



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 19 Oct 2023 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

Details of Filing

File Number: M63/2023
File Title: AB (a pseudonym) & Anor v. Independent Broad-based Anti-c
Registry: Melbourne
Document filed: Form 27B - Appellant's chronology-Redacted
Filing party: Appellants
Date filed: 19 Oct 2023

Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

Form 27B – Appellant’s chronology

Note: see rule 44.02.3.

M63/2023

IN THE HIGH COURT OF AUSTRALIA
MELBOURNE REGISTRY

BETWEEN:

AB (A PSEUDONYM)
First Appellant

CD (A PSEUDONYM)
Second Appellant

-and-

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION
Respondent

APPELLANTS’ REDACTED CHRONOLOGY

Part I: This redacted chronology is ~~not~~ in a form suitable for publication on the internet.

Part II: Chronology

DATE	EVENT	CAB REF
June 2018	<p>[REDACTED] notified the Respondent (IBAC) under s 57(1) of the <i>Independent Broad-based Anti-corruption Act 2011</i> (Vic.) (IBAC Act) of allegations of [REDACTED]</p>	CAB 8;[5]
June 2018 to December 2021	<p>In response to [REDACTED] notification, IBAC commenced [REDACTED] as a preliminary inquiry into the matters notified but expanded its scope to include [REDACTED]</p> <p>IBAC subsequently commenced an investigation under s 60 of the IBAC Act, gathered information and conducted private examinations of witnesses between 2019 and 2021.</p>	CAB 8-9;[6]-[8]

6 December 2021	<p>IBAC sent a copy of the Draft Report to AB.</p> <p>AB was given until 20 December 2021 to respond to the Draft Report.</p>	CAB10;[10]
12 December 2021	<p>AB wrote to IBAC requesting an extension of time in which to respond to the Draft Report, and a copy of the transcript from AB's examination, as well as the transcript from other relevant witnesses' examinations.</p>	CAB11;[11]
14 December 2021	<p>IBAC granted an extension of the time for AB's response to the Draft Report to 4 February 2022.</p> <p>IBAC agreed to provide AB with the transcript from his examination but refused to provide the transcript from any other relevant examinations.</p>	CAB11;[11]
31 January 2022	<p>AB commenced proceeding S APCI 2022 0086</p> <p>AB sought interlocutory orders restraining IBAC from transmitting the [REDACTED] Draft Special Report to Parliament, or otherwise publishing the report on its website until the Court heard and determined its application for judicial review.</p>	CAB11;[13]
3 February 2022	<p>Interlocutory hearing before Ginnane J</p>	CAB11;[14]
7 February 2022	<p>IBAC served CD with a copy of the Draft Report and required a response to the Draft Response by 21 February 2022.</p>	CAB11;[15]
11 February 2022	<p>CD is joined as a party and leave is given to file an Amended Originating Motion to reflect that change.</p>	CAB13;[18]
4 and 18 March 2022	<p>S APCI 2022 0086 proceeding heard by Ginnane J.</p>	CAB5
28 September 2022	<p>Ginnane J delivers judgment.</p>	CAB5
4 October 2022	<p>Ginnane J makes orders dismissing the proceeding.</p>	CAB69
14 October 2022	<p>AB and CD file an application for leave to appeal to the Victorian Court of Appeal</p>	CAB71
14 November 2022	<p>Hearing before the Court of Appeal (Emerton P, Beach JA and Kyrou JA).</p>	CAB76

15 December 2022	The Court of Appeal delivers judgment and makes orders refusing leave to appeal.	CAB76
12 January 2023	Application for special leave to appeal filed in the High Court of Australia	
11 August 2023	The High Court of Australia (Keifel CJ and Gordon J) grant special leave to appeal on ground 1 only.	CAB136
25 August 2023	AB and CD files Notice of Appeal in the High Court of Australia	CAB138

Dated 2 October 2023



Name: Nick Wood SC

Telephone: (03) 9225 6392

Email: nick.wood@vicbar.com.au