



Highly Confidential

19/8/21

Monique Dawson
Chief Executive Officer
VicForests

By email:

Dear Monique

Complaint made by VicForests about Sarah Rees, Peter Cooper and Chris Taylor

Thank you for the assistance you provided to enable the Dispute Resolution Committee (DRC) to decide the complaint made by you on 17 July 2020 about Sarah Rees, Peter Cooper and Chris Taylor.

Your complaint was about Sarah Rees' and Peter Cooper's conduct in signing on behalf of the respective organisations, My Environment and The Wilderness Society, an open letter dated 25 June 2020 sent by 41 environment groups to Nippon Paper Industries Co. Ltd and its shareholders (the Nippon letter). The Nippon letter was made public by media release issued by The Wilderness Society on 26 June 2020.

You also complained about Sarah Rees' tweets and her continuing role as a spokesperson and director of My Environment an organisation that owes VicForests a large amount of money.

You also complained about Chris Taylor's tweets and news articles.

DRC's process

The DRC decided not to pursue your complaint about Mr Cooper. This is because Mr Cooper is no longer a director of FSC ANZ nor a representative of an FSC ANZ member. This means that Mr Cooper is not answerable to FSC ANZ in any way.

For your complaints against Ms Rees and Mr Taylor, the DRC followed the process set out in my letter to you of 31 March:

1. Debra Russell, as investigator for the DRC, had a meeting with each of Ms Rees and Mr Taylor to obtain their perspectives.

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2. Debra also met with you.
3. Debra provided the DRC with a summary of the key arguments of the parties to the complaint and set out for the DRC her views as to the issues to be considered by the DRC.
4. The DRC met and reached a consensus position in relation to the complaints.

DRC's position

The DRC has considered your complaints about Ms Rees in light of FSC ANZ's Communication Protocol for Directors set out in the Governance Manual. This acknowledges that directors must do their day jobs, which often involves speaking to external media or FSC ANZ stakeholders. However directors must ensure that their commentary cannot be construed as being critical of FSC operations or lead to division.

The DRC is concerned that a reader of the Nippon letter could construe Ms Rees as being critical of the FSC Controlled Wood Standard, especially in a native forest setting. The DRC is also concerned that Ms Rees' role in the Nippon letter led to division.

The DRC has therefore asked Ms Rees to write a public letter to FSC ANZ members in support of FSC Controlled Wood especially in a native forest setting.

The DRC has considered your complaints about Mr Taylor in the context of the Constitutional member eligibility obligation to genuinely support FSC and its activities. The Constitution enables a member to be removed if they act in a manner that is demonstrably inconsistent with their membership and the objects of FSC ANZ.

The DRC has found that your complaints about Mr Taylor are not upheld. Given, however, that FSC ANZ has received several complaints about member conduct, the DRC considers that FSC ANZ should have a policy that clearly sets out members' obligations to FSC ANZ when publicly commenting about FSC related issues. This policy could be enshrined in FSC ANZ's Governance Manual.

Confidentiality

This letter is provided to you to inform you of the outcome of your complaint in advance of Ms Rees' response to the DRC's request.



FSC ANZ is aware of the potential for further division if there is public discussion about these matters. Accordingly, you asked to maintain strict confidentiality.

Kind regards

(signed)

Mark Annandale
Chair
Dispute Resolution Committee