

2

CRIME & MISCONDUCT COMMISSION
No. 2005-5 Date 18/10/05
IN THE MATTER OF:
OP GRAND
EXHIBIT No. 1102
CLERK
gm05/06049

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www.hickeylawyers.com.au

HICKEY
LAWYERS

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ABN 12 585 546 109

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LL.B(Hons) | OWNER

Mark Lacy
R.Com, LL.B | OWNER

Jamie Bolic
B.Ec(Hons), LL.B(Hons) | OWNER

Joe Welch
LL.B | OWNER

Our Ref: Mr Hickey:sw :248311/1
Your Ref: M1-04-1118/MGD

13 April 2005

Mr Mark Docwra
Crime and Misconduct Commission
GPO Box 3123
BRISBANE QLD 4001

Facsimile: 3360 6333

Number of Pages: 3

Dear Mr Docwra,

RE: LIONEL BARDEN TRUST

I refer to your letter of 11 April and as requested we now enclose a statement with respect to the Lionel Barden Commonsense Campaign Fund. This statement records all funds paid into our trust account and all funds paid out of trust account.

We do not believe that there exists any trust document or terms of trust. We certainly do not hold any such documentation and we are told by Mr Barden that no such documentation exists.

Yours faithfully
HICKEY LAWYERS

Tony Hickey
Tony Hickey
Managing Partner

Direct Email: hickeya@hickeylawyers.com.au
Direct Line: 5556 7408
Direct Fax: 5574 1130
Encl:

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IMPORTANT NOTICE TO RECIPIENT

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 L A W Y E R S

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Trust Statement

08 June 2004

Mr L Barden

RE: LIONEL BARDEN COMMONSENSE CAMPAIGN FUND

Date	Description	Debit	Credit	Balance
23-DEC-03	Donation Received From: Great Southern Land G.m.b.H		10,000.00	10,000.00
24-DEC-03	Campaign assistance for Division 5 candidate Payee: Brian Rowe	7,500.00		2,500.00
15-JAN-03	Donation Received from: Ray Group Pty Ltd		10,000.00	12,500.00
27-JAN-04	Donation Received From: Gregory Phillips		10,000.00	22,500.00
28-JAN-04	Donation Received From: Sunland Group Limited		10,000.00	32,500.00
29-JAN-04	Campaign assistance Payee: B Rowe	7,500.00		25,000.00
29-JAN-04	Campaign assistance Payee: G Betts	7,000.00		18,000.00
29-JAN-04	Campaign assistance Payee: G Pforr	7,500.00		10,500.00
30-JAN-04	Donation Received From: Phil Sullivan		10,000.00	20,500.00
02-FEB-04	Campaign assistance Payee: Roxanne Scott	7,000.00		13,500.00
13-FEB-04	Donation Received From: Fish Developments Pty Ltd ATF The Fish Development		10,000.00	23,500.00
17-FEB-04	Donation Received From: Devine Ltd		10,000.00	33,500.00
19-FEB-04	Donation Received From: Rapcivic Contractors Pty Ltd		10,000.00	43,500.00

- 2 -

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20-FEB-04	Campaign assistance Payee: B Rowe	20,000.00	23,500.00
20-FEB-04	Campaign assistance Payee: R Scott	3,000.00	20,500.00
20-FEB-04	Campaign assistance Payee: G Pforr	5,000.00	15,500.00
20-FEB-04	Campaign assistance Payee: G Betts	5,000.00	10,500.00
03-MAR-04	Campaign Funds Received From: Roche Group Pty Ltd	10,000.00	20,500.00
09-MAR-04	Campaign assistance Payee: Bob Janssen	5,200.00	15,300.00
11-MAR-04	Campaign Funds Received From: Phillips Gregory	20,000.00	35,300.00
15-MAR-04	Campaign Funds Received From: Villa World Limited	10,000.00	45,300.00
17-MAR-04	Campaign Funds Received From: Ingles Group (QLD) Pty Ltd	10,000.00	55,300.00
18-MAR-04	Campaign assistance Payee: Quadrant	45,000.00	10,300.00
24-MAR-04	Campaign Funds Received From: Blue Sky Capital Pty Ltd	10,000.00	20,300.00
31-MAR-04	Campaign assistance Payee: Quadrant	20,000.00	300.00
08-APR-04	Campaign Funds Received From: Stockland Development Pty Limited	10,000.00	10,300.00
26-MAY-04	Campaign Assistance Payee: Quadrant	10,300.00	0.00
	CLOSING BALANCE		0.00

