

LTS:DAT

IN THE NEW SOUTH WALES STATE CORONER'S COURT

STATE CORONER O'SULLIVAN

5 TUESDAY 20 MAY 2025

2024/00139002 - BONDI JUNCTION INQUEST

10 **NON-PUBLICATION ORDERS MADE**
PART HEARD

15 HER HONOUR: Good morning.

SULLIVAN: Good morning, your Honour.

20 HER HONOUR: Ms Sullivan?

25 SULLIVAN: Thank you, before calling Mr John Yates can I just attend to the tender of a document that will be relevant to his evidence. This is a letter from Holding Redlich dated 18 May 2025 with some annexures. It's proposed it be added to tab 1625 of vol 50. I'll hand your Honour a copy. It's been circulated to the parties.

HER HONOUR: Yes.

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<JOHN MICHAEL YATES, SWORN (9.59AM)

<EXAMINATION BY MS SULLIVAN

5 Q. Your full name please, sir?

A. John Michael Yates.

Q. You are the direct of security for Scentre Group?

A. I am.

10

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

25

[REDACTED]

[REDACTED]

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[REDACTED]

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[REDACTED]

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WITNESS: Thank you.

SULLIVAN: Thank you, your Honour.

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Q. You've held that role of the director of security for Scentre since 2013. We'll just touch on your background shortly. But I understand there is something you would like to say at the end of your evidence, just to foreshadow that?

A. Yes, that's correct, thank you.

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Q. There's the three statements that we have from you. The first is dated

17 February 2025. That's at tab 1599 of volume 42. The second statement is 22 April 2025 at tab 1599A of volume 42. The third statement is dated 18 May 2025 at tab 1599B of volume 42. You've familiarised yourself, no doubt, with those three statements?

5 A. I have, thank you.

Q. Are there any corrections you wish to make?

A. No, there aren't.

10 Q. Can I suggest to you that in relation to certain paragraphs, by way of example, paragraphs 32 to 33 of your second statement and paragraph 58 also of that statement there is some speculation about the mindset of certain witnesses who are not being called, that's so?

A. Yes, I understand that.

15 Q. And you accept that that speculation is more appropriately undertaken in the context of submissions?

A. I do, yes.

20 Q. Thank you. In terms of the structure of your examination, first, I'm just going to deal with your specific role and responsibilities, having covered some of your background. And then draw out a couple of matters that appear in your first statement. But really we understand that things contracted, in terms of the second statement and the areas of contention, as it were, so that will be the focus of my examination. The second area will be to go to the matters that are

25 conceded or agreed, in terms of Mr Wilson's expert report and evidence.

A. Yes.

30 Q. Thirdly, to explore the limited matters that remain in issue. Fourthly, to canvas the remedial steps that have been taken by Scentre in response to the events of 13 April and finally, to turn to the issues of recommendations. That's just so you have a road map.

A. Thank you.

35 Q. Can we just briefly touch upon your background? It's set out at paragraphs 16 to 19 of your first statement, but in short can you provide us with a short summary as to how you landed in your role of director of security?

40 A. Thank you. Yes, so I've - I spent my principal career in the Metropolitan Police in London, New Scotland Yard. I spent 30 years there. My last two roles, I suppose would be the most significant is I was London's most senior detective from about 2007 to 2009. That was dealing with all homicide, child protection, serious and organised crime and the like.

45 Then in my last two and a half years of my service I was the most senior counterterrorism officer in, in the country. Responsibility for all counterterrorism investigations across the United Kingdom, protection of the Royal Family, protection of the Houses of Parliament, protection of Heathrow Airport, protection of government ministers from terrorism, acts abroad against UK nationals, war crimes, espionage and the like.

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5 So that was my principal career. I left the Metropolitan Police in November 2011, spent some time in the Kingdom of Bahrain advising the King on police reform post the Arab Spring, if one recalls. Then some other short interludes before landing the global security role for Westfield, as it was then and Westfield Corporation.

Q. You were in fact awarded the Queen's Police Medal for service in connection with the South East Asian Tsunami, is that correct?

10 A. That's correct. So, I, I--

Q. What year was that?

A. That was 2005 - 4, 5, 6, so that was--

15 Q. Your role as the director of security entails participation in various security forums, that's right?

A. That's correct.

20 Q. And you've set that out at paragraphs 20 to 23 of your first statement, but that includes, for example, chairing and leading the Retail Leaders Security Forums in Australia and New Zealand?

A. That's correct.

25 Q. At paragraph 30 of your first statement you explain the structure of the national security team within Scentre Group?

A. Correct.

Q. And you set out that there are in fact 50 full-time personnel employed in security within Scentre, is that right?

30 A. Yes. The principal numbers being the risk and security managers at the centres themselves. There are 42 of those.

Q. What is the nature of your job as the director of security?

35 A. So I oversee all security matters on behalf of the company. We call it an enterprise wide role. So it's not just security at shopping centres, it's, it's supporting cybersecurity, it's supporting other aspects of security across the centre. I lead a small team, we have a small intelligence team, which is pretty unusual for a shopping centre operator. We have a small intelligence team which supports the delivery of what we hope is the best security measures at a local level. So mine is sort of policy development oversight, leadership in, in, in really difficult circumstances such as, such as we saw on April 13, and taking a leadership role in, in those areas. But principally, policy, procedures, auditory risk and checking is probably what - how you would describe my role.

45 Q. We know that Bradley Goldberg was the manager of security at Bondi Junction.

A. That's correct.

Q. How does that fit in terms of the reporting structure to you?

50 A. I'd look at it like I'm a head of profession. So we very much have risk and security being handled and being responsible at a local level to get that

ownership and that bind, so if you look at my role like a head of profession, in terms of professional support, professional advice - not quite consulting in that sense, but certainly that sort of oversight role.

5 Q. How frequently would you interact with someone like Mr Goldberg in your role?

10 A. Well, I interact with the - we have a sort of senior RSM role. So that would be sort of biweekly. We have regular monthly meetings with the risk and security managers, we have quarterly town halls, if you like, with the risk and security managers and it's - after an event of this nature there was, there was an immediate engagement with all the risk and security managers to make sure that we were delivering key messages and making sure we were, we were helping them understand what had taken place, what we want them to do in the immediate aftermath and I can describe that later.

15 Q. At paragraph 41 to 45 to your first statement you refer to engagement with, for example, the AFP, and local police, State police, to obtain intelligence and exchange information. That's an ongoing process we understand?

20 A. Yeah, I mean, the, the professional network for me and for - and, and locally as well, is hugely important in the way we deliver policing and certainly in the aftermath of the terrible events on April 13, that investment we both make, because it's, it's a two way investment, has been hugely important. That my networks are sort of at the most senior level.

25 So that sort of engagement with sort of commissioners and deputy commissioners, particularly in the counterterrorism world of the State and Territories. We encourage - very directly encourage centre managers, risk and security managers, to engage with their local area command so they're familiar with one another, they understand one another and we saw the benefits of that on April 13.

30 Q. You were here for the evidence of Mr Goldberg, is that right?

A. I was, yes.

35 Q. Another aspect of that engagement is your role in the Crowded Places Business Advisory Group that leads into the ANZCTC Committee and guidelines, is that right?

40 A. That's correct. So, I'm, I'm the industry - the shopping centre industry representative on that group. Casinos, universities, stadium, they are, they are represented. So we provide that advice to the Australian national - the CTC Committee to say this is the perspective of businesses.

Q. How often does the ANZCTC meet?

45 A. I think it's - well, the, the BAG Forum meets quarterly--

Q. Sorry, the what forum?

A. The Business Advisory Group, I apologise.

Q. Thank you.

50 A. The ANZCTC, I think it's also called here but don't hold me to that one.

Q. To the extent that there are learnings that should be drawn from the retail space, based on the experience of Westfield, you will convey those messages to that forum, is that right?

5 A. Yes, yeah, and on behalf of other landlords as well, because I represent that, that section of the industry.

Q. Just in terms of broader context, how many Westfield centres are there in Australia and New Zealand?

10 A. There's 42. 37 here, five in New Zealand.

Q. And Bondi Junction, is that amongst one of the largest in the Southern Hemisphere?

15 A. It's - I think it's sort of top 15. It's certainly one of the larger ones, it's - we would say. It sort of has 17.2 million visited it last year, so sort of 40 - 48,000 people a day. So it is one of the busiest, yes.

Q. Has there ever been an active armed offender scenario at any Westfield centre during your time as the director of security?

20 A. No, there hasn't.

Q. Prior to you assuming that role, are you aware of any such incident?

A. No, I'm not.

25 Q. Just in that context, you would have heard the evidence of Mr Goldberg about the inherent limitations on what security staff can actually do in an AAO scenario because they are unarmed?

30 A. That is correct. I mean, their role is to observe, report, escalate, help people get to safety, provide first aid. It is certainly not to engage.

Q. The events of 13 April were unprecedented in terms of being the first AAO event that Westfield had encountered, that's right?

A. It's any operator.

35 Q. Any operator in Australian and New Zealand?

A. Yes.

Q. They were also marked, can I suggest, by the extreme unpredictability of the path that Mr Cauchi took?

40 A. That's true.

Q. And the rapidity of his attacks, do you agree?

A. That's correct.

45 Q. Given those factors, we take it from your statement that the centre is absolutely committed to distilling all possible learnings from what occurred on that date?

A. That is correct.

50 Q. In fact, Scentre will seek to extrapolate the lessons to its businesses and

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other operators, as you've just referred to?

A. Certainly.

5 Q. Can I go now to some matters that arise from your first statement, which of course was prepared before you had the benefit of Mr Wilson's report and his evidence. And you've set out at paragraph 213 to 247 - I don't need to take you there, some reflections that were made of that initial phase, but they've since been refined, that's the position?

A. That's correct, yes.

10

Q. One of the matters that comes out of your first statement is the importance at paragraph 216 of recognition that we sit here today through the prism of hindsight, calm analysis far removed from the terrible events that unfolded that day and you make the point that there's an importance about appreciating that that's our lens--

15

A. It is really, really, important.

Q. The second is a matter that you refer to, is at paragraph 217, about the potential idiosyncratic reaction of people when faced with a scenario like that and you make the point that even highly experienced police can falter under pressure?

20

A. That's correct, yes.

Q. Have you had that experience personally in your 30 year career?

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A. I have, yes.

Q. What's a particular example that comes to mind?

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A. It's an example that Mr Wilson alluded to yesterday and it's the, it's the terrible shooting of an innocent Brazilian electrician at Stockwell Tube Station in July 2005. Mr Wilson alluded to it was, it was two weeks after the awful events of July 7 when 52 people lost their lives in the London Underground system, 800 people were injured and four suicide bombers attempted to detonate devices on the London Underground system two weeks after that. So there were four terrorists on the loose in London. A particular individual was targeted.

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They thought he was in a house in Brixton and the person that was identified leaving the house was an innocent Brazilian electrician called Jean Charles de Menezes. And I once again pass on my condolences to his family for the terrible events of that day. A chaotic control room, miscommunication on radios were all the hallmarks on that case, and the findings of the - in the, in the inquest and the work health and safety trial that followed. Poor Mr de Menezes got on a bus and some sort of confirmation by us when he got off the bus, got back on the bus again and confirmation by us says he is doing anti surveillance, when actually it was just the traffic issues that he was, he was trying to escape.

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He subsequently went down the London Underground system. Expressly it was forbidden to do so by the designated senior officer who was in charge on that day. The firearms team claimed they were closer than they were, they

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weren't. So there's people under pressure making poor decisions, communicating badly--

Q. Highly trained police?

5 A. Highly trained police and again, I emphasise, this was a preplanned operation featuring the most senior firearms commanders, the most senior counterterrorism commanders in the country. He went down in the underground system and unfortunately, terribly, he was shot by armed officers. Wind back 50 seconds, an eye witness saw three or four people leaping the
10 barriers, leaping the barriers of the tube station wearing thick jackets on a July hot day.

He was subsequently interviewed..(not transcribable)..by Sky News. The commissioner of the day, taking unverified information, repeated those exact
15 words on national television and said that "we have shot a terrorist". He was totally wrong because the people jumping the barriers were actually the surveillance officers that day. So, chaotic control room, miscommunication, firearms officers commanders saying they were on the scene when they weren't on the scene, the, the hallmarks of a fast moving operation, but these
20 were highly trained people and they still made catastrophic errors.

Q. Thank you for that reminder. Now, the final matter arising from your first statement is at 221 and thereafter, and there's some, if I can refer to it in these terms, some euphemistic terminology that some may have found a little jarring
25 in terms of the reference to "not optimal"--

A. Yes, I--

Q. Can I suggest that that was because you were seeking to avoid any personal criticism of the centre and Glad staff, and that is why that terminology was used at that point in time--
30

A. That's correct, and on reflection it's poor terminology and I, I, I, I--

Q. Thank you?

35 A. --I apologise.

Q. Thank you Mr Yates. And consistent with your attempt to minimise any personal criticism, can I suggest that that arose in circumstances where the security community at Westfield Bondi Junction has been deeply traumatised by the events that day?

40 A. Yes.

Q. Many staff haven't returned to work?

A. That's correct.

45 Q. New topic, areas of agreement with Scott Wilson. And you set that out in some detail in your second statement, and I'm going to go through those matters now and at various points deal with some remedial steps as they've arisen. The first matter is the presence of staff in the control room, and you've set out at paragraphs 19 to 20 the position that, in effect it's accepted by
50 Scentre that the control room was not occupied at the time of the incident

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commencing and there was a lost opportunity at that point to immediately start the review of the CCTV. That's right?

A. I accept that, yes.

5 Q. That adversely affected the timeliness of the response. That's accepted?

A. It is.

Q. And the impact of these lost opportunities is unquantifiable, is really the position--

10 A. That's correct.

Q. Scentre agrees as a corollary that during core trading hours, there should always be an appropriately trained security officer in the control room with access to the various security systems. That's right--

15 A. I agree.

Q. At the time that wasn't clearly specified in Scentre's policies, Glad's policies, but it now is, is that the case--

20 A. It is.

Q. That's been reinforced by the placard that's outside the Westfield Bondi Junction control room. You've taken a photo and put that at paragraph 68 of your third statement. It says the control room must be occupied at all times?

25 A. That's correct.

Q. And you've also given consideration, this is at paragraph 69 of your third statement, to two security controllers being in the control room during core trading hours?

30 A. Yes we're trialling that, yes.

Q. That trial started yesterday?

A. It did.

35 Q. And that will be subject to ongoing review and development. Is that right--

A. Yes, that's correct.

Q. How is it proposed that you will assess the efficacy of that pilot program?

40 A. The - it'll be assessed during the weekly meetings between the RSM and the provider. The S1 and the S2 will be performing that additional role. We'll be observing and notating the difference it makes, and then that will be discussed at the weekly security meetings with the provider, and an assessment made after an appropriate period, not sure what that is yet, to see is this, is it viable, is it working well, is it actually making a difference.

45 Q. So there's no expiry date for the pilot program?

A. Yep.

50 Q. Scentre recognises the value of two persons in that control room in circumstances where it seems that it's a great challenge for one person to

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manage all the assignments--

A. Yes.

Q. --in the event of an emergency?

5 A. Yes, and, and in Mr Goldberg's evidence which I heard, on his estimation that prior to the trial there's, at least 77% of the time there would be an additional person there. We have adjusted the layout of the control room to put the S1 and S2 desk actually in the control room itself as opposed to a separate room. So, before April 13, it would be 70%. Now it's going to be
10 100% of the time.

Q. During core trading hours?

A. During core trading hours yes.

15 Q. That role of CCTV controller, we've heard a lot of evidence about this, it's traditionally been very difficult to recruit for. You're aware of that?

A. Well it's, it's, it's, it's now stable. It's been stable since around August, September last year.

20 [REDACTED] So there's, there's a range of measures put in that means the CCTV operator recruitment and retention is stable.

