

QUEENSLAND RACING COMMISSION OF INQUIRY

Affidavit of Phillip Christopher Bennett

I, Phillip Christopher Bennett of [REDACTED] in the State of Queensland, Financial Analyst, state on oath:

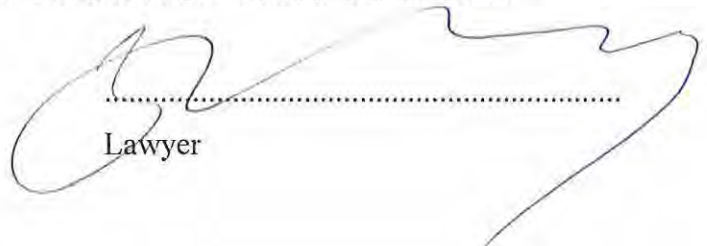
1. [REDACTED]
[REDACTED]
2. During the period 1 January 2007 to 30 June 2008, I held the position of Chair of the Greyhound Racing Authority (GRA), a Queensland Government statutory authority pursuant to the *Racing Act 2002*. I had been Chair of the GRA for a number of years prior to 2007. As a result of being Chair of the GRA, I was also a director of Queensland Race Product Co Limited (Productco), a member of the Albion Park Raceway Committee and a director of Greyhounds Australasia Limited. I was also a director of a non-trading company Greyhounds Queensland Limited which company took over the functions of the GRA on 1 July 2008.

CONTRACT MANAGEMENT AND FINANCIAL ACCOUNTABILITY

3. To the best of my memory, there were sufficient policies, procedures, guidelines and measures in place to ensure that contracts were fairly awarded and value for money obtained. As a statutory authority we were bound by the State Government purchasing policy. Generally quotes were received from a number of businesses to ensure that the best prices and services were achieved.
4. However, in relation to racetrack design, maintenance and the provision and repair of starting boxes and lure rails, these are specialist areas in which there are few businesses in Australia capable of providing the service. We generally utilised the services of a company which employed Bevan Williamson who had designed the starting boxes which we used and who had vast experience and the necessary equipment to ensure that the work was undertaken to the


.....

Deponent


.....

Lawyer

appropriate level to ensure the safety of the persons and the greyhounds that used the racetracks. He had been undertaking this work for many years and was the “Mr Fixit” should any problems arise and freely offered advice and his services in emergent situations. There was no other Queensland person or company capable of doing the work that he undertook for the GRA at that time.

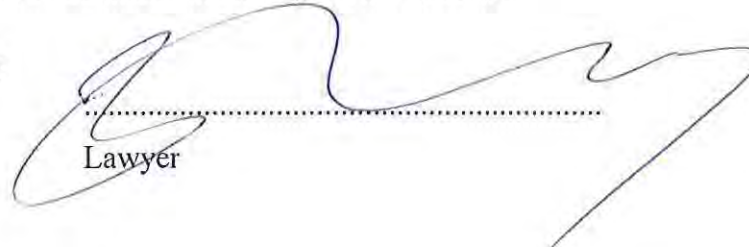
5. At no time did I receive any benefit or reward from Mr Williamson or his employer, nor am I aware of any other officer of the GRA receiving anything from them during the period that I was on the board of the GRA.
6. The GRA had no dealings as far as I can recall with Contour Consulting Engineers Pty Ltd.

MANAGEMENT

7. As far as I can recall, the GRA had adopted a number of management policies and guidelines as required by the *Racing Act 2002*. Such policies were also required as the GRA was a statutory authority. The organisation was relatively small with less than 15 permanent staff during the period in question and employed a number of casual stewards. The General Manager was Darren Beavis who was a competent and careful man who had been in the role for a number of years. He had undertaken most of the roles in the office prior to his appointment and the Board were confident to allow him to manage the organisation with a minimum of board supervision.
8. I was in full time employment in the Queensland Public Service at the relevant time but Beavis and I regularly spoke or exchanged emails and we regularly both attended board meeting of the GRA or the other organisations of which I was a director/committee member. I did not maintain an office in the GRA offices.
9. Neither I nor any other Board members were involved in the day to day running or the operations of the GRA. I can specifically recall a conference for those involved in the management of the three racing codes in Queensland that the Office of Racing organised. Barry Dunphy of Clayton Utz spoke about corporate governance, and in particular, dysfunctional organisations where the Chair or other Board member becomes too closely involved in the


.....
Deponent

2


.....
Lawyer

running of the organisation. I particularly ensured that I did not allow myself and those on the GRA committee to get into such a situation.

CORPORATE GOVERNANCE

10. This appears to apply to QRL and I cannot comment on it.

OVERSIGHT BY THE MINISTER, THE EXECUTIVE GOVERNMENT, THE CHIEF EXECUTIVE

11. At all relevant times, the GRA was a government statutory authority overseen by the Office of Racing and responsible to the Treasurer. The Office of Racing was a relatively small office of no more than 6 staff. For much of the relevant time their work was taken up with the transition of the greyhounds and harness racing codes to corporate entities as well as the EI crisis that struck during 2007.

