

Questions taken on notice and further information agreed to be supplied at the hearings

Department:	Department of Premier and Cabinet
Witness:	Mr HEMMING
Committee member:	Mr O'BRIEN
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Question:

Mr D O'BRIEN: Okay. If I can maybe jump forward a bit then to the current Operation Watts at IBAC— that is the red shirts inquiry effectively, which has been ongoing for some time—could I ask you, Mr Hemming, **whether you have provided either Victoria Police or IBAC with advice that either the Premier or any ministers would not provide any further statements to inquiries in that respect?**

Mr HEMMING: Look, I want to be very careful in relation to anything that is related to a current IBAC inquiry, and **I would like to take that on notice.**

Answer:

The Department of Premier and Cabinet's (DPC) General Counsel has not provided either Victoria Police or IBAC with advice that either the Premier or any ministers would not provide any further statements to inquiries.

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Witness:	Mr HEMMING
Committee member:	Mr O'BRIEN
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Question:

Mr D O'BRIEN: Of course. I ask in the context—and I am sure you are aware—of the **email that was provided I think last week dating from June 2019 where a police officer advises that they have just heard from general counsel at DPC, who represents the Premier, Deputy Premier and Minister Neville:**

I am advised they appreciate the offer to provide a statement but decline to do so for these matters. That is in relation to the red shirts, which is now currently under Operation Watts.

Mr HEMMING: That is not an email I am aware of. It may be an email from general counsel in the Premier's office as opposed to the General Counsel in the Department of Premier and Cabinet.

Mr D O'BRIEN: This is from a police officer, and it does say 'general counsel at DPC'. Are you saying that was not you, Mr Hemming?

Mr HEMMING: I certainly do not recall it. I am happy—

Mr D O'BRIEN: You being referred to, I mean. Not the email, obviously; the email is not from or to you.

Mr HEMMING: What is the question, I am sorry?

Mr D O'BRIEN: **They had received a call from general counsel saying that the Premier, the Deputy Premier and the police minister did not want to provide a statement in relation to the red shirts matter to police. That is not you is what you are saying?**

Mr HEMMING: Not to my recollection, no. **I am happy to check and come back to the committee with an answer,** but I do not recall, no.

Mr D O'BRIEN: I would appreciate it if you would do that. The reason I have jumped forward to that is that in this situation police are specifically saying 'general counsel at DPC, who represents the Premier, the Deputy Premier and the police minister'. So I am a bit perplexed as to why DPC represents them in that instance but not in others.

Mr HEMMING: Well, as I said, I do not recall that email. From time to time—and I am not saying in this instance—there is some confusion about the distinction between the Premier's office and the Department of Premier and Cabinet. **I am happy to come back to the committee with clarification about that particular email.**

Answer:

DPC's General Counsel has not communicated with a member of Victoria Police to advise that he represents the Premier, Deputy Premier and Minister Neville in relation to this matter and that they decline to provide a statement to police.

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Witness:	Mr HEMMING / Mr MOULE
Committee member:	Mr O'BRIEN
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Question:

Mr D O'BRIEN: All right. Okay. **Continuing on Operation Watts at IBAC, has the department provided any documents to assist with the inquiry?**

Mr HEMMING: Look, I just refer back to my previous answer. I want to be very careful about any ongoing IBAC investigation. **If I can please take that question on notice and if there is information I can provide to the committee, I will do that.**

Mr D O'BRIEN: I am happy to do so. Secretary, would you be giving me the same answer if I ask you? I am not asking what it was, I am just asking whether you provided any documents. I cannot see that is going to be prejudicial to any outcome.

Mr MOULE: We completely understand that, but given the circumstances, we prefer to provide that material or that advice to you in writing.

Answer:

DPC is unable to comment on any current IBAC investigations.

