SOT paramedics rostered out of a maximum of 18, or 20 if you include the, the tactical paramedic team. It was a weekend that was projected to have good weather and there was - historically, that will mean that there is a significant amount of recreational activity in the eastern seaboard and surrounding national parks, being Ku-ring-gai, Blue Mountains, Royal National Park, Wingecarribee and in the Illawarra. And the - I was balancing my resources, based on my geographical area, and also the likelihood of activity and the requirement for specialist resources, and I chose to not forward deploy and backfill a vacancy that was created on the, the tactical paramedic roster with somebody off the road, as I anticipated it would be busy in those recreational areas.

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Q. You're having to make these very difficult decisions about the rostering of staff based on weather and other matters?

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A. That's correct. Yes.

Q. Each day?

A. Yes.

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Q. At paragraph 51 of your second statement, you say "The Special Operations Unit had five out of ten possible SOT modules covered", and you detail how they were covered. But there's a number of areas that have nil rostering?

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A. Yes, that's correct.

Q. That's a very difficult position, I imagine, for you to be in as the duty officer?

A. Yes, it is.

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Q. It really comes to the fore in a situation like 13 April?

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A. Absolutely.

Q. In terms of the resources that were ultimately dispatched to the incident on 13 April, there were five SOT team members?

5 A. That's correct, yeah.

Q. They had come from disparate areas, namely from Kogarah, from Caringbah, from the Central Coast and from Penrith?

10 A. That's correct.

Q. And indeed you allocated yourself and came from your own private residence?

A. That's correct, yes.

15 Q. I turn to the question of the equipment available to the SOT team responding on the day. You deal with this at paragraph 52 and following of the second statement, but in short form, SOT paramedics are issued with, or can at least access certain specialised equipment, that's right?

20 A. That's correct, yes.

Q. This includes body armour vests or ballistics PPE?

A. Mm-hmm.

Q. And a special ballistics helmet?

25 A. That's correct.

Q. You've included some images of those equipment at pages 24 and 25--

A. Yes.

30 Q. --of your second statement. That equipment can be used by the New South Wales Ambulance Service in accordance with a special prohibited weapons permit that is issued by the New South Wales Police Force?

A. That's correct.

35 Q. That was granted in September 2021 as you've set out at paragraph 52--

A. Yes, correct.

40 Q. --of your second statement. That authorises a particular nominated person and current SOT paramedics to use that equipment when they're providing medical support in high threat or high risk incidents to the New South Wales Police Force or the AFP, right?

A. Correct.

45 Q. But it's subject to certain conditions, including that it has to be returned to safe storage locations at the end of each shift?

A. That's correct.

Q. The previous system in 2021, was that equipment being co-located at particular stations where SOTS were operating from, is that right?

50 A. That's correct, yes.

Q. So if they're activated, they'd go and grab their vest from the storage unit, jump in the car and off they would go?

5 A. At the, at the commencement of, of a block of shifts, being the four shifts allocated per roster cycle, the staff would previously have signed out of the register those prohibited items, being the ballistic PPE, and then securely located them in their vehicle and had them available to them for the duration of their four shifts, both whilst on shift and also on call in between those shifts.

10 Q. That system changed in September 2023. What happened at that time?

A. At that time, all of the paramedics received a directive that the serviceability - the service life of the ballistic plates in those vests was reaching its end and they were required to be returned back to Special Operations headquarters, and a further ten sets that had an ongoing serviceability life were maintained and stored at Special Operations for access if required.

Q. That's in a central repository. That's not necessarily convenient for SOTs to access?

20 A. No, no it's not.

Q. What's been the consequence of that, in your experience?

A. It's meant that there has been a delay in being able to provide the specialist police groups with close medical support with the appropriate PPE.

25 Q. Was that something that occurred on 13 April?

A. Yes, it was.

Q. In what respect?

30 A. There was a delay of the paramedics that arrived on scene being able to directly participate in any of the specialist police groups' activity until that, that ballistic PPE arrived on scene.

Q. Do you have a sense of how long that delay was?

35 A. Not exactly. I would have to refer to my log from when Mr Lloyd was activated, and how long it took him to access and then get that to scene. I would have to refer to my log for that.

Q. At paragraph 64 you refer to there being ten complete sets. That's the helmet and the vest?

40 A. That's correct.

Q. Is that ten sets in total that are available for use?

A. That is correct, yes.

45 Q. But at paragraph 67, you refer to there being an executive process within New South Wales Ambulance to procure further equipment?

A. That's correct, yes.

Q. An additional 20 sets, is that right?

50 A. I believe that that's the number that has been ordered, yes.

Q. But you don't know the status of that procurement?

A. I understand that it has been ordered. The exact timeline for receipt of that I'm not sure.

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Q. An obvious question, but there's some urgency around SOT paramedics having access to the equipment that they need?

A. I believe so, yes.

10

Q. Do you have a comment to make about the storage of PPE, the move to the new system in September 2023? Do you have a view about whether the previous system was better?

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A. If all of the ballistic PPE and the volume that is required is available, it is my belief that it is of benefit to have those, those sets placed at locations that are accessible, and that the staff are able to sign them in and sign them out and have them available to them whilst they are on shift for the duration, as opposed to having them located in a central location and creating a delay.

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Q. Those storage facilities are still available at those various locations?

A. It's my understanding, yes.

Q. So the only impediment is the procuring of the further sets?

A. I believe so, yes.

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Q. We're coming now to Saturday 13 April.

A. Understood.

Q. As we know, on that date you're the SOT duty officer. You've got a duty phone, one assumes?

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A. That's correct.

Q. And a duty vehicle?

A. Yes, that's correct.

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Q. At 3.46, we know you first become aware of this job, and you referred to it at paragraph 70(a) of your second statement. It's also in your first statement. But you've also touched on it in evidence. In short, as we understand what you've said, you rang in relation to another job and someone then told you "We don't have time for this. Someone's gone nuts with a gun at Westfield", is that accurate?

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A. That's correct, yes.

Q. What happened from that point?

45

A. From that point, I then - after the phone call was terminated, I accessed the computer-aided dispatch programming that we have that allows me to have visibility of the incidents, and at that point I noticed approximately 15 different incidences that all related to the same location with the same - generally speaking the same information, and I was attempting to ascertain the nature and the gravity and the scale of that incident to understand exactly what was taking place.

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Q. At 3.49, we know you tried to contact your counterpart at the New South Wales TOU?

A. That's correct.

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Q. But that call wasn't answered?

A. That's correct.

10 Q. Pausing there, that's the time when you commenced the operational log that you've annexed to your first statement?

A. That's correct, yes.

Q. Why did you do that?

15 A. I saw that this was a large scale incident, and I think I, I believe I'd already identified that there were a number of SOT resources dispatched to the scene, and I believe in taking notes so that I have a record and evidence, and I anticipated that I would be involved in this incident ongoing.

Q. Had you ever seen anything like this before in your career?

20 A. No.

Q. You've set out at paragraph 70(d) of your second statement that you received a text from your Superintendent?

A. That's correct, yes.

25

Q. Tell us about that text, what that conveyed?

30 A. The text message - it's my understanding that Superintendent Jordan received notification from another member of New South Wales Ambulance located in the Aeromedical Control Centre and the message was through a, a platform that is designed to allow transfer, or allow communication between the superintendent level of management regarding significant, unusual and notifiable incidences--

Q. Within New South Wales Ambulance?

35 A. Within New South Wales Ambulance, yes. I was not part of that communication group, and that text message indicated that there was an ongoing significant incident and that there were limited - there was limited information at that time, and the question was posed to me, are we, as in Special Operations Unit, "Are you aware of this event?"

40

Q. That text at 3.49, it says, "FYI, PAER Kwon" - that's an individual?

A. That is correct.

Q. "SUN", what does that mean?

45 A. Significant, unusual and notifiable is my understanding.

Q. "Event at Bondi, stabbing with multiple victims, information is sketchy, updates on teams under Helo notifications"?

A. Yes.

50

LTS:DAT

Q. You continued to monitor the CAD from that point onwards?

A. I did, yes.

Q. On your computer?

5 A. That's correct.

Q. You've touched on this earlier in your evidence and you address it at paragraph 6 of your first statement and at 71 of your second statement, but you say this:

10

"As the on-call Special Operations duty officer I would expect to have been notified about any serious incidents requiring Special Operations responses and staffing."

15 A. That's correct.

Q. We take from that that you were troubled that you had not been contacted about this very serious incident?

A. Yes, I was.

20

Q. Is that something that you have raised within the executive at New South Wales Ambulance?

A. Yes, that was raised to my immediate superiors.

25 Q. You're aware that action has been taken in relation to that communication oversight?

A. I'm not aware of anything specific and how that may have been addressed, but my due diligence was to raise that with my managers.

30 Q. In the ordinary course, the control centre should have immediately advised you?

A. That's correct.

35 Q. If there had been that earlier communication to you shortly around the commencement of the incident, what would you have done?

A. I would have looked broadly at where all the resources were and sought to activate another SOT paramedic to Special Operations headquarters to retrieve the relevant PPE to be able to then provide the, the close medical support to any specialist police group that was on the scene.

40

Q. That lack of notification to you, did that cause delay, to your understanding?

A. It caused delay to that ballistic PPE getting to scene and I believe it caused delay for Special Operations being able to integrate into the police operations, yes.

45

Q. Is that because two of the SOTs were activated from the Central Coast as opposed to other areas that were closer?

A. That's correct, yes.

50

LTS:DAT

Q. You would have known that if you'd been contacted?

A. Yes, I would.

5 Q. At 4.07pm, you receive a call from the TOU coordinator to your duty phone?

A. That's correct, yes.

Q. To your best recollection, what was discussed with him?

10 A. I was seeking clarification of the, the intel as it currently stood, as the information that I could see through the Ambulance CAD system indicated that the offender or person of interest had been accounted for, and that there - it appeared from the information I was reading there was no ongoing threat. However, at that point, I was informed that there was the potential for a second offender who was as yet unaccounted for.

15

Q. Did you confirm that you would dispatch SOT resources?

A. I did, and I also communicated that there were a number of SOT resources already at the scene. However, there was not any ballistic PPE available to them and I would be sourcing - I would be making those arrangements.

20

Q. To be clear, if they're at the scene and they don't have their ballistic equipment, they can't go in if there's a warm zone?

A. That's correct.

25 Q. At 4.10, you telephoned SOT Lloyd and requested that he obtain the PPE from a particular location that we don't need to name--

A. Yes, that's correct.

Q. --and bring it to Bondi Junction?

30

A. That's correct.

Q. But that's not a location that is immediately proximate to Bondi Junction, is it?

A. No it's not.

35

Q. You spoke to the Sydney control room at 4.11pm to update them, is that right?

A. Yes I did. Yeah. That was to inform them that SOT Lloyd was being dispatched from Penrith to retrieve the ballistic PPE and then would be proceeding to the incident.

40

Q. Then at 4.13pm you spoke with SOT McKell who is on the scene, is that right?

A. That's correct, yes.

45

Q. He was the first SOT resource to be on scene?

A. That's my understanding, yes

Q. What did you learn from him?

50

A. He - that conversation involved what he'd been participating in regarding

immediate patient care. It's my understanding that he was immediately involved in treatment of victims and also providing support to the other ambulance resources that were there, and I informed him that SOT Lloyd would be bringing ballistic PPE to the scene, and from my recollection, I believe that he had already had contact with the TOU at that time. He had worked previously extensively in the tactical paramedic roster and, and understood the process and had made contact with them.

Q. At 4.14 you update your duty Superintendent?
A. That's correct, yes.

Q. Then at 4.34, there's a further call with the TOU coordinator. Just in general terms, what was the nature of that discussion?
A. That was to provide them with an update regarding the staffing plan from Special Operations to assist them with their ongoing operations, and to try and ascertain exactly the further nature and the intel as it stood at that point in time.

Q. At 4.40 you have a conversation with another SOT who is subject to a pseudonym, SOT2, who is then within the TOU, and you deal with this at paragraph 16 I think of your first statement, but were you aware that SOT2 was with the TOU prior to this call?
A. I, I, I can't recall whether he - I was aware if he was, but during that call, he made me aware that he has also had contact with the TOU and was in discussions around what their potential plan was and how we may assist.

Q. His difficulty was that he didn't have access to ambulance PPE, was asking you if he could use police PPE, is that right?
A. That's correct, yes.

Q. What did you do in response to that question?
A. I notified him that that would require approval from above and I would need to escalate that, as previous directives that we'd received from Special Operations managers that were - that only New South Wales Ambulance issued PPE is to be used.

Q. What did you do then?
A. So, I then made a phone call to Superintendent Jordan to request approval for the SOT paramedics on scene to utilise police ballistic PPE.

Q. What was her response?
A. She also had to escalate and made a phone call to have a discussion. I'm not exactly sure who that phone call was to. And then she returned a call to me stating that the approval was given for them to use police PPE, but only to be used by members of Special Operations who had extensive experience working with a tactical paramedic, and once ballistic PPE issued by New South Wales Ambulance was available, it needed to be swapped over.

Q. Between that call at 4.40pm and that further call with your duty Superintendent at 4.56, there's some 16 minutes--
A. Correct.

LTS:DAT

Q. --passes?

A. Yes.

5 Q. That goes back to the necessity and urgency, does it--

A. It does, correct.

Q. --for SOT paramedics to have their own--

A. Yes.

10

Q. --PPE--

A. Yes, it does.

Q. --readily available?

15 A. Yes, it does.

Q. At around 5.10 - or let's go back to that call with Superintendent Jordan.

Do you make a decision at that point about your own attendance?

A. At that point in time, I was still undecided as whether I would be attending.

20 I believe, though, I was, I was starting to look broadly at other options of staff that may be available to assist one of the other coordinators within Special Operations who may be in a better proximity or a closer distance, due to where I live.

25 Q. Did you ultimately decide to attend?

A. I did, yes.

Q. Was that in part because you knew that there were five SOT resources on scene?

30 A. That's correct, yes.

Q. You left home at 5.10 from your home in South Sydney?

A. That's correct.

35 Q. In effect?

A. Yep.

Q. And travelled lights and sirens to Bondi Junction?

A. That's correct, yes.

40

Q. Prior to arrival, you had a number of conversations with people on scene?

A. Yes, I did.

Q. Including SOT McKell--

45 A. That's correct.

Q. --about the approval--

A. Yes.

50 Q. --the PPE status?

LTS:DAT

A. That's correct, yes.

5 Q. Then at 5.41 you refer to, in your statement, a further discussion with SOT McKell. He tells you that PORS are going to enter and clear, TOU are on standby, that's right?

A. That's correct, yes.

Q. Soon after that you arrive on scene?

10 A. Yes, that's correct.

Q. What happens once you arrive on scene?

A. Once I arrived on scene, I confirmed with the - or I had a discussion with the Tactical Operations Unit shift supervisor and also our commander.

15 Q. Pausing there, where's that discussion?

A. That was in the loading dock where they were located.

Q. How did you know where they were located?

20 A. I had spoken to SOT McKell on - whilst I was en route after he had participated in one of their briefings, and he relayed the, the location of where they were.

Q. Okay, sorry. Keep going.

25 A. And so I had a conversation with the, the, the commanders of the TOU regarding their planned ongoing operations and any further intel that was pertinent at that time, and how we could be of assistance in their operation.

30 Q. We don't need to go into the specifics of any planning, and in fact that's subject to a non-disclosure order, but just in terms of your understanding, on arriving at the scene shortly after 5.41, what were you told about this second offender issue?

35 A. I was told at that point in time the second offender had been accounted for or was no longer deemed a threat, or the intelligence around that negated the need for - or explained that there was - they believed there was not actually a second offender.

Q. What was the status of Westfield Bondi Junction in terms of the designation of hot, warm, cold when you arrived?

40 A. I'm unsure of what it was actually classified by the police at that point in time.

Q. By the police?

A. By the police.

45 Q. Were you aware that there'd been a declaration or a direction by Assistant Commissioner Armitage at 4.28--

A. No.

Q. --that it was a hot zone?

50 A. I was not aware of that correspondence.

Q. You hadn't heard that?

A. No.

5 Q. When you're operating on the radio in a SOT capacity, are you on the same major incident channel as the rest of the service?

A. Yes, I would be. However, at 4.28, I was still at my residence not listening to the radio, as I was on the phone.

10 Q. After those initial discussions with the TOU commanders, did you come to understand at 6.20 that TOU were standing down?

A. That's correct, yes.

15 Q. And that some SOTs would remain on scene if needed to be deployed, but that was to be confirmed?

A. That's correct, yes.

20 Q. Then at 7.19 you spoke with the ambulance commander at the time, so that's Acting Superintendent Karl Cronan, do you recall that?

