

REPORT OF PROCEEDINGS BEFORE

**COMMITTEE ON THE
OFFICE OF THE OMBUDSMAN
AND THE POLICE INTEGRITY COMMISSION**

**EIGHTH GENERAL MEETING
WITH THE INSPECTOR OF
THE POLICE INTEGRITY COMMISSION**

At Sydney on Thursday, 8 November 2007

The Committee met at 10.00 a.m.

PRESENT

Ms A. D'Amore (Chair)

Legislative Assembly

Mr P. Pearce (Deputy Chair)

Mr M. Kerr

Legislative Council

Ms S. Hale

The Hon. C. Lynn

The Hon. L. Voltz

PETER JAMES MOSS, Inspector of the Police Integrity Commission, GPO Box 5215, Sydney, affirmed and examined:

CHAIR: We circulated some questions to you on 27 September 2007. Would you like to table your written response to these questions?

Mr MOSS: I would, Madam Chair. Could I also make a short statement by way of opening?

CHAIR: Please do.

Mr MOSS: Thank you for giving me the opportunity to make an opening statement to yourself and the Committee. I am pleased to have this opportunity to appear before the Committee, which represents my first appearance since I was appointed Inspector of the Police Integrity Commission on 22 November 2006.

As the Committee is aware, my inaugural annual report, dated 24 July 2007, was presented to the President of the Legislative Council and the Speaker of the Legislative Assembly on that date and was made a public report.

Prior to my appearance before the Committee today, I have received on behalf of the Committee a number of written questions on notice and I have responded to each of those questions in writing. I assume that material is before the Committee today. I am here, of course, to answer all such questions as the Committee may ask of me and I will attempt to do so to the best of my ability. Thank you, Madam Chair.

CHAIR: In your answer to question 2 in relation to section 13 of the Police Integrity Commission Act which gives the Commission an oversight function for investigations carried out by other agencies, you state that in your opinion this means that the Commission continues to have a watching brief but without any power of control or direction in respect of the police investigation. Do you consider that the Police Integrity Commission should have oversight powers in relation to police investigations similar to those of the Ombudsman?

Mr MOSS: In the light of my experience to date, it is my opinion that the current ability to oversight police investigations by the Police Integrity Commission is somewhat limited, and I so conclude, as a result of my reading of the relevant section of the Police Integrity Commission Act, and I think that opinion of mine to some extent is borne out by the letter from the Police Integrity Commission Commissioner to which I referred in my letter to the relevant complainant, which is included in my response to that question. In other words, the Police Integrity Commission Commissioner seemed to also be of the view that the power of the Police Integrity Commission to oversee a particular police investigation is limited by the section, and

certainly in my opinion, whatever the power is, it falls far short of the powers of the Ombudsman under Part 8A of the Police Act, and in that updated response that I made in respect of the Ombudsman's powers, which I assume everyone has, I think that comes out loud and clear. So the short answer is: Yes, in my opinion the power of the Police Integrity Commission to oversight a relevant police investigation is unduly limited by the terms of the relevant section and certainly cannot be compared to the extent of the powers in that regard that the Ombudsman has under Part 8A of the Police Act.

CHAIR: In your work overseeing the Commission have you found this to be an obstacle for them?

Mr MOSS: My only experience to date has been in relation to that one complaint, and there, as I say, I think the limitation of the power was clearly seen. It is in my response but I think from memory that the period of oversight was something like 18 months, which I would have thought was an unduly long period to be overseeing a complaint that the complainant made, which was in effect that police had perjured themselves in proceedings in a local court. That is what his complaint was. It was pretty straightforward. As I say, it took the police about 18 months, oversighted by the Police Integrity Commission, to arrive at their conclusion in relation to that complaint.

I might say in my view they arrived at the correct conclusion. I myself concluded that there was no substance to the complaint and notified the complainant accordingly, but I think it did demonstrate that the oversight powers of the Police Integrity Commission are somewhat limited. I did request the Police Integrity Commission to do certain things in relation to overseeing that complaint but their response in effect was: Well, this is the power we have and we cannot do the sort of things that you, the Inspector, would like us to do.

CHAIR: Just expanding on that, has the Commission indicated to you that this is a problem?

Mr MOSS: No, I cannot say that the Commission sees it as a problem. I have not actually discussed that with the Commissioner, although as I say we did correspond in relation to this particular complaint. They seem to take the view that their power is limited but I could not say that they see that as a problem.