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Witness:	Mr MOULE
Committee member:	Mr O'BRIEN
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Question:

Mr D O'BRIEN: Continuing on, the Auditor-General reported in February on the investigation into the grants to the Migrant Workers Centre. There is a long backstory here, but if I can summarise it, basically through freedom of information we have seen briefs to the then minister about that proposed Migrant Workers Centre which consistently recommended that the centre be established in the south-east of Melbourne in 2017; in 2018, similar. But it was ultimately co-located with Trades Hall, and then, as we know from the Auditor-General's report, that money was erroneously or wrongly used to campaign against the Liberal Party. **Can you explain why that department recommendation for it to be established in the south-east did not continue as opposed to the ultimate outcome, which was for it to be established at Trades Hall?**

Mr MOULE: We did canvass some of these matters in February when I was here, and you may recall that the deputy secretary, Brigid Monagle, who is now part of the Department of Families, Fairness and Housing, appeared with us, but in fact that function had been transferred to that department, which I understand is yet to appear before this committee. For that much detail I would need to defer to her knowledge of those circumstances.

Mr D O'BRIEN: **Could I ask perhaps for the department to come back to us on notice with an answer?** On Friday the Parliamentary Budget Office released what was a fairly damning report on budget processes. Has the department seen and have you read that report?

Answer:

When the Migrant Workers Centre was established, the government considered various options for its location, including co-locating with established migrant resource centres or like-purpose organisations.

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Department:	Department of Premier and Cabinet
Witness:	Mr MOULE
Committee member:	Mr O'BRIEN
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Question:

Mr D O'BRIEN: Secretary, can I move on to other matters then, and we have asked for this before. Can I get the 2020–21 actual figure for ministerial staff costs and what the budget was for the same year, so as at 30 June? If you have got it, it would be useful.

Mr MOULE: I do, Mr O'Brien. The 2020–21 budget for ministerial staff across the Premier's office and all ministers was \$50.5 million. Actual expenditure for the 2020–21 year was \$49.7 million.

Mr D O'BRIEN: \$49.7 million. Are you able to give me a headcount and full-time equivalent?

Mr MOULE: That is 279 staff across all offices—

Mr D O'BRIEN: Yes, but is that FTE or a headcount?

Mr MOULE: I would need to clarify that for you. Sorry, the direct comparison number that I have for the previous year was that it was 287. It is 279. I am happy to provide advice—

Mr D O'BRIEN: The 287 was FTE, **so could you take on notice a headcount?**

Mr MOULE: I will.

Mr D O'BRIEN: I assume probably also on notice, **are you able to provide the breakdown by ministerial office?**

Mr MOULE: I only have available to me that there were 195 staff across—

Mr D O'BRIEN: Sorry, Secretary, that was a very unfortunate motorbike. Can you say that again?

Mr MOULE: I have available here, Mr O'Brien, that there were 195 staff in ministerial offices, 84 staff assigned to the Premier's office.

Mr D O'BRIEN: Okay. And again, that will be FTE?

Mr MOULE: Yes. **I will clarify that for you.** My apologies.

Mr NEWBURY: Eighty-four?

Mr D O'BRIEN: Eighty-four—84 staff in the Premier's office.

Mr NEWBURY: That is more than the Prime Minister.

Mr D O'BRIEN: That is almost twice as many as the Prime Minister; but anyway. So yes, if you could take on notice the **headcount for ministerial officers if possible. And do you have a forecast for 2021–22, both budget and numbers?**

Answer:

The total FTE for Ministerial officers at 30 June 2021 is 279.

The total headcount for Ministerial officers at 30 June 2021 is 286.

A forecast of FTE or headcount for Ministerial officers in 2021–22 is not available.

The FTE breakdown of 279 FTE by Ministerial Office as at 30 June 2021 is:

Ministerial Office	FTE total
Minister Allan	12.3
Minister Carroll	10.0
Minister D'Ambrosio	9.0
Minister Donnellan	10.0
Minister Foley	12.0
Minister Horne	7.0
Minister Hutchins	8.0
Minister Leane	6.0
Minister Neville	9.6
Minister Pakula	11.0
Minister Pallas	13.0
Minister Pearson	6.8
Minister Pulford	8.0
Minister Spence	9.0
Minister Stitt	8.0
Minister Symes	9.0
Minister Thomas	9.0
Minister Tierney	7.6
Minister Williams	8.0
Minister Wynne	10.8
Office of the Premier	83.5
Office of the Deputy Premier	11.4
Total	279.0

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Department:	Department of Premier and Cabinet
Witness:	Ms PATIRA
Committee member:	Mr HIBBINS
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Question:

Mr HIBBINS: I was just wondering, **are you able to indicate to the committee just how many groups are being supported through this funding?**

Ms PATIRA: So four families from groups without formal recognition have been supported. There have been 20 training workshops. Now, they are attended by individuals who will identify with different groups but not necessarily on a group-wide basis. **When it comes to First Nations Legal & Research, I might take that on notice.** Certainly I can say off the top of my head I know that there are three groups that they are engaged with, but I would—

Answer:

Since funding was provided in July 2020, First Nations Legal & Research Services (FNLRs) has engaged with approximately 40 Traditional Owner families or small groups, and approximately 170 individuals, across the four regions in which there are no formally recognised Traditional Owner groups: The Mid North West, the Central North, North East, and Far East Gippsland. Engagement has been delivered through smaller group meetings, larger community meetings or individual meetings.

Questions taken on notice and further information agreed to be supplied at the hearings

Department:	Department of Premier and Cabinet
Witness:	Mr MOULE
Committee member:	Mr NEWBURY
Page/s of transcript:	17-18

Question:

Mr MOULE: Thank you, Chair. So my recollection, because I am aware of the campaign or the aspect of that campaign that you are talking about, is that Mr Faine operating as a private vendor of media services, which is I think his primary employment now, did pitch to government the idea of doing some very personable vignettes, if I could call them that, to encourage Victorians to adhere to public health orders. You might appreciate that we—

Mr NEWBURY: Who did the pitch go to?

Mr MOULE: **I am happy to provide details. I am not certain. I understood that it came into the department, but I would need to clarify that.**

Mr NEWBURY: No, that is okay. So he gave a pitch, you know, to provide a service. I understand that all of the celebrities involved were non-fee based. That is my understanding. Is that your understanding as well?

Mr MOULE: That is my recollection, Mr Newbury, but I would need to check that.

Mr NEWBURY: You mentioned that Mr Faine is providing a service—I think you used the word ‘service’—in his new private capacity. So there was a fee involved, I take it?

Mr MOULE: I am not certain. I am happy to provide that information on notice.

Mr NEWBURY: Do you believe there was a fee?

Mr MOULE: I am not certain.

Mr NEWBURY: Okay. I know that lots of people have been asking the question, and I do not believe there has been an answer yet from anybody. **So if I could get an answer on whether there was a fee paid and how much, I think that is fair and reasonable. If you could take that on notice.**

Answer:

DPC did not engage Jon Faine or other service providers, or conduct work related to the “COVID-19 Herogram” advertising campaign in relation to the COVID-19 pandemic.

Questions taken on notice and further information agreed to be supplied at the hearings

Department:	Department of Premier and Cabinet
Witness:	Mr HEMMING
Committee member:	Mr NEWBURY
Page/s of transcript:	18

Question:

Mr NEWBURY:One of the reasons—and I do not want to put words in your mouth, Deputy Chair—that the Deputy Chair was talking about legal fees and the Premier earlier is, I understand, that a number of FOIs went in to the government in the last financial year about who paid for certain legal fees for various ministers and the Premier. **The only person who no-one could work out who paid their legal fees for was in relation to the Premier.** Is that a fair comment? No-one could work out who paid those fees. You mentioned earlier that no fees had been paid specifically. Could hypothetically work relating to legal representation fall under a global fee that was paid to any particular law firm? Perhaps that is a question for Mr—

Mr HEMMING: I am happy to answer. I can confidently assert that the Department of Premier and Cabinet did not pay any of those legal fees that I referred to in my answer to Mr O'Brien.

Mr NEWBURY: Okay. So you are not saying that no other department paid any—

Mr HEMMING: I have no knowledge. I can only answer on behalf of DPC, and DPC most certainly did not pay any of those legal fees in relation to the board of inquiry or Operation Watts.

Mr NEWBURY: Okay. And—

Mr MOULE: But, Mr Newbury, I would add nor would any other department. We are not attempting to suggest that any other department did pay.

Mr NEWBURY: I am not in any way saying he may not have paid for it. He may have used internal services—actually I should ask that. Did he seek any internal advice?

Mr MOULE: No. Mr Newbury, not wanting to put words in Mr Hemming's mouth, but it was very clear that separate representation was in place for departments and ministers. We had no interaction whatsoever in relation to those matters as it pertains to the Premier.