A. That's correct, yes.

Q. Was that the first time you'd made contact with the Ambulance Commander?

A. Yes, that is.

25

Q. The purpose of that was an update to him on the SOT situation?

A. That's correct, yes.

30 Q. You state in your first statement at paragraph 30, "I don't believe that he was aware SOT resources were on scene". What did you mean by that?

A. I'm unsure of exactly what took place in that conversation to lead me to that belief, but there was definitely a further action - and I'm not sure that I recorded it in my log - where there was a radio transmission from Sydney control requesting an update from the ambulance commander regarding all of the
35 New South Wales Ambulance resources that were currently still at the scene, and Special Operations paramedics were omitted from that update.

Q. So that made you think that there wasn't an awareness--

A. That's correct.

40

Q. --that you were there?

A. Yes, that's correct.

45 Q. What was the response from the Ambulance Commander when you gave him the update?

A. He was thankful to understand what we were up to and where we were.

Q. Okay. Then from 7.25 to about 8.40, the SOTs continued to assist PORS in clearing the centre?

50 A. That's correct, yes.

Q. And to be clear, that's not in relation to any concerns about a second offender because, as you say, after 5.41, that issue had been resolved, to your knowledge?

5 A. To my knowledge, yes.

Q. At 8.46 you've relayed information to Superintendent Cronan that the building clearance process is complete and that all the SOTs are leaving for a debrief with tactical police?

10 A. That's correct, yes.

Q. Did you attend that debrief?

A. Yes, I did.

15 Q. That's sometime after 9pm?

A. Yes, sometime after 9pm, yes.

Q. After that, you liaised with senior ambulance staff in relation to welfare considerations?

20 A. That's correct, yes.

Q. You ultimately sign off at 11.52 that evening?

A. That's correct, yes.

25 Q. I just want to ask you some questions about communications on scene in terms of TOU and the SOT Tactical Advisor. Are you on the TOU separate radio channel when you're there as a tactical adviser?

30 A. As a tactical adviser, no. The SOT paramedics that are embedded into any operation have dual communications both with the police and also with ambulance. I was linked directly to the teams that were deployed into the centre undertaking the clearing and could - and they were communicating any relevant or pertinent information to me. They had a situational awareness of the police radio communications related to that. If the TOU commanders were on site or are on site, then I would be located with them and would be able to receive communications directly from them.

35 Q. The two embedded SOTs can be on both channels?

A. Correct.

40 Q. That's a lot of information that could be coming through, potentially?

A. It can be.

Q. Is there a way to override one channel?

45 A. The way that the transmission modules are programmed, it will generally be that one has a priority so that any transmission that is coming through does have priority, and for - it's my understanding that the, the current comms modules we have, the priority is the police operation as that has - that will potentially contain information directly related to any potential threat or evolving information from the scene.

50

Q. I'm coming now to the section of my examination relating to reflections and review. Can I ask you first about your assessment of the lessons that need to be taken from your perspective as the SOT duty officer, and then Tactical Advisor?

5 A. I think that ongoing communication needs to be reinforced that if there is ever going to be any form of specialist response, that needs to be communicated directly with the Special Operations duty officer for awareness, and also for advice. That should have taken place as a priority and would have enabled me to be able to provide assistance and activate resources from
10 a timely location and also in a timely manner.

Q. To be very clear, though, in terms of that delay, would you accept from me that paramedics enter Westfield at around 3.42, 44pm and they are then on scene until evacuating at 4.30 when it's declared a hot zone?

15 A. Correct.

Q. And during that period, they attend to patients, and all patients are in fact out of the centre by 4.18. Would you accept that chronology from me?

20 A. Yes, I do, yes.

Q. So, the delay that you're referring to, to be very clear, has no clinical impact on any of the patients to your understanding?

A. To my understanding, no.

25 Q. So, these are all important lessons that we can learn from the benefit of hindsight, but without there being any ultimate impact, that's right?

A. Absolutely. At the time of information that I received, the potential was that there was a second - potentially a second offender which was still posing a risk. And any delay for paramedics to be able to assist in the police operation
30 had the potential to impact upon other people.

Q. Okay. So, there's the communication issue. What else?

A. I believe rostering and our, our Special Operations resourcing needs, needs to be addressed, as the, the decisions that I had to ultimately make with
35 my resourcing could have been mitigated if our rosters had a full complement, and enabled then multiple different staff from multiple locations much closer to activate to the scene in a more timely manner.

Q. We've also touched on equipment?

40 A. And equipment. And if the - we, we need the equipment to be available at a, at a location that is convenient and/or located in, in the vehicles that we operate from to allow us to be able to respond directly to scene without having to divert to retrieve that equipment.

45 Q. Anything else before I turn to a different area?

A. I don't believe so.

Q. What went well?

50 A. I believe the, the way that the Special Operations Team used initiative and just, and got - first of all, the, the paramedics that attended on scene and were

on scene very quickly from the Special Operations perspective, first of all, just went to their primary function of trying to treat the sick and injured, and I believe that they would have made a dynamic risk assessment as the best place for them to be able to do that.

5

They sought to use equipment that is only available to Special Operations paramedics to enable treatment of the injured and, and did everything that they could to assist in the general ambulance operation. They also used the initiative to be able to discuss with the, the Tactical Operations Unit about the potential for ongoing mission support and also discussed the challenges they faced around the limitations due to the, the PPE, and I commend them for using their initiative and just getting in and doing what they had to do when they needed to do it.

10

15

Q. Is there anyone else you would particularly wish to acknowledge on that day?

A. Broadly, I'd like to acknowledge the actions of the three individuals that sought to bring an end to this incident; specifically Inspector Amy Scott and the two French gentlemen that, at risk of their own safety, went forward to try and protect the community. I think those, those actions are just simply remarkable.

20

SULLIVAN: There's nothing further, your Honour.

HER HONOUR: Thank you.

25

Q. There may be some other questions.

A. Understood.

HARRIS-ROXAS: No questions.

30

HER HONOUR: Mr Fernandez.

<EXAMINATION BY MR FERNANDEZ

35

Q. Good morning.

A. Morning.

Q. My name's Lester Fernandez. I act for the family of Faraz Tahir. He was the security guard who was killed on this day.

40

A. Understood.

Q. I'd just like to ask you two questions, or two aspects of your evidence, if I may. I want to ask you firstly about what your reflection was on one of the things that could be improved, which was about communication.

45

A. Mm-hmm.

Q. Towards the end of the questions asked of you by counsel assisting, you said that it was necessary for you in your role as a specialist response officer to be told of what was happening as soon as possible?

50

A. That's correct.

LTS:DAT

Q. Is that correct?

A. Yes.

5 Q. Your earlier evidence was that you found out what happened by accident--

A. Yes.

Q. --is that correct?

A. That's correct.

10

Q. I'm going to ask you to accept from me that at 3.34 and 25 seconds on this day was the very first time that New South Wales Ambulance found out about something happening at Westfield.

A. Correct.

15

Q. And you found out by accident at 3.46--

A. Mm-hmm.

Q. --that something was happening, is that correct?

20

A. That's correct.

Q. I just want to ask you about what the normal process should be for communication with you or any other person as the Special Operations duty officer. Do you understand that?

25

A. Yes.

Q. Is contact with the specialist operations duty officer through the Sydney control room?

A. Yes, it is.

30

Q. Is there someone in particular at the Sydney control room who has to make contact with Special Operations officers like yourself?

A. Yes, there is. It's outlined in the work instruction, which is an annexure to my evidence. There is a work instruction for New South Wales Ambulance control centres. It is annexure B that outlines that the senior control centre officer, or the duty control centre officer, are to make contact with the Special Operations duty officer.

35

Q. Given that that's a specific role that is identified, have you wondered how it came to be that you weren't contacted yourself, that you'd just found out by accident?

40

A. I can, I can only make some assumptions.

Q. Please do.

45

A. That the - at that point in time they were overwhelmed and that was an oversight at that time due to the, the level of information they were receiving and the, and the nature of the information they were receiving. But I can only - I have not spoken to anybody in the control centre who was working on that time to understand what it was like for them.

50

Q. Of course you could anticipate that the senior control centre officer is going to be overwhelmed with information coming through, as happened on this day. But on the other hand, that's their very role, isn't it, to be making contact with people such as you?

5 A. That's correct. Yep.

Q. To your knowledge, has there ever been any investigation or questions about how it came to be that you weren't directly notified yourself?

10 A. I'm not aware of anything, no.

Q. The second aspect of your evidence, and final aspect of your evidence I'd like to ask you about, is your description of the need for a standalone unit. Your evidence was that this has been a historical problem for a number of years. Is that right?

15 A. That's correct.

Q. Could you give an estimate of how many years it's been a historical problem for?

20 A. The transition to a Special Operations Unit took place between - my understanding is 2008 to 2010 is when the Special Operations Unit was at its inception, and, and has progressed from there. And the rostering challenges have been ongoing since that time, as we have - Special Operations has not ever been a substantive unit.

25 Q. Sorry, how long have you been in the Special Operations Unit?

A. Since 2017.

Q. Since your time in the unit, have you yourself raised with upper management this issue about the need for a standalone unit?

30 A. Yes, I have.

Q. Who did you contact, who did you speak to, if you can recall their designations?

35 A. There's been a number of different conversations. I have not made a submission - I guess a formal submission on paper to state, but there's been a number of - I've had a number of discussions with senior managers within Special Operations to discuss what I believe is the necessity of a, a full-time standalone substantive unit.

40 Q. In those discussions, have you spoken about the disadvantages of not having a standalone unit?

A. Yes.

45 Q. For you, since around about the time you started working in the Special Operations Unit, have you been raising these issues since about 2017/2018 or thereabouts?

A. Thereabouts. There have been ongoing discussions within the unit as a whole about the need.

50 Q. That was my next question. Are you aware of other people - other officers

LTS:DAT

in your unit - who have similarly raised the issues about the disadvantage of not having a stand alone unit?

A. Yes. It is my broad belief that all of us who work within Special Operations believe that that is where the unit needs to progress to.

5

Q. What's been the feedback after you and others have raised the need for this standalone unit? What have you heard back?

A. That the progression is outside of the control of those currently in the, the management group within Special Operations, and ultimately that's a decision for the executive management of New South Wales Ambulance.

10

Q. Do you know if any of the people that you and others have spoken to have actually progressed to the next level above this issue about standalone unit?

A. Or in - as is outlined in my supplementary statement, there was a submission made to the chief executive towards the end of 2024, and the briefing note was signed to, to progress Special Operations to a full-time unit.

15

Q. There is someone who is the Acting Executive Director of clinical operations at New South Wales Ambulance who will be giving evidence?

20

A. That's correct. Yes.

Q. That person talks about a structural review. When you talk about a briefing note, what are you referring to?

A. My understanding is the briefing note was for the progression of a redesign to, to separate Special Operations staff from clinical operations to be substantively managed via a separate business unit.

25

Q. Do you know who wrote that briefing note?

30

A. I'm not familiar with exactly who wrote it, no.

Q. Are you aware of a structural review of the Special Operations Unit at all?

A. I have seen a model that has been put forward out of that briefing note. That has been the proposed model for the redesign.

35

Q. Have you or anyone else in your unit, to your knowledge, have you been involved in any consultation about changes to the structure of the Special Operations Unit?

40

A. I haven't, personally. But my understanding is that the, the current management group within special operations have been very closely involved with all of those processes.

Q. Thank you very much.

A. You're welcome.

45

ROFF: No questions.

FRECKELTON: No questions, thank you.

CALLAN: No questions, thank you.

50

LTS:DAT

HER HONOUR: Go to court 2.

JORDAN: We have no questions, thank you.

5 CASSELDEN: No questions.

MATHUR: Likewise, no questions.

10 WILSON: No questions, thanks.

<EXAMINATION BY MR CHIU

15 Q. You know my name is Hilbert Chiu and I represent New South Wales Ambulance in this inquest. You were asked some questions by Mr Fernandez, who's in front of me here, about the lack of contact from the control centre to you as the SOT duty officer on your SOT duty phone. Do you recall those questions?

A. Yes, I do. Yep.

20 Q. Just to be absolutely clear, is it the case that by the time you first heard about this incident, the control centre had already allocated SOT resources to the incident?

25 A. Yes. I believe that they had already allocated two. I would have to check the actual log and the timeframe, but potentially they, they had allocated four at that time when I became aware of it.

Q. It follows, doesn't it, that the delay in you as the duty officer finding out about the incident did not affect the timing of the allocation of the initial SOT resources?

30 A. I don't believe it affected the timing of the allocation. However, the appropriateness and the location of those could have been better managed for the purposes of retrieving the PPE.

35 Q. You were also asked some questions from Mr Fernandez about the proposed restructure?

A. Yes.

Q. I understand from your earlier answers that you referred to paragraphs 16 to 18 of your second statement. Have you got that there?

40 A. Yes. I do.

Q. At paragraph 16, you refer to a briefing note that was prepared for the commissioner and chief executive in 2024. Do you see that there?

45 A. That's correct. Yes. Yep.

Q. You explain that it's for the proposed restructure of the SOU to become a standalone unit?

A. That's correct. Yes.

50 Q. By "standalone" you're referring to standalone from a rostering perspective.

LTS:DAT

Is that correct?

A. That's correct. It's to have a standalone workforce where the staff are directly underneath a business unit, as opposed to reliant upon secondments.

5 Q. At paragraph 18, if you go down two paragraphs, the last sentence, you say that:

10 "The proposed standalone model also includes all regional rescue paramedics and creating a standalone unit has the potential to impact up to 150 officers across metropolitan and regional clinical operations being permanently redeployed into the SOU."

Do you see that?

15 A. Yes, yes. That's my understanding.

Q. Does that mean that to create the standalone rostering unit, you would then potentially be creating a deficit of 150 paramedics across the State in general clinical operations?

20 A. There would be a transition of staff from one business unit to another. The exact impact would need to be answered by the executive management of those sectors. But it is - it would be a removal of - from one business directorate to another.

25 Q. We don't know the exact impact, but that may lead to a deficit in paramedic resources around the State in clinical areas?

A. It has the potential to, yeah. That's my understanding.

CHIU: No further questions.

30 HER HONOUR: Thank you, Mr Chiu. Ms Sullivan?

SULLIVAN: Nothing arising, your Honour.

35 NO EXAMINATION BY MS HARRIS-ROXAS, MR ROFF, DR FRECKELTON, MS CALLAN, MR JORDAN, MR CASSELDEN, MS CLARKE, MR GNECH, MS MATHUR, MR PEN, MS ROBB, MR WILSON AND MR LYNCH

<THE WITNESS WITHDREW

40 SULLIVAN: Would your Honour be amenable to an early morning tea?

HER HONOUR: Yes. It's 10 past 11 now. We'll come back at 11.40.

45 SULLIVAN: Thank you, your Honour.

HER HONOUR: We'll adjourn.

SHORT ADJOURNMENT

50 HER HONOUR: Mr Murphy.

LTS:DAT

MURPHY: Your Honour, the next witness is Chief Inspector Colin Green of the New South Wales Police Force, and I call him.

5 HER HONOUR: Thank you.

LTS:DAT

<COLIN GREEN, SWORN(11.41AM)

<EXAMINATION BY MR MURPHY

5 Q. Could you please state your full name and rank?

A. Colin Nigel Green, Chief Inspector of police.

Q. You've made a statement dated 31 December 2024, which was signed on 12 February 2025, in this matter?

10 A. That's correct.

Q. Do you have any changes that you'd like to make to that statement?

A. No.

15 Q. That statement is true and correct?

A. It is.

Q. Just a few preliminary matters before we go into your background. You weren't involved in the events that occurred on 13 April 2024 at Westfield Bondi Junction?

20 A. No, I was not.

Q. You were specifically not asked to address those matters in your statement that you've given in this matter?

25 A. That's correct.

Q. What's your current role in New South Wales Police?

A. I am the officer in charge of the Terrorism Protections Unit, which is part of Counter Terrorism & Special Tactics Command.

30 Q. When did you approximately commence your role in the New South Wales Police Force?

A. I commenced in 1990.

35 Q. What was your role at that time?

A. Constable of police at Blacktown.

Q. You've remained with the New South Wales Police Force since the 1990s?

40 A. I have.

Q. In various different roles?

A. Yes, I have.

45 Q. So you've been, as of this year, with the New South Wales Police Force for 35 years?

A. Correct.

Q. In around 2016 I understand from your statement that you commenced working in the Counter Terrorism & Special Tactics Command?

50 A. That's correct.

Q. Did you have any counter terrorism experience prior to your role in that job?

5 A. No. I, I'd previously, in a police media unit, had managed, or provided some public information advice on counter terrorism operations for New South Wales Police. That's it.

