



CRIME AND MISCONDUCT COMMISSION

TRANSCRIPT OF PUBLIC INVESTIGATIVE HEARING

10 **CONDUCTED AT LEVEL 2, NORTH TOWER, 515 ST PAULS TERRACE,
FORTITUDE VALLEY AT LEVEL 2, NORTH TOWER, 515 ST PAULS
TERRACE, FORTITUDE VALLEY WITH RESPECT TO**

File No: MI-09-1057

HEARING NO: 08/2009

**DAY 2 - TUESDAY 24 NOVEMBER 2009
(DURATION: 37 MIN)**

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these proceedings.**

LEGEND

Presiding Officer – Robert NEEDHAM, Chairperson, CMC
Counsel Assisting – Russell PEARCE, Director, Misconduct Investigations
30 **Hearing Room Orderly – Alicia VIEIRA**
Witness – Eric ANNING
Legal Representative – Geoff RANKIN (Allens Arthur Robinson)

HRO: This hearing is now resumed.

MR PEARCE: I propose to call Mr Eric ANNING. Mr ANNING is represented. Come forward, Mr ANNING.

MR RANKIN: Good morning, Chairman, my name is RANKIN, initials GN. I appear for Mr ANNING.

THE PRESIDING OFFICER: Thank you.

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ERIC TUNBRIDGE ANNING ON OATH, EXAMINED:

MR PEARCE: Could you tell me your full name, please.

THE WITNESS: Eric Tunbridge ANNING.

MR PEARCE: You are a retired legal practitioner?

THE WITNESS: Yes.

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MR PEARCE: And you are associated in some capacity with the University of Queensland Rugby Football Club; is that correct?

THE WITNESS: Yes.

MR PEARCE: In what capacity are you so associated?

THE WITNESS: I'm the deputy chairman.

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MR PEARCE: You are also associated with an organisation called the University of Queensland Rugby Academy; is that also correct?

THE WITNESS: Yes.

MR PEARCE: In what capacity?

THE WITNESS: I'm the chairman of the management committee.

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MR PEARCE: Can you indicate for the hearing the association between those two entities?

THE WITNESS: The rugby club is a one third owner in the joint venture which is the academy.

MR PEARCE: What is the purpose of the joint venture?

THE WITNESS: To improve rugby in Queensland at St Lucia and elsewhere.

MR PEARCE: So it's not just an academy run for the purposes of the university rugby club? It has a wider purpose, is that the situation?

THE WITNESS: Yes.

MR PEARCE: In practical terms what does the academy do?

10 THE WITNESS: It coaches players and coaches on players' rugby skills and other qualities that are necessary to play good rugby. And as far as the coaches are concerned how to coach properly.

MR PEARCE: The academy offers a course in education or something, does it?

THE WITNESS: Yes.

MR PEARCE: Over what period?

20 THE WITNESS: There are various periods. The one that's relevant to this one is an 11-month period.

MR PEARCE: Very well. Does the University of Queensland Rugby Football Club operate under the umbrella of the QRU?

THE WITNESS: It's one of the affiliated clubs, yes.

MR PEARCE: Do you receive funding from the QRU.

THE WITNESS: Yes.

30 MR PEARCE: On an annual basis, or how does that work?

THE WITNESS: Annual.

MR PEARCE: Do you know Mr TUTT?

THE WITNESS: Yes.

MR PEARCE: How do you know Mr TUTT?

40 THE WITNESS: I know him because he's been associated with the rugby club for many years.

MR PEARCE: That's the University of Queensland Rugby Club?

THE WITNESS: Yes.

MR PEARCE: In what capacity has he been associated with the club, are you able to say?

THE WITNESS: He was first of all a player and then he became a committee member.

MR PEARCE: Is he still a committee member?

THE WITNESS: No.

MR PEARCE: For what period was he a committee member?

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THE WITNESS: I can't say. I can't remember.

