

WRIT

**IN THE SUPREME COURT OF TASMANIA
HOBART REGISTRY**

8467
No 31 of 2006

TONY HARRISON

Plaintiff

SUE NEALES

Firstnamed Defendant

GARRY BAILEY

Secondnamed Defendant

**DAVIES BROTHERS PTY LTD
ACN 009 475 754**

Thirddnamed Defendant

To: **SUE NEALES, GARRY BAILEY and DAVIES BROTHERS PTY LTD (ACN 009 475 754)** all of 93 Macquarie Street, Hobart in Tasmania.

ENDORSEMENT OF CLAIM

The Plaintiff's claim against the Defendants is for damage, loss and expense sustained by the Plaintiff as a consequence of being defamed by the Defendants in an article which appeared in "The Mercury" newspaper on 22 March 2006; full particulars of which claim are contained in the annexed Statement of claim.

together with costs to be taxed.

Signed: **MURDOCH CLARKE**

Per: 
Practitioners for the Plaintiff

The plaintiff's address is: 50 Skyline Drive, Howrah in Tasmania.

The plaintiff's address for service of documents is: **10 Victoria Street, Hobart in Tasmania.**

Filed on behalf of TONY HARRISON (Plaintiff)
MURDOCH CLARKE
Barristers & Solicitors
10 Victoria Street
HOBART 7000

DX: 131
Tel: (03) 6235 9311
Fax: (03) 6234 2670
REF: MR A GAGGIN

TAKE NOTICE that:

1. If you wish to dispute the plaintiff claim or any part of it or for any reason wish to take part in this action, you or your practitioner must, within eight days following the service of this writ on you, lodge a notice of appearance at a Registry of the Supreme Court and serve a sealed copy of the notice on the plaintiff at the address for service of documents (Note A).
2. Forms of notice of appearance may be obtained from any Registry of the Court. These are located at Salamanca Place, Hobart, Cameron Street, Launceston and Alexander Street, Burnie.
3. If you fail to lodge and serve a notice of appearance within the time stated, the plaintiff may obtain a judgment without further notice to you.

Filed the 25 day of July, 2006

DISTRICT REGISTRAR/REGISTRAR

NOTE: (A) Service of a sealed copy of appearance may be effected by prepaid post.
 (b) Where an asterisk * appears, delete the inapplicable clause before filing the Writ.

CONFIDENTIAL

TONY HARRISON

Plaintiff

SUE NEALES

Firstnamed Defendant

GARRY BAILEY

Secondnamed Defendant

DAVIES BROTHERS PTY LTD
ACN 009 475 754

Thirddnamed Defendant

STATEMENT OF CLAIM

1. The Plaintiff is and was at all material times:
 - (a) a public relations consultant; and
 - (b) the Managing Director of Corporate Communications (Tas) Pty Ltd.
2. Corporate Communications (Tas) Pty Ltd is a company specialising in public relations advice, for reward, to members of the public requiring same.
3. The Firstnamed Defendant ("Neales") is and was at all material times a journalist employed by the Thirddnamed Defendant ("Davies Brothers").
4. Davies Brothers was at all material times the publisher of "The Mercury" newspaper, which newspaper is published at Hobart in Tasmania.
5. The Mercury is circulated throughout Tasmania and is also circulated in other States and Territories of the Commonwealth of Australia.

2 The Secondnamed Defendant ("Bailey") was at all material times an
3 employee of Davies Brothers and the editor of "The Mercury".

4 At all material times Neales acted in the course of her employment with
5 Davies Brothers and with the authority of Bailey and Davies Brothers.

6 On 22 March 2006 Davies Brothers published in "The Mercury" an article,
7 which, inter alia, stated:

"Ad man lands in hot water.

*The secretive \$200,000.00 plus political advertising
campaign waged by the anonymous group Tasmanians for a
Better Future has landed its Hobart front man Tony Harrison
in professional hot water.*

*Mr Harrison, who runs the Corporate Communications public
relations company and sits on the Australian Cricket Board,
is regarded as one of Tasmania's best connected
powerbrokers.*

*But his decision to front the Better Future Group, which
strongly urged Tasmanian voters to back the return of a
majority government last Saturday, appears to have broken
his own professional organisation's code of ethics.*

*The code of the Public Relations Institute of Australia clearly
states that "members must be prepared to identify the
source of funding of any public communication they initiate
or for which they act as a conduit".*

*Mr Harrison has repeatedly refused to reveal the identity of
any of the people or groups who have anonymously funded
the Better Future election advertising".*

8 Neales was the author of the article.

10. The article referred to in Paragraphs 8 above bore and was understood of bearing the following meanings which are the natural and ordinary meanings thereof:

- (a) the Plaintiff's conduct, as identified in the article, had caused the Plaintiff to become embroiled in professional difficulties;
- (b) that he had appeared to have breached the code of the Public Relations Institute of Australia;
- (c) that his behaviour had fallen short of the professional standards to be observed and expected of a member of the public relations profession and particularly a member of the Public Relations Institute of Australia; and
- (d) that the Plaintiff was likely to be the subject of disciplinary proceedings by the Public Relations Institute of Australia.

11. By reason of the publication of the article referred to in paragraph 8 hereof by the Defendants, the Plaintiff has been greatly injured in his credit and reputation and has been brought to ridicule and contempt and has suffered loss and damage. (Further particulars to be provided).

AND the Plaintiff claims damages.

DATED this 26 day of July, 2006

MURDOCH CLARKE

Per 

Practitioners for the Plaintiff

To: The Defendants