

## **FURTHER INFORMATION AND DIRECTIONS FOR PUBLIC EXAMINATIONS IN OPERATION SANDON NOVEMBER 2020**

### **Background**

IBAC has been conducting an investigation designated as Operation Sandon into certain matters involving alleged serious corrupt conduct.

The first round of the public examinations in Operation Sandon ran from 18 November to 6 December 2019. Hearings recommenced on 2 March 2020 and were adjourned on 17 March 2020 as a precautionary measure in consideration of public health.

The public examinations will continue to be conducted by the IBAC Commissioner, The Honourable Robert Redlich AM, QC. Counsel assisting will be Michael A Tovey QC of the Victorian Bar together with Amber Harris, Principal Lawyer of the Commission. They will be instructed by Tam McLaughlin, the designated solicitor to the Commission for this investigation.

### **Dates and location**

The public examinations will recommence on Monday, 9 November 2020 and continue until a date to be determined in December 2020.

The examinations will be held at IBAC's offices at 459 Collins Street, Melbourne from 10.00am to 4:00pm each sitting day.

Given the limited capacity of IBAC's offices and the need to conduct the examinations in accordance with current Victorian COVID-19 health directions, members of the public and the media will not be given access to IBAC's offices for the purpose of observing the examinations.

Members of the public and the media will be able to observe the examinations via video stream (with a slight delay), accessible via the IBAC website.

IBAC will continue to observe all relevant health advice and may vary its procedures at short notice to respond to changing conditions.

## Scope and purpose of examinations

The scope and purpose of the public examinations concern investigation into the following:

1. The transparency and integrity of planning and property development decision making within Victoria, including but not limited to, the provision of donations and in kind assistance to candidates at State and local government elections that may give rise to actual or perceived corruption;
2. Whether public officers involved in planning and property development decision making have been improperly influenced through donations, gifts, pro bono services or other hospitality;
3. The circumstances surrounding any actual or potential financial benefits obtained by any public officer, their families or their associates, resulting from, or otherwise in connection with, planning and property development decision making within Victoria;
4. Whether the use of professional lobbyists or planning consultants to lobby State and local government has resulted in undue influence over planning and property development decision making within Victoria;
5. The systems and controls in place within public bodies concerning planning, with particular focus on the existence and adequacy of systems and controls for ensuring the integrity of the planning process, including by detecting instances of public officers obtaining corrupt benefits or being unduly influenced by individuals lobbying on behalf of vested interests; and
6. If the investigation of the above matters identifies serious corrupt conduct on the part of one or more current or former public officers, the extent to which (if at all) organisational culture and practices have fostered that conduct or hindered opportunities or attempts to detect and eliminate that conduct.

## Appearances

The Operation Sandon public examinations will utilise the Zoom video conferencing platform in order to facilitate the attendance at the examinations of:

1. witnesses and their legal representatives; and
2. the legal representatives of other witnesses or parties granted leave to appear.

Subject to consideration of any submissions from represented parties seeking any variation, the Commission's standard directions for public examinations will apply. These are available on the

Commission's website at [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au).

Interested persons are directed to the standard directions, which include regulation of applications to appear at IBAC together with any supporting material directions hearings, and more generally to the IBAC Act.

*Note: the Commission specifically directs that notice of any preliminary application by any interested party, together with any supporting material, must be filed in writing with the Commission no later than Monday, 1 November 2020. It follows that no application which could have been notified before that date will be permitted to delay the examinations. It is anticipated that preliminary applications will, in the main, be dealt with on the papers.*

### **Commission contact**

All and any contact with the Commission made necessary by these directions, or other enquiries in respect of the conduct of the public examinations, should be made through Tam McLaughlin [REDACTED] [REDACTED] (designated solicitor).