MR PEARCE: In 2008, was he a committee member?

THE WITNESS: Yes.

MR PEARCE: Were you present here yesterday?

THE WITNESS: For some of it.

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MR PEARCE: All right. You appreciate what the CMC is investigating here?

THE WITNESS: Yes.

MR PEARCE: And in particular, from your point of view, the CMC is interested in the \$200,000 that found its way to the academy; do you appreciate that?

THE WITNESS: Yes.

30 MR PEARCE: Can you, if you like, start at the beginning and explain to us what steps were put in place to secure that \$200,000 funding?

THE WITNESS: The academy was in financial difficulty. It relied heavily on overseas business, particularly the US. So any strengthening of the Australian dollar against the US dollar reflected badly on the academy because it priced its services in Australian dollars. For instance, I can mention that at the end of June 2006 one Aussie dollar got 73 US cents and a year later it was 84. So that's an appreciation by the Australian dollar of 15 per cent, and that increased in the second half of '07 and in the first half of '08. So, we decided to make an application for assistance to the QRU, for further assistance over and above what we, what the club with one third owner had got.

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MR PEARCE: All right. The academy itself is self-funding, is that the situation?

THE WITNESS: It sets out to be, yes.

MR PEARCE: The university football club, if I can call it that, has a one third exposure to any financial liability incurred by the academy?

THE WITNESS: I guess so.

MR PEARCE: You said -- you said about trying to secure or look for other funding. Who was the "we"?

THE WITNESS: The Chief Executive, the CEO and myself.

MR PEARCE: Who is the CEO?

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THE WITNESS: David MUIR was the CEO.

MR PEARCE: What did you do in that regard?

THE WITNESS: As I say, we made an application to the QRU.

MR PEARCE: How did you come to do that?

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THE WITNESS: Well, firstly I, I asked Simon TUTT about an application from the Department of Sport. And he said to me that the Department of Sport preferred to deal with parent bodies and that there was funding being discussed between the QRU and the Department of Sport at that time, that the QRU might get some money and we might be better placed making an application to the QRU.

MR PEARCE: If I could just focus in on that conversation with Mr TUTT for the moment. When did that take place?

THE WITNESS: I'm not sure. As I said, I think it was early July.

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MR PEARCE: Okay. Where did it take place?

THE WITNESS: It took place in Vroom Bistro, James Street Fortitude Valley.

THE PRESIDING OFFICER: That's V-R-O-O-M, is it?

THE WITNESS: V-R-O-O-M, Vroom.

MR PEARCE: How was that meeting instigated?

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THE WITNESS: I can't recall whether I rang him or he rang me but we met there for coffee.

MR PEARCE: Is it a regular thing that you would get together with Mr TUTT?

THE WITNESS: No.

MR PEARCE: How often in a year, say, would you meet with Mr TUTT outside committee meetings?

THE WITNESS: Well, I have met with him once this year.

MR PEARCE: So once a year?

THE WITNESS: Once or -- about that, yeah.

MR PEARCE: Well, you've told us about the conversation. You ended up securing \$200,000. Was any figure mentioned to Mr TUTT or by Mr TUTT during your meeting with him at the bistro?
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THE WITNESS: I don't think he mentioned any figure to me. I may have mentioned 200,000 to him because that's what we thought we needed to survive.

MR PEARCE: So at some point someone had done a calculation or an estimate, had they?

THE WITNESS: Yes. Yeah, the CEO.

MR PEARCE: And you think you were aware when you spoke with Mr TUTT that you were chasing \$200,000 or thereabouts?
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THE WITNESS: Could you just clarify that "aware"?

MR PEARCE: That was the figure in your mind when you spoke with Mr TUTT; that's what I'm trying to ascertain?

THE WITNESS: Yep. Yep. That's why I later after that meeting formulated a two-year program as being a fair figure to pay back the QRU for the financial assistance.
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MR PEARCE: You wanted a quid pro quo arrangement?