Mr NEWBURY: And I am not in any way suggesting that anything nefarious is the case. I am just saying that lots of legal fees were paid for ministers and other people. There is no suggestion that the Premier charged the state for anything. He may well have paid for it himself. But, you know, it does stand out that there appears to be a missing fee. But you are not aware of any fees being paid by anybody?

Mr MOULE: No, Mr Newbury, **we are certainly happy to take your substantive question on notice**, but we had no visibility or interaction with legal representation for the Premier.

Answer:

DPC did not pay legal fees for the Premier, and is not aware of the fee payment arrangements.

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Department:	Department of Premier and Cabinet
Witness:	Mr MOULE
Committee member:	Mr NEWBURY
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Question:

Mr NEWBURY: Can I ask: the Premier’s digital unit—I think that is what it is called—**do departmental staff work with the Premier’s digital unit, sometimes go and work in the digital unit? Do any of the comms department work in conjunction with the Premier’s digital unit? Is there departmental time spent working with the Premier’s digital unit?**

Mr MOULE: I am actually not specifically aware of what you are referring to when you say the Premier’s digital unit.

Mr NEWBURY: I think that in his office he has something called a digital unit, which is people doing social media stuff.

Mr MOULE: I do not doubt that to be true, but I—

Mr NEWBURY: I am actually reporting from the Premier’s former digital manager, who describes her previous work as managing the Premier’s digital unit. **I am just wondering if there are any departmental staff over the period of time in question who would have—I mean, are you aware of departmental staff working with the Premier’s digital unit?**

Mr MOULE: Not that I am aware of, unless there was—actually I cannot even think of a circumstance, and particularly not knowing specifically the work that those people do. I am happy to take that question on notice, Mr Newbury.

Answer:

DPC communications staff did not conduct any work in the Premier’s digital unit.

Questions taken on notice and further information agreed to be supplied at the hearings

Department:	Department of Premier and Cabinet
Witness:	Mr HEMMING
Committee member:	Mr LIMBRICK
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Question:

Mr LIMBRICK: Okay. All right. That solves that mystery. Fine. Thank you very much. Another question, and I think this might go to Mr Hemming, is a very simple question—I think we asked this at one of the other hearings—about **whether parliamentary counsel had been assisting in drafting pandemic legislation during the current financial year. I was wondering, for the current bill before Parliament, had any of this work happened during the 2020–21 financial year?**

Mr HEMMING: I would have to check, Mr Limbrick. I do not believe so.

Mr LIMBRICK: So work had not begun on it?

Mr HEMMING: Well, look, I would have to check. It is possible that some preliminary work might have commenced in the previous financial year—that is, before 1 July this year. But I would have to come back— and take that on notice.

Mr LIMBRICK: Would it be possible—yes. **If I could get that on notice—**

Mr HEMMING: Of course, yes, certainly.

Mr LIMBRICK: **I would just be interested in when that work actually started and what sort of quantum it was.**

Mr HEMMING: Yes, that is fine.

Answer:

Following the passage of the *Public Health and Wellbeing Amendment (State of Emergency Extension) Act 2021* in March 2021, the Office of the Chief Parliamentary Counsel commenced preliminary work on a new pandemic legislative framework in the 2020–21 financial year. This involved settling the anticipated scope of the Bill with instructing officers and seeking advice on likely timing for drafting the legislation.

Questions taken on notice and further information agreed to be supplied at the hearings

Department:	Department of Premier and Cabinet
Witness:	Mr McNAMARA / Mr MOULE
Committee member:	Mr LIMBRICK
Page/s of transcript:	24

Question:

Mr LIMBRICK: That would be very helpful. Thank you. My next question—I am going all over the place today—I think would go back to Mr McNamara, Digital Victoria. **One of the things in the questionnaire was around Victoria Together, and one of the outputs here talks about how Victoria Together each week reaches over a million people on social media. How is that actually measured?** I went through Victoria Together’s social media assets, and for the life of me I cannot figure out how it reaches a million people a week.

