

From: Justine Stansen
To: "Heffernan, Emily (AU)"; "Fox, Chris (AU)"; "Robert Perry"; [REDACTED]
[REDACTED] Ariane Wilkinson; "Felicity Millner"
Cc: "Ruth Shann"; "Peter Rozen"
Subject: Hazelwood Mine Fire Inquiry - TOR 6
Date: Thursday, 15 October 2015 3:23:00 PM
Attachments: [Re Hazelwood Mine Fire Inquiry.msg](#)
[image003.jpg](#)

Dear all,

I write in relation to the further hearing scheduled for TOR 6 on 22 October 2015 commencing at 9am.

On Monday 19 October 2015 between 12pm-3pm, the Board is convening an expert conclave to consider Associate Professor Barnett's further analysis and whether it has any significance to the questions the Board is considering (and if so, to what extent). Some questions will be formulated for the experts to consider at the conclave and they will be distributed tomorrow to the attendees and to the parties.

The conclave will be run as per the previous conclave on 31 August 2015 in that no lawyers or others will be present save for Monica Kelly from the Inquiry's Secretariat who will be present as scribe in order that a joint report may be prepared. Some expert attendees may be involved via Skype or phone.

The confirmed attendees are: Professor Armstrong, Professor Gordon, Associate Professor Barnett, Dr Flander and Dr Johnston. Each is available to give evidence on 22 October 2015.

An invitation has also been extended to Professor Abramson who has declined for the reasons set out in the **attached** email.

Dr Burdon and Professor McNeil are also welcome to be involved if those who have engaged them wish for that to occur (Environmental Justice Australia and Perry Maddocks Trollope Lawyers respectively). We are happy to facilitate the use of remote facilities to include Professor McNeil if his involvement is viewed as desirable. Please advise by 9am Friday 16 October 2015.

All experts who are involved in the conclave will also need to be available to give evidence on 22 October 2015. Again, that evidence may be given remotely. As some experts have other commitments in the afternoon of the 22 October 2015 and we may not be able to sit the full day, the hearing may spill over and conclude during the morning of 23 October 2015.

Counsel Assisting will circulate submissions in writing by 12pm on Monday 26 October 2015. Other parties may submit written submissions should they wish to do so by close of business Tuesday 27 October 2015. All submissions are to be confined to new matters raised during the hearing of 22 (and 23) October 2015.

As a matter of disclosure, we understand that Dr Johnston has provided some advice to the EPA to assist their investigation of the Hazelwood mine fire. We have not seen this advice and do not know the content of it.

If you have any questions about the above matters, please contact me.

Kind regards

Justine Stansen

Principal Legal Advisor
Hazelwood Mine Fire Inquiry



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From: [Michael Abramson](#)
To: [Justine Stansen](#)
Cc: [Solicitor Office](#)
Subject: Re: Hazelwood Mine Fire Inquiry
Date: Thursday, 15 October 2015 3:13:42 PM
Attachments: [image002.jpg](#)
[image001.png](#)

Thanks Justine,

I appreciate the opportunity to provide further advice to the Board. You have fairly accurately captured our discussion. I would request only one minor change:

- In your role as the lead in the Hazelwood Mine Fire Health Study, you are not examining whether there was or was not an increase in the **total** number of deaths in the Latrobe Valley during the mine fire.

As advised in my written response of October 8, we may conduct some analysis of specific causes of death in the future. However as consistently advised, mortality has never been a major focus of our study which is mostly about potential long term health effects.

Thank you for providing Dr Johnston's opinion, which I shall keep confidential.

Regards,

Michael

Michael Abramson
Professor of Clinical Epidemiology & Deputy Head

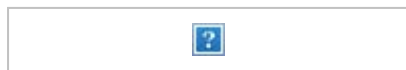
Department of Epidemiology and Preventive Medicine
School of Public Health and Preventive Medicine

Monash University



Web med.monash.edu.au/epidemiology

Statistical Review Board, Respiriology



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PS. I am not always at my desk and only check e-mail 2-4 times per day. If your matter requires urgent attention, contact my PA Catherine O'Sullivan on

On 15 October 2015 at 14:50, Justine Stansen

wrote:

Dear Michael

I refer to our conversation earlier today.

I confirm that the Board of Inquiry is holding a further hearing day on 22 October 2015 at 9am for the purpose of:

- hearing further from Dr Flander, Professor Armstrong, Professor Gordon and Associate Professor Barnett in relation to an additional analysis done by Associate Professor Barnett which was provided to the Inquiry after the hearing concluded; and
- hearing from Dr Fay Johnston who provided the Inquiry with her opinions in relation to whether the Hazelwood mine fire contributed to an excess of deaths. For completeness, I **attach** a copy of her email which should be kept confidential.

The Board has invited the above experts to participate in a joint discussion on Monday, 19 October at 12noon with a view to providing the Board with a joint report on their views (agreement and disagreement) about the above.

I confirm that we discussed whether you would participate in the further hearing and the joint discussion. For the reasons you articulated to me (set out below), I confirm that you have declined the invitation to be involved:

- The matters relating to Associate Professor Barnett's further report relate to a statistical analysis of the death data. You indicated that you are not a statistician and so would not comment on the statistical analysis undertaken.
- In your role as the lead in the Hazelwood Mine Fire Health Study, you are not examining whether there was or was not an increase in the number of deaths in the Latrobe Valley during the mine fire.
- You have no further evidence to give to the Board.
- You have competing obligations on both Monday, 19 October and Thursday, 22 October which would prevent you from participating.

Could you please confirm that the above accurately records your position with respect to participating in the further hearing.

Kind regards

Justine Stansen

Principal Legal Advisor

Hazelwood Mine Fire Inquiry

[REDACTED]

[REDACTED]

[REDACTED]



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