THE WITNESS: Yes.

MR PEARCE: What did you do after the meeting you had with Mr TUTT?

THE WITNESS: I'm really, really hazy about that. I imagine that I communicated that to my -- the other people in the joint venture of the academy. And we set about thinking about how we might make the, make the application.
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MR PEARCE: The other people in the joint venture being Queensland University.

THE WITNESS: Yes.

MR PEARCE: And the Queensland University sport and recreation club or association.

THE WITNESS: Yes.

MR PEARCE: Is that correct?

THE WITNESS: Correct.

MR PEARCE: We have heard evidence that the minister made an announcement of funding for the QRU at the Reds ball, the Reds gala ball on 11 July last year. Were you present at that function?

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THE WITNESS: I was at the Reds awards ball.

MR PEARCE: Did you have any foreknowledge that the minister would make such an announcement that night?

THE WITNESS: No, as I've said before, I don't even remember the announcement being made that night. But, you know, the evidence is that it was. I didn't hear it.

MR PEARCE: In any event, we have evidence that on the following Monday, 14 July, you sent an email to Mr FREER?

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THE WITNESS: Yeah.

MR PEARCE: Do you recall sending that email?

THE WITNESS: Yes, I recall it now.

MR PEARCE: You were seeking to get together with Mr FREER to talk about how the 12 academy scholarships would work.

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THE WITNESS: Yes.

MR PEARCE: Had you had any previous contact with Mr FREER concerning the 12 academy scholarships?

THE WITNESS: I can't remember. I may have spoken to him on the morning that I sent the email. I can't be sure.

MR PEARCE: Well, prior to that Monday? Prior to Monday the 14th.

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THE WITNESS: I can't remember. I can't remember.

MR PEARCE: I'll just get you to have a look at Exhibit 12. I suggest to you that what you are being shown is a print-out of your email to Mr FREER on 14 July 2008, together with a print-out of a document that was attached to your email which is headed "Elite Player Development Program Information and Application Pack". Do you recall sending that?

THE WITNESS: No, but I don't -- I know I did send an email to him at some stage. And I agree that that's it.

MR PEARCE: And you don't recall whether you spoke to Mr FREER on an occasion prior to that Monday 14 July?

THE WITNESS: I don't recall.

MR PEARCE: Did you know that Mr FREER was the CEO of the QRU?

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THE WITNESS: Yes.

MR PEARCE: Prior to your email to Mr FREER, are you aware of any other documentation or correspondence that went to the QRU seeking the funding?

THE WITNESS: The academy funding?

MR PEARCE: That's correct.

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THE WITNESS: No.

MR PEARCE: Just to get the sequence correct, you were endeavouring to secure funding for the academy. As part of that process you spoke to Mr TUTT. Mr TUTT suggested you make your application to the QRU as the umbrella organisation, and thereafter the first step you took, according to your recollection, was to send the email of 14 July; is that correct?

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THE WITNESS: Yes, that's according to my recollection. Although the way the email is, it would seem that I would normally have spoken to him before I sent the email.

MR PEARCE: Subject to that possibility?

THE WITNESS: But I can't remember that conversation.

MR PEARCE: Do you recall that you later attended a meeting with representatives from the QRU?

THE WITNESS: Yes.

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MR PEARCE: Do you recall when that meeting was?

THE WITNESS: 25 July.

MR PEARCE: How are you able to recall that date.

THE WITNESS: Because I have looked at my diary and I sent Mr FREER a memo prior to the meeting which I had discovered to the Commission.

MR PEARCE: Thank you. What took place at that meeting?

THE WITNESS: We -- I, I told Mr FREER that -- about our financial difficulty, and that we wanted to make an application for a two-year scholarship program to the tune of \$200,000. And we -- the result of the meeting was that, as I recall it, the QRU would meet with David MUIR and Zane HILTON and work out the scholarship program, and then the academy would put a formal proposal to the QRU for the financial assistance spelling out the scholarship program.

