

“Millionaire!”

by J J Leonard

DEDICATION

To my parents, Agnes and Joseph Leonard.

“Millionaire!” is published by XAVIERAX.

Second Edition April, 2005

© XAVIERAX pty ltd 2004, 2005

XAVIERAX P/L (ACN 095 615 599) Level 29, Chifley Tower 2 Chifley Square. Sydney, NSW 2000

T: (Local) 0403 809 577 (Int) +61 403 809 577 www.xavierax.com E: johnjleonard@yahoo.com

On Friday 24 September 1993 I got up at 4am to watch a live broadcast from the International Olympic Committees HQ. Juan Antonio Samaranch was to announce the venue for the 2000 Olympics. Just after 4.30am he announced Sydney would host the 2000 games. I, and millions of other Australians, were, naturally, elated.

I had been, for some months, trying to devise a new games show to tie in with the Olympics. Now it was a certainty they would be in Sydney I had to get my skates on. That morning, as I sat at breakfast thinking over the possibilities, the thought occurred to me “why is there not a quiz show with a million dollar prize?”

In the past I had worked as both an ad man and an investment analyst. I was quickly able to calculate that the reason was that the Australian economy was not large enough to support such a TV show, but that in just a couple of years it probably would be.

That very day I wrote to the three Australian commercial TV networks informing them I had created a new TV quiz show, were they interested. I knew it would take them at least a month to reply and by then I would have a workable show. As soon as I had posted the letters I set to work creating the TV show which would eventually become known, all over the world, as “Who Wants to be a Millionaire?”

A month or so later I went to see the celebrated impresario and theatrical agent Harry M Miller. If I was going to make a deal with a TV network, I would need a high-powered agent and there was no-one better than Mr Miller.

When I explained my show to him he said “What happens if too many people win the million?” He had spotted a major flaw in my plan and I went away to sort it out. I did not know it at the time, but this problem had plagued TV producers since the 1950’s. In my naivety I was certain I had a solution - I would take out an insurance policy.

I tried every major insurer in Australia, to no avail, until one day some-one said “You should try Lloyds, they might be able to help you.” I tracked down a Lloyds agent in Australia and he told me he knew of at least three syndicates who would take on such a risk if I was able to pay.

The problem of funding the show still plagued me. I knew how much the costs were and the potential advertising revenue was not enough to cover it. My show had to have an extra source of income to be viable. I wracked my brains for over a year trying to solve the problem, trying out many different ideas without success.

One afternoon in late 1994, as I was walking home I had an idea that was so brilliant, it has revolutionised the way TV shows are financed. Potential contestants would call a premium rate number; the extra revenue this would generate would guarantee the financial viability of my show.

I revised the show incorporating this innovation and I offered to Australia's second largest TV producer (the largest already having said no) Beyond International Ltd. They loved it and offered to buy it immediately. They appointed two producers to work on the show, Maurice Murphy and Jim Burnett, (both with previous experience in producing TV quiz shows) and spent the next two years trying to persuade the TV networks to buy it.

In late 1995 Burnett began secret negotiations with the British TV production company Celador, with whom he has had a long standing business relationship.

The Chairman of Celador, Paul Smith, eventually agreed to buy my show in 1996.

Smith entered into a fraudulent relationship with Burnett, knowing fully the intellectual property he was acquiring was not legally owned by Burnett.

Smith persuaded three employees of Celador, Dave Briggs, Steve Knight and Mike Whitehill, to pretend they had created "Who Wants to be a Millionaire?" Previously they had written comedy skits for one of Celador's main shareholders, Jasper Carrot.

Smith presented the show to ITV; it was rejected.

Smith then illegally obtained intellectual property belonging to a Southampton journalist named Mike Bull. Bull had created a TV game show called "Help!" which featured Lifelines: Phone-a-Friend, 50/50 and Ask-the-Audience. Smith figured if either I or Mike Bull turned up he could say "Millionaire!" was substantially different to either of our shows. He presented the show to ITV again and the rest is history.

“Who Wants to be a Millionaire?” appeared on TV, for the first time ever, in Britain on 4 September 1998. As soon as I heard about it I knew my intellectual property had been stolen but I could not see how I would ever prove it. At that time I had no idea Smith and Briggs knew Burnett. I sank into a deep depression that lasted two years.

Eventually, I developed an Internet version of my millionaire quiz and began looking for an investor to make it a reality. As a result of my search for an investor I came across the details of a court case in which Celador were being sued by a Lloyds syndicate because the questions on “Who Wants to be a Millionaire?” were too easy. That they were using a Lloyds syndicate plus premium calls proved beyond any reasonable doubt they had stolen my property, I had more than enough evidence to pursue them.

Within a few days of discovering about the Lloyds case, I read about Mike Bull suing Celador for the fraudulent use of his intellectual property.

I wrote to the CEO of Celador’s parent company, the LSE quoted AVESCO plc, and advised him that his 49% investment in Celador was a major liability because Smith had obtained all the intellectual property that was “Who Wants to be a Millionaire?” by fraudulent means.

I invited him to satisfy himself of the truth of this by interviewing (together with two trusted lieutenants, i.e. simultaneously but separately) Briggs, Knight and Whitehill, putting standard questions to each about how the show had been created. I knew these three would contradict each other. Nicholson found out for himself Briggs, Knight and Whitehill had created nothing and forced Smith to agree to part company with them.

I suspect Nicholson already knew that Briggs, Knight and Whitehill had not created “Who Wants to be a Millionaire?” because the creator royalties for the show were only paid to them in Britain. In America, Smith and his associate Michael P Davies are credited as the creators of a show, to all intents and purposes, identical to the British show.

When Mike Bull and I had not appeared, Smith thought he was safe to come out from behind the Briggs, Knight, Whitehill shield. If Briggs, Knight and Whitehill really had created “Who Wants to be a Millionaire?” why did they allow Smith and Davies to collect the US royalty?

I hired some lawyers in London but after almost a year they decided they could not continue with the matter because one of their partners had a conflict of interest. I took the matter to the Serious Fraud Office, they ignored me. I took the matter to the Australian police. They took almost a year to decide that no crime had been committed in Australia.

