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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 SKYLINE

Reference: Operation E17/0549

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON MONDAY 18 MARCH, 2019

AT 10.45AM

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This transcript has been prepared in accordance with conventions used in the Supreme Court.

THE COMMISSIONER: Yes, now just before we start, yes, Dr Chen.

MR CHEN: Commissioner, I was simply going to announce that there is a need for the Commission to take some evidence in private and that's what has delayed things this morning regrettably, but that's a step that the Commission, in our submission, would need to take before proceeding further with the public inquiry.

10 THE COMMISSIONER: Very well. Thank you. Well then just before we start, I'll announce the program that's to follow, but before I do that are there any appearances here, applications for appearance?

MR VOROS: Commissioner, my name is Voros, V-o-r-o-s.

THE COMMISSIONER: Yes, Mr Voros.

MR VOROS: I do seek leave to appear on a limited basis for Mr Petroulias. The limited basis is really confined to his re-examination.

20 THE COMMISSIONER: Right. Well, Mr Voros, yes, thank you for that. It's not necessary really for you to advise us of the terms of your retainer but I understand you're being retained as you've stated on that basis and I will authorise and grant you leave to appear on behalf of Mr Petroulias.

MR VOROS: Petroulias, thank you.

30 THE COMMISSIONER: Yes, thank you. I apologise for the delay in the proceeding this morning. There have been a few matters requiring my attention. So far as the program for this morning is concerned, as Senior Counsel Assisting has indicated, I will be taking some evidence in private hearing. I then intend to resume the public inquiry but that won't be before 12.00 midday. So I will shortly adjourn for five to 10 minutes. I will resume in private hearing. Only those concerned with the private hearing will be entitled to be present. I'll deal with that when I resume. Accordingly on that basis, I'll adjourn this public inquiry. Anything else, Dr Chen?

MR CHEN: No, there's not, Commissioner.

40 THE COMMISSIONER: Thank you. I'll adjourn and resume in five or 10 minutes.

SHORT ADJOURNMENT

[11.01am]

THE COMMISSIONER: Dr Chen, do you want to say anything?

MR CHEN: No, I don't, Commissioner. It's just in terms of the way forward, Commissioner, it's the matter can't proceed later today, as I would see it, Commissioner, and there would need to be some directions about the resumption of it tomorrow and at what time, Commissioner.

THE COMMISSIONER: Yes. Very well. Thank you.

10 I apologise to the parties and representatives for the delay this morning, it's been unavoidable. There are some matters that need to be attended to today which prevents the inquiry going ahead today as per schedule. I propose to adjourn the inquiry until tomorrow morning, not before 11.00am, and that I will then announce the inquiry program for the rest of the week.

There will be a need to consider somewhat lengthier hearing days in the event that the matter proceeds tomorrow as per the program that I'll determine between now and then, but I'll raise that matter tomorrow and hear from the parties on that question. So accordingly the inquiry is adjourned. It will resume tomorrow morning but I'll give it a marking of not before 11.00am tomorrow.

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Are there any other matters?

MR PETROULIAS: Commissioner, I have two applications.

THE COMMISSIONER: Yes, Mr Petroulias. I'm sorry, Mr Petroulias, I'll come back to you in a moment, just, Dr Chen?

MR CHEN: No, I don't have anything else to raise, Commissioner.

30 THE COMMISSIONER: Right. Okay. Yes, yes, Mr Petroulias.

MR PETROULIAS: I have two applications I hope you have received. Will they be dealt with? Because the remedy will be distorted if it's not dealt with in a timely, yeah.

40

THE COMMISSIONER: Sorry, Mr Petroulias, just so that I'm on the same page as you, you're talking about, are you, the document entitled Application that I be Accorded Procedural Fairness in the Light of Mental Capacity Impairment, 17 March, 2019?

MR PETROULIAS: Yeah, that's one, and then a week earlier there was one on biased procedural fairness.

THE COMMISSIONER: Yes. That's the one I believe 14 March last, that would be Friday?

MR PETROULIAS: Sounds about right, yeah, yes, that's right.

THE COMMISSIONER: Yes. Very well. Now, do you want to - - -

MR PETROULIAS: No, 14 March, it would have been earlier than that.

THE COMMISSIONER: 13th?

MR PETROULIAS: 13th, yeah, maybe, yeah.

THE COMMISSIONER: Well, it was last, late last week?

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MR PETROULIAS: Yes.

THE COMMISSIONER: Now, do you want to say anything else about this applications or do you just simply want to draw my attention to the fact that you have made those applications?

MR PETROULIAS: Yes, whether you've received them and at what sequence in your agenda do they fit in.

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THE COMMISSIONER: Yes, very well. I have received them, Mr Petroulias, I will give them due consideration and announce tomorrow their outcome. Nothing else on that, Mr Chen?

MR CHEN: No, there's not.

THE COMMISSIONER: Very well. Then I'll adjourn, not before 10.00am tomorrow.

MR CHEN: 11.00.

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THE COMMISSIONER: 11.00, thank you.

**AT 12.39AM THE MATTER WAS ADJOURNED ACCORDINGLY
[12.39am]**