

## **(9) Pains Of Internal Conflicts – The Dark Days And The Tumultuous Road Of Recovery**

While the Society was making good and steady progress in all fronts, an unexpected tragic incident suddenly occurred. On 8 January 2006, our long serving and dedicated Chairperson, Mr Henry Pan, was viciously assaulted when he was assisting the Police in his CASS role to resolve a custody case. Sadly, Pan was totally blinded.

No statements were issued by the CASS Board then to inform the public about the assault incident and to condemn the violent and barbaric crime. Instead, many things inconsistent with the fundamental values and objectives espoused by CASS occurred.

The situation became evident gradually - a small group of people with ill agenda breached the rules and ignored the proper governance of CASS seizing the opportunity wanting to hold on to power. They manipulated the “Active Membership” clause of the CASS Rules to strip off the rights of a large number of longstanding members to attend and vote at the Annual General Meetings in September and November 2006 respectively. The atmosphere in CASS had degenerated into one filled with mistrust, fear and confrontation.

The operation of CASS was seriously affected with the cessation of a number of services and activities and little progress in most work. Financially, CASS encountered unprecedented huge operating loss and cashflow problems. There was an attempt to sell off assets of our Society secretly and scarce resources were wasted in things inconsistent with the objectives of our Society, including spending a large sum of money to print denigrating materials against Pan.

At this critical time, a group of zealous and dedicated members who believed in the ideal and values of our Society stood up and fought to safeguard our Society. They formed an Action Group, and together with the strong support of many individuals in the community, mounted challenges against those people in control of CASS then. They included: Bo Zhou, Peng Bai, Shan Zou, William Luong, Yunfang Lu, Yek Kwong Chiang, Wanming Liang, Tao Bai, Peter Pan, Xuan Ding, Ying Seow Chan, and many more. The disabled Pan was not deterred by his physical limitations and worked hand-in-hand with the caring members. They displayed enormous courage and respectable determination to overcome successive hurdles with the objective to resolve the situation.

With the assistance of others in the community, especially Dr. Tony Goh and Councillor Clifton Wong, in the 26<sup>th</sup> AGM held on 9 December 2007, our members decisively elected the team to manage CASS and stood on the platform with the slogan “Support Henry Pan and Rebuild CASS”.

There was general hope that the newly elected team would focus on the rebuilding of CASS. However, instability and disharmony in the Board was apparent until the 27<sup>th</sup> AGM, held on 31 August 2008. Dr. Leng Tan was then elected as our Chairperson, and under her leadership, our Society was truly set on the much-anticipated rebuilding path. By the end of 2008, the operations of CASS as a whole had shown significant progress and financially, CASS was back on positive territory. An important Corporate Planning Day was organized in April 2009 to carry out strategic planning of CASS for the coming years.

Certain disturbances continued to occur for a period of time after 2008, in which there were people holding press conferences and approaching government departments to spread false and

unfounded allegations about CASS operations and corporate governance with the evil intention to destroy CASS. Their irresponsible acts caused damage to the image of CASS and the community. Several government departments conducted investigations then, and much time and efforts were spent by our team to handle the inquiries, in which some dragged on from September 2008 until now (start of 2011). However, CASS was cleared of all allegations, and the positive outcomes strengthened the confidence of government departments on the integrity and ability of CASS, and also increase the resolve of our team to focus on work to achieve the aims of CASS.

8 January 2006

Our Chairperson then, Henry Pan, was viciously assaulted when he was assisting the Police in his capacity as the Chairperson of CASS to resolve a custody issue between a separated couple. Pan was permanently blinded.

14 January 2006

The Board resolved to appoint Brian Wong to act in the Chairperson position while Pan was on sick leave. Members and staff were told by the CEO and some of the Board members that Pan did not want visitors. Malicious rumours about the assault, traceable to be originated from CASS, started to circulate in the community.

27-29 January 2006

Organised the Chinese New Year Chinatown Market event for the first time under a contract awarded by the City of Sydney which was applied by CASS under Pan. There were 60 stalls and over 200,000 visitors, including the Hon. Morris Iemma MP, Premier of NSW.

