

Cook blasts police probe's conclusion

By Marcus Uhe

I Cook Foods founder Ian Cook has slammed Victoria Police's decision to not lay charges against the Victorian Department of Health or Greater Dandenong City Council after concluding the criminal investigation into the 'Slug Gate' case involving his Dandenong South catering business.

It was reported on Friday 7 January by another media outlet that Victoria Police declared that no crimes had been detected after an extensive investigation into allegations of sabotage and evidence tampering.

Mr Cook told Star News that the decision is a reflection on the wider problem with authority in Victoria.

"I'm not happy with it but I'm not surprised," Mr Cook said. "There's no separation of powers in Victoria anymore between the Police and Parliament.

"(Daniel) Andrews tells everybody what they will or won't do, who they'll prosecute and who they won't.

"Every Victorian needs to be very concerned, and very very nervous about what they are doing."

ICF was closed in February 2019 by Acting Chief Health Officer Brett Sutton as part of an inquiry into the death of 86-year-old patient Jean Painter at Knox Private hospital, who suffered listeriosis.

The hospital was catered by ICF at the time.

41 employees lost their jobs and the business was forced to close due to the shutdown, according to Mr Cook.

Listeria was detected at I Cook Foods after a member of Greater Dandenong City Council collected samples from the premises in February 2019, which was linked to the death of the patient in 2019 through genomic sequencing, according to a parliamentary enquiry.

The enquiry heard that on Monday 18 February 2019 Elizabeth Garlick from Greater Dandenong City Council observed several health and safety issues at I Cook Foods in-



Ian Cook from I Cook Foods. 202497

Picture: STEWART CHAMBERS

cluding finding a live slug on the floor.

ICF management alleged that the slug was planted in the business' kitchen by a member of the City of Greater Dandenong Council and that evidence, including bodycam footage, was tampered with by council officials.

Greater Dandenong City Council Chief Executive John Bennie welcomed the decision by police, claiming that the council conducted themselves professionally at all times.

"We've now had the Ombudsman, two Parliamentary inquiries, and the Victoria Police, review and interrogate every aspect of this matter and, on every occasion, without exception, Council has been cleared of any wrongdoing," Mr Bennie said.

"There has been no cover-up, no false information, no misleading documentation.

"How many more investigations are needed before we call this out for what it really is - nothing more than a series of baseless claims centred on a nasty, hurtful, conspiracy theory."

This was the second investigation into the closure of ICF, after Police Chief Commissioner Shane Patton called for a review in April of the initial probe, where no persons of interest or witnesses were interviewed.

Detective Sergeant Ash Perry of Greater Dandenong Crime Investigation Unit wrote that he formed the opinion the shutdown of ICF was "unlawful" and the prosecution of the catering business was "malicious" in a leaked police briefing note.

Mr Cook said that ICF will continue to pursue a civil case against the City of Greater Dandenong and the Victorian Government.

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'Slug' court action

By Cam Lucadou-Wells

Three years, four police inquiries and two Parliamentary probes on, 'Slug Gate' keeps sliding forward.

In February, Dandenong South commercial caterer I Cook Foods's \$50 million civil lawsuit is finally expected to land in the Supreme Court of Victoria.

QC barrister Robert Richter has been hired by ICF for its fight for damages against the state's Department of Health and City of Greater Dandenong for what it says was its wrongful shutdown.

Ahead of what has become a very public battle, ICF has launched a crowdfunding website sluggate.com.au.

ICF director Ian Cook says his business was corruptly destroyed, as well as the livelihoods of 41 employees and his family.

With the help of retired police detectives Paul Brady and Rod Porter, he has alleged that officials tampered with evidence, such as editing bodycam footage and planting a slug on the factory floor.

Greater Dandenong Council has consistently denied any alleged wrong-doing.

In February 2019 Acting Chief Health Officer Brett Sutton ordered ICF's closure as part of an inquiry into the death of a Knox Private Hospital patient.

In 2021, a Parliamentary inquiry and a police investigation into the matter re-opened on the back of fresh evidence.

Professor Sutton told the Parliamentary inquiry that he made the right call despite not seeing a Knox Council officer's report casting doubt on whether the patient ate ICF sandwiches.

There was "no other reasonable explana-



iCook Foods director Ian Cook and general manager Benjamin Cook in the empty factory kitchens in Dandenong South soon after its closure in 2019. 191789

Picture: CAM LUCADOU-WELLS

tion" for where the listeria infection came from, he said.

The evidence was "overwhelming" – a "strong" but "not exact" genetic match between four food samples at the ICF factory and the deceased patient's listeria strain.

The Knox officer's report also contradicted the department's evidence that ICF was the hospital's sole caterer. None of the other six food suppliers were investigated by the department.

The patient's daughters told the inquiry that their 86-year-old mother had been on a normal diet, including sandwiches, for part of her hospital stay.

Mr Cook told the inquiry "we didn't kill anybody".

"The Department of Health and Human Services knew this before they closed us."

Mr Cook said ICF was treated differently

because it was a commercial rival of Community Chef, a caterer co-funded by the health department and several councils including Greater Dandenong.

"How can a council be allowed to regulate a commercial rival? As I have said before it would be like giving Hungry Jacks the power to close down McDonald's and take all their customers."

Community Chef were "going broke" and were "advantaged" by getting ICF "out of the way", he said.

Inquiry chair Fiona Patten said the officials' "omissions" of evidence in the first inquiry in 2020 led to "unnecessary confusion". They were cleared of deliberately misleading the inquiry.

Opposition health spokesperson Georgie Crozier said in Parliament that the Health Department provided "selective reports".

Ms Crozier said she was still fighting for FOI documents in VCAT, as well as 400 pages of redacted pages from Knox Council that weren't provided to the inquiry.

"I think it is shameful that they did not come and give us all the information."

The inquiry report found that police were better placed to investigate alleged corruption.

Three separate investigations by Casey, Greater Dandenong and Moorabbin CIU detectives had previously closed without any charges laid nor any council officials questioned.

However, Chief Commissioner Shane Patton intervened after a leaked police brief recommended further investigation "to identify alleged corruption or misuse of office".

Police concluded their investigation last week - with no charges pending.