

Edward Ovadia

Deputy Chief of Staff, Office of the Hon Chris Minns MP, NSW Premier

Supplementary questions

(1) Did you attend the briefings held on:

(a) 20 January 2025

(b) 21 January 2025

(c) 23 January 2025

(d) 31 January 2025

(e) 3 February 2025

(f) 4 February 2025

(g) 5 February 2025

(h) 7 February 2025

(i) 17 February 2025

(j) 19 February 2025

(k) 7 March 2025

To the best of my recollection, no.

(2) Did you assist the Premier to prepare for any of the briefings listed above?

To the best of my recollection, I didn't attend any of these briefings. I was also on leave from 5 February to 2 March inclusive.

(3) Did you discuss the outcome of any of the briefings listed above with the Premier?

I regularly have conversations with the Premier on briefings about a range of issues.

(4) On what occasions between January 19 and March 10 did you attend meetings with the Premier to discuss matters arising out of the discovery of the caravan at Dural?

I regularly have conversations with the Premier about a range of issues.

(5) On what occasions between January 19 and March 10 did you attend meetings with staff of the Premier to discuss matters arising out of the discovery of the caravan at Dural?

I regularly have conversations with staff about a range of issues.

(6) When was the suggestion about obtaining legal advice in relation to the summons to appear first made?

(a) Who made this suggestion?

(b) How was this suggestion made?

Premier's Memorandum M2022-10 Guidelines for the Provision of Ex-Gratia Legal Assistance for Ministers, Public Officials and Crown Employees provides that an application for ex gratia legal assistance may be made by a Minister or public official where legal proceedings have commenced against them or are known to be imminent.

It is open to witnesses to obtain legal assistance in relation to summonses.

The confidential communications between a legal advisor and client for the dominant purpose of giving or receiving legal advice are privileged.

Communications that contain information for the purpose of enabling the advice to be given are also subject to legal professional privilege.

(7) How many meetings did you have with Ms Plowman of Minter Ellison?

(a) Please provide the dates of these meetings.

(b) How many of these meetings were in person and how many via Teams or other electronic means?

(c) What other methods of communication were used between you and Ms Plowman?

(d) What other staff from Minter Ellison did you have contact with?

(e) What contact (if any) had you had with Ms Plowman or other professional staff from Minter Ellison prior to 15 June 2025?

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(8) How did you become aware of the possibility of receiving an ex gratia payment to cover legal expenses in connection with advice about the summons?

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The Department of Communities and Justice website

(<https://dcj.nsw.gov.au/legal-and-justice/laws-and-legislation/legal-assistance-and-applications/legal-assistance/ex-gratia-legal-assistance.html>)

provides information relating to ex gratia legal assistance.

(9) Did you choose Ms Plowman or was it suggested to you that she provide the advice you sought?

The Cabinet Office provided options that included MinterEllison. We engaged MinterEllison to provide legal advice.

(10) Did you personally consider obtaining separate advice?

No.

Premier's Memorandum M2022-10 Guidelines for the Provision of Ex-Gratia Legal Assistance for Ministers, Public Officials and Crown Employees provides that an application for ex gratia legal assistance may be made by a Minister or public official where legal proceedings have commenced against them or are known to be imminent.

(11) Were you advised that funding was contingent upon using Ms Plowman for advice?

No.

Premier's Memorandum M2022-10 Guidelines for the Provision of Ex-Gratia Legal Assistance for Ministers, Public Officials and Crown Employees provides that an application for ex gratia legal assistance may be made by a Minister or public official where legal proceedings have commenced against them or are known to be imminent.

(12) When you were served with the summons was it your understanding that, if you did not attend:

- (a) This was unlawful?
- (b) You faced arrest?
- (c) You would be engaged in legal proceedings?

I attended the hearing on 27 June.

(13) Who initiated the request for an ex gratia payment for legal services?

- (a) To whom was the request made?
- (b) What date was the request made?
- (c) Please provide a copy of the request.
- (d) When was a decision received?
- (e) Please provide a copy of the decision

Premier's Memorandum M2022-10 Guidelines for the Provision of Ex-Gratia Legal Assistance for Ministers, Public Officials and Crown Employees provides

that an application for ex gratia legal assistance may be made by a Minister or public official where legal proceedings have commenced against them or are known to be imminent.

It is open to witnesses to obtain legal assistance in relation to summonses.

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I am advised that on 20 June, DCJ confirmed that the application for ex gratia assistance was approved.

(14) Do you have more than one telephone? If yes,

(a) Are both used to communicate with the Premier?

(b) Are both used to communicate with other Ministerial staff?

(c) Are both used to communicate with departmental staff?

(d) What communication apps are installed on any phone you use to communicate with any of the nominated groups or persons listed above?

(e) Do you have disappearing messages enabled?

Like the former Coalition Government, the NSW Government uses a range of digital systems and communications that have been approved for use and may be utilised where there is a valid business requirement. This has been established practice under successive governments.

The Government complies with its obligations for orders for the production of documents under Standing Order 52 and also Government Information Public Access (GIPA) requests.

State records are a vital public asset, and access to Government information is essential to maintaining public trust in government. I comply with my obligations under the State Records Act 1998.

The Ministers' Staff Acceptable Use of Network Services Policy (available online in the Ministers' Office Handbook) confirms that computers, Ministers' Network, mobile devices, internet, remote access, email and any other type

of service used for official communications must be used in a lawful, appropriate and ethical way.

Ministers' staff may use mobile telephones for business and (reasonable use) private purposes. I comply with the Ministers' Staff Acceptable Use of Network Services Policy.

(15) When was the decision made to appear on 27 June?

(a) Was this a collective or an individual decision?

(b) What meetings were held to discuss this decision – please provide dates, means of meeting, and persons present.

To the best of my recollection, this decision was the outcome of a conversation that took place on 24 June.

(16) Who was the principal author of the letter dated 19th June?

(a) How was this letter circulated among all the signatories?

(b) Please provide a copy of drafts showing markups or changes you made.

Each of us signed the letter. As outlined above, assistance was sought on behalf of myself and the others under the ex gratia legal assistance scheme, and legal assistance was engaged to provide legal advice in connection with the summons.

It is open to witnesses to obtain legal assistance in relation to summonses.

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(17) Did you or anyone in your office assist Mr Nanva with the preparation of his questions for the hearing on 27th June?

I assume that Mr Nanva asked questions that he felt would assist the committee under the terms of reference.

(18) Did Mr Nanva provide you with a copy of his questions prior to the hearing on 27th June?

No.