11 February 2006

A press conference was called to announce the news that CASS had secured from the Federal Government an additional 13 Chinese and 11 Korean CACP packages to cover the Northern Region of Sydney. However, on this occasion, the media personnel were told that Pan did not want people to visit him. Pan did not even know the holding of the Press Conference and had never indicated that he did not want visitors.

25 February 2006

The Board held a meeting without the knowledge of Pan, and with limited information in hand, hastily passed a motion to say that at the time of Pan's assault, he was not doing casework on behalf of CASS.

The company underwriting the insurance of CASS was then specifically informed of the Board's resolution, thus creating major obstacle for Pan to make a claim for his injuries caused by the assault under the volunteers' accident insurance cover.

April 2006

Received funding from the NSW Office of Fair Trading to run a Tenancy Rights Project in 2006/2007.

20 May 2006

A dinner was held to celebrate the 25<sup>th</sup> Anniversary of CASS. About 600 people attended the event, including the Hon Milton Orkopoulos, Minister assisting the NSW Premier on Citizenship, representing the Premier; the Hon Peter Debnam, Leader of the

NSW Opposition, Consul General Qiu Shaofang of the Consulate-General of the People's Republic of China in Sydney, Mr David Macleod, representing the Hon Andrew Robb MP, Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs, Federal and State MPs, Mayors, Councillors, departmental officers, community leaders and other dignitaries.

Pan, declined to attend the function, and he released a public statement expressing his profound sadness and disappointment at the lack of care and sincerity to him and the treatment encountered by him after the vicious assault.

At the dinner function, people were told that Pan had made "unreasonable demand to CASS" after the assault. The public brawl revealed to the community about the existence of conflict within CASS after the assault of Pan.

23 May 2006

CASS was presented with the 2006 Excellence in Business Award (community contribution) by the Hurstville City Council. Pan was also given a special acknowledgment personally for his community contribution with an Award.

June 2006

Pan announced in the press that he had resumed his role as the Chairperson of CASS from 1 June 2006. Brian Wong responded hurriedly that he was still acting as the Chairperson.

June/July 2006

A number of community leaders attempted to mediate in the apparent conflict within CASS. None of those endeavours were successful.

1 July 2006

A Board meeting was held which was attended by five directors, two Alternate Directors and a number of non-Board members. Henry Pan, Peng Bai and Bo Zhou did not take part.

With no procedural fairness, Bo Zhou was removed as a Director, and Pan's Chairperson position was declared vacant without explanation. In breach of the CASS Rules, the "vacant" Director position of Zhou was filled by Say Choon Teoh, a person outside the Board. Then, Teoh was 'elected unopposed' as the Chairperson of CASS. In further breaching of the CASS Rules, five persons were 'appointed' as Alternate Directors. Four of them had just joined CASS.

10 - 19 July 2006

The hearing of the criminal assault case of Pan was held at the NSW Supreme Court. The evidences presented in the court showed clearly that Pan was resolving a custody case with the Police in his capacity as the Chairperson of CASS at the time of the assault. The perpetrator was convicted by a jury and sentenced to a 14.5 years jail term. No CASS Board or staff members attended any part of the court hearing.

20 July 2006

The booklet prepared under the Chinese Crime Prevention Project undertaken by CASS was officially uploaded onto the CASS website at a launch held at the CASS Activity

Centre. The ceremony was attended by The Hon. Philip Ruddock MP, Attorney General, and Senator Connie Fierravanti-Wells representing Senator, The Hon. Chris Ellison, Minister for Justice and Customs.

21 July 2006

Pan held a press conference for the first time after the assault. He provided an account of the assault, his encounter with the CASS Board after the assault, and the breach of CASS Rules by certain members of the Board in restructuring the CASS Board on 1 July.

28 July 2006

The Board, led by Teoh, held a press conference to respond to the issues raised by Pan. A Public Statement was released, containing numerous allegations which included: Pan was not on approved CASS duty at the time of his assault, his insurance claim would cause severe financial burden to CASS, etc. After the press conference, a large quantity of this press release was printed at a significant cost to CASS, and it was distributed widely in the community.

August 2006

A number of Board members and the CEO attended various groups in CASS to spread unfounded rumours to defame Pan.

28 August 2006

A group of concerned and long standing members of CASS held a press conference to announce the formation of an “Action Group” who had lodged a requisition by 69 members to ask the CASS Board for the holding of a Special General Meeting (SGM) to account and discuss recent issues in CASS.