Q. When you say stable, you have sufficient numbers of controllers--

A. We do. We do.

25 Q. And you heard the evidence of Mr Wilson yesterday that 95% of the time it might be that those tasks are mundane, but for that 5% the controller needs to be able to immediately change gears and perform highly stressful functions?

A. Yes..(not transcribable)..

30 Q. And discharge their duty with a high degree of competence to obtain immediate situational awareness. You agree?

A. That's the best endeavours, yes.

35 Q. And in fact, in the event of an emergency, that the CCTV controller is at the epicentre of the emergency response. That's right?

A. The CCTV controller's got a very important role in supporting the chief warden, who is the epicentre of the emergency response. But I, I accept the control room has a key role in supporting the, the warden, chief warden, but the chief warden is the epicentre.

40 Q. All right, it might be my terminology in terms of defining "epicentre", but it's the CCTV controller who has the capacity to provide situational awareness in the event of an emergency. That's right?

A. It's one of the roles yes.

45 Q. It's a critical role?

A. Yes I do(as said).

50 Q. So will the Red Book be amended to reflect the requirement that there's now two CCTV controllers--

A. It will be. It will be yes. But it's, it's a trial, so the Red Book is a, is a national policy--

Q. Yes?

5 A. --for the entire business--

Q. I see?

A. --so depending how the trial goes, the Red Book will be amended. If, if it is, that's our decision as a business.

10

Q. Is there an understanding as between the two operators who are now in there, as to who will do what in the event of an emergency?

A. That would be a matter for the supervisor to decide on the day as who's best equipped to deal with the particular emergency that it is. So I wouldn't - it would be a matter on the day. But it's a supervisor so that person will have the, the onus to dictate it as what.

15

Q. In terms of the length of the shifts, we understand that they're 12 hours, and you would have heard the evidence of Mr Wilson yesterday to the effect that that may be too long, and it might be better to do six hours in the control room and then six hours on the floor. What do you say to that?

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A. Look, I think provided there's regular breaks, and there are regular breaks, then the 12-hour shift is, is not universally held, but it's, it's, it's, it's - happens in an awful lot of these environments. People actually prefer it because it gives them extensive days off after doing the 12-hour shifts. I think the, the key is--

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Q. When you say people actually prefer it, do you say all people or most people--

A. No, I, I - it, it's my sort of general experience of 12-hour shifts coming from a policing background, where there's - actually people prefer them in some sense. The important thing with the CCTV control room is they get regular breaks, and - but they're not - the idea that they're monitoring the cameras 12 hours, that, that's just not what happens. They're doing a range of other administrative tasks. They're getting keys booked in. They're answering the phone. There's, there's - I've sat in a control room for several hours, and can evidence that at some point if you want to. But it's, it's, it's - the idea they're monitoring a bank of screens and clicking through screens all the time, that just does not happen--

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Q. We had the benefit of some evidence from Ms Fatima. Were you in court for that evidence--

A. Yes I was, yeah, yeah.

40

Q. Yes, so we have evidence to that effect. But it was her account that she is monitoring certain cameras that are--

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A. Yes.

Q. --areas of risk?

A. They are the key bits of infrastructure, car parks' entrance and exits, kiosks, amenities and, and the like. So that's - but they are up there set during

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core hours. They can be, they can be adjusted. But those are the ones they, they, they look at. So the fire control room, the pump room and those type of areas.

5 Q. Certain areas are subject to active monitoring?

CASSELDEN: I object. That wasn't the evidence of Ms Fatima. Her evidence was five to seven minutes. She would--

10 HER HONOUR: Five?

CASSELDEN: Five to seven minutes, she would look up and scan through.

HER HONOUR: Right.

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CASSELDEN: Was her evidence with the greatest respect.

SULLIVAN

20 Q. I'm not sure that that's inconsistent with what I was putting, but perhaps you can assist us--

A. But what I'm saying is they're not clicking through those--

Q. Yes?

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A. --static cameras at any point that I'm, I'm - seen them. That where they would do that is in response to something that's happened, or some..(not transcribable)..have been called in on the screens on the desk in front of them, not on the wall which is static--

30 Q. The particular tracking exercise that they're--

A. Yes.

Q. --required to do?

A. Yes, they're required to do yes.

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Q. So the next matter is in relation to radio communications at Scentre, and this is at paragraphs 21 to 22 of your second statement. Scentre accepts that there were failings in the clarity of the communication by the first security guard reporting the incident?

40

A. I agree.

Q. And that in the event of an AAO, clear and concise information is absolutely imperative?

A. Absolutely.

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Q. That includes, in terms of that initial radio communication, the details of the location, the direction, the weapon and the actions of the offender. That's right?

A. That's, that's correct.

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Q. And also on that day, there were issues with the volume of traffic on the radio and the nature of the communications as between the security guards. Do you agree?

A. I agree.

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Q. And that has been the focus of quite a detailed training program by Scentre and Glad, is that so?

A. That's correct. And Scentre the, the whole of the business actually not just Glad. It's, so, it's, it's, it's, it's the, it's the whole of the business.

10

Q. So you deal with this in your third statement at paragraph 30 to 41. This is the radio communication policy that commenced on the 14th and was rolled out yesterday, that's right--

A. That's correct, yes.

15

Q. That's the Scentre-wide radio protocol, is that it--

A. Yes, so that's, it's, it's, it's a new policy and procedure, and it's accompanied by an online training module. It's part of that sort of package of critical modules we ensure that core and ad hoc guards have undertaken prior to them starting a shift.

20

Q. Is there a proposal to quality assure the training? How is that--

A. Yes.

25

Q. --tested?

A. Sometimes it will just be feedback from those doing it. We will review significant incidents when radio traffic has been potentially an issue, and we'll refine the policies as we need to refine them. But that's the way we will approach that.

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Q. Is it possible to your knowledge to record radio communications on the Scentre network? So for example, if you had another emergency situation, move to an emergency channel. Can that channel then be recorded to your knowledge?

35

A. I imagine it could be. It is in police control rooms, so I imagine it, it could be. We do have team safety cameras of course which are operated in an emergency which will record that type of data.

Q. Team safety cameras are you referring--

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A. Body--

Q. --to body-worn cameras--

A. Yeah we call them team safety cameras but they'll--

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Q. That were introduced in April this year?

A. That's it. Yes, yeah. So there is that, there is that facility. But that--

Q. Yes?

A. --I imagine there is a way to record radio traffic in a control room yes.

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Q. And I think we've touched up on this, but it's imperative that the controller have a high level of competence in terms of radio communications so as to elicit information from guards in the event of an emergency. Do you agree?

A. That's important, yes.

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Q. It's accepted by Scentre we take it that had there been greater clarity in the messaging from the first security guard about the code black at around 3:33:33, there would have been a significantly faster response to the emergency by Scentre--

10

A. We, we accept yes.

Q. What would that message have looked like in an ideal world from your perspective?

A. In an ideal world, the guard - can I call her her name now to--

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Q. You can, but it's subject--

A. But--

Q. --to a non-publication order for the--

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A. So GLA2, GLA2 would have said something to the effect, "Code black alpha. Code black alpha. I've seen a man stab somebody. He has a large knife." Give a description of him, and where he - and his direction of travel. And you'd repeat that, "Code black alpha, code black alpha". So, absolute clarity, "It is an AAO event in progress. I've seen it happen." So it's verified because it's a guard, and you've seen the direction of travel and you've seen where he's gone. And you provide that information immediately.

25

Q. You would've heard Mr Goldberg make the suggestion that you might have a special category of "Code black AAO" as a call sign. What do you think about that suggestion?

30

A. Look I think there is, there is work to be done on that, and there is an Australian standard around these codes. And it's clear in that AS 3745-2010, they actually notate that says, "This is a national standard. It shouldn't be varied from because it can lead to confusion." So if you get someone else who's been working in a different environment comes to work for us and doesn't understand the new codes. So it's not as straight forward as - I mean it was a good suggestion by Bradley by the way. I'm not decrying it--

35

Q. I agree with you, with respect?

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A. --but it needs to be thought through in the context of what is a national policy and national standard.

Q. Is that a matter that you can also take to the ANZCTC?

A. It certainly is, yeah. It's exactly what I've been doing.

45

Q. The third matter that is agreed with Mr Wilson is that the call to police came too late. We now know that it was at 3:36:03?

A. The first call.

50

Q. The first call made by--

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A. Didn't get through.

Q. --CR1 and it's accepted by Scentre that there should have been an earlier call to police.

5 A. That is accepted yes.

Q. And that's a matter of training for the control room operator in effect?

A. Yes.

10 Q. The point is made at paragraph 26 to 27 of your second statement that in fact members of the public had called police by 3:34:39. That's the first call.

A. That is correct.

Q. And a lot of information was contained in that call?

15 A. Yes and I've listened to those very distressing calls and two points come. One is there were eyewitness accounts of terrible and harrowing events and secondly having listened to all the calls there is very little description of use coming from those eyewitnesses because people are just - in the awfulness of the moment there's no clarity of thinking, they don't pick up those other details
20 and so there wasn't a single reasonable description or there was masses of differing descriptions of what the offender looked like, what he was doing and where he was travelling.

Q. But of course the standard from members of the public providing
25 information to police is quite different to--

A. It is.

Q. --the standard from a CCTV controller? But you also make the point that police are in fact on scene within eight minutes of that call, that is by 3:42,
30 there were 20 police on scene at the centre.

A. That is correct yes.

Q. The fourth matter is in relation to activation of the CME0 and just pausing there, the CME0 is actually a Scentre invention if I can put it in those terms?

35 A. It is.

Q. Would you like to just briefly explain how it came about?

A. So it was post the rise of the threat level in about 2017 and the introduction of the..(not transcribable)..to place a strategy that we thought how could we
40 utilise our own infrastructure and we own the infrastructure of those media screen in our centres unlike many others, how could we utilise that to provide a supplementary, certainly not the main means, to warn members of the public of an AAO event or the need to evacuate, so we developed this system. It's pretty simple, on - it's either an active armed offender, escape hide tell, or it's
45 evacuate the centre so--

Q. Only the two options?

A. Only the two options.

50 Q. When was it developed?

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A. I'm going to say it was rolled out in 2018. But it took, it took a while to finesse.

Q. It's now in all Scentre facilities?

5 A. All Scentre facilities yes.

Q. Has it been adopted by other large shopping centre providers?

A. Prior to 13 April no, but there is certainly interest from other operators in developing a system for themselves yes.

10

Q. Coming back to the point in relation to the CMEO, there's an acceptance that it should've been activated earlier than 3:39:43?

A. Correct.

15

Q. In fact that should've occurred immediately after the chief warden verified that there was an AAO in the centre and directed its activation?

A. Correct.

20

Q. Again it's accepted that if there had been a clearer message from the first security guard about the nature of the attack, it could have been activated shortly thereafter?

A. Correct.

25

Q. You explain at paragraph 29 the difference between the general evacuation message and the escape hide tell message, and you advert to the risk of moving members of the public into the path of a potential danger. Do you want to expand on that Mr Yates?

30

A. So if you press the evacuation button without the situational awareness of where the offender is travelling, where he - you run the risk of members of the public rushing into exactly the place you don't want them to, as in danger, so escape hide tell is always the preference because that gives you a choice. They have it run hide tell in the UK, I know Mr Green talked about escape, giving people choices, and I think it's probably - escape hide tell is better. So escape hide tell gives you that option to say - makes - you've got to make a judgment and you've got to say if it's safe to do so, escape. If it's not, hide, and if you can tell, you ring triple-0 if it's safe to do so.

35

Q. Well come back to some more evidence about that at the end of your examination but in short form is it your view that there is a poor understanding amongst the Australian public about that message?

40

A. That is right yes.

Q. The fifth matter is the activation of the EWIS. What's the EWIS?

A. It's the Emergency Warning Intervention System. I hope.

45

Q. Scentre accepts that the first sounding of the alarm tones in relation to the EWIS was too slow?

A. We do.

50

Q. That arose in part from the absence of a control room operator at the time

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the incident commenced?

A. That's correct.

5 Q. There was too much time between the instruction from the chief warden and activation of the EWIS alarm tone, that's accepted?

A. That's correct yes.

10 Q. It's also accepted that rather than activating that alarm from the fire control room, the secondary panel in the control room could have been used?

A. We accept that yes.

Q. That's an issue of training that has been addressed to your satisfaction?

A. Yes it is.

15 Q. The sixth matter concerns PA announcements. That is that Scentre accepts that PA announcements could have been made from the control room rather than the fire control room?

A. We do yes.

20 Q. And that they should certainly have been made earlier than they were?

A. We do.

25 Q. You agree with Mr Wilson's statement that PA announcements are in fact the best opportunity to provide appropriate information to the public about an active armed offender scenario?

A. That's correct.

30 Q. The final matter concerns ad hoc guard induction and training. So this is the Falcon--

A. And others yes.

35 Q. --staff and others yes. You agree with Mr Wilson's assessment of the risks that are associated with the employment of ad hoc guards, that's so?

A. Yes.

40 Q. There's now a greater focus in Scentre and Glad's induction training and processes to ensure that guards in that cohort have clear training on AAO and counter terrorism scenarios?

A. Yes, and armed intruders and emergency management fundamentals and now radio protocols as well.

45 Q. There's a clear site specific induction process that they go through that has to be signed off before they can commence work?

A. Yeah there's two, there's two issues there. There's the CX Life Safety Induction which talks to--

Q. CX being customer experience?

50 A. Customer experience sorry yes I do apologise. A life safety induction which is sort of 57 slides mainly focusing on risk and emergency response type things and then there's the site specific security induction which is taking the

guard around, showing docks, where the defibrillators are, first aid points, key exits, entrances and the like, so that's what they do in the first day.

5 Q. How long does that induction process take before they're signed off and ready to go?

A. Well they, they have to do the online modules first, so that's all digitised now, so there's - they can't actually sign on to Beakon which is our sort of life safety system, so they can't sign on for work unless they've done those modules, and then the site specific, actually the walk around is done on day 10 one.

Q. How long does it take in your experience?

A. It's a day to do the site specific induction.

15 Q. Have you had any feedback on the efficacy of that new induction process?

A. Not yet I haven't no.

Q. When did it start?

20 A. The - well, the radio protocols started on..(not transcribable)..of Monday and so current guards have got two weeks to complete that, but new guards, core and ad hoc have to do it before they start. So it's in the, it's in the past two or three months yes.

25 Q. Let's come now to what I understand to be the limited matters of difference now between you and Mr Wilson. The first point is in relation to the triple-0 call that was made by CR1 and the content of that call that we know connected sometime after 3.40. You heard the call played in court yesterday and you heard Mr Wilson's evidence about it. Do you want to comment on his view about the quality of the information conveyed?

30 A. It wasn't, it wasn't the best call. My experience of police control rooms is that police control room operators are taught to elicit information from people who are under immense pressure and are seeing things they really don't want to see. So I would've expected the - I'm not criticising the operator because I suspect the operator had absolutely sufficient situational awareness of what 35 had happened at Westfield Bondi that day and he actually sought to terminate the call.

40 If you listen to the other calls, it's stay on the line, take deep breaths and they're trying to get more information off the people, but I suspect with CR1's call, it's a - I think she did the best she could with the - with what she knew herself but I think it's unfair to be overly critical of the content of that call.

Q. The clarity of the call could've been--

45 A. I agree.

Q. Yes, thank you. The second matter is in relation to PA announcements and you've set out in your statement that they have to be accurate but there's the need sometimes to verify critical information.

50 A. Yes.

Q. This concept of verification is a key theme that relates to the AAO guidelines.

A. Yes.

5 Q. Can you just explain what is verification in that scenario?

10 A. Verification is not taking what - unless you're a trained security guard or a trained member of staff, is not taking what you've been told at face value, because members of the public we know can give - see things and put an interpretation on them that's either not right or whatever it is, in the panic of the moment. So the important thing is to have either visual verification, as in you're on the floor, you see it as we saw with Mr Helg and Mr Zaidi, or you're seeing it on CCTV and you can verify it that way.