I decided I needed a compelling piece of evidence, something that would make it impossible for the Serious Fraud Office to continue to ignore my case. Eventually I decided the compelling piece of evidence would be to show how Smith had stolen Mike Bull’s property. I had never been able to locate Mike Bull so I put an ad in The Times classifieds asking if anyone who had information would they contact me.

Five weeks after the ad appeared I had had a number of calls but none with the information I needed. Then the Times classifieds office called to say a man called John Baccini had tried to call me but the number in the ad was wrong. I called him and after a few minutes of conversation I sensed something was wrong and hung up.

The caller was actually Dave Briggs, the alleged creator of “Who Wants to be a Millionaire?” pretending to be John Baccini (a real person pursuing a case against Celador). Now if Briggs was really the creator of the show why not call me and say “What did you want to know?” He was pretending to be John Baccini to find out how much new information I had uncovered.

Unfortunately for Briggs, he had made himself memorable to the young lady in the Times classified office. On top of this, he had given his home telephone number to an independent witness. It was not the proof I had hoped for but in many respects it was much better. I wrote up whole thing and made another submission to the Serious Fraud Office.

Over the following pages I’ll elaborate on this in more detail, and show the supporting documentation.

Letters

As I have said, I got the idea for "Who Wants to be a Millionaire?" on the day the IOC named Sydney as the venue for the 2000 Olympics. Late on that very day I wrote to Australia's three commercial TV channels, Seven, Nine and Ten proposing a new TV show. This is the letter I wrote to Channel Seven

John James Leonard
102 Elizabeth Bay Road
Elizabeth Bay
Sydney NSW 2011
AUSTRALIA

September 24, 1993

Mr Des Monaghan
Channel Seven
Mobbs Lane
Epping NSW 2121

Dear Mr Monaghan,

I've been a great fan of the program, "Sale of the Century" since it first began in the late '70s. I even used to watch the original Anglia program in the UK with Nicholas Parsons as the compere, before I migrated to Australia. Recently, I've been thinking hard about game shows, trying to think of a new format that will

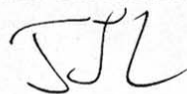
- i) create high audience excitement and involvement
- ii) win high ratings and
- iii) not be prohibitively expensive to produce.

I believe I have hit on a formula that will not only win high ratings but will out rate any other program on Australian television in it's first season. The program may be slightly more expensive to produce than "Sale of the Century" currently is, but I think it would be less expensive than "Sale of the Century" was in its early years. I know that Channel Seven is usually more oriented towards comedy programs, but this program could be a real ratings winner for any station.

If you would like to know more I would be happy to forward a detailed proposal. I can be contacted at the above address or by phone or fax on (02) 358-3560, (please phone before sending faxes.)

I look forward to your reply.

Yours faithfully



J J Leonard

Replies

I received replies from Channels Nine, Seven and Ten. This is the reply from Channel Nine.

NINE NETWORK AUSTRALIA LIMITED
A.C.N. 009 071 167
ARTARMON ROAD, WILLOUGHBY N.S.W. AUSTRALIA
TELEPHONE: 906 9999 FACSIMILE: 965 2119

29th September, 1993

J J Leonard
102 Elizabeth Bay Road
ELIZABETH BAY NSW 2011

Dear Mr Leonard,

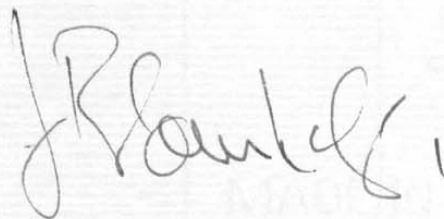
Thank you for sending your letter of September 24, 1993.

At this stage the Nine Network is not seeking any quiz formats.

If you are prepared to send a short synopsis to my attention, I would be pleased to investigate its potential. However, for it to be picked up by the Nine Network we will need to cancel an existing program.

I look forward to your response.

Yours sincerely,



Jim Blomfield
Joint Program Director
NINE NETWORK AUSTRALIA

Grundy's

Seven suggests I enlist the support of a TV producer so I wrote to Grundy's. At that time, Grundy's, my former employers were a TV production powerhouse. They had global hits like "Neighbours" and had a string of other successful TV game shows and soap operas. They were not just my former employers; they were the people to see if you had a good idea for a TV show.

Development

As soon as I had written and mailed the letters, I continued creating my TV quiz show with a prize of a million. I worked on little else for the next fifteen months, financing my work and research from my savings and odd bits of freelance writing work. The earliest version of the show I created was pretty simple. I knew it would not fly but I figured that by the time I had reached the upper levels of the Networks I would have made improvements that would get it over the line.

Exponential progression

The TV program I had in mind would have a prize beginning at \$3,906.25 doubling each step of the way:

\$ 3,906.25

\$ 7,182.50

\$ 15,625.00

\$ 31,250.00

\$ 62,500.00

\$ 125,000.00

\$ 250,000.00

\$ 500,000.00

\$1,000,000.00

Qualifier

The first appearance by a contestant would have no prize money and would only be a qualifier. To become a contender for the million dollar prize a contestant would first need to qualify and then win the next nine episodes against all comers, ten episodes in all.

Agent

What I needed now was an agent. I knew I did not have the smarts to negotiate with Grundy's or the Networks. I also suspected they would not speak to me without an agent, or if they did it would be to eat me alive. So I wrote a note to the best agent in Australia, probably the best agent in the world, the legendary Harry M Miller.

Mr Miller

Mr Miller is not just an agent he is an entrepreneur and an impresario in the old, now almost forgotten, sense of that wonderful word. I had dealt with him before. When I first began writing I optioned the rights to a novel written in the 1930's, "A Murder in Sydney" by Leonard Mann and wrote a screenplay from it. Mr Miller at that time had a film company among his many enterprises, Harry M Miller Films. He was very enthusiastic about the story but he wanted to change the ending. Unfortunately I had already given a verbal undertaking to Leonard Mann's estate that I would not substantially alter the original novel.