Mr McNAMARA: Victoria Together is an initiative that was put together by the government, or DPC on behalf of the government, to deliver digital content to Victorians through lockdown. It provides top digital content from leading cultural institutions, programs and organisations through a variety of channels: Facebook, YouTube, Instagram and of course the websites. I do not actually know how that is measured. I will have to take that on notice if that is okay.

Mr LIMBRICK: Yes, because if I go through Facebook, which is the biggest digital asset they have got, that I can see, it has got 32 000 followers. If I go through the last few posts, there is a video here about drinks; it has got 700 views. There is something about pies; it has got 30 views. **I mean, I do not see how that can add up to a million people a week. I have quite a lot to do with social media, and reaching a million people is quite difficult.** And I went through the YouTube channel as well. Most of the videos there were only getting a few hundred views. I cannot understand that. So if you could take that on notice, that would be great.

Mr MOULE: Mr Limbrick, **we can certainly take that on notice.** I might just add that, particularly in a live-viewing circumstance, you do not have the same sort of legacy data that allows you to see how many people liked or participated. So most of that will be where we have delivered a live event: people have watched either on Facebook at that time or particularly through YouTube, and you can see that data in real time.

Mr LIMBRICK: Is that a million a week? A million—that is a lot.

Mr MOULE: It is a lot, but it was actually a really well received initiative.

Answer:

Victoria Together is an online hub showcasing a range of Victorian, creative, wellbeing and recreation content. Throughout COVID-19, it connected Victorian communities, provided entertainment and helped to keep Victorian creators creating.

Victoria Together collated Victoria's top digital content from Victoria's leading cultural institutions, programs and organisations. This content was promoted across Victoria Together’s channels. These include its website and social media channels: Facebook, YouTube and Instagram. This multi-channel approach allowed the program to reach Victorians, and others, on platforms they are comfortable with and already use.

The below table outlines the reach reported across each channel.

1 May 2020–16 August 2020 (16-week period)	Reach (millions)
Facebook	8.184
Instagram	3.969
YouTube	3.965
Total	16.119

Social media reach refers to the number of people who see a piece of content in their feed at least once. That is a distinct measure from a view. A view is recorded when a piece of video content is watched for longer than 30 seconds on YouTube and 3 seconds on Facebook.

A substantial portion of the reach is related to the The State of Music series which was delivered across Victoria Together’s multiple channels, and cross streamed on the social media channels of many of Victoria’s leading cultural institutions, as well as many high-profile Australian music artists.

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Department:	Department of Premier and Cabinet
Witness:	Mr McNAMARA
Committee member:	Mr LIMBRICK
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Question:

Mr LIMBRICK: ...One of the other outcomes on the questionnaire was, as you mentioned, and I am just quoting from the questionnaire, it:

Created an income stream for Victorian content creators, including the provision of \$1.45 million in grants to 29 grassroots organisations.

What is the process through which these organisations get connected with Victoria Together and get access to these grants? How does that process actually work, and who are these organisations that we are talking about?

Mr McNAMARA: So there was \$1.4 million, as you say, in grants provided to content providers—local content providers I might add—just to support them through the lockdown period and keep them in active employment. The administration of those grants—I will have to actually take that on notice. I do not know how the actual process worked, but I do know it did support the local economy through a very difficult period for many providers of media and that type of entertainment.

Mr LIMBRICK: And are those grants going forward into the 2021–22 financial year? I am just wondering why there is a big difference between the budgets. The expenditure through the last financial year was \$4.3 million. The allocated budget for the current financial year is \$2.5 million. Is that because there are no grants associated with this now? **I am just trying to figure out how much of that \$4.3 million is grants and how much of it is generating content and social media assets and things like that.**

Mr McNAMARA: **I will have to take on notice the breakdown of those costs**, but having said that, the \$4.3 million will probably be representative of the program at the height of the lockdown. Going into this year, obviously tapering things out, we wanted to make sure that we have the ability, in case we have to go into any snap lockdowns or anything like that, to keep that platform active—

Answer:

Funding for the operation of the Victoria Together program for the 2020–21 year was \$4.2 million. The total value of the grants through the Victoria Together Commissioning Program in 2020–21 was \$1.45 million.

The Victoria Together Commissioning Program was administered by the Department of Jobs, Precincts and Regions (DJPR).