15 Q. In those circumstances where there's been that direct perception if I can put it in those terms, there's no need for any further investigation, that's right?

A. In terms of a security guard seeing it or CCTV operator confirming it, that is verification.

20 Q. Is there a distinction between verification and confirmation?

A. We call it verification.

Q. Well you call it confirmation at various points in the Red Book.

A. It's the same thing.

25 Q. Do you think it would benefit from the same terminology being used in relation to that concept?

30 A. Look yes of course we'll look at it but I feel they're two pretty clear words, verification and confirmation but maybe consistency of language would be a good idea.

Q. It might be my legal prism in analysing it, but I saw some room for ambiguity.

A. Okay.

35 Q. The concept of verification is not defined in the Red Book either, is it?

A. I'm struggling with the - the word verification is very clear to me and it's got to be verified. So that's - does that require any further drilling down?

40 Q. The difficulty is in relation to for example what transpired on 13 April, isn't it, where there's a partial account from a security guard which indicates that there's something happening but it's unclear precisely the extent of the information that was conveyed. In that circumstance, what should happen?

45 A. Well that is why the security personnel and Mr Helg, Mr Zaidi, Joseph as well, moved towards where they believed GLA2 was to get just that verification and as Mr Gaerlan said there's evidence - there is no way he'd have moved towards there if he thought it was an AAO event.

Q. But is another scenario where the CCTV controller says to the guard, "Can you provide further information? What direction, what type of weapon?"

50 A. That's exactly what the controller should be doing.

Q. To be clear, time is absolutely of the essence in relation to that scenario of investigating for the purposes of verification?

A. Critical.

5

Q. In terms of the announcements that are referred to in the Red Book, there's the two forms in relation to an AAO. There's the generic form and perhaps rather than speaking about it in the abstract we might go to it. This is at tab 993D, page 328. It's the red box, "Attention, attention, this is an emergency. If you see a safe route, escape from danger." Pausing there, there's no reference to it being an active armed offender scenario in that announcement?

10

A. Yes, that's lower down.

15

Q. When you say it's lower down, it's in a different announcement, isn't it?

A. Yes.

Q. It's in the orange - so these are two separate PA accountments. The first announcement does not include the location or the nature of the scenario, that is an AAO, do you agree?

20

A. Yes I do agree yes.

Q. Should it include - that first announcement, should it include reference to an active armed offender event?

25

A. No because that would be an announcement for a fire or other emergency of that nature. So it's get out, rather than an active armed offender which is the--

Q. But this is in the active armed offender guideline.

30

A. I apologise, yes. Sorry what's the question?

Q. The question is should the red box that sits within the active armed offender guideline, being the generic announcement if I can refer to it in those terms because it doesn't include the location, should that state for example, "This is an emergency. There is an active armed offender in the centre," and then go on to say, "If you see a safe route, escape," et cetera. Because, can I suggest, the difficulty with that is that it is somewhat unclear what the nature of the emergency is?

35

A. It is, yes, I agree.

40

Q. So that's something further that Scentre will--

A. Further to reflect on, yes, yes.

Q. Mr Murphy has just advised me that this matter has been presciently clarified in the November 2024 Red Book. The third matter is in relation to chief warden responsibilities and you heard Mr Wilson's evidence about that matter and I think there's no disagreement as between you. He accepts that the chief warden is a role that is mandated under the Australian Standards--

45

A. Yes.

50

Q. --and he was seeking, it appears, to clarify the importance of the CCTV controller role in the absence of that clear direction as to what steps to take from the chief warden?

A. Yes.

5

Q. The fourth matter concerns expectation as to response times and as we apprehend it it's your position, as set out at paragraph 77 of your second statement, that Mr Wilson's expectations of, in effect, an immediate or instant response are unrealistic?

10

A. Particularly around the CCTV operation, yes.

Q. Do you want to expand on your views?

15

A. I think the expectation and you can - we've heard it, there's - at the time there was 704 cameras, 954 views. The idea that you can go straight to the right camera and then immediately start to be able to follow, track, whatever, is, is totally unrealistic. If you have the right information from a security guard or member of the public where - and then you can do that. But the idea that you can just immediately click onto the right is - the right camera and start - and I've done some - I can talk about it later, if you like, but I've, I've actually done--

20

Q. No, please address it now.

A. --I've actually done some observations and some tasks within the CCTV room at both Bondi and Sydney CBD.

25

Q. Yes.

A. Sydney CBD, I did a scenario where myself and the risk and security manager went for a walk, did a bit of doubling back, went into a retailer and then went down into the control room operator and said, "Here's where we were at one particular point, find us". Bear in mind we're in front of him so he, he knows who we are. Even with that it took 45 seconds plus to try and actually find us. He lost us on several occasions when he doubled back and went into retailers. So there were significant periods where we were off his screen.

35

Q. What was the experience of that particular controller?

A. He actually had more or less the same experience as CR1.

Q. As CR1?

40

A. Yes, yes. Three months, three months as a controller. The next scenario was a colleague, a member of - a colleague from Scentre Group and another colleague went into the centre, this is people who the control operator didn't know and one of the colleagues called in to say there's been an incident and it was level 6, JB Hi-Fi in the CBD. It's a white male. Try and, try and track him. That took a considerable period of time, to try and find him and--

45

Q. How long?

A. Well, we - the tracking was on for about eight minutes and he was always, minimum two and a half, three minutes behind, behind the individual who he was trying to track. Got better when further particulars were offered, in terms

50

of description, but always two to three minutes behind. The next exercise I took was in Bondi, in the actual control room. The, the control on that day actually was CR2. That wasn't chosen by me by the way, it was just the day I went. And the - what I did then, I spent three hours in the control room just observing what happens and clearly a very business environment, lots of administration, lots of phone calls from members of the public, retailers and the like.

Q. Yes.

10 A. Lots of really mundane stuff. But CR2 showed me, as the shift started, three persons of interest, young females who he knew create a nuisance in the centre. Fast forward about 45 minutes, Rebel Sports called and say there's been an incident in our centre, there's three females who are creating a disturbance within Rebel, they may have stolen. So these are three people he
15 knew, he'd identified before as persons of interest who he knew from previous incidents. It took over two minutes, 45 seconds for him to track it and track them from a start point of Rebel Sport.

So it's far from straightforward. You are clicking - CR2's preference is to use the left-hand menu on the CCTV screen. Are you familiar with that? So there's a left-hand menu or there's a map you can pick, pick up with the CCTV cameras on it - annotated on it. And you click, drag, open, review. If it's not the right camera you've got to go and get another camera. So it is, it is not minority reports. It is actually quite an - a manual system and requires, yeah,
20 25 skilful operators. It took two minutes, 45 seconds to track someone who he knew and knew their description.

Q. You heard the evidence of Mr Wilson about how successfully CR2 was in fact able to navigate those cameras on 13 April when he attended the control room?

30 A. The reason why we believe CR2 was able to do that was the very clear communication message from Tyson Rogers who was at Boost Juice, enabling CR2 to then click on that camera and find it. But it - because it was accurate situational awareness from a trained guard - no, well, Tyson is actually a
35 facilities manager.

Q. That's the way in which you would hope that the facility would operate in that scenario, with the guards providing you with an update on the location, the CC controller being able to operate it and the second person, now navigating the other tasks that are required under the Red Book?

A. That's correct.

Q. That's the ideal scenario?

45 A. That's the ideal scenario.

Q. Just in terms of the control room operator, you've dealt with this at paragraph 88 to 95 of your second statement and you heard the evidence of Mr Wilson about the competence of CR1 on that day. Is there anything further you would like to say on that issue?

50 A. No, I believe she was competent. He - Mr Wilson puts it at 95%. I believed

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she was competent to be in that control room.

Q. You believed she was competent or you still believe she was competent?

A. I still believe she was competent.

5

HER HONOUR

Q. I'm sorry, when you say the 95%, what are you referring to? I know 95%--

10 A. It was, it was Mr Wilson's evidence yesterday, I understand - or I think I heard it, that he said he was - she was 95% competent.

Q. I thought it was that 95% of the time it was mundane tasks and she was competent, but it could be--

15 A. I think in your cross-examination, sir, it was--

FERNANDEZ: Your Honour, it's at page 1286 of the transcript commencing at line 30 where there's a reference to Mr Wilson referring to the 95% competency. And the answer was:

20 "She could probably do the mundane. The point I'm making is that she could do the mundane. What she couldn't do is step up under pressure because we could see she couldn't step up under pressure. It's evidenced in so many ways".

25 I hope your Honour doesn't mind me chiming in, I just wanted to take your Honour to the evidence.

HER HONOUR: No, thank you.

30 SULLIVAN

Q. In light of that evidence what would you--

A. Sorry, you'll have to repeat that, Mr Fernandez, sorry.

35 Q. Would you like the evidence again?

A. From, from what Mr Fernandez said, yes.

Q. I can read it to you, I've got it in front of me.

40 "She could probably do the mundane. The point I'm making is that she could do the mundane. What she couldn't do is step up under pressure because we could see she couldn't step up under pressure. It's evidenced in so many ways".

45 That was the question - I'm sorry, the question, "I think you've said in your evidence earlier today that you're of the view that she was 95% competent, correct?" And that was the question that elicited that response.

A. So the question for me is?

50 Q. The question for you is do you accept Mr Wilson's view or do you have a

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different view?

5 A. I, I have a different - I have a different view. I, I - she undoubtedly struggled on the day, but in all these things we have to train to the risk in these, in these circumstances. This is a once in a horrible multigenerational event and I believe that CR1 was competent--

Q. We hope.

A. We hope, sincerely hope, yes.

10 Q. And--

A. And I - and, you know, I've listened to the evidence of Mr Goldberg, Mr Helg, Ms Fatima, who actually know what they're talking about in terms of CCTV competency, and I'd sort of adhere to what - their view on that.

15 Q. You heard the evidence of Mr David who signed off--

A. Mr David, Mr Stuart--

Q. You saw the form that Mr David signed off for CR1?

20 A. Yes.

Q. And that was unsatisfactory, was it?

A. It was unsatisfactory, yes.

25 Q. And you heard the evidence of Mr Gaerlan that on the day he could not get answers in response to questions that he needed answered, so he could do his job?

A. Yes. That - we would discuss the, the radio - how the radio was overwhelmed on the day and it doesn't, it doesn't surprise me.

30 Q. All right. But to be clear, Scentre doesn't accept that as the standard for CCTV controllers. It requires that they be able to manage in that pressured environment when required?

A. Yes, yes and the revised training very much reinforces that.

35 Q. Thank you. The next matter is at F of your second statement, that's the evaluation of the initial response of the security team. You deal with that at paragraph 96 and following.

A. Yes.

40 Q. You pick up in particular the point about the actions that were taken in the first two minutes by security staff.

A. That's correct, yes.

45 Q. And I don't think I need to take you to that unless there's anything further you would like to raise. Matter G concerns the volume of the alarms in Westfield.

A. Yes.

50 Q. You're aware of the evidence that indicates that the volume of the alarms impeded, in particular, the emergency response communications?

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A. I'm aware of that evidence, yes.

5 Q. And it's right that the wrong alarm was activated in the sense that it should in fact have been under the AAO guidelines the three beep alert followed by a PA announcement, is that right?

A. Yes, yes.

10 Q. In the event of an evacuation it's possible, isn't it, that you could have emergency responders on the scene for a fire or an explosion or the like.
A. Yes.

15 Q. Is it of concern to you that that volume is still - anecdotally we now know that--
A. Yes.

20 Q. --emergency responders have had difficulty--
A. It is, it is a challenge because the, the - I've seen the ARA report in terms of the testing they do. I've seen the standards around 10 decibels higher than the ambient noise.

25 Q. Yes.
A. The, the alarms have to sound at that level for a fire because the ambient noise is increased dramatically by the exhausts that are automatically activated when a fire alarm starts off. So it's got to be able to be higher than that. It's also got to reach to the extremities of tenancies. Mr Green himself said if they're not loud people ignore them. And I think we've probably all got examples in this room where alarms are ignored because they're not actually confronting enough to say something serious is happening.

30 So I think it's, it's a real balance. The, the issue on the day, as soon as that became apparent, it was immediately turned off because of the good relationship we had with Mr Solah and Mr Goldberg. But just to be clear, when the exhausts fire off then the noise is considerable and they have to be at that level.

35 Q. All right. According to the Australian Standards?

A. According to the Australian Standards. And it was tested by ARA, I think October 23.

40 Q. Yes and we have evidence about that in your third statement.
A. Yes.

45 Q. But can I suggest it may still be of concern that we're on notice that emergency responders had difficulty hearing in those circumstances. Appreciating that you don't set the standards, but we are all on notice about that issue--

A. I think that's--

50 Q. --and it may be something that should be raised with Australian Standards about whether a couple of decibels should be reduced to the standard?

A. I think it probably would be best we leave it to the professionals to decide on that.

5 Q. You might be right about that. In terms of matter H, the multiagency response. You deal with this at 101 to 105 of your second statement and you also refer to the assistance that Scentre provided to police on that day.

A. Yes.

10 Q. And there's no question that there was a lot of assistance, if I can be clear about that, but you respond, in particular, to the suggestion that Scentre might be an equal partner in terms of the multiagency response?

A. I do.

Q. That's a matter of concern to you?

15 A. It's very clear from AS 3745, that police work to - I mean, Scentre Group or businesses work to the police in an event such as this. We're not an equal partner, we're there to support, we're there to assist, as we did on the day. We are not an equal partner. We have no means to invite ourselves to become an equal partner and the idea that we could, from my previous experience in
20 policing, it is frankly not right.

Q. But that's not to detract from the acceptance, I take it, that once Scentre are in possession of important information--

25 A. 100%.

Q. --that should be conveyed to police immediately?

A. 100%.

30 Q. In terms of clarifications, you deal with this in your second statement at page 22 and following. I don't propose to take you - and there's the table that you've set out with factual clarifications. I'm not going to take you those unless there's anything you'd like to raise. Equally, in annexure B to that second statement there's recommendations that have been proposed by Mr Wilson and responded to by you.

35 A. Yes.

Q. And in shortform, those recommendations are largely agreed?

40 A. They are. There's some clarity we require on a couple of them and there's one, I think, we disagree with.

Q. Some of them have been immediately enacted, for example, in relation to radio communications. We know that that's been embraced and enacted.

A. Yes.

45 Q. Are there any further matters that we haven't canvassed in relation to Mr Wilson's evidence that you would like to tell her Honour about?

A. In terms of his evidence yesterday?

Q. Yes.

50 A. I think there's, there's, there's a few points, if I may? Firstly, is, is around

expectations on security guards and what they can do apropos a police officer, and I think Mr Wilson places, to my mind, unrealistic expectations on what a security guard can do compared to what a police officer can do.

5 A police officer - I know a New South Wales police officer, six months, residential at Goulburn academy. They do a lot of - months and months of online training beforehand. They have a year's probation with senior constable--

Q. Yes?

10 A. --buddying, then they're signed off as a, as a constable. Contrast that with a class 1A security guard, 80 hours online training, 14 modules. It's - they're simply not equipped to do that role. So I think the, the expectation that - it's almost like Mr Wilson was suggesting they're sort of like just, just underneath a police officer, I think, I think is, is, is unrealistic. I've discussed I think
15 previously about the CCTV operation, so that was another point of difference between me and, and his evidence yesterday, and the last point is I, I, I think he's been very, very harsh on CR1, and I think CR1 was doing her best in difficult circumstances, and I think he's being very harsh on her.