CHAIR: Are you satisfied with the response provided to you by the Commissioner of the Police Integrity Commission in relation to the Commission's memoranda of understanding?

Mr MOSS: Yes. I thought it was a very full response. I will follow up. There were a number of issues that that response raised. For example, a number of the memoranda of understanding referred to have not been finalised and certainly before my next annual report I would propose to go over each of those and to update the position for the purpose of my next

annual report.

CHAIR: When in your view would you think the memoranda of understanding would need replacing?

Mr MOSS: I recommended to the Police Integrity Commission, and the Police Integrity Commission has accepted, that from now on each such memoranda of understanding should have a clause in it providing in effect that it is to be reconsidered every 12 months from the point of view of adequacy and to cover any changes in relevant circumstances or legislation. Provided that clause is inserted and provided it is observed, then I would think that is the best way of ensuring that these memoranda are kept relevant and adequate.

CHAIR: Do you propose to continue monitoring the Commission's memoranda of understanding?

Mr MOSS: Yes. As I say, I will certainly follow up that letter from the Police Integrity Commission to which you referred, Madam Chair, and just to ensure that all those are finalised and also to check that that 12 months provision is included, and also you may see another very important recommendation that I made, and which has been accepted by the Police Integrity Commission, is that there should be a provision to the effect that the Police Integrity Commission Inspector's powers are not cut down in terms of these memoranda. I was a bit disturbed when I saw a couple of them because they appeared to have the effect of cutting down on the Inspector's powers under the Police Integrity Commission Act. However, that recommendation has been accepted by the Police Integrity Commission, so I do not see any problem in that regard.

Mr KERR: Inspector, if I could take you back to that case involving alleged perjury by police officers?

Mr MOSS: Yes, Mr Kerr.

Mr KERR: Did the investigation take 18 months to complete?

Mr MOSS: As I mentioned in my opening statement, I was appointed in November 2006. From memory, I think the complaint was at that stage about 12 months old. Certainly it was not a new complaint at that stage. It started off with the complainant making a complaint to the Police Integrity Commission and, from memory, I think it was at least six months before they referred it to the police. It may have been nearer 12 months. So the whole investigation certainly took longer than the period of 18 months during which the police oversighted it.

Mr KERR: Did the police continue in service or were they suspended?

Mr MOSS: No, Mr Kerr. This was a simple proceeding in the local court in Sydney. I don't want to identify the matter in any way of course. It

was really a storm in a teacup, as the complainant himself on one occasion acknowledged. He was charged with assault. It was not by any means a serious assault and it was on another male who just happened to be in the vicinity. The complainant was arrested and taken down to the police station. He made an electronic record of interview and he was released. The matter then proceeded to the court on a simple assault charge. He was represented by a solicitor. I don't want to give you too much detail, Mr Kerr.

Mr KERR: Perhaps if I might interrupt, Mr Inspector, because really the essence of my question is that you may say it was a storm in a teacup, but an allegation of perjury is a very serious matter.

Mr MOSS: Yes.

Mr KERR: It certainly would be treated by these police officers as a serious matter.

Mr MOSS: Absolutely.

Mr KERR: They are entitled to have the matter dealt with expeditiously and this allegation resolved one way or another.

Mr MOSS: Yes.

Mr KERR: For the matter not to be referred for police investigation for what, 12 months--

Mr MOSS: As I say, it was at least six months old when I was appointed; I think more. For the first six months my recollection is the Police Integrity Commission was handling the matter and then they decided to give it to the police but they also decided that they would oversight it. They do not oversight many matters, unlike the Ombudsman, but they decided to oversight this one, I think because my predecessor requested them to oversight it, and once the oversight started it was some 18 months before the proceedings concluded and it concluded with the police being satisfied that there was no substance to the complaint. I conducted an independent examination and I was absolutely satisfied there was no substance to the complaint. It was a misunderstanding on the part of the complainant.

Mr KERR: But it was a serious allegation.

Mr MOSS: It was a serious allegation.

Mr KERR: And the fact that it took such a length of time when these officers were in fact innocent I would have thought was a matter for concern and that time-line is certainly unsatisfactory, because I understand on the facts that you have given us it was not a complex matter and on the face of it it should have been resolved far quicker than that.