16 September 2006

The 25<sup>th</sup> Annual General Meeting (AGM) was held at the Head Office premises. It was rushed in an attempt by the Board to brush aside the requisition for the holding of a SGM. It was the first time that the AGM of our Society was not held within the statutory required period of five months after the close of the financial year of our Society, and the Board gave no reasons for the delay.

Without any prior notification and information to the members, the Board invoked the “active membership” provision of the Rules of our Society. Members were arbitrary classified in order to prohibit a large number of long-standing members from participating in the AGM. Media personnel were also prohibited to enter the CASS Head Office premises where the AGM was held. The meeting was stacked with newly recruited members. About a dozen private security guards were hired to forcefully execute the orders of the Board in restricting longstanding members to enter the AGM venue.

September/November 2006

The actions of the Board in regard to the AGM were roundly condemned by many people in the community. Relationship with the Chinese media was strained. The Board was directed by the regulatory authority to re-convene the AGM as the financial statements presented at the AGM were deemed invalid as they were not audited.

25 November 2006

The Board held the re-convened 25<sup>th</sup> AGM at a hired venue in Campsie and used the same high-handed oppressive measures against a large number of members to attend the Meeting.

16 December 2006

At a lunch function, Teoh announced the appointment of Tony Pun and James Lee as Advisers to the Board then.

January 2007

Pan was presented with an award by the Australian Council of Chinese Organisations (AUSCOCO) to recognise his tireless voluntary efforts in serving the community through his work in CASS.

3 February 2007

A group of zealous members together with some community leaders organised a lunch at the Auburn RSL to express community appreciation to Pan and acknowledge his long, dedicated and unceasing voluntary service in CASS which benefited many people. A large crowd of nearly 500 people turned up to pay tribute to Pan, including Hon. Philip Ruddock, Attorney General, and a number of Federal and State MPs from various party backgrounds, Councillors, Consul, departmental officers and community leaders.

February 2007

At a function hosted by the NSW Government to celebrate the Chinese New Year, the Premier, Hon. Morris Iemma, presented Pan with the prestigious Quang Tart Life Achievement Chinese Community Service Award to acknowledge the outstanding voluntary contribution by Pan in CASS to serve the community.

The receipt of Award and community acknowledgment by Pan in regard to his work for CASS should have been a very honourable and proud event for CASS. However, none of the information was mentioned in any publication of CASS during that time even though the Board printed quite a number of newsletters on the work of CASS due to the soured relationship with the Chinese media.

16 – 18 February 2007

CASS organised the Chinese New Year Chinatown Markets in the City of Sydney for the second time.

March 2007

CASS members, William Luong, Henry Pan, et al, commenced legal proceeding in the Supreme Court of NSW against Four Board members, Say Choon Teoh, Peter Leong, Brian Wong, Peter Yee, and CASS (the Board), for conducting the business of CASS not in accordance with the Rules of CASS and proper corporate governance and in an oppressive manner to the members.

April 2007

The operation of our Darling Harbour Child Care Centre was ceased due to safety concerns arising from a serious traffic accident, in which damage was caused to the building of the Centre. The incident led to a review by the Powerhouse Museum, who

owned the premises of the Centre, on the suitability of operating a child care facility on the premises. It was concluded that a child care facility situated at the intersection of two very busy roads possessed very high safety risks, and therefore, the Centre should cease operation.

April 2007

Received funding from DADHC to carry out a research project to understand the unmet need of HACC services amongst the frail aged people in the Korean community.

May 2007

Our Campsie Women's Group and our Bankstown Activity Group conducted for the first time the charity fund raising activity "Australian Biggest Morning Tea" to support the NSW Cancer Council.

30 May 2007

At the Tenancy Rights Information Expo organised by CASS, the Hon. Linda Burney MP, Minister for Fair Trading launched the Tenancy Rights DVD, CD and the Chinese web page produced by CASS under a funding from the NSW Office of Fair Trading.

26 July 2007

Launched the Ageing With Style Project in the City of Sydney. This project received funding from the Lord Mayor Salary Trust for 2007/2008. The Lord Mayor Clover Moore MP attended the launch in person.

August 2007

CASS Ashfield Centre was closed due to the poor financial state of our Society. Some of the services and activities were relocated, while some were ceased.

