

Table 4: Public submissions

	Submitter	Submission date
1.	Confidential	29 April 2020
2.	Name withheld	1 May 2020
3.	George Rupesinghe	5 May 2020
4.	Andrew Lanham	5 May 2020
5.	Confidential	6 May 2020
6.	Phillip Harrip	6 May 2020
7.	Name withheld	6 May 2020
8.	Name withheld	6 May 2020
9.	Name withheld	7 May 2020
10.	David Lindsay	12 May 2020
11.	Name withheld	12 May 2020
12.	Name withheld	18 May 2020
13.	Name withheld	21 May 2020
14.	Paul Evans	21 May 2020
15.	Frances McMahon	25 May 2020
16.	Bruce Lawrence	26 May 2020
17.	Teresa Lloyd for Maritime Industry Australia Limited	29 May 2020
18.	Richard Davey	29 May 2020
19.	Lou Nesci for Flight Attendants' Association of Australia	29 May 2020
20.	Name withheld	30 May 2020

CONFIDENTIAL SUBMISSION

From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Friday, 1 May 2020 9:16:58 PM



First name [REDACTED]

Surname [REDACTED]

Email address [REDACTED]

Phone number [REDACTED]

Preferred means of contact Email

What is your submission based on? Other

What would you like to tell the Commission? That during the time frame Ruby Princess passengers boarded Qantas Flight and no notification was provided . Subsequently we have had crew test positive to Covid19 from these flights . Requested information to clarify what flights ex Australia Ruby Princess passengers travelled on and they declined to provide all material and they stated privacy as reason this information not given. The crew that were confirmed to have covid 19 on return to Australia , were definite that they left Australia with Ruby Princess passengers (due to conversations on board with these cruise ship passengers) and were not advised prior so that precautions and PPE could have been worn as was protocols where there were suspected cases. We will provide further information.

Attachment 1

Attachment 2

Attachment 3

Do you agree to your submission being published? I agree to my submission being published anonymously

From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Tuesday, 5 May 2020 2:47:54 PM



First name George

Surname Rupesinghe

Email address

[REDACTED]

Phone number

[REDACTED]

Preferred means of contact Email

What is your submission based on? Other

What would you like to tell the Commission? After the experience of the Diamond Princess cruise ship in Japan, one would have thought that the health authorities in NSW would be extra vigilant with cruise ship passengers disembarking in Sydney. But to everyone's surprise all passengers on the Ruby Princess were cleared to disembark without any screening or testing at all, leading to the increase in Covid-19 cases. When questioned about this a health official told the media that the ship was considered "low risk."
It is well known that cruise ships, carrying mostly seniors, always have some of them coming down with respiratory ailments on the voyage. It is apparent that no one was prepared to accept the responsibility of screening the passengers of the Ruby Princess. Not the NSW health authorities, not the Border Protection Force, no one.

Attachment 1

Attachment 2

Attachment 3

Do you agree to your submission being published? I agree to my submission being published in my name

From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Tuesday, 5 May 2020 9:03:50 PM



First name Andrew

Surname Lanham

Email address [REDACTED]

Phone number [REDACTED]

Preferred means of contact Email

What is your submission based on? Other

What would you like to tell the Commission? Dear Mr Bret Walker,
I am employed by an airline, Virgin Australia at the Brisbane International terminal. I and my colleagues were placed in a very difficult situation as they tried to fly certain guests to America as explained further below. I'm sure I could gather other colleagues to testify in need be.

I would like to raise an issue for further scrutiny about how Princess Cruises along with the NSW Health Department failed to protect Australia. There were multiple guests sent from Sydney to Brisbane on domestic flights with purely the hope of flying out to their respective international home destinations without actual tickets. They were placed on these flights only being told they would then connect onto the Brisbane to Los Angeles flight in late March as they had just disembarked the ship. We were given no notice from either Princess Cruises nor the NSW Government about their itinerary. We were swamped with many people stressed to make it out of Australia and suddenly these people started trying to check in with only their names reserved and no actual tickets. During this confusion, a guest let slip they had just gotten off the Ruby Princess and were begging to get home. We were then very alarmed as to how they were in Queensland let alone roaming freely. We couldn't let any board as out flights were already full for the next few days and they tried Qantas to get to Los Angeles.

It is totally unacceptable that we were put at such risk, and I would like some recognition from NSW Health as we were already nervous of being exposed the COVID-19 and this was an incredible stress on an already trying time.

Kind Regards
Andrew Lanham

Attachment 1

Attachment 2

Attachment 3

Do you agree to your submission being published? I agree to my submission being published in my name

CONFIDENTIAL SUBMISSION

From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Wednesday, 6 May 2020 9:59:20 AM
Attachments: [Draft-Petition-details-2020-5-6.docx](#)
[Framework-for-Review-of-Cruise-Ship-operations-in-Australia-2020-5-6.docx](#)



First name Phillip

Surname Harrip

Email address [REDACTED]

Phone number [REDACTED]

Preferred means of contact Email

What is your submission based on? Other

What would you like to tell the Commission?

Dear Special Commissioner Bret Walker and staff,

I have submitted a petition via Change.org to the Australian Government requesting action to upgrade the conditions upon which cruise ships operate in Australian waters. I submit this information to you as well, considering it may be quite relevant to recommendations you might make in your report.

I have attached the current wording of the Petition and attached document for further information. Please consider the information I have written has been penned by an amateur, so is couched in lay terms, but I believe the intent is clear.

Having been on many cruises, I am extremely concerned about the lase fair way which some companies operate, almost thinking they are beyond laws in any jurisdiction. This must not be allowed to continue, as the recent biological state of the planet can demonstrate.

I understand the content of my documents is not specific to the Ruby Princess, but the majority of cruise ship cases of Australian COVIC-19 originated on that ship, so I believe it is relevant. Also, your terms of reference do include the magic clause regarding "any other matter" and I do believe how Australian

governments, including the NSW government, needs to consider how it is going to ensure that cruise ships and companies operate safely in Australian waters.

The attached documents, which includes the wording of the public petition, helps to describe some technicalities which may be considered to ensure cruise companies and ships operate responsibly given the dangers associated with their operations.

Destination countries for cruise ships have every right to ensure our borders are safe from biological and economic dangers, and the attached are simply a start to try to become more analytical in the way we approve cruise ship visits.

Now, one important point:

The Carnival cruise company is the parent company of operators of ships delivering most world wide problems with COVID-19. This company proposes to re-commence operations from Australia on 7th September, 2020. I BELIEVE THIS IS DANGEROUS AND PREMATURE AND REQUIRES GOVERNMENTS TO DENY DOCKING PERMISSION OF ALL CRUISE SHIPS ABOVE 1000 PASSENGER CAPACITY UNTIL YOUR REPORT HAS BEEN SUBMITTED AND CONSIDERED.

Therefore, may I humbly suggest that an interim report detailing these concerns and requesting a moratorium on Cruise ship operations of ships larger than 1000 passengers be submitted as soon as possible in order that government has time to consider how the cruise industry in Australia can protect our biological and economic security.

Kind Regards,

Phil Harrip.

Attachment 1 Draft-Petition-details-2020-5-6.docx - [Download File](#)

Attachment 2 Framework-for-Review-of-Cruise-Ship-operations-in-Australia-2020-5-6.docx - [Download File](#)

Attachment 3

Do you agree to your submission being published? I agree to my submission being published in my name

Headline:

Help make laws to prevent viruses like COVID-19 coming from cruise ships now.

Background of Petition:

To the Prime Minister, Premiers and Chief Ministers in parliaments assembled:

The continuing COVID-19 pandemic has highlighted shortcomings in the cruise industry being extremely significant in transmission of biological assaults into Australia.

Just one ship, the Ruby Princess, was responsible for more than 10% of the cases of COVID-19 presenting in Australia, and for a much higher percentage of total deaths. Some reports indicate the cruise industry was complicit in up to 30% of initial cases of COVID-19 in Australia.

Cruise ships have been accurately described as "Floating Petrie Dishes" of disease and we have now seen the human and financial costs which these ships have contributed to during this current COVID-19 pandemic.

Our nation cannot afford a repeat, so, given that cruise companies are, with a few exceptions, not self-addressing the issues, choosing to put profit over safety, then the regulations around cruise ship visits must change to enforce the changes.

Some cruise companies are very responsible, have already started to make significant changes, and we applaud them for their foresight.

However, it appears it will require legislation from Australian governments to require many other companies to turn their focus from maximising profit to include biological safety. In the absence of concerted action from these companies, it is up to us as a nation to look after our own biological safety, and the time is now.

Furthermore, this is an appropriate opportunity to look at other issues around the economy of the cruise industry too.

There have been significant warnings in the past, with outbreaks of Norovirus and various Influenza strains landing in Australia from cruise ships.

In the solid knowledge that we have had many potential pandemics recently, SARS, MERS, various Influenzas, Ebola and others, now is the time to draw the line so clearly required for the sake of the health of our population and economy.

While the Ruby Princess is at present our worst example, it is not the only ship; there was the warnings with the Diamond Princess in Tokyo, the Grand Princess in San Francisco, the Zaandam in the Pacific, and some 34 other ships, many of which have tested the authorities in Australian Ports.

This time, we were lucky. We have dodged the bullet of runaway infection due to the concerted action by millions of people. In these times it is easy to become complacent as the immediate threat reduces, but we have had many warnings and the next event may not be as "manageable" as COVID-19, it may be biologically much worse! We must act now!

Therefore, we present this petition to the Federal Government of Australia, State and Territory Governments and demand common legislation to be passed to withhold permission for cruise ships to travel in Australian waters with the intent to land, to dock or tender to any port or point in Australia, Territories or Protectorates, unless they are certified as having complied with the design and biological security criteria set out in the regulations pursuant to the proposed legislation. Ships transiting without stopping or operating under international treaties or conventions should be excluded. A draft set of criteria is available.

Should any ship not be compliant with our regulations, then we submit that ship should be simply denied permission to enter Australian waters.

The design of the attached draft document is to ensure that we control which cruise ships are suitable to be trusted in this country and under what conditions.

Most cruise companies right now are simply trying to restart their business as it was. This is evident by their sales efforts and timing, and we believe they cannot be allowed to operate in Australia.

Responsible cruise companies have a duty to meet the concerns and expectations of the shipboard passengers. They also have a duty of care to all passengers and to the public in ports of call around the world, and in the case of this petition, to Australia and Australians.

