

From: Justine Stansen
To: ["Heffernan, Emily \(AU\)"](#)
Cc: ["Fox, Chris \(AU\)"](#)
Subject: RE: Hazelwood Mine Fire Inquiry - KWM letter dated 15 October 2015 [KWM-Documents.FID1770821]
Date: Friday, 16 October 2015 1:31:00 PM
Attachments: [Letter King & Wood Mallesons 16.10.15.pdf](#)
[DHHS - data.zip](#)
[July 2015 - RBDM data.zip](#)
[October 2015 - RBDM data.zip](#)
[image003.jpg](#)

Dear Emily

Please see **attached** letter. Can you please provide correspondence to Dr McCloud referred to in his letter dated 13 October 2015.

Kind regards

Justine Stansen

Principal Legal Advisor
Hazelwood Mine Fire Inquiry



cid:image001.jpg@01D0BF00.FDC13FB0



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From: Heffernan, Emily (AU) [REDACTED]
Sent: Thursday, 15 October 2015 8:05 PM
To: Justine Stansen
Cc: Fox, Chris (AU)
Subject: Hazelwood Mine Fire Inquiry - KWM letter dated 15 October 2015 [KWM-Documents.FID1770821]

Dear Justine,

Please find attached our letter dated 15 October 2015, together with its enclosures.

Regards,

Emily Heffernan | Senior Associate
King & Wood Malleons



This communication and any attachments are confidential and may be privileged.

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See kwm.com for more information.



16 October 2015

By email: [REDACTED]

Ms Emily Heffernan
King & Wood Mallesons
[REDACTED]

Dear Emily

Hazelwood Mine Fire Inquiry

I refer to your letter dated 15 October 2015.

The Board agrees to have Dr McCloud participate in the further conduct of the Inquiry into TOR 6, including:

- An expert's meeting between 12pm-3pm on Monday 19 October 2015;
- Giving evidence at a public hearing in Melbourne on Thursday 22 October 2015 (and potentially Friday 23 October 2015).

Experts Meeting

The purpose of the meeting is to see if the participants are able to reach agreement on some or all of the questions set out below.

The meeting will be facilitated by Ms Monica Kelly, the Inquiry's Health Lead. The meeting will be by video-conference. The Melbourne and Sydney participants are requested to attend at K&L Gates offices at either level 25, 525 Collins Street, Melbourne or level 31,1 O'Connell St, Sydney.

To the extent that agreement can be reached, Ms Kelly will document it in a joint report that each participant will be asked to sign as an indication that it is an accurate record of the agreement. Any such joint report will be part of the evidence before the Inquiry and will be provided to interested parties in advance of the public hearing on 22 October 2015.

The confirmed participants to the expert's meeting are: Professor Armstrong, Professor Gordon, Associate Professor Barnett, Dr Flander, Dr McCloud and Dr Johnston. There may be some additional participants which we will advise in due course.

Please indicate whether Dr McCloud will participate from Melbourne or Sydney by 4pm today so arrangements can be made.

Datasets

Analyses have been based on daily data obtained from the Registry of Births Deaths and Marriages (RBDM). The date that that data was extracted from the RBDM (and the type of data requested) can influence the exact numbers of deaths recorded. The reasons for this



are explained in the statement of Ms Dawn Sims on the Inquiry's website at:
<http://hazelwoodinquiry.vic.gov.au/wp-content/uploads/2015/09/WIT.0002.001.0001.pdf>.

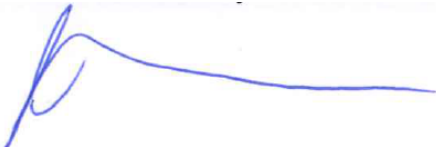
The Inquiry has three sets of this data. The first was extracted in late 2014 and provided to the Department of Health and Human Services. The second was extracted in July 2015 and the third was extracted in October 2015.

We provide each of these sets to you at this time in order to ensure each expert has access to the same data and each has access to all the data held by the Inquiry.

These data sets contain private information and must not be disclosed or published without the permission of the Inquiry.

Please contact me by email at [REDACTED] or by phone on [REDACTED] if you have any questions concerning this request.

Yours faithfully



Justine Stansen
Principal Legal Advisor
Hazelwood Mine Fire Inquiry

[REDACTED]

Questions for the Experts Meeting

To be answered only to the extent that your expertise allows you to do so.

1. Do you agree with Associate Professor Barnett's conclusions that:
 - a. There is a 99% probability of an increase in deaths during the 45 days of the fire?
 - b. With an estimated 23 additional deaths?
2. Do you agree with the methodology used by Associate Professor Barnett to reach those conclusions?
3. Do you agree with the way in which Associate Professor Barnett has presented his conclusions?
4. For those who have previously given evidence to the Inquiry, has the additional analysis undertaken by Associate Professor Barnett and any commentary done on that analysis altered your previous opinions? If so, how?
5. Having regard to the reports of Associate Professor Barnett dated September, 25 September and 9 October 2015 and commentary on them undertaken by Professor Armstrong, Professor Gordon, Dr Flander and Dr McCloud:
 - a. Was there an increase in mortality in the Latrobe Valley during the coal mine fire in 2014?
 - b. If yes, did the coal mine fire contribute to the increase in mortality?