



# Media guidelines: Operation Gloucester public examinations

[www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)

## Venue and timing

### Court 9, Level 5/11 Exhibition St, Melbourne

Starts 10 am, Monday 4 February 2019

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

## Media contact

### IBAC media officer

Phone: 0427 480 840

Email: [media@ibac.vic.gov.au](mailto:media@ibac.vic.gov.au)

## Media attendance

Journalists are welcome to attend the examinations, and are asked to [register via the registration form](#). Registered journalists will be sent regular updates on the proceedings (including links to the transcripts).

Note: there is limited space in the hearing room. Journalists are requested to use the overflow room (on the same floor) where there is a reserved section for media with desks and access to power. The proceedings will be broadcast in the overflow room via a videolink.

An IBAC media officer will be present to provide guidance on proceedings.

## Mobile devices

You **must not use** your mobile devices to record or take photographs inside the hearing or overflow rooms. This includes photographing witnesses or exhibits as they appear on screen.

Mobile devices must be kept on silent.

## Recording

TV filming and audio recording is only permitted during the opening address by IBAC Counsel Assisting, on Monday 4 February, and will be via a pool camera (to be supplied by ABC). To access the footage, contact the ABC Chief of Staff on 03 8646 1666.

Video recording is not permitted in the venue.

## Information updates

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

## Access to exhibits

To access exhibits, journalists need to [sign the exhibit request form](#). Exhibits will then be emailed to registered media at the end of the morning and afternoon sessions via our secure document sharing service, Kiteworks.

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

## Witness lists and transcripts

Witness lists will be published on our website and on Twitter at the beginning of each hearing day. Transcripts will be available for download every evening.

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 examinations and investigations
- interviews will not be granted with IBAC Commissioner The Honourable Mr Robert Redlich QC, Counsel Assisting Mr Jack Rush QC, Ms Catherine Boston and IBAC officers.

## Media conduct

IBAC reserves the right to exclude journalists and media outlets from attending future days of the public examinations if they do not comply with these media guidelines.

## Questions and answers

### When is an examination public, not private?

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

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

### Do witnesses have to attend IBAC examinations?

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

A witness must attend an examination 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 examinations?

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 examination?

If it appears to IBAC that a witness has lied during an examination, 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 *Protected Disclosure Act 2012* (and others).

### 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 examinations?

Public examinations 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](http://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/general/accessibility/tr](http://www.ibac.vic.gov.au/general/accessibility/tr)