Q. What was involved in general terms in that role?

10 A. I was the New South Wales Police spokesperson at the time, and my role was when, when required, we would provide advice to the commander of Counter Terrorism Command on upcoming arrests or investigations, and if an incident occurred.

15 Q. More generally in your role in the Counter Terrorism & Special Tactics Command from 2016, what was involved in that role?

20 A. Yeah, so I originally started there in the Engagement and Hate Crime Unit for a period of three months, so a small time. I went on to be in charge of the Exercise Management Unit, which is responsible for exercises under the Australia and New Zealand Counter-Terrorism Committee for multi-agencies in New South Wales and government.

Q. You've mentioned that your current role is a manger in the Terrorism Protection Unit?

25 A. That's correct.

Q. When did you commence in that role?

A. Around 2018

30 Q. How did that role differ compared with the previous role in the Counter Terrorism Command?

35 A. It's very much focused on working with government, police, and business people - owner of business, owner of crowded places - and providing them threat advice, and a specific area of providing protective security advice to prevent and prepare and look at their response to terrorism.

A. How is that information and advice provided by the Terrorism Protection Unit?

40 A. Yeah, so a number of, a number of things we do is, we're responsible for the - Australia's strategy for crowded places, critical infrastructure, regional airports. So, we do that by way of presentations, engagements with business. We do a thing and we, we developed a process called a vulnerability assessment where we provide written advice to those higher threat large scale events in New South Wales, and New South Wales vital critical infrastructure. So we, we provide written advice.

45 We also run what's called New South Wales Police Force SHIELD, which is part of the Global SHIELD Network, and through that process, we provide to registered businesses fortnightly situational awareness reports on terrorism around the world for their situation awareness. And we also provide advice on
50 incidents that are terrorism, likely to be terrorism, or use the weapon and tactic

of terrorists around the world.

5 Q. You've briefly mentioned in your evidence that the advice that you provide in your role is to commercial operators. Is that a significant aspect of the advice that's provided?

10 A. Yeah. Look, it's pretty unique in, in the police force. We're really forward facing in this space. Yeah. We, we provide advice to any business, any crowded place, any council. We will always meet, provide a level of advice and assistance to them. Depending on who they are, what threat level their business or their sector sits at, we will give additional information or assistance to them through crowded places, forums, et cetera.

15 Q. Does any part of your current role involve giving advice about what a business or a crowded place should do in order to manage the threats or risks that you have identified, or is it simply an advisory role?

20 A. No, no. Look, in New South Wales we do provide security advice to them, that protective security advice about what they need to do to prevent, prepare, and that, what we talk about, is their initial response. Their first five minutes of responsibility prior to the arrival of emergency services.

25 Q. I'll come back to that first five minute concept later in your evidence. Is it right that your role isn't telling people what they should do; it's simply giving advice about possible guidance and also the threats that they might face?

30 A. Yeah, that's correct. We've got a number of guidance documents under the Australia-New Zealand Counter-Terrorism Committee and we provide those documents and talk about the advice in them. Again, it's the responsibility of the owner/operator to implement that advice. We've got no control on that. We influence them on what the threat is, to understand it, and we provide advice to them about what can be done to prevent and prepare.

35 Q. Just taking all of that in summary form. You're an experienced police officer?

A. Correct.

40 Q. And for about the last eight years, your day to day job has been in the counter terrorism space?

A. Correct.

45 Q. What I'd like to through now are just some of the concepts that merge in the counter terrorism and the crowded places.

A. Yes.

50 Q. Literature that her Honour has already heard of in terms of active armed offenders in crowded places and just get you to explain to her Honour and the Court what those concepts mean to assist this inquest. Can I first go to what is an active armed offender?

A. Yeah. Look, if I could just refer to the annexure for, for that--

HER HONOUR: Of course.

LTS:DAT

MURPHY

Q. Of course.

5 A. To give - make sure that's very clear. So an active armed offender which is designed - which is contained on page 2 of the "Active Armed Offender Guideline", is:

10 "An active armed offender is defined as an armed offender who is actively engaged in the killing or attempting to kill people, and who demonstrates their intention to continue to do so while having access to additional potential victims".

15 MURPHY: Just for the Court's reference, that's at page 141 of the annexure to Chief Inspector Green's statement.

Q. What particular risk is associated with active armed offenders?

20 A. It's very challenging and very unpredictable. We see around the world that active armed offender is one of the most likely weapons and tactics that terrorism use. And certainly we've seen that in most of the western world, and multiple times in some countries. It's very challenging because there are a number of weapons that are easily obtainable that can be used - knives, batons, sticks, poles. So it can be very simple for them to access the weapons they would use. And the challenges, that is the intent. If we have a high level of intent, and even a moderate level of capability, it is still very difficult for us to, to prevent or prepare for that.

Q. In your experience in identifying potential threats that crowded places face, is the risk of active armed offenders becoming more common?

30 A. I, I would say my experience over the last eight years is the more likely weapon and tactic we see in terrorism is an armed offender - is an active armed offender. And, and again, certainly we rely on our intelligence agencies and partners to provide us that information, and certainly that's sat on the top of that list for quite some time.

35 Q. You mentioned briefly the difficulties that are posed in preventing an active armed offender. Are there any particular difficulties that are associated with responding to an active armed offender?

40 A. I think the biggest challenge policing face is - and I'll talk policing first, because that's where I come from - is our challenge is always situational awareness. We get multiple reports, usually through triple-0; oppose that to now with social media. We've got a lot of information coming in and it's how we process that information before we attend a scene, and then how we confirm and get that situational awareness. It's really difficult in those very early stages, those first, first minutes - tens of minutes when an incident occurs. And that's, that's for all crime, not just terrorism. It is difficult.

45 Q. Coming back to that concept of situational awareness and your earlier reference to the first five minutes. Who's responsible for that situation awareness and providing that to New South Wales Police?

50 A. Look, we see that as a role of the owner, the business, the crowded place

operator. It's their responsibility to get situation awareness about what's happening at their location and then commence doing some activity for us. We need to know more information. We need to confirm information for our police that attend. And that's a responsibility of business. So we see them gaining
5 situational awareness, notifying and getting people away from that danger area, and then certainly, as police come in, briefing us or telling us where that offender is so we, we can go and manage that.

10 Q. And so that's the key responsibility really of operators in those first five minutes?

A. Yes. Certainly. And, and, and I would go to the Active Armed Offender Guideline where it says the responsibilities of business during an armed offender attack, and there is a list there that's contained within the guideline, and it's in a - in an order, in a sequence. And those are the steps they, they
15 should be, they should be working through.

Q. I will come to those steps during your evidence. Moving away from the concept of an active armed offender and to the concept of a crowded place. What is a crowded place?

20 A. Look, there is a definition in the strategy and it's very broad in Australia. We, we don't define it by a number of people. We don't define it by the time they're there. We don't define it by the changing of densities during a period. We enable business to look at their business themselves, or their crowded place, and assess that for themselves. So it's defined some, or gives broad
25 guidance about what types of business are considered crowded places. And it mentions shopping centres; it mentions transport; and events. So, so it gives some broad areas with those, those large areas where we do have a lot of people.

30 Q. There's probably an obvious answer to this question, but it would be good to hear from you in any event. Why is it that crowded places are most at risk from active armed offenders?

A. So that, that comes from our intelligence agencies, ASIO. They do an assessment of terrorism in Australia. They base that on international
35 information. That's their role; they assess. And they've assessed in Australia, for the last eight years that I've been in this space, that crowded places are predominantly the area that terrorists attack.

40 So a lot of, a lot of the prevention space is all about protecting crowded places. That's the more likely place there will be a terrorist attack. Access to victims; large numbers; talks about the media coverage; talks about iconic site; and it talks about the impact of a terrorist attack at a large crowded place on the whole of the Australian society and the world.

45 Q. You very briefly touched upon this. Is it the role of New South Wales Police Force to determine or designate an operator as being responsible for a crowded place, or is that a self-assessment process?

A. No. The, the - it goes back to the strategy which has got all the guidelines in it. It talks about responsibilities of owner operators, government, under that,
50 police, what we're responsible for. Owners need to assess whether they're a

crowded place or not. We rely on that. And there's some tools within that strategy to assist them - a self-assessment tool. And then they can ask advice from units like myself across Australia.

5 Q. If an operator came to you asking advice about whether they were a crowded space and required to take steps under the guidance, how would you generally attend to approach that?

10 A. Look, we, we provide advice to everyone. So a, a business that has people turning up at 8 o'clock in the morning, population of 50 people, 60 people, densely through we would say is a crowded place, and we would provide advice that they need to look at their business; look at when the density is there; how many people are there; and then, then apply that tool to that.

15 Q. You very briefly referred to as well in your evidence this morning still in relation to a crowded place not being defined by the total number of people in that place. In your statement, you refer to the United Kingdom which is in the process of implementing a model which a crowded place is determined by the number of attendees at a particular time. Do you have any view on whether that model is something that should be adopted or considered in the Australian context?

20 A. Yeah, certainly. And Martyn's law, as we refer to it, waiting to be enacted in the UK, defines it based on those larger style crowded places out of Manchester when they observed - and my limited understanding of it - I've, I've done a number of presentations and been present. It's about looking at those larger venues and what security systems they have in place and what plans.

25 Look, in Australia, I find that larger operators, our large stadia groups, have a very good level of protective security. So I see the benefit for the UK. Would that apply to Australia? We work in a different threat environment. They have an elevated threat environment higher than Australia. We sit at probable. They sit above that. And they've got a long history of terrorism within England. So I think we've got to look at it in context of our environment, and what our threat says, and what our information from our intelligence agents is.

30 Q. Do you think if such an obligation were implemented in Australia, it would change the response that, in particular, operators have implemented to date?

35 A. Look, I think, I think it's a little broader than even a security context. All of these large scale venues have got council approval. They go through a DA process. Part of those processes, they have requirements for security, by 40 safer in design, in designing those.

45 So we do consider a lot in New South Wales, specifically, through those planning rules and regulations about requirements on operators to provide a minimum, that's contained within that. I'm not sure what that approval process looks like in the UK. But certainly every large scale infrastructure or building has to have a level of security systems; fire control systems, which have got our alert panel and our egress systems. They're all a requirement by different parts of planning - building legislation.

50 Q. Just moving away now from the topic of crowded places and to the

Australia-New Zealand Counter-Terrorism Committee. Could you explain to her Honour what that committee is?

A. Yeah. Certainly. Can I refer to my statement where I've specifically got that?

5

MURPHY

Q. Of course.

10

HER HONOUR

Q. Of course.

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A. So again, quite broadly, the Australia-New Zealand Counter-Terrorism Committee ANZCTC has been in place for a long time. It's designed specifically for terrorism. It's been in place since 2001. Its main objectives, again, is providing a national terrorism strategy plan and guidance for, for government, for law enforcement. Providing expert strategic policy advice to heads of government and other relevant ministers. Coordinating effective nationwide counter terrorism capability. Maintaining effective arrangements for sharing relevant terrorism information.

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So they're its broad categories. It involves ministers from national level, state level involvement. Our Deputy Commissioners of police sit, sit on, on committees within that, and our police capabilities across Australia are represented. So we have our tactical element; our intelligence element; our crowded places capability, which I sit on, sits under there as well. So it's really that intra-operability; enhanced training; understanding; the ability to share that information really quickly; and to look forward to what the threats might be coming so we can prepare for that tactically with, with those police agencies and government.

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MURPHY

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Q. You've mentioned the crowded places subcommittee in the context of the ANZCTC. Could you explain, one, what that is, and then, secondly, what your involvement in that subcommittee is?

40

A. Yeah. Certainly. Crowded places capability is one of the, the subcommittees under the ANZCTC. It was formed in around 2018. It got approval to be a subcommittee. What does that do? The subcommittee is a strategic part of the capability that guides the development of capability.

45

What does that mean? Every jurisdictional police force and territory is represented on that capability level, and they are people that work within the space of counter terrorism prevention and preparedness, and it gives an opportunity for the lower level, the capability, which I've previously been a capability advisor, to develop training for police, to develop and discuss options for how we provide advice to business, to the community, in the prevention preparedness space. The subcommittee gives that overall strategic guidance, and that's based on the risk areas identified by the ANZCTC. So risk at a high level. We step down through strategic. We come to tactical and operationally

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how we do that on the ground through the capability.

Q. The ANZCTC is primarily a terrorism body?

5 A. Yes, it was - it is terrorism, and it was set for terrorism. Armed attack is not unique to terrorists. It's a weapon and tactic they use.

Q. Again, this flows from that answer, but there's no ideological requirement associated with an active armed offender?

10 A. No, certainly not. It's - it can be across all.

Q. You've briefly mentioned giving advice to business in the context of the crowded places subcommittee. Are commercial operators involved with the ANZCTC or, in particular, the crowded places subcommittee?

15 A. Yes, certainly. Under the ANZCTC, the crowded places capability is unique. It has got what's called the business advisory group. What does that mean? We have a whole group of business people that represent all crowded places across Australia that sit on that group, and they provide that strategic advice to us as the subcommittee on what they see is the risks and threats and their concerns. And vice-versa, the subcommittee explains the threat
20 environment and what we see as the risk and concerns, and we work together to promote and get information out to industry on what they need to do and how they do that. So that's, that's a unique piece to that business.

25 Q. Is the operator of Westfield Bondi Junction Scentre a member of the business advisory group?

A. Look, yes, we do have representatives. So to represent the shopping centres across Australia we do have a representative, Mr John Yates, the director of security for Scentre Group.

30 MURPHY: He'll be giving evidence, your Honour, later in this inquest.

Q. Are private security companies or providers involved in the crowded places subcommittee or the business advisory group?

35 A. No, they're not, and that's quite strategic in the means we do that. We do have in New South Wales very good links in with the security, the Australia Security Industry Association, but no, they're not part of that. We find that at that strategic level we've got to manage conflicts, and that's one of the conflicts we see, as providing one security provider with that information could be seen as a competitive advantage, so we don't. But we certainly are involved with
40 activities across Australia with the security industry within our licensing command in New South Wales Police Force, our security enforcement licensing directorate, and also with industry groups.

45 Q. Do you think there would be any advantage in involving - and putting aside the conflict concerns that you've addressed - any advantage in having any greater involvements from security providers in those committees?

50 A. Look, at that committee level I would stand on where we sit now. I think it's appropriate to have that. Remembering that security consultants in the security industry are either tendered, contracted to provide that advice. We don't want to be seen to be promoting one particular person.

5 But what I can assure you, in New South Wales, is we understand the importance of security, and my unit, we provide direct advice to security companies, security supervisors and managers through our New South Wales Police Force SHIELD. So we understand we need to share the information because they're in the response piece with us when something does occur.

10 Q. The ANZCTC has produced a volume of documents relating to responding to risks of terrorism. One of those documents is the National Crowded Places Strategy document. Would you be able to explain what that document is and what it's directed at?

15 A. So the strategy is a strategy by nature. It's not legislation, it's not regulation, it's not policy, it's a strategy that talks about how we protect our crowded places. So it talks about the role of Commonwealth government and State governments within that. Also owner operators. It clearly defines the role of the owner and operator is they're responsible for protecting their crowded place from terrorism. It's a clear fundamental piece to that.

20 The role of police is unique. We provide security advice on the threat, so two things. We provide threat advice. That's our role within the strategy, and it's then up to jurisdictions to determine what level of protective security or security advice we provide to industry. In New South Wales, my unit has taken on that role under New South Wales Police Force to provide protective security advice, to prevent. We really focus on that prevention and preparedness. So
25 we actively provide advice from my team of ten people, and we also train our police, certain members of our police and our commands to be able to provide that front facing advice and knowledge of these ANZCTC documents to business.

30 Q. While that document is, of course, as you mentioned, focused on the risk of terrorism, does it have broader application in that it's not necessarily contained to terrorist motivated events?

35 A. Yes, 100% correct. The documents although written with the eyes of terrorism, and from that specific motive, they can be used for everything. We see armed attacks in shopping centres with people breaking a bottle and trying to stab people. We see a lot of armed attacks that aren't terrorism related, but equally the escape hide tell message applies to all of it. The strategies to prevent apply to all, all crime types.

40 Q. In terms of that escape hide tell messaging which you've just referenced - and I'm just going to move ahead now given that you have raised it. If we can just bring up an image for your benefit, which is volume 45, tab 1602, page 156. This is from your statement, some material that was prepared by the crowded places subcommittee in 2019 concerning escape hide tell?

