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PUBLIC
HEARING

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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE PETER HALL QC
CHIEF COMMISSIONER

PUBLIC HEARING

OPERATION SKYLINE

Reference: Operation E17/0549

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON THURSDAY 9 AUGUST, 2018

AT 10.00AM

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THE COMMISSIONER: Dr Chen, before we resume the inquiry, there's a matter that I wish to deal with in a private hearing. It concerns Mr Petroulias. I hasten to add it doesn't concern any matter at all about the investigation itself in terms of the history of a matter that's under investigation, but just simply so that I can ascertain from him his personal position in a certain respect.

MR CHEN: Yes, Commissioner.

10 THE COMMISSIONER: I think in order that I can do that, again having regard to Mr Petroulias's own personal interests and matters of privacy that that is the way I should proceed. I'd anticipate it'll only be quite short. I think it will - - -

MR CHEN: That is to say in private, Commissioner?

THE COMMISSIONER: Sorry?

MR CHEN: That is to say as well in private?
20

THE COMMISSIONER: Yes.

MR CHEN: Yes.

THE COMMISSIONER: Now, I think there are Corrective Services officers here. Is there one or more? Thank you, two Corrective Services officers, thank you. Mr Petroulias, do you have any objection to the Corrective Services officers being here while I raise this, deal with this matter? Because they are here to escort you and be with you during the
30 course of the hearing. Do you have any problem with that?

MR PETROULIAS: Yes. Do you mind if they're outside for the moment? Only because it might put them under their own duties.

THE COMMISSIONER: Well, officers, what's your position, are you happy to – I don't want to put you in breach of any directions you have to follow and I understand if you say you can't, but is there any provision whereby I can raise this with Mr Petroulias? It will only be I would think a five-minute hearing or something of that order. You would of course be
40 outside, but not far away.

CORRECTIVE SERVICES OFFICER: Yes, Commissioner, we don't have a problem. I've spoken with Mr Petroulias in regards to this matter.

THE COMMISSIONER: Yes.

CORRECTIVE SERVICES OFFICER: And if you would like us to leave the court, then that's up to you.

THE COMMISSIONER: Yes. All right then. Well, look, I think I will take that course. If you would just remain present just immediately outside the door and, sir, I think that applies to you. I know you're here in the interests of everyone, for which I'm grateful, but I think in circumstances where the matter relates to a matter of personal privacy for Mr Petroulias, it would be probably better that he feels free to speak without anyone other than Commission officers who are entitled to be here. If you wouldn't mind just waiting immediately outside, and should there be a need, and the
10 Corrective Services officer down the back, for you to attend, you'll be advised immediately.

CORRECTIVE SERVICES OFFICER: No problem.

THE COMMISSIONER: Thank you very much. Dr Chen, I just want to check, was this hearing always set for 10 o'clock to start today?

MR CHEN: It was, Commissioner, yes.

20 THE COMMISSIONER: It was. And Ms Nolan has been informed, she would have been informed that's the scheduled time for the hearing?

MR CHEN: To commence, Commissioner.

THE COMMISSIONER: To commence.

MR CHEN: Yes.

30 THE COMMISSIONER: I notice she's not here in the hearing room. It may be that she's running late for other reasons, I just - - -

MR CHEN: I'm sorry, the hearing room has not been open during the time prior to you coming along, Commissioner.

THE COMMISSIONER: But she's not here. Do we know if she's in the precincts of the court or - - -

MR CHEN: I'm told she is, Commissioner.

40 THE COMMISSIONER: She is.

MR CHEN: She is.

THE COMMISSIONER: All right. Perhaps if she could be asked to come in, I just want to deal with one matter with Ms Nolan, she may be able to assist.

Good morning, Ms Nolan.

MS NOLAN: Good morning.

THE COMMISSIONER: There's just one matter. I'm going to go into a private hearing very shortly. It concerns a personal matter involving Mr Petroulias. I just want to ask you one question before I do close the hearing in which I'll request all legal representatives and everyone else other than Commission officers to wait outside. I've received a letter from Mr Menzies of Queen's Counsel addressed to myself, 8 August, 2018, and in it
10 I note he's sent a copy of his communication to you, and the only matter I wanted to seek to ascertain from you before I start the hearing is whether you're prepared to tell me who reported to you about this matter, that is I'm talking about the question of the health of Mr Petroulias, and I think you'll know what I'm referring to when I - - -

MS NOLAN: Yes, Ms Bakis.

THE COMMISSIONER: She was. Yes, okay. Well, I'll ask if you wouldn't mind just leaving the room so that I can close the hearing. I want
20 Mr Petroulias to feel free to be able to talk about what it is that his position is and so, if you wouldn't mind just waiting outside.

MS NOLAN: Please, Commissioner.

THE COMMISSIONER: I would anticipate it will only take five or ten minutes.

MS NOLAN: Yes.

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ADJOURNMENT

[10.30am]