



Media guidelines: Operation Watts public hearings

October 2021

www.ibac.vic.gov.au

Background

IBAC is holding public hearings into allegations of serious corrupt conduct involving Victorian public officers, including Members of Parliament. The hearings are part of [Operation Watts](#), a coordinated investigation between IBAC and the Victorian Ombudsman, which is looking into a range of matters including allegations of 'branch stacking' aired in media reports in 2020.

Timing

Public hearings commence on Monday, 11 October 2021 and are expected to run for five weeks.

Hearings are generally held from 10 am to 4 pm, Monday to Thursday.

Video stream

Due to current public health restrictions, media **will not** be able to attend the hearings at this stage. The hearings will be [video streamed](#) (with a **30 mins delay**), accessible via the IBAC website.

Information updates

Journalists are advised to [register via the registration form](#) on the IBAC website. Registered journalists will be sent regular updates on the proceedings (including upcoming witnesses).

We also suggest you follow @ibacVic or #IBACWatts for regular updates from the hearings. When new information is available, it will be posted on the [Operation Watts page on our website](#).

Access to exhibits, restricted transcripts, and rebroadcast footage

To receive tendered exhibits, restricted transcripts and to rebroadcast footage, media representatives must sign and return a public hearings exhibit and transcript request form (available in [Word/DOCX](#) and [PDF format](#)) including a declaration relating to the use and publication/broadcast of that material.

The material will then be emailed to approved media at the end of the afternoon session via our secure document sharing service, Kiteworks.

Please note: for legal reasons, some exhibits may not be released for publication or broadcast.

Publicly available transcripts can be accessed via the 'transcript' section of the [Operation Watts page](#).

Witness lists

A list of the week's upcoming witnesses will be [published on our website](#) each Monday (and shared via [Twitter](#)).

Please note: witnesses may have been issued confidentiality notices by IBAC. This means they are not able to discuss with you any evidence given to IBAC, as this may prejudice the investigation.

Media enquiries and interviews

For legal reasons, we will not comment on operational matters during an ongoing investigation. As such:

- the IBAC media officer will accept general enquiries about our procedures around public hearings and investigations
- interviews will not be granted with IBAC Commissioner, The Honourable Mr Robert Redlich AM, QC; Counsel Assisting Mr Chris Carr SC; and IBAC officers.

Media contact

IBAC media officer

Phone: 0427 480 840

Email: media@ibac.vic.gov.au

Questions and answers

When is a hearing public, not private?

The Commissioner can hold public hearings if he considers there are exceptional circumstances and:

- it is in the public interest
- public hearings can be held without causing unreasonable damage to a person's reputation, safety or wellbeing.

Do witnesses have to appear at the IBAC hearings?

Yes. IBAC can issue a person with a witness summons under the IBAC Act. A witness summons may require the witness to appear, give evidence and/or produce documents at an IBAC hearing.

A witness must attend a hearing in accordance with the summons. If they fail to do so, and do not have a reasonable excuse for not complying with the summons, they will be committing an offence.

Do witnesses have to answer all questions at hearings?

Yes, witnesses must answer all questions and produce all documents or things required by IBAC.

Witnesses are required to take an oath or affirmation at the start of their evidence. It is an offence for a witness, without reasonable excuse, to refuse or fail to answer a question or produce a document or thing and to refuse or fail to take an oath or make an affirmation when required to do so.

What happens if it appears to IBAC that a witness has lied during an IBAC hearing?

If it appears to IBAC that a witness has lied during a hearing, that witness may be guilty of an offence (eg perjury). This means the witness could be charged.

What happens if a person gives evidence that incriminates themselves or others?

Any answer or information or document provided that may incriminate the witness is not admissible in evidence against them in court, except in certain proceedings such as offences against the *Independent Broad-based Anti-corruption Commission Act 2011* and the *Public Interest Disclosures Act 2012* (and others).

Can I publish the name of a person who has made a public interest disclosure to IBAC?

It is an offence against *Public Interest Disclosures Act 2012* to identify, or disclose information that is likely to lead to the identification of, a person who has made a public interest disclosure.

Accordingly, members of the media ought not engage in speculation as to persons whom may have made such disclosures, and must not publish material that identifies or tends to identify such persons.

Can witnesses engage legal representation?

Witnesses are entitled to seek legal advice about their involvement in the investigation or legal representation.

What are the next steps after the hearings?

Public hearings are part of the investigation process.

Once the investigation is complete, IBAC may produce a special report with findings and recommendations which will be tabled before Parliament. We may also refer relevant matters to other statutory bodies for action.

Can IBAC prosecute people/lay charges from its findings?

IBAC has the power to commence proceedings for an offence arising out of an IBAC investigation. IBAC can also refer matters to the Office of Public Prosecutions with a view to criminal prosecution.

Do agencies have to action recommendations outlined in a report following investigations?

When we make recommendations, the agency must report back to IBAC, stating:

- whether they have taken, or intend to take, the action recommended by IBAC, and
- if they haven't taken, or don't intend to take, the recommended action, their reason for not taking the recommended action.

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IBAC is Victoria's anti-corruption agency responsible for preventing and exposing public sector corruption and police misconduct. We do this by:

- investigating serious corruption and police misconduct
- informing the public sector, police and the community about the risks and impacts of corruption and police misconduct, and ways in which it can be prevented.

To report corruption and misconduct now, visit www.ibac.vic.gov.au or call **1300 735 135**.

If you need help with translation, call Translating and Interpreting Service on **13 14 50** or visit www.ibac.vic.gov.au/ourlanguage