Meeting

In October 1993 Mr Miller's assistant called me and asked me to come into his office in Woolloomooloo to see him. I went, eagerly, full of anticipation and hope. When we finally met he was very encouraging and complimentary about the project. After a few minutes of pleasantries and conversation he asked a question. What would I do if too many people won a million? I answered that would not happen, it was very difficult to win, my guess was not more than one person a year would win. He pressed the point. How could I be sure? I insisted it could not happen, there could not be too many winners. But how would I guarantee that? I started to repeat my lame assurance. He got up and left the room.

Problem

I was furious with him for about two hours. After that I realised he had made an important point, highlighted a flaw in my plan I needed to fix. So I sat down and I thought about it. I cannot now recall quite how long it took me to think of a solution but it was perhaps more than twenty-four hours, but certainly less than seventy-two hours. I would insure the producers against paying out too much money in prizes. I phoned Mr Miller's office to say I had a solution to the problem. No one called back. I set about finding an insurance company to take on the risk.

Insurance

I started at the top and called Australia's largest insurance company, the AMP Society. Eventually I got on to a person who wrote insurance policies but he told me they would only do so on a life, a house, a car or a boat. So, I called the second largest, at that time National Mutual and got an almost identical response, and then the third largest, and so on. I do not know how many I talked to before some one said to me

“Oh, you should talk to Lloyds about that, they might do that sort of thing, they'll take on any risk - if you're willing to pay.”

I looked Lloyds up in the phone book. They were not listed. Called my informant and he gave me the name of an agency that represented Lloyds in Australia.

Lloyds

The Lloyds agency asked me to supply some basic details of the program, which I did. They did not give me any sort of quote, or even a ballpark figure, but they were adamant. Whatever I might want to insure, they were sure they could identify a Lloyds syndicate that would accept, for a suitable fee, the risk. Today, this concept is widely used to finance high value prizes. Recently the X Prize, a US\$10m prize for the first commercial human space flight was won by Burt Rutan. The prize money was in the form of an insurance policy that had to pay out before 1 January 2005. (More of Mr Rutan and his wonderful machines later.)

Extra funds

After six months I received a letter from Grundy's telling me they were sending it to London to have its international potential assessed. Although it was a very slow process, I was happy to receive the letter. If it had been sent to London, they were interested. I turned my attention back to my other problem. I was happy with the program I had created but I knew it was not economically viable in Australia. The only source of funding available to a commercial TV channel in Australia was advertising and I knew this was not going to be enough to pay for the show I had created. I needed extra funds.

A brilliant idea

One afternoon in early November 1994, more than a year after I had first created the idea of a TV quiz show with a prize of a million, I had the best business idea I have had in my life to date: raising money for a TV production through premium rate phone calls. I had been thinking about variations on the premium rate phone call for years, but until this inspired moment I had never connected it to TV production.

Sponsorship, etc

For the past year I had been trying out all sorts of funding ideas for the millionaire show. They mainly worked around sponsorship of some kind but none could make enough to cover the short fall I calculated was needed for the costs and the prizes. Nothing I tried out worked, I was driving myself mad, knowing that eventually Grundy's would write to me and say it was a good idea but it was ahead of its time, come back in five years when it might be possible. Now I had it, the perfect idea, the perfect solution to the problem of covering the short fall in funding. I would charge would be contestants \$1.00 for the opportunity to be on my show!

Mr Jeffress

Years earlier I had worked at Neville Jeffress Advertising. Mr Jeffress is (at 84 last July) a great man. He founded his ad agency in the 1940's and built it up to the largest buyer of space in most of the daily newspapers in Australia. When I worked for him he had a revenue of A\$125m, A\$60m of it placed with the Fairfax media empire, publishers of the Australian Financial Review, the Melbourne Age and the Sydney Morning Herald. A very close relationship existed between the Jeffress organisation and Fairfax. So when one day my secretary popped her head in and said "There's someone here from Fairfax to see you" I did not say "Do they have an appointment?"

Michelle Dale

I went down to reception to meet Michelle Dale, a Fairfax sales executive. I figured Fairfax were launching a new magazine and I was being primed to buy space in it. Michelle said she had come to talk to me about a new Fairfax product: "MoneyWatch". We went into one of the meeting rooms. She had a small TV with her, which she plugged into one of the telephone lines and from her handbag she produced a small keyboard and proceeded to plug it into the television.

Viatel

What Michelle showed me that day was a simple enough thing, an information service about the Australian stock exchange, a sort of localised Reuters that ran on a simple internet set up by the local phone company, Telecom Australia (now Telstra). That night I could not sleep and the following morning I arrived at work at the crack of dawn and wrote a seven page memo to the members of the Board of Directors of Neville Jeffress Advertising extolling the virtues and enormous potential of this localised internet, Viatel, (known in Britain as Prestel and in France, where it had originated, as Minitel).

MoneyWatch

I eventually became so enamoured of Viatel that Neville Jeffress Advertising agreed to my being seconded to Fairfax for a month to write ads for “MoneyWatch”. While I was there the New York stock exchange experienced the 1987 crash and with it went the Australian stock exchange. “MoneyWatch” soon found itself struggling to meet its financial targets and not much later Telecom Australia pulled the plug on Viatel. But in my mind the seeds of many new ideas had been planted.

Potential

When Michelle Dale first showed me “MoneyWatch” on Viatel I foresaw immediately the immense potential an internet had for the advertising industry and for Neville Jeffress Advertising, my employers. I also realised it had other uses and I studied every aspect of it looking for ways to make it a commercially viable proposition for many other types of business.

Charge subscribers

One thing I discovered about Viatel was that it could be used as a disseminator of instant commercial information. Later an economic consultancy would use it as a disseminator for GDP flash estimates for an annual fee of \$5,000. But a much more promising possibility to me was the way you could sell items up \$4.99 in value and have it charged to the subscribers phone account, later Telecom Australia credited your bank account. I began to think it might be possible to finance the space lottery, I had been planning if this system could be adopted in America. (At that time it was confined to UK, France and Australia.. The US had *the* Internet but it was still an academic/military enclave.)

