

ALAN JONES

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Michael Scott,
Chief Executive,
NSW Institute of Sport.

By facsimile: REDACTED

Dear Michael,

I refer to your note in relation to the tennis issue.

It is not clear-cut. The presumption of innocence, which ought to be available to anybody, should allow someone to continue in their employment while ever all that can be levelled against them is an allegation. Indeed, to suspend or terminate someone on the basis of an allegation, may involve us in legal action down the track.

Against that, the observation by Colin Love that the "Head Coach is seen as a representative of the NSWIS and athletes who are minors are in the care of the Head Coach. If the allegations are proven, our client would be exposed to criticism for leaving minors in the care of a person against whom such an allegation was made pending a hearing."

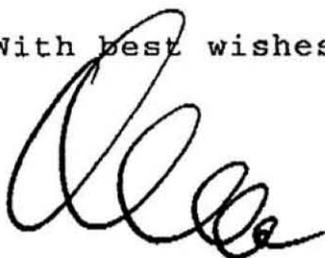
Now I'm not familiar with who constitutes the tennis squad over which the coach has responsibility. Are they minors? Or are they of another age? If the coach can't be taken away from the responsibility of minors, then the suspension may be necessary. If, on the other hand, the involvement with minors is not a part of his responsibility or, on the other hand, he can be removed from that responsibility, then we should give consideration to him continuing in his employment pending a thorough investigation.

Note that I'm only saying, "give consideration". We have legal people to determine these things for us. However, to remove a person from his employment does suggest, to the outside, an element of guilt. It imposes on the individual certain conclusions which may not be consistent with the facts established through an investigation.

In short, when we ask Tennis NSW to "advise us what steps are being taken in relation to the matter", I think we should be quite clear about the action we seek from Tennis NSW.

I'd be happy to discuss this with you further should that be necessary.

With best wishes,



ALAN JONES