

## Clark to fight on against Ruddock

Stuart Rintoul  
*Australian*  
10 September 2003

GEOFF Clark has lodged an appeal against his suspension as ATSIIC chairman, claiming it was illegal and an “improper exercise of power” by Indigenous Affairs Minister Philip Ruddock.

Mr Clark also revealed yesterday that a succession of financially ruinous court cases had cost him more than \$500,000 so far.

”This has absolutely ruined me,” the suspended chairman of the Aboriginal and Torres Strait Islander Commission told *The Australian*. “I won’t recover from this.”

Mr Clark said the decision by Mr Ruddock to suspend him last month on the basis of a conviction for obstructing police and riotous behaviour during a pub brawl was “morally, politically and legally wrong”. His appeal, lodged yesterday by the legal firm Coadys, says that as a result of being suspended Mr Clark has suffered “damage to his reputation and standing within both the Aboriginal community and the broader Australian community” and been deprived of entitlements he previously enjoyed as ATSIIC chairman.

It argues Mr Ruddock “exceeded (his) jurisdiction” when he suspended Mr Clark, or the suspension was an “improper exercise of power” and that Mr Clark’s conviction was “incapable of constituting misbehaviour”.

The appeal also challenges the legality of the ATSIIC misbehaviour determination laws that gave Mr Ruddock greater power to dismiss elected ATSIIC officials.

The appeal comes the day after Mr Clark and members of his family appeared on the ABC program *Australian Story*. His wife, Trudy, told the program allegations that her husband was a multiple rapist -- which he strenuously denies -- came as a “surprise and shock”, while Mr Clark said: “Pressure makes diamonds, I think.”

Mr Clark had previously suggested he could not afford to challenge his suspension.

A Federal Court appeal would be expected to cost Mr Clark a minimum of \$10,000 and an unsuccessful action could add a further \$50,000 to his already burgeoning legal bill.

He estimated yesterday that he had racked up more than \$500,000 in legal bills, including \$150,000 spent on the pub brawl case, an expected \$150,000 appealing his conviction, and \$200,000 fighting two civil actions related to allegations of rape, the first of which has resulted in him being ordered to stand trial.

He said his \$242,050-a-year salary was “going straight to my lawyers”. He had lodged “a substantial amount of money” with his lawyers and sold assets “to stay in the fight”.