Plug pulled

Eventually, as I have said, Telecom Australia pulled the plug on Viatel and, as far as I know Prestel and Minitel have disappeared also. By the time I had my idea for a million dollar TV quiz show, my idea for using the phone system internets to distribute my global space lottery was dead in the water. I had been forced to abandon the idea of first using that route for expansion of human involvement in space. But I had the seed of the idea of using the phone system to collect revenue already in my mind.

Interactive

When I first met Mikael Borglund at Beyond, the show's original buyer, I told him I envisaged my millionaire quiz as being an interactive TV game in the future, with hundreds of thousands paying a small fee to play. Mikael dismissed the idea, saying interactive TV was a long way off.

At that time the World Wide Web had just been established. At first it attracted little attention but in time the ground swell grew. When I heard about WWW I was very sceptical because I had seen what had happened with Prestel and Viatel and I suspected the World Wide Web was just a passing fad.

The best idea

The idea I had that day (the best idea I have had in my life to date) walking down the road to my home in Elizabeth Bay was to use paid phone calls to select contestants for the million TV quiz, what are called premium rate calls in Britain (at that time in Australia these were referred to as "0055" calls because this was the first four digits). Have the telephone company collect the revenue for the show, as I had seen it was possible to do that through Viatel.

I knew people already did it for services like weather forecasts and horoscopes by phone. I ran the rest of the way home and called the phone company, Telecom Australia (now Telstra) to enquire about the details. They promised to send me some info, this is a reproduction of one page of the documents they sent me.



Enhanced Distribution Channels
Corporate and Government Business Unit

Telephone 1 800 060 335
Facsimile 07 22 000 80

Mr J Leonard
102 Elizabeth Bay Rd
Elizabeth Bay NSW 2011

Postal Address:
G P O Box 3107 Brisbane QLD 4001
6 January, 1995
IP1PG.DOC

Dear John,

WELCOME TO A NEW TELECOM PREMIUM RATE INFORMATION SERVICE

Thank you for inquiring about Telecom InfoCall, a new Telecom information service offering a wide range of information via the telephone, PC and Fax.

InfoCall services are made available to calling customers via the Telecom network and are billed for by Telecom. Service Providers and Information Providers provide the information services which Telecom then delivers to calling customers through the network. Telecom collects the revenue generated by calls to InfoCall services and, under certain circumstances, shares the revenue with Service Providers.

Callers are able to receive a range of premier information services via Recorded Voice Services, PC based Data Services, Facsimile Services and direct from Live Advice Operators.

To better understand the possibilities that InfoCall has to offer, you should take time to read the enclosed document: "InfoCall...What is it?"

If you are considering becoming an Information Provider and need the services of a Bureau Service Provider, you can review the enclosed list as a guide to finding the right one for your business. By using an existing Service Provider, most of the expenses associated with establishing the service have already been met by the Service Provider, from whom you can obtain a share of the revenue.

We look forward to assisting you explore a new business opportunity for your organisation.

Yours faithfully,

Kathryn Giovanos
Manager Teleservicing

Telecom date

There were many pages of information sent but I reproduce this one for you because it shows the date the page was printed by the Telecom Australia office: 6 January 1995.

I had contacted them in November 1994 requesting information, but it took over a month to receive a reply (in Telecom's defence it must be pointed out that Christmas and New Year intervened). The other pages have the print date 24 October 1994.

The letter above proves, if any one wants to contest it, that I was thinking about paid contestant phone calls by November 1994, at the latest. (I do not believe anyone can successfully contest this fact, I have too many witnesses and too much evidence to back up my assertion.)

Beyond

Annoyed that Grundy's had taken more than a year and had still not made a decision I decided I would run my new improved version of the show by a local up and coming TV company, Beyond International Limited. My first proposal to Beyond contained the premium rate/paid phone call idea but at that point I had still not received the details from Telecom Australia. Once I had received the information from Telecom Australia and digested it I began re-writing the proposal document for my TV show, incorporating the technicalities. A few days later I received a reply in the form of a release. Beyond were interested in my show!!!

A couple of days after that a letter arrived from Grundy's London office saying they were not interested in my show. I never sent my new improved version of my million TV quiz, insured with Lloyds and financed by paid "0055" contestant (premium) calls to Grundy's. The only people who ever saw the "0055" (premium rate/paid contestant phone call) proposal were people at Beyond; and there were only ever a handful of them.



BEYOND

21 November, 1994

Mr John James Leonard esq.
102 Elizabeth Bay Road
ELIZABETH BAY NSW 2011

Dear Mr Leonard,

RE: I'LL GO FOR THE MILLION

Thank you for the submission of the above mentioned project.

Whilst your submission was unsolicited, we are prepared to give it due consideration, however before we do so, you should be aware that similarities may coincidentally exist with projects which we are currently developing. Should it become apparent upon initial examination of your submission, that similarities do exist, we shall proceed no further and shall immediately return all your submitted materials. Otherwise we shall give your submission due consideration on its merits and shall endeavour to respond to you as soon as possible as to whether or not we wish to become involved in the project.

Would you please indicate your acknowledgment and acceptance of the above by signing the counterpart of this letter enclosed in the space indicated, and returning same to me as soon as possible.

Yours sincerely,

Mikael Borglund
Managing Director

Acknowledged and Accepted

◆ BEYOND INTERNATIONAL LIMITED A.C.N. 003 174 409 ◆

UK REPRESENTATIVE OFFICE
Orchard House Adair and Eve Mews
167-169 Kensington High Street London W8 6SH UK
TELEPHONE 71-937 7337
FACSIMILE 71-938 3162

HEAD OFFICE
53-55 Brisbane Street Surry Hills
NSW 2010 AUSTRALIA
TELEPHONE 61-2-281 1266
FACSIMILE 61-2-281 1261

US REPRESENTATIVE OFFICE
875 Century Park East, Suite 1300
Los Angeles CA 90067 USA
TELEPHONE 310-785 2255
FACSIMILE 310-785 2260

Borglund

I met with Mikael Borglund on 19 December 1994. He told me my idea for a million TV show was “very sexy” and his company would like to make it. Had I talked to any others; I told him I had talked to Grundy’s. He said I would have to write to Grundy’s and tell them it was no longer available to them if he was to take an interest. I said that was OK, knowing Grundy’s had already said no. I had just received a letter from their London office expressing disinterest.

