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PUBLIC
HEARING

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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER M. HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION TOLOSA

Reference: Operation E17/1221

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON THURSDAY 12 MAY, 2022

AT 10.30AM

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THE COMMISSIONER: The resumed hearing proceedings were scheduled for 10 o'clock this morning. I did receive a report that a person who has been in the hearing room has tested positive to COVID. I understand steps are being taken to have that person retested to confirm the position. The person accordingly has been removed from the hearing room and has since vacated the premises in order to be tested. It raises issues as to how and if indeed we can proceed with the hearing scheduled today. There is a need for inquiry to be made as to whether or not there is a basis upon which we should not proceed today. The Commission has developed its Public
10 Inquiry COVID-19 Protocol April 2022, which is now in place. The relevant part of the protocol is part 8, entitled Pre-Attendance Screening of Those Attending Commission Premises. My intention is to adjourn so that the requisite inquiries can be undertaken in order to ensure that we are in compliance with the provisions of the Commission's protocol, to which I've referred. That will take a little time. It's unlikely to be completed before 11.30. What I propose to do is to say not before midday. If the hearing is to proceed, then the parties will be notified at or about 11.30 as to what the future course of the hearing plan is today. It's regrettable, but there is of course still reported infection rates in the community from the COVID
20 variant, and accordingly it would be, in my view, unacceptable to proceed until the necessary inquiries have been made, which they will be made during the course of this morning. So accordingly I propose to adjourn the public inquiry. The Commission will endeavour to advise everyone who is participating in the public inquiry by 11.30 as to what the future course of today's hearing will be, and beyond today if necessary. Accordingly, having indicated the current position, I'll adjourn. I'll say not before midday today.

30 **SHORT ADJOURNMENT**

[10.33am]

THE COMMISSIONER: The position concerning the hearing today. It has been subject to further inquiries as to whether or not the necessary AVL link can be established so that Mr Leggat will be able to participate. Unfortunately, I'm informed that the Webex connection to enable AVL connection will take possibly two or three days. The work, however, is going to be expedited so that the hearing can resume next week. The hearing was not going to proceed tomorrow, in any event, for other reasons.
40 So the position that now arises by reason of the COVID issue that I have earlier stated is that we are unable to proceed with the current witness today

or with any other witness. Accordingly, the hearing will continue next Monday as scheduled, 10 o'clock on Monday. Accordingly, I adjourn the public inquiry until 10.00am next Monday. I'll adjourn.

AT 12.16AM THE MATTER WAS ADJOURNED ACCORDINGLY
[12.16am]