Mr MOSS: I may say, Mr Kerr, sometimes the personality of the

complainant can add enormously to the complexity of the matter. I never met this complainant, I made the point not to meet him, but let me say that all the evidence before me suggested that he was a very difficult man and I think these sort of people rub everyone up the wrong way and things that should not take X length of time in fact do. That does not absolve anyone from doing their duty but I think if you work into the equation that on all the evidence before me he was a very difficult customer.

Mr KERR: Nevertheless, as I say, on the face of it it is not satisfactory.

Mr MOSS: No, I said as much in my annual report.

Mr KERR: Perhaps more generally, when the Police Integrity Commission conducts inquiries and goes public in relation to those inquiries and the hearings are concluded, the length of time before they make recommendations is a matter which would cause those people involved considerable concern. It is important that the recommendations be formulated as quickly as possible.

Mr MOSS: I agree with all that, Mr Kerr, very much so.

Mr KERR: There are a number of matters that have received a lot of publicity since Superintendent Adam Purcell's matter that do not seem to have been finalised with recommendations.

Mr MOSS: Well, that certainly has not been published yet.

Mr KERR: No, and I was wondering if you had done any surveys in relation to hearings that had been completed and the length of time before the Police Integrity Commission formulates recommendations.

Mr MOSS: I have certainly thought about this matter a lot, Mr Kerr. I am highly conscious of the fact that people named publicly can suffer enormous damage to their integrity and reputation, particularly if no further action is taken, so they never have a chance to clear themselves or to put what it is they want to put. I think we perhaps should bear in mind that the current Commissioner was appointed only in October 2006, so to the extent that we are talking about historical matters—and I know you are not at the moment--

Mr KERR: No.

Mr MOSS: But I think it is probably fair to bear in mind that the current Commissioner has been there only since October 2006, so he has barely been there a year, much like myself, but I am concerned and I do propose to follow carefully, each time the Commission has a public hearing, as to how long it takes them to deliver a report arising out of that public hearing, because there is no doubt—and I have specific cases in mind—that people suffer a great deal in terms of their integrity and reputation if these matters are not handled fairly and promptly to say the least.

I think there is still a lot of confusion in the community as to the opinions of the Police Integrity Commission, when they publish a report after a public hearing, as to the legal basis of these opinions. Regrettably I think a lot of people, and I think including the police, regard opinions, assessments, recommendations expressed by the Police Integrity Commission in their public reports as findings of guilt. That is totally wrong; the Police Integrity Commission cannot make findings of guilt; but this is not much consolation to people who get adversely named in these reports. So I think at the very least one has to do one's best to ensure that fairness prevails and that these reports are delivered promptly, and the recommendations, if they are going to be acted upon, are acted upon, again, promptly. I can tell you of cases where that has not happened.

Mr KERR: So you can think of cases where that is not happening?

Mr MOSS: I have got a complaint at the moment. Once again, I do not want in any way to identify this officer.

Mr KERR: No, this goes only to time-lines rather than facts.

Mr MOSS: Yes. Let me say that recommendations were put out by the Police Integrity Commission in December 2005 in respect of this officer and he is still waiting for those recommendations to be finalised.

Mr KERR: That is the second aspect. The first aspect is where there is a hearing and there are no recommendations or recommendations are outstanding and there are a number of matters where that is the case where in fact there has been a considerable amount of adverse publicity in relation to a police officer which may not even amount to any criminal accusations.

Mr MOSS: No.

Mr KERR: But they are nevertheless extremely damaging to that person's reputation.

Mr MOSS: Yes.

Mr KERR: It is outstanding for some time and that is bad enough.

Mr MOSS: Yes.

Mr KERR: Then we have the second situation that you have just adverted to where the Police Integrity Commission does make recommendations and the matter is still not finalised.

Mr MOSS: That, of course, has nothing to do with the Police Integrity Commission.

Mr KERR: No, but it is unsatisfactory from the administration of the

police.

Mr MOSS: I couldn't agree more.

Mr KERR: Do you know how many instances that would be?

Mr MOSS: No.

Mr KERR: You are aware of a number of them though?

Mr MOSS: No, what has made me aware specifically is this complaint, because there does not seem to be any doubt on the facts that the recommendation was made in a report released in December 2005 by the Police Integrity Commission and there is no doubt whatsoever that this officer is still waiting for finalisation, and, as you say, it may be that what is put against him does not amount to a criminal offence, it really amounts to some breach of duty under the Police Act.

