

KELLY Michael

From: "Hollie Roberts" <hroberts@queenslandracing.com.au>
Sent: Tuesday, 17 February 2009 2:29 PM
Subject: Letter to industry stakeholders: Bill Ludwig investigation
Attachments: Attachment

17 February 2009

Letter to Industry stakeholders

Queensland Racing Limited ("QRL") was formally notified on Friday, February 13, 2009, by the Commissioner of Police, Mr Bob Atkinson, that all complaints made by Bill Carter against QRL director Bill Ludwig, have been dismissed.

Please find attached a copy of correspondence for the attention of all industry stakeholders.

*****E-Mail Disclaimer *****

This email, together with any attachments, is intended for the named recipient only.

This email may contain information which is confidential, of a private nature or which is subject to legal professional privilege or copyright. Accordingly, any form of disclosure, modification, distribution and/or publication of this email message is prohibited unless expressly authorised by the sender acting with the Authority of or on behalf of Queensland Racing Limited.

If you have received this email by mistake, please inform the sender as soon as possible and delete the message and any copies of this message from your computer system network.

The confidentiality, privacy or legal professional privilege attached to this email is not waived or destroyed by that mistake.

It is your responsibility to ensure that this email does not contain and is not affected by computer viruses, defect or interference by third parties or replication problems (including incompatibility with your computer system).

Unless expressly attributed, the views expressed in this email do not necessarily

y represent the
views of Queensland Racing Limited.
- FINAL Stakeholder Bill Ludwig investigation 170209.doc



QUEENSLAND RACING

February 17, 2009

Queensland Racing Limited
ABN 93 116 735 374
Racecourse Rd Deagon QLD 4017
PO Box 63 Sandgate QLD 4017
T 07 3869 9777
F 07 3269 6404
E info@queenslandracing.com.au
W www.queenslandracing.com.au

Dear Industry Stakeholder

Queensland Racing Limited ("QRL") was formally notified on Friday, February 13, 2009, by the Commissioner of Police, Mr Bob Atkinson, that all complaints made by Bill Carter against QRL director Bill Ludwig, have been dismissed.

The complaint and subsequent evidence was referred to counsel, Mr Tim Carmody S.C., for independent assessment and the subsequent advice was that there was no case to answer.

Given the amount of publicity generated by this complaint and the sensational reporting by the Courier Mail's Patrick Lion providing headlines and commentary that were, at times, misleading and defamatory, industry stakeholders are now entitled to know the facts, not a coloured version painted through sensational journalism.

The schemers and political plotters need to be flushed out of the bushes and stand with their mate Bill Carter to be condemned by the industry for their reckless actions.

In August 2008, the Board of QRL went about the process of making changes to the QRL constitution. The changes were practical and followed the principles of good corporate governance. The proposed changes were reviewed and considered by the most senior constitutional authority in Australia, Mr David Jackson Q.C. In addition, the proposed changes were approved by the Australian Securities and Investments Commission ("ASIC") prior to asking the industry to vote on the proposal.

The industry considered the proposed amendments and approved the changes 14 to 1 in favour.

Following the declaration of the vote, and leaks from the meeting facilitated by a disgruntled David Dawson representing the Queensland Turf Club and regular blogger on www.racehorsetalk.com.au signing under the name 'dubbledee', Queensland Country Racing Committee ("QCRC") member Gary Peoples, the recently deposed National party Mayor of the Shire of Aramac, who incidentally lost his position after local Council amalgamation, advised that the QCRC vote was invalid. His claim was that Bill Ludwig, as QCRC Chairman, had failed to consult with QCRC members prior to casting the country vote, notwithstanding that Bill Ludwig had discussed the matter at 11 Country racing forums the previous month. By the way, David Dawson was unhappy as he represented the one vote and was in the distinctive minority feeling very alone.

The matter could have easily been resolved democratically by declaring the country vote invalid. The country vote would not have altered the passing of the resolutions.

Notwithstanding the 14 to 1 support for the constitutional changes, Bill Carter and his fellow cohorts, Gary Peoples and the National Party spokesman for racing Mike Horan, had other ambitions and political motives and proceeded down the path of claiming the whole process 'fraudulent'. The objective was to cause as much disruption to QRL as possible and discredit Bill Ludwig. Bill Carter has a disgraceful track record over the last five years of causing the racing industry to waste scarce funds in defending imaginary claims of impropriety by the executives, Directors, and Chairman of QRL.

The sad fact of life is that these frivolous claims made by Bill Carter would never have proceeded, but for the audacity of Bill Carter to ride in on his previous station in life as a Supreme Court judge to seek and receive audiences to his claims based solely on the prestige of his former office. There is no doubt that National Party Racing spokesman Mike Horan aided and abetted the decision to proceed.

The trifecta of Carter, Horan and Peoples conspired to proceed with the matter and soon after Bill Carter forwarded the complaint to Minister, Andrew Fraser, requiring the matter to be forwarded to the Crime and Misconduct Commission ("CMC"). Bill Carter should have known that, given his legal background, the complaint was not a matter for the CMC. Naturally the referral to the CMC was leaked to the Courier Mail and a subsequent damaging article was headlined in the newspaper on August 22, 2008.

The CMC wrote back seven days later on August 25, 2008, advising that the issue had nothing to do with them and, in addition, advised that the CMC found no fault with the actions of Bill Ludwig.

Bill Carter not to be deterred from his maniacal crusade, on receiving a rebuttal from the CMC, demanded the matter be referred to ASIC.