20 Q. You understand that he sought to clarify that that was only with a view to drawing systemic learnings and he--

A. I do.

25 Q. --he's not intending to personally criticise her and indeed no-one involved in the inquest--

A. I do.

Q. --is? And for that reason she is subject to a non-publication order and--

30 A. I agree.

Q. --has not been required to give evidence for other reasons?

A. I know. I know.

Q. Anything further?

35 A. (No verbal reply)

Q. Sorry, anything further?

A. No. Thank you.

40 Q. In terms of Scentre's response, turning now to the response to the events of 13 April and the remedial measures, in the days that followed 13 April, stab resistant vests were introduced but--

A. That's correct.

45 Q. --the roll-out commenced on 18 April?

A. That's correct yes.

Q. Within five days?

50 A. So the - when Bondi reopened, all guards at Bondi then were equipped with a stab-proof vest, yes.

Q. The roll-out was completed by 30 July 2024?

A. I believe so yes, yes.

5 Q. But there was an initial shortage of obtained vests, is that right?

A. Yes I think we consumed the worldwide supply.

Q. Consumed the worldwide supply?

A. They were very difficult to source, yes they were. So we--

10

Q. Are they easier to source now?

A. I think, I think they are yes, because I think there's more demand, so there's a market.

15 Q. So have they been rolled out across all Westfield facilities?

A. Yes for core and ad hoc guards.

Q. Was there - prior to the events of 13 April, was there ever consideration as to the use of stab-resistant vests?

20 A. Not to my knowledge no.

Q. You've been made aware of correspondence that Holding Redlich have sent to the Crown Solicitor's office dated 18 May 2025. That's at tab 1625 of volume 50. You've seen that correspondence Mr Yates?

25 A. I haven't seen all correspondence, but I've seen the tabulated form at the back in terms of the response.

Q. In effect, to summarise it, there's the indication from this correspondence that it was raised with Scentre during the period April to November 2021 that stab-resistant vests might be used. It was raised, obliquely, if I can put it in those terms, with a risk and security manager at Westfield Tea Tree Plaza who became aware of the proposal, but it wasn't then taken up beyond that level?

30

A. I have no knowledge of it, neither did any of my national security colleagues privately - seen that, that correspondence.

35

Q. Anything else you'd like to say in relation to that document--

A. No.

Q. In the aftermath of the incident another step that Scentre took was to retain McGrathNicol consultants to conduct a full enterprise security risk and review, that's right?

40

A. Yes, and so, so to be clear on what they were asked to do. So they weren't asked to review anything to do with the incident itself. They were tasked to look globally across all crowded places operators, not just shopping centres so--

45

Q. Yes?

A. --stadiums, casinos and the like, and look at what best practice looked like in terms of guarding capability, technology, training and, and, and the like. So that's, that, that's what their role was. So nothing to do with the incident itself,

50

purely go and find out what's the best practice. So that was airports, and, and the like.

Q. So that informed the second phase did it, of the--

5 A. Yes.

Q. --response?

A. Yeah.

10 Q. The second phase is referred to at paragraph 135 of your first statement and following, but in short, Scentre then retained a range of security consultants and experts to inform its response?

A. Yes, so a small number of subject matter experts in technology, in control rooms and the like, yes we retained and still do retain a number of those yes.

Q. I'm going to go to some of the initiatives that are set out in your first statement and get an update. The first one is based on that expert consultancy you then updated the Red Book in November 2024--

20 A. Yes, yes.

Q. The Red Book is informed by the ANZCTC guidelines, that's right?

A. That's correct, yes, yes.

25 Q. And those guidelines are best practice for crowded places operators--

A. Yes, yes.

Q. --in relation to an AAO event--

30 A. Yes.

Q. We might just divert to bring those guidelines up please. That's at tab 1602, volume 45, annexure D, page 138?

A. (No verbal reply)

35 Q. Are these guidelines due to be refreshed? These are from 2023. Do you know if they're under review at the moment Mr Yates or--

A. I think they're, they're always under review and we learn from events. So I, I think they're - I think it's every three years that they're officially reviewed, but I'll have to correct myself on that.

40 Q. Just briefly going to page 143 if we could, there's a section on individual reactions. If we can expand that so that under the heading, "Individual reaction":

45 "An individual's initial reaction to an attack may vary depending on a variety of facts including their situational awareness, the reaction of those around them and whether they have rehearsed their response. Stress and fear will cause different reactions in individuals and may diminish their ability to process information and
50 make decisions."

It goes on, "Individuals may, for example, freeze, flight, fight", or there's reference to "film", "taking action that puts themselves or others in danger"--
A. Yes.

5

Q. --do you see that?

A. I do.

Q. Was that something that also--

10

A. That happened on the 13th.

Q. --was seen on 13 April? And it is of--

A. Distressingly so, yes.

15

Q. Many instances of that?

A. A number.

Q. All right?

20

A. And a number of people going back into the building when other people were fleeing, and clearly in fear. So it's, it's, it is - that is absolutely spot on.

Q. Then at page 145, there's reference to security culture, being, "the set of values shared by everyone in an organisation that determines how people think about and approach security?"

25

A. Where's that sorry?

Q. That's at - if we scroll down further to page 145 under the heading there?

A. Yes.

30

Q. Do you see that?

A. Yes.

Q. How would you describe Scentre's security culture?

35

A. I'd say we have a very strong security culture. The tone is set from the top. I'm pretty unusual. I think I'm the only chief security in the country that reports to the CEO. I have regular interaction with the board, the chair on security.

It's, it's, it has been inbred in our company since the founder, Frank Lowy, always took it seriously as one of the great issues that we've taken forward.

40

It's, it's, it's a very strong security culture in the business. It's - security's everyone's responsibility. It's not just me, it's everyone has a role to play. So I'd say we have a very strong security culture.

Q. A key component of that is training and quality assurance and rehearsal and exercising?

45

A. That is correct, yes.

Q. Then if we go please to page 147 under the heading, "Response", there's the reference to "initial response", and you see in the green box, "Primary activity"?

50

A. Yep.

5 Q. "Suggested priorities for response task to be completed by security and frontline personnel", this is in the event of an AAO. But before I take you there, there is reference you will see to "the dynamic and unpredictable nature of an active armed offender incident, means there is no single best practice that crowded places owners and operators can build into their plans." Do you agree with that?

A. I do.

10 Q. That's a particular challenge in this scenario--

A. A particular challenge, yes.

15 Q. Going back to the green box, can you assist us with, there's the five matters there? The first is, "Detect the attack and make a rapid initial assessment." The second is, "Call, update and facilitate police and emergency services." The third is, "Alert personnel and members of the public." And the fourth is, "Decide whether to instigate lockdown and use any active delay systems"?

A. Yep.

20

Q. The fifth is to advise senior management. Going back to that fourth point?

A. Yes.

Q. What is an active delay system?

25

A. It's, it's, it's a means to slow down an attack potentially. So it's more for the sort of commercial operator, around, you'd lock down the lifts. You'd shut the, the entrances to a, to a building and, and the like. So it's, it's hostile..(not transcribable)..mitigation's sometimes used in that context, but it's - that's, that's bollards, which are something different. It's, it's turnstiles being locked and stuff. So it's, it's very much more aimed at the commercial operator.

30

Q. I see?

A. And of course we're, we're, we're massively open, numerous exits and entrances, and very difficult--

35

Q. And neither of those concepts, that is, instigating lockdown or using active delay systems are apt to what occurred--

A. No.

40 Q. --on 13 April--

A. No, no. Except I'd - of - in terms of lockdown you'd - shelter in place would be something you'd definitely - we definitely wanted.

45 Q. Then if we move forward to page 154 of those guidelines, this is the appendix, the active armed offender attack advice for owners and operators of crowded places. Those are the principles that had informed the Red Book, is that right--

A. Yes.

50 Q. Thank you. Coming back to your first statement where you refer to some

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changes that have been made reflecting learnings from the incident on 13 April?

A. Yes.

5 Q. Were those learnings drawn out by Fulcrum in their review of the Red Book or were they proposed by Scentre?

A. It--

Q. Or joint, joint--

10 A. Collaboratively, yes.

Q. If we can go please to the revised Red Book. That's at tab 1117 of volume 34?

A. (No verbal reply)

15

Q. And just to assist us if you would, how often does the Red Book undergo review?

A. It's under continue review really, because we're always looking to consider best practice, be informed by events and, and the like. So - but, but formally, I believe it's annually.

20

Q. Annually. And for each revision there is a training piece that needs to accompany it?

A. Yeah so you don't want to be doing it on a daily basis, because everyone has to sign off that they have read and understood it. So it's, it's--

25

Q. All right. You would have heard Mr Wilson's evidence yesterday in relation to his attendance at Westfield Bondi Junction, this is at T1231, lines 30 to 33, and what he says is, "I understand that from visiting on Friday" - or sorry, I'll start with the question. "You understand that, and we will deal with this in terms of responses and recommendations, but control room operators now have that authority", that is authority in relation to the main assignments?

30

A. Yes.

35 Q. Mr Wilson says:

"Yeah I now understand that from visiting on Friday. They've got the authority. They can carry out those four actions. They don't need to think, 'I need authority, I need to wait for that authority.' They've now got the authority to do that which is great, yeah, which is good."

40

So, if we could move please to page 137 of the November Red Book, and go to "Evacuation considerations", appendix 2. So this is the CMEO panel?

45

A. Yeah.

Q. You see underneath:

"Before the system can be activated, the user must have authorisation from the chief warden. Note, if the chief warden is not

50

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immediately contactable, a duty manager, security supervisor or CCTV controller can authorise"?

A. Yes.

5

Q. Now we understand that that is the guideline that has been amended in relation to this broader authorisation--

A. Yes.

10

Q. Can I suggest that that's unclear in the current--

A. I think--

Q. --terminology?

A. I think you're right.

15

Q. And that's a matter that will be urgently reviewed--

A. It'll be addressed--

Q. --by Scentre--

20

A. --yes.

Q. Can we go please to the AAO guidelines in the new and revised Red Book? I'll just pull out those. Page 33 please? So we see there's the two main objectives, "Get people to safety, get information to police". And there's the five main assignments. But do you see that there are six?

25

A. Yes.

Q. Another matter that could be usefully clarified?

A. In, in - sorry, in, in what way? It's - I mean--

30

Q. Well in--

A. --notify triple-zero is the - you know, getting people to safety, number one. Notifying triple zero, number two. Public address systems, CMEQ, CCTV liaisons with police, police responders. I'm not sure what, what's the area you're seeking clarity on--

35

Q. So there's five main assignments, but six matters are clarified?

A. Ah, sorry.

40

Q. That's a--

A. I apologise.

Q. That's all right. No apology necessary. That's another matter that could be--

45

A. Yes, absolutely.

Q. Because there's specific training around this isn't there, and a matter like that should--

A. Yes, yes.

50

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Q. --just be clarified for abundant caution--

A. Totally, sorry.

5 Q. Yes, thank you. Could we bring up please your second statement at
tab 159A, volume 42? This is at paragraph 167. Have you got that,
paragraph 167?

A. Which statement?

10 Q. This is your second statement. I beg your pardon.

A. It doesn't get that far.

Q. It's your first statement I'm sorry. Those are the changes. Paragraph 167
sets out the changes that were implemented in terms of the November review
of the Red Book, that's right?

15 A. (No verbal reply)

Q. There's no reference there is there to the concept of action cards that
would give that granularity of detail around the particular roles in the event?

20 A. Yes, yes, which we have introduced a sort of concept of subsequently to
this statement.

Q. When will that be introduced in terms of--

A. It's been introduced.

25 Q. It has been introduced?

A. I can provide a copy yes.

Q. Where do we find - which statement deals with that?

30 A. (No verbal reply)

Q. One of your statements deals with the concept of action cards. I may have
confused you Mr Yates. In evidence yesterday Mr Wilson gave his opinion that
the Red Book is an excellent--

35 A. Yes.

Q. --document, but it could be clarified by the introduction of action cards in
relation to the role and responsibilities of individuals in the event of an active
armed offender scenario.

40 A. Yes.

Q. Have those action cards been introduced to the Red Book?

A. Not to the Red Book no, not yet.

45 Q. What's the proposal that you're referring to?

A. Is small cards, like on a lanyard which the chief warden or key people will
carry, giving them their key responsibilities. So it's ready reckoner that they all
carry.

50 Q. That has been implemented?

A. My understanding is yes.

Q. How does it work? For example, does it say chief warden, bullet point, bullet point, bullet point--

A. Yes, it does.

5

Q. --in terms of the - all right. And you'd be able to provide us with an example of that?

A. I would be, yes.

10

Q. So any further matters in relation to changes to the Red Book that you would wish to refer to. The second key remedial step is enhanced training that has a focus on chief warden competency, that's right?

A. That's right yes.

15

Q. And also further training in relation to situational awareness--

A. Yes.

Q. --for staff, and an uplift in training for decision making under pressure, that is training that incorporates a pressure testing component, right?

20

A. That's correct.

Q. You deal with the chief warden competency training at paragraphs 187 to 190. That's been rolled out across all of the Scentre facilities?

A. (No verbal reply)

25

Q. And you deal with that in your third statement at paragraphs 54 to 55, the pressure testing training that's been brought out in relation to the AAO scenario and in fact there was such an exercise on 22 April this year?

A. This is the full rehearsal you're talking about?

30

Q. Yes.

A. Yes.

Q. I'm talking about the matter that's referred to in your third statement.

35

A. Yeah.

Q. Did you participate in that training?

A. No I did not. I participated in the Fulcrum enhanced pressure testing training as an observe. I wasn't available for the, the Bondi one but I had the debrief and I can talk about that.

40

Q. When was that one?

A. At Bondi.

45

Q. The Fulcrum training that you--

A. At Bondi.

Q. --observed--

A. At Bondi.

50

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Q. At Bondi, and when?

A. 21 March.

Q. 21 March this year?

5 A. Yes.

Q. That has a pressure testing component did it?

10 A. A much more pressure tested compared to previous Fulcrum training that I've also experienced, so it was putting people on the spot, giving them a radio, make the chief warden call, so it's actually putting people into more pressure with it, not unbearable pressure but putting - definitely people putting under more pressure yes.

15 Q. At paragraph 169 of your first statement you also referred to more training for retailers following this incident, and we'll come to - you've had the benefit of seeing some statements from a number of retailers who--

A. I have.

20 Q. --provided their experience of 13 April. We'll come to some learning that might flow from that. The third matter that is in the nature of a remedial step taken by Scentre is the uplift and adoption of certain new equipment and technology at Westfield, including in the control room.

A. Yes.

25 Q. Indeed at paragraph 156 of your first statement you talk about McGrathNicol who are security experts providing you with advice about global best practice.

A. Yes.

30 Q. At paragraph 176 you talk about the potential utility of AI in the security space, for example, in detecting a falling person or weapon detection. Can you update us on the status of that potential technology?

35 A. Yes so we've explored with a number of providers about what smart camera analytics can do, what artificial intelligence can do. As yet, we haven't come across anything that is going to be the answer to everything we want in terms of being able to detect these things. There's too many false positives and creates an alarm fuzz and then gets frankly ignored, so we haven't been able to - we continue to explore it with a number of companies in terms of what can we do to give us the earliest possible situation awareness and take us to an event automatically, as opposed to waiting for a security guard to call it in as it were. So it's ongoing and we would be very keen to introduce it if we see something that's viable and works.

45 Q. To your knowledge are any shopping centres using that facility?

A. My understanding is no. There may be in the sort of the China environment if you like where they sort of use a lot of facial recognition and the like, I think there is, but it depends upon those sort of databases.

Q. Facial detection technology, has that been considered?

50 A. It's certainly something we haven't dismissed. It has been trialled in - I

know in New Zealand. We've been following that trial with Foodstuffs North Island who is a small like an IGA operator who've been trialling it over there, with some good results but facial detection technology depends upon the database that you're comparing it against, so if you're only comparing it against a small database of antisocial behaviour offenders, the investment really is - you just wouldn't make that investment. If on the other hand you were comparing it against the police databases of dangerous people, then that's something maybe that could be considered in the future.