12. During the period, the GRA was in discussions with the Government regarding the compensation offer following the closure of the Parklands track and in June 2008 with the failure of the grandstand at Albion Park. There were occasional clashes with Mr Kelly, the Chief Executive, but these were probably personality clashes. I considered him a bully and he probably considered me to be belligerent. There were no issues with the Treasurer or his staff that I can recall.

EMPLOYMENT CONTRACTS: TUTTLE, ORCHARD, BRENNAN AND REID

13. This is a RQL matter that occurred after I had ceased my involvement. Of the four people mentioned, I only had dealings with Tuttle who was involved in Productco meetings that I attended. I did not mix with him socially.

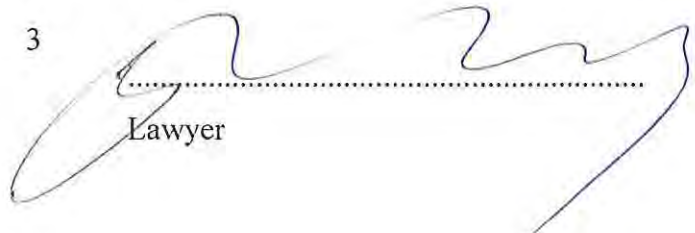
QUEENSLAND RACE PRODUCT CO LIMITED AND TATTS GROUP

14. As previously stated, I became a director of Productco when I was appointed Chair of the GRA and I remained a director until 30 June 2008 or thereabouts. For some of the time, my deputy at the GRA, Kerry Watson, was my alternative director of the company and at times attended meetings in my stead. Without the minutes of the meetings, I cannot determine what, if any, meetings that I attended during the relevant period. I can recall that there were a number of flying minutes which I executed and returned to the company



Deponent

3



Lawyer

secretary during the relevant period, but I cannot recall what they related to.

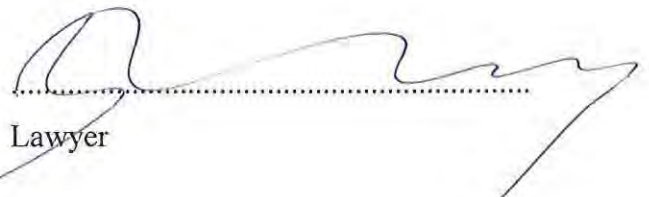
15. The Board consisted of 4 members of QRL board and 1 member from each the GRA and Queensland Harness Racing Board. Bob Bentley was never a member of the Board.
16. I can recall that at a number of the Board meetings that the Chair, Tony Hamner, asked the members to disclose any conflicts of interest and each of the members responded accordingly. I can recall that my response was that I was a member of the QPS Superannuation Fund which may have shareholdings in TattsBet/Unitab. Bob Bentley did not attend any of the meetings.
17. The administration of the arrangement with TattsBet was undertaken by QRL. They would remit the funds on a monthly basis to each of the control bodies in accordance with the distribution formula contained in the Product and Program Agreement. The GRA received 9.5% of the net amount available for distribution. QRL would also send out turnover reports prepared by TattsBet showing the percentages of turnover for the betting product for the month.
18. There were meetings held with TattsBet representatives, perhaps once or twice a year which a representative of the three codes attended to exchange information ideas. I attended a number of these over the years that I was on the board of Productco.
19. My only involvement with representatives of TattsBet, independent of Productco, was when I made inquiries on behalf of the Burrum Heads Bowls Club which was interested in getting a ClubTab license. I found out the name of a person in the organization who could assist the Club and put them in touch which each other. This occurred in 2007/8 and I had no further involvement. The Club never proceeded with the application.
20. During the period that I was a director of Productco, there was talk of the introduction of race information fees as the gentlemen's agreement was falling apart. I note that the legislation was not passed until December 2008, by which time I was no longer a director. I have no memory of any discussions regarding the arrangements that were being considered and how they would impact on the Product and Program Agreement or of any legal advices being



.....

Deponent

4



.....

Lawyer

sought.

FUNDS TRANSFER IN FEBRUARY 2012

21. I have no knowledge of this issue.

All the facts and circumstances above deposed to are within my knowledge, save such as are deposed to from information only, and my means of knowledge and sources of information appear on this my affidavit.

Sworn by Phillip Christopher Bennett on 11 July 2013 at Brisbane in the presence of:

Signed:



Deponent

Taken by:

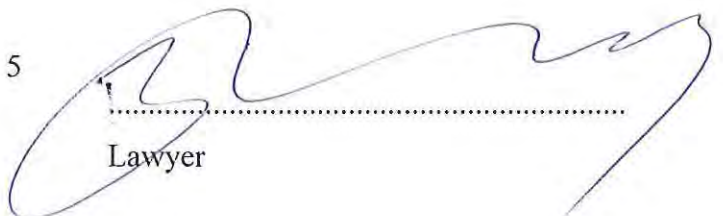


Lawyer



Deponent

5



Lawyer