The Winning Idea

Borglund told me he really liked the Lloyds insurance idea, people had proposed high value quiz shows to him before but had not found a solution to the problem of paying out too much money. He said my solution, insuring through a Lloyds syndicate, was brilliant, it was the concept in the whole program that made him decide he wanted to buy the show. He wanted to know if I had made enquiries, did I know how to find a suitable syndicate. I told him I had and I did.

An untested concept

I made much of the paid contestant phone call (“0055”/premium) idea; Borglund simply shrugged his shoulders and said it was an untested concept. I already knew it was the most brilliant idea I had ever had and I knew it was perhaps the most brilliant idea anyone had had in TV since the 30 second commercial in the early sixties.

Interactive

Although I was already certain my “0055” premium rate concept was an utterly sensational idea, I did not express it in these terms because given Borglund’s lack of enthusiasm it seemed inappropriate. I did go on to expound my vision for an interactive version with a vast audience paying a small fee to participate in a quiz with tens, if not hundreds of thousands of others. Borglund dismissed this idea too by pointing out that interactive technology still had a long way to go. The World Wide Web was not mentioned in this context because it barely existed at this time. What had interested Borglund above all else was the Lloyds insurance syndicate concept; he saw that as an elegant solution to a major problem for high value quiz show producers.

Jill Hickson

What mattered now was that Borglund was interested. I had a buyer; all I needed now was some one to negotiate the deal. Harry M Miller still was not talking to me so I turned to the number two deal maker in Sydney in those days, Jill Hickson. Jill was the wife of the esteemed the Rt Hon Neville Wran, QC, Premier of NSW from 1976 to 1988. (Australia is a federation, the Prime Ministers of the States are called Premiers, only at the federal level is the title prime Minister used, to avoid confusion.)

Jill confirms

Jill's agency, Hickson Associates, represented all the leading writers. Thomas Keneally, who wrote the novel on which "Schindler's List" was based and Bryce Courtenay, the author of the "The Power of One" were just two of the stars in her firmament. Jill retired in 1999 and sold her business to Curtis Brown. When this story broke in 2003, Jill was interviewed by a Channel Seven current affairs show that reported on these crimes. The reporter on the program said, and I quote....

"... Jill Hickson has confirmed to us that John Leonard is telling the truth..."

Incidentally, that program wrongly reported that the Australian Federal Police were investigating this matter. At that time, the only complaint had been made to the NSW Police. The complaint to the Australian Federal Police was only made in the past month, and prior to that there was never any involvement by the Australian Federal Police.

Deal

It took Jill and Mikael seven months to thrash out a deal everyone was happy with but on 22 July 1995 we all signed up to a deal we could all live with. Throughout the negotiations Mikael had contended the phone call idea was not important so when it came time to finalise the deal, I suggested that Beyond pay me 20% of the phone call revenue. I fully expected him to balk at this, but he readily agreed, much to my surprise. At the last minute, I changed the terms from 20% of the phone calls after costs to 5% of the gross revenue, before any costs were deducted. He agreed to that, too.

Murphy

So, finally, we had all arrived at a deal that we could all live with and we were now partners in an exciting new enterprise. Mikael told me he would be appointing two executive producers to the show and soon introduced me to the first, Maurice Murphy. Maurice was a tall white haired man with a very cheerful disposition and a long list of credits as a TV and film producer and director. I did not meet the second executive producer, Jim Burnett, until some time later, he was away in England when Maurice and I first started work. More of Burnett later.

Mikael had told me early on he did not like my natural progression prize money:

\$ 3,906.25

\$ 7,182.50

\$ 15,625.00

\$ 31,250.00

\$ 62,500.00

\$ 125,000.00

\$ 250,000.00

\$ 500,000.00

\$1,000,000.00

He had told me he wanted a simpler format, an unnatural progression like this:

\$125

\$250

\$500

\$1,000

\$2,000

\$4,000

\$8,000

\$16,000

\$32,000

\$64,000

\$125,000

\$250,000

\$500,000

\$1,000,000

\$125,000 not double

This is an unnatural progression because a doubling of \$64,000 is not \$125,000, however it looks much nicer on a TV screen. I had agreed to this change and had already incorporated it into the document on which we had all agreed to in the contract. I wanted my show to see the light of day. It is necessary to be pragmatic in TV, and plainly Borglund's idea was better, below 3,906.25 in my pure version, there is no where to go, but if it is 4,000, there is lots of room to move: 2,000, 1,000, 500, 250, 125.

Contestant selection “0055”

Borglund, as he had clearly demonstrated, had little faith in the phone call idea. I was certain it would bring in huge revenue but I modified the proposal so as to show the revenue only by as much as I needed to make the show economically viable. Borglund did not think even this target could be reached and he insisted on going through all the options I had already considered in terms of extra funding and went out to look for a sponsor for the program. I believe he actually found a major bank that wanted to see their name on the cheques.

The actual final proposal on which the final deal with Beyond was struck, (together with Lotus 1.2.3 work sheets on Global Potential) is shown at the end of this ebook as Appendix A.

“Who Wants to be a Millionaire?”

I had not written in a preferred theme for the show, simply because I had not thought of it until sometime after we finalised the deal. I gave it much thought and toyed with ideas such as “Money” by Pink Floyd, “Money, Money, Money” by the O Jay’s and “Money Makes the World go Around” from Cabaret. Eventually I settled on two favourites, “Money” by Berry Gordy Jr and, my preferred choice, “Who Wants to be a Millionaire?” by Cole Porter. I particularly wanted Beyond to accept the Cole Porter song as the theme because it had the word “Millionaire!” in the title. I put forward the Berry Gordy song first, even though I really loved the Porter so they would say no but then feel unreasonable if they said no to my second offering. Although I was enamoured of the name “I’ll Go For The Million!” - mainly because the great Harry M Miller liked it - I would have agreed to any suggestion to change to “Who Wants to be a Millionaire!” even if we did not have the theme music. I am pragmatic, if it is better, I will go with it.

