

Tatts Sale Log of events file; commenced 20 February 2006**Late December 2005-Early January 2006**

I heard rumours that all might not have been above board.

20 January

Verbal explanation by John Cassidy (JC) to me and to Adrian Robinson (AR) – see file note – that as of 19 Jan he decided to invest in Tatts hotel.

Audit and Compliance Committee of Council, Friday 10 Feb

Chaired by JC; James Harris told me that he was busy. The discussion was entirely on point (c), and mostly on the definition of insolvent trading.

Monday 13 Feb morning

Walking up the hill after Academic Board meeting, Majella Franzmann asked me whether I knew anything about the sale. I told her yes, that the Chancellor had provided an explanation at the Audit & Compliance meeting in the open session.

Monday 13 Feb afternoon

Provided incoming VC with a copy of Jenny Crew's letter dated 23 January to the Board of Services UNE, and a copy of JC's letter tabled the the Audit & Compliance Committee. We discussed the sequence of events as discussed in JC's letter – I said that I did not propose to do anything further.

Friday 17 Feb early evening

I dropped into GD's office for a chat. He told me at length about his concerns with the Tatts Sale and JC's role in it, and said that both he and Anthony Fox (AF) had been thinking about coming to see me to explain their concerns. This was the first time he had clearly explained his concerns, and provided information that was new to me: that the Chancellor, at a meeting with GD, AF and Sue Paimi, had either persuaded or instructed the group to reject a \$3m tender for 'political reasons' (this was sometime last year), and that JC had access to a detailed appraisal of the hotel. GD showed me a copy of the document – thick with plastic cover, certainly looked detailed. The access was apparently gained by JC asking GD's secretary for a copy or access to a copy.

Secondly, GD was concerned that JC's explanatory note delivered to the Audit & Compliance Committee of Council was incomplete: it does not contain the full sequence of events, including rejection of the \$3m bid mentioned above.

I went back to my office & immediately sent emails to GD and AF asking for a written comprehensive report. Also wrote to Stephen Colbran (SC) asking if he would assist me with this – my reasoning was the AF seems to have been a participant.

Sunday 19 Feb

Received email response from SC. I then telephoned him & gave him further details, without mentioning JC. He clearly guessed the matter – he had heard stories going about town.

Monday 20 Feb 9am SC telephoned – said he is willing to assist and suggested that I should get a senior counsel in Sydney to help. SC's reading of the ICAC Act is that there is some time for a considered approach.

Monday 20 Feb 10am AF came to my office, gave me his letter and the Forsyths document dated 2 June 2005. AF advised me to contact Minters for advice on what I am obliged to do. See notes of meeting.

Monday 20 Feb 10:19am I called Minters - Pam Matafiglio; arranged for her to come to Armidale tomorrow.

Monday 20 Feb 10:40am I called Alan Pettigrew – told him what I was doing & why.

Monday 20 Feb 10:50am I called Ann Maurer's office – asked her, in strict confidence, for a copy of all Services UNE board meeting minutes and business papers. She agreed, and will ask Sue Painsi to provide to my office.

Tuesday 21 Feb Pam Madafiglio, Minter Ellison, spent day at UNE. Reviewed documents and talked to AF, AR, GD, Sue Painsi. Verbal summary: not currently reportable to ICAC, PM will draft some questions to JC, me to put questions to JC accompanied by AF, me to advise Deputy Chancellor at about same time. RP talked to GD: does he wish a protected disclosure or for JC not to see his letter? – no on both counts.

Tuesday 21 Feb RP called AP. AP advised talking to James Harris immediately after talking to JC.

Thursday 23 Feb 10:30am JC called RP on several matters. RP advised JC of the matters in hand, that I would like to put about 5 questions to him, that GD and AF had contributed documents that I could show him, that AF will be present, that I will notify the Deputy Chancellor of these developments. JC had no problem with the process. Agreed to meet tomorrow at 5pm in my office with AF present. Cordial to me.

Thursday 12:35-12:57pm I briefed James Harris in detail.

Thursday 1pm Anthony Fox called – GD has been contacted by JC; AF made a file note and will discuss with Pam. AF will disclose to me pending Pam's advice.

Friday 24 Feb 9:11am RP received email from Helen A conveying JC's request to see questions in advance. I called AF for advice who said he would call Pam for advice.

Friday 9:45am JC telephoned; thinks GD has timing of events wrong – noted that the August meeting decision was not to sell. I told JC that we are seeking Minters advice on release of questions in advance.

Friday 11:15am GD said he had received a call from JC, mentioning GD's letter.

Friday approx 11:30am I faxed questions to JC.

Friday afternoon Peter Flood advised he had been contacted by JC on Peterson's (wine) file; see PF's email forwarded to me.

Friday 4:21pm Pam called – we should make available to JC primary data, but are not obliged to give AF's report; GD's report can be given but can also be withheld. GD's

document would be considered a source if reported to ICAC. She suggest a possible press release next week clearing actions and that Council needs a session on conflicts of interest!

Friday 4:35pm I called GD and asked whether GD wished his document to be disclosed to JC. GD confirms that it is ok to give it to JC if that is appropriate.

Friday 5pm AF and JC met in my office, see file note. AF will send his typed-up notes to Minters on Monday; Minters will use a senior counsel (probably Foster); final advice is likely in the middle of next week on ICAC reportability.

Sunday 26 Feb Two other issues of note:

- (i) At the meeting JC started off 'without prejudice'. AF explained that that was probably not possible, meeting proceeded without resolution of this at JC's determination.
- (ii) Investigation of wine deal.