45 A. Yes.

Q. Could you explain to us what escape hide tell is?

50 A. They're really simply, as you'll see on the screen, it's a, it's a general message we want all the public to know. We want people to know that if they see something, they need to get situation awareness and they need to escape

away from it if they can. If they can't escape, they need to hide. Hide behind something that offers protection or something that can just physically hide them.

5 So it takes into account people that panic, and people that have got accessibility issues. We want people to tell us as well. The primary piece there is we need information so we want to find out through triple-0 calls. We don't want people to be standing up with a mobile phone filming what's occurring. We want people to hide or escape, but tell us where the person is, 10 what they're doing, so it assists our police response.

Q. Would you mind just reading onto the record for the benefit of the Court the messaging in that document?

15 A. Yes, certainly.
"Escape, move quickly and quietly away from danger. Hide, stay out of sight and silence your phones. Tell, call the police by calling triple-0 when it's safe. What you do matters."

20 Q. Do you consider that people in Australia and civilian bystanders in particular are aware are aware of escape hide tell?

A. No, there's limited knowledge, quite clearly.

25 Q. We you - and appreciating that you weren't asked to comment on the events of 13 April 2024 at Westfield Bondi Junction, but were you aware that there are multiple instances where civilian bystanders filmed the events as they were unfolding rather than following an escape hide tell strategy?

A. It's sort of a general trend I think across all incidents we see in crime that that occurs, and yes, I've seen media footage of that.

30 Q. Given your evidence that people are not aware of, or have a poor awareness of escape hide tell, do you think there'd be utility in getting this information out to the public?

35 A. Yeah, I'd strongly recommend more and more information being provided through business and also through us. We do it quite a lot through our crowded places forums and our SHIELD tool, but this should be a message that is as common to our younger generation as "Get down low and go go go" which should be really common and people should not wait, they should implement this themselves.

40 Q. There has been, as you may appreciate, significant media interest in this inquest and the events of it. Do you think it would be an important aspect to report on the understanding of escape hide tell and promoting that to the broader populus?

45 A. Yeah, I think it's something that needs to be done. I think if this process can get that information out and our media can report on it, I think it is a good time to do that and reinforce with the public what they really need to do. It's about saving lives. It's about preventing injury and death, and we need to get that message out. I can assure you that the ANZCTC are in the process of 50 formalising and finalising public messaging. New South Wales Police, we're

developing an infographic that's at the final stages of approval to put out on social media, and if another incident occurs, so it can assist.

5 Q. The poster that's been shown to the Court, it is available for distribution today to the media if they would like a copy. Just going to the steps that have been taken presently by New South Wales Police to promote or provide education in respect of escape hide tell, what forums is that proposed to be made available in?

10 A. So since the launch of the armed attack guideline in 2017, we have been speaking about escape hide tell from then. On average, we do about six crowded places forums per year in New South Wales, and that's probably an average of around a thousand business people go to that each year. So we promoted it by providing guidelines. We promoted it by printing out the poster you've got in front of you, which is also available on the National
15 Security website with a PowerPoint and a Train the Trainer's guide.

We've also printed these documents I have with me which may assist, documents we provide to all people that come to our crowded places forums, and when we meet with business, and it's got those posters of escape hide tell,
20 and it's got a small palm card for security and operational staff, that they can have that with them in case. So we promote it quite hard ourselves, and certainly when the opportunity exists with our infographic we'll be putting that out proactively and using that if we do have another armed attack.

25 MURPHY: Your Honour, I'll come to this showbag, as it's so described, shortly in the context of the crowded places forums, but I would hand up and tender a copy of that.

30 EXHIBIT #3 ITEM DESCRIBED AS NEW SOUTH WALES POLICE FORCE SHOWBAG HANDED OUT IN CROWDED PLACES FORUMS TENDERED, ADMITTED WITHOUT OBJECTION

Q. Can I just go back very briefly again to the ANZCTC guidelines that have been prepared. It is prepared guidelines in relation to active armed offenders?
35 A. Yes.

Q. Are there any other bodies in Australia that have published material in relation to active armed offenders?

40 A. We've seen it replicated by security consultants as well where they've undertaken training for different businesses. So security consultants have taken this on board since 2017/18, and we see specific organisations undertaking their own information for inductions of staff to remind them of the responsibilities. I think at this point I've sort of acknowledged that
45 Scentre Group has developed an infographic and we were involved in that process some time ago so they could use it for induction and training of staff.

Q. When approximately was that involvement?

50 A. I'd have to refer to my notes. Around that 20/21 period, so certainly prior to Bondi Junction.

Q. In particular, what was the work product or outcome from that interaction?

5 A. So it was based on a request from Westfield. They'd done an infographic based on all the weapons and tactics so our five guidelines that included all the advice in relation to those five guidelines in an infographic that could be provided to their staff, both in New South Wales and nationwide. We reviewed that information to make sure it contained sufficient information, because there's lots of information in the guide, so to make sure. And we also at that point, to work with other agencies which we have, we've provided our Assistant Commissioner Mark Walton's voice as a voiceover on that infographic, to get the importance of the message across.

Q. Were Scentre receptive to the comments that you made in relation to that infographic?

15 A. Yes, certainly they were.

Q. In terms of the active offender guidelines that have been published by the ANZCTC, they deal with what the role of private security is in responding to an active armed offender. Would you mind just explaining that to her Honour what's involved? And we did touch upon that briefly earlier.

20 A. You might just remind me of what annexure or page I've got that contained in?

Q. It's at paragraph 34 of your statement, or at page 147 of your annexure.

25 A. Thank you. And the annexure page, if I could?

Q. 147 of the annexure. It's in the bottom right corner.

A. Thank you. So again, the responsibility of the initial response, the primary activity contained there is:

30 "Detect an attack and make a rapid initial assessment. Call, update and facilitate police and emergency services. Alert personnel and members of the public. Decide whether to instigate a lockdown and use any active delay systems. Advise senior management".

35 The secondary activity it talks about is, "Alerting neighbours. Keep personnel and members of the public updated. Make a detailed assessment. Direct frontline personnel. Record events, decisions and actions".

40 Q. From the perspective of an operator, and going back to that concept of the first five minutes, do you see that those activities are really the key response that New South Wales Police would expect or hope for from an operator?

45 A. Yes. Yes, certainly contained in the document. The documents were developed by jurisdictional police, and we had advice from people from our weapons trainers across Australia in this document. So, it's a well thought of, well prepared document, and those steps are very clear, and that's what we want people to focus on, doing those activities.

Q. What are the consequences for a response if those activities aren't undertaken by an operator?

50 A. Look, if we walk through that. We need the operators. They know their

business. They know their environment. They know the systems they've got in place. They really need to get that message out, get the situational awareness first and get that messaging out. It's about saving people's lives. It's about preventing injury. So, we really need to get that message out to people within that crowded place to move away, move away from the threat. That's paramount to us. And get that message out. It's not specific on how to get the message out, but we need to get that message out to people so they can make decisions.

10 Q. Can I now just go to the crowded places forums, which you've mentioned briefly in your evidence. Could you just again assist the Court by providing an overview of what those forums are?

15 A. Yes, certainly. First mentioned in the crowded place strategy, they were a key part of our police engagement with business. So it started around 2017. It was initially funded by the ANZCTC for each jurisdiction to deliver crowded places forums. New South Wales, we delivered six; three in metropolitan Sydney and then three within regional New South Wales. And it's an opportunity not just for us to deliver content, but it's an opportunity for operators to engage with each other and share information.

20 We have a diverse group of operators, some that are very security aware and very much invested in security, and others that aren't so mature in that space. And it gives the opportunity for people to work together, provide them an understanding of the threat, the impacts to their business and their people, and what advice we can, from the guidelines, that they can put in place to again prevent and prepare and get ready for that initial response if an incident occurs.

25 Q. How regularly are those forums conducted now?

30 A. We usually set a schedule about 12 months in advance. And these schedules just aren't thrown together. My team were police officers, and we're varying ranks of police officers, but running these forums is complex. It's an event management company. So, we QR code, we evaluate every forum to determine what they need and where they do. So, the evaluation of the year before determines content, and it determines who should be at the forum, whether we target a specific group that's at a higher threat level.

35 So, we plan 12 months in advance. We host about six a year. On average we only provide about 150 positions, because we can't get rooms with more. We don't do forums in auditoriums. We need to engage with people, so we keep the numbers smaller, and we make them work with each other for discussion exercises. So six a year.

40 We're just working now on our SHIELD forum, New South Wales SHIELD forum on 3 June, and we'll have 150 people at that forum. So we replicate that different forum six times. It's all based on threat, and it's all based on discussions and involvement of the crowded places operators.

45 Q. Given the size of the forums currently and the purposes that you seek to obtain from it, are those forums oversubscribed?

5 A. Yes, certainly. We've - over the Christmas period we had the German market hostile vehicle attack. We had the New Orleans hostile vehicle attack. Very quickly we put together a forum on the threat of hostile vehicle. We, we advertised through our SHIELD website 150 positions; within two hours we had over 445 people wanting to attend. So, we have a huge demand, but I have multiple priorities so it's, it's difficult to match that.

10 What we did on that occasion, we ran two forums in the one day and managed to get 340 people in the room at different times. So, yeah, there is a huge demand, and when we see terrorism incidents around the world and we see them in Australia, that demand just increases more.

Q. How many staff are in the Terrorism Protection Unit currently?

15 A. There's nine staff, and myself makes ten.

Q. If that staffing increased, would that increase the number of forums that could be conducted each year?

20 A. Yeah, look, it's a real balance. It's trying to manage priorities, demand, the staff time I've got for that. But, look, if we had more staff, if we had more budget, yes, certainly we could do more. But we've got to blend that in with our other activities we need to undertake as well. We're not just responsible for crowded places. We've got all the New South Wales critical infrastructure that we have a program wrapped around as well. And also our regional airports. And we do assessments for all those big major events that sit in the city, like Anzac Day we've had, and they are complex and they take time.

Q. Is it right that New South Wales Police pay for these forums?

30 A. Yeah, that's right. It's funded through the Counter Terrorism and Tactics Command budget, and again assigned down to, to Terrorism Protection Unit.

Q. Does New South Wales Police receive any funding from the business attendees for these forums?

35 A. Yes, they're pretty unique in New South Wales. We're, we're sort of contained with, with policy about sponsorship and endorsement and the conflicts of interest. So they are funded all within our current budget. We don't accept funding from business to run them, although we've had offers for business to assist put on more with us. But, no, it's all self-funded. People that attend don't pay anything. I print out all the material that you, that you've seen. Now that's, that's from my budget. All our activities, it's all free. It's all about influence. It's all about practically helping these businesses understanding the threat, the impact to them, and how they can protect themselves.

45 Q. Do you consider that the crowded places forums are a critical part of enabling operators to be well versed in the risk they're facing and how to respond to them?

50 A. Yeah, look, they're a fundamental part of our, our - what we do in New South Wales. They're also a fundamental part of the, all the policing jurisdictions in Australia as well. They're our, our primary means of engagement is through that forum, and it satisfies our role under the plan to

provide that advice on the threat and where a jurisdiction determines they will provide that protective security advice to business.

5 Q. There was a crowded places forums in November 2024, which you address in your evidence relating to shopping centres?

A. Correct.

Q. Did that touch upon the incidents that occurred at Westfield Bondi Junction?

10 A. No, it, it had a presentation on armed attack, but it did not, we don't, we don't do case studies on matters within New South Wales that are before an inquest. We used examples there from Borough Markets in London in 2017 and various other armed attacks around the world to draw out the lessons.

15 Q. Would there be an opportunity following the findings in this matter and the resolution of the coronial process for learnings to be taken from the Westfield Bondi Junction incident and used in one of these forums?

20 A. Yes, certainly. And we'd look to, to the end and the recommendations being made, and we would, we would spend some time working through that from a policing and from a security and from an owner operator perspective about what we could learn from it and how that could influence what we do in the future.

25 Q. Just again closing off this topic of relating to the crowded places forums, and acknowledging the stated importance of them but also your other priorities that you have, if funding were to increase for the Terrorism Protection Unit, would that permit you to conduct more of these forums that you consider to be appropriate?

30 A. Yes, look, certainly if money wasn't an issue and I had an abundance of staff. There's a lot more I think most people could do in business as well. But we would look to, to put more forums on. Certainly it's threat location based as well, so we'd work through the higher threat locations or sectors and back out to across all New South Wales. But we do run six a year. I've got one in regional Coffs Harbour coming up in June with an exercise contained within it, but certainly with staff and resources and priorities set and agreements, we, we could undertake more.

Q. Just let me check. Do you have a glass of water with you?

40 A. I do, yeah, it's fine. Thank you.

Q. You've mentioned during your evidence the New South Wales Police Force SHIELD concept. Could you explain to us what that is?

45 A. Yeah, New South Wales SHIELD, New South Wales Police Force SHIELD, it comes from what's called the Global SHIELD network. What's that mean? Post 9/11 in the US they formed Global SHIELD. They recognised in NYPD that they needed to provide real time information to security. They needed to advise them of threats, so it was a shared responsibility, the prevention preparedness. So they set up NYPD SHIELD.

50 Over time that's grown to other areas throughout the US under the Global

SHIELD banner, through Europe. In Australia we have New South Wales Police Force SHIELD, and we have Victorian Police Force SHIELD.

5 Broadly, they're tools that enable us to, subscriber based, enter people onto a database and share information with them. We share official information. Official information from our counter terrorism units, with, with business in a level of confidence that provides them some good product and some justifications for seeking budget or improving their security systems they do.

10 We also report on incidents that occur. So we reported on SHIELD about Bondi when it happened, and we did that strategically and on purpose. We learnt through the Christchurch attack that there were a lot of business people that were trying to ring police to ask what do they need to do, should they lock down, should they evacuate. When those incidents occur, all those triple-0
15 lines, it's really difficult to get through, so by putting it on SHIELD, business can get an understanding of what's happened. They can then make their own decisions about what they may need to do for their security posture.

20 Q. So that reporting through SHIELD to operators was effectively live intelligence, or close to live on what was happening?

A. Pretty much. The reporting on New South Wales Police Force SHIELD, the incident is open-sourced reporting. We don't have the time to get that situational awareness that quick to give much more than what's being reported through the media, and what we want people to do or what advice we want
25 them to follow. So, it's very much open-source information that they can make some decisions on. It's not intelligence and it's not directing what they do, because at those times we don't have the time to be able to get our own situational awareness an approval process to get things out at that higher level.

30

Q. Can I just touch on - in your evidence, at paragraph 74 onwards, you talk about your engagement, or involvement engagement, with Scentre Group?

A. Yes.

35 Q. Can you speak to, in a summary way, the engagement that the Terrorism Protection Unit and yourself has had with Scentre?

A. Yes. Certainly. And Scentre Group is like a number of other operators. In the shopping centre sphere we deal with Vicinity. We deal with Stockland. We deal with a lot of regional operators as well. What we find this way is, prior to
40 my time at the unit we had in New South Wales a business advisory group. We had at that stage a shopping centre of the council of Australia sitting on that, representing the industry.

45 When we moved to the crowded places strategy, that became our business advisory group at that level. Through that business advisory group we developed that network of, of businesses, and certainly Scentre Group was one of those. They were part of the business advisory group representing shopping centres. And we work with them to provide advice on what they need to do to protect themselves, like every business. So we go to meetings
50 with them. We represent on Australia-New Zealand Counter-Terrorism

Committees as well.

5 Q. Can I just take you, in particular, to paragraph 76 of your statement. I'll just read it for the record. It's, "TPU has not been approached by Scentre Group for advice in the same way a small business or event holder may approach TPU for assistance following their use of the self-assessment tool." Are you able to just expand on what you mean by that statement?

10 A. Yes. Certainly. The self-assessment tool is something that any business, any event, any sporting club can look at and apply to their business. Now, depending on their level of knowledge of security, what security systems they may have in, in place, they'll either come to us for advice, or their security is mature enough to understand a self-assessment and then progress forward with their security function, implementing additional security systems to supplement.

15 Businesses that are large - and certainly Scentre Group, New South Wales, Australia and, and across the world is represented. They have a, a more highly developed security function than a lot of other businesses, and they are in a good position to be able to understand the threat, employ security
20 consultants, and move forward. We do a lot of work with groups that don't have security consultants or a security function, and we, we provide a lot more advice to them because they're not as mature in their security approach.

25 Q. While Scentre still have active engagement with the TPU in this space, as evidenced in your statement, they're less in need of it due to their sophistication and their policies?

30 A. Yes. Certainly. And that goes back to budgets as well. A lot of companies don't have a large scale budget for security. Security is one of the, the lowest paid parts of a business, and unfortunately, they're, they're a cost to a business. So smaller businesses are less invested, depending on where they see themselves and their threat, so. The larger businesses have got a more sophisticated approach.