The program was split into three streams:

- Food Wine and Tourism (\$250,000) — Organisations could apply for grants up to \$50,000.
- Sport, Recreation and Wellbeing (\$500,000) — Organisations could apply for grants up to \$50,000.
- Creative (\$750,000) — Organisations could apply for grants up to \$100,000.

The Victoria Together Commissioning Program targeted Victorian organisations to participate in the program as commissioning partners. Organisations were selected to ensure a balance of sector,

organisation size and type, regional and metro representation, First Peoples, culturally and linguistically diverse and disability representation, and capacity to commission new screen-based work.

Expressions of interest were by invitation. Projects were shortlisted by sector specific assessment panels.

Successful expressions of interest were selected from the shortlist by the Victoria Together Content Governance Group (VTCGG). Assessments were based on how the application met the program aims and assessment criteria. The VTCGG consisted of members of the Department of Premier and Cabinet and DJPR.

The allocated \$2.5 million budget for Victoria Together in the 2021–22 financial year does not include a grants program.

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Department:	Department of Premier and Cabinet
Witness:	Mr McNAMARA
Committee member:	Mr LIMBRICK
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Question:

Mr LIMBRICK: What about the AIR Act 2015, I think it is? Because, from memory, section 22 outlines the authorisations under which you can use derived protected data from the registry, and I cannot see the authorisation that we could use Service Victoria's app other than through emergency mandates, is that right: like, through emergency orders, is that what is giving it the legal authority to incorporate into the Service Victoria app at the moment?

Mr McNAMARA: Mr Limbrick, I think the key point here is that the individual is completely in control of the data that is extracted from AIR. In fact they essentially, through the transaction with the database, download it to their phone. It is not stored by Service Victoria. The user can remove it from their phone and therefore its representation in the app at any time, but the data itself is owned and held by the individual on the device that they are using for that.

Mr LIMBRICK: So you have intentionally not stored it anywhere—to avoid that problem?

Mr MOULE: And there are multiple good reasons for that, one being data security, so you are not putting everyone's vaccination certificates in another database that is not AIR—you would avoid doing that—but also in order to make sure that the control of that piece of health information, as it is, is completely with the individual and their use of their device.

Mr LIMBRICK: And just quickly, how do you ensure that the people that are verifying this, like at a shop or an event or something—**they are effectively using data derived from AIR—are not breaching these regulations by using that protected data?**

Mr MOULE: In the 2 seconds remaining: **we can provide you with that advice, Mr Limbrick.**

Mr LIMBRICK: Okay. I would be very interested in that. Thank you.

Answer:

At the 17 September National Cabinet, all jurisdictions agreed to integrate an individuals' record of COVID-19 immunisation history into state and territory check-in apps. National Cabinet agreed that the record of COVID-19 immunisation history will be used within these check-in apps as per requirements under state and territory public health orders¹.

The *Open Premises Directions (No.4)*² made by the Victorian Chief Health Officer on 5 November 2021 require a patron that attends Victorian premises where proof of vaccination is required to demonstrate acceptable evidence of vaccination. One option of acceptable evidence of vaccination is the successful completion of a Service Victoria QR check-in that includes confirmation that the person is fully vaccinated displayed through the Service Victoria app. Another option of acceptable evidence of vaccination is a COVID-19 digital certificate displayed through the Service Victoria app.

¹ <https://www.pm.gov.au/media/national-cabinet-statement-55> (accessed 15 November 2021)

² <https://www.health.vic.gov.au/sites/default/files/2021-11/Open-Premises-Directions-%28No-4%29.pdf> (accessed 15 November 2021)

Operators who are required to check vaccination status for entry are not expected or encouraged to collect or retain vaccination status information from patrons. In most instances, business only sight a “green tick”, not the certificate itself.

Vaccination status information does not leave an individual’s device during the check-in process. To prevent fraud and detect misuse of the digital certificates, a state generated encrypted QR code is included with the certificate. This QR code can be scanned by the Service Victoria app to verify the validity of a certificate. However, the resulting screen displays only whether the certificate is valid together with the first name and first letter of a person’s surname.

Service Victoria has an agreement with the Commonwealth which governs the use of information derived from the Australian Immunisation Register (AIR) for the purposes of making the COVID-19 digital certificate available for download from the AIR through the Service Victoria app.