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MR PEARCE: Was there any mention at that meeting of the \$4.2 million that the QRU had just secured by way of the government grant?

THE WITNESS: No, not to my recollection.

MR PEARCE: Were you aware at that time, that is, in August of 2008, of the general financial predicament faced by the QRU.

THE WITNESS: No.

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MR PEARCE: Do you receive the QRU's annual report, for example?

THE WITNESS: A copy is sent to the club.

MR PEARCE: You don't read it routinely yourself?

THE WITNESS: I just can't remember reading the earlier one.

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MR PEARCE: You weren't generally aware in August of 2008 that the QRU was in rather dire financial straits?

THE WITNESS: No, certainly not.

MR PEARCE: What followed the meeting of 25 July?

THE WITNESS: Well, the academy people got together with the high performance manager of the QRU and they worked out the scholarship program. The QRU executives were very excited about the program, and, and -- so my CEO was very bullish about the whole matter being approved.

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MR PEARCE: That was for what reason? Because it offered the opportunity of additional funding or because of --

THE WITNESS: Because of the way that the, the discussions with the QRU executives had gone and -- I think it's on the record, there's an email from David MUIR dated 8 August --

MR PEARCE: August, that's correct.

THE WITNESS: -- when he says that, you know, "I'd like to have an agreement in principle before next Tuesday", aside from the financial matters which Ken was dealing with. So they thought they were very close at a practical level.

MR PEARCE: I don't want to take to you all of the documents because you have previously produced them or I have previously spoken to you about them. But if we can use the phrase "to cut a long story short", a program was developed, a scholarship program was developed?

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THE WITNESS: Yes, I'd like to reiterate what I said at an earlier time, that I did pull it all together and make the proposal, which I sent to Mr FREER, on 12 August. That proposal did mention in writing the financial problems that the academy was facing and it explained the reasons why we were facing those financial problems: the exchange rate and the world financial crisis.

MR PEARCE: I will just endeavour to show you that document, given that you want to focus upon it.

20 We will endeavour to dig that up. In any event did you subsequently give instructions for two invoices to be sent to QRU each seeking \$100,000?

THE WITNESS: Yes, Mr PEARCE. We received a email from the financial manager of the QRU, dated 3 September, stating that the finance committee of the QRU had approved the \$200,000 facility for the academy. And they would be prepared to pay that money in the remainder of the financial year, called for two invoices to be produced. And one was sent on 3 September and paid on 5 September. That's 5 September, not the 3rd. And the other one was sent on 25 November and paid on 11 December.

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MR PEARCE: I'll just show you a couple of documents now. Can the witness be shown document 39 and document 40. I will just show you two documents. One appears to be an attachment to the email that's on top, an email from you to Mr EISENTRAGER, who is the chief financial officer at QRU, dated Wednesday, 3 September at 1539 hours. And it refers to an attachment or an attached invoice?

THE WITNESS: Yes.

40 MR PEARCE: And there is a second document I've shown you, which is a copy of an invoice. Is that the email that you've used by way of cover for the invoice that you also have?

THE WITNESS: Yes.

MR PEARCE: And the invoice seeks payment of an academy fee of \$100,000.

THE WITNESS: Yes. I didn't prepare the invoice. It --

MR PEARCE: It was prepared for you, was it?

THE WITNESS: Yes.

MR PEARCE: Can I tender those document collectively?

THE PRESIDING OFFICER: Yes. The email of 3 September from Mr ANNING to Mr EISENTRAGER and the attached invoice will be Exhibit 18.

10 MR PEARCE: That you.

ADMITTED AND MARKED EXHIBIT 18

MR PEARCE: May I ask that the witness be shown document 44. I'll just get you to have a look that this document. It's not clear to me how it was conveyed but it appears to be the second in a series of invoices; is that correct?