The current Federal Cabinet is an appropriate forum to raise this matter and future COAG meetings should be able to cement an outcome, pending the drafting of legislation. In any case, we would suggest that an implementation date prior to 31st August, 2020 would be appropriate so that there is not rampant traditional and dangerous cruise activity in the Australian summer as proposed by one company, which also happens to be the source of the vast majority of COVID-19 cases originating on cruise ships.

Framework for Review of Cruise Ship operations in Australia

General Requirements for Cruise Companies:

- Ship registrations must be in the same or nearest port to the headquarters of the cruise company.
- Cruise Companies operating in Australia must have an Australian based office and must be registered with the Australian Securities and Investment Commission, such registration including contact details of the Australian based people responsible for operations.
- Cruise companies must adhere to industrial relations regulations in the Australian ports of call in relation to staff remuneration. As an example, the use of gratuities as a method to pay staff must not be requested on any voyage which docks in Australia. Companies should employ and pay their own staff a fair wage. Gratuities are unacceptable and no ship requesting gratuities should be allowed to dock in Australian ports.
- Access to Australian Medical Insurance Funds for all Australians travelling on cruise ships.
- Mandatory provisions provided in the contract of passage for any ship docking in any Australian port at any time during the voyage which provides for the repatriation to the nearest Australian capital city of any patient requiring off-board medical treatment, along with their relatives, regardless of location around the world, at the cost of the Cruise Company.
- Should any Australian citizen die on a cruise ship, then the cruise company should be required to organise repatriation of the body and the passenger's close relatives back to their home at the expense of the cruise company. The company should insure itself against such requirement if carrying Australian passengers on a cruise which visits any Australian port.
- Cruise Companies must comply with any specific measure identified by the Australian Government Health Authorities which is designed to remove or reduce the danger from any biological agents.

- Cruise Companies make a lot of profit from Australian passengers, but do not pay any tax in Australia, in fact it is doubtful they pay tax anywhere. Therefore, this petition requires that any Cruise Company operating in Australian waters submit Australian Tax Office returns for income and expenditure accrued in Australia and from Australian citizens, regardless of port of embarkation and location of payment for the cruise. We urge the Government to consider these changes to Australian Law to facilitate the proper payment of tax from the income these huge companies receive from Australian citizens transiting Australian waters, and draft regulations to give force to this requirement.
- Port docking fees as well as landing fees by tender for any particular location must be based on a fixed figure plus an amount based on the number of beds (not passengers) including crew beds on the ship. The precedence for this is the cost of transit through canals, like Panama.

Cruise Ship design:

- Size of ships – no greater than 2500 people total capacity, including passengers and crew will be allowed to dock in Australian Ports.
- Cabin size must be greater than 25 square metres.
- Cruise ships entering Australian waters must use 100% external fresh filtered air supplied to the whole ship, including passenger cabins, public areas and crew cabins. There must be no capability to recirculate air within the ship. Filter assemblies in Cruise ship air conditioning should be capable of removing all viral particles above 20 nanometres.
- Air Conditioning Filters must be inspected and cleaned in accordance with the manufacturer's schedule with complete schedule records kept.

Medical Centre Facilities and Staff:

- Specified isolation Suites equipped for medical patients to the number of at least 1 suite for every 500 people on board.

- 1 Intensive Care facility on board each ship in addition to the required number of Isolation Suites.
- Appropriately qualified medical staff must be available for both General Practice and operation and maintenance of Intensive Care facilities.
- Full PPE must be available for all medical staff in sufficient quantity to provide safe working conditions for all medical staff for the duration of the current voyage.
- Medical Waste, contaminated items, medical waste and disposable PPE will be sealed and disposed according to WHO health and safety guidelines.
- All waste bins must be cleaned, disinfected and washed twice daily with hospital grade disinfectant.
- Medical equipment must be washed and disinfected with hospital grade disinfectant after every patient.

General preventative measures must include:

- A "Fitness for Travel" certificate completed by a General Practitioner for passengers over 70 years of age to be submitted at the time of booking, before acceptance of any money. Accepting the booking includes the company's agreement to provide passage for that passenger with regard to fitness for travel.
- temperature screening on boarding and randomly during cruises.
- Disinfection and sanitation stations at all public locations including gangways, deck entry points, offices, shops and food service locations.
- Staggered embarkation and disembarkation processes including bookings for boarding times.

Public Area Management:

All public areas on board must be disinfected and sanitised frequently using hospital grade disinfectant, or an alternative if necessary for improved

efficacy. Certified records must be kept for inspection by Australian Health Authorities:

- Public areas and facilities, at least two times daily or when each passenger vacates the area or facility, whichever is the higher frequency.
- Pools and Spas, minimum of 2 times daily or more frequently during periods of high usage.
- Elevators, including exterior operating controls every hour from 6am to 12pm.
- Handrails, door handles, tables, etc every 2 hours.
- Cleansing and fogging of all public area floors once per day.
- Theatres will be cleaned and disinfected after every show, including between shows should there be subsequent sittings.
- Theatre seating will be at a pitch of not less than 700mm.
- Games and toys used in children's facilities must be cleaned twice a day or between every use, whichever is more frequent.

Food and Beverage services:

Food and beverage services are often conducted in crowded locations, which are conducive to transmission of disease, therefore the risk must be minimised by:

- Providing hand sanitiser outside the entry and also within all Food and Beverage facilities at distances not less than 10 metres apart.
- Food and Beverage locations should be cleaned at least 3 times per day, after every meal service.
- Kitchens, Galleys and Food preparation areas will be cleaned before and after every meal preparation sequence.
- Food consumption areas will have a minimum of 2 metres between tables. Chairs can be placed within the space between tables
- Chairs at food consumption tables must be no closer than 60mm pitch.

- Food will not be sourced from any location which has not been approved in writing by the Head Chef, Captain and Chief Medical Officer on board.
- In no circumstances are wild or exotic local animals allowed to enter the food chain. All food is to be sourced from licenced or approved suppliers approved by the cruise company.

Guest Cabins:

Guest cabins are occupied for long periods with minimal time available for proper sanitisation, therefore some standards must apply:

- Guest Cabins must be a minimum of 22 square meters.
- Guest cabins must be fogged at the commencement of every occupation with an agent capable of eradicating bed bugs.
- Guest cabins must be wiped down twice daily.
- Bathrooms must be cleaned with hospital grade disinfectant twice daily.
- Linen must be changed and cleaned and disinfected once every three days using professional high temperature methods.
- Steam sterilisation and hospital grade disinfection of any guest cabin surface which has been soiled by food spillage, sickness or other biological matter.
- Provision of a location outside each cabin for placing used food service trays and utensils, or collection of same within 5 minutes of advice from the cabin occupant that the trays and utensils are ready for collection.
- Cleansing of bathroom drains with appropriate high strength disinfectants twice daily.

Gyms and beauty facilities:

These areas can be dangerous locations for the growth of potentially biologically active agents, so must be given special attention:

- Gym Equipment must be cleaned after every use. Passengers should be required to do this, but in the instance they refuse or do not, then the gym staff should perform this duty and the gym manager apply a cruise long ban to that passenger.
- Gym and beauty treatment centres must be totally and thoroughly cleaned by staff twice per day, and a record log kept of identity of the staff member as well as the extent and duration of the cleaning process.

Recreation facilities:

Recreation facilities covers equipment, libraries, casinos (if in existence), games rooms and deck games and machinery.

- Recreation equipment must be disinfected every two hours during active access by passengers or before each passenger usage, whichever is the more frequent.
- Card tables must be cleaned after each passenger group has departed.
- Library seating and tables must be cleaned after each passenger has departed.
- Library books must be returned to a central repository and wiped down with disinfectant wipes before replacing on shelves.
- Casino tables must be vacated and cleaned every two hours.
- Casino chips must be changed every two hours and washed in a hospital grade disinfectant.
- Deck machinery, including any mechanical ride, swimming pool slide or deck game must be cleaned with disinfectant every two hours.

Tours:

Tours organised by Cruise companies must comply with health practices:

- Tour operators must have sanitiser stations available at the beginning and end of each tour, and on request.

- Operators must also have sanitiser stations available at each and every stop the tour makes while on land.
- Tour operators must provide and enforce sufficient disabled seating near the entrance to any conveyance they use in their operation, and should any passenger without a disabled pass supplied by the tour desk on the ship insist on using a disabled seat, then the cruise company must require the tour operator to call the ship's security for assistance to eject that passenger from the tour before the tour can depart.
- The cruise company is required to ensure that the conveyances of all Tour Operators they use are fully registered and insured for passenger compensation in the event of any incident. This does not absolve the cruise company from liability.

Crew Members:

Crew members safety and hygiene are critical in suppressing the potential for disease on cruise ships, so some basic standards must be applied:

- Temperature checks twice per day. Records must be kept for inspection by Australian Health Authorities.
- Crew members must undergo testing for current biological agents capable of pandemic generation prior to joining the ship.
- Ethanol or Isopropanol hand washes must be used regularly, and at a minimum, when entering and leaving work places, handling new or different tools or equipment or every 20 minutes, whichever is the shorter.
- When providing or handling food or beverages, staff must wear disposable gloves and replace them at least every 20 minutes.
- Safety and Hygiene Training must be given and successful completion of that training recorded in ship records for open inspection by Australian Health Authorities.
- Movement of crew and staff through public areas must be kept to a minimum.

From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Wednesday, 6 May 2020 11:05:26 AM



First name [REDACTED]

Surname [REDACTED]

Email address [REDACTED]

Phone number [REDACTED]

Preferred means of contact Email

What is your submission based on? Other

What would you like to tell the Commission? The Commonwealth has primacy in Quarantine matters . This is accorded to it under S.51 of the Constitution. I request that the Commission investigate the practicability and wisdom of the Commonwealth's actions in the period 2010 - present insofar as they relate to the exercise of discretionary powers by NSW governmental officials pertaining to the docking of and disembarkation from the Foreign Vessel Ruby Princess at Port Jackson, NSW on two occasions in March 2020.

It seems to be the case that the Commonwealth has sought to abrogate it's clearly expressed and exclusive powers pertaining to "Quarantine," cf. Ss 51(ix), 52(iii) & 69 of the Australian Constitution. It has done this by means of non binding Memoranda of Understanding entered into with each of the States. I am uncertain of the chronology but believe this practice commenced sometime in the preceding decade.

This practice is said to be reflective of the intent of the Commonwealth Biosecurity Act. That act is meant to part of a framework of " Biosecurity" Acts which each state has set up.