September 2007

The services and activities conducted at the CASS Education, Training and Counselling Centre were abruptly moved out of No. 21 Seventh Avenue, Campsie, and relocated to either the Head Office or the Peakhurst Child Care Centre premises. The CASS Board then secretly arranged to sell the No. 21 property. The illegal attempt to sell the property was unsuccessful as the Chinese media found out the plot and reported the matter accordingly, leading to condemnation by the community and the investigation by relevant authority into the matter.

30 September 2007

The Peakhurst Child Care Centre was abruptly closed as the Board was unable to resolve the low enrolment situation which had existed for more than a year.

October 2007

Received funding from the NSW Multicultural Health Communication Service to publicise and assist in the operation of the Chinese Quit Line in the Chinese Community.

25 October 2007

Following professional mediation, the two parties, those members who commenced court proceeding and those directors being sued and the Board, signed an Agreement,

which set out the terms of holding the 26<sup>th</sup> AGM, for members to decide on the issues being litigated. Under the Agreement, an Organising Committee chaired by an independent party, Cr. Clifton Wong, was formed with irrevocable authority delegated by the Board to organise and conduct the AGM, and the alteration of the CASS Rules concerning the 'Active Membership' qualifications and the eligibility of members to attend and vote at AGM. For the 2007 AGM only, members must pay the annual membership subscription to be deemed as active members.

9 December 2007

The 26<sup>th</sup> AGM was held at a hired premises in Hurstville with more than 270 active members attended in person, and about 130 active members appointed representatives under the Power of Attorney arrangement to attend the Meeting. The audited Financial Statements for the year ended 31 December 2006 showed an operating deficit of about \$46,000. A new Board was elected by the members and the team led by Pan, on the platform with the slogan "Support Henry Pan, Rebuild and Save CASS". Eight out of the nine director positions and all six alternate director positions were won by the Pan's Team. Pan received the highest votes and he was the only remaining Director from the previous Board.

10 December 2007

The newly elected Board appointed Mr Andrew Lau as the Chairperson and Ms Theresa Kwong as the Secretary. Bee Koh resigned as CEO.

The court proceeding brought upon by those members to resolve the problems in the Society was formally terminated.

December 2007

DoHA confirmed that the application for providing Extended Aged Care at Home (EACH) and EACH Dementia (EACHD) services in the Northern and South East Region of Sydney was successful. The two services were for the Chinese speaking seniors who have high care needs.

January 2008

The CASS Education, Training and Counselling Centre was re-established at No. 21 Seventh Avenue, Campsie. Staff members previously stationed at this location but relocated in September 2007 were moved back to this work location.

15 March 2008

The Board resolved to rescind the resolution passed on 25 February 2006 by the then Board, saying that Henry Pan was not on approved CASS duty at the time of his assault. The insurance company was informed of this Board's decision and it was prepared to re-consider Pan's claim.

18 April 2008

A launch was organised at our Hurstville Child Care Centre for the start of implementing the 'Early Computer Literacy Program' and the 'Early Reading Program'. The NSW Minister for Community Services, Hon. Kevin Greene MP, was in attendance to officiate the launch.

24 April 2008

Organised for the first time, an information expo 'Know Your Legal Rights – Family Law Expo' at our Campsie Activity Centre. The NSW Attorney General, Hon. John Hatzistergos, officiated the opening of the event.

April/May 2008

Purchased the residential property at 681 Forest Road, Peakhurst, with a bank loan for future development purposes.

April/May 2008

Certain Board members were plotting behind the scene to bring personnel from outside CASS having close association with them but with no appropriate experience and knowledge of managing a community services provider to take up key management positions in CASS with the obvious aim of wanting to control CASS. The plot was uncovered and was fiercely opposed by several Board members. The matter brought out underlying issues in the Board.

April/May 2008

Held in Ashfield, for the first time, a series of workshops on men's health were organized for the Chinese community.

7 May 2008

A special ceremony was held at our Campsie Activity Centre to celebrate the 27th Anniversary of CASS. The function was attended by Hon. Laurie Ferguson, the Parliamentary Secretary for the Settlement and Multicultural Affairs, Cr. Robert Furolo, the Mayor of Canterbury and Madam Li Yanduan, Deputy Consul General of the People's Republic of China in Sydney.