Mr KERR: Would it be an idea perhaps to do a survey as to how many hearings have been conducted publicly and are awaiting recommendations?

Mr MOSS: Yes.

Mr KERR: Secondly, how many recommendations have been made and officers are still in limbo as to their career.

Mr MOSS: I will attempt to follow that up, Mr Kerr.

Mr PEARCE: I am new to this Committee, so I am not sure of your precise role. Are you familiar with the *Police Integrity Commission Annual Report 2006-2007*?

Mr MOSS: Yes, I am. When I say I am familiar with it, I have not read the financial statements, but I have read the parts that interest me, in particular parts like section 7, very closely. Section 7 deals with the number of police complaints they received about police and what they did with them.

Mr PEARCE: In reference to your earlier comments regarding the memoranda of understanding that exist between the Police Integrity Commission and the police, a report from the previous Chair of this Committee, Mr Lynch, concerning the Counter Terrorism Coordination Command identified that in the changes there were significantly less statutory protections than existed previously, and there was a suggestion that it be monitored by the Police Integrity Commission. At page 31 of the report:

Should the PIC's recommendations contained in its report *Management of Misconduct Risks by the NSW Police Counter Terrorist Coordination Command: An Assessment* not be implemented, or should they prove not to be effective, the Committee will consider recommending legislation to reintroduce a statutory audit.

I notice that basically what has happened since that time, and this is pages 38-39 and following, is that there still does not appear to be a firm set of guidelines in place. My interpretation from reading this is that the Police Integrity Commission are happy with the police doing their own internal audit on this. The reason I raise this is that there was concern expressed initially about the risk of the police doing the internal audit, that the previous Special Branch abused their powers significantly, particularly in relation to innocent individuals. Are you satisfied that this agreement that appears to have been reached between the Police Integrity Commission and the police in relation to the counter terrorism command is likely to protect civil liberties and innocence or is it liable to be open to abuse, as was the old Special Branch?

Mr MOSS: Mr Pearce, I would have to have a look at that, if you don't mind, and get back to you about that.

Mr PEARCE: That is fine. I apologise for not putting that earlier. I only just got the report.

Mr MOSS: I must say I did not spend a lot of time on that particular section of the report.

Ms HALE: I am also a new member of the Committee, but can I also reiterate the concerns that have been expressed about the possibility of the police exceeding their powers, particularly in relation to terrorism or other offences, given the considerable expansion of police powers that we seem to be witnessing. That said, earlier you referred to the unduly limited ability of the Police Integrity Commission to oversight police investigations and you said that the Police Integrity Commission's powers were far short of those of the Ombudsman.

Mr MOSS: Yes.

Ms HALE: Would there be any benefit if the Police Integrity Commission were to be given powers comparable to those of the Ombudsman in your opinion or would that be an unnecessary duplication?

Mr MOSS: Perhaps I should make clear that the provision in the Police Integrity Commission Act to which I am referring in relation to their oversighting power is section 13, and then, as I said, if you have that update response I made in writing in response to the Ombudsman's powers where I in fact refer to the Ombudsman's Police Annual Report for 2007, I think you will see from that that the Ombudsman has extensive powers under section 8A of the Police Act. Not only can the Ombudsman oversight, and direct and control the oversighting, but he has the power to monitor under a particular section, to actually sit in as an observer. He does not do that unless it is justified but he has these powers. So there is a vast difference, in my opinion, between the powers of the Ombudsman under section 8A of the Police Act and section 13 of the Police Integrity Commission Act.

Whether you could justify, as it were, including the Police Integrity

Commission in those same provisions that the Ombudsman has, I suppose it is really a matter of policy, but under the present police complaint system it is clear that it is the intention of Parliament that the Ombudsman should be the principal overseer of complaints against the police. As you will see from that updating material, the Ombudsman receives thousands of complaints against police each year and he then assesses those complaints that need to be investigated, which are the majority of them. He then farms those out to police to investigate, but he then oversights those investigations and he oversights them in a way that shows that he has got control and he can direct, and, if he is not satisfied, then he can let the police know and demand a further investigation.

