

**Submission
No 5**

**INQUIRY INTO COVID-19 CLASSIFICATION OF THE
MINISTER FOR HEALTH**

Name: The Hon. Adam Marshall MP

Date Received: 24 November 2022

Hon. Greg Donnelly MLC
Chair, Legislative Council Portfolio Committee No. 2 – Health
Parliament House
Macquarie Street
SYDNEY NSW 2000

22 November 2022

Dear Mr Donnelly

INQUIRY INTO THE COVID CLASSIFICATION OF THE MINISTER FOR HEALTH

I write in response to your committee's invitation to give evidence as a witness at a public hearing of the abovementioned inquiry.

As much as I have sometimes missed appearing before Legislative Council committees during the last 12 months, I must respectfully decline your request on this occasion.

Acquiring COVID-19 last June, having been ineligible at the time to receive any vaccinations and causing the shut down of the Parliament during one of the busiest weeks of the year – Budget week, was an incredibly traumatic experience. This is to say nothing of how badly the virus impacted my physical and mental health during the following fortnight and beyond.

My memory of the time, now around 17 months ago, is nowhere near as complete or accurate as it would have been during my two contemporaneous interviews, totalling around three hours' duration, with the NSW Health contact tracing team. In those interviews, conducted almost immediately after my positive test result was confirmed, I detailed my minute-by-minute movements within the Parliament on Budget Day and who I interacted with.

Given the seriousness of COVID at the time and the implications of my COVID-positive status for the government, the leadership of the State and the Parliament, I trust there were copious detailed notes taken of my evidence and that those notes have been provided to the committee. There certainly should have been copious notes taken, especially give the vast number of people subsequently impacted by my positive status.

For the record, I give my consent for all records, written or audio, of my interviews with the NSW Health contact tracing team to be made available to your committee, for the purposes of this inquiry.

Having read the terms of reference for your inquiry, I'm obviously not in a position to assist the committee in relation to (a) or (b), however, in lieu of my not appearing, I offer the following to assist in relation to (c).

While I could easily speculate and offer evidence, on the balance of probability, as to other details from the day of my interactions with the Health Minister, I have only provided here what I can recall today with absolute certainty, given the passing of time and without the benefit of seeing the notes from my contact tracing interviews at the time.

To the best of my recollection my only direct and close contact with the Health Minister on Budget Day last year was during a Budget fundraising dinner that evening, organised by the NSW National Party and held in the Strangers Dining Room.

I clearly recall standing at the northern end of the room engaged in a conversation with two gentlemen representing the Pharmacy Guild of NSW, one of whom was David Heffernan, who is well-known to me.

At some point we saw the Health Minister enter room from the door at the northern end (the door closest to the Members Dining Room entrance) and he made his way across and joined us in conversation. It was obvious to me, as well as completely understandable, that Mr Heffernan was also well-known to the Health Minister.

The four of us were engaged in conversation at close quarters for several minutes before the Minister moved on to another part of the room.

This concludes my recollection of that evening.

In another related matter, it has been brought to my attention that the Health Minister, while appearing before your committee at a recent supplementary Budget Estimates hearing gave evidence quoting a section of an alleged text message about the Budget night dinner.

For the committee's information, the Minister did not seek, nor receive, any consent from me to divulge parts of any alleged personal texts or messages exchanged between us during that time.

Secondly, having searched my mobile phone, I cannot find any text or message, in part or whole, that accords with what was read into evidence by the Minister.

Unfortunately, I no longer have in my possession any of the government digital devices I had at the time due to my position as a Minister, thus putting me at a significant disadvantage.

I therefore cannot verify that part of the Minister's evidence for this inquiry, let alone the context of the alleged message or message fragment, nor what meaning or otherwise it was meant to convey, if it was written and sent by me.

Lastly, reflecting on the impact my COVID-positive status had on others, I am still amazed by the large number of people required by NSW Health to isolate for two weeks, the vast majority of whom I had no direct contact with during the course of Budget Day.

This concludes my response to your committee.

I wish you and your colleagues well in your deliberations.

Your sincerely

Hon. Adam Marshall MP
MEMBER FOR NORTHERN TABLELANDS