There is an obvious practical reason for harmonisation of laws and practices in this area as diseases of themselves do not respect territorial borders.

Nevertheless, my State, NSW has no legislative reach beyond the 5 km seaward " State Waters" boundary.

The Commonwealth retains the exclusive power over the “pratique” of foreign vessels and planes. Cf. Div 4, Pt.2, Ch 2 Cwlth Biosecurity Act.

Whatever shortcomings may be exposed in the exercise by NSW officials of whatever powers they had at the time, it may well be the case that these are at a deeper level, reflective of the Commonwealth’s purported and likely unauthorised abrogation of its exclusive constitutional powers in respect of “quarantine”. The Commonwealth needs to strongly reassert its powers and directly exercise its exclusive , constitutionally authorised legislative remit over “quarantine”.

I trust the Commission’s deliberations and report are illuminating and productive.

Attachment 1

Attachment 2

Attachment 3

Do you agree to your submission being published?	I agree to my submission being published anonymously
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From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Wednesday, 6 May 2020 3:51:10 PM



First name



Surname



Email address



Phone number



Preferred means of contact

Email

What is your submission based on?

Other

What would you like to tell the Commission?

There's speculation that Federal Member Alex Hawke had family members on the Ruby Princess, and that someone may have intervened for this reason. I have contacted Mr Hawke for clarification, however no denial has been received. I have further sought clarification from NSW Police Commissioner, with response being that as I am a "member of the public", no clarification will be provided. In the public interest, this may be worth investigating.

Attachment 1

Attachment 2

Attachment 3

Do you agree to your submission being published?

I agree to my submission being published anonymously

From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Thursday, 7 May 2020 8:30:43 AM



First name [REDACTED]

Surname [REDACTED]

Email address [REDACTED]

Phone number [REDACTED]

Preferred means of contact Email

What is your submission based on? Other

What would you like to tell the Commission? There has been an enormous amount of focus on the process that allowed people to come off the Ruby Princess. Can the commission please consider realistic scenarios of what would have happened if the passengers were not allowed off the Ruby Princess. I think the following scenario would have happened.

- i) Boat not allowed to dock because some Covid 19 cases detected.
- ii) 2-3 days pass while more testing is done on the boat and results take 24 hours. The extent of Covid 19 looks a lot bigger and a lot of discussion with health, border and other officials. It is likely more testing will be sought.
- iii) a few more days pass as now many, probably 100s, of cases are being detected. A bigger evacuation plan is now needed.
- iv) I think a week will have gone by before people are taken off the Ruby Princess in a an organised manner. Given all the agencies involved a week seems the minimum amount of time.
- v) During that week the virus will have spread so the number of cases on board would have risen. Given the closed environment and inability to easily confine people the virus would have doubled every 3 to 4 days (need an epidemiologist to confirm and R is likely to be above 1). Now we would have gone from 600 people being infected to 1200 after 3.5 days to 2400 people by the end of the week.
- vi) Imagine the city and public health system in Sydney trying to cope 2400 infected people. Greater

chance of Covid 19 spread when people are moved off the boat because of the scale of the issue into the city, hotels and public health systems. Far more people impacted through transmission than what has happened with the passengers being let off the boat when they were

vii) If 20 people died from 600 infected people then it is likely that 80 people dead given infection spread had people stayed on the boat for an additional week. I am sure there are experts in health and epidemiologists that could build out this scenario more accurately than I have done above.

While it was a mistake letting people off the boat we seem to have avoided a catastrophe had we kept people on the boat!

Hope this is clear. Please contact me if the note isn't clear. Please ensure the commission looks at this aspect.

Attachment 1

Attachment 2

Attachment 3

Do you agree to your submission being published? I agree to my submission being published anonymously

From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Tuesday, 12 May 2020 1:44:34 PM
Attachments: [1-RISK-ASSESSMENT-OHS-LOW-VERSUS-HIGH-RISK.pdf](#)
[2-RUBY-PRINCESS-EMAIL-6-4-20.pdf](#)
[3-REFORMS-1-MEDICAL-COMPLAINTS-PROCESS-IN-AUSTRALIA-BULLYING-AS-DESTRUCTION-OF-THE-INNOCENT-DAVID-LINDSAY-2016.pdf](#)



First name	DAVID
Surname	LINDSAY
Email address	[REDACTED]
Phone number	[REDACTED]
Preferred means of contact	Phone
What is your submission based on?	Other
What would you like to tell the Commission?	<p>RISK ASSESSMENT LOW VERSUS HIGH RISK AND OTHER DOCS DAVID LINDSAY</p> <p>Dear Inquiry Officers,</p> <p>I have no direct interest, nor am I effected by any of the events of the Ruby Princess debacle. However, I have had direct involvement with NSW Health, the Public Health Unit, Doctors Ferson, Chant and McAnulty.</p> <p>On Day 6, I noted Kylie Nomchong SC representing Unions, Crew and Port Staff raised issues of Risk assessment and O.H.S. , ... where she questions the lack of compliance and lack of understanding of all Senior Players Duties (Duty of Care) under O.H.S. Legislation and Regulation to Staff, Crew, and Passengers.</p> <p>"All employees should be involved in hazard identification. It should take place at all stages of product or service delivery, from design to manufacture, supply and product use" (WorkCover 2000).</p> <p>I have attached Y2000 WorkCover Pages for assessing Low versus High Risk situations, as NSW Health were attempting and failing to do. This methodology cannot be used in a cursory fashion when establishing Protocols. For NSW Health to</p>

assess risk for COVID-19 is complex and mathematical, ... but they have used the tick-a-box approach, and a guess. As it turns out, the "1% Rule" had no correlation with Low or High Risk, nor anything at all. It is probably a figure of tolerance they previously used for Flu and Gastro outbreaks on cruise ships. Is it risk of infection, permanent disability, death or civil action, that they are seeking to determine the Risk of ?

I wish you luck in seeking open and honest discussion from any of the Medical Profession in discussing Ruby Princess, Newmarch, Pandemics and the proper care & protection of patients. The Doctors have already closed ranks. One Side Issue the Inquiry may like to consider, is "Lifting the Veil" on the Medical Profession.

I am happy to talk on the phone. I have nothing to offer as witness, other than a clear Medical and Legal understanding of Duty of Care for Doctors, ... knowing when to shut down a Hospital Ward or a Nation (after a few infections !) ... my understanding of the regressive Culture of the Medical Profession, ... and my personal dealings with the protagonists and the Medical Authorities over the last 25 years.

Thank you for considering this email

Regards
David C Lindsay M.B.B.S. (Sydney 1989)
Dee Why

[REDACTED]

Attachment 1

1-RISK-ASSESSMENT-OHS-LOW-VERSUS-HIGH-RISK.pdf - [Download File](#)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Do you agree to your submission being I agree to my submission being published in my name

published?

All employees should be involved in hazard identification. It should take place at all stages of product or service delivery, from design to manufacture, supply and product use.

Identifying hazards should be a systematic/planned process. Systematic identification enables workplace hazards to be identified in a logical, structured manner. Hazards may also be identified through less formal or systematic means such as internal or external complaints or observations from employees.

Assessing the Risk of Injury and/or Illness

A risk assessment involves careful examination of the hazards in a workplace and the factors involved. This may include the type of hazard, equipment, training provided, number of operations and existing systems in place to control the risks associated with these hazards.

Risk assessment is the process of determining the level of risk created by the hazard and the likelihood of injury or illness occurring. The priority of control increases as the established level of risk increases. Some legislation requires certain control action to be adopted, regardless of whether the risk has been determined. That is, the specific scenario, the sequence of events, including the possible consequences, the exposure to the hazard, and finally the likelihood of that scenario taking place.

Risk assessment must be documented and should include all significant findings and recommended control measures. It should be reassessed following any injury or incident or any changes to plant, processes, work activities, technology or legislation. The assessment stage is essential because it will determine the type(s) of control methods required.

Any scenario involving a particular hazard can lead to different consequences depending on the sequence of exposure events. Hence, risk levels need to be assessed separately for each chosen sequence of events.

To determine the level of risk the following should be considered:

- identifying or judging the likelihood and severity of different outcomes – that is, the number of persons harmed and the nature of their injuries/illness
- determining the exposure – that is, how often (frequency); how long (duration) and to what extent (exposure) the affected persons have to the particular hazard (for a toxic hazard this would include any time-weighted average or ceiling exposure)
- determining the individual's reactions to certain hazards – that is, how the hazard affects the employees who are exposed to them.

Each hazard usually has a number of factors which contribute to the likelihood and severity of injury, illness or damage.

There may be a number of different health outcomes (e.g. physical, psychological, temporary, permanent, long/short term) once an injury or illness has occurred.

Risk Assessment Methods in OHS

There are many techniques for risk assessment; some of them involving complicated mathematical models.

A simple risk assessment model such as that found in the WorkCover Hazpak publication, helps to determine the likelihood and severity of a hazard and can assist in assigning priority to hazards, on the basis of risk.

This is a reasonably simple model that provides an instrument for establishing the seriousness and priority that should be given to a health, safety and welfare problem. Problems which score **Priority 1**, have the highest ranking and need to be addressed immediately, while problems which score a **Priority 5 or 6**, can be dealt with in order of priority.

By completing a risk assessment you can identify those hazards that you should attend to now and those which you can plan to control in the future. It is sometimes necessary to undertake more thorough assessments of the risks through environmental monitoring. OHS professionals such as occupational hygienists are often used when detailed or specialised assessments are required.

1. How severely could it hurt someone or how ill could it make someone?	2. How likely is it to be that bad?			
	very likely could happen any time	likely could happen any time	unlikely could happen, but very rarely	very unlikely could happen, but probably never will
kill or cause permanent disability or ill health	1	1	2	3
long term illness or serious injury	1	2	3	4
medical attention and several days off work	2	3	4	5
first aid needed	3	4	5	6
The numbers show you how important it is to do something: 1 top priority: do something immediately 6 low priority: do something when possible				

A risk assessment method commonly used in the construction industry is a method similar to the HAZPAK model but uses only three levels of priority, i.e. 1, 2, 3. A Level 1 priority is the most urgent or serious and a Level 3 priority is the least urgent or less serious.

Class 1 High Risk	Does the hazard have the potential to kill, or permanently disable you?
Class 2 Medium Risk	Does the hazard have the potential to cause a serious injury, or illness, which will temporarily disable you?
Class 3 Low Risk	Does the hazard have the potential to cause a minor injury which would not disable you?

