

Peter Holmes a Court faked death threats

Susannah Moran | April 04, 2009

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DEATH threats were never made against businessman Peter Holmes a Court in the lead-up to the takeover of South Sydney football club, but he told the media otherwise because he wanted to deflect attention from business partner Russell Crowe, a court has heard.

Mr Holmes a Court admitted in court that "it was absolutely a fabrication" he had received a death threat in 2006 -- but Crowe had been threatened and he too feared for his physical safety.

Mr Holmes a Court and Crowe used the services of Palladino & Sutherland, a top US private investigation firm once used by former president Bill Clinton, to spy on people opposed to their takeover bid and find out who had been making threats against them.

The revelations have been aired in court this week in support of an allegation of malice on the part of Mr Holmes a Court in a defamation suit brought against him.

Mr Holmes a Court is being sued by Tony Papaconstuntinos, known as Mr Papa, in the NSW Supreme Court. Mr Papa claims to have been defamed in a March 2006 letter written by Mr Holmes a Court to Mr Papa's boss, Andrew Ferguson, the NSW secretary of the Construction Forestry Mining and Energy Union. Mr Holmes a Court denies the allegations. Mr Papa was opposed to the proposal being put by Crowe and Mr Holmes a Court.

Mr Holmes a Court said Mr Papa was never the target of the surveillance but a photo was produced in court of Mr Papa and several other people, including Noelene Piggins, wife of former Souths president George Piggins, taken covertly by surveillance operatives.

Mr Holmes a Court said in court this week Mr Papa may have been snapped coming out of a building identified by the surveillance team as the place where threatening calls had been made but Mr Papa was not a suspect.

A surprise witness -- one of Mr Holmes a Court's former supporters -- also appeared in court this week to give evidence against the businessman.

Graeme Tunks became a supporter for Mr Holmes a Court and provided him with "information" about various factions involved in the Souths dispute. He was adamant phone calls he had with Mr Holmes a Court were legitimate recollections.

"I don't usually get (phone calls) from magnates," he said.

Mr Tunks denied under cross-examination that he was an "enemy" of Mr Holmes a Court or had a falling out with him. In his defence to the defamation claims, Mr Holmes a Court's barrister, Bruce McClintock SC, said the letter in question was sent to only two people, and raised legitimate concerns about Mr Papa's son Jamie, who was earning \$60,000 a year as a trainer, well above other employees' rates.

As it was information he had received as a result of doing due diligence on the club, it was legitimate for Mr Holmes a Court to investigate the arrangements, Mr McClintock said.

Justice Lucy McCallum reserved her decision.

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