Victorians are in control of their COVID-19 digital certificate in their Service Victoria app. Prior to downloading their certificate people must consent to the linking of their vaccination status information with their Service Victoria app. They may also choose to limit when their certificate can be viewed by using the hide vaccination status feature. Alternatively, they may also choose to remove their certificate from their Service Victoria app at any time.

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Department:	Department of Premier and Cabinet
Witness:	Mr ADA
Committee member:	Mrs McARTHUR
Page/s of transcript:	33-34

Question:

Mrs McARTHUR: Thank you. **Can you tell me what contact the Premier has had with the Chinese consulate or a representative from the Chinese communist government regarding the federal government's termination of the two Belt and Road agreements that Victoria signed?**

The CHAIR: Do you mean, Mrs McArthur, in reference to the financial year 2020–21?

Mrs McARTHUR: Yes.

Mr MOULE: **We may need to take that question on notice.** I might just defer to Mr Ada.

Mr ADA: Thank you for your question. Victoria was advised of the invalidation of the two agreements you spoke about by the Department of Foreign Affairs and Trade just before that invalidation was made public. Victoria took steps to then advise the relevant parties to those four agreements, as it were, which in the case of the agreements you mentioned involves the Chinese government. **As to who had those conversations and what role the Premier had, if any, we will have to take that on notice if that is okay.**

Mrs McARTHUR: Please take it on notice. **You do not have any idea who might have advised the Chinese government of the termination of those two agreements?**

Mr ADA: **At risk of misleading you, I just need to confirm with the committee back in writing what role, if any, the department played and what role the Premier or his office played.**

Mrs McARTHUR: Did the department have any role in advising the Chinese government?

Mr ADA: **Can we commit to coming back to you in writing? We will take that question on notice.**

Mrs McARTHUR: Yes. We will look forward to your response. Thank you very much. Did you perhaps brief the Premier of any contact with the Chinese government consulate or a representative from the Chinese government relating to that decision of the termination?

Mr ADA: Sorry, can you repeat your question, Mrs McArthur?

Mrs McARTHUR: **Did the Department of Premier and Cabinet have any role in briefing the Premier or have any contact with the Chinese government or a consular representative from the Chinese government regarding that decision? Did you provide any brief to the Premier?**

Mr ADA: **I just do not recall a specific sequence of events around that time, Mrs McArthur, and we can include that in our response back to the committee.**

Mrs McARTHUR: If you can provide that, we would be most grateful.

Answer:

On 21 April 2021, the Commonwealth Minister for Foreign Affairs declared four foreign arrangements no longer in operation under the *Australia's Foreign Relations (State and Territory Arrangements) Act 2020* (The Act), including the two agreements with the People's Republic of China referenced by Mrs McArthur.

The Minister for Foreign Affairs made the following declaration:

1. The arrangements are not in operation to the specified extent and from the specified day set out in the Schedule (paragraph 43(2)(a)(i) of the Act); and
2. the State/Territory entity must:
 - a. notify the foreign entity, within the specified period day set out in the Schedule, that a declaration is in force under subsection 43(2) of the Act, and that arrangements are not in operation to the specified extent;
 - b. give the foreign entity a copy of [the] declaration (paragraph 43(2)(b) of the Act).

In late April 2021, DPC briefed the Acting Premier on the Minister for Foreign Affairs' declaration and the resulting legislative obligations to notify China. In early May 2021, the Acting Premier noted the department's brief and signed a letter to the Vice Chairman of the National Development and Reform Commission (NDRC) advising that the arrangements are not in operation. The letter included a copy of the Minister for Foreign Affairs' declaration.

This correspondence was emailed to the NDRC via the Victorian Government Trade and Investment office in China (not a DPC agency) and forwarded to the Consulate-General of the People's Republic of China in Melbourne by a DPC executive. This acquitted the Minister for Foreign Affairs' declaration.

