

Minutes of SAL Board Meeting held on Sunday 6th December 2009.

Present. David Urquhart (President), Kevin Neil (CEO), Clem Doherty, Matt Dunn. (meeting room Novatel, Brighton, Sydney)

Margaret Pugh, Pippa Downes, Gary Barkley, Lawrie Cox, Jeremy Turner. (telephone hook-up)

Apologies. Chris Fydler.

The meeting commenced at 10.05am.

DU opened the meeting and explained that it had been called to relay to the Board, allegations, that had been brought to the attention of Swimming by a reporter who had been investigating previous events from a Police file dealing with a former member of swimming, Terry Buck (now deceased).

The reporter had asked a number of questions as to why Swimming had not dealt with the matter appropriately. The CEO had arranged to meet with the reporter to answer these questions, and it was then, that he (KN) had been told of other allegations that the reporter had been made aware of against REDACTE.

DU then handed over to Kevin Neil (CEO) to fully explain the allegations, how they occurred, and the actions that had been taken to date.

KN went through the events as they occurred and explained to the board members that there were two (2) allegations made against REDACTE by a source that the reporter would not reveal. One was of inappropriate behavior and the other of a criminal nature. He (KN) pointed out that these allegations were completely unfounded and that no official complaint had been received by SAL from anyone.

KN advised that he and DU had met with REDACTE the day before (Saturday 5th December 2009), as per the advice and instructions given by Griffin Legal. REDACTE had been informed of the allegations and told that he was under no obligation to respond and should seek his own legal advice. KN told REDACTE that SAL would provide help with Legal advice and also counseling if he felt it was needed.

KN then read to the Board the advice given by SAL's legal representatives, as to how the matter should be dealt with and the process to follow.

DU then advised the board members that he had concerns that the Board should not proceed with any action as there had been no official complaint lodged with SAL. DU had then made a phone call to Claire Carton from Griffin Legal, before the meeting commenced, to voice his

concerns and receive advice. Claire had said that she and another legal representative had discussed that same matter at length the previous night and their advice was as per the written instruction already given to SAL.

Much discussion took place between the Directors as to the seriousness of these alleged allegations, the action that should be taken and the consideration of the legal advice given.

There were suggestions that SAL should immediately put in place, policy and strategies for handling incidents such as this for future reference.

DU then asked the Directors present and on line to give their decision as to the appropriate process they believed the Board should now take.

ALL were in agreement that the advice that had been received should be implemented.

That is: That SAL should instigate investigations into the two matters brought before the Board, and that REDACTE be stood down from his position, as an employee of SAL, with full entitlements, until such investigations be completed. It was noted that LC whilst in agreement felt that the standing down of REDACTE should only take place after the police had been asked to investigate.

The two (2) matters should be treated separately.

1. The allegation with possible criminal implication be referred to the Police
2. The allegation in regard to improper conduct be dealt with by the appointment of a independent person to conduct an investigation on SAL's behalf.

The Directors expressed the view that a presumption of innocence be maintained in regard to REDACTE throughout these proceedings.

With regard to Terry Buck allegations, this matter be referred back to the Police investigation unit for further consideration.

The meeting ended at 11.10am