

*INDEPENDENT COMMISSION AGAINST CORRUPTION & ANOR*

v

*GAMAGE & ANOR*

[2025] HCADisp 151

S64/2025

1       The applicants seek special leave to appeal from part of the judgment of the Court of Appeal of the Supreme Court of New South Wales (Leeming JA, Basten and Griffiths A-JJA), which allowed in part an appeal from a judgment of the Supreme Court of New South Wales (Rothman J).

2       The effect of that part of the decision of the Court of Appeal the subject of the application concerns only the manner in which the Independent Commission Against Corruption or its officers may commence criminal proceedings. The decision turned on the application of accepted principles of statutory construction to particular provisions of the *Independent Commission Against Corruption Act 1988* (NSW) and the *Criminal Procedure Act 1986* (NSW). Properly analysed, the application does not raise a question of public importance and it is otherwise not a suitable vehicle for the point of principle it seeks to raise.

3       Special leave to appeal is refused with costs.

Gageler CJ

Gordon J

Edelman J

Steward J

Gleeson J

Jagot J

Beech-Jones J

7 August 2025