

From: Maria Shand
To: i:cwatson [REDACTED]
Date: Tue, Aug 10, 1999 5:49 pm
Subject: NC

** For Your Eyes Only **

Dear Craig

Here is a rough outline of the process which we propose for the investigation:

1. Board approve investigation and our firm to investigate the allegations against NC and to make recommendations and advice of any action which should follow as a result. A timeframe should be put on the investigation and we suggest one month with a report on progress after 2 weeks.
2. A list should be prepared between you and us of who might be spoken to as part of the investigation. Each person on that list to be sent a letter advising them of general nature of investigation and request to come to meeting.
3. Meetings to be held with the above people preferably over 2-3 days in Sydney. Suggest be held at offices of TNSW or alternative if not suitable. Further meetings and follow up calls may be required.
4. We to report to Board of TNSW by end of month with recommended action. If this recommendation is to terminate NC's employment, then TNSW may need to give him a final chance to have his say. This will depend on what comes out of the investigation process.
5. This investigation is considering NC's role as an employee only. It is NOT an investigation of matter involving the Disciplinary Board under the ByLaws (5.2.8). However if as a result of the investigation the Board considers the Disciplinary Board should be established to hear claims of misconduct which bring the game into disrepute then this can be heard at that time. We have some initial concerns about the Disciplinary Board acting under the By-Laws since NC is not a member of TNSW. The TNSW Articles also do not empower the Disc Board to act as precisely and clearly as is needed here.
6. In our view there need not be a formal complaint, described as such for the investigation to commence. In any event we consider the written material provided by the [REDACTED] is in effect a complaint, even if it is not described as such.
7. As an employee NC will be required (as a direction of TNSW) to be a part of the investigation. If he does not attend, the Board can decide without his input, although every opportunity should be afforded to him including the chance to give written submissions.

We would be happy to discuss this process further.

Regards

Maria Shand
 Senior Associate

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