Ms HALE: I appreciate that, and you did say it is a question of policy. What I am asking is in your opinion would there be any benefit in giving increased powers to the Police Integrity Commission?

Mr MOSS: Yes, I think so. I do not think that means that they are going to oversight any greater number than they are presently overlooking, because they see that as not their function, or certainly not their primary function, but to the extent that they are going to oversight any, I would have thought there is some benefit in giving them additional powers to oversight. I think their present powers are too limited.

Ms HALE: In terms of the cases that they do oversight, do they determine to do so in relation to a set of criteria or how do they determine which ones they will oversee and which ones they will not?

Mr MOSS: The single experience that I have had since my appointment in this context is the one I have already mentioned and I came into that because they were overlooking an investigation as a result of a complaint to me. So I do not have any general knowledge, apart from the annual report. In this 2007 annual report that Mr Pearce has referred to, I think they say in that year they overlooked 25 cases. I have no details of those 25 cases, apart from the one I have already mentioned, but I would propose to take an interest in that area and to track through their overlooking of cases and make sure that they are timely and so on.

Ms HALE: Just in relation to the matter that has been raised about the six to 12 months before a matter was referred to the police, did the Commission give any explanation as to why it took so long?

Mr MOSS: I do not know that the Commission would concede that it did take too long. That of course is my view. They would probably say that it took six months for them to get statements and interview this man and they would probably say that they had a lot of other things on their plate. So I do not know that they would agree with me or Mr Kerr that it was unduly long.

The Hon. LYNDIA VOLTZ: Can I ask a question of clarification because I am new to the Committee as well. When you talk about serious police misconduct as your brief--

Mr MOSS: As the Commission's brief.

The Hon. LYNDIA VOLTZ: As the Commission's brief, what would constitute serious police misconduct? Would say an order that overrode standard operating procedures be considered serious police misconduct? How do you define serious as opposed to minor?

Mr MOSS: The Commission has a special committee, which sits every fortnight or so and which includes the Commissioner and other senior staff, and they are continually assessing complaints. Obviously they receive a lot of complaints a year, but they investigate either about one or two percent only of those complaints. For example, if you look at that 2007 annual report of the Police Integrity Commission, you will see that in that year, of all the complaints they received they investigated only 11 out of I think a couple of thousand. No, I think 1200. No, I think about 1500. But they investigated only 11 of those.

They have to come to some conclusion about which ones they are going to investigate, but obviously it is not hard to think of what would constitute a serious police complaint: serious allegations of police corruption for example at a high level; police dealing in illegal drugs systemically for example. If we think of some of the recent public hearings, Mr Kerr has already referred to one and we have not got a report from that yet, but there is another one too that a report is awaited and that was an investigation, including public hearings, into the disappearance of a woman around Wagga Wagga and police were involved in that allegedly. So that became a serious complaint.

The Hon. LYNDIA VOLTZ: So serious criminal behaviour.

Mr KERR: Was that Wagga Wagga or Bathurst?

Mr MOSS: No, I think it was Wagga Wagga. Public hearings certainly took place in Wagga Wagga. It might have been Bathurst, Mr Kerr. You might be right.

The Hon. LYNDIA VOLTZ: So say an order to ignore standard operating procedures would not come under the Police Integrity Commission, it would come under the Ombudsman?

Mr MOSS: I think these questions are probably best directed to the Police Integrity Commission but I am prepared to give my opinion. I think that probably not. What they seem to investigate, if you have a look at what they actually investigate, are claims of police corruption—they are prominent—claims that police are illegally dealing in drugs, claims that police have unlawfully assaulted someone, claims that police are illegally dealing in arms, perjury, and that sort of thing.

The Hon. LYNDIA VOLTZ: I am just trying to link it to the oversighting

of the terrorism task force, in terms of if there are standard operating procedures and people have raised concerns and there is an audit, where does that fit in?

Mr MOSS: The Police Integrity Commission may regard that sort of thing as a serious police complaint. We have not been able to test that with experience as yet but no doubt instances will arise.

The Hon. LYNDIA VOLTZ: And just so I can clarify it in my mind, the memorandum of understanding with AUSTRAC, that is cleared up now, you do have access, or is the director still able to at his discretion--

Mr MOSS: I think that is one of the ones yet to be finalised and that is one of the ones that I propose to follow up.