10 Q. On the issue of weapon detection and screening, has Westfield given consideration to for example wandering at entrances, that type of scenario?
A. Certainly we've supported the police in those type of operations, particularly in Queensland following Jack's Law and the like, so we support police operations. We welcome them in our centres. For us to use it, I think there's some - there are some legal constraints but also if you're get a detection, what do you do? You need a police person then to come and necessarily search or whatever. So it's not straightforward. It can cause bottlenecks if people are being kept in the one place and wanded. So it's not a straightforward proposition.

20 Q. It's currently in place though in Queensland?
A. Queensland by the police, on a sort of intelligence led basis at certain centres at certain times at their discretion. We, we would - we welcome it. We think it's, it's a very good tactic for them to use. It's a good deterrent to stop people coming into your centres with knives, if they know there's a possibility they're going to get wanded, but I think it's a police led issue.

25 Q. How long has it been in operation in Queensland?
A. It's around about six months.

30 Q. What are the reports in terms of the efficacy of that procedure?
A. They've had successes. They have had good detections around it. We continue to work with them and obviously they, they are evaluating it themselves.

35 Q. Is that something that you think New South Wales should give consideration to?
A. I think it would be a welcome addition yeah cause knives are very prevalent as we know.

40 Q. There's a difficulty though isn't there in that a person can go into David Jones and buy a block of kitchen knives?
A. They can, they can go into a restaurant and take a knife, so those challenges do remain.

45 Q. In terms of other technological advances, you deal with this at 173 of your first statement but you refer to the use of prerecorded automated PA announcements to address the issues of inconsistency and stress which we know affected the announcements on 13 April, and you say at 175 that
50 that's part of an ongoing trial.

A. Yes it is.

Q. What's the status of that trial?

5 A. It's at - there's a sort of generation 1 version in place now at Bondi. So that's - I think it's 16 buttons with the various scenarios that could develop. You can't cover every scenario clearly. There are gen 2 trials I think in other centres, a couple of other centres which we are evaluating, but I think the - with the anticipation that we want to roll it out across our state because it is - it's a clearly more efficient means of doing it, it takes away the stress of
10 someone have to make the PA announcement perhaps in a busy control room, so I think it's - I would think it's something we would just want to evaluate first to make sure we've got the right technology, it works, and we can then think about rolling it out.

15 Q. But it can never take away the stress entirely can it because in an active armed offender scenario there will be a need for a bespoke announcement about location ultimately?

A. Exactly yes.

20 Q. Body-worn video cameras were deployed or rolled out in April 2025.

A. It was a rolling process across 43 centres yes.

Q. What's the purpose of those cameras?

25 A. The evidence from across the world is that body-worn cameras greatly assist in deescalating difficult situations. They improve behaviours of both guards and customers because as soon as a disgruntled customer is realising that they are being taped or videoed, then it tends to have a de-escalation effect, so they're very effective on that. They also provide an incontrovertible record of what has taken place in the event of an incident, a review, as we've
30 seen from Mr Watt's statement, a very clear indication of exactly what took place on 13 April.

Q. You've also referred to at paragraph 179 and following the uplift program for CCTV across all Westfield centres with a view to maximising coverage and accessibility of CCTV footage.
35

A. Again as you'd expect, it's a big project. Certainly Bondi's camera angles - camera view sorry almost doubled to 1713 I think with 954 cameras, so there's a considerable span of coverage from the CCTV system at Bondi.

40 Q. The fact that you've expanded the number of cameras and in effect the size of the control room, is that the effect of that expansion?

A. Look obviously it gives them more options to choose from. So you don't necessarily have a massive control room, you just have to have some - you know, knowing which camera to go to is the key thing.
45

Q. Does it increase the complexity of the controller's role?

A. Well they've got to learn where the new cameras are, they've got to learn the views. I think once that's been done then I think it's okay.

50 Q. Then at paragraph 180 you deal with the issue about the CMEO override

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activation problem that was revealed on 13 April.

A. Yes.

Q. Can you just explain how that matter's been fixed?

5 A. So it's been fixed through training, so there's online training now. The problem is if you press the wrong button, you can't just press the right button. You've got cancel all and then press the right button.

Q. Just taking it back to what happened on 13 April, the wrong button was
10 pressed?

A. The wrong button was pressed.

Q. And then?

15 A. And then I believe an attempt was to press the right button but it doesn't activate it. You've got to press cancel all and then press the right button.

Q. So that's a simple training issue?

A. Simple training issue, it's been addressed.

20 Q. There's been, you deal with this at 181, a significant enhancement to the control room functionality in terms of the ergonomics and also the competency of the personnel. That's what you say at 181.

A. Yes. Yes.

25 Q. You refer to the concept of a potential or consideration at least of a global security operation centre?

30 A. That's - it's in the foothills of consideration if I can put it that way. It's - what we're not looking to do is take away operational control from the local level, but there may be redundancy in some of the administrative tasks that could be considered in a more coordinated fashion and I saw when I was observing in the control room the number of mundane tasks that really are taking away from potentially the operational focus. So that's what we're looking at but as I say it's the early stages.

35 Q. Are you aware that that model is adopted by other--

40 A. There are other shopping operators but abroad. There is an operator in the US that I'm going to have a look at post all these events to see how, how that operates and how they deal with a central - centrally controlled control room understanding the local environment. I think that's part of the challenge.

Q. Is the idea that that central control room would provide backup or assistance in the event of an emergency?

A. It could be, it could be yes.

45 Q. So that matter is in the foothills of consideration but--

A. Foothills of consideration.

Q. --will remain so in the maybe future?

50 A. No, it's actively in the foothills if that's not a contradiction.

LTS:DAT

SULLIVAN: Your Honour, I don't have a whole lot left but perhaps it might be appropriate to take the morning tea.

HER HONOUR: We'll the morning adjournment now and resume at 12 o'clock.

5

SHORT ADJOURNMENT

SULLIVAN

10 Q. I was about to move to the fourth matter in your statement, your first statement at paragraphs 144 to 150 which concerns the paid policing arrangement--

A. Yes.

15 Q. --at Westfield Bondi Junction. That was in place prior to the incident was it?

A. No, it was not.

Q. It wasn't, okay, so it's only since that point in time?

20 A. It's only since that point.

Q. Since August 2024, is that right?

A. Around that point yes.

25 Q. You state at 150 of your statement that you anticipate that arrangement will extend beyond July 2025. Do you have an update for us as to whether that's confirmed?

A. Subject to the Commissioner's agreement, that is something we, we definitely want to do yes.

30

Q. That's a beneficial arrangement is it?

A. It's beneficial for everyone in terms of reassurance to the public, reassurance to retailers, reassurance to our own staff, it's been hugely important, hugely beneficial. It's not 24/7, it's done at sort of an intelligence led basis but yes we very much favour that approach.

35

Q. The fifth matter is the engagement with your specialised contractors and the enhancement to security processes and plans.

A. Yes.

40

Q. So in particular that concerns your interactions with Glad post the incident?

A. It does yes.

45 Q. You set out a number of matters at paragraph 191 and following of your first statement. That to be quite frank left us with the view that there was some further information and assurances that were required from Scentre's perspective in relation to the steps to be taken by Glad. Have those matters been resolved?

50 A. They, they progressed yes they have. They more than progressed. They are actively monitored and with Glad - in Glad's case on a monthly basis,

overseen - once this process is finished overseen by myself.

Q. You have overseen--

5 A. Not in the past couple of months because I've been invested in this process and my very able deputy has been leading that but as soon as this process is done I will revert to my role overseeing the security management contracts.

10 Q. A key component of that, this is at 195, paragraph 9, Scentre emphasised to Glad that in the aftermath of the incident the critical nature of that control room role in delivering situational awareness in the event of an emergency?

A. Absolutely critical yes.

Q. And that's been a focus of Scentre and Glad's activities since?

15 A. It has yes.

Q. In terms of broader recommendations, you refer to Scentre conducting retailer forums which are presented with police. That's right?

20 A. Yes, on occasions yes, I was - I presented at one, I think it was July 24 I think.

Q. Was that with your Chief Inspector Colin Green?

A. No. No this was a local Bondi attendance at - on the 6th floor of Bondi with a number of retailers.

25 Q. Have you participated in police led retailer forums?

A. Yes I have. That one. Yes I have.

Q. Do you think that those forums are held regularly enough?

30 A. Yes I believe they are. It's on a needs basis and sometimes attendance is a little low and we would encourage through this process retailers to attend them.

35 Q. You have had the opportunity to review a number of statements from a spectrum of retailers that were obtained in connection with these coronial proceedings?

A. Yes.

Q. That is from smaller operators, popup stores for example, right through to the main chain operators like David Jones, Harvey Norman and the like?

40 A. Yes I define popup more as kiosk which is slightly more permanent, like the Sourdough Café for example.

Q. Are there some important learnings do you think that come out from those individual retail store experiences on that day?

45 A. Yes I think there's, I think there's learnings both ways in terms of them understanding what their obligations are in terms of for their own staff in a work health and safety perspective in terms of their procedures, and our understanding in terms of making sure that we are communicating very clearly with retailers, with kiosks, with popup stores and the like to ensure they're
50 aware but we do that very regularly, it's very direct through Brad and others

and Joseph actually as retail manager so we do have a very strong level of engagement with our retailers about all matters but about security matters in particular, obviously--

5 Q. Do you accept that some of those statements suggest that there are some - there were issues on 13 April, for example, in relation to where the Sourdough staff should evacuate to?

10 A. I accept that he feels there were issues yes, but we have provided very deliberate guidance about what they need to do in terms of their own internal workings around their staff, but we accept that we could communicate more and better potentially around these issues if that is a requirement.

Q. When you say if that is a requirement, what do you mean?

15 A. If, if the feedback is as we have seen in the statements then clearly we need to be doing more around those issues.

Q. Do you think that there's utility in a retailer forum based on the events of 13 April as a case study for all the retailers, whether small or large?

20 A. Yeah I think that's a really good idea.

Q. Is that something that you will take on board?

A. We will.

25 Q. Some of those important learnings set out in those statements could be applicable to - may well be applicable to other Westfield centres?

A. Entirely, entirely possible yes.

Q. And indeed, retailers in the country more broadly should they face a similar scenario, God forbid?

30 A. I agree.

Q. Multiagency exercising is something we heard some evidence from Mr Wilson about yesterday, you were in court for that?

35 A. I was.

Q. How often does Westfield engage in multiagency exercises, by which I'm referring to fire, police and ambulance?

A. The requirement is every two years, biannual.

40 Q. What requirement are you referring to?

A. The requirement to arrange, conduct and address a multiagency exercise is something we do every two years at the moment.

45 Q. But you referred to a requirement. Where does - what's the provenance of the requirement?

A. It's in our, it's in our emergency management procedures.

Q. So it's a Scentre requirement?

50 A. Sort of the green book bit or the Red Book if you like.

LTS:DAT

Q. So once every two years?

A. Once every two years, at the moment.

Q. At the moment. Can I suggest that's not frequent enough?

5 A. We've reflected on that, I've reflected on that and I think that's something we will actively consider. It's something not our willingness to put them on, it's actually having the time from the emergency services to engage with us was previously the problem but I'm sure events such as this would mean that this is seen as something we should be doing, collectively.

10

Q. More frequently than every two years?

A. Yes.

15

Q. An important distillation from those exercises is the lessons that are identified from those particular--

A. Yes.

Q. --scenario training, is that right?

A. That's right yes.

20

Q. How in your experience are the lessons that are identified from a given multiagency exercise translated into lessons learnt? That is how are they operationalised?

25

A. Yeah so Fulcrum who are our partner who undertake those exercises, at the conclusion of every exercise there is a debrief and that debrief is recorded - not recorded, annotated and if there are significant issues arising from that debrief, then we will then consider what we need to do next in terms of either Red Book amendments or the like, so formal debrief process after every multiagency exercise.

30

Q. How are those lessons or potential learnings disseminated for example to New South Wales Ambulance or to New South Wales Police?

A. I couldn't speak for them.

35

Q. Does the Fulcrum briefing document - is there such a document that sets out the learnings?

A. If there was relevant learnings, we would deal with that internally ourselves but I can't speak for New South Wales Police or the ambulance as to how they address--

40

Q. No, but are they provided with your summary document that sets out learnings?

A. I couldn't say but I'd imagine there would be contents--

45

Q. If that doesn't happen it should happen?

A. It should happen yes absolutely.

50

Q. As a final matter I want to ask you about your experience with run hide tell as it's known in the UK, or escape hide tell being the Australian version. You deal with this at paragraph 73 to 77 of your first statement and it's incorporated

into the ANZ CTC Guidelines. At paragraph 80 you state that there's been limited communication by government to members of the Australian public in relation to the escape hide tell message and there hasn't been a public awareness campaign in the way that there was in the UK. Can I just ask you to speak to that issue?

A. Yes I mean the UK and Mr Wilson mentioned it yesterday had a very successful campaign around they call it run hide tell which raised public awareness - I think there was about seven million hits they say, on the - on the website around that issue. It's a really important issue not just for this country but for people travelling abroad to understand what they should do.

They used the awful events of Tunisia when 30 UK nationals lost their lives, to promote that abroad bit in partnership with the Foreign Office, with the Association of British Travel Agents and the like but it's a really important message to get out and particularly in the light of the awful circumstances of 13 April that the public should be aware what escape hide tell means.

Q. Do you think that there is a level of awareness within the Australian public?

A. No I don't think there is, and I think Mr Green would support me in his evidence.

Q. I think he does, with respect. We might now in the interests of that public awareness campaign play a short UK run hide tell clip if we could. It's only 40 seconds.

VIDEO PLAYED TO COURT

Q. Do you recall when that was rolled out in the UK?

A. I think it was 2018. Middle of 2018. I might have to be corrected on that.

Q. Do you know if it's an ongoing campaign?

A. I believe it is.

Q. What's the distinction between run in the UK and escape in Australia? How did that come about?

A. I think if I recall Mr Green's evidence, escape is around giving you sort of not a direction to run, escape gives you choices. I think that's the reason why we went with escape in this country, which seems sensible in all honesty.

Q. You can see utility in something along those lines in the Australian context?

A. I certainly can, yes.

Q. Can I ask you for your final reflections now, I've completed my examination?

A. Thank you, thank you. My final reflections are with you, the victims. You have my most profound and deepest condolences for your loss. I cannot begin to imagine or contemplate what you've been through, what you go through still and - so I extend my deepest condolences personally and on behalf of the business to you all. And of course to all those affected by these awful, awful events. I'd also like to thank NSW Police for their - and the ambulance

services for their amazing response on the day. It was - Mr Wilson says world class. It was beyond world class ..(not transcribable).. thank you, your team.

5 Amy Scott, words cannot describe the brilliance of that woman and what she did on the day. Defying every bit of research that says how people behave in a crisis. She did completely the opposite and brilliantly so. She saved lives. She's a remarkable woman, so thank you, Amy. I'd also like to thank my own team. You've seen Joseph, Brad and Jerry, the impact it's had on them and
10 the wider Westfield Bondi community. So I'd like to thank them for what they did on the day. They did their very best in incredibly difficult circumstances. And my heart goes out to them and how they were all affected as well. So thank you.

15 Q. Thank you.

HER HONOUR

Q. Thank you, Mr Yates. There may be some other questions.
20 A. Yes.

<EXAMINATION BY MR FERNADEZ

Q. Mr Yates, my name is Lester Fernandez, I act for the family of Faraz Tahir.
25 You know he was a security guard who was killed back on 13 April last year. You were here yesterday when Mr Wilson gave evidence, weren't you?
A. I was.

Q. You've read his reports that have been prepared for this inquest, is that
30 correct?
A. That's correct, yes.

Q. You have seen his qualifications which he referred to in some parts
yesterday during his evidence, is that right?
35 A. Yes.

Q. You accept his expertise as a security and policing expert, don't you?
A. I do.

Q. His experience is comparable to your experience in security and policing,
40 would that be correct?
A. I would say no. I've held some of the most senior posts in British policing. Probably the second most senior job in the country, as the head of
counterterrorism and, and all those of other responsibilities I've had. So I
45 would say no, with respect to Mr Wilson.

