



Blue Mountains Public Inquiry

Re-opening of Term of Reference 4

On 8, 9 and 12 April this year, the Inquiry conducted public hearings in relation to Term of Reference 4.

On 8 May 2019, the Commissioner provided an Interim Report on Term of Reference 4 to the Minister. The report was subsequently tabled in Parliament, and was made publicly available on the Inquiry's website.

On 16 May 2019, Mr Ray Hadley, the host of the Ray Hadley Morning Show on radio station 2GB, made serious allegations on his show that question some of the findings made in the Interim Report.

Those allegations include that the Council, certain named members of its staff, as well as other unnamed persons, had misled the Commissioner.

Mr Hadley alleged that some (or perhaps all) of the Commissioner's findings in his Interim Report concerning a former employee of the Council were based on a "lie".

The Commissioner is gravely concerned about the matters raised by Mr Hadley. All witnesses at the public hearings gave evidence under oath. That evidence concerned issues relating to the Council's management of asbestos, and the processes adopted by Council in relation to the establishment of an independent investigation into that issue, and the subsequent handling of an alleged conflict of interest by the investigator. Given the serious nature of these issues, and the fact that evidence was given under oath, a claim made publicly that the Commissioner was misled or lied to cannot be ignored.

The Commissioner has determined to re-open Term of Reference 4 to consider any further material or evidence that might exist in relation to the relevant matters raised by Mr Hadley in his broadcast.

For the purpose of assessing Mr Hadley's claims, the Commissioner has sought from 2GB and Mr Hadley the documents and any other evidence he has in relation to the claims that the Commissioner was misled and lied to.

Should any person have any evidence that may be relevant to the allegations that the Commissioner was misled or lied to, they are also asked to provide this evidence. Powers exist (under s12B of the *Royal Commissions Act 1923* which applies to the Inquiry) for evidence to be given in private if necessary, and for non-publication orders to be made in certain circumstances.

All further evidence should be provided to the Inquiry by Friday 31 May 2019.

Dated: 22 May 2019

Richard Beasley SC
Commissioner