35 Q. In terms of your interactions with other emergency services, and in particular New South Wales Ambulance, do you have any interactions with them in your role?

40 A. Counter Terrorism & Tactics Command has got regular contact with - with the emergency services, and we've got designated liaison officers within emergency services. So when we hold crowded places forums we invite those liaison officers. When we travel regionally and do our regional airports, we also involve all the local emergency services there. So SES, Rural Fire Service, New South Wales Ambulance, New South Wales Fire Brigade. So we
45 - we like to involve them in that process because they - they run business or - or have offices in those locations, and - and they work hand in hand with police with response duties.

Q. You indicated in your evidence that New South Wales Ambulance are invited to the crowded places forums. Do they attend those forums?

50 A. Yes. They do. Our liaison officer attends and sometimes brings other members of, of Ambulance there.

Q. What role do they play in those forums?

5 A. They're a participant in - and a partner, so they will sit in amongst all the other participants and, and get to meet and talk with all the other businesses about what they do and how they fit in.

Q. Just dealing with a few more specific matters before I end. Do you have a view on the best way in which an operator can prepare for an active armed offender incident?

10 A. Yeah. Look, certainly my advice to them is the guideline - the active armed offender guideline gives them really good security advice on what they need to do. It's a standalone document. It's written by police under the ANZCTC with, with all our other tactical advice given to us, so. We refer them specifically to the active armed offender guideline. And if we do speak to them, we talk about
15 what actions they need to do; the difficulty of gaining situation awareness; and we talk about how we can prevent and prepare.

Q. Is there utility in operators undertaking scenario testing to an active armed offender or other similar emergency incidents?

20 A. Yes, certainly. I think the way we run and the way we operate in, in our space is it's about the provision of information. So, understanding the threat, understanding the guideline, what you need to do. We like them to go away and they understand their business better than we do. We're police. We're not business owners. Go back. Look at their business. How would that guideline
25 apply specifically to them, to the structure of their building.

Then we'd like - then what we do within our forums is we run, what we call as, discussion exercises. So a discussion exercise proposes a scenario. We'll call it hypotheticals. It provides a plausible scenario to them based on the
30 current threat, and it asks them to think what they would do, and it asks all different agencies there, and, and people from different organisations, what they would do, how they would do it. So it, it really reinforces theory in a practice, in a safe environment, and it identifies things they may need to go back and work on prior to physically going and, and running an exercise to test
35 it in real life. So it's a really valuable tool to us, those discussion exercises.

We ran one for all our stadiums - 120 people from stadiums across New South Wales, and certainly when we went through our armed attack discussion exercise, we had multiple people coming up to us asking your advice,
40 explaining that they needed advice because they weren't prepared for it. So we then go and work offline with those groups to assist them with their plans, understanding the threat, and systems that can help. So discussion exercises, one of the most valuable tools we have.

45 Q. Is there, following those discussions, a real importance in there being actual simulation or scenario testing?

A. Yes. So we would, we would always advise that operator of the crowded place to, to work with our local police. The key here is, I don't have geographic responsibility for crime or where they are, but we link them back in with their -
50 the police commanders in those areas to have those discussions, and, and,

and consider whether they need to test it themselves, or do a test with police or other agencies. We don't run those tests for them or assistance in my unit.

5 Q. Just acknowledging you don't run those multi-agency exercises, if I can call it that, do you see there's utility in having them undertaken?

10 A. Yes, certainly. There's another unit in our counter terrorism command, our exercise management unit. They run those multi-agency exercises, armed attack exercises, or other weapons of tactic. So they do those on that larger scale and involve police and other agencies within that space. So there is a need for that. Our advice to businesses simply, for armed attack, we always practice our evacuation alarms for smoke, for fire, and we all get used to that alarm sounding and walking in and out, going to the coffee shop early to avoid it.

15 We say again to them, don't just practice for that fire. Practice for an active threat within the bottom of their building or crowded place. Consider the lockdowns and practice it. Consider what messaging and how you would give that out to people visiting your business, or shopping within your business. And - and practice. Unless we practice this and discuss it, understand it at 20 both the operational tactic or strategic, it's very difficult to get right on the day of an incident. And we don't want to be in that space.

25 Q. Dealing with the day of an incident, and separate from the escape hide tell education piece, how important is it for civilian bystanders to be alerted to the presence of an active armed offender event?

30 A. I think it's probably the most important thing we need to focus on. Irrespective of a crowded place is response. We need people to understand what they need to do when something happens. Escape hide tell is a critical message we need to get through. Whether it's someone having a fight. Whether it's young people in a food court. We need people to think for themselves. Move away. Escape away from it. Hide. And ring us and let us know what's going on. And it's for all crime categories where there's violence. Just get back. Move away. Let police know, and let us respond.

35 Q. In terms of alerting civilians during an active armed offender event, do you have a view on whether it's better done by way of digital displays, whether announcements, whether an alarm?

40 A. Yep. Look, I, I do have a view, and it's probably no different to people here. Whatever methods we can use, the better, and the more of them we can use, the better. We need to be able to tell people to move away. How we do that? A business understands the way they operate. Some of - some crowded places - outdoor crowded places don't have a PA system or a fire alarm. So they've got to be specific to what their crowded place is.

45 But they've got to give sufficient information to identify where the threat is, and where they want people to go. We want people moving away from the threat, so, and not walking in on the threat. So whatever way they can give that information, we would say they need to focus on that. VMS message boards. Yes, they're an option. PA systems. Yes, they're a really good option to direct 50 play. People on the ground - security or operation staff - that can yell at people

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or tell people where to go and where to move from. Very important to us.

5 Q. All of those things, including the ability of security staff on the ground to communicate to bystanders, is really borne out by that situational awareness aspect that we discussed earlier?

A. Yes. Fundamental. Very difficult to obtain in a very short period.

10 Q. Two other aspects I want to deal with and then I'll be able to release you, Chief Inspector, subject to questions of anyone else of course. In your evidence at paragraph 85 you talk about "evacuation alarms are often ignored due to their use in practice drills and testing"?

A. Yes.

15 Q. Do you think greater consideration should be given to the use of specific public announcements during an active armed offender or other emergency to really precisely identify the nature of the threat?

20 A. Yeah. The advice we provide is the UK had Borough Markets - London Bridge and Borough Markets and, and they did a lot of research after that. So our advice to people on that is, yes, specific messaging. Scripted messaging works well because it can be done really quickly. So if you've got the ability to send scripted, that's good. That's relevant to the threat and what you want people to do. But the ability to pick up a PA system, a phone that connects, to advise people is, is really critical. Give that advice of what you want people to do, what the threat is, what we want you to do at the time.

25

Q. And it would necessarily follow from that that those responsible for the public announcements need to be well trained and able to handle a situation of that magnitude?

A. Yep. Training, well prepared, practised.

30

Q. Taking you back to earlier in your evidence, in relation to active armed offenders and rudimentary knife attacks and the like, how long have you been aware of crowded places, like shopping centres, experiencing attacks from members of the public using knives or other ad hoc weapons?

35

A. Look, I think my experience operationally and where I am now as, as we see it, we see it at times. We see over, over time, incidents with young people in food courts, whether that's just a fight, whether that's someone bringing a knife to it. We have seen that. We, we do look around Australia to other incidents that have occurred, and certainly the western world. It, it does occur. We do have, at times, violence within crowded places.

40

Q. Given that risk, and the increasing commonality of those events, do you think - and appreciating it's not really within your realm - but do you think there's a place for knife proof vests in the security industry becoming standard?

45

A. Look, again, it's not my area of expertise. I note that security do have knife resistant vests at some shopping centres in New South Wales.

MURPHY: Nothing further.

50

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HER HONOUR: Thank you, Mr Murphy.

Q. There may be some other questions.

5 HER HONOUR: Ms Harris-Roxas?

HARRIS-ROXAS: No questions from me.

10 HER HONOUR: Mr Fernandez?

<EXAMINATION BY MR FERNANDEZ

15 Q. My name is Lester Fernandez and I act for the family of Faraz Tahir. He was the security guard who was killed on the day. I'm going to ask for certain evidence given by Inspector Scott at this inquest to be put up on the screen, and ultimately I'm going to ask you about questions based on her evidence.

20 FERNANDEZ: I wonder if the evidence from p 106 of the transcript could be put up on the screen please? If that might be enlarged for my old eyes.

25 Q. I'm going to take you - these are questions asked of Inspector Scott by senior counsel for the police, and it relates to the volume of the alarm. You have it in front of you. I'm just going to read it out for anyone who might not be able to - the question asked was this:

30 "Q. Finally can I come to the topic of the alarms at Westfield that had been activated. You refer to them being extremely loud and that that had hampered communication significantly. You described the way in which you experienced it hampered in-person communication as well as effective use of radio?"

The answer is "Correct", and you can see that?

35 FERNANDEZ: If the transcript can just be scrolled up please - down?

Q. The next questions asked was, "Did it affect your ability to think clearly?" and the answer was, "Yes", and the next question was, "Can you explain what you mean?" and the answer was this:

40 "The noise itself, it sort of gets into your mind, into your brain, and it's very difficult to block it out and concentrate on the conversations that you're having and the information that you're receiving and translating. It just distorted everything in the mind a little bit, so it made it a little difficult."

45 Just to pause there, you are aware, aren't you, that one of the issues that's being investigated in this inquest is about the noise of the alarms and how it affected communication, is that correct?

50 A. Yes.

Q. What Inspector Scott there gave evidence about was the effect on her operationally as a police officer.

5 FERNANDEZ: I wonder if the transcript can be taken to the next page please, p 107. Could it be scrolled down please?

10 Q. After Inspector Scott gave those answers, senior counsel assisting this inquest asked some questions about the level of the noise on the alarms, and at line 28 the first question was, "Did the alarm itself make it difficult to hear any other announcement that was being made?" and the answer is "Yeah". Then the next question was, "In your mind you said how the alarm impeded communication. Did it create a sense of panic in you or others?" and Inspector Scott said, "Not for me, no. I wouldn't like to speculate on what others felt, but I guess I knew why it had gone off, so it wasn't more so about panic, it was just--"

15

In the first part of the evidence I took you to, that was about the effect of the alarms on Inspector Scott. And in the second part of the evidence I've taken you to, that's about the potential effect of the noise of the alarms on members of the public. Can you see that?

20

A. Yes.

Q. That's something you have to be mindful of, isn't it, in terms of alarms, announcement and their volume, would that be correct?

25

A. It's a consideration certainly.

Q. I'm just going to ask for paragraphs 83 and 84 of your statement now to be put up on the screen. This is what you say at paragraph 83 of your statement:

30 "I note that it is the responsibility of owner operators to determine what method they use to notify people of an active armed offender. The active armed offender guidelines does not contain information as to the appropriate level of volume of an alarm."

35 Can you see that?

A. Yes.

Q. Just taking into account the evidence at this inquest that I've taken you to, can you see some benefit in the guidelines actually providing guidance as to what appropriate levels of volume should be?

40

A. I disagree. I think it's too generic. I don't think you can be prescriptive, because these guidelines apply to a whole sector of crowded places, outdoor, indoor, et cetera. I think it goes back to the owner operator needs to apply this to their own site and make those decisions what's appropriate.

45

Q. It's correct to say that there's no information at all in the guidelines about volumes of alarms, is that correct?

A. That's correct.

50 Q. What would be the detriment of an inclusion in the guideline to the effect of

alarm levels have to be tested or engaged at a level where people, such as officers, police, other emergency workers, are able to communicate with each other. Would there be any detriment in general guidance like that?

5 A. Look, it's not my specific area of expertise. A lot of the - the alarm system you're talking about is from a fire alarm system. I'm not aware, it's not my area. I'm not aware of what's contained within the requirements of those alarm systems. So I just don't know if that one impacts the other or not. A legislative requirement versus that. All the guidelines are written there that the owner and
10 the operator needs apply it to their business. They need to get advice on that. They need to make those decisions themselves and determine what best fits that business.

Q. One of the reasons your unit exists is to provide protective security advice to owners and operators, is that right?

15 A. Correct.

Q. You also explained that part of your role was providing documents which provide guidance, guidance to owner operators?

20 A. Correct.

Q. Now, putting aside legislative or other requirements, I'm just going to--

CALLAN: I object to that. It's not relevant or of assistance to this inquest to ask this witness to comment on material that he's already said is beyond his
25 area of expertise, and furthermore to ask him to put aside what may be legislative requirements or other standards which, of course, will be highly relevant ultimately to the position.

30 FERNANDEZ: This expert--

JORDAN: Your Honour, could I be heard please?

HER HONOUR: Yes.

35 JORDAN: Can your Honour hear me?

HER HONOUR: Yes, Mr Jordan.

40 JORDAN: I did raise to my feet at the same time as Ms Callan and for the same reason, but I'd like to add my words to the objection. It's just not appropriate to ask Chief Inspector Green questions which he has already identified are outside his area of expertise, and then to ask him to also put aside existing legislative and regulatory requirements. It is not appropriate as
45 a question. And there is also clearly evidence before this Court that the volume of the alarms that were in play on 13 April 2024 at Westfield Bondi Junction was something that was governed by existing Australian standard requirements, and indeed those alarms had been found to be compliant with those Australian standard requirements as at 13 April 2024. For your Honour's information, and for those in court who would like to review
50 those standards, they are available in vol 42, tab 1599A at tab 4. Thank you.

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HER HONOUR: Thank you Mr Jordan.

FERNANDEZ: I withdraw the question.

5

Q. If you were asked by any organisation to go into that organisation or centre, any organisation which is going to deal with the potential of active armed offenders in crowded places, is that something that your unit could do, to actually go in, listen to alarms or public announcements, and give advice on how they might be detrimental in an emergency situation?

10

A. We provide broad advice and broad guidance, so once we get to those specifics of listening to an alarm, et cetera, we would, we would again quite rightly refer them to a security consultant that's got that specific knowledge in that space. We're about what effect we want to have caused, not, not how you do that effect.

15

Q. The effect you want is for emergency workers, if called to an active armed offender in a crowded place, to be able to work effectively, efficiently and to save lives, is that correct?

20

A. That's correct, and we would again refer them to a security consultant to have those discussions and specific advice.

FERNANDEZ: Those are my questions.

25

HER HONOUR: Thank you, Mr Fernandez.

ROFF: No questions, your Honour.

HER HONOUR: Dr Freckelton?

30

FRECKELTON: We have no questions, thank you.

HER HONOUR: Mr Chiu?

35

CHIU: No questions, your Honour.

HER HONOUR: Court 2?

JORDAN: Yes, if I may, but only briefly.

40

<EXAMINATION BY MR JORDAN

Q. My name is Jordan and I appear for Scentre. Can you hear me all right?

A. Yes.

45

Q. You have referred in your evidence to Mr John Yates, the director of security for Scentre Group?

A. Yes.

50

Q. Do you have a productive professional relationship with Mr Yates?

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A. Yes, I do.

Q. Is that a longstanding professional relationship?

5 A. Yes, it's from when I've commenced in this role, the Terrorism Protection Unit.

Q. When was that?

A. 2018, somewhere around that point I would have met Mr Yates.

10 Q. Are you able to provide some examples of how you and Mr Yates have worked together in relation to the protection of the public in crowded spaces?

15 A. Yes, certainly. Look, I've worked with Mr Yates on the ANZCTC on the business advisory group which sits under the crowded places subcommittee. Part of that group is reviewing crowded places strategies, guidance documents. I had some - I think Mr Yates was involved in the process of providing a guideline on advice concerning tenders and contracts for the security industry. I worked with him on that process. I have used Mr Yates to facilitate forums for me. The executive forum I think around about 2019 at the Opera House, it was a senior executive forum and Mr Yates ran that for me and spoke to that. Mr Yates has also been used at the ANZCTC to also facilitate discussions as well. So I've had that relationship with him.

25 I sit on many groups with Mr Yates at a national level. He represents at that national level for shopping centres, so we - last year we were part of a working group that put on a business advisory group forum sponsored and paid for by the ANZCTC and we talked around delivering or developing topics for that forum. So I've had that involvement with him as well. I think previously I spoke to the infographic so that worked through Mr Yates with his staff back and forth on a review of the Scentre Group infographic that was developed for all terrorism threats. So yes, I've worked with Mr Yates as well as a lot of other people; Vicinity shopping groups, Transport for New South Wales.

30 Q. Thank you. In relation to what you have described as the infographic provided by Scentre, do you recall that that involved a series of three very short training videos?

35 A. Yes, correct, on the weapons and tactics.

40 Q. As you've explained in your statement, one of those videos was specifically on the topic of escape hide tell in the context of an active armed offender event?