Q. You accept the validity of the opinions that he has placed before this
inquest, is that right?
A. I accept that he is - he has an opinion and I accept he has some expertise.
50

Q. In terms of his opinions, you accept many of the opinions that he has put forward that have been addressed at this inquest, do you agree with that?

A. Absolutely, yes.

5 Q. Do you yourself have any challenge to his ability to give expert opinion evidence before this inquest?

A. He, he has, he has a view and he's absolutely - that's what he's come to give, an independent view.

10 Q. Do you have a problem saying yes or no? Do you have a challenge to his ability--

A. No, I don't.

Q. --to give expert evidence before this inquest?

15 A. No, I don't.

Q. One of the suggestions that Mr Wilson made in his evidence yesterday was in relation to action plans or action cards and you were asked questions about that--

20

JORDAN: Just a matter of clarification. It was action cards, not action plans. Those two things could be very different concepts.

25 FERNANDEZ: Yes. Could I ask for the transcript from yesterday to be put up on the screen please? Page 1206. If we could focus on line 17 or thereabouts.

Q. You'll see that in this part, perhaps commencing at about line 18, the evidence Mr Wilson gave was this. "No person within the organisation is going to know every single line of every single page". You agree with that, don't you?

30 A. Of course I agree with that.

Q. "What's important within these large action plans is to then have what we call action cards", and you can see that Mr Wilson described them as if we was the controller or the chief warden he should - that person should know in four or five pages of a 200 page document, that being the Red Book, they should have an action card telling them specifically what their responsibility is. You heard that evidence, I've just taken you to it now?

40 A. Yes.

Q. Your evidence earlier, I may have missed the detail of it, but did you give evidence that you have something called "small cards with key responsibilities"--

45 A. Small lanyards, yes.

Q. They're lanyards are they?

A. And they're, they're bigger as well. There's, there's a chief warden checklist card, in terms of roles, responsibilities and what you should do. So that's, that's a fairly recent development and I think I might have confused

50

myself and you, Mr Fernandez, I apologise. But they have been rolled out very recently. And it's - I'm, I'm in agreement with that--

Q. How recently were they rolled out?

5 A. I think it's in the last two weeks.

Q. In the last two weeks?

A. Yes.

10 Q. During the course of this inquest?

A. Yes, yes, and as part of the - our adducing the learnings from the inquest as we go and we are making improvements.

Q. When did the planning for those action cards begin? And they started two weeks ago, when did the planning for them actually begin?

15 A. I can't, I can't say.

Q. Do you agree with the idea that Mr Wilson gave in his evidence that I've just taken you to about the benefit of these action cards of a few pages giving information on specific responsibilities?

20 A. Yes and, and in fairness to ourselves we had something not quite as developed as that in lanyard format, or before April 13. We've just specified now as the chief warden card as opposed to generic responses.

Q. I'm just going to bring you back to my question. Do you agree that the suggestion that Mr Wilson made about extracting from the Red Book three or four particular pages relevant to specific positions?

25 A. Yes, most certainly, yes.

Q. Is that something that can be done?

30 A. Yes, it can be.

Q. I know you were here yesterday, so you heard this question asked by senior counsel for Scentre Group, and I'm just going to ask you about your opinion on this question. This was at page 1277 of the transcript. It doesn't need to be brought up but - the transcript can be taken off, thank you. The question asked of Mr Wilson was this.

40 "Q. Is it fair to say that you", Mr Wilson, "did not have any particular expertise in relation to the practical and commercial aspects of operating a large shopping centre such as Westfield Bondi Junction?"

A. I remember the question.

45 Q. You heard that question being asked. Is that your opinion that Mr Wilson doesn't have practical and commercial - particular expertise in relation to practical and commercial aspects?

50 JORDAN: Objection.

LTS:DAT

HER HONOUR: Yes, Mr Jordan?

JORDAN: Mr Wilson answered that question.

5

FERNANDEZ: I'm asking this witness' opinion, your Honour.

JORDAN: Sorry, Mr Fernandez is asking for Mr Yates' opinion in relation to Mr Wilson's evidence as to Mr Wilson's own evidence as to his own expertise, what is the point of that?

10

FERNANDEZ: I'm asking his opinion in relation to a question asked by senior counsel for Scentre Group.

15 HER HONOUR: Yes, I'll allow it.

FERNANDEZ

Q. I'm going to ask you your opinion. Is this your opinion of Mr Wilson that he doesn't have any particular expertise in relation to the practical and commercial aspects of operating a large shopping centre?

20

A. I think he's got wide, wide experience in the private sector world. I didn't hear anything apart from Westfield Stratford where he has some engagement to suggest he's had an intimate involvement in commercial operations at a shopping centre level. But I can't really say, Mr Fernandez.

25

Q. That's something that you have though, is it, practical and expertise in practical and commercial aspects of running a--

A. Commercial aspects.

30

Q. Of operating a large shopping centre?

A. I've been director of security for nearly 12 years, so I would suggest I have a great deal of experience in the security operations of a shopping centre.

Q. For Scentre Group, considering all of its operations, is there anything more important than the safety of its staff, its retailers and the public?

35

A. I absolutely agree with you.

Q. That is the most important priority for Scentre Group, isn't it?

40

A. It is.

Q. I want to take you to the specific issue about two people in a control room. I'm going to repeat unnecessarily if I can, the evidence that's been given. I wonder if Mr Yates' statement, this is tab 1599B can be put up onto the screen, please? To paragraph number 69.

45

A. Yes, I've got it, thank you.

Q. You've given evidence about the pilot. I think you call it a trial of an arrangement, is that correct?

50

A. Yes, it's a pilot.

Q. What you say at paragraph 69 is, "Scentre, in consultation, has been giving consideration to this arrangement". How long has that consideration to this arrangement been given?

5 A. It's been a reasonably recent development and it's taken the learnings from the evidence we've heard at this inquest about these awful matters and seeing what else can we do as a business to further enhance our security posture, our response, the speed of our response. So it's - bearing in mind Mr Goldberg would say that 70% of the time there was a supervisor in the control room.
10 This is just a, a further enhancement of that.

Q. When you say you've taken into account the learnings of this inquest, I don't know what you - I don't want you to disclose what you were told but immediately after what happened at Westfield last year Scentre engaged its own consultations and people to consult with, is that correct?

15

A. Yes, that's correct.

Q. And Scentre engaged, I think you said, almost immediately with looking at Scentre security, is that right?

20

A. Yes, yes.

Q. And looking at what processes may have not worked well, do you agree?

A. Yes.

25

Q. And what processes needed to be improved, is that right?

A. That's right. It has been an iterative process across a range of issues where we have considered what - as I have said in my evidence earlier around technology, people, training, pressure testing and the like. So it's, it's - you can just go, everything is going to be fixed in a day. We're trying to really
30 understand what is the requirement, what do we need to do to further enhance our security posture.

Q. That understanding for Scentre Group began on day one?

A. It did.

35

Q. Is that right?

A. Absolutely.

Q. So did you need to wait for the learnings of this inquest to determine that there was a real issue about the number of people in the control room?

40

A. Prior to October 7, 2023, we didn't have any staff in control rooms in the majority of our centres. It's a very new process to us. And the addition of a permanent person in the control room post October 7, we've seen it as a real advantage in terms of situational awareness, staff safety and, and the like. So,
45 there's a whole range of other staff, as you know. We've been, we've been managing and making the improvements just as soon as we can. This is just another one and we agree it may well be a good idea.

Q. I'm going to ask you my question again. Did you need this inquest to be aware of the learnings in relation to the issue of problems with having only one
50

LTS:DAT

person in the security control room?

A. No, we probably didn't.

Q. Did or did not?

5 A. Did not.

Q. It was open to Scentre Group to action this particular issue at any earlier time, is that correct?

A. It was, yes.

10

Q. I just want to take you to what you've got there in your statement. This trial of the arrangement, this began yesterday, that's the same day that Mr Wilson was giving evidence. How long had the preparation for this trial had been - or to put it another way, when was this raised as an issue that should be

15

addressed as part of a trial?

SULLIVAN: Your Honour, can I raise this matter? Scentre is plain, from the evidence that has been led, they have engaged with this process in what might be viewed as an exemplary manner. They have sought to undertake steps to

20

address issues as they've fallen from Mr Wilson's report and his evidence. There is a difficulty with then using that in this manner to suggest that there hasn't been engagement or the learnings could've been at an earlier point. I'm concerned about the potential chilling effect going forward for a party that might take that approach if this is the nature of the questioning.

25

FERNANDEZ: Could I take your Honour to the list of issues dated 5 March this year? I might refer specifically to what refers to a - Scentre Group, issue number 8, relates to the nature and timing of the response of Scentre Group to the events of 13 April, referring to some specific matters, but also the

30

adequacy of the response which is contained at issue number 9. These are matters directly relevant to the issues in this inquest. The trial started yesterday. I'm asking, when the planning for that trial began.

HER HONOUR: I have to say Mr Fernandez, I don't know that that is something that we need to focus on too much. What we need to know is what's happening now and how long is the trial going to go for, perhaps is a question you could ask. But I think I'm satisfied that it's happening, and that other things have already been implemented by Scentre as a result of--

35

FERNANDEZ: I understand your Honour.

40

HER HONOUR: --this process.

FERNANDEZ

45

Q. This trial is an open-ended trial, is that right?

A. Yes.

Q. Who is going to do the review of the trial? Has there been a person allocated to do the review?

50

LTS:DAT

A. It'll be the national security team which I oversee.

Q. Has there been plans for when these reviews are going to take place?

5 A. It's been reviewed, and as I said in my evidence..(not transcribable)..it's being reviewed on a weekly basis with Glad and their security team. It's a monthly basis with the broader team, and then on a quarterly basis with myself. So we will constantly consider how best we can improve the response in the control room.

10 Q. When you said it's going to be reviewed by the national security team, that's people at your level and similar, is that right?

A. No, no, no it's part of my team.

15 Q. I asked you when is it going to be reviewed, do you have - sorry, I asked you if you had plans for the review. At this stage are there plans for the review?

A. It's an, it's an ongoing review as I just explained.

HER HONOUR

20

Q. So there's no particular time for the trial--

A. No, not yet. No.

Q. --Mr Yates? Thank you--

25

A. No.

FERNANDEZ

Q. Is there any consideration of how the trial is going to be reviewed?

30

A. I think I've just answered that Mr Fernandez.

Q. How could you determine whether it's successful or not, or to put it another way, how will you determine whether it's something that should be made permanent or not?

35

A. I think I answered this in my first - in my earlier evidence that--

Q. I'm asking you now. Please answer?

40

A. Okay, so it's been reviewed by the supervisors in the control room on a weekly basis. It'll be reviewed by the business manager with Bradley Goldberg on a weekly basis, on a monthly basis, and I will review it in my position as overseeing the security management framework, a, a contract management framework, on a quarterly basis. Actually with - in the case of Glad, it's a monthly basis. So that's how it will be reviewed, and it will be tinkered with. It will be, it will be finessed as to what is the best, most effective outcome we can achieve with these additional personnel.

45

Q. You described at this stage that - please correct me if I've made an incorrect note, but the two people who are going to be in the control room, they have to come to an understanding themselves, is that right, about how they're both going to operate in the control room?

50

LTS:DAT

A. No I didn't say that, I said--

Q. All right what--

5 A. I said, there's a, there's a supervisor, is the additional person, and that supervisor, the, the S1 or the S2, will decide the hierarchy of the moment as to who does what. That's what supervisors do.

Q. You've said that it's not in - I mean, it's a trial program, so there's nothing in the Red Book about it--

10 A. No.

Q. --is that correct?

A. Obviously not yet.

15 Q. Could an addendum be prepared so that there's some guidance to those people who are going to staff the control room?

A. I don't think so. It's, it's the normal operating of the security guard force in Westfield Bondi. There's an S1. There's an S2. There's an RSS. There's an RSM. It operates in that manner.

20

Q. You do appreciate though that people can have different understandings of their roles and what they're meant to do, don't you?

A. No I don't.

25 Q. Sorry?

A. No I don't. It's clear that the S1 is supervising the control room operator, unless the control room operator is the S1, in which case they're in command.

30 Q. But Red Book, the reason the Red Book exists, is for uniformity and consistency throughout the organisation. Do you agree with that?

A. Yes.

Q. The Red Book exists so that everyone knows what they're meant to be doing, doesn't it?

35 A. I agree with the Red Book, yes.

Q. Is there any disadvantage in some short document to let people know who are being part of this trial, how they're meant to be operating?

40 A. Perhaps let the trial run, and we'll see whether that is an advantage. And of course I would consider it Mr Fernandez.

FERNANDEZ: Could tab 1599A be put on the screen please, to paragraph 64?

45 Q. I'll just give you a moment to look at that yourself. You will recall that's part of your statement where you address this issue about a sole security officer. Is that correct?

A. That's correct. Yes sir.

50 Q. At the end of this paragraph, you state that:

5 "However, requiring two experienced operators to be in the control room at all times would divert an experienced and skilled security guard from other important functions, including additional visible presence on the floor of the centre."

Can that not be addressed by increasing the amount of staff to take into account that there's two people in the control room?

10 A. It can be.

Q. Is that something that you'll take into account then?

A. It certainly will.

15 Q. What do you say about that opinion that you've expressed there at paragraph 64 in the last sentence? Would you like to amend it, vary it or withdraw it--

A. I would say I - I would say I'd refreshed my opinion on it.

Q. You can see the benefit of--

20 A. Okay, well the trial is underway Mr Fernandez.

Q. Indeed. Because there are commercial realities, that's right, isn't it, in running the security part of the business which you're involved in?

25 A. Yes.

Q. But that has to be balanced against the importance for safety. Do you agree?

A. It does.

30 Q. It actually has to be secondary to safety, doesn't it?

35 A. Yes I think I heard in - I can't remember, forgive me, who raised it, in terms of security seen as a cost as opposed to a value..(not transcribable)..help me on that, but it was certainly raised in evidence at some point. As a business, we've always seen that security is a value add. It is the most important factor in keeping our retailers and our customers safe. We've never seen it as a cost, but clearly there are commercial considerations - we can't just - but it is, it is a value to the business. It's set from the top, and it's a really important aspect. I must say we never see it as a cost.

40 Q. It's the most critical aspect isn't it?

A. The safety of our customers, the safety of our retailers, the safety of our own people, is critical.

45 Q. I'm going to let you know something now, and it's the views of the family of each of the people who died at Westfield's back on 13 April last year. Each of the families, want you to know, that they would like two control room operators permanently staffing the control room at Westfield. Can you take that piece of information on board in relation to future decisions by Scentre Group?

50 A. Yes I can.

Q. I want to take you now to a person who we know as "CR1", CR1. Your evidence was that Scentre is absolutely committed to distilling the learnings from what took place, correct--

A. We are.

5

Q. In order to consider those learnings you must look back to see where things went wrong, do you agree?

A. Of course we do, yes.

10

Q. You're aware that there's been significant evidence at this inquest about what happened with CR1--

A. Yes.

Q. --you agree with that?

15

A. I do.

Q. I'm going to ask you a question and it relates to the point in time when CR1, CR1, returned from the bathroom, back into the control room, until the time she's sent away from the control room to the fire control room. Thinking about that period of time and everything that happened within it, what is your assessment of CR1's competence in her role during that period of time?

20

A. I have the advantage of being able to view almost frame by frame the CCTV in the control room. My view is that she was juggling many tasks. She was specifically getting underway the main assignments around calling triple zero, trying to look on the CCTV and those issues, and she was engaging on the radio on numerous occasions. I think she was doing her, her best under very, very difficult, very difficult, more than that, circumstances.

25

Q. Was she competent in undertaking each of those tasks?

30

A. I believe she was, yes.

Q. Have you ever considered that CR1 doing her best might be, but her best, on this day, was actually not good enough? Have you ever considered that?