Porter rejected

I went to a meeting at Mikael Borglund’s office in Brisbane St, Surry Hills to discuss the theme and various other matters. Maurice Murphy was not at this meeting but Jim Burnett was. When I outlined my choices for theme music, Borglund just shook his head at both and Burnett spoke for him. A song like “Who Wants to be a Millionaire?” by Cole Porter would be too expensive, Beyond would hire a composer to write a theme tune. These are the notes I wrote for that meeting:

"I'll Go For The Million!"

Theme music:

There are, of course an endless stream of possibilities in this regard but two possibilities stand out:

i) "Who Wants To Be A Millionaire?" by Cole Porter? is an obvious choice. Is there a new version by the Thompson Twins or the Cocteau Twins for that aids benefit recently where stars like Sinead O'Connor sang Cole Porter songs for an AIDS benefit.

ii) "Money" by Berry Gordy jr. There are a number of versions, Berry Gordy jr himself, the Beatles and the Flying Lizards did the best version.

Selling

At first, Borglund handled the efforts to sell my show to the TV networks himself, but the pressure of his other work lead him to delegate the task to Burnett. Strangely Burnett did everything he could to undermine the show in his discussions with the networks. In July 1996 Beyond renewed the option for another year. Burnett was now in sole charge of the sale. He was also producing another show for Beyond with Maurice Murphy the wedding show "I Do, I Do". Burnett gave an interview to the Sydney Morning Herald in which he bagged "I Do, I Do" in a truly extraordinary way - considering he was the co-producer. Naturally, Beyond terminated his contract, which was surely, exactly what Burnett wanted.

A New Life

Cancer Council

Anticipating the Beyond decision to let their option lapse I started looking for a job in January 1997. In February I found one and I started there on 5 March 1997, in the NSW Cancer Council's cancer epidemiology research unit. When the Beyond option expired I tried to persuade Jill Hickson to offer the show to TV companies in London and Los Angeles. She declined to do so because she said she had no contacts in TV in these cities. I did not know what to do at this point because I had an indefinite contract with Hickson Associates.

Internet

At the Cancer Council I had access to the Internet as part of my job. It was the first time I had seen the World Wide Web. Obviously, I had heard much about it before this time but I was sceptical about it for two reasons. First, I had witnessed the demise of Viatel and felt that the Web might just be a passing fad. Second, I knew that there was no mechanism, at that time, for the transfer of money over the Web. However, from the first day, I realised, this was not a passing fad, and it would soon develop ways of transferring money. Within a year I had learnt HTML and created my first Internet quiz site.

UK TV show

Later that year, 1998, I began hearing about a TV show in England that bore remarkable similarities to the millionaire quiz I had created five years earlier. Eventually I discovered the show was called "Who Wants to be a Millionaire?" it had a prize of a million pounds, just as I had described in my international potential, but most significant of all, the show was financed by paid contestant (premium) phone calls. As soon as I found out this detail I knew my intellectual property had been stolen. Just these details alone meant that it could not be chance, a coincidental accident.

The odds

The odds against coincidence were, actuarially speaking, well over a million to one, in fact one hundred million to one, at least. At this point I did not know that they were insuring the show with Lloyds, that detail, once it became known to me, pushed the likelihood of chance into the one hundred billion to one plus category, a hundred thousand million to one. I realised I had been robbed, I also realised there was probably nothing I could do about it because theft of intellectual property is so difficult to prove.

I tried to find out about the company, Celador, but there was little to know except that they were small, unknown and had formerly produced comedy skit shows with Jasper Carrot.

Depression

I began to slide into depression. By January 1999 I was so depressed I could no longer attend to my work. Ironically, the day of Sydney's catastrophic hailstorm in April 1999 was the day of the first broadcast in Australia of "Who Wants to be a Millionaire?" My home and neighbourhood were utterly destroyed. The damage bill in Sydney that awful night in Sydney ran to billions.

2000 Olympics

I remained in a state of depression for the whole of 1999 and well into 2000. In September 2000 Sydney began to buzz with the excitement of the impending Olympic Games. I had also realised Celador may have robbed me of the free to air TV rights but I could prove priority beyond any reasonable doubt. I could establish an Internet millionaire quiz on the World Wide Web and no one could say I had stolen the idea, I could prove beyond an reasonable doubt I had the idea before anyone else. Best of all I could combine my long cherished dream of space flights for everyone by offering a million dollars and a sub-orbital flight into space as the top prize: Millionaire Astronaut was born.

XAVIERAX

I made an appointment to see my accountant to form a company to develop Millionaire Astronaut I chose to call it XAVIERAX because the X at each end represents the two options I see available to humanity: eXpansion (into space) or eXtinction. I had long planned this name for my space venture and had placed this little ad in the Sydney Morning Herald in 1986 to herald it's imminent arrival (at least I thought it was imminent, this was when I was trying to figure out my space lottery venture).

X Prize

One of the first things I discovered when I first started using the Internet was the X Prize. The X Prize had been inaugurated on 17 May 1996, by Dr Peter Diamandis. It was a simple but ingenious idea: offer a prize of US\$10m for the first person to fly a three person spaceship to a height of 100klms twice in two weeks. In practice it was enormously difficult to raise the money but it was achieved and more than twenty teams from around the world entered the race. The X Prize site became one of my favourite sites on the Internet because it held out the promise of that ultimate dream, non-military, commercial space travel becoming a reality.

Space Adventures

My next favourite sites were Zeagram Space Voyages and Space Adventures. Both of these organisations aimed to offer commercial space flights to the public. In due course Space Adventures took over Zeagram and became the premier space tourism company. It was Space Adventures that sent the first space tourist, Dennis Tito, aloft to the Space Station. Space Adventures has been taking deposits for sub-orbital flights for years, suggesting the price will be US\$98,000. This price has been eclipsed by Burt Rutan winning the X Prize and striking a deal with Sir Richard Branson's Virgin Galactic which estimates the cost of their sub-orbital flights, starting in 2008, at US\$200,00.