These risk assessment methods assist to ‘predict’ the likelihood and severity of the consequences of **not** managing the risk resulting in workplace injury and disease. Even though limited resources may also influence priorities and OHS control solutions, effective use of the available resources can save lives and reduce the level of accidents and injuries.

Developing Safe Work Procedures in Project or Site Construction Work

Setting up safe working systems and methods must begin with a thorough knowledge of the risks that will be confronted during the construction phase of the project or site work. The work methods to be used, the skills and training of the workforce, the testing of plant and materials, safe site set up, the protective measures to be used and the development of site rules. All these elements are combined to form a site specific safe work plan.

Site Specific Safe Work Plan

The successful initial implementation of a safe work plan requires plans to be developed that clearly set out how the objectives and targets of the management system will be achieved. It should:

- designate responsibility for achievement of objectives and targets to relevant personnel/supervisors and sections of the organisation
- establish a timeframe by which objectives and targets will be achieved
- include a process for reviewing the system.

Senior management responsibilities would be to provide:

- a working environment that is safe and without risks to health
- safe equipment and systems of work
- adequate resources, information, training and supervision
- ongoing and effective health and safety promotions.

Consequence				Increasing Probability				
				A	B	C	D	E
Rating	People	Assets	Environ- ment	Never heard of in industry	Incident heard of in industry	Incident heard of in company	Incident happens several times per year in company	Incident happens several times per year in a location
0	No injury	No damage	No effects	Low Risk	Low Risk	Low Risk	Low Risk	Low Risk
1	Slight injury	Slight damage	Slight effect	Low Risk	Low Risk	Low Risk	Med/low Risk	Med/low Risk
2	Minor injury	Minor damage	Minor effect	Med/low Risk	Med/low Risk	Med/low Risk	Med/low Risk	Med/low Risk
3	Major injury	Local damage	Localised effect	Med/low Risk	Med/low Risk	Medium Risk	Medium Risk	High Risk
4	Single fatality	Major damage	Major effect	Medium Risk	Medium Risk	Medium Risk	High Risk	High Risk
5	Multiple fatality	Extensive damage	Massive effect	Medium Risk	High Risk	High Risk	High Risk	High Risk

Figure 2. The Risk Potential Matrix. The shading identifies the regions of risk that require different levels of control to ensure that such an event does not occur. Major safety cases are usually restricted to documentation of the medium and high level risks. However, hazards present still have to be managed even when the risk is low. The risk matrix can be seen together with the bow-tie diagrams that are intended to show exactly how consequences, denoted by ratings 0-5, are to be avoided.

Assessment

The hazards identified may be present, but that does not mean that they are sufficiently important to have to be actively managed. In Norway there are few hippopotamus in the fjords, in West Africa temperatures are never low enough to produce freezing conditions. The principle of ALARP – As Low As Reasonably Practicable – also means that very low frequency hazards can be lumped together with non-existent hazards and ignored. Assessment means recognising the high risk Major Hazards and those carrying medium risk but with widespread consequences, such as food and water contamination. The assessment process is sup-

From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Tuesday, 12 May 2020 8:47:47 PM
Attachments: [submission-rubyprincess-inquiry-Apr2020.docx](#)



First name

[REDACTED]

Surname

[REDACTED]

Email address

[REDACTED]

Phone number

[REDACTED]

Preferred means of contact

Email

What is your submission based on?

Other

What would you like to tell the Commission?

Recently, I wrote a short paper setting out areas in critical need of national economic reform as we emerge from the coronavirus pandemic. I am enclosing an excerpt from that paper (which as I understand it is being discussed in the Party Room). One of the issues in my paper deals with 'Redressing the Malaise in the Maritime Tourism Industry' and whilst generic to norovirus issues, it does, I feel, contain many cruise-ship matters relevant to your Inquiry. There are 6 major conclusions reached, but of particular interest, the suggestions to (a) delimit the elderly passenger age cohort on cruise ships and (b) to appoint and utilise 4 ship's marshals onboard ship as Australian Government representatives may be worthy of consideration. In any case, I recommend each of the 6 conclusions for your consideration.

[REDACTED]

B. Econ (Qld), B. Eng (Civ)

Attachment 1

submission-rubyprincess-inquiry-Apr2020.docx - [Download File](#)

Attachment 2

Attachment 3

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published?

(c) Redress the malaise in the Maritime Tourism industry:

The cruise industry has become a scapegoat recently and with very good reason. Even before NSW Police Commissioner's enquiry reaches its conclusions, several facts have been evident for a long time beforehand. (1) the industry thrives on the fact that it is bound by 2 jurisdictions – international law on the high seas and domestic law within territorial waters (2) if a cruise ship leaves a domestic port in Australia with predominantly Australian tourists, it should be subject to enforceable Australian law whilst in territorial waters or under pilotage which need enforcement in territorial waters at sea not at disembarkation. (3) in terms of public health and safety, most cruise vessels are floating time bombs.

Dealing with (3), turnaround time and logistics of servicing in port remain the most critical cost variables that the cruise line must meet under its economic constraints but in the course of this, passenger safety is greatly compromised. Here's an anecdotal, real life account of dialogue with a senior mate of mine from Customs and Immigration. 'hey xxx, we're coming into port with a huge swag of norovirus cases, doesn't this have to be reported to and cleared by the State's Medical Officer? *'Mate, we've set this limit arbitrarily at 5% of the ship's complement - do you think more than 5% are affected?'* – 'No, xxx, the sneaky beggars here are confining norovirus sufferers to their cabins in lockdown but because one of the symptoms is gastro, they're defining all new cases of norovirus as 'possible' food poisoning to stay under the 5% limit in proximity to the port.'

Now, this particular vessel berthed at 6.30 am with priority suite (first class) passengers offered a (later) 10.30 am disembarkation time - embarkation time for first tranche of new boarding passengers was 2.00pm that day with ship departure time set for 5.30pm. This would be more or less an average time schedule in most Australian ports. This leaves a minimum of 3.5 hours to a maximum of 7.5 hours (approx.) for vessel sanitizing by ship's personnel. Apart from surface contact, norovirus is known to infect ventilation systems (along with Legionnaires as well). Port authorities were, to the best of the writer's knowledge, never notified of the onboard infections. Comment: the ship's medical people appear to be overly influenced by the ship's Captain's requirements regarding port clearing times and schedules. Recruiting ship's junior medical officers from random medical schools throughout the world is not always best practice. CV's of medical staff including year of graduation should be made freely available to all passengers upon boarding (included as handouts with the lifeboat drill). Healthcare providers should be required to provide full cost recovery for affected fund members on the high seas. Of course, costly insurance cover can also be taken out, prior to departure. Secondly, there was inadequate time for fumigation and disinfecting of this ship's 1500 odd cabins including ventilation systems (a new term here may be 'forensic cleansing'). Port turnaround times must be extended – certainly, at least, to the following day if infection is known to exist within a defined vessel. One solution that is relatively simple – appoint 2 appropriately qualified Commonwealth ship's marshals to each departing cruise responsible for independent assessment of all health and safety issues as well as 2 security marshals for observation/reporting incidents on the high seas (mysterious man overboard at night incidents, drug usage, assault incidents) – all with powers to act/observe independently of cruise personnel who are bound by company strictures. The cruise ship company should have to bear the costs of these personnel on all cruises leaving Australian ports with predominantly Australian passengers.

Passenger age cohorts are another area of grave concern. A disproportionate number of aged passengers are being allowed to travel on cruise ships. A histogram of age cohorts would show this disparity from the normal population distribution. Clearly, older people enjoy cruise travel and have a right to do so. But many of these people require mobility scooters or walking frames. If there ever

is a need to get to the lifeboats quickly in an emergency, these particular folk will block access doors or corridors (whilst still expecting or demanding priority attention from already over-stretched crew members). This is not a litany against aged travelers merely a call for the Federal Govt to limit numbers - often in the face of cruise ship profitability. This call is for passenger safety and should prevail with finite limits to be set by cruise lines for incapacitated/infirm passenger intakes. A classic example of this requirement is given by the following anecdotal account. A cruise to the Polynesian islands includes a visit to a popular snorkelling/dive-site island after dispatch by tender vessel to the cruise company's private jetty on the island. To a former offshore yachtie, there appears to be a 5 - 10 knot (at best) breeze blowing. Over breakfast, the cruise director advises that due to 'technical reasons' the vessel would not be anchoring off this destination but proceeding on to an alternative port over 2 days sailing away. Although the ship's tenders berth on the leeward side of the vessel, it was understood that the 'technical reason' was a possible forecast increase to 20 knot breezes which were deemed as too rough for assisted passenger's embarking and enjoyment and hence, an alternative venue announced. This is an indication of the sway this particular (minority) segment exercises over cruise planning and why there is a need to moderate intake to optimum levels that the cruise company can cope with in an emergency, whether medical or technical.

In conclusion, 6 issues need addressing:

- (1) cruise companies must allow greater sanitization times in ports (or appoint specialist cleaning contractors to meet shorter turnaround times); and
- (2) ship's medicos need greater autonomy in health and safety matters plus stringent control of their current qualifications to appropriate Australian standards; and
- (3) greater disclosure of healthcare fund coverage to Oz travellers going overseas
- (4) give consideration to the appointment of 4 x ABF ship's marshals onboard for the specific roles as outlined above; and
- (5) delimit cruise travel by aged passengers to levels consistent with passenger safety levels; and
- (6) A maritime code of conduct regarding public health and safety needs to be established for all cruise ships traversing territorial waters and domestic ports in Australia – this code could include provision for the timely submission of independent, in-situ observer reports by ship's marshals.

From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Monday, 18 May 2020 10:46:24 PM



First name [REDACTED]

Surname [REDACTED]

Email address [REDACTED]

Phone number [REDACTED]

Preferred means of contact Email

What is your submission based on? Other

What would you like to tell the Commission? I would like to make a few quick observations regarding the disembarkation of the Ruby Princess on 19 Mar 2020. I was surprised on seeing the television news reporting showing the disembarkation, clearly the passengers were not complying with the NSW social distancing guidance. Indeed, seeing the bottleneck of passengers onshore, I commented to a friend at the time, that the process looked like the unloading of live sheep, or cattle from a livestock carrier.

