

## Questions to New South Wales Police:

ABC Media Watch has been looking at documents recently released to the NSW Legislative Council relating to the case of Don Harwin.

On April 9<sup>th</sup> 2020, Harwin was fined \$1000 for breaching a COVID order by travelling to and from his holiday home at Pearl Beach. As you know, the fine was challenged in court by Harwin, and cancelled in July when the ODPP dropped the charge.

Some of what is revealed by those documents, which include police emails, text messages, and entries from the COPS system, has been covered by the Sydney Morning Herald, and commented on by barrister Steve Boland.

<https://www.smh.com.au/politics/nsw/police-chiefs-insisted-don-harwin-be-fined-despite-doubts-20200820-p55noj.html>

<https://www.smh.com.au/national/nsw/nsw-police-have-questions-to-answer-about-the-sad-and-sorry-tale-of-don-harwin-20200824-p55olb.html>

We are focusing in addition on information supplied to 2GB and The Telegraph during this process. And in connection with that, we want to put the following questions to the NSW Police.

1. How did Ray Hadley get the 'Exclusive' information at 9am on 9<sup>th</sup> April—before a police investigation had even been ordered—that Harwin WOULD be fined \$1000?
2. How did 2GB then get confirmation that Harwin HAD been fined \$1000 at around 8.22 pm on 9<sup>th</sup> April, some 19 minutes BEFORE the fine was issued?
3. How did Anna Caldwell get confirmation that Harwin HAD been fined \$1000 at around 8.25pm on 9<sup>th</sup> April, some 16 minutes BEFORE the fine was issued?

AND IN THE CASE OF EACH OF THESE TIP OFFS :

1. Were they authorised and / or in line with NSW Police practice?
2. Were they from the office of the NSW Police Commissioner?
3. Were they from the NSW Police media department?
4. Were they from elsewhere in the NSW Police?
5. Were they from the office of the NSW Police Minister?
6. What inquiries have NSW Police made to discover the source?

7. Why did NSW Police not seek legal advice before charging Don Harwin, given that DCI Stuart Bell and A/C Anthony Cooke had both determined that legal advice SHOULD be sought?
8. Was that decision taken by the NSW Police Commissioner?
9. Given that the charge against Harwin was subsequently dropped by the DPP, was it the correct decision to charge him?
10. Was media pressure, from 2GB and the Telegraph, a factor in that decision?