

Department of Family Services
and Aboriginal and Islander Affairs



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Refer to:
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*This was
checked to be verbally
conveyed on 18/2 to
Robert
21/2
A.H.*

MEMORANDUM TO: Acting Director-General.

Subject: John Oxley Youth Centre

At approximately 10.20 a.m. on 14th February, 1990, I received a telephone call from Mr Ian Berry, Solicitor representing Peter Coyne.

Mr Berry is seeking assurances from you that the documents relating to the Heiner Inquiry will not be destroyed.

He advised that his client is "quite devastated" by the decision to second him to other duties, particularly as he has indicated that the decision to second him is proceeding against his will.

Mr Berry advised that they have had a barrister's opinion that they cannot proceed to court until it can be proven that Peter Coyne has been affected adversely. Mr Berry advised that he now considers, by the actions taken on 13th February, 1990, that his client's career path has been denied or, at least, prejudiced. Mr Berry made it quite clear that there is still an intention to proceed to attempt to gain access to the Heiner documents and any departmental documents relating to the allegations against Mr Coyne and that they have every intention to pursue the matter through the courts.

Mr Berry asked if he could be advised of the name of the officer who is representing the Department within the Office of the Crown Solicitor. I advised him that I was not prepared to give him the name of a particular officer without first obtaining prior approval of the Crown Solicitor, but that I would pass his request to the Crown Solicitor.

I advised Mr Berry that I did not recall having previously received any request in writing for an assurance in relation to the possible destruction of documents relative to the inquiry and that I presumed that he would be forwarding this request in writing. I further advised him that on receipt of that request it would be referred to the Department's legal advisers.

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Date: 3.12.2012

Exhibit number: 159



Mr Berry made a number of comments which he advised were "off the record", such as "the State Service Union may have achieved their objective but that had not helped his client" and that his client could be perceived to be a "political escapee" (I think he meant scapegoat).

Ms Sue Crooke was present at the time of my phone conversation with Mr Berry. She will contact the officer at the Office of the Solicitor-General to advise him of the telephone call from Mr Berry, in particular, his request that he be allowed to speak to the Crown Solicitor Officer who is handling this matter.

T. Walsh

T. Walsh
A/Executive Officer.

14th February, 1990.