A. Yes, that's correct.

45 JORDAN: For those in court and others, I think you'll find that these videos are available as electronic evidence items numbers 61A, B and C in the brief, and I think you'll also find scripts for these training videos in vol 38 commencing at around tab 1249.

Q. Is it the case that if you did need to raise an issue with Mr Yates, you could simply pick up the phone and speak to him about it?

50 A. Correct.

Q. Is it also the case that he could do the same with you if he has an issue that he needs to discuss with you?

A. Yes.

5

Q. That is something that does occur?

A. Yeah, that's correct, it does. With a lot of - and a lot of people across the crowded place, there's probably a group of 20 larger businesses that are a high threat location.

10

Q. One final matter. You did refer in your evidence to the responsibilities of business owners in obtaining the relevant situational awareness so that the available and correct information can be provided to responding emergency services. Do you recall giving that evidence?

15

A. Yes.

Q. Do you agree that members of the public can also assist in providing information as to situational awareness?

A. Yes.

20

Q. Members of the public can do this by providing information directly to the relevant business owner?

A. Yes, to help them, yes.

25

Q. Yes. And equally, members of the public can also provide information directly to emergency services via triple-0?

A. Correct.

30

JORDAN: Thank you. No further questions.

HER HONOUR: Thank you, Mr Jordan. Mr Casselden?

CASSELDEN: I have no questions.

35

HER HONOUR: Thank you. Ms Mathur?

MATHUR: No questions, thank you.

40

WILSON: I have no questions.

HER HONOUR: Thank you. Ms Callan?

CALLAN: I have no questions, thank you.

45

HER HONOUR: Anything arising, Mr Murphy?

MURPHY: Your Honour, I just have two quick questions.

HER HONOUR: Yes.

50

LTS:DAT

<EXAMINATION BY MR MURPHY

5 Q. Just going back to the public announcement compared with an alarm in response to an active armed offender, do you have a view as to what is better or preferable in responding to an active armed offender event?

A. What is preferable is the use of a PA to communicate real time information, the location of an offender or offenders, and what they want people to do. That's, that's the best method we can get information across.

10 Q. In terms of what an operator wants people to do, do you have a view of whether it's better to direct bystanders to a particular location, or that they should just exit as quickly, escape as quickly as possible?

15 A. Again, that situational awareness is key there. If the best case would be to have the specific information so we don't have people running into the threat rather than running away. The challenge is people knowing where the threat is. That's why we say escape, not run. Work out where it is and move away from it, is really critical to us. We don't want people running in on it and adding potentially more victims.

20 Q. Having a function in a CCTV control room from an operator is really important to enabling an operator to have situational awareness and provide the appropriate announcement, is that right?

25 A. Yeah, active CCTV monitoring is one of the, one of the critical areas. But often in crowded places they don't have that luxury.

Q. In terms of crowded places not having that luxury, what do you mean by that?

30 A. So all crowded places are different. If we take Anzac Day on the weekend, we don't, some event sites, some locations don't have that infrastructure to do that. Shopping centres, other businesses, have different security procedures, fire procedures that they, they can utilise to provide that information.

Q. In the case of a sophisticated operator like Scentre at Westfield Bondi Junction, would you expect there to be active CCTV monitoring at all times?

35 A. Again, it's a decision by them and where their risk is. I'm really - my position is I look at threat. I don't do risk. They need to look at threats, put a risk assessment across that, and then determine what they're going to do. We encourage people that have CCTV to have an operator so it can be used to prevent and it can be used actively when something occurs to give better
40 situational awareness. So we encourage it if they've got CCTV.

MURPHY: I don't have any further questions, your Honour, thank you.

45 HER HONOUR: Thank you, Mr Murphy.

NO EXAMINATION BY MS HARRIS-ROXAS, MR ROFF, DR FRECKELTON,
MR CHIU, MR CASSELDEN, MS CLARKE, MR GNECH, MS MATHUR,
MR PEN, MS ROBB, MR WILSON, MR LYNCH AND MS CALLAN

50 <THE WITNESS WITHDREW

MURPHY: Your Honour, that is all the witnesses for today. It's proposed that after the lunch break, the nonpublication orders that have been made, or applications that have been made by parties, will be dealt with.

5

HER HONOUR: Thank you. We'll adjourn and resume at 5 past 2.

LUNCHEON ADJOURNMENT

10

HER HONOUR: Dr Dwyer.

15

DWYER: Your Honour, just before I hand over to Mr Murphy in relation to the nonpublication orders, can I note that we've received a number of requests from media for the flyovers, the two different flyovers that have been shown - one on the first day as part of the opening and one on the second day with Inspector Amy Scott - that shows the comparison between real life CCTV and the flyovers. We've consulted with families. There's no difficulties with both of those flyovers being released, and they'll be released this afternoon.

20

HER HONOUR: Thank you.

25

DWYER: In the future, I think we'll just put on the record any of the media requests so that there can be transparency about what there is and what's being released. As from next week, once these NPOs have been resolved, we should be able to streamline that in a much more effective way and hopefully get things out on the day that they're requested.

HER HONOUR: Thanks very much. Yes, Mr Murphy.

30

MURPHY: Your Honour, I've previously indicated earlier this week that a number of applications for what are termed nonpublication orders have been made by parties. They relate to the names of, or anything that may identify, certain individuals, or documents, or information within documents within the brief of evidence.

35

I can indicate that from earlier this week, certain of those applications have either been refined or are no longer pressed by the parties, and counsel assisting is grateful for those parties having reflected on their applications and refined them or no longer pressing them as appropriate.

40

Can I hand up a copy of a folder which contains all the short minutes or their equivalents that are sought by, that have been prepared by those parties seeking nonpublication orders?

45

HER HONOUR: Yes, thank you.

MURPHY: That also contains further orders that have been proposed on the part of the assisting team over certain sensitive material within the brief of evidence, which is at tab 1.

50

The applications that have been made and that are still pressed are as follows. The majority of these are the subject of the interim nonpublication orders that your Honour made earlier this week, although some of the applications have been modified to include additional names or documents, as the case may be. They concern the families, and that relates to the sensitive evidence about the injuries suffered by the deceased and related matters.

By New South Wales Police Force, which is at tab 4, that's the non-disclosure of the names of other and nonpublication orders over other sensitive material concerning police operations and security. Scentre, the operator of Westfield Bondi Junction. It concerns internal Scentre material relating to its security and response to threats. The Glad Group, which is the security subcontractor retained by Scentre, and that again relates to security material. New South Wales Ambulance, which concerns the names of two individuals who attended Westfield Bondi Junction on 13 April 2024.

The name of Mr Cauchi's former treating psychiatrist from Queensland, including any details that would identify the practice of that psychiatrist. The names of two nurses from that psychiatrist practice involved in the treatment of Mr Cauchi. The names of two general practitioners and a further psychiatrist in Queensland who saw Mr Cauchi. There is a separate application by a further Brisbane-based general practitioner who saw Mr Cauchi after he ceased to be medicated. The final application relates to the Queensland police officers who had interactions with Mr Cauchi in Queensland in the period following his cessation of medication.

Your Honour has had the benefit of reviewing the materials that have been provided prior to today by those parties. There is an obvious need for these applications to be dealt with as soon as possible. What counsel assisting propose is that the applications be dealt with as follows. I will address your Honour on the relevant principles that will apply to the determination of these applications. I will give a high-level overview of counsel assisting's views in respect of those applications, to the extent that assists your Honour's determination, and then the parties will have an opportunity to address your Honour in respect of each of those applications, including any opposition to any of those nonpublication applications, for no more than ten minutes each to assure that this process is conducted as efficiently as possible.

In terms of the relevant principles, counsel assisting say that the following are the relevant guardrails to your Honour's determination of the applications. The default position in this jurisdiction is a hearing will be open to the public, and any person who is present is permitted to publish a report of the evidence and submissions heard in open court. And that bears out in s 47(1) of the Coroners Act 2009. This is a manifestation of the principle which is known as open justice. The New South Wales Court of Appeal in *Rinehart v Welker* [2011] NSWCA 403, referring to the decision of *John Fairfax & Sons Pty Ltd v Police Tribunal of New South Wales* (1986) 5 NSWLR 465, reflected on the importance of open justice in court proceedings and said that:

"The fundamental rule of the common law is that the administration

5 of justice must take place in open court. A court can only depart from this rule where its observance would frustrate the administration of justice or some other public interest for whose protection parliament has modified the open justice rule. The principle of open justice also requires that nothing should be done to discourage the making of fair and accurate reports of what occurs in a courtroom."

10 I can confirm that your Honour, in considering these applications, does not need to have regard to the Court Suppression and Non-publication Orders Act 2010, which does not apply to the Coroner's Court. Support for that proposition is borne out in the definition of "court" in that Act, which is in s 3, as well as the analysis of his Honour Hamill J in Commissioner of New South
15 Wales Police v Deputy State Coroner for New South Wales [2021] NSWSC 398 at 23. The consequence of that is that the more onerous requirements that need to be established in order to obtain a non-publication order under that Act, that is it is necessary, do not apply to your Honour.

20 The Coroners Act provides specific powers to limit the publication and disclosure of information and evidence in coronial proceedings; as your Honour would be aware, that is contained in s 74 of the Coroners Act, and the relevant sections that I will read to assist your Honour:

25 "A coroner in coronial proceedings may, if of the opinion that it would be in the public interest to do so, order" - and this is relevantly in s 74(1)(b) - "that any evidence given in the proceedings not be published."

30 "Published" has the meaning set out in 73 of the Coroners Act, which I don't need to take your Honour to for present purposes.

35 In considering whether it is in the public interest to make an order in the form of a non-publication order, your Honour may, in forming your opinion as to what is in the public interest, have regard without limitation importantly to the following matters: the principle that coronial proceedings should generally be open to the public; in the case of an order that is proposed to be made in relation to a witness in the proceeding, the likelihood that the evidence of the witness might be influenced by other evidence given in the proceedings if the witness is present when that other evidence is given; national security; or the person or
40 security of the public or any person.

45 What s 74(1) of the Coroners Act 2009 sets out is a single criterion for determining whether a non-publication order should be made. That is, whether your Honour is of the opinion that it would be in the public interest for an order of that type to be made. That is made good in Officer A (a pseudonym) v The State Coroner of New South Wales [2024] NSWSC 1531 at 33.

50 As I have said, in forming your opinion as to the public interest, your Honour may have regard to the four matters that are specified in s 74(2) of the Act. But your Honour is not so limited to those matters in forming a view as to what

is in the public interest.

The concept of public interest has a broad meaning. In the decision of Telstra Corporation Limited, his Honour Beech-Jones, in considering the public interest under s 74(1) of the Act, referred to the High Court authority of Pilbara Infrastructure Pty Ltd v Australia Competition Tribunal [2012] 246 CLR 379, which observed that it is well established, when used in a statute, the expression "public interest" imports a discretionary value judgment to be made by reference to undefined factual matters.

Counsel assisting submit that what flows from this is that in assessing what is within the public interest, for the purpose of s 74(1), your Honour may give consideration to a wide range of matters not simply limited to those matters in s 74(2). That would include consideration of the purposes and objects of the coronial jurisdiction, which is that this is a therapeutic jurisdiction. The jurisdiction necessarily involves and requires consideration of sensitive matters associated with deaths. And it requires your Honour to make statutory findings under s 81 of the Act and that your Honour may make recommendations under s 82 of the Act, including in relation to health and safety.

One final matter of principle that I will address your Honour is that principles of open justice do not, in the ordinary course, recognise embarrassment or damage to reputation as a proper basis for a non-publication or a pseudonym order. That bears out in John Fairfax Group Pty Ltd v Local Court [1991] 26 NSWLR 131, and is again reflected in the more recent decision of A Lawyer (a pseudonym) v Director of Public Prosecutions New South Wales [2020] NSWSC 1713, which, I should add, was a consideration of a nonpublication order under the Court Suppression Non-publication Orders Act and the attendant requirements of necessity. But at 55 of that judgment, Cavanagh J stated that "mere embarrassment, discomfort, reputational damage or even financial loss are not sufficient to justify a departure from the principle of open justice".

Your Honour, just turning briefly now to the applications that have been made, and expressing counsel assisting's views on it, having regard to the evidence and the submissions that have been provided. In respect of the further application that has been made by those assisting, those documents contain sensitive, personal or medical information in relation to the deceased and other non-parties who were affected by the events on 13 April 2024, and evidence from police who attended the crime scene and post-mortems of the victims. Counsel assisting's submission is that this material is plainly sensitive, and has the potential to cause distress to the families, or others involved in the events of 13 April, if it were to be released. The orders sought are appropriately narrow and targeted to the extent possible, and it is just simply not in the public interest for that material to be released.

In a similar vein, your Honour, and at tabs 2 and 3 of the bundle that has been provided to you, you have orders that have been proposed on the part of the families of those victims on 13 April 2024. We say that those applications relate to sensitive, personal or medical information, or the names of certain

children, all of which are quite obviously in the public interest for that material to be subject to non-publication orders.

5 Tab 4 is an application on the part of the New South Wales Police Force. That application relates to sensitive New South Wales Police material, the publication of which may impact upon New South Wales Police operations and security. Insofar as that application relates to the names of certain officers, there is an obvious public interest in that material being the subject of a non-publication order in circumstances where that application is targeted and
10 focused. Some of those New South Wales Police officers whose names over which non-publication orders are sought, it has been indicated to me, are for mental health reasons. Those mental health reasons are not presently the subject of evidence before your Honour. But counsel for the New South Wales Police Force will address you in respect of that component.

15 Tab 5 contains an application on the part of Scentre, the operator of Westfield Bondi Junction. That relates only to documents. It is an appropriately targeted and refined application that concerns the security responses that are evidenced in those documents, and which are not otherwise publicly available.

20 Tab 6 concerns an application made by the Glad Group, which is the security subcontractor at Westfield Bondi Junction. In relation to that application, it seeks non-publication over the names of the control room operators who were present on that day, which the counsel assisting team, having regard to the
25 cogent medical evidence that has been provided in support of those applications, agree with the force of those submissions.

So far as non-publication orders are made in relation to documents, a revised order was made just prior to the resumption of the lunch break, and the
30 counsel assisting team have not had an opportunity to consider that in any detail. Subject to anything any other parties may have to say, counsel assisting would propose that that application be dealt with on an interim basis pending the publication of your orders in relation to that application.

35 Tab 7 concerns the New South Wales Ambulance. That, again, relates to the names of two New South Wales Ambulance attendees. It is supported by medical evidence, or concerns sensitive material, and it is an appropriate application. Counsel assisting have no objection to that.

40 Tabs 9, 10 and 11 are brought on behalf of multiple parties and relate to the psychiatrists, including Mr Cauchi's treating psychiatrist in Queensland, a psychiatrist who saw Mr Cauchi subsequent to the cessation of his treatment, and various general practitioners who also attended upon Mr Cauchi in the
45 relevant period.

I will also briefly just refer to the application on behalf of the Queensland Police officers at tab 12. I will deal with all of these together, given the issues are interrelated. None of those applications - apologies, your Honour. I should
50 also just put on the record that one of those applications relates to the nurses who worked at the clinic that the psychiatrist who was treating Mr Cauchi in the

relevant period was at.

Dealing with those applications together, as it presently stands, none of those applications are supported by any medical evidence. The submissions that have been made, however, refer to the risk of adverse and severe media reporting on this inquest. The impact this may have upon future engagement with the coronial jurisdiction, and the potential impact upon current patients of those practitioners, noting the earlier principles that I outlined - that embarrassment, discomfort, reputational damage or even financial loss are not in the ordinary course justification for a departure from the principles of open justice - counsel assisting submits that your Honour may give consideration to an interim non-publication order in relation to Mr Cauchi's treating psychiatrist and the identity of the clinic that she operated from, which would necessarily include the applications made by those nurses, and as well as those Queensland Police who attended upon Mr Cauchi in the period after his cessation of medication, in circumstances where there is a significant media interest in this matter, and has been in terms of reporting to date.

There has been, as has been put on the record already by counsel assisting, some instances of inaccurate and, as addressed in the submissions for the Queensland Police Service, sensationalised reporting on the matter. There is a real risk that inaccurate reporting may continue to occur in relation to those specified individuals that I've referred to, particularly given the risk these individuals will assume essential importance to this inquest.

Counsel assisting say that an interim order in relation to the Queensland police up until the conclusion of their evidence - which is due to occur on Monday of next week - and in relation to the psychiatrists, and by implication the nurses, until the conclusion of the expert conclave, would permit any reporting of those individuals to be done with the benefit of the evidence that either they have given, or experts have given in relation to them, which would allow that report to occur in its proper context. What would then occur, to the extent either of those parties contended that a further non-publication order was appropriate, at the conclusion of that evidence, an application could be renewed at that stage.