In my opinion there were two reasons for this crowding, first the failure of the ships purser to disembark in a safe manner, with clear instructions to passengers that they would be disembarking in groups, to wait in their cabins until called forward, and that they must apply social distancing at all times. Just as the chief steward on an aircraft tries to manage the boarding and disembarkation from an airliner. The purser should have then managed the disembarkation in coordination with the Australian Border Force, to ensure a smooth continuous flow of passengers without onshore congestion that may increase the risk to passengers.

Second, the Australian Border Force applied insufficient resources to manage the disembarkation and immigration process, in a safe efficient manner which would maintain social distance, thereby minimising potential virus spread. The ABF also failed

to coordinate and manage the passengers social distance onshore effectively. Passengers standing shoulder to shoulder, as seen on TV, would have increased the risk of transmission exponentially. Indeed how many subsequent COVID-19 cases occurred solely because of virus transmission from asymptomatic passengers, during this disembarkation and immigration processing?

Mistakes were made by NSW Health. However, I believe that the intervention of the Commissioner of the Australian Border Force and the Secretary of the Department of Holme Affairs in the Ruby Princess matter, has not been fair, or balanced, when the points I have made are considered. Finally, if the social distance guidance had been applied by the passengers, the COVID-19 toll from the Ruby Princess may have been less.

Hopefully, in the future appropriate processes at both air and sea terminals are implemented as routine measures.

For your consideration.

Attachment 1

Attachment 2

Attachment 3

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From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Thursday, 21 May 2020 8:37:29 AM



First name [REDACTED]

Surname [REDACTED]

Email address [REDACTED]

Phone number [REDACTED]

Preferred means of contact Email

What is your submission based on? Other

What would you like to tell the Commission? Hello

I don't believe that much has been made of the stock level of swabs - the doctor was given a box of 25 swabs for approximately 3700 people so for 0.67% of the people on the vessel. Did lack of COVID tests influence the doctor on the number of patients she would have swabbed if she had access to 10 boxes? If more swabs were available - more suspected cases might have been recorded and the ship reached the 1% "trigger" point earlier? How many swabs did NSW health have available when it left 1 box with the doctor?

Also after Mr Mifsud's evidence, did the staff he supervised, involved in the disembarkment of the passengers - Did they wear PPE? There has been much made about the pilot and what he knew and the Port Authority etc but did Mr Mifsud protect his staff??

Any way thoughts of a citizen watching with interest from Victoria with a curious mind.

Regards

[REDACTED]

Attachment 1

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To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Thursday, 21 May 2020 9:39:34 AM
Attachments: [Covid-19-and-Australias-universities.docx](#)



First name Paul

Surname Evans

Email address [REDACTED]

Phone number [REDACTED]

Preferred means of contact Email

What is your submission based on? Other

What would you like to tell the Commission? I believe the enquiry should consider the indirect role of Australia's educational institutions, especially several major universities, in the spread of the virus.

Quite simply, many of the customer service crew (as opposed to staff) on cruise ships such as the Ruby Princess were from countries such as Indonesia and the Philippines. The rate of infection amongst this crew was much higher than normal for these countries, especially early on in the outbreak. Large numbers of these staff flew regularly to and from their ships as their contracts expired and, more importantly, commenced. While travelling, there was an intermingling of these staff at high risk sites such as airports, flights and motels, with high risk students from China who were travelling there on the recommendation, even financial assistance, of Australia's universities in order to avoid Australia's quarantine laws. This meant that the risk of customer contact staff on cruise ships being infected was much higher in the early days of the pandemic.

I have attached a precise of this event.

I do believe that this is an issue that warrants further investigation.

Attachment 1 Covid-19-and-Australias-universities.docx - [Download File](#)

Attachment 2

Attachment 3

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Covid-19 and Australia's Universities The Super Spreaders

2nd March 2020 was the crucial date for the pandemic in South East Asia and the United States. In countries such as Thailand the number of infected began to explode. A few days later the United States began the same exponential growth in its citizens infected and dying from this virus. What made the 2nd March so important to the spread of the virus was one little known fact: It was the start of the first semester for the University of Melbourne who, along with other Australian universities, were facing a fiscal crisis due to a massive loss of income from students from China.

The income from overseas students has fueled substantial growth in Australia's tertiary education sector, which is very large for a country with a population less than Texas. It is estimated that one fifth of Sydney University's income is derived from tuition and accommodation charges on overseas students. China alone supplies over 100,000 students. Yet, what does this date and Australian universities' funding problems have to do with the pandemic?

You just need to go back four weeks earlier, to the 1st February 2020. On that day the Australian Prime Minister announced that foreign nationals 'who have been in mainland China will not be allowed to enter Australia for fourteen days after they left.' That one announcement left Australia's universities facing financial ruin should the Chinese students not show up. Sadly, and to Australia's great shame, it also left a loophole for the universities to exploit.

The loophole was that a student could go to a third country, wait out the fourteen days, and then travel onto Australia. The question for the universities was how to exploit the loophole. It is unclear when they started providing advice to students from China about the loophole, nor when they actively started promoting travelling to another country, but it clearly wasn't getting through quickly enough.

One of the first Australian universities to come up with a novel method of increasing the flow of students from China to a third country was the University of Adelaide, who offered a \$AUD2,000 grant to cover their expenses of having to stay in a third country for two weeks. Numerous universities followed suit, including the University of Western Sydney (\$AUD1,500), the Australian National University (\$AUD5,000) and a whopping \$AUD7,500 by the University of Melbourne. These were grants, not loans, with an incredibly broad criteria. As an example, the University of Melbourne's stated 'The Student support grants are to help with unanticipated expenses incurred as a result of the travel restrictions related to COVID-19 and to help students transition to or to return to study at the University of Melbourne.'

It worked. Statistics obtained from Australia's Department of Home Affairs showed that 31,196 students from China arrived from mid-February after spending fourteen days in a third country. Many of these students went to countries such as Thailand and Indonesia (especially Bali). Sadly, and to Australia's great shame, it had effectively outsourced the quarantining and treatment of potentially infected persons to countries with much weaker health care systems. Its universities were even paying for Chinese students to go to these countries. As usual, not everybody did the right thing. There were reports of Chinese students using social media to advise fellow travelers as to how to get past the screening if they had a fever.

Obviously, this is a tragedy for those countries, but surely not the rest of the world. This is where the age factor comes into play. Firstly, the very countries that hosted these students from China were also the holiday Meccas for young adults fleeing winter in the northern hemisphere. If the Chinese students were self-quarantining themselves it wouldn't matter but, once again from social media, there is plenty of evidence that some, if not most, were out partying and enjoying life as a young tourist. Australia's universities, without any form of acquittal to ensure they self-quarantined, effectively subsidized their holiday and enabled the spread of the infection.

Amongst all this frolicking another factor came into play, namely that this is a disease heavily influenced by age. Young adults can get very sick, even die, but they do so at a much lower rate than older persons. Equally, you are more likely to be asymptomatic, or only have mild symptoms, if you are young. The wealthy, and not so wealthy, youth of the United States and Europe spent the end of winter with their thirty thousand counterparts from China. How many were infected but returned to their home countries showing no, or very mild symptoms, will never be known, but those that returned home or resumed their travels at the end of February were all a risk to others around them.

In late February, short term holiday-makers from around the world who had interacted with these Chinese students, even if it was just by going to the same nightclub, started returning home or continuing their back-packing trips around the world. Infection rates started their inexorable climb.

Australia, in a round-about-way, even provides evidence to suggest that travel from these areas are a prime source of infection. A major virus hotspot in New South Wales, its hardest hit state, is the famous Bondi Beach area. It is the holiday destination of tourists and backpackers from around the world.

Secondly, another age factor came into play. A significant number of cruise ship crew, especially in catering and room staff, come from south east Asia. The Holland America line even has crew training facilities in Indonesia and there are other training facilities in the Philippines. Both countries have large populations, so the actual risk of any individual within these countries being infected was relatively low. However, with about a thousand students from China flowing through airports around the world the risk to travelers concentrated in their over-crowded airports was high. It was through these airports that cruise ship crews transited to take up any of the hundreds of contracts needing to be filled, not just on cruise ships in the western Pacific, but across the world. In our region Carnival is corporately tied to the Holland America line, as is Princess Cruises, owner of the infamous Ruby Princess. Anybody who has travelled on their ships that are based in Australia can confirm that Carnival's hospitality staff are overwhelmingly from south east Asia.

Overlooked is that, thanks to domestic quarantining, most cases so far were from Australian residents who had travelled overseas. Students from China were insignificant amongst those infected. Instead, it was the holiday-makers who caught the virus, having visited the same ports and destinations that those Chinese students had stayed at to wait out the fourteen day quarantine, while many of the crew on board had risked infection while transiting to the ships. Too many of the ship's elderly passengers have since died.

On 2nd March 2020 the first semester of the University of Melbourne's began. Within a month it, along with every other university, were essentially ghost campuses with all classes going online as the virus took hold in the community. One, the University of Tasmania, is even cancelling three-quarters of its courses.

We will probably never know the true impact of the deliberate decision made by Australia's universities to behave in such an imperious and inhumane manner. Certainly, the scions of China's wealthy elite will never be held accountable, nor without a world-wide system that tested all new arrivals from south east Asia can we ever be clear as to how many backpackers and holidaymakers returned carrying the virus, only to release it into the community in early to mid-March. Now it is too late to do anything except count the toll.

All I can do, as an Australian, is offer my sincere apologies to the world to the loathsome and despicable behavior of our academic elite, an elite that I fear will never be held accountable.

*Please note that the above quotes come from the media releases of the Prime Minister and of the University of Melbourne. The statistics were obtained by Phoebe Loomes for an article dated 13 March 2020 for news.com.au

The details on the University of Adelaide were widely reported in the press. Sadly, they have buried the original funding announcing financial assistance to students from China and it cannot be found on their website.