Forming a company

Forming a company is a lengthy process. XAVIERAX was not formally incorporated until 16 January 2001. I felt it was auspicious that it took until the first few days of 2001 to establish it. My favourite movie is "2001: A Space Odyssey" - from the first time I saw it at the Gaumont in Birmingham right through to this day. Anyway, once the company was in place I set to creating a workable Internet quiz with a prize of a million and a flight into space, which I envisaged buying from Space Adventures.

Quiz plan

Working out a workable Internet quiz proved more difficult than I had expected, the World Wide Web is a deceptively simple concept but in practice it is immensely complicated. My original plan was for a global quiz that would be conducted in English with a prize of one million US plus two suborbital flights into space valued at US\$100,000 each, a total prize of US\$1.2m. The funds for the sub-orbital flights would be held in escrow for 36 months, if a flight had not been arranged by then the winning contestant could take the spaceflight money in cash, having already been paid US\$1m.

24 hours

I soon realised that the global nature of the Web and its 24 hour possibilities are a trap, you must still operate on a national basis within national boundaries. If the questions were posted randomly at any time in a 24 hour period, the quiz would occur when half the world was asleep. If I narrowed the time frame to the zones with the largest population of English speaking people then I would alienate a large sector of the population. In the end I had to come round to the idea of operating the quiz on a national basis. This is more difficult because the number of people who want to travel into space, at a global level is more than enough to support a global quiz show, but on an individual country basis even the United States has its limits; but there was nothing else to do.

Millionaire Astronaut

The process of refining the Millionaire Astronaut quiz into a workable form took longer than I had anticipated and it was near the end of 2001 before I had it in place. Not only were the problems of time difficult to resolve, there was also the problem of receiving payments from contestants. I spent much time over how to make that secure and how to figure out what would be the ideal currency to operate in. I also needed people and I was fortunate enough to find all the people necessary to make my plan work through the membership of the NSSA/Sydney Space Society, with which I had been involved for over 20 years.

Venture Capitalists

Then I needed a business plan to present to venture capitalists. I figured I needed two million dollars to make my plan work so over the next few months I set to creating a business plan for my little enterprise. By January 2002 I had a good business plan, my associates and I were ready for our first meeting with a firm of venture capitalists. On the night before our meeting I made a thorough search of the Internet to see if anyone else was doing something similar. Oddly, it is a good sign to a venture capitalist if there are competitors.

Proof of Criminality Discovered

Goshawk Syndicate

My search did not uncover any competitors but it did turn up something else, an article about an American court case. In the case, a Lloyds insurance syndicate, the Goshawk Syndicate, were suing the producers of “Who Wants to be a Millionaire?”.

The Goshawk Syndicate had insured the program against too many payouts but it felt that it had been jeopardised by the ease of the questions. I was simply stunned. I knew it was a hundred million to one that anyone could come up with a million quiz funded by paid contestant (premium) phone calls, but with Lloyds insurance as well, that was a hundred billion to one, at least. I had clear proof Celador had fraudulently obtained my intellectual property.

Rage

At first I was utterly enraged. I thought about all the pain and suffering I had been through during my two years of depression,

I tried to calm myself and put it out of my mind, I had a whole new life now and was on the verge of a great new adventure. I decided I would do nothing, I would concentrate on Millionaire Astronaut and make that work. After a couple of weeks, I realised I had no choice, I had to pursue the matter.

Ingram Affair

Last year Paul Smith, Chairman of Celador and Managing Director of Celador Productions successfully prosecuted a contestant for attempting to de-fraud the program of one million pounds. The contestants name was Major Charles Ingram, an officer with the British Royal Engineers who had served in Bosnia, the whole thing became known as the Ingram Affair. Major Ingram, his wife and a man called Tecwen Whittock were accused, and eventually found guilty, of colluding, using coughs to prompt Ingram with the right answers.

Updated February 11, 2000, 10:35 a.m. ET

Company wants out of 'Millionaire' contract, says questions too easy

NEW YORK (AP) — The hit game show, "Who Wants to Be a Millionaire," is apparently too generous for its insurer.

The company that insures the ABC show is suing to get out of its contract. It claims the questions are too easy and is worried about paying out too much money.

ABC says viewers shouldn't worry about the legal fight — they're planning no changes to the show.

The London-based insurance underwriters Goshawk Syndicate filed suit in Britain's High Court of Justice on Jan. 24 against Buena Vista Entertainment Inc., the show's producers.

In essence, Goshawk said it needed assurances that "Who Wants to Be a Millionaire" would ask harder questions and select dumber contestants.

"Millionaire" has been the television sensation of the year, frequently pulling in 30 million viewers a night and propelling ABC to the top of the ratings. Host Regis Philbin's question — "Is that your final answer?" — has become a national catch phrase.

Other television networks have quickly tried to imitate "Millionaire" with mixed success.

Under its contract, Goshawk is required to pay out prize money to contestants who win \$500,000 or more on the show. There's a deductible of \$1.5 million before Goshawk is required to pay and a ceiling of \$5 million. That means, for example, Goshawk would only be required to pay prizes to five winners of \$1 million.

Reached in London on Thursday, a spokeswoman for Goshawk refused to comment.

"Unquestionably, the integrity of the show is above reproach and nobody is claiming otherwise," ABC spokeswoman Julie Hoover said. "This is simply a dispute in which the company providing insurance is trying to get out of coverage on the basis of a conversation it had with a broker."

Two "Millionaire" contestants — an Internal Revenue Service agent from Connecticut and a Miami attorney — correctly answered 15 questions and won \$1 million. No player on the original British version of the game show has ever won the big prize.

Through 51 shows, there have also been three \$500,000 winners. "Millionaire" has given out a total of \$9.3 million in prize money since it has been on the air, according to ABC.

The multiple-choice questions are frequently easy in the early rounds. One contestant was asked which condiment is also known as a Latin dance, correctly choosing salsa over the other options: mustard, mayonnaise and relish.

They get harder as the stakes grow. The first million-dollar winner won by correctly identifying the U.S. president to appear on the television show, "Laugh-In" (Richard Nixon). The second had to know the distance between the Earth and the sun (93 million miles).

Simply getting on the show can actually be harder than winning big money: it requires potential contestants to successfully navigate a three-tier elimination process where they are judged on speed and accuracy.