Finally, just to assist your Honour and given the nature in which this inquest has been conducted, having regard to the interests of families, I put on the record - and their counsel will obviously address your Honour on this - that the families oppose the nonpublication orders being made in relation to Mr Cauchi's treating psychiatrist, including on an interim basis, the nurses at that clinic, as well as orders in relation to the psychiatrist who saw Mr Cauchi in 2021. I only refer to those instances given they concern matters that I've addressed as counsel assisting's proposal.

There's no opposition from the families in relation to the control room operators or the identity of the New South Wales Ambulance individual who is the subject of medical evidence. Those are my submissions, unless there is anything further that would assist.

LTS:DAT

HER HONOUR: No. With regard to the Queensland police, there's no objection?

MURPHY: There's no objection on an interim basis.

HER HONOUR: Thanks very much Mr Murphy. Now I'd like to hear from the interested parties on submissions.

CHRYSANTHOU: Your Honour.?

HER HONOUR: Yes, Ms Chrysanthou, would you like to go first?

CHRYSANTHOU: Yes, thank you. Does your Honour have a copy of both sets of our submissions?

HER HONOUR: Yes.

CHRYSANTHOU: Being submissions in support of the orders we seek on 28 April 2025, and a separate set of submissions in relation to the orders we oppose on 29 April 2025. I should say, as far as I have been able to ascertain it, and we don't comprehend there's any objection to the orders that we seek in relation to a limited number of documents containing material of a medical nature, so I won't address that unless someone speaks up to oppose those, and I can respond to those submissions. But I haven't seen any written document in accordance with your Honour's orders that opposes that order.

HER HONOUR: No, I don't think there is. No there isn't.

CHRYSANTHOU: Thank you. We are grateful for counsel assisting and the summary of the relevant principles that was given by Mr Murphy, and we adopt them and have set out similar principles in our written submissions. What I think is important is that under s 74 of the Coroners Act, your Honour actually has to form a view. Section 74 requires your Honour to form an opinion that it would be in the public interest for an order to be made. Whether that be an interim order or a final order.

Now, in order to form an opinion as a judicial officer under the Act, or as a coroner under the Act, your Honour needs to have a basis to form the opinion. We've made written submissions in relation to a number of the orders that we just have no material whatsoever that we can address, and therefore there's no material upon which your Honour could form an opinion. We wish to make particular submissions in relation to the final set of non-publication orders that Mr Murphy addressed, namely applications for pseudonym orders to have, at least on an interim basis, no release of the names of a medical practitioner and nurses in a related businesses, who treated Mr Cauchi in the relevant period prior to him moving to Sydney.

We have not been furnished with any material which would enable your Honour to form an opinion that it would be in the public interest to make any such pseudonym order, and it needs to be recognised that it's one thing to

have a non-publication order over certain material or parts of documents, but it is a more extraordinary step to have complete non-publication over a person's identity. Your Honour will see from the written submissions, and from the principles, including as outlined by Mr Murphy, that that sort of order should only be made if it is in the public interest to do so.

Now, it is unusual for a party or a witness to say "Let's see how the evidence goes. Let's have an interim non-publication order over our identity depending on how it goes." That's not something that I could find in any authority, that the terms of a non-publication order would depend on how the evidence comes out. At this time, today, your Honour needs to be satisfied that it would be in the public interest to effectively suppress or order that it cannot be published those persons' names or the name of that business. We agree with Mr Murphy that reputational considerations are irrelevant.

We have heard that a submission will be made that medical practitioners won't cooperate in inquests if their names are made public. Well, in this case, and in other cases, this particular medical practitioner was compelled to give evidence, as far as we understand it, and the coroner has power to also compel the medical practitioner to produce documents. So the feelings of a medical practitioner in having to attend and answer questions about their conduct in dealing with a patient don't really come into it. I'm sure most witnesses who have to attend any court or an inquest don't really want to be there, and that can't be a proper consideration, given the compulsive powers that your Honour has.

Next, we understand that there's to be a submission that this could somehow impact the medical practitioner's patients. We do not understand that submission. It hasn't been developed. There is no evidence to support it, and it's our submission that there is no basis upon which, no evidence upon which that your Honour can even make an interim order in relation to those particular persons. Other than that, we rely on our written submissions.

HER HONOUR: Thanks very much Ms Chrysanthou. Yes, Mr Fernandez?

FERNANDEZ: I adopt Ms Chrysanthou's submissions, and I'll just make two additional submissions. Firstly, your Honour has been taken to the principles of the public interest and what's taken into account in the public interest. In this inquest there's a tangible document which will assist your Honour in determination of the public interest, and that's the issues list. That's a document that's been prepared by the coronial team in consultation with those who appear, and it will provide your Honour with guidance as to the public interest.

Could I take your Honour to the most recent issues list please. Without going through every single part, but relevant to the applications that we're dealing, namely the treating doctors and nurses from Queensland, part B relates to Joel Cauchi. In particular, number 4, what mental health conditions he was suffering from, and the nexus to the events on the date is relevant. And number 6 on the issues list talks about the treatment, whether the treatment he

received was adequate and appropriate.

5 The identification of those matters that this inquiry will be addressing doesn't of
itself mean that there should not be non-publication orders, but when your
Honour is considering where the end of this inquest will be, and what this
inquest is dealing with, that's an important consideration that those who seek
the non-publication orders have to address, that having regard to some of the
specific focuses of this inquest, why an exceptional order in the nature they
seek should be made, even on an interim basis.

10 The second submission I make elaborates upon the submission made by
Ms Chrysanthou, which is the application even on an interim basis for
non-publication orders; two submissions need to be made. Firstly, we're here
today on the fourth day of the inquest without evidence from those applicants,
15 the nurses and the psychiatrist and the treating doctors, without evidence as to
a medical basis or some other basis upon why the orders need to be made.

Secondly, all those concerned with the making of these orders have the
relevant evidence. They have the relevant evidence of all of the psychiatrists
20 who are going to give evidence in conclave. They have the evidence of the
other experts, including Dr Kruys, who refers to the medical treatment. And
they would need to take your Honour to what aspects of the evidence your
Honour anticipates will be heard, affect them in such a way that
non-publication orders should be made and that a public interest is
25 established, even at this stage, for why the orders that they seek should be
made. Those are my submissions.

HER HONOUR: Thank you Mr Fernandez.

30 ROFF: Rather than reinvent the wheel, can I just adopt the submissions of my
learned friends Ms Chrysanthou and Mr Fernandez.

HER HONOUR: Yes, thank you Mr Roff. Dr Freckelton?

35 FRECKELTON: We have no submissions which we wish to make, thank you.

HER HONOUR: Thank you. Did you wish to make any?

40 CHIU: We don't wish to be heard on that part of the application.

HER HONOUR: Ms Callan?

CALLAN: Similarly, the New South Wales Commissioner of Police does not
wish to be heard on this aspect of the application.

45 HER HONOUR: All right. Mr Lynch?

LYNCH: My client seeks a very limited order in the terms where she seeks a
non-publication order in respect of her identity on an interim basis only until
50 further order, or as has been suggested until the conclusion of the conclave of

expert evidence. The primary reason which we rely upon as satisfying the public interest consideration, which as Mr Murphy has identified the principles, and we take no issue with the principles, but we say the likelihood is that if adverse publicity in respect of my client is published, that the submissions are not on the impact of my client, but on the impact that's likely to occur on her patients who are seeking psychiatric assistance from her. That therapeutic relationship is likely to be jeopardised in the event that there is premature negative publicity in respect of her management of Mr Cauchi.

Your Honour will know from the brief of expert evidence that there's a wide division of opinion in relation to whether any criticism of my client's management of Mr Cauchi is justified. In the circumstances where the media has demonstrated a willingness to highlight negative criticisms, we say on a premature basis, it would be in the public interest to safeguard the psychiatric patients' welfare and wellbeing, and avoid jeopardising their therapeutic relationship with my client until further order after the expert evidence has been heard, and your Honour determines it, or at least until after the expert evidence has been heard. That's the primary basis upon which we put the application.

It's been said by my learned friend Ms Chrysanthou that in answer to the suggestion that there may be some future lack of cooperation on the part of medical practitioners - not this one, but in future - that we say is another subsidiary public interest that might be safeguarded by making a limited non-publication order in respect of my client's identity, only until further order.

Ms Chrysanthou's submissions point out that the Court has power to subpoena records and subpoena persons. It has no power, however, to force medical practitioners, for example, to provide statements to the coronial inquest or to those assisting your Honour. And there is a likelihood or a propensity for medical practitioners who face the prospect of premature adverse criticism of their roles before the issues have been properly distilled and heard, that they may be reluctant in the future to provide the cooperation that's essential for the seamless and quick and efficient resolution of coronial inquests in the shortest possible time with the greatest level of cooperation from those involved. And as your Honour would appreciate, many medical practitioners are required to assist the Court in resolving the issues, particularly with a view to identifying systemic improvements that might assist the community in general. They're the submissions, your Honour.

HER HONOUR: Thank you, Mr Lynch.

MATHUR: Yes, thank you, your Honour.

HER HONOUR: Ms Mathur.

MATHUR: I understood by counsel assisting Mr Murphy's submission, that in relation to one of the three medical practitioners that I appear for, namely, the psychiatrist who I understand has been referred to as psychiatrist C, that the counsel assisting your Honour supports an interim non-publication order with respect to that medical practitioner. Your Honour will have received earlier this

morning a revised application by the three practitioners who I appear for, namely that the application is and intends to only ever be on the basis of an interim non-publication order of their respective names.

5 The order currently as it stands has as a first position that that non-publication order on an interim basis only stand to the point in time of your Honour delivering findings, or, in the alternate, that the non-publication order stand until the completion of the expert evidence with respect to the care and treatment delivered to Mr Cauchi.

10 It is incorrect to paraphrase the application of the practitioners on whose behalf I appear in the words used by Ms Chrysanthou, namely, that it's on the basis of let's see how the evidence goes. That is not the basis for the application. What we know is that mental illness is complex, and what we know from the
15 50 volumes submitted in this inquest, in particular vol 50 which contains a large number of psychiatric reports and expert reports, we know that Mr Cauchi's presentation at all times by virtue of the chronic illness he laboured under, namely schizophrenia, we know that there was complexity at all times.

20 The purpose of the interim non-application to the alternate basis, namely, until the conclusion of the expert evidence, is so that the public understands well, and this Court and your Honour understands well, the complete context in which his care was delivered by the practitioners on whose behalf I appear. And the true context includes guidelines, policies, and correspondence that
25 occurred or transferred between various practitioners.

It is the context which is critical here. This is not about preserving reputational damage. But when the true context is known, any patient that is currently a
30 patient of one of the three practitioners who I appear for, any one of those patients will understand the manner in which Mr Cauchi was treated by those three practitioners and will not be misled by inadvertent misreporting with respect to the care and treatment delivered.

35 So we urge upon your Honour - and, sorry, lastly, in response to the suggestion that evidence is required, there is one paragraph, and I take your Honour to it, in Dr Nielssen's expert report, vol 50, tab 10, para 156, p 28 of the report, the last two paragraphs of that report relate to psychiatrist C and the consultation which took place in 2021. That, the publication of that psychiatrist's name prior to a full exploration of the context in which a firearm
40 licence is granted, the publication of that practitioner's name prior to that full evidence being delivered in open court does run a risk of damaging current therapeutic relationships that he has.

45 It is true to say that there is no evidence to support that, but in my submission, common sense would invite such a conclusion. And it's on that basis that we seek the interim nonpublication orders. Thank you.

HER HONOUR: Thank you, Ms Mathur. Did anyone else wish to make--

50 DWYER: Mr Gnech is online.

HER HONOUR: Who? Is it Mr Wilson?

DWYER: Mr Gnech is also online.

5

HER HONOUR: Mr Gnech, yes.

NECH: Thank you, your Honour. Can I first - can you hear me?

10

HER HONOUR: Yes, I can.

NECH: Yes, thank you. Can I first indicate that we do not pursue any orders outside of those proposed on an interim basis by Mr Murphy to the conclusion of my client's evidence next week. Can I first say that it is important to note, as has already been raised, that there is no power for your Honour to demand or require witnesses to give statements in these proceedings. My clients have cooperated fully with your office upon being approached with a request to provide statements. There is no risk of my clients not cooperating with the processes of the Court, and that demonstrates their commitment to the, to the proceedings.

15

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Learned counsel assisting has rightly referenced authorities which include embarrassment, discomfort, reputational harm, financial loss, are generally insufficient to justify a departure from the principles of open justice. Can I make this submission, your Honour, respectfully. Those authorities can be at least partially distinguished because these are coronial proceedings. And as your Honour would appreciate, the coronial jurisdiction has evolved significantly over the last decade where there is a primary focus on it being a therapeutic and trauma-informed jurisdiction, and that was confirmed in senior counsel assisting's opening statements.

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It is submitted these principles apply to all parties in the proceedings, and although my clients were certainly not directly related to the traumatic events that occurred on 13 April and nor could they ever claim to be affected in the unimaginable way the families have been, they have still been affected like many others indirectly.

35

Your Honour, the application is very narrow in its terms in regards to our clients' names only, and it is submitted that given the jurisdiction is primarily focused on being therapeutic and trauma informed, if cooperating witnesses are realistically at a real risk of receiving reputational harm in a meaningful way, if it can, the Court should put in place factors, or protections, of those witnesses to limit that detriment, and those submissions are made purely on the foundation that the jurisdiction is therapeutic and trauma informed.

45

Obviously, it is accepted that no orders could be put in place if they compromised your Honour's true functions under the Act as the sitting coroner. And it is our submission that, certainly on an interim basis, making the orders as sought would not compromise those functions.

50

What you have in my clients' situation is evidence of a demonstrated willingness of the media to report in a sensational way, and that at its least is disappointing, but our application was made prior to the commencement of proceedings on Monday on the basis of a concern about mainstream, and for that matter social media platforms, the way they would report on the proceedings.

Perhaps your Honour and learned senior counsel assisting had at least some concern, because there was distinct time taken at the beginning of the proceedings to address the media and guide them in regards to responsible reporting, and it is significantly disappointing that within one media site, the very next day, on Tuesday 29 April, the Courier Mail in Queensland made sensational headlines stating on the front page of the paper "Revealed, how Queensland Police missed chance to stop Bondi killer", and, further, "Massacre red flags missed".

Respectfully, those headlines are sensationalised, incorrect, and entirely inconsistent with the opening statements of learned counsel assisting on Monday. It's for those reasons, your Honour, that it is our submission that there is a public interest in at least making that interim order to allow, as Mr Murphy stated, my clients to give their evidence in a fulsome manner before reported upon. They're my submissions, your Honour, unless there's anything further.

HER HONOUR: Thank you, Mr Gnech. Ms Robb.

ROBB: Thank you, your Honour. If I may be briefly heard, and I do note that I didn't precede what I'm about to say with any written submissions, although I doubt there's much new. I appear on behalf of the two nurses, whose applications in effect travel with the application made by the treating psychiatrist, in the spirit of it extending to cover the practice on the notion that information that may tend to identify a relevant person would be captured.

They are relevant persons in their own right in this way. And I should note as well that I do understand the order at least, and I should make it also clear this is only talking about an order on an interim basis pending the conclusion of the expert evidence, which I understand will be late May on the current timetable.

They have cooperated, out of a desire to do so, and intend of course to continue to do so. The concern isn't so much about reputational damage, or certain reasonable or open reputational damage, the concern is about arbitrary or unreasonable or unfair reputational damage in circumstances where, as has been made clear, there may be a question as to the type of care that they received - I beg your pardon, that Mr Cauchi received. On my reading of the brief of evidence, that question doesn't extend to the jobs that the nurses had and discharged. If there is an arbitrary or unreasonable or capricious attack to their reputations in a public forum, the opportunity to protect them will have been lost, because the confidentiality can't be clawed back.

That's really the basis on which we press the application, or at least as far as it

travels with the other application made, on that interim basis. And I think it has been noted, we don't anticipate there being a concern that will persist after that, but if there is it will mean that my clients have reserved their position and will be in a position to protect themselves against such an arbitrary attack to their reputation.

So, we say that in that way reputational damage in fact can be relevant, and it turns on the arbitrary nature, or the risk of the exposure to the arbitrary nature. Which I think Mr Gnech referred to, or averred to in some way, may be one view of the reporting to date. That's all I wish to say. Thank you very much, your Honour.

HER HONOUR: Thank you, Ms Robb. Mr Wilson?

WILSON: Thank you, your Honour. Can your Honour hear me okay?

HER HONOUR: Yes. I can. Thank you.