35

A. Of course I have, and I think, if I might say Mr Fernandez, there's many people, many, many people who have struggled to do their best on this awful day.

Q. There's no doubt about that Mr Yates, but I'm asking you as in your role, in terms of your responsibility, about your assessment of CR1's competence?

40

A. Yeah.

Q. There's no question about her intentions. But your view is she was competent to do every task that she undertook on this day?

45

A. And the reason why the Red Book says get another person there, is to support the control room operator in what are really, really difficult circumstances--

Q. Sure?

A. --and that happened.

50

LTS:DAT

Q. When it started CR1 was on her own though--

A. She was, I agree.

5 Q. --correct? You described - I'm sorry, I'll start again. You heard a number of times yesterday Mr Wilson refer to CR2, CR2, to CR2's competence, when he arrived in the control room. You recall that?

A. I do.

10 Q. You heard Mr Wilson describe how he was quickly able to do what he did. He went straight to the cameras, and he was immediately able to get critical information. Correct?

A. That's what Mr Wilson said, yes.

15 Q. Is your opinion that CR2, CR2, was able to do that because he was given information by someone else?

A. That is mine.

Q. Have you raised that directly with CR2, with CR2? Have you asked him?

20 A. No I have not.

Q. Right, so it's an assumption that you've made?

A. No it's - I don't think that it is. I think it's--

Q. Right?

25 A. --it's from the chronology where we see--

Q. Sure?

30 A. --Mr Rogers, on his radio on level 5, outside Boost Juice, directing, and I - clearly there's a - I - obviously I cannot say what the communication was, but it was clear it would be an incredible stroke of good fortune to be able to click on the right camera out of 954 views. My assumption, and I think it's a fair assumption, that it was Mr Rogers that directed CR2 to that camera.

35 Q. Have you considered an alternative, that CR2 was able to get the information and the views he could because he was competent in doing what he did? Have you considered that alternative?

A. I've considered it, and I considered it most unlikely.

Q. You'd leave open that possibility?

40 A. I consider it most unlikely.

Q. All right, you don't want to say whether you leave open the possibility or not?

45 CASSELDEN: He answered it twice with the greatest respect your Honour.

FERNANDEZ

50 Q. What's your answer? Do you want to say or not?

LTS:DAT

JORDAN: Your Honour, please.

HER HONOUR: I'm satisfied--

5 FERNANDEZ: I'll move on your Honour.

HER HONOUR: --with the answer.

FERNANDEZ

10

Q. There's much discussion about 95% mundanity and 5% emergencies, but - and you gave evidence about what took place at Westfield's being unprecedented in Australia. But what took place is not unprecedented around the world sadly, do you agree--

15

A. No, I agree.

Q. I mean we've got Christchurch on our doorstep and you heard Mr Wilson give evidence about what took place there?

A. I agree.

20

Q. In your security plannings, you really have to plan for those once in a generation incidents, don't you?

A. And I believe that's what I--

25

Q. Is that a yes? Is that a yes?

A. Yes.

Q. You really have to plan for those once in a generation incidents. We've had one now. We had one at Westfield's last year. And Scentre Group needs to be prepared for, you know, in the worst circumstances, something like that or worse taking place again. Do you agree?

30

JORDAN: Your Honour.

35

HER HONOUR: Yes Mr Jordan.

JORDAN: I'd just ask my friend to pause and just reflect on the tone of some of his questioning.

40

FERNANDEZ: I pause and I've reflected.

Q. Do you agree that Westfield having gone through this experience in April of last year has to prepare for another incident of similar or even worse severity?

A. We have always prepared for this type of incident.

45

Q. That has to be taken into account in the training that you give your staff, doesn't it?

A. Mr Wilson praised our green and Red Book planning as being best in class and we have always trained for this type of incident, we can always improve the training, but we have always assumed that as the busiest most crowded

50

LTS:DAT

place in Australian awful event like this can happen.

Q. You heard questions asked of Mr Wilson yesterday about people acting under pressure and the significant difficulties in that situation.

5 A. Yeah.

Q. That's what you have to prepare your staff for, isn't it, your security staff?

A. Absolutely.

10 Q. That type of pressure, that type of situation? Do you agree with that?

A. Yes we do but I don't think you could ever simulate the type of pressure that people were under on 13 April in an exercise.

15 FERNANDEZ: I'm going to ask for the transcript from yesterday, p 1227 to be put up on the screen please. I think it's around about - I'm sorry. Is there a sentence that begins - an answer with, "I think it's just the CCTV operator knowing"?

20 SULLIVAN: Line 34.

FERNANDEZ: Thank you.

WITNESS: Where is it?

25 FERNANDEZ

Q. Line 34. This is evidence that Mr Wilson gave yesterday about information for the CCTV operator to know. I'm going to ask you just to read to yourself what's in lines 41 to 45 there.

30 A. So I think I need to read the previous--

Q. Please do.

A. For context, if you just bear with me. Thank you Mr Fernandez.

35 Q. What Mr Wilson was referring to particularly from lines 41 to 45 is his opinion about whether CCTV operators understand their full responsibility and specific questions that could be asked of the CCTV operators. Can you see that?

40 A. I can yes.

Q. He proposes that questions be asked like, "Do you know if this happens what do you do because that's not in the policy yet, it's not written down. That's just verbally what we've been told is now policy." I just have to break that down. Is it in the policy at the moment?

45 A. What's written down are the two main objectives and the main assignments. CCTV operators in the - when they're going through the checklists, they'll be walked through these type of scenarios, what will you do next, what will you do next? So I think it's - I think it has to be tested in that way with the overarching main assignment being the fundamentals, and really
50 that takes you to what you should be doing.

Q. I'm just wondering whether you agree with Mr Wilson's opinion, it's not in the policy, it's not written down, it's just said verbally?

A. We're certainly prepared to reflect on that yes.

5

Q. You accept what he said, and you'll consider whether there should be something written in the policy about it, is that correct?

A. I said we'll consider it.

10 FERNANDEZ: Thank you. That can be taken off the screen.

Q. I'm going to take you now Mr Yates to the document that was tendered this morning at tab 1625. I'm not asking for it to be brought up, but that was a letter from Holding Redlich?

15 A. Yes.

Q. It related to an issue in 2001 I think to - April to November of 2001 or thereabouts, where security guards of a Westfield centre in South Australia were raising issues about having security vests. You're aware of that?

20 A. I haven't seen the date of the letter, but I know the issue you're referring to.

Q. It appears that those concerns that were raised by email never came to your attention or someone else's attention. Has that prompted you to think about what happened in the communication between the security manager and Scentre Group so that that message was missed, those emails were missed?

25

A. I haven't had a chance to review it Mr Fernandez. I have no knowledge of the incident. I'm aware that we made some inquiries. No one else in the national security team or in the hierarchy of South Australia knew about it, so I really can't help you.

30

Q. Not right now but you'll be able to look at it carefully?

A. I will be.

35 Q. Because are you aware that there were very serious safety concerns raised by the security guards?

A. I said I haven't been able to look at it in detail.

Q. Are you even aware of that, that there were serious safety concerns raised by the security guards?

40

A. One assumes because they were raising the issue of stab proof vests they had concerns.

Q. I'm going to take you to the noise of the alarm systems. You know that's an issue that's been raised.

45

FERNANDEZ: I'm going to start by asking for the following part of the transcript to be placed on the screen please. This is of 9 May this year, p 676. Could we focus in on line 35, commencing at line 35 please? This was Inspector Simpson and I'm going to read out for the benefit of those who can't

50

LTS:DAT

see a screen what the evidence was.

WITNESS: I was present.

5 FERNANDEZ: Inspector Simpson was asked what was the effect of the alarm on him. He said:

10 "The alarm was very loud. I can't really do it justice by 'very loud.' Doesn't really do it justice. It was, it was both a, a significant physical and mental impedance to basically every activity that was undertaken inside the shopping centre. It was difficult."

Q. You can see that?

15 A. Yes.

Q. When he was asked about did it particularly affect communications he said, "It, it made communications effectively impossible." You can see that?

20 A. I can see that.

Q. You were here for--

20 A. I heard his evidence yes.

25 Q. You heard his evidence saying that what he had to go to - what the officers had to do was impromptu types of sign language.

FERNANDEZ: Thank you, that can be taken off the screen.

30 Q. If it wasn't already clear by other evidence at this inquest including from Inspector Scott, that very clearly sets out the effect of the noise of the evacuation alarm on first responders, is that correct?

A. That's correct yes.

35 Q. If there was to be an event tomorrow or at some time in the future, as we speak the alarms would be activated at that very same noise, is that right?

A. I believe that's correct yes.

40 Q. You say that Scentre complies with Australian standards in relation to notice, is that correct?

A. You've heard my evidence this morning around that.

45 Q. You also said you were going to leave that issue about the noise to the professionals. You recall that evidence?

A. I do yes. I'm not a fire tester.

Q. But you're a professional involved in security at Scentre Group, aren't you?

50 A. I am.

LTS:DAT

Q. You know from the evidence at this inquest that the noise was an extreme hindrance to first responders?

A. Yes.

5 Q. Correct?

A. Yes.

Q. What steps have you taken to let the professionals know?

10 A. Personally I haven't taken those direct steps but I know colleagues have reviewed when they were tested, I think there's a yearly test, there's a five year test, they reviewed the decibel levels, they've reviewed the ambient noise levels, they reviewed the issues around the exhaust and the stretch of where we, we need to get the messages to. So it's under active review Mr Fernandez but I'm not competent to address what the
15 regulators say is required of fire alarms and their noise.

Q. Don't worry about what the regulators require. What steps have you--

20 JORDAN: Objection.

SULLIVAN: Your Honour--

JORDAN: Objection.

25 FERNANDEZ: I'll withdraw the question. I'll withdraw the question.

Q. What steps have you taken if any to directly contact the regulators--

A. I haven't taken--

30 Q. --to let them know about the issue with the noise alarms at Westfields last year?

A. Other colleagues are directly involved in that process, to understand how we can ameliorate, improve whilst maintaining what we have to do which is - you heard the evidence of Mr Green's, if they're not loud,
35 people ignore them, so there is a balance there.

Q. Have those other colleagues contacted the regulators to your knowledge?

40 A. I can't - we are in - we have definitely been in touch with the, the ARA who are the people that - who are the, you know, longstanding professionals who do this stuff so it's - I haven't been directly involved.

Q. Have you raised it with the crowded places subcommittee of the Australia-New Zealand Counter-Terrorism Committee?

45 A. I haven't at this stage no.

Q. Have you raised it with any other body?

A. I haven't at this stage, no.

50 Q. Will you do that?

LTS:DAT

A. I will.

FERNANDEZ: Those are my questions.

5 HARRIS-ROXAS: I have a number of questions but can I suggest perhaps just taking lunch now and then I'll start my questioning so it can all be done - I don't think I'll be done in four minutes is what I'm saying.

10 HER HONOUR: Sure. We'll take the lunch adjournment and resume at 2.

LUNCHEON ADJOURNMENT

15 HER HONOUR: Yes, Ms Harris-Roxas.

HARRIS-ROXAS: Thank you, your Honour.

<EXAMINATION BY MS HARRIS-ROXAS

20 Q. Mr Yates, my name is Tanya Harris-Roxas and I act for the families of Jade Young, Dawn Singleton and Ashlee Good. I just want to ask some questions of you today that focus around the steps that have been taken by your company and also other things that might be considered or be done to ensure that an incident like this is not repeated. We've heard evidence during
25 this inquest from a number of witnesses that controllers have a difficult and challenging job, and I think that's something we'd all agree with, isn't it?
A. It is, yes.

30 Q. You gave evidence yourself this morning about how challenging it can be to track a person through the centre, and that's in circumstances where the person is known to the person who is tracking them on those CCTV cameras. It's a difficult job--
A. (No verbal reply)

35 SULLIVAN: The witness will need to indicate a verbal response.

WITNESS: Sorry. It is.

40 HARRIS-ROXAS

Q. Also I think it's fair to say that there are physical challenges with the environment that controllers work in, it's a room in a basement, it usually has no windows and in fact that's the room at Westfield Bondi Junction, isn't it?
A. That's correct, yes.

45 Q. Turning to CR1 and her training, her training as a controller took about a month, didn't it?
A. Yeah, I think it started in December - yes, started off at the end, end of - I think it was five weeks.

50

LTS:DAT

Q. Thank you. Her training started, according to the evidence, 27 December 2023?

A. Yes.

5 Q. And she was signed off on 31 January 2024.

A. That's correct, yes.

Q. So it's about a month, a few days over a month?

A. Yeah, I accept that.

10

Q. It's fair to say that particular period at Westfield Bondi Junction would be a very busy one, wouldn't it?

A. It's, it's, it's always busy at Westfield Bondi Junction.

15 Q. Yes, but 27 December, that's just after Christmas--

A. Yes, correct.

Q. --so we've got sales, school holidays and it's summer time.

A. Yes, correct.

20

Q. And there's lots of people, working people who are on holidays during that time. So it would be fair to say that the centre would be crowded and busy?

A. That's correct.

25 Q. During that very busy time her training to be a controller took about a month?

A. I agree.

30

[REDACTED]

35

[REDACTED]

40

[REDACTED]

45

[REDACTED]

Q. Yes. Just taking all of that, and I'd suggest to you that implementing a system where controllers spend shorter periods in the control room, it's a desirable goal, would you agree with that?

50 A. I think the important thing is they have regular breaks.

5 Q. Taking that into account, what do you think about a system which was postulated by Mr Wilson yesterday where controllers spend shorter periods of time and Mr Wilson suggested breaking it up six hours in the control room and six hours roving?

10 A. Look, it's not something I would not consider but I think the most important thing is if you're working in a basement you have the opportunity to stretch your legs, get some fresh air. Whether that's particular - posited by Mr Wilson would work, I, I don't know, but we, we would always consider - anything that's going to make people's environment more appropriate and, and, and they be able to carry out their tasks.

15 Q. I suggest to you that that could possibly be achieved also by considering a system where they'd spend even shorter periods of time in the control room and switch over and then spend time roving around the centre, that that system would also have other benefits, like increasing situational awareness?
A. It's a possibility, yes.

20 Q. That might actually also been an attainable goal in circumstances where Glad has improved its recruitment process?
A. It's certainly a possibility, yes.

25 Q. Thank you. You gave evidence this morning in relation to AI technology and the trials that you've done with that technology.
A. Yes.

30 Q. You gave evidence in your first statement that it's not the role of a control room operator to continuously monitor for threats by reviewing CCTV, that was at paragraph 110 of your first statement, that's right, isn't it?
A. Yes, if you're saying that's the paragraph, yes.

35 Q. Yes. And that the use of CCTV principally simply involves looking at incident for internal review after it's happened?
A. Principally, yes.

40 Q. Yes. The use of AI technology, would you say it's fair to say that by introducing or looking to introduce AI monitoring that that represents a bit of an expansion of the current role of CCTV from reviewing past incidents to real time monitoring?
A. It's, it's a sort of automated version, potentially. We haven't found anything that's suitable for that environment yet. It's an automated version of what a guard might do, what an alarm might do. So that's principally what it does.

45 Q. But I mean the current CCTV system--
A. Yes.

50 Q. --is used to review past incidents. But looking at AI, you're looking at trying to review things in real time?
A. In real time, yes, yeah.

LTS:DAT

Q. That's a bit of shift, philosophically, isn't it, in what the purpose is?

5 A. Yeah, it's - I mean, things like fire alarms come in real times. So what we're trying to do is find something that would work in looking at particular incidents, be it running, screaming, falling, whatever it is, that would actually provide the same alert as a fire alarm does in the event of a fire.

Q. Can I just be clear, I'm not suggesting by this line of questioning that real time monitoring doesn't occur, that's why you have roving guards, isn't it?

10 A. Yes.

Q. This would just enhance Westfield's capability for real time monitoring of incidents as they occur, the use of AI technology, that's right, isn't it?