THE WITNESS: Yes.

20 MR PEARCE: It's dated 24 November and it seeks \$100,000 and the description on the invoice is simply "Grant"; that's the second of the two invoices?

THE WITNESS: Yes.

MR PEARCE: Can I tender that second invoice, please.

THE PRESIDING OFFICER: That's Exhibit 19.

ADMITTED AND MARKED EXHIBIT 19

30 MR PEARCE: You mentioned earlier information that you'd sent under cover of an email. I'll just show you this document. I'll endeavour to identify the document, first of all. It's document 32 in our bundle. There's an email trail that commences with an email that you have sent on 12 August to Mr FREER and culminates in one from Mr Simon TAYLOR to Mr Ken FREER -- sorry, it's reversed, it commences with the email dated 28 July from Mr Simon TAYLOR to Mr FREER, and it culminates in your email to Mr FREER of 12 August; do you see that?

THE PRESIDING OFFICER: It's a bit odd because in between is the 18th.

40 MR PEARCE: Yes, you are correct, Mr Chairman.

THE WITNESS: Could I just have a moment, please, Mr PEARCE?

MR PEARCE: Yes.

THE WITNESS: I haven't seen this email before.

MR PEARCE: It's the attachment I'm really concerned about, Mr ANNING.

THE WITNESS: I can't see what the attachment is.

MR PEARCE: Keep going. One of the emails refers to the paper from Mr Eric ANNING in relation to the funding. If we can just ignore the email exchange for the moment and just look at the document that accompanies this, the email trail; do you recognise the document?

10 THE WITNESS: I can't see any document -- are you talking about the memorandum?

MR PEARCE: Keep going. That's correct.

THE WITNESS: Yes, that's the memorandum dated 12 August. I've been talking about that.

MR PEARCE: That's the memorandum you referred to earlier?

20 THE WITNESS: Yes.

MR PEARCE: You see on page 2 at the top of the document there you make mention of the exchange rate?

THE WITNESS: Yes.

MR PEARCE: And that's the document you referred to earlier, the one created by you that bears the date 12 August?

30 THE WITNESS: Yes.

MR PEARCE: Can I just tender the document.

THE PRESIDING OFFICER: Yes, it seems to have been sent with Mr ANNING's email of 12 August which is on page 2 of the email exchange.

MR PEARCE: Yes.

40 THE PRESIDING OFFICER: It says "I am pleased to attach a formal proposition."

MR PEARCE: Given that there is some confusion on the dates on the email chain, I will just tender the document itself.

THE PRESIDING OFFICER: That memorandum of 12 August 2008 will be Exhibit 20.

ADMITTED AND MARKED EXHIBIT 20.

MR PEARCE: And you certainly remember sending that by email to Mr FREER?

THE WITNESS: Yes.

MR PEARCE: Thank you. That's all I have of Mr ANNING.

THE PRESIDING OFFICER: Just the next document, 33.

10

MR PEARCE: Yes. I will just get you to look at this document and then I'll ask you about it. Do you recall sending that email?

THE WITNESS: It has been recalled to me, yes.

MR PEARCE: You'd agree it appears to be an email that you have sent to various addressees?

THE WITNESS: Yes.

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MR PEARCE: The subject line bears the words "Academy QRU" and there was apparently attached to that email a document titled "Proposition".

THE WITNESS: Yes.

MR PEARCE: And the body of the email it is said, "Gentlemen, there have been various discussions with the QRU about this funding for the academy and there is in principle agreement at executive level. I think it will be approved"; is that correct?

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THE WITNESS: Yes.

MR PEARCE: It's dated 14 August?

THE WITNESS: Yes.

MR PEARCE: Can you tell me who the addressees are, collectively who they are?

THE WITNESS: They are the members of the rugby club which meets monthly and that was the day of a meeting.

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MR PEARCE: Mr TUTT is one of the addressees?