May 2008

Conducted a campaign to raise funds for the victims of the Sichuan earthquake in China. About \$13,000 was raised.

May 2008

Established a Day Care Centre in Wollongong for frail Chinese seniors residing in the area. The new ongoing service is funded by DADHC.

15 June 2008

Some Board members attempted to hold a Board meeting to push through their plan to control CASS to achieve its agenda. However, the attempt did not materialise as there was insufficient quorum as some Board members became aware of the plot and refused to attend the meeting.

31 August 2008

The 27<sup>th</sup> AGM was held at a hired premises in Campsie. The audited Financial Statements for the year ending 31 December 2007 showed an unprecedented large operating deficit of over \$620,000. The elections for the three directors and six alternate directors were hotly contested.

2 September 2008

A Community and Family Harmony Event was organised at the Ashfield Town Hall. The Ashfield Mayor, Cr. Ted Cassidy officiated the Opening Ceremony.

12 September 2008

The Board held its first meeting after the AGM and Dr. Leng Tan was elected the Chairperson with Mr Tao Bai the Secretary.

27 September 2008

In conjunction with a number of mainstream service providers, organised an 'Employment Expo' at the Strathfield Chambers. A total of 17 service providers set up information stalls at the event. Over 360 people attended the occasion.

7 October 2008

Four directors tendered their resignation separately and successively in the day with the same reason that each of them was busy in personal matters with no time for community work.

10 October 2008

Two resigned directors, together with a former director, who was not re-elected by members at the AGM in August, held a press conference to make a number of allegations about the operation, the financial management and the corporate governance of CASS. The Board resolved not to respond to unfounded allegations to avoid wasting time on unnecessary argument where the priority then was to endeavour to bring the Society onto the stable and financially viable operating path.

October/November 2008

Received funding from the NSW Multicultural Health Communications Service and organised a total of 5 information sessions on 'Wise Use of Medicine' in Ultimo, Eastwood, Auburn, Hurstville and Bankstown respectively.

7 November 2008

Worked in partnership with the Hurstville City Council in organising the 'Hurstville Council Chinese Community Open Day'.

November/December 2008

Purchased the residential property at 67 Fifth Avenue, Campsie with a bank loan for future development purposes.

5 December 2008

After a break of a few years, external End-of-Year Party was again held. The newly arrived Consul General of the PR China in Sydney, His Excellency Hu Shan, was the Guest-of-Honour.

February 2009

On a totally voluntary basis, Pan was appointed by the Board as the Honorary Executive Director to manage the operations of CASS.

March 2009

Conducted a campaign to raise fund for the victims of the Victorian Bush Fire. a sum of over \$10,000 was raised.

4 April 2009

A Corporate Planning Day was held to chart the course of CASS for the next 3 to 4 years. About 60 active members, volunteers and staff members participated in the endeavour to brainstorm and discuss ideas for the development of CASS.

17 April 2009

The 'Early Computer Literacy Program' was launched for our Campsie Child Care Centre, which was attended by Hon. Linda Burney MP, NSW Minister for Community Services, and Councillor Robert Furolo, Mayor of Canterbury.

April 2009

Received a one-year funding from DoHA for a Chinese Community Dementia Awareness Project.

May 2009

CASS signed a Memorandum of Understanding with NSW Cancer Council to enter into a formal partnership relationship.

May/June 2009

Received a small grant from the Multicultural Health Communications Service to organize the "Healthy and Tasty Challenge 2009 Recipe Contest" in the Chinese Community. More than 50 recipes were received.

June 2009

Due to a reduction in its national funding level, DIAC only approved three grants to CASS under the Settlement Grants Program for 2009/2010 financial year. As a result, the areas covered by our settlement services were reduced, and the geographical areas remained to be covered were: Inner West Region, St. George Region and Canterbury-Bankstown Region.

12 July 2009

A Charity Concert in aid of the Hurstville Public School Building Project was staged at the Marana Auditorium in Hurstville. The concert featured a ballet performance titled "Sleeping Princess". Over 450 people attended the performance, including Hon. Kevin Greene, NSW Minister for Gaming and Racing, Sports and Recreation, Cr. Vince Badalati, Mayor of Hurstville. The Concert raised a sum of \$13,680.