ASIC considered the matter and advised six weeks later on October 22, 2008, that it had no issues with the action taken by Bill Ludwig or the proposed amendments.

Again not satisfied, and with Bill Carter's thirst for vengeance heightened, he demanded that Minister Andrew Fraser forward the matter to the police for criminal investigation. A reasonable person would surely accept that this irrational behaviour, at best, is entirely unbecoming of a former judge.

Bill Carter, knowing what should be fair legal process for all, was not to be dissuaded as he continued to agitate for a criminal investigation, finally demanding that the Government refer the matter to the police. Through a Government referral, he cleverly avoided the costs of progressing the complaint himself.

Thanks to this approach, the taxpayer footed the costs of a six month investigation by five senior police investigators. The considerable cost of this remains undisclosed. One man, through distorting the facts, has wasted the resources of the Queensland Police Service, the CMC, Treasury, the Racing Department and ASIC as well as Senior Counsel. All to satisfy his never ending hunt for imaginary misdeeds and

fallacious criminal acts against a wide variety of QRL personal, its executive staff, Directors and Chairman, and a legitimate decision making process.

This is history repeating itself time and time again, with Bill Carter, displaying only a selfish crusade of self righteousness, hell bent on destruction and bitterness.

The Bill Ludwig unfounded and frivolous complaint adds to the litany of waste with another \$200K down the drain unnecessarily. Added to the other Carter crusades of the Shannan inquiry \$1M, the Daubney Rafter inquiry \$3M, cost to the racing industry to date a total of \$4.2M. The Queensland taxpayers' bill for these investigations and inquiries over the last four years is estimated at \$6.2M, making a combined Government and industry total cost of \$10.4M

"ALL FOR NOTHING!!"

I am finally indebted to Mark Oberhardt and his gossip column *'The Ear'* for giving me something worthwhile to respond to. In composing this letter to the industry and in previous correspondence, I made reference to the Government's costs of the Daubney Rafter inquiry of \$3M. Mark Oberhardt does rightfully correct me as this Bill Carter inspired inquiry did in fact cost the tax payer \$4M.

On each occasion that Carter has been challenged on his claims of misconduct in an independent inquiry, he has been found wanting, with the claims made by him determined baseless. The damage that Bill Carter has inflicted on QRL Director Bill Ludwig and the industry is unforgivable; surely there must be an end to this man's obsession.

The industry will need to be aware of the next disastrous crusade that is about to be launched on the Queensland racing industry; the National Party racing policy, scripted and directed by none other than Bill Carter for his new mate Mike Horan the National Party spokesman for racing, and clandestine supporter of the 'no vote' for the Toowoomba's \$10M development package. "No luck with the 'no vote' but if nothing else he is consistent."

The National Party should look closely at any policy these two recalcitrants produce for the racing industry, as vindictive and regressive policy will ruin the industry in these difficult times. It will be based on the National Party vision, "Bring back the good ol' days".

The board of QRL will look closely at the policy and will encourage all stakeholders to take an active interest; policy for the wrong reason or for political gain is bad policy and it is guaranteed it will not advance the industry for you as a stakeholder in this great industry that is faced with many challenges.

Last Monday's *'The Ear'* column made reference to QTIS, Australia's stand out horse promotions scheme. Mark Oberhardt made reference to only two QTIS results being delivered. Once again, good old Mark has got it wrong about the redistribution of QTIS funds and, by the way, five QTIS results have been delivered at metropolitan meetings, not two, as was reported. Even though I have explained the QTIS budgeting process extensively, for the benefit of Mark and others I restate that we will always over schedule QTIS prizemoney with a view to coming in on budget. QTIS

prizemoney does not evaporate, we simply reschedule as the fixtures provide and work towards expending the annual funds allocated.

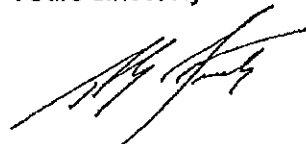
Mark Oberhardt can not be serious in his condemnation of cushion tracks. He is part owner of a horse, 'Diehard Trying', which recently scored a convincing win on the grass track at Corbould Park. I suggest he should engage in closer dialogue with his trainer, Bruce McLachlan, who trains all of his horses on the Cushion Track at Caloundra, including your horses Mark. It would appear to be a case of condemn the Cushion Track because it suits a particular agenda, but remain silent about the fact that you actually use the surface yourself. Bit of a double standard I would have thought.

Unlike journalists such as Mark Oberhardt and politicians like Mike Horan, my position requires decisive decision making and is not akin to a popularity contest. When industry leaders previously engaged in the process of making popular decisions the industry went backwards. Decisions in Queensland were made at the expense of others within the industry and not in the industry's best interests. My critics should take a moment to get their head out of the sand and consider where we were as an industry and where we are now. Mark Oberhardt and Mike Horan in many ways are birds of a feather. Go back to the 'good old days' and the 'good old ways'. Well boys the industry has moved on and whether it suits you or not, I am not particularly interested, as the industry and its people deserve better. One day the penny will drop and you might note that the industry is increasingly under pressure from other areas as we continue to compete for increased spend in an exceptionally competitive market.

Mark Oberhardt has predicted that 95% of people do not want the Cushion Track at Toowoomba. Strange that the vote actually went in favour on the installation of the Cushion Track with members of the Toowoomba Turf Club prepared to listen to the facts and not be put off by the scare mongers campaigning against change and the resultant progress.

QRL will continue to keep the industry informed and put forward factual information, where necessary.

Yours sincerely



R. G. BENTLEY
Chairman