THE WITNESS: Yes.

MR PEARCE: Can I tender that email.

THE PRESIDING OFFICER: That rugby club is the University of Queensland

Rugby Club?

THE WITNESS: Yes, Chairman.

THE PRESIDING OFFICER: That email of 14 August will be Exhibit 21.

ADMITTED AND MARKED EXHIBIT 21

MR PEARCE: Thank you. That's all I have of Mr ANNING.

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THE PRESIDING OFFICER: Yes, Mr RANKIN?

MR RANKIN: I have no questions, Chairman.

MR DEVLIN: Mr ANNING, just a few questions. Mr TUTT never had a role with the University of Queensland Rugby Academy?

THE WITNESS: No.

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MR DEVLIN: And is it your memory that Mr TUTT did not attend very many meetings of the University of Queensland Rugby Club during 2008?

THE WITNESS: That is certainly my memory. I remember the president being -- trying to chastise him socially.

MR DEVLIN: So that was something you expressed in your previous interview or evidence you gave?

THE WITNESS: Correct.

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MR DEVLIN: Is it more likely that you'd have contacted Mr TUTT to have the meeting with him over coffee?

THE WITNESS: I can't answer that. I don't know.

MR DEVLIN: Just don't know one way or the other?

THE WITNESS: No.

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MR DEVLIN: And you agree that the advice he gave you was in the nature of general advice, to go to the parent body about the application?

THE WITNESS: I don't -- I wouldn't say he advised me to go to the parent body. I would say that he said if you make an application it would be better to go to the parent body.

MR DEVLIN: Mr TUTT had no part, then, in the academy's application to the QRU?

THE WITNESS: No, I didn't speak to him about the way, the application at all -- and I didn't discuss with him that we were going to offer scholarships through the QRU.

MR DEVLIN: Any discussions between the academy people and the rugby club and QRU did not involve Mr TUTT, to your knowledge?

THE WITNESS: Not to my knowledge.

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MR DEVLIN: You weren't left with the impression that the grant to or the funding to the academy had been organised by Mr TUTT in some way?

THE WITNESS: I -- the grant to the academy?

MR DEVLIN: No, the funding to the academy by the QRU; you weren't left with that impression?

THE WITNESS: Well, it was in the -- it was in the approval letter.

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MR DEVLIN: Mhmm.

THE WITNESS: But I didn't, I didn't understand that, no. It was in the approval email dated 3 September. But I didn't understand that.

MR DEVLIN: What are you referring to there?

THE WITNESS: Well, in the Exhibit, in the proceedings, an email dated 3 September from the financial manager of the QRU, its wording, if you -- it said that the, said that the finance committee of the QRU had agreed that the 200,000 facility would be made available out of monies --

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MR PEARCE: It's Exhibit 18.

THE WITNESS: Out of monies provided by the government, or words to that effect.

MR DEVLIN: You weren't aware of that side of the transaction at all?

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THE WITNESS: No.

MR DEVLIN: Right.

THE WITNESS: I knew there was funding involved between the QRU and the Department of Sport, because Simon TUTT had told me -- and I want to make a point here. I wasn't aware of any irregularities that have come to light in those discussions between the QRU and the Minister for Sport.

MR DEVLIN: I'm looking at transcript page 166 of your previous evidence to a closed hearing of the Commission. And at line 9 you were asked this question by Counsel Assisting: You weren't left with the impression that the grant had been organised for Queensland Rugby Union by Mr TUTT? Answer: "No." Question: "Nor that he would arrange some funding out of that grant to be headed in the direction of the academy?" Answer: "No, I would have been staggered if one person in the government could arrange those sorts of things."

THE WITNESS: Correct.

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MR DEVLIN: And that's still true?

THE WITNESS: Yes, well ...

MR DEVLIN: The idea of the funding or the funding of the academy, or the way it was developed was that it would fund 13 scholarships from one player to each of the Premier clubs; was that the way it was to work?