Questions taken on notice and further information agreed to be supplied at the hearings

Department:	Department of Premier and Cabinet
Witness:	Mr MOULE
Committee member:	Mrs McARTHUR
Page/s of transcript:	34

Question:

Mrs McARTHUR: Secretary, if I can ask about the Victorian government Cyber Incident Response Service. Obviously Eastern Health suffered a major cyber attack during the reporting period. **Can you detail which other departments or agencies were also subject to a cyber attack which shut down their network during the reporting period?**

Mr MOULE: I think that we can, Mrs McArthur, where any of that material is not commercially sensitive. As I alluded to in my opening presentation, there were about 900 cyber incidents that that team supported broad public sector entities in response to. Obviously the ones that are far more dramatic, like the one that you have referenced, would be known. Many others do not become known, and some are serious and some are detected before they become significant issues. But I would be happy to provide that detail that we have.

Mrs McARTHUR: So kind. I would be grateful. **For these serious cyber attacks, what was the country of origin for the attack at Eastern Health?**

Mr MOULE: **I need to take that on notice.**

Answer:

The threat actor was identified as a cybercrime group with origins in Eastern Europe.

In addition to Eastern Health, three other government agencies suffered a serious cyber attack that shut down their network during this reporting period, including:

- two education organisations
- a local council.

Questions taken on notice and further information agreed to be supplied at the hearings

Department:	Department of Premier and Cabinet
Witness:	Ms PATIRA
Committee member:	Mrs McARTHUR
Page/s of transcript:	34

Question:

Mrs McARTHUR: Okay. Thank you. Excuse me if I mispronounce a word here. With reference to the Taungurung Land and Waters Council—I may have mispronounced it—native title claim approved by the Victorian government and overturned in the courts, how much has the government spent on legal fees to defend its now overturned position on that council’s native title claim?

Ms PATIRA: Native title is a unit that sits within the Department of Justice and Community Safety, so that would be appropriately addressed to them.

Mrs McARTHUR: Has your department been tasked with reviewing any of these processes supporting native title claims and ensuring natural justice for the Aboriginal clans?

Ms PATIRA: When it comes to the Taungurung matter, it is worth noting that the particular decision was a review of the native title registration process rather than a question of correct group or correct process.

Mrs McARTHUR: And would you perhaps in the essence of time be able to provide us with a costing of that review?

Answer:

The Department of Premier and Cabinet is not conducting a review of native title processes.

Questions taken on notice and further information agreed to be supplied at the hearings

Department:	Department of Premier and Cabinet
Witness:	Mr ADA
Committee member:	Mr RICHARDSON
Page/s of transcript:	34

Question:

Mr RICHARDSON: Thank you, Chair. And thank you, Secretary and department officials, for joining us today. Can I take you back, Secretary, just to pages 7 and 8 of the questionnaire and the discussion with Ms Taylor around the Victorian Jobs and Investment Fund. **I am wondering for the committee's benefit if you could please provide further information about the types of roles and the types of industries these jobs were created in.**

Mr MOULE: Thank you, Mr Richardson. I would defer to Mr Ada.

Mr ADA: Thanks, Mr Richardson. Just to give you some examples, many of the investments through the Victorian Jobs and Investment Fund in 2020–21 were for businesses in the broader technology, ICT, advanced manufacturing space. Indeed a number of funds were made available to attract film and related gaming endeavours. It is a highly competitive space and Victoria obviously has a great competitive advantage, but sometimes incentives are required to secure those projects, that investment and those jobs in Victoria. That gives you just some examples of the sorts of industries which were a focus for the funding in 2020–21. **As to a more specific breakdown, we could provide that on notice.**

Answer:

In 2020–21 the Victorian Jobs and Investment Fund (VJIF) supported projects across a range of industry sectors, with the most significant jobs and investment outcomes in food and beverage manufacturing, life sciences, defence manufacturing, component manufacturing, information communication technologies and logistics.

Among the more notable projects secured in 2020-21 were:

- the Seqirus vaccine manufacturing facility in Tullamarine
- Alinta Energy's customer operations hub in the Latrobe Valley
- Keywords Studios' headquarters and gaming development studio
- the expansion of NewCold Australia's Asia Pacific headquarters in Truganina.

In 2020–21, VJIF supported the creation of a broad range of jobs including high value senior management, corporate and technical roles (such as engineers and scientists), as well as highly accessible jobs with low barriers to entry (such as customer operations positions) located in regional Victoria.