



City of
Joondalup

MEMORANDUM

APPENDIX 2

TO: ACTING CHIEF EXECUTIVE OFFICER

FROM: MANAGER HUMAN RESOURCES

DATE: 24 AUGUST 2004

FILE REF: 70544

OTHER REFS: 90324

LETTER NO:

SUBJECT: LEGAL REPRESENTATION

At the meeting yesterday with the Inquiry Members it was determined by Counsel assisting the Inquiry that the City's Officers cannot be represented by the City's solicitors. Given that development it is now a matter of urgency for me to seek an alternative strategy to engage legal representation to assist me in the Inquiry.

Following our recent conversation with Elisabeth and Kevin this morning I wish to apply to you to access council policy 2.2.8 regarding funds being made available for legal representation.

In terms of addressing the criteria in the Policy:

The matter for which Legal Representation is sought

I seek a legal representative for the Inquiry into the City of Joondalup.

How that matter relates to the functions of the relevant Elected Member or Employee;

One of the terms of reference in the inquiry is the recruitment process of the previous CEO. As the manager HR I was appointed by the Council to provide advice and guidance in that process.

The lawyer (or law firm) who is to be asked to provide the Legal Representation;

Stephen Edwards from Edwards Wallace. ✓

The nature of Legal Representation

Advice and representation in the preparatory hearing with the inquiry members. ✓

The estimated cost (if known) of the Legal Representation.

Stephen Edwards's costs are \$400 per hour ✓

I confirm that I have acted at all times in good faith and believe I have not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates; ✓

I also confirm that I have read, and understand the terms of this Policy; ✓

I also acknowledge that any approval of Legal Representation Costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and undertakes to repay to the City any Legal Representation Costs in accordance with the provisions of clause 7.

Secondly I seek approval for me to access the City's insurance policy providing legal representation.

Should you not agree with this request then I will determine what options are available to me.

I look forward to your early advice.



Mark Loader