THE WITNESS: I think it was, the 13 came --

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MR DEVLIN: Forget the figure. I don't need the figure.

THE WITNESS: Well, I'll give it to you: 9 from other clubs, 3 from the university and 1 from the country.

MR DEVLIN: I see. So there were 13 spots in all?

THE WITNESS: Available, yes.

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MR DEVLIN: Yes, that's all I have, thank you.

THE PRESIDING OFFICER: Mr ANNING, just one matter and Mr Devlin can ask any questions out of this if he wants to. I have a memory you told us previously that you had lunch with Mr TUTT in August of 2008?

THE WITNESS: Yes.

THE PRESIDING OFFICER: Am I correct in that?

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THE WITNESS: You are correct in that.

THE PRESIDING OFFICER: Right. Do you have any --

THE WITNESS: When I checked, as you requested me to do, the lunch was in December.

THE PRESIDING OFFICER: It was in December?

THE WITNESS: Yes.

THE PRESIDING OFFICER: Not in August?

THE WITNESS: No.

MR RANKIN: Might I say that on behalf of Mr ANNING, I wrote to the Commission and made that available.

10 MR PEARCE: We are aware of that.

THE PRESIDING OFFICER: I'm not always told everything that goes on, Mr RANKIN.

THE WITNESS: I'm sorry, I made the error.

THE PRESIDING OFFICER: No, that's okay. Thank you for checking and sorting that out for us.

20 MR CARMODY: Mr Chairman.

THE PRESIDING OFFICER: Yes, Mr CARMODY.

MR CARMODY: Mr ANNING, you wrote to Ken FREER on 12 July or 13 July after the Reds Ball?

THE WITNESS: The 14th.

30 MR CARMODY: You wrote to him because you were prompted to do so by the minister's announcement at the ball earlier on Friday?

THE WITNESS: That's something, Mr CARMODY, I can't remember. Bear in mind that we had things in train to make the application with the QRU before that date.

MR CARMODY: By that date you knew they had money coming?

THE WITNESS: No.

40 MR CARMODY: Because the minister had said at the ball that the approval was forthcoming?

THE WITNESS: I can't remember the minister saying that at the ball to be honest with you. It was an awards ball. There were a hell of a lot of awards made to players. The reason most people were there was because of the polliès.

MR CARMODY: Not the polliès?

THE WITNESS: No.

MR CARMODY: So you went to the ball, obviously?

THE WITNESS: I went to the awards ball, yes.

MR CARMODY: You can't remember Judy SPENCE saying, hey, we're going to give --

10 THE WITNESS: No, but I don't challenge that she did make an announcement.

MR CARMODY: You don't remember?

THE WITNESS: I don't remember, no.

MR CARMODY: And that's not what prompted you to contact Ken FREER on the Monday?

20 THE WITNESS: If it was made it might have given me a bit of a prod, yes. I can't answer it, though.

THE PRESIDING OFFICER: All right. Mr PEARCE?

MR PEARCE: No, I have nothing further, Mr Chairman.

THE PRESIDING OFFICER: May Mr ANNING be excused?

MR PEARCE: Yes.

30 THE PRESIDING OFFICER: Thank you, Mr ANNING. Thank you for your evidence. Thank you, Mr RANKIN.

MR RANKIN: May I be excused Mr Chairman?

THE PRESIDING OFFICER: Yes, certainly.

MR PEARCE: The next witness is Mr KLAASSEN. I'd appreciate 5 or 10 minutes to speak with him about the material that came to us late on Friday.

40 THE PRESIDING OFFICER: Okay. I will resume when I'm advised that you are ready.

THE HEARING ADJOURNED AT 10.38 AM

EXHIBITS

	EXHIBIT 18	135
	EXHIBIT 19	135
	EXHIBIT 20	137
10	EXHIBIT 21	138