From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Monday, 25 May 2020 4:31:02 PM



First name	Frances
Surname	McMahon
Email address	[REDACTED]
Phone number	[REDACTED]
Preferred means of contact	Email
What is your submission based on?	Other
What would you like to tell the Commission?	<p>There was a complete failure to enforce the COVID - 19 protocols of distancing that were already in place for everyone in NSW at the time the Ruby Princess docked on the passengers alighting from the Ruby Princess. Neither the Department of Health, the Port Authority, Border Force nor the Airport Authorities put any safety protocols in place as people passed through terminals.</p> <p>When people alighted from the Ruby Princess those travelling to other states were taken to the airport in crowded buses and there herded into exceedingly long lines with other airline passengers going to destinations all over Australia and at the International airport, going all over the world. The lines at the Domestic Terminal snaked round and round and it took people in them up to two hours to reach check in to get processed for their flights. People who wanted to social distance did not have the ability to do that. My brother and sister-in-law were checking in for a Virgin flight to Albury and were wedged between a lady from Caboolture, who had been a passenger on the Ruby Princess and I believe has since passed away from COVID-19, and some people from the US who had also been on the Ruby Princess. They emailed me a photo of the line after they had been in it for over an hour. I have attached it but it really does not convey the crowding of the Ruby Princess passengers at the airport.</p> <p>A couple of days later my sister-in-law developed a sore throat and cough. She could not get tested for</p>

COVID – 19 at the week end and by Monday was too sick to go and stand in a line with other people who required testing. She self isolated for a month until she felt better.

Staff at the airport had no protective clothing or screens.

The NSW website says that there was temperature testing at the International airport for passengers coming in from overseas from February but very very few people passing through were tested until after the uproar over the Ruby Princess.

People who would be going into self quarantine when they got home were not advised to take precautions against spreading COVID-19 on the way by social distancing and by using hand sanitizer and masks. Many had to make long trips by plane, train and bus, where they were packed in with other passengers, and had to buy provisions for quarantine before getting home, putting a large number of contacts at risk.

Attachment 1



Attachment 2

Attachment 3

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From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Tuesday, 26 May 2020 12:26:23 PM
Attachments: [Submission-Bruce-Lawrence-Ruby-Princess-Inquiry.pdf](#)



First name Bruce

Surname Lawrence

Email address [REDACTED]

Phone number [REDACTED]

Preferred means of contact Email

What is your submission based on? Other

What would you like to tell the Commission? Please refer to attachment

Attachment 1 Submission-Bruce-Lawrence-Ruby-Princess-Inquiry.pdf - [Download File](#)

Attachment 2

Attachment 3

Do you agree to your submission being published? I agree to my submission being published in my name

The Hon. Gladys Berejiklian MP
GPO Box 5341
SYDNEY NSW 2001

Dear Premier,

My Mother (Karla Lake) was a passenger aboard the Ruby Princess who died from Covid-19 after disembarking the ship on the 19th March. The rapid chain events leading up to her passing along with the constant reminder of her being a Ruby Princess statistic have been harrowing for my family. Our Step-father Graeme also caught Covid-19 on the same voyage which was to celebrate Mum's 75th birthday.

As a family we are heartbroken and as the mourning passes we are angered by the thought that Mum's death along with the many others that have also died or been affected by the virus they caught from this cruise ship could have been prevented.

I am calling for your government to:

- Sponsor a 3rd inquiry focusing on the disembarkation of passengers leaving the Ruby Princess in Sydney on 8th March (voyage before Mum and Graeme's);
- Task this 3rd inquiry with the tracing of passengers from that voyage to the same extent as the enquiries focusing on passengers disembarking on the 19th March in Sydney; and
- Enforce a moratorium on the cruise liner industry in Australia until these three formal investigations identify the causal factors around these incidents along with implementing and demonstrating of changes to prevent further tragedies like this. This would include but not be limited to:
 - Investigation into the risk assessment process, workings and approvals that concluded that the 8th March Ruby Princess voyage was deemed safe to board new passengers even though it was apparently deemed a Medium health risk; and
 - Investigation into the risk assessment process, workings and approvals that concluded that the 19th March voyage was deemed safe to disembark passengers.

I understand that nothing can be done to bring Mum back. I also understand that poor systems and processes have lined up their weakness to create a tragic chain of events that should never have happened.

I strongly urge your Government to act in changing the standards around Health and Safety for the cruise industry in Australia.

Yours sincerely,

Bruce Lawrence



From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Friday, 29 May 2020 4:13:58 PM
Attachments: [200529-MIAL-Submission-Ruby-Princess-Inquiry.pdf](#)
[200529-MIAL-Submission-Ruby-Princess-Inquiry-excl.-Annex-B.pdf](#)



First name Teresa

Surname Lloyd

Email address

Phone number

Preferred means of contact Email

What is your submission based on? Other

What would you like to tell the Commission? We would like to provide the Commission with an insight into the situation of the Australian Maritime Industry at the time of the Ruby Princess event.

Attachment 1 200529-MIAL-Submission-Ruby-Princess-Inquiry.pdf - [Download File](#)

[Redacted]

[Redacted]

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Special Commission of Inquiry into Ruby Princess

MIAL Contact: Teresa Lloyd, CEO



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About MIAL

This submission is made on behalf of Maritime Industry Australia Ltd (MIAL). MIAL is the voice and advocate for the Australian maritime industry. MIAL is at the centre of industry transformation; coordinating and unifying the industry and providing a cohesive voice for change.

MIAL's vision is for a strong, thriving and sustainable maritime enterprise in the region.

MIAL represents companies based in Australia which own or operate a diverse range of maritime assets from international and domestic trading ships; floating production storage and offloading units; cruise ships; offshore oil and gas support vessels; domestic towage and salvage tugs; scientific research vessels; dredges; workboats; construction and utility vessels and ferries.

MIAL also represents employers of Australian and international maritime labour and operators of vessels under Australian and foreign flags.

MIAL represents the collective interests of maritime businesses, primarily those operating floating assets from Australia.

MIAL is uniquely positioned to provide dedicated maritime expertise and advice, and is driven to promote a sustainable, vibrant and competitive Australian maritime industry and to expand the maritime enterprise in the region.

Carnival Australia is a member of MIAL.

Introduction

Throughout the COVID-19 event MIAL's role has can be summarised as gaining information, distilling the salient points, understanding how various regulations/directions/orders operate and impacts our members, seeking clarification and influencing amendments and communicating this as clearly as possible to our Members.

This is necessary across the broadest range of jurisdictions possible – international, national, state-by-state and, in some cases port by port. The departments involved at both Federal and State levels included infrastructure/transport, agriculture, health, Australian Border Force and State Police.

The volume of 'directions', 'orders' and other regulatory tools enacted, often under State of Emergency powers, is something far outside of anything the industry has encountered in decades (perhaps since WWII or before).

This work continues to this day as requirements continue to change regularly.

MIAL undertook our communication with our Members via, what has become, a running record of information that has been circulated to our Membership since 4 February which shows the evolution of the event as it affects the maritime industry.

That record includes the period of interest to this inquiry, 8 – 19 March and of course periods both before and after those dates.

The contents of this record may be of interest to the inquiry as they provide context of the environment shipowners were operating in at the time of the Ruby Princess cruise which is the subject of this inquiry.

Such information is relevant to several of the Terms of Reference for this inquiry, which are included at Annex A for completeness.

MIAL is pleased to make available the entire running record to the Commission for the purposes of gaining an insight into the prevailing climate around the time of the Ruby Princess voyage 8 – 19 March. We have included an extract of the record covering this period at Annex B.

[Overview of COVID-19 and the Australian Maritime Industry](#)

MIAL's activity on the COVID issue began on 3 February and our first update to Members took place the following day, 4 February.

The cornerstone of MIAL's communication with most Government departments and agencies has been via the National Maritime Teleconference – a group initiated on 3 February by the Secretary of the Federal Department of Infrastructure. This initial meeting was rather small, including other industry peak industry bodies, and federal departments of Infrastructure, ABF, Health and Agriculture. The group rapidly grew to include representatives from a range of State Government departments such as Infrastructure/Transport, Health, Development/Growth; a range of individual ports; some local councils; Australian Maritime Safety Authority and maritime unions. Meeting frequency has varied over the course of the pandemic between weekly to twice weekly.

MIAL has also undertaken a considerable amount of bi-lateral dialogue with States/NT/specific ports as issues have required liaison with individual jurisdictions.

The updates MIAL provided to Members show that almost immediately there was confusion as inaccurate advice was circulating regarding Australian Border Force requirements. They also show that the Port Authority of NSW (PANSW) had issued a notice outlining requirements that were inconsistent with the ABF requirements (concerning people from mainland China on or after 1 February needing to quarantine for 14 days before being permitted entry to Australia) by make the PANSW requirements active pre 1 February.

The MIAL record shows that during these 'early days' the focus of advice and activity was on understanding the impact on vessels calling at Australian ports and increasingly on the longer-term issues vessels would face as a result of disturbance and disruption to services supporting the shipping industry in Asia. Requirements being put in place around the country for the maritime sector were disparate, inconsistent and more stringent than the ABF requirements and a focus for MIAL during this time was to seek consistency in the arrangements in place in all ports around the country.

On the 12 March, MIAL reported to members that the WHO had declared COVID-19 to be a pandemic during the past 24 hours. Industry specific advice for the commercial sector and cruise sector was released.

The issues for the Australian maritime sector during this time included identifying and understanding State by State and, in some cases, port-by-port requirements, federal requirements, international requirements and industry requirements. Issues ranged from those associated with the vessels themselves and increasingly about how people involved in the operation of the vessel would be able to move to and from; and on and off vessels. The issues associated with the movement of people on and around ships really escalated once border closures began on 16 March.

Issues Australian operators were considering and finding answers to due to COVID-19 included (in no particular order):

1. Development of COVID-19 Management Plans
2. International Convention compliance issues:
 - a. Ballast Water System installation and compliance (due to Asian shipyard closures)
 - b. Sulphur fuel cap compliance (due to Asian shipyard closures)
 - c. Ship sanitation certificate renewals (on board inspection required)
 - d. Ship survey certificate renewals (on board inspection required)
 - e. Renewal of Certificates of Competency for crew (crew unable to crew change)
 - f. Renewal of Passports for crew (for crew unable to crew change)
 - g. Extension of contracts of employment for crew (ILO dictates maximum term)
3. Protocols for all essential shore based persons to board vessels (ship/shore interface)
4. Renewal of Maritime Security ID Cards for crew (requiring face to face interview)
5. Provision of adequate and appropriate PPE
6. Provision of adequate and appropriate medical supplies on board
7. Individual jurisdiction or port requirements for vessel operations
8. Individual jurisdiction requirements for movement of people
9. Requirements of vessel client to be complied with
10. Visa implications for crew
11. Quarantine requirements for crew
12. Mental health and wellbeing programs for crew specific to COVID situation
13. Relocation of workforce
14. Rearrangement of work rosters
15. Risk assessments of safety impact of extended rosters and time in quarantine
16. Travel arrangements for crew – lack of flights; border closures
17. Accommodation for crew where immediate repatriation not possible (both at disembarkation and during transit)
18. Instituting work from home arrangements
19. Understanding and dealing with financial impacts

Sudden escalation in domestic response and restrictions in maritime activity

Activity began to increase around the 16 March and the pace of change ramped up significantly in the days thereafter as both national and state border closures began to take effect.