36

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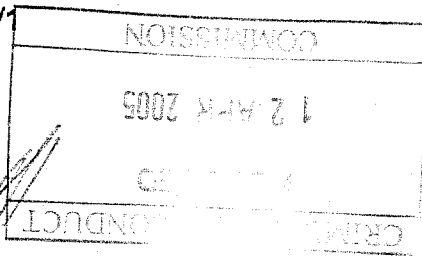
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Our Ref: Mr Hickey:sw :248311/1
Your Ref: M1-04-1118/MGD



12 April 2005

Mr Mark Docwra
Crime and Misconduct Commission
GPO Box 3123
BRISBANE QLD 4001

Facsimile: 3360 6333

Dear Mr Docwra,

RE: LIONEL BARDEN TRUST

I refer to your letter received yesterday and to your telephone conversations yesterday and this morning.

I confirm that I have faxed a letter to the trustee requesting authority to provide the information that you require.

In the meantime could you please advise particulars of the complaint and the party who is making the complaint.

Yours faithfully
HICKEY LAWYERS

Tony Hickey
Managing Partner

Direct Email: hickeya@hickeylawyers.com.au
Direct Line: 5556 7408
Direct Fax: 5574 1130

Reg No	619515040
Date	12/04/2005
Initials	
()	Unclassified
()	In-Confidence
()	Protected
()	Highly Protected
CMC CLASSIFICATION	

CRIME AND MISCONDUCT COMMISSION

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Our Reference: MI-04-1118 / MGD
Contact Officer: Mr Mark Docwra

01/05/05 05921
RECFIND

35

11 April 2005

FAXED
11/4/05

OFFICE OF THE Assistant Commissioner Misconduct

3, Terrica Place
140 Creek St
(Cnr Creek and Adelaide)
Brisbane, Queensland

Mr Anthony Hickey
Hickey Lawyers
Corporate Centre One
Cnr Bundall Road and Slatyer Avenue
BUNDALL Q 4217

By facsimile: 5574 1130

Dear Mr Hickey

RE: LIONEL BARDEN TRUST

I refer to our telephone conversation today in relation to the Lionel Barden Trust (the Trust).

I understand the Mr Lionel Barden is the Trust trustee.

I confirm your advice that you administered the Trust in accordance with written instructions.

The CMC is currently considering a complaint with respect to the disclosure of election gifts received by, or on behalf of, various candidates contesting the local government election/s for the Gold Coast City Council (the Council) in March 2004.

I note there was a by-election for Division 14 of the Council on 22 January 2005.

To assist the CMC in the:

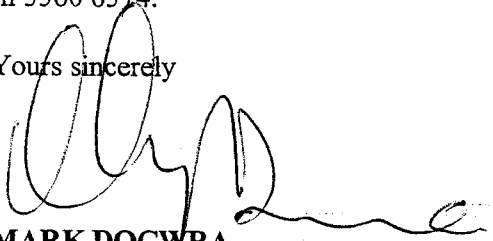
- performance of its misconduct function under the *Crime and Misconduct Act 2001* (the Act) and
- its examination and consideration of the appropriate action to take in relation to the matter,

it is requested the CMC be provided with advice about, and/or a copy of the terms of the Trust, and/or any records of expenditures made from the Trust for a political purpose about an election or elections relating to the Gold Coast City Council in or about March 2004 or January 2005, if any.

Your cooperation is greatly appreciated, however, you may also wish to consider whether pursuant to section 75 of the Act, the Chairperson may be entitled to require you to give the above requested information to the CMC, in any event.

Please do not hesitate to contact me to discuss this, or any other related matter, by telephoning me directly on 3360 6374.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Docwra', written over a horizontal line.

MARK DOCWRA
Senior Legal Officer
Receivals and Assessments Unit
Complaints Services