

Whistle-blower slams inspection

By Cam Lucadou-Wells

A City of Greater Dandenong whistle-blower has told a State Parliamentary inquiry that the closure of I Cook Foods by health authorities was "over-the-top" and "highly irregular".

Environmental health inspector Kim Rogerson was ordered to take swab-samples of sandwiches and ingredients at I Cook Foods due to a possible link to a listeria case, she told the Upper House legal and social issues committee on 17 June.

She said that the council was "intent on destroying" I Cook Foods - which was shut down by the Department of Health and Human Services three weeks later in February 2019.

The Dandenong South commercial kitchen remained closed for more than a month, effectively destroying the business, according to its owners.

"I was shocked that I Cook Foods was closed the way it was," Mr Rogerson said of the "highly unusual" order.

Ms Rogerson said her three-page statement was beefed up to seven pages by Greater Dandenong management - one of whom said he wanted to "nail those b***ards".

She said the manager asked her to change her statement, to delete "weak" sentences and "positive" words such as "clean".

He told her to add the words "filthy" and "shouldn't be operating".

Ms Rogerson said she refused to sign.

She told the inquiry that the council had a conflict of interest - it was a shareholder of Community Chef, a rival company to I Cook Foods.

Greater Dandenong chief executive John Bennie is a director of Community Chef. He was unable to sign the I Cook Foods closure notice due to the conflict, Ms Rogerson said.

The conflict of interest should have extended to all council staff, including health inspectors, she said.

It would be like giving "Hungry Jacks the power to inspect and close down McDonald's".

Ms Rogerson said she didn't know why the DHHS would "name and shame" I Cook Foods in the media when the matters were usually dealt with "privately".



The closure of I Cook Foods kitchen was "highly irregular", says environment health inspector Kim Rogerson. 190890

In previous listeria or "notifiable bacteria" cases, they were usually dealt with by a clean-up of the premises. Swabs were then taken and the business was re-opened "very quickly".

A "below par" business would be normally closed down only after being given cautions and chances to comply with health standards.

Still employed by Greater Dandenong, Ms Rogerson hasn't gone back to the office for more than a year.

"The stress caught up with me."

Greater Dandenong had spent "thousands of dollars on an expensive law firm" to fight her Work Cover claim despite her case being recommended by counsellors and health professionals.

"I believe I'm being punished by the council for blowing the whistle and telling the truth".

The inquiry is expected to hear from witnesses from City of Greater Dandenong and the Department of Health and Human Services on Wednesday 24 June.

In May last year, a council spokesperson responded to Ms Rogerson's allegations.

"Greater Dandenong Council does not believe the allegations to be true, however we do take them extremely seriously," the spokesperson said.

"Council CEO, Mr John Bennie has previously declared a conflict and taken no part in any discussions relating to I Cook Foods."

Recently, when the inquiry was announced, Greater Dandenong's corporate services director Mick Jaensch said the council "welcomes any inquiry or investigation into the matter".

Health Minister 'defamed' me: Cook

By Cam Lucadou-Wells

I Cook Foods director Ian Cook has accused Health Minister Jenny Mikakos of "effectively defaming" him and his company during a 'right of reply' tabled in State Parliament.

In February 2019, the Dandenong South commercial caterer was shut down for a month by the Department of Health and Human Services and Greater Dandenong Council.

At the time, the department 'named and shamed' I Cook Foods, linking it to the death of an 86-year-old hospital patient.

However, all 96 food-safety charges against the company were later dropped.

In the meantime, the company had lost its contracts and was effectively destroyed, Mr Cook says.

Under Parliamentary privilege on 3 March, Ms Mikakos asserted that I Cook Foods was linked to the patient's death.

She said the woman died of listeriosis, which was traced to food supplied by I Cook Foods.

"So this is why we have made no apology for the department taking the action that it took."

In his right-of-reply tabled in the Legislative Council on 17 June, Mr Cook said the statement linking the patient's death to I Cook Foods was "effectively defaming myself and my company".

"This misinformation ... adds to the damage that has been done to my family name which also is my company name, to the point where I have no customers or contracts remaining and the business and our reputation



Ian Cook was given a "right of reply" in State Parliament on 18 June. 202497

Picture: STEWART CHAMBERS

has been destroyed.

"I would like to also point out that this has had a massive financial and emotional impact on my family, myself, 41 workers and their families who lost their jobs due to the actions of the department.

"Therefore, respectfully I request that the house is informed of these untruths and that the record is corrected immediately in whatever manner is appropriate."

Mr Cook stated there was no evidence of the patient eating any food products with listeria at the hospital.

The I Cook Foods sandwiches sampled and tested by authorities were 10 times under pre-

scribed safe limits for listeria, he wrote.

In any case, DNA matches of the same bacteria were found in Queensland - a state which I Cook Foods doesn't supply, he added.

"The source of the listeria had to be from an external supplier, perhaps our small goods supplier who does produce and distribute food nationally."

Mr Cook urged that "the record is corrected immediately in whatever manner is appropriate".

Later in Parliamentary Question Time, Ms Mikakos repeated her previous assertions of the link.

She had been asked by opposition health spokesperson Georgie Crozier about why the DHHS had delayed providing evidence that "exonerated" I Cook Foods.

The appropriate time for DHHS officials to respond was in their appearance at a Parliamentary inquiry into the I Cook Foods closure, Ms Mikakos said.

She said the DHHS had offered to provide the documents on a confidentiality basis only - which was later upheld by the Supreme Court of Victoria.

"In public health incidents there needs to be direct and robust communication between departmental employees, relevant authorities and authorised officers.

"These confidentiality provisions ensure continued reporting of public health risks and informed decision-making by the department so that appropriate action can be taken.

"There is nothing being hidden here."