August 2009

Purchased the residential property at 184 Boundary Road, Peakhurst with a bank loan for future development purposes. This property is adjacent to our former Peakhurst Child Care Centre.

September 2009

Received funding from the NSW Community Relations Commission for the running of a Harmony Project in the Inner West in 2009/2010.

17 November 2009

An Information Expo on Understanding Dementia was held in Ashfield and was officially opened by the Mayor of Ashfield, Clr Ted Cassidy. The event was part of a project funded by DoHA.

4 December 2009

Celebrated 15 years of settlement services with a ceremony in conjunction with the End-of-Year Party. Former Minister for Immigration, Hon. Philip Ruddock and departmental officers were in attendance.

8 December 2009

Starting to publish articles under the pen-name “Kending” in the weekend magazine of the Australian Chinese Daily (ACD). The initiative was first brought up by Mr Wilson Ng, Chief Editor of ACD, and a page in the weekend magazine was allocated to CASS on an ongoing basis. The page has been named “The CASS Column” and all articles published related to the work undertaken and services and activities provided by CASS.

11 December 2009

Our Health, Ageing and Disability Services (HADS) Unit celebrated its 10<sup>th</sup> anniversary with the holding of a luncheon. It was attended by over 180 clients and their family members, and Hon Linda Burney MP, NSW Minister for State Plan and Minister for Community Services, and Cr Robert Furolo, Mayor of Canterbury. A souvenir book detailing the work of the HADS Unit was also published.

6 March 2010

Our Campsie Child Care Centre celebrated its 25<sup>th</sup> Anniversary with an Open Day event. The Hon. Linda Burney MP, NSW Minister for Community Services, officiated the ceremony.

March 2010

Won a NSW Government tender to provide sub contract services to NSW Home Care for 3 years. The services include domestic assistance, personal care and in-home respite. The regions in Sydney to be covered are: Inner West, South East, South West, Northern and Cumberland/ Prospect.

April 2010

Held a volunteers’ training course in Sydney under a funding awarded by the City of Sydney.

22 May 2010

The 29<sup>th</sup> AGM of the Society was held at the Head Office. The Board announced that after a long period of extensive investigation, the company underwriting the insurance of CASS had found that significant public and private comments generated as a result of Pan’s assault in January 2006 were “hearsay”, thus, the Company accepted Pan’s insurance claim for his injuries caused by the assault under the volunteers’ accident insurance cover.

Members attending the AGM also unanimously passed the two motions relating to the enhancement of the operation and management of CASS as recommended by the Board, firmly and decisively rejected the allegations made by those former directors.

1 July 2010

With a bank loan, the Society acquired a child care centre in St. Leonards.

July/August 2010

In support of the Chinese farmers, CASS wrote to the NSW Land and Property Management Trust to express our objection to the proposal to extend the Botany Cemetery to the heritage-listed land used by the Chinese Vegetable Market to grow vegetables in Philip Bay.

17 August 2010

A new activity group named the Huajin Activity Group was officially formed. This group conducts social dancing activity at the Kingsgrove Community Centre once a week.

August/September 2010

Carried out work intensively behind the scene to facilitate the resolution of the dispute between the parents and the NSW Department of Education and Training regarding the proposal to relocate the senior and OC classes of the Hurstville Public School to an adjacent Boys' High School. The matter was satisfactorily resolved.

20 November 2010

The Premier, Hon. Kristina Keneally, the NSW Minister for Education, Hon. Verity Firth, the NSW Attorney General and Minister for Citizenship, Hon. John Hatzistergos, the NSW Minister for Local Government, Hon. Barbara Perry, together with two MLCs, Hon. Shaoquett Moselmane and Hon. Sophie Cotsis, visited our Chinese School in Kogarah as part of their schedule to visit weekend community language schools run by a number of ethnic communities to understand first hand on the problems and the achievements of the schools. Our Chinese School was chosen to represent the Chinese community due to our good reputation.

8 December 2010

Signed a three years MOU with the NSW Cancer Council to continue the cooperation between the two organisations. The former Premier of NSW, Hon. Barrie Unsworth, witnessed the signing of the MOU.

10 December 2010

New-look CASS Website was launched by the former NSW Premier, Hon. Morris Iemma.