On 26 March MIAL was finally able to provide a consolidated table of requirements across all jurisdictions for use by our Members. MIAL has made this “Australian COVID-19 Border Closures Table” freely available via our website to ensure everyone with an interest in the Australian maritime sector has the best advice possible during this complex period. The current version (it updates very regularly) is available [here](#).

Up until that time determining what requirements applied in any particular jurisdiction was an incredibly difficult and time consuming exercise. It is difficult to adequately describe the quantum of the task that was required to follow and understand what was happening at the time. To provide some idea of the size of the task, MIAL had three senior staff, with combined experience at MIAL of 42 years, dedicated full time to understanding Australian COVID-19 requirements.

By the time we were able to provide a consolidated table of requirements across all jurisdictions, the cruise industry was subject to separate directions.

ANNEX A -Terms of Reference

The terms of reference of the inquiry include:

- The knowledge, decisions and actions of Ruby Princess crew, medical staff and the ship operator, Princess Cruises, with respect to cases or potential cases of respiratory infections on the ship.
- The information provided to, communications between, and decisions and actions of Commonwealth and NSW agencies, including the Australian Border Force, the Federal Department of Agriculture, Water and the Environment, NSW Health, the NSW Police Force, NSW Ambulance and the Port Authority of NSW.
- Policies and protocols applied by Princess Cruises and Commonwealth and NSW Government agencies with respect to managing suspected or potential COVID-19 cases.
- Communications by Commonwealth and NSW Government agencies to passengers disembarking the Ruby Princess.
- Any other related matters that the Commissioner considers appropriate.

In conducting the Inquiry, the Commissioner is to have regard to the global COVID-19 pandemic and:

- the departure from Sydney of the Ruby Princess on 8 March 2020;
- the voyage of the Ruby Princess between 8 March and 19 March 2020;
- the docking and disembarkation of the Ruby Princess at Sydney on 19 March 2020; and
- subsequent efforts to diagnose and treat, and to contain the community transmission of COVID-19 by, Ruby Princess passengers.

From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Friday, 29 May 2020 5:32:09 PM
Attachments: [nswhealthflights.png](#)



First name Richard

Surname Davey

Email address [REDACTED]

Phone number [REDACTED]

Preferred means of contact Phone

What is your submission based on? Other

What would you like to tell the Commission? Submission to the Special Commission of Inquiry into Ruby Princess.
(About the writer,
I have been a stakeholder in the cruise industry as a harbourside resident, a travel agent, a tourism retailer and as General Sales Agent, Australia & New Zealand for the first residential vessel The World, and currently involved in the next residential vessel due to enter service in 2024. I have previously made submissions to other state government hearings including the IPART hearings into the cruise industry usage of infrastructure and related charges, the White Bay steering committee and the Collins Report on cruise infrastructure.)
Dear Commissioner and Counsel Assisting,
It is my understanding that approximately 1,000 passengers who boarded Ruby Princess in Sydney on 8th March of this year had travelled from their home countries in North America and Europe. Such a nationality mix is quite normal for a cruise in the Australia and New Zealand region operated by Princess Cruises. They have been operating in this region since the 1970's. I have had the opportunity to observe these operations at close quarters on regular occasions over the years. It would be typical that an overwhelming majority of these inbound cruise tourists to arrive in Australia no earlier than a few days prior to the commencement (embarkation) of the cruise. Some may even arrive aboard long haul flights on the

morning of the day the cruise departs. Others may arrive, say 2 days in advance and elect to stay at a hotel in Sydney's CBD as part of a group organised by Princess Cruises and/or participate in a pre-cruise tour to Australian destinations such as Alice Springs or Cairns. They may also make independent arrangements. Time constraints mean that the vast majority arrive in Australia by air (usually into Sydney). On 8th March, and in the preceding days, there were numerous flights arriving into Sydney from overseas which NSW Health's website lists to have had passengers onboard who were found to have cases of Covid-19. This list includes flights on which passengers joining Ruby Princess could well have arrived. Other passengers may have arrived via other airports like Brisbane, Melbourne, Adelaide or Perth. With much effort having been spent to track the cases among those who disembarked Ruby Princess on her return as well as attributing subsequent community transmissions back to Ruby Princess, has there been any effort to identify which passengers who boarded on 8th March may have arrived aboard an aircraft known to have been infected?

Would it have been fair for Princess Cruises to have assumed that incoming international arrivals were being scrutinised at the airport(s) to a level that could be relied upon to eliminate them being considered a risk?

With around only 40 cases of Covid-19 having been known to exist in NSW on the 8th March, and less than 80 in all of Australia, coupled with the fact that Ruby Princess had not been outside the immediate region of Australia, New Zealand and South Pacific since October 2019, it would seem fair to assume that the identification of passengers who may have arrived aboard flights known to have been infected would be of great benefit in gaining a more complete understanding of how the outbreak came to develop. It should be possible for Border Force incoming passenger records and Ruby Princess' manifest to be cross-checked.

Yours Sincerely

Richard Davey

(attachment 1 = screenshot of list of infected flights from NSW Health Website)

Attachment 1 nswhealthflights.png - [Download File](#)

Attachment 2

Attachment 3

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published?

TR2	Scot	Singapore/Sydney	9 March 2020	9 March 2020	1, 2, 3, 4
EK414	Emirates	Dubai/Sydney	7 March 2020	8 March 2020	5, 6, 7, 8, 9, 11, 12, 14, 15, 16 45, 46, 47, 48, 49 58, 59, 60, 61, 62
EK414	Emirates	Dubai/Sydney	8 March 2020	8 March 2020	6, 7, 8, 9 11, 12, 13, 14, 15, 16 45, 46, 47, 48, 49 58, 59, 60, 61, 62
HA41	Hawaiian Airlines	Honolulu/Sydney	7 March 2020	8 March 2020	18, 19, 20, 21, 22
MH123	Malaysian Airlines	Kuala Lumpur/Sydney	7 March 2020	8 March 2020	12, 14, 15, 16, 17
QF8414	Qantas	Dubai/Sydney	8 March 2020	8 March 2020	45, 46, 47, 48, 49
CX101	Cathay Pacific	Hong Kong/Sydney	6 March 2020	7 March 2020	29, 30, 31, 32, 33
EK412	Emirates	Dubai/Sydney	6 March 2020	7 March 2020	1, 2, 3
QF8412					
EK414	Emirates	Dubai/Sydney	7 March 2020	7 March 2020	63, 64, 65, 66, 67, 68, 69, 70, 71, 72
EY450	Etihad	Abu Dhabi/Sydney	5 March 2020	6 March 2020	42, 43, 44, 45, 46
SQ221	Singapore	Singapore/Sydney	5 March 2020	6 March 2020	19, 20, 21, 22, 23, 24
5J39	Cebu Pacific	Manila/Sydney	4 March 2020	5 March 2020	37, 38, 39, 40, 41
BA15	British Airways	London/Sydney (via Singapore)	3 March 2020	5 March 2020	22, 23, 24, 25, 26
KE121	Korean Air	Incheon Korea/Sydney	4 March 2020	5 March 2020	50, 51, 52, 53, 54
5J39	Cebu Pacific	Philippines/Sydney	2 March 2020	3 March 2020	22, 23, 24, 25, 26
QF74	Qantas	San Francisco/Sydney	29 February 2020	2 March 2020	44, 45, 46, 47, 48
QR908	Qatar Airlines	Doha/Sydney	2 March 2020	2 March 2020	49, 50, 51, 52, 53
SQ221	Singapore Airlines	Singapore/Sydney	1 March 2020	2 March 2020	91, 92, 93, 94, 95
SQ231	Singapore Airlines	Singapore/Sydney	2 March 2020	2 March 2020	31-41
SQ414	Singapore Airlines	Singapore/Sydney	2 March 2020	2 March 2020	42, 43, 44, 45, 46, 47

From: no-reply@dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Friday, 29 May 2020 5:45:40 PM
Attachments: [FAAA-NSW-Ruby-Princess-Special-Inquiry-Submission.pdf](#)



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Preferred means of contact Email

What is your submission based on? Other

What would you like to tell the Commission? Please see attachment

Attachment 1 FAAA-NSW-Ruby-Princess-Special-Inquiry-Submission.pdf - [Download File](#)

Attachment 2

Attachment 3

Do you agree to your submission being published? I agree to my submission being published in my name

Bret Walker SC

NSW Special Commission of Inquiry into the

Ruby Princess

Submission of the Flights Attendants' Association

of Australia – International & Domestic Division



Organisation: Flight Attendants' Association of Australia
Address: Level 1, 20 Ewan Street, Mascot NSW 2020
Submitted by: Lou Nesci, Assistant Secretary-International
on behalf of the Secretaries of the
International and Domestic Divisions of the Flight Attendants'
Association of Australia
Email Address: info@faaa.net
Date: 29 May 2020

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COVID-19 as a notifiable incident under the WHS Act	8
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Introduction

1. The Flight Attendants' Association Australia (FAAA) consists of both International and Domestic divisions which represents over 5,000 Cabin Crew in the Australian Aviation Industry. The FAAA advocates for employment, Work Health & Safety and the regulations affecting the industry. Our members work for airline operators, including Qantas, Jetstar and Virgin. These operators fly both internationally and domestically. They also operate subsidiary smaller carriers that provide essential travel services to regional Australia.