WILSON: Your Honour, the general practitioner for whom I act continues to rely on the written submissions that were provided and hopefully are before your Honour in one of the tabs. But can I also, for the purpose of the application, echo what Ms Mathur had to say and repurpose that insofar as it relates to my particular client.

The final matter that I wish to do is that while the application in its current form sought an order that the NPO be extended until there was a final determination of the issues in the proceedings, in my respectful submission, it goes without saying that it would be open to your Honour to refine that further and indeed the alternative is made in the application to bring that interim NPO up to the point where the expert conclave evidence is finished, and then come to an end at that point. So the application is put on that alternative or less period of time. Your Honour, unless there was anything else, those are the submissions I wish to make.

HER HONOUR: Thank you, Mr Wilson. Can I just ask, perhaps Ms Chrysanthou, you spoke about in this jurisdiction when people are compelled if they're subpoenaed then they don't have a choice. A number of people have spoken about this jurisdiction being a therapeutic jurisdiction, and one of, obviously, the objects of the Coroners Act is that there is the power to make recommendations under s 82. That's obviously the preventative role of this jurisdiction, I think, is something that is particularly important in this inquest. We're very focused on what might have been done better with systems, practices - that's personal practices, as well as systems.

I'm interested in what you might say about the public interest in people being frank and making concessions, reviewing what they've done, what they might have done better, and whether they would be deterred from doing that if there was a fear of arbitrary unreasonable, or as Ms Robb said, capricious, reporting before their evidence was able to be put into context.

CHRYSANTHOU: Well your Honour, witnesses who attend your Honour's Court are obliged to be frank. They either swear an oath or an affirmation, and it would be concerning to think that any person would not be frank because they were concerned about reputational harm.

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The submissions made by Ms Robb proceed on the basis that the journalists reporting on this inquest will be unfair, and that is not a proper way to proceed. There are many journalists downstairs reporting on this matter fairly and properly, and if they don't do so then I can tell you, from personal experience, they are subject to this country's defamation laws, because their reporting is not protected or defensible. You cannot proceed to make non-publication orders on the assumption that journalists won't do their jobs. And if it is the case that they don't, they can be sued.

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What the submissions go to is basically what the cases say you cannot do, which is make pseudonym orders or non-publication orders because of fear of reputational harm. That is, no matter how it's dressed up by any of my learned friends acting for these medical practitioners, that is what it comes down to. You cannot make orders on that basis. There are medical negligence lists in every Supreme Court and District Court around the country where doctors attend court; are sued; allegations are made about them; people can report on those allegations; and if the reports end up in the press, so be it. That is what open justice is. It is--

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HER HONOUR: Slightly different from what I'm actually asking you about. It's not reputational damage. It's deterring people from reflecting and reviewing. Not necessarily that they're not being frank, but that they're going further and reaching into themselves to see what they might have done better, or differently, in this jurisdiction.

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CHRYSANTHOU: Your Honour, we have had already brave police and ambulance officers attend who did not need the protection of pseudonym orders to be frank and to engage in self-reflection. We heard compelling evidence from two ambulance representatives yesterday - contradictory evidence - where each of them clearly, not under the protection of any pseudonym order, gave honest, we would submit, and forthright perspectives to your Honour.

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It is not a proper basis to make a pseudonym order because of the fear that people will not be frank in a court in order to protect themselves. That is not a proper basis, and there's no authority, that we are aware of in this jurisdiction or elsewhere where there are other tests - and we accept the other tests don't apply to your Honour. Your Honour's test is different. We're not aware of any authority that supports that proposition.

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My learned friend Ms Mathur talked about common sense. The common sense dictates that this is an open court. This is a proceeding of extreme public interests, and only in exceptional circumstances should orders like this be made. And here we have four separate parties represented by counsel seeking that your Honour exercise this extraordinary special jurisdiction with

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not one piece of evidence.

5 We do not oppose the interim orders sought on behalf of the Queensland police, because we have received submissions which indicate that there is likely to be evidence about the impact on those officers. We do not oppose the interim orders sought by Mr Gnech. We've read his submissions, and we understand his position.

10 These medical practitioners have not put on written submissions, have not put on evidence, and have not, in fact, put forward any jurisdictional basis which would satisfy the test set out by the authorities. That is the difficulty we have. It is not sufficient to say, "Listen, don't worry about it. These are just interim orders." There is an ongoing public interest in the reporting of these proceedings, and that should not be hindered by interim non-publication orders
15 over the identities of upcoming witnesses without any basis.

HER HONOUR: Thank you.

20 FERNANDEZ: Your Honour, could I address the question your Honour just posed about the deterrence to reflection and review.

HER HONOUR: Yes, Mr Fernandez.

25 FERNANDEZ: Could I address the submissions on behalf of the doctors and the psychiatrists more generally by starting with this observation. Their involvement in this inquest - any inquest or any type of professional proceedings - doesn't sit in the vacuum and is not based entirely on self-choice, because every single doctor is subject to the medical code of conduct.
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I'm going to take your Honour directly to the medical code of conduct. This is a document called "Good Medical Practice: A code of conduct for doctors in Australia". It's a long document, but I'm going to take your Honour to specific aspects in pt 2 of this code of conduct. It's about professional values and
35 qualities of doctors. And relevantly to your Honour's inquiry and the determination about the issue of non-publication orders is as follows:

40 "Doctors have a duty to make the care of patients their first concern and to practice medicine safely and effectively. They must be honest, ethical and trustworthy. Doctors have a responsibility to protect and promote the health of individuals and the community. Good medical practice is patient centred."

45 In relation to the specific question your Honour asked about reflection and review, this is what the code of conduct says at 2.1:

50 "Professionalism includes self-awareness and self-reflection. Good medical practice requires doctors to reflect regularly on their practices and its effectiveness, consider what is happening in their relationships with patients and colleagues, and look after their own

5 health and wellbeing. It requires doctors to learn from what has gone well and what hasn't. Doctors have a duty to keep their skills and knowledge up to date, to develop and refine their clinical judgment as they gain experience, and to contribute to their profession."

10 In terms of this submission that doctors are going to be deterred, I'd ask your Honour not to accept that submission because the doctors' very own professional obligations require them to be involved in this process and similar processes.

HER HONOUR: Thank you, Mr Fernandez. Mr Murphy, did you want to respond?

15 MURPHY: Your Honour, just two very brief matters, unless there's anything further that I can assist your Honour with. Just to clarify, and it may be a distinction without difference, but in relation to the interim orders that I suggested may be open to your Honour in relation to the psychiatrists and the Queensland Police Service, it is a slight overstatement to say that counsel
20 assisting supports an interim order. We simply say that in the circumstances in which I identified, including in relation to the media reporting and the benefit that may be obtained from an interim order expiring after the evidence of those individuals, or the expert evidence, your Honour might give consideration to an interim order. It is not entirely correct to say that it is supported by counsel
25 assisting.

Then in relation to Mr Wilson's submissions in relation to the general practitioners and those orders being modified in terms of an interim order, counsel assisting submit that they are in a different category to the
30 psychiatrists. The psychiatrists have greater training and, in the instance of one of them, they were involved in the decision to cease treatment in respect of Mr Cauchi, based on the expert evidence in this matter to date, they are much less likely to be the subject of any adverse criticism. And it is not anticipated in that evidence. That is what is in those reports. And further
35 evidence may be adduced in relation to that by those experts. But there isn't any suggestion at this stage of criticism. The force of, or the need for, an interim non-publication order in relation to that, we submit, is simply not there, as it is in the case of those other two categories of individuals that I've identified.

40 One further matter concerning interim non-publication orders and the issue of delayed reporting. In the decision of Bissett v Deputy State Coroner [2011] NSWSC 1182 - and I should note, your Honour, that this decision erroneously applied the Court Suppression and Non-publication Orders Act to
45 this court, but the principle that it exposes, we say, is still valid - which it says that, "It is relevant to bear in mind that the public interest will often not be damaged if publication is simply delayed", which is a relevant consideration that we say your Honour should have in the context of considering any interim orders that will expire during the course of this hearing, subject to any further
50 order. Unless I can assist your Honour with anything further, those are

counsel assisting's submissions.

HER HONOUR: Thanks very much, Mr Murphy. And thank you to all parties. I'll adjourn, unless anyone has anything else that they'd like to raise at this point.

CALLAN: Your Honour, in respect of the orders sought by the New South Wales Commissioner of Police at tab 4 of your Honour's folder, as your Honour would observe these orders are in very targeted form. In respect of the proposed non-disclosure of certain material, as you would note from order 1(a), there is no impediment to your Honour and the interested parties and others named, having access to the material.

In respect of this material, of non-disclosure or non-publication of certain material in the brief of evidence, this is on the basis - which I might broadly describe as public interest immunity - in the main the basis is outlined with more particularity in the letter from my instructing solicitor to those assisting your Honour dated 6 December 2024.

Beyond the content referred to in that letter, the additional content, which is identified in the proposed orders, appears at order 1(b)(iii) and (iv), being information that has been received by this inquest after December 2024. And specifically, certain material in the statement of Assistant Commissioner McKenna dated 28 April 2025. If your Honour turns to schedule A, the material listed at item 7 also postdates my instructing solicitor's letter of December, being certain information in the statement of Senior Sergeant Watt dated 23 April 2025.

In my submission, your Honour would be satisfied on the face of the information, accompanied by the explanations outlined in the letter of 6 December 2024, the disclosure or publication of the identified information would be contrary to the public interest. In broad terms, on the basis that it would disclose certain police capability, the limitations of such capability, police methodology, training in relation to certain sensitive topics, the identity of certain police officers in specialist roles and the location of certain police locations and capabilities.

In my submission there is a sound basis upon which your Honour would be satisfied that such orders ought be made in the public interest. I note the practical application of these orders proposed by the Commissioner to the content of the brief of evidence has been notified to those assisting your Honour by the industrious work of my instructing solicitor, using relevant highlighting or boxing techniques to ensure that no burden falls upon others to identify the content which would be captured by this application.

Insofar as my client's application seeks non-disclosure and non-publication of certain names of police officers, this is on two bases. The first is public interest immunity as outlined in the letter of 6 December. The other basis has been described accurately by Mr Murphy as being for departmental health reasons. In respect of the latter, those applications have only been made relatively

recently. We would ask that those orders be continued on an interim basis, and the orders in their form are set out at para 1(b)(v), to permit the Commissioner to furnish approach evidence in support of that application, noting if I can put it this way, that care is required in obtaining that evidence having regard to the welfare concerns involved.

HER HONOUR: I understand, thank you Ms Callan.

MURPHY: If it might be convenient, there are a few housekeeping matters that need to be attended to, but they will require a short adjournment just so some phone calls would be made. Would that be convenient for your Honour to adjourn for ten minutes?

HER HONOUR: Yes.

MURPHY: And then resume to deal with those matters?

HER HONOUR: How long do you need Mr Murphy?

MURPHY: Safe to say it's not me, your Honour.

SULLIVAN: Ten minutes would suffice your Honour.

HER HONOUR: We'll say 3.30. Yes?

SUMMERHAYES: Just in relation to the New South Wales Ambulance application, just for clarification that's at tab 7. It's for the non-publication of the names, personal details or other identifying information, but also at 1(c), the contents of para 29 of tab 627 which is the statement of one of those--

SULLIVAN: It's not opposed.

MURPHY: This isn't opposed your Honour.

HER HONOUR: Not opposed, so don't need to be heard, thanks very much.

MURPHY: I also understood there was movement in the second--

HER HONOUR: Mr Casselden?

CASSELDEN: Yes, thank you Mr Murphy. Very briefly I just want to address your Honour on Glad's application. I understand it's behind tab 6. We would submit it's not particularly controversial. It's both targeted and refined in terms of the protective orders that are sought and it's not too dissimilar to the application made on behalf of Scentre. The essence of the application in respect of information contained within documents relates to matters of operational security and response to threats. Otherwise we stand on the written outline.

HER HONOUR: Thank you Mr Casselden.

LTS:DAT

BONNOR: Your Honour, I rise. It's Bonnor for Scentre Group.

HER HONOUR: Yes, Ms Bonnor?

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BONNOR: In light of counsel assisting's position that the orders sought by Scentre Group are appropriate, I won't repeat the details of what Scentre Group has put in writing before your Honour, save to say that the application identifies quite specific evidence and the reasons that orders are sought.

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Unless I can assist your Honour further to what is in writing, I would rely on that document.

HER HONOUR: Thank you Ms Bonnor. Nothing further required at this stage? We'll come back at 3.30.

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SHORT ADJOURNMENT

HER HONOUR: Ms Sullivan.

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SULLIVAN: Thank you, your Honour. The brief matter that I wanted to raise topically arises in connection with media reporting. Certain reporting in connection with the evidence that your Honour received from the New South Wales Ambulance officers over the last few days has had implications in terms of the reporting of survivability of victims, and there's a clear suggestion of a nexus between delay on the part of the New South Wales Ambulance service and the potential impact for the victims.

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Of course your Honour has retained an experienced emergency physician, Dr Stefan Mazur, who will give evidence on that issue on 23 May, but it's important, as was clearly set out by senior counsel assisting in the opening, that Dr Mazur has opined that with the exception of one victim whose injuries were assessed as probably un-survivable, it was his opinion that all the injuries sustained by victims were un-survivable, and that was specifically in the context of assessing the treatment by the New South Wales Ambulance service.

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So, in that context, the evidence concerning the paramedic Mr Wilkinson, who was on the scene from 4.03pm, that is, half an hour after the attacks commenced, that is an important detail in terms of the reporting that hasn't come out thus far. And to assist the media, counsel assisting are reviewing the current aide memoires - that is, from the New South Wales Police Force and the New South Wales Ambulance service in terms of the timing - and those two documents will be made available to the media to make it very clear in terms of the particular chronology from 11am tomorrow.

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HER HONOUR: Thank you.

SULLIVAN: And we'll ensure that the parties have input to make sure that those documents are absolutely accurate.

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LTS:DAT

HER HONOUR: Thanks very much, Ms Sullivan.

SULLIVAN: That's the matter I wished to raise.

5 HER HONOUR: Thank you. Dr Dwyer.

DWYER: Your Honour, just to finish off today, might I put on the record the witnesses we can expect on Monday and Tuesday of next week and following. On Monday, there are four police officers from Queensland who had
10 interactions with Mr Cauchi at various stages leading up to the incident in Bondi Junction, the last one being 8 January 2023. So they will take up the whole of Monday, and we anticipate being ready to go with their statements then that can be released from the press in any sort of redacted form, subject to your Honour's ruling, over the weekend.

15 Then Tuesday we also have members of the Queensland Police Force, including an institutional witness who will speak more about the type of assistance for police interacting with persons with mental illness in the community. On Wednesday there are various employees from both Glad and
20 Scentre Group. That's the same case for Thursday the 9th. Then on Friday 9 May we'll hear from one representative from the New South Wales Ambulance and a police officer in relation to the systems issue with regard to active armed offenders, and importantly, the proposed significance of the ten second triage rule.

25 So that's next week, and we'll keep the media and others updated. But hopefully we'll be able to run in a more streamlined way next week in terms of the release of materials.

30 HER HONOUR: Thank you, Dr Dwyer. I'll be able to deliver a decision in chambers tomorrow regarding the non-publication orders.

DWYER: May it please the Court.

35 HER HONOUR: Unless there's anything else, we--

DWYER: Just in relation to the chronologies. Again, particularly to assist the media, but also families and parties and everybody trying to follow this complex trail of evidence, there are three significant chronologies that we
40 have, counsel assisting team have prepared and have put a lot of time into. They are in relation to, one, the police, two, the ambulance, and then, thirdly, the Scentre Group. We've asked for contributions in relation to those chronologies. The date has passed for them, but some parties have asked for an extension of time to have specific additions. We want to be able to get
45 those out to the media by 11am tomorrow morning, so any suggestions need to come to us by at least by 10am tomorrow morning, but preferably overnight. Thank you.

50 HER HONOUR: Yes, thank you. Mr Jordan.

LTS:DAT

JORDAN: Yes. Your Honour, just in relation to the last, let's call it housekeeping matter, raised by Dr Dwyer. We on behalf of Scentre have been working quite diligently on the already very well advanced chronology prepared by the assisting team concerning the Scentre Group and Glad response. We
5 had understood we had until the end of today to come back to the assisting team, and that's what we're proposing to do. We do apologise if there's been any inadvertent delay on our part. We certainly don't want to get in the way.

HER HONOUR: Thanks very much, Mr Jordan. That will be fine. Unless
10 there's anything else, we will adjourn until Monday at 10am.

AUDIO VISUAL LINK CONCLUDED AT 3.41PM

ADJOURNED PART HEARD TO MONDAY 5 MAY 2025