

**UNDER THE**

**Inquiries Act 2013**

**IN THE MATTER OF**

**a Government Inquiry into Operation Burnham and  
related matters**

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**MEMORANDUM OF COUNSEL FOR FORMER RESIDENTS OF KHAK  
KHUDAY DAD AND NAIK REQUESTING ADJOURNMENT OF HEARING**

**Dated 7 March 2019**

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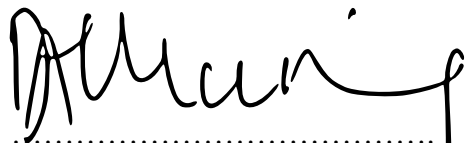
1 This memorandum is filed further to counsel's previous memoranda of 26 February and 5 March 2019 regarding the Inquiry's upcoming public hearings.

2 As previously indicated, our ability and our clients' ability to participate in this Inquiry has been limited by a lack of funding and time. As of the filing of this memorandum, no funding has been allocated to our clients, despite the Inquiry's request for our clients to provide information and for us to present at the hearing. While the Inquiry has recommended such funding, it remains that we are now four weeks from the first hearing, with no funding to pay for legal fees, interpreters, or indeed any work at all. The issue has been exacerbated by a lack of communication in advance of the scheduling of the first hearing, which would have enabled counsel to advise the Inquiry of the timeframes necessary to undertake such work.

3 In any event, the effect of this lack of time and funding has left our clients in a position where it is no longer possible for them to meaningfully participate in the Inquiry under present conditions. Accordingly, we urgently request an adjournment of Hearing One.

4 Further, and as the Inquiry is aware, we have been in correspondence with the Attorney-General regarding our concerns with Ruling No 1, the approach taken by the Inquiry and other matters. We can advise that we have received the Attorney-General's response, and that we have been instructed to apply for judicial relief. It is likely that interim orders will be sought in the course of that action.

**Dated** this 7th day of March 2019

  
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**R E Harrison QC / D A Manning**  
**Counsel for the Villagers**