Executive Summary

2. We assert members have been infected with COVID-19 due to exposure from Ruby Princess passengers and/or staff, whilst performing their inflight operational duties.
3. Our members have informed us that the flight they operated contained Ruby Princess passengers or staff. This assertion was supported by evidence provided to the FAAA by our cabin crew. Cabin crew had conversations with passengers directly, as well overhearing conversations on the flight or observing bags and/or bag tags.
4. A SafeWork NSW inspector issued an Improvement Notice to Qantas in relation to COVID-19 being a notifiable incident and their failure to notify the regulator. This was revoked after an internal review by SafeWork NSW. This matter has been referred to the NSW Industrial Relations Commission for an external review.
5. Qantas continues to promote 'low risk' or 'extremely low risk' in relation to the risk of COVID-19 on flights.¹ This is of great concern, when there is contrary medical advice about the risk of contracting COVID-19 on flights by other medical professionals.² For example, Professor Raina MacIntyre, a Virologist at the University of NSW, stated that being in an aircraft is 'high risk' because it is in an 'enclosed space'.³

¹ <<https://www.abc.net.au/news/2020-05-19/qantas-social-distancing-coronavirus-covid19-measures/12263242>>

² <<https://www.abc.net.au/news/2020-05-19/qantas-social-distancing-coronavirus-covid19-measures/12263242>>

³ <<https://www.abc.net.au/news/2020-05-19/qantas-social-distancing-coronavirus-covid19-measures/12263242>>

6. Any recommendation by the Inquiry must include government action to force appropriate Personal Protective Equipment (PPE) distribution to employees in the event that there is a severe risk to workers by COVID-19.
7. In this case, the World Health Organisation (WHO) declared a pandemic and then subsequently the Ruby Princess docked in Sydney. One would expect that an employer such as Qantas would assess the high risk potential for COVID-19 transference by passengers or crew travelling on flights after disembarking from the Ruby Princess.

Ruby Princess passengers or staff infected airline cabin crew

8. We assert that a number of cabin crew may have been exposed to the COVID-19 infection, which may have been spread from Ruby Princess passengers and/or staff to our cabin crew, which is unacceptable.
9. We know that some passengers who were travelling on these flights had disembarked from the Ruby Princess Cruise.
10. Specifically, brought to our attention were the flights below that had Ruby Princess passengers or crew on board (from observations by flight attendants or direct conversations):

Date	Flight	Comment
19 March	QF1	There were ruby princess passengers on board this flight
19 March	QF95	There were ruby princess passengers on board this flight
19 March	QF19	This was Sydney to Manila, flight attendants later reported having up to 18 cruise ship staff their flight returning to Manila. It is unknown if they subsequently tested positive.
19 March	QF581	Sydney to Perth flight

19 March	QF577	Sydney to Perth flight
19 March	QF759	Sydney to Adelaide flight
19 March	QF524	Sydney to Brisbane flight
19 March	QF495	Sydney to Melbourne flight
20 March	QF94	One of our members reported he had face to face discussions with Ruby Princess Passengers and/or staff on his flight to Los Angeles. He later tested positive for COVID-19 after returning home to Australia on the QF94
20 March	QF536	Sydney to Brisbane flight
20 March	QF528	Sydney to Brisbane flight
21 March	QF7	We are aware of the fact that Ruby Princess passengers were onboard
22 March	QF7	Four cabin crew members that were flying to Dallas tested positive upon their return

11. Despite Qantas being aware of the above, they did nothing in terms of preventative measures. Crew were permitted to return to their homes, which potentially increased the risk of transference to family members and the public as these crew were operating within close proximity to known COVID-19 carriers.
12. The number of members exposed are presently unknown. However, we are aware of at least 38 confirmed cases. We state this was exacerbated by the fact that Ruby Princess passengers or staff were allowed on board these flights. There were no preventive measures put in place. For example, proper use of Personal Protective Equipment (PPE) or notifications about the need to take extra precautions because of the incoming passengers or staff from the Ruby Princess.

13. Qantas medical have always maintained that the risk was low for exposure to the virus on board a Qantas aircraft. Qantas Chief Medical Officer, Dr Hosegood stated there is 'low risk of transmission on board' and the risk was 'extremely low'.⁴ This is contrasted with Professor Raina MacIntyre, a virologist that stated 'being in an aircraft is high risk' and when asked about HEPA filters and Qantas air-conditioning system, she stated that it depends on whether Qantas used recycled air or outside air and that recycled air was the riskier of the options.⁵
14. We submit that the commission should investigate what Qantas or all other airline management knew about suspected cases of COVID-19 from Ruby Princess passengers or staff.
- In particular:
- i) Were there any communication(s) from any Government agency to Qantas or other airline, about the risk of Ruby Princess disembarkation to Qantas or airline employees?
 - ii) If the answer is yes to i), then could airline management have made adequate precautions? (such as adequate use of PPE) for the incoming Ruby Princess passengers or staff that left the cruise ship.
15. We propose that these two questions need to be further examined and considered.

Ruby Princess FAAA Survey

16. We at the FAAA surveyed our membership to collect information regarding their observations (if any), in relation to Ruby Princess Passengers or staff on board the flights they worked on. This survey was prompted by members advising us that they interacted with Ruby Princess passengers or staff on their flights.
17. 44 of our members stated that they had Ruby Princess Passengers or staff on the flights. 33 Members indicated that they observed on their flight Cruise bags, bag tags or they overheard

⁴ < <https://www.abc.net.au/news/2020-05-19/qantas-social-distancing-coronavirus-covid19-measures/12263242> >

⁵ < <https://www.abc.net.au/news/2020-05-19/qantas-social-distancing-coronavirus-covid19-measures/12263242> >

passengers speaking about the Ruby Princess or the passengers spoke directly to our members about the cruise.

18. Our members indicated mixed responses of the use of PPE. The following observations were noted on the flights, 'crew wore gloves to collect rubbish only', 'mask and gloves' were worn, with others indicating gloves were worn, but a mask was only used in the terminal or there was no PPE use. We assert that there are inconsistencies in policy with regards to the use and provision of PPE.
19. There were highlighted observations from the in flight crew that there were 'Numerous' passengers who were 'unwell coughing and sneezing', while another stated that 'not one was wearing a mask'.
20. Another member recalled that a Ruby Princess passenger and/or staff, who was oblivious to the importance of social distancing requirements, at one point, came very close to the cabin crews face. This passenger said to the cabin crew, they 'had just come off the Ruby Princess Cruise Ship'.
21. A member stated to us that they tested positive for COVID-19, after working on a 19 March flight. On this flight the member had 'various conversations' with 'customers in the galley area'. Ruby Princess passengers or staff were on this flight in question.
22. The State and Commonwealth Government should have implemented legislative or executive measures that compelled the use of proper PPE upon the airlines, after the World Health Organisation declared COVID-19 a pandemic on 12 March.⁶ This may have mitigated the impact of Ruby Princess passengers or staff from infecting airline cabin crew.

⁶ < <http://www.euro.who.int/en/health-topics/health-emergencies/coronavirus-covid-19/news/news/2020/3/who-announces-covid-19-outbreak-a-pandemic>>.

COVID-19 as a notifiable incident under the WHS Act

23. We submit that the inquiry should investigate the conduct of SafeWork NSW in relation to the management of COVID-19 cases on flights, that were linked to Ruby Princess Passengers.
24. What is relevant is that COVID-19 must be a notifiable workplace incident.
25. Qantas was issued with an Improvement Notice (IN) by SafeWork NSW on 21 April 2020 for breach of non notification of COVID-19 incident.⁷ Some 38 Qantas International Flight Attendants have tested positive to COVID-19 in the course of their employment.
26. Qantas' response in the media to the IN was that '*this request by SafeWork NSW is bureaucracy gone mad*'.⁸ Qantas said it would add '*needless paperwork and effort, requiring exactly the same information to be provided to two separate departments in the same government when there is no requirement to do so*'.⁹
27. Qantas sought an internal review by SafeWork NSW and the IN was revoked.
28. HSRs and affected employees have sought an external review under s229 of the *Work, Health and Safety Act 2011* (NSW).
29. The FAAA wishes to ensure that a COVID-19 positive case at work is a notifiable incident in every state. This is a critical health issue for all members of our community. COVID-19 being a notifiable incident mitigates the chance of a repeat of the Ruby Princess incident.

⁷ See: <https://www.theaustralian.com.au/business/aviation/bureaucracy-gone-mad-qantas-hits-back-at-virus-slap/news-story/91dd588f8969e24d863ffbe98d4795ac>


⁸ <https://www.theaustralian.com.au/business/aviation/bureaucracy-gone-mad-qantas-hits-back-at-virus-slap/news-story/91dd588f8969e24d863ffbe98d4795ac>

⁹ <https://www.theaustralian.com.au/business/aviation/bureaucracy-gone-mad-qantas-hits-back-at-virus-slap/news-story/91dd588f8969e24d863ffbe98d4795ac>

Recommendations

30. If a NSW or Commonwealth Agency knew about a suspected COVID-19 cluster onboard the Ruby Princess, they should be compelled to inform other major transport operators, such as Qantas. It would be reasonable to assume that passengers or crew that disembark from the cruise may purchase domestic or international flights and then put cabin crew at risk;
31. Proper PPE must be mandatory on aircraft leaving NSW after a pandemic is declared by the World Health Organisation or there is a real risk to the health and safety of cabin crew;
32. Employers must adhere to WHS law(s) and notify the regulator of any suspected COVID-19 outbreak in the workplace. This also ensures a future Ruby Princess event is mitigated.

Regards,



Lou Nesci, Assistant Secretary-International

on behalf of the Secretaries of the

International and Domestic Divisions of the Flight Attendants' Association of Australia

From: no-reply@dpc.nsw.gov.au@mg2.dpc.nsw.gov.au on behalf of no-reply@dpc.nsw.gov.au
To: [Ruby Princess Submissions](#)
Subject: Ruby Princess web submission
Date: Saturday, 30 May 2020 9:03:10 AM



First name

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Email address

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Phone number

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Preferred means of contact

Email

What is your submission based on?

Other

What would you like to tell the Commission?

I would like to draw the Commission's attention to the article appearing this morning in the Guardian Australia newspaper.

<https://www.theguardian.com/australia-news/2020/may/30/drill-on-cruise-ship-pandemics-before-ruby-princess-debacle-found-authorities-communications-robust>

Some relevant quotes from the article:

"A report of the drill, released to parliament, concluded that "strong relationships with cruise lines have been established by both Agriculture and jurisdictional health" and cruise ships are "highly compliant with ill traveller procedures".

"Centre Alliance senator Rex Patrick, who obtained the report, said it was damning that multiple agencies had practised for a Ruby Princess scenario yet still created "an operational shambles" 10 months later" "The belated release of this report serves to underline the magnitude of the Ruby Princess failure," he told Guardian Australia."

"Patrick said the drill showed that the issues around the Ruby Princess, which are being examined in a NSW special commission of inquiry, had already been identified a year before the Covid-19 pandemic".

"Neither the NSW Port Authority nor Border Force

were involved in the May 2019 drill".

Attachment 1

Attachment 2

Attachment 3

Do you agree to your submission being published? I agree to my submission being published anonymously