A. I agree.

15 Q. You'd agree with me when I say that there would be benefit in exploring AI technology further?

A. Yes, as we are doing.

20 Q. And also that things are happening in AI pretty quickly, so there's a lot of improvements and it's something that Westfield can take into the future and continue?

A. Absolutely and that's, that's exactly what we're doing.

25 Q. Thank you. I'm just asking all of that of you now because the families that I act for would like to see Westfield take a more proactive approach to monitoring for incidents in real time rather than having an emphasis where CCTV is used to look at incidents that have already happened and after the damage has occurred. I think you can understand the perspective of my clients--

30 A. I completely understand that.

Q. --and they're urging your employer to continue their efforts in that regard.

35 A. Can I assure them that we are doing that and we will continue to do that. We will continue to try and find the very best technology that can give us the very best real time alerts as to what is happening in our centres.

Q. Thank you.

40 HARRIS-ROXAS: Those are my questions, your Honour.

HER HONOUR: Thank you.

NO EXAMINATION BY MR CHIU, MS CALLAN AND MS CLARKE

45 <EXAMINATION BY MR CASSELDEN

Q. Mr Yates, I just want to take you back to your evidence this morning where you gave some evidence about some scenarios that you did firstly at the CBD Sydney Westfield?

50 A. Yes.

Q. And then also at Bondi. Do you recall that evidence?

A. I do.

5 Q. In summary, you did a scenario to see how long it would take a control room operator to track firstly yourself and a colleague?

A. That's correct.

10 Q. In relation to that first scenario, were you and your colleague running through the relevant centre or not?

A. No, absolutely not. We were just walking through, sometimes randomly, as in stop, go back, duck into a retailer, but no, we were walking at normal pace.

15 Q. I take it on this particular occasion there wasn't a mass of people running through the centre?

A. No.

20 Q. Can I come then to the second example that you gave, which was a white male outside the JB Hi-Fi retail shop.

A. Yep.

Q. Was that individual running through the centre or walking?

A. No, he was walking and occasionally walking briskly but not running.

25 Q. Again, to the extent that there were customers in that area they were not running en masse?

A. Completely right.

30 Q. Then coming to the third example, which was the Bondi Junction example involving CR2--

A. CR2.

Q. --there were three female persons of interest known to him?

35 A. Known to him.

Q. And their location was also known to him. That was the Rebel Sport store.

A. He had the, the take off point, yes.

40 Q. When he undertook that scenario were the three persons of interest running through the centre--

A. No, they weren't.

45 Q. --or walking? Just remind her Honour how long that took, in those circumstances where he knows the people of interest, he knows their location, they're not running, they're walking--

A. Yes.

Q. --how long did it take for him to track those three?

50 A. By my timing, it was around two minutes, 45 seconds.

LTS:DAT

Q. And again, I take it to the extent there were people in the area that they weren't running?

A. They weren't running.

5 Q. Thank you.

HER HONOUR: I may ask court 2 if there's any questions.

MATHUR: No questions, thank you, your Honour.

10

LYNCH: No, your Honour, thank you.

FRECKLETON: No, thank you, your Honour.

15 <EXAMINATION BY MR JORDAN

Q. Mr Yates, just a few matters by way of clarification. One matter is something that arises from Mr Wilson's evidence yesterday and you were present in court when he gave his evidence.

20

A. That's right.

Q. On two occasions in Mr Wilson's evidence - these arise at transcript 1237 and 1265, just for those in court, Mr Wilson, to be fair to him, offered, I guess, an estimate or a loose suggestion as to how many cameras would be located at particular parts, relevant parts of Westfield Bondi Junction.

25

A. I recall that, yes.

Q. Probably the most pertinent passage is from 1265 of the transcript at around about line 45--

30

A. I haven't got it on the screen.

Q. I'm going to read it to you.

A. Okay.

35 Q. What Mr Wilson said, as was transcribed, was "You're probably only looking at about - and correct me if I'm wrong, maybe ten, 15 cameras which shows you the fuller area of level 4 and 5."

A. I recall that.

40 Q. That is Mr Wilson's evidence and I'm not being critical of that. He was dealing with a question on the run but that was his impression, if I can put it that way, based upon his visit to Westfield Bondi Junction the preceding Friday, to be fair to him. But given particularly Mr Wilson's request for a correction, if that was not entirely accurate, do you understand that inquiries have been made to confirm with a little bit more accuracy the number of cameras in the relevant portions of Westfield Bondi Junction?

45

A. I do, I understand it yes.

Q. If I can just put these to you. Is it the case that upon those inquiries, there appear to be 173 cameras in the relevant locations on levels 3, 4 and 5?

50

A. That's my understanding yes.

5 Q. That's a total for all three of those. If you were to track the route of Mr Cauchi commencing from the first of his awful attacks at Sourdough Café, through to where he was ultimately dealt with by Ms Scott on level 5, is it the case that there are 61 cameras located along the path of that route?

A. That's my understanding, yes.

10 Q. And have subsequent inquiries shown that of those 61 cameras, he is shown to be visible on recorded CCTV footage taken from 48 cameras?

A. That's correct.

15 Q. Another topic, again by way of clarification, was in relation to what Mr Wilson has described in his evidence as "action cards"?

A. Yes.

20 Q. You've been asked some further questions about those things I think by both Ms Sullivan and Mr Fernandez today. Do you agree with Mr Wilson's basic proposition that distilling the key responsibilities in a very succinct and compact form is a very useful way to ensure that when people are really faced with an emergency, they know what to do, and they're not stuck in the weeds of many pages of a document?

A. I do.

25 JORDAN: Could I please ask to be brought up on the screen, it's an annexure to Mr Brad Goldberg's second statement. I think you'll find it in volume 44, tab 1600A, and it is annexure Q to that. And I'm very grateful for that assistance. Sorry for the lack of notice. Yes so it's annexure Q I think, using
30 the red numbers, if that helps at all. I'm not sure. It commences at 475 using the red page numbers. There we go, thank you. So just to put it in context for those in Court, this is annexure Q to Mr Goldberg's statements. If you could please scroll one page further down. There we go, thank you.

35 Q. What do we see here?

A. This is a, a lanyard, which is worn by the relevant Scentre, Scentre staff at Bondi Junction, for example, which they carry round with them all the time.

Q. These were in place before 13 April?

40 A. That's correct, yes.

Q. You can see that on the lanyard there are a number of transparent plastic envelopes, and within each of those there is a mini-document, which can be extracted and pulled out and looked at?

45 A. Correct, yes.

Q. You can see on that first one that one of those particular envelopes covers a black and red card about responding to emergencies?

A. Correct yes.

50 JORDAN: If we were please to scroll - if we could first of all go up one more

page please? That's it. A little bit further please.

Q. This is now taking out of the plastic envelopes each of those small cards?

A. Correct, yes.

5

Q. And you'll see the one with a "2" above it, concerns "response to an emergency, if conditions are safe, if the action is sensible, if staff are available". Do you see that?

A. I do, sorry.

10

Q. And is it the case that that is just the front page of a number of pages that you sort of pull out--

A. It opens out. Yes.

15

JORDAN: So if we could please, and I'm very grateful for the assistance, scroll down and I think it's two pages. Keep going please.

Q. Right, so you see there's a number 2 on top, is this showing when you unfurl--

20

A. That's pulling it out. That's exactly right yes.

Q. --that particular card, this is what it looks like?

A. It is.

25

Q. The thinking behind this is that if an emergency occurs, all security staff will be wearing this lanyard. They have to wear it all the time correct--

A. Correct, yes correct.

30

Q. If an emergency occurs, they know that they can go to the particular envelope concerning the response to an emergency?

A. Correct, yes.

35

Q. And they know that if they need to remind themselves as to what they should do in the pressure of an emergency, they pull out that card, they open it up and they can remind themselves of the most important things?

A. That is correct, yes.

40

Q. You will see as you work across that unfurled representation, that there is a specific section for the on-scene coordinator?

A. Correct.

45

Q. I won't go through all of these things, but there are a set of bullet points itemising the things that the on-scene coordinator should keep front of mind?

A. That is correct.

50

Q. There is a similar section for first responders, the third box along, do you see that?

A. Correct.

50

Q. And similarly there is a similar section for the duty manager, the CX lead or

LTS:DAT

the chief warden?

A. Correct, yes.

Q. That's as it was on 13 April?

5 A. That's correct.

Q. Have there been further efforts made since then to further enhance this kind of action card reminder type facility?

A. There has been yes.

10

Q. What?

A. It is a smaller card for the, the chief, for the chief warden, that has been distributed I think it was a couple of weeks ago, which is even more condensed around the key actions in particular, and the main assignments and the

15

two key objectives.

Q. Particularly in regard to the, I might say, appropriate emphasis given to this matter by Mr Wilson, is the ongoing design and refinement of these kinds of action cards--

20

A. Yes.

Q. --an ongoing work in progress as far--

A. Absolutely.

25

Q. --as you're concerned?

A. Absolutely yes.

Q. Moving to a different topic, there were a number of questions asked by Ms Sullivan and I think also by Mr Fernandez, about various aspects of the November 2024 version of the Red Book?

30

A. Yes--

Q. Do you remember those questions? I don't need to go to the specifics of all of those matters. I think it's hopefully adequate to say that part of that questioning went to whether there could be further clarity in the way things are drafted within the Red Book as at November 2024?

35

A. I agree, yes.

Q. And I think the effect of your evidence was to generally agree--

40

A. It was.

Q. --that could be done. Why is it that Scentre has not already rolled out further and more recent revisions of the Red Book pending this coronial process?

45

A. There's, there's two reasons, one more important than the other. The first reason is, we didn't want to anticipate the findings that may be adduced in this process before the process had been complete. So it was - already been some important learning. And we wanted to make sure this process was complete before that, so we can revise it in the most appropriate and effective way.

50

Q. Right?

5 A. The second reason is, but - every time you revise the Red Book, everybody has got to be made aware. So that's across the entire portfolio, there's the security guarding workforce and the like. So it's not an insignificant piece of work to update the Red Book. But the principal reason is we wanted to understand and learn from this process.

Q. But that was a conscious decision made some time ago--

10 A. A conscious, a conscious decision yes--

Q. --in terms of effectively pausing the promulgation of further Red Book revisions--

15 A. Yes.

Q. --pending learnings from this inquest?

A. Exactly.

20 Q. I think it's my, yes, my second last matter for clarification. Some questions from Ms Sullivan went to increased induction and training of adult guards--

A. Yes.

Q. --after 13 April. Do you recall that line of questioning?

25 A. Yes I do.

Q. Just so it's clear, can I ask you to outline in summary terms what was the position in relation to the induction of ad hoc guards before 13 April 2024?

30 A. So before 13 April 2024, the ad hoc guard must have completed the CX life safety induction processes. That's a 57-slide online training principally focused on sort of risk and life safety. They also had to undertake a site-specific induction at the centre where they were operating.

Q. Right?

35 A. That was the position on 13 April.

Q. And has that now been enhanced since 13 April?

40 A. It has so you still have the CX life safety. You still have the site-specific induction, but part of that has been digitised, and they then have four, now five other online training modules which they must do, which is emergency management fundamentals, the active armed offender scenario, the armed intruder scenario, the counter-terrorism awareness video, which contains relevant information about "escape hide tell", and now latterly the radio protocols.

45 Q. Yes?

A. And, and they are all digitised, and they can't start work unless they've done them.

50 Q. When you say it's digitised, do you mean that it is actually an online training--

LTS:DAT

A. Yes.

Q. --module?

A. Yes.

5

Q. That each candidate has to go through--

A. Go through.

Q. --and successfully complete?

10

A. Yes and there's a test involved in, in - at the end of each module.

Q. Is there any particular mark set which must be attained before somebody can then move on into the process of further training?

A. There is, it's 100%.

15

Q. My last topic, Mr Fernandez put to you quite directly in a way that I think is entirely appropriate the wishes of the families that there should be two control room operators all the time?

A. Yes.

20

Q. And that is entirely appropriate because what Mr Fernandez was doing, was conveying to you in an appropriate way directly what the families feel about that particular aspect. You've already given evidence about the trial and those things, I don't need to rehearse that further, but particularly in light of that direct communication of the families' wishes on this topic, do you have any further thoughts as to how those wishes of the families could be communicated more generally throughout the entire shopping centre industry?

25

A. So there, there's two points I'd make. Firstly, we would always want to take into consideration the wishes of the families. That's really, really important to us. The way I would be intending to progress this particular issue is through two avenues. Firstly, the Shopping Centre Council of Australia who have a sort of sub-group that look into the senior security personnel representing those major shopping centre operators. So that's avenue one. Avenue two would be for the business advisory group, which reports to the ANZCTC, so we'd be - I'd be, I'd be looking to progress those thoughts with those two bodies.

30

35

Q. And those are things that you can do personally--

A. I can personally do yes.

40

Q. --because of your role in each of those bodies?

A. That's correct.

JORDAN: Thank you. Nothing further.

45

HER HONOUR: Thank you Mr Jordan. Anything arising Ms Sullivan--

SULLIVAN: One brief matter your Honour arising from a family member's queries.

50

LTS:DAT

<EXAMINATION BY MS SULLIVAN

Q. You gave some evidence in relation to the wandling process that's in place in Queensland--

5 A. Yes.

Q. --with Queensland Police?

A. Yes.

10 Q. So that involves the use of screening or detection devices for weapons and then police are on scene--

A. Yes.

15 Q. --to deal with any findings, as it were. But has there been any consideration given to installing some form of alert or detection device that could operate in a deterrent way? So, by way of example, if you've taken a tagged item from a store and you leave and you go through the devices there it sets off an alarm. Is there scope for something along those lines?

20 A. We, we, we would always consider those, those issues, but I think I said in my evidence earlier, you - if you get a detection, you need a response. And it's not the role of guards to try and, or in their power, to search individuals who may or may not have weapons on them.

25 Q. But if you had the presence of some officers from Waverley, on scene, and there was some device that would enable you to ascertain that it was--

A. Yes.

Q. --a weapon as opposed to--

30 A. Yes.

Q. --a t-shirt--

A. Yes.

35 Q. --if there was that capability, would you not be able to call those officers and say, "We've had a detection on level 4, can you activate?"

A. I think if you'd - you'd need to have a properly managed operation to deal with those issues. But it's certainly something we can consider with Waverly Police, yes.

40 Q. And you will do that given that's another concern raised by family?

A. I certainly will.

Q. Thank you.

45 SULLIVAN: Nothing further.

HER HONOUR

Q. Thanks very much Mr Yates.

50 A. My pleasure, thank you.

<THE WITNESS WITHDREW

5 JORDAN: Your Honour it's a procedural - well it's not a procedural matter. I think this has already been communicated to counsel assisting, but we do seek an application for a very limited non-publication order in relation to the evidence given today [REDACTED]

10 [REDACTED].

15 [REDACTED]

20 [REDACTED]

HER HONOUR: Perhaps I can make it an interim--

25 JORDAN: I was just going to ask for that your Honour.

SULLIVAN: Yes.

30 JORDAN: There's probably a lot to the application that I also don't understand.

HER HONOUR: Yes, sure. I will make an interim order now, and then if you could speak to those assisting me--

35 SULLIVAN: Excellent suggestion your Honour.

HER HONOUR: All right. THERE IS AN INTERIM ORDER THEN IN PLACE OVER THAT EVIDENCE.

40 SULLIVAN: Your Honour, the psychiatric expert panel convenes at 9am if that's--

HER HONOUR: It's 9am on Thursday.

45 SULLIVAN: On Thursday.

HER HONOUR: We're not sitting--

SULLIVAN: We won't be sitting tomorrow [REDACTED]

50 HER HONOUR: Yes.

LTS:DAT

SULLIVAN: --...(not transcribable)..

5 HER HONOUR: All right unless there's anything else, we'll adjourn till 9am on Thursday. Thank you.

ADJOURNED PART HEARD TO THURSDAY 22 MAY 2025 AT 9AM