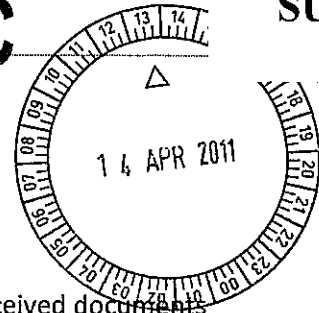


**From:** Hyde, John [John.Hyde@mp.wa.gov.au]  
**Sent:** Thursday, 14 April 2011 5:02 PM  
**To:** Malouf, Carolyn  
**Subject:** RE: Estimates Committee Inquiry



Dear Carolyn,

As discussed, these are further questions I have submitted to the Minister since I've received documents under FOI – I assume you either have or will have these financial documents and my questions may assist you in further information needed for your inquiry. The two independent audits stating in effect that One Movement was insolvent is very concerning.

Regards,  
John

**ADDITIONS : NOT SUBMITTED, post FOI MATERIAL:**

Hyde to Hames

In relation to the 12 September 2008 memo from then Eventscorp employee Saskia Doherty to Richard Muirhead regarding the final draft of the One Movement Heads of Agreement, released to me under FOI, I ask:

- 1. Can you confirm that the very valid hand-written queries and concerns on the document about the generous terms offered to One Movement, including "it's a lot! Why so high? 20% what security?", "any compensation for us?" and "what is this" in relation to "A&R Worldwide" were scrawled by then CEO Richard Muirhead? If not, by whom?
2. Will you table any documentary responses to these very valid handwritten queries? If not, why not?
3. Did Ms Doherty declare any conflict of interest to anyone in preparing or delivering this memo regarding her intention to take up employment with One Movement officially in 14 November 2008?
4. Is the Minister aware that Saskia Doherty's own linkedin.com website stated that since October 2008 she had been event director at the One Movement festival, as revealed in State Parliament on 25 November 2009?

Hyde to Hames

In relation to the 9 March 2010 Independent Audit Report for 2009 to the members of One Movement, received by Eventscorp and the statement included under "Emphasis of Matter Regarding Going Concern" stating "One Movement Pty Ltd has a deficiency of working capital and a deficiency of net assets", released to me under FOI, I ask:

1. When did Eventscorp and the Minister first become aware that One Movement was not trading as a going concern?
2. Why did the Minister and Eventscorp continue to fund the 2010 One Movement if One Movement was not trading as a going concern?
3. How many events since the election of the Barnett Government has the Minister and Eventscorp funded which were operated by bodies which were not trading as a going concern?
4. How many already funded events since the election of the Barnett Government has the Minister and Eventscorp stopped funding which were operated by bodies which were not trading as a going concern?
5. Will the Minister now table the actual numeric dollar figures excluded in this document? If not, why not?

Hyde to Hames

In relation to the 9 March 2010 Independent Audit Report for 2009 to the members of One Movement, received by Eventscorp and the statement included under "Emphasis of Matter Regarding Going Concern" stating "One Movement Pty Ltd has a deficiency of working capital

and a deficiency of net assets", released to me under FOI, I ask:

1. As Item 2.24.1 of the Eventscorp sponsorship agreement with One Movement, under "Adverse affect on the Event and the State" (sic) signed by the WA Tourism Commission on 10 March 2009, requires the Event Holder to "promptly give written notice to Tourism WA of any notice, advice or other communication received by or on its behalf which may adversely affect the conduct, or the financial viability, of the Event", what advice has Tourism WA received? Will you table that advice? If not, why not?
2. What actions did the Minister or Tourism WA take when it received such advice?

Hyde to Hames

In relation to the 9 September 2008 Eventscorp letter regarding changes to the conditions for funding the One Movement Festival from future One Movement employee Saskia Doherty in her then role as Eventscorp Manager Event Development, released to me under FOI, I ask:

1. Does the statement in condition (k) "This information will be protected as commercial in confidence by Tourism WA" breach the Minister's responsibilities under Section 81 of the Financial Management Act 2006 whereby the Minister cannot enter into contracts which prevent the Minister from tabling information in Parliament?
2. Will the Minister now table the information referred to in (k) in Parliament? If not, why not?
3. Has the Minister or his agencies sought advice on the ramifications or validity of (k)? If not, why not? If so, please table that advice, and if not, why not?

Hyde to Hames

In relation to the One Movement Pty Ltd Financial Report for the Year ended 31 December 2010, released to me under FOI, and dated 24 February 2011, I ask:

1. Is the Minister aware that the independent audit contains an adverse opinion that "the financial report of the Company is not in accordance with the Corporations Act 2001"?
2. When did the Minister receive this information and what action did the Minister take upon receiving it?
3. Is the Minister aware that the independent audit refers to the negative equity of (NAME DELETED) in the balance sheet and the statement: "This situation indicates the existence of a material uncertainty that may cast significant doubt on the company's ability to continue as a going concern and therefore the company may be unable to realise its assets and discharge its liabilities in the normal course of events."?
4. As Item 2.24.1 of the Eventscorp sponsorship agreement with One Movement, under "Adverse affect on the Event and the State" (sic) signed by the WA Tourism Commission on 10 March 2009, requires the Event Holder to "promptly give written notice to Tourism WA of any notice, advice or other communication received by or on its behalf which may adversely affect the conduct, or the financial viability, of the Event", what advice has Tourism WA received? Will you table that advice? If not, why not?
5. What actions did the Minister or Tourism WA take when it received such advice?

Hyde to Hames

In relation to the 9 March 2010 Independent Audit Report for 2009 to the members of One Movement, received by Eventscorp, and the One Movement Pty Ltd Financial Report for the Year ended 31 December 2010, released to me under FOI, and dated 24 February 2011, which both reveal severe financial doubts on the financial viability of One Movement, I ask:

1. Why has the Minister only recently acted and announced that One Movement 2011 will be delayed and not cancelled?
2. Why hasn't the Minister terminated the agreement with One Movement?

Hyde to Hames

15/04/2011

In relation to the Eventscorp emails of 23 and 22, January 2009, relating to negotiations on the One Movement contract, released to me under FOI, and dated 29 January 2009, I ask:

1. Is it standard for Eventscorp to allow an event holder to redefine the definition of a "delegate" (which triggers further Eventscorp milestone payments) to include 25 per cent of delegates attending for free, and the remaining 75 per cent able to attend at a discounted rate "to be determined at the Event Holder's sole discretion" plus non-paying "sponsors, invited media; invited panellists and keynote speakers"?
2. Does the Minister support such definitions?
3. Who initiated the amendment to the One Movement sponsorship agreement, released to me under FOI, dated 21/9/10 and signed by Eventscorp, which amends the milestone trigger for payment by replacing 200 international delegates with just 100?
4. What payment was received for achieving milestone (h)?
5. What evidence was provided to justify this massive concession to the event holder? Will you table that documentation? If not, why not?
6. Do you agree with the advice from an officer contained in the email that "We simply cannot leave a door open in an agreement that could possibly see large numbers of free of charge visiting musicians being counted as delegates against a milestone payment"?
7. Why was this advice ignored with the eventual agreement seeing milestone payments being paid when potentially not one full-fee-paying delegate would be required to attend?



JOHN HYDE MLA  
 Member for Perth  
 Shadow Minister for Culture and the Arts; Planning;  
 Heritage; Multicultural Interests and Citizenship  
 P: 9227 8040  
 F: 9227 8060



Please consider the environment before printing this email