The Hon. LYNDIA VOLTZ: Because given the nature of the type of complaints you are actually charged with and when you talk about corruption, obviously with the AUSTRAC, the ability to access that system would be crucial, would it not?

Mr MOSS: Yes, indeed. Yes, I will keep a close eye on that and make sure that those memoranda do not obstruct the Inspector in carrying out his duties.

The Hon. LYNDIA VOLTZ: It seems an awfully long time for a memorandum of understanding to be resolved. Will it be resolved in terms of clarifying soon?

Mr MOSS: I will certainly follow it up and certainly before my next annual report I will make sure that that is in order.

Mr KERR: Yes. The limited powers you mentioned that the Police Integrity Commission has, turning to that perjury matter, you wanted the Police Integrity Commission to do certain things?

Mr MOSS: Again, Mr Kerr, I do not know how much detail you want but--

Mr KERR: Perhaps I might explain, Inspector. I took from your remarks earlier that you wanted the Police Integrity Commission to take certain actions. They said, "We cannot do that because we do not have those powers". It seems to me that if they had those powers, then you could more effectively do your job if they were able to implement your suggestions.

Mr MOSS: That is certainly my view. My view is that they should have powers of direction and control when they are overseeing an investigation. They should be able to call on the police to carry out their investigation in a timely manner and they should be able to see the evidence on which the police come to their ultimate conclusion.

Mr KERR: Are you surprised that they have not complained about the lack of powers?

Mr MOSS: As I say, I am not sure what the views of the Police Integrity Commission are in that regard. I cannot say that they have indicated to me that they are unhappy with the power they have, but we seem to be each of the view that it is a limited power.

Mr KERR: The Police Integrity Commission has been operating for some time now. There are a number of organisations that are directly affected; the Police Association springs to mind. Have you ever had any discussions with the Police Association as to their views of the Police Integrity Commission?

Mr MOSS: No. Bear in mind, Mr Kerr, that I have no jurisdiction over police. I have no jurisdiction in respect of complaints about police. My complaints jurisdiction is confined to complaints about the Police Integrity Commission and its officers, but I do see, of course, published in the press from time to time statements attributed to police officers that they are unhappy with aspects of the Police Integrity Commission. I suppose one could say that perhaps if those sort of complaints were not being made, then it might be said the Police Integrity Commission were not doing their job. Whether that is a correct assessment I do not know but we would have to take into account disgruntled police officers may be acting from other than high moral motive.

Mr KERR: Do you recall what sort of criticism was made?

Mr MOSS: I think the *Daily Telegraph* made some criticism recently of the Police Integrity Commission. I do not want to give it any more publicity.

Mr KERR: The *Daily Telegraph* does not have a policing role though I take it. I think you mentioned that you had read criticisms by police officers.

Mr MOSS: I think that case you mentioned, you mentioned the Purcell case, and we have not got a report yet so we must be careful, but I think some police were unhappy about the publicity that was given.

Mr KERR: Did you see the publicity it was given?

Mr MOSS: Only as it was reported in the press. It was reported in the *Sydney Morning Herald*. I don't want to say I don't read a particular newspaper, but I did see it in the *Sydney Morning Herald*.

Ms HALE: Do you believe the Police Integrity Commission is adequately resourced to perform the role that it needs to perform, and if its powers were to be enlarged would that need to be accompanied by increasing resources?

Mr MOSS: As far as I can see it is adequately resourced. It seems to

have some able investigators attached to it. I mean the time may have come, given the length of time that it has been in operation, possibly to have a complete review of what it is there for. After all, I think it is at least ten years old and a lot has happened in those last ten years, as we all know, so possibly at some stage it would be useful for the function and the role of the Police Integrity Commission to be looked at.

Ms HALE: If there were such a review to take place, who do you think should conduct it? Would that fall within your responsibilities?

Mr MOSS: My office comprises myself and my executive assistant, who is here today. I would not think our resources would be anything like what would be needed to do a job like that.

Ms HALE: So there is no statutory requirement for review at regular intervals of the Police Integrity Commission's activities?

Mr MOSS: Not to my knowledge, Ms Hale, no.

CHAIR: I would like to thank you, Inspector, for your attendance today and for the full and frank responses you gave the Committee's questions, and I would also like to thank our new members on the Committee and we certainly look forward to a productive new year.

(The witness withdrew)

(The Committee adjourned at 10.48 a.m.)