

SUPREME COURT OF VICTORIA  
TOWERS LOCKDOWN CLASS ACTION

IDRIS HASSAN

and

HAWA WARSAME

V

STATE OF VICTORIA

(S ECI 2021 00826)

## IMPORTANT NOTICE

### Why are you getting this notice?

On 19 March 2021, two people, Mr Hassan and Mr Warsame, started a class action claim in the Supreme Court of Victoria (the **Claim**) against the State of Victoria to challenge:

- the lockdown of people in nine public housing towers located at 9 Pampas Street, 159 Melrose Street, 33 Alfred Street, 76 Canning Street and 12 Sutton Street, North Melbourne, and 120, 126 and 130 Racecourse Road and 12 Holland Court, Flemington (the **Towers**) between 4 and 9 July 2020; and
- the continued lockdown of people in the 33 Alfred Street, North Melbourne tower between 10 and 18 July 2020.

If you were locked down in one of the Towers between 4 and 18 July 2020 you may be part of the Claim and should read this notice very carefully.

### What is a class action claim?

The Claim is a class action. This is a legal claim brought by one or more people (the **Plaintiffs**) on their behalf, and also on behalf of other people who have similar claims (the **Group Members**).

Mr Hassan and Ms Warsame are the Plaintiffs in the Claim. They were both locked down in the Towers in July 2020.

You may be a Group Member if you were locked down in one of the Towers between 4 and 18 July 2020. As a Group Member you need to make a decision whether you want to be included in the Claim. You will be included in the Claim **unless you** send a notice to the Court saying you don't want to be part of the Claim (this is "opting out"). This has to happen before the deadline date (in this case 1 July 2022). We explain later how to send an "Opt Out Notice" if that is what you decide to do.

If you do not opt out, and the Plaintiffs win their Claim, you may receive a share of any money that may be payable by the State of Victoria in the Claim.

If you do not opt out before the deadline date (in this case 1 July 2022):

- you will not be able to make your own separate claim against the State of Victoria about the Towers lockdowns; and
- the court's decision in the Claim will apply to you. This could include a decision that the Plaintiffs do not win their Claim.

If you think that you have a claim against the State of Victoria because of the lockdown of the Towers, or if you are unsure whether you want to be part of the Claim, it is important that you get advice from a lawyer about whether you are a Group Member and what your options are. You should get that advice **before** the deadline for opting out, which is **4:00pm on 1 July 2022**.

### **What is the Claim about?**

The Plaintiffs say that the State of Victoria:

- (a) wrongly detained the Plaintiffs and Group Members for up to 14 days in July 2020 in the Towers against their will; and
- (b) wrongly threatened the Plaintiffs and Group Members with physical harm, if they tried to leave the Towers.

The State of Victoria denies these claims.

### **Will you have to pay legal costs if you remain a Group Member?**

The Plaintiffs have a team of lawyers helping them run the Claim. The costs involved in the work the lawyers are doing on the claim are known as "legal costs".

You will **not have to pay any legal costs** simply by remaining as a Group Member.

However, if the Plaintiffs win the Claim and you get money, the Court may make an order that some of that money be used to pay some of the legal costs.

### What should you do?

**Option 1: Stay as a Group Member as part of the Claim**

If you want to remain a Group Member and be part of the Claim, you **do not need to do anything**. You continue to be part of the Claim unless you follow the steps in the next section and “opt out”.

**Option 2: Stop being a Group Member as part of the Claim**

If you do **not** want to remain a Group Member and be part of the Claim, you **must** tell the Court you want to stop being part of the Claim by completing the “Opt Out Notice” at the end of this document and returning it to the Supreme Court of Victoria at the address on the form. The deadline for getting the notice to the court is **4:00pm on 1 July 2022**.

### Where can you get more information about the Claim?

If you want more information about the Claim, you can get documents about the Claim from the Court and the lawyers for the Plaintiffs. You can get documents about the Claim by:

- (a) downloading them from the Supreme Court website at <https://www.supremecourt.vic.gov.au/law-and-practice/specialist-lists-of-the-court/group-proceedings-class-actions/covid-19-flemington>;
- (b) downloading them from Clemens Haskin Legal’s website at <https://www.clemenshaskin.com/detention-towers>;
- (c) telephoning Clemens Haskin Legal on (03) 9988 5035 and requesting that a copy be posted or emailed to you;
- (d) inspecting them by visiting the Registry of the Supreme Court of Victoria in Melbourne at Level 2, 436 Lonsdale Street, Melbourne.

Please consider the above matters carefully. If you are not sure whether you are a Group Member or want further information, you should contact Clemens Haskin Legal on (03) 9988 5035 or email [info@clemenshaskin.com](mailto:info@clemenshaskin.com), or seek your own legal advice.

This notice is published pursuant to Orders made by the Supreme Court on 5 April 2022.

**Rule 18A.04**

**Form 18AB**

**NOTICE OF OPTING OUT BY A GROUP MEMBER**

IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE  
COMMON LAW DIVISION  
GROUP PROCEEDINGS LIST

No S ECI 2021 00826

BETWEEN:

**IDRIS HASSAN**

First plaintiff

and

**HAWA WARSAME**

Second plaintiff

and

**STATE OF VICTORIA**

Defendant

To: The Prothonotary, Supreme Court of Victoria Registry,  
Level 2, 436 Lonsdale Street, Melbourne VIC 3000

I, *[print name]*, .....  
a group member in the above group proceeding, give notice under section 33J(2) of  
the **Supreme Court Act 1986** that I am opting out of this proceeding.

Date:	
Signature of group member or the group member's solicitor:	
Address of group member:	

**Please return this notice by 1 July 2022 to:**

The Group Proceedings Coordinator

**By mail:**

Supreme Court of Victoria Registry,

Level 2, 436 Lonsdale Street,

Melbourne VIC 3000

**Or by email:**

[cldgroupproceedings@supcourt.vic.gov.au](mailto:cldgroupproceedings@supcourt.vic.gov.au)