



# Cairns FM 89.1

Cairns Community Broadcasters Inc.  
Association Incorporation Reg. No 479  
ABN 14 668 332 735

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Our reference: MH 001

25 January, 2010

**WITHOUT PREJUDICE**

## **PRIVATE & CONFIDENTIAL**

Mr. Michael Hyams  
XXXX  
Cairns. QLD 4870

Dear Michael,

### **CAIRNS COMMUNITY BROADCASTERS INC - YOUR MEMBERSHIP**

A complaint has been made against you in your capacity as a member of Cairns Community Broadcasters Inc.

You will appreciate it is incumbent upon the Management Committee to investigate any complaint made against members and to ensure that a proper process is conducted to properly address any issues raised.

The Rules of Cairns Community Broadcasters Inc., relevantly provide:

#### **OBJECTS**

2.

- (2) *To encourage and foster the appreciation of broadcast music, comedy, drama and literature and the participation of the community in such programming.*
- (3) *To prepare general education material, current affairs, programmes relating to community and regional interests, environmental education, family education and ethnic programmes, and such programmes as the management committee shall determine.*
- (4) *To encourage and foster cultural life in Cairns by promoting lecturing, educational and other activities relating to music and fine arts.*

*Our mission is to broadcast a wide range of radio programs, that encourages cultural life in Cairns, through the participation and support of our diverse and multicultural community.*

## **TERMINATION OF MEMBERSHIP**

8.

(2) *If a member-*

*(3) conducts themselves in a manner considered to be injurious or prejudicial to the character or interests of the Association;*

*the Management Committee shall consider whether their membership shall be terminated.*

## **CODES OF PRACTICE**

***Under the rules of our Code of Practice Policies and Procedures, APPENDIX 3 – Rights and Responsibilities of Volunteers, the following extracts also apply in regards to the complaint made against you:***

*You have the responsibility to:*

- *not to bring into disrepute the operations, management, staff, or other volunteers of CCBI.*
- *respect the racial and religious backgrounds and the sexual preferences of your co-volunteer workers and work to ensure that CCBI is a safe work place for everyone*
- *contribute to the achievement of a safe, tolerant and equitable working environment by avoiding, and assisting in preventing, behaviour which is discriminatory.*

***The Rights and Responsibilities of CCBI towards volunteers. CCBI has the right to:***

***\* suspend or dismiss you in accordance with station policies and procedures due to contravention of station rules.***

The complaint that has been made against you has been formulated into the following allegation.

It is appropriate that before any determination is made as to whether or not the allegation can be substantiated and whether or not your membership shall be terminated, you will be afforded a reasonable opportunity to respond.

The allegation made against you can be summarised as follows:-

1. On Wednesday January 6, 2010, at approximately 5.50pm you did enter the Management office, walked up to Management Committee member Pieter Blauuw, and physically threatened him with the words. "You. I'm going to thump you." These words were clearly heard by others in the room and they will come forward to testify if asked to do so.

We request that you provide a written response to the allegation detailed above. Please note that, in addition to the written response, you will be afforded the opportunity to provide your verbal comments in relation to the allegation either by yourself or with the assistance of a representative if required.

We wish to afford you available time to prepare any written response you may wish to provide. Therefore, your opportunity to respond will occur in closed session at 6.00pm on Wednesday February 10, 2010, at a Special Management Committee meeting in the meeting room of Cairns FM89.1. In accordance with the Rules, the meeting will be held only before the members of the Management Committee

You will appreciate the importance of dealing with these issues confidentially and we advise you not to discuss this allegation, or the process, with any other employees, or members.

Thank you for your co-operation.

Yours faithfully,

Rodney J. Coutts  
President  
Cairns Community Broadcasters Inc..