In the lawsuit, Goshawk said it needed "significant changes in the level of control" to "reduce the unacceptable level of losses." Specifically, the syndicate asked for changes in the method of contestant selection and the degree of difficulty of the questions.

Who Wants to Steal a Million?

In the wake of the verdict Paul Smith capitalised on his successful pursuit of these people by making a special episode of “Who Wants to be a Millionaire?” entitled “Who Wants to Steal a Million?” During the course of the program, one of the police officers who had investigated the matter said:

“...when you add the significant coughs, the number of significant coughs, add that to the behaviour pattern of Charles Ingram himself, add that to the pager activity, add that to the contact between the two and you begin to see how a circumstantial case becomes a little bit more than just purely a series of coincidences...”

Det Insp Chris White, Specialist Crime Unit

No coincidence

It could be a coincidence that Celador created a million quiz. It could be a coincidence they called it “Who Wants to be a Millionaire?” after the Cole Porter song. But when you start financing it with paid contestant (“0055”/premium rate) phone calls (when that’s never been done anywhere in the world before) you are pushing the limits of credibility if you want anyone to believe it is just a coincidence. The Lloyds insurance is the nail in the coffin for any coincidence argument. “...you begin to see how a circumstantial case becomes a little bit more than just purely a series of coincidences...”

Actuarially speaking

When I worked in the investment world, our main product was superannuation. We had our own in house actuaries but we also often hired external actuarial firms. It regularly fell to me to brief them and I learned a great deal about how to calculate the likelihood of various events occurring, or not occurring. I can tell you that the odds against all the similarities between my original show and the Celador product being a series of coincidences are at least one hundred billion to one and may be as high as eight trillion to one, depending on the method of calculation used.

DIY calculation

You can make a simple calculation yourself. If you take just four points of similarity with each a one hundred to one shot, (each is much more unlikely than 100/1 but we are aiming for simplicity for the purposes of illustration) the course of the calculation goes like this:

- a TV quiz show with a prize of a million: 100/1
- financed by premium rate calls: 100/1 times 100/1 is 10,000/1
- insured by Lloyds: 100/1 times 10,000/1 is 1,000,000/1
- with a title from Cole Porter: 100/1 times 1m/1 is 100m/1

Just four points of many points of similarity, each at a simplistic 100/1 results in a possibility of one in one hundred million.

No legal right

The real calculation is, obviously, not this simple but this gives you some idea. That Celador could have independently combined all of these original ideas of mine by coincidence is simple impossible and to suggest such a thing is an utterly absurd lie. My intellectual property was sold illegally to Paul Smith, the Chairman of Celador. Paul Smith knew he was committing a crime but willingly agreed to involve himself in the crime (the fraudulent exploitation of valuable property he had no legal right to) because he was smart enough to realise he stood to make an immense fortune.

Sleepless

As the next couple of weeks went by I could not get the crime out of my mind. I could not sleep and found myself unable to concentrate on the job at hand, either my day job or my new Internet enterprise Millionaire Astronaut. Reluctantly I decided there was nothing to do but pursue the criminals through the courts. Then a most extraordinary event occurred.

LifeLines

The show seen around the world today, “Who Wants to be a Millionaire?” is not identical to my original proposal. (Please refer to ‘Appendix A’ pp 70 - 85) There is only one contestant, as opposed to the four I had originally proposed. This is not a significant difference, I would have had to change to the one contestant format for simple cost reasons; anyone attempting to stage a million quiz would have to accept this reality, and I am a pragmatic man. The other major difference is the Life Lines: 50/50, Phone-A-Friend, Ask The Audience.

I did not create these ideas and I always knew I would have to concede, in any negotiated settlement with Celador, they had indeed contributed a good idea with the Life Lines.

Mike Bull

Then, as I say, the extraordinary event occurred. In the first week of March 2002 the London Daily Mail published a story about a certain Mike Bull, a Southampton journalist who had created a TV show called “Help!” in which contestants could use Life Lines: Phone A Friend, Ask The Audience, 50/50. I was, to use an English expression, gob smacked. Paul Smith and the Celador criminals had stolen even the idea for the Life Lines. These grubby criminals had fraudulently obtained all the intellectual property that was “Who Wants to be a Millionaire?” even the Life Lines. 85% of the show was my work, 15% Mike Bull’s, Celador had contributed absolutely nothing.

Criminality concealed

Any thoughts of putting this fraud behind me were now entirely gone. Paul Smith, the Chairman of Celador had hoped to stymie any claim by me, or Mike Bull, that our intellectual property had been stolen, by grafting Bull’s ideas on to my show. This was a deliberate strategy to conceal his criminality. But how had Celador come by my property in the first place?

News

Regional press news - this story published 7.3.2002

Journalist claims TV's *Millionaire* was his idea

by Holdthefrontpage staff

The man who claims the hit ITV show *Who Wants to be a Millionaire* was his idea is a journalist who used to work for the Southern Daily Echo.

Still based in Southampton, Mike Bull now operates as a freelance.

He is suing ITV bosses, claiming they used ideas he sent in for a show called HELP.

Mike spotted the similarities when the show was first screened in 1998. He sent his ideas off in 1997 but the show's makers say their programme - and the original idea - dates from 1996.

He told the Daily Echo: "When I first went to ITV with ideas for my show, HELP, I was told it was original and refreshing. But they didn't take up the idea.

"Less than a year later, I watched *Millionaire* and could not believe what I was seeing."

He is suing the TV company over more than 20 claimed similarities, including the phone-a-friend section, and could be in line for a multi-million pound payout if he wins.

But ITV has hit back, promising to vigorously defend any legal action.

Do you have a story about the regional press? Ring 0116 227 3122/3121, or e-mail pastill@nep.co.uk

© NEP 2002

Burnett

Cole Porter

How had Celador illegally obtained access to my intellectual property? One clue lies in the “Cole Porter” conversation I had with Jim Burnett and Mikael Borglund. Burnett and Borglund were the only people ever to hear me say I wanted Cole Porter’s song “Who Wants to be a Millionaire?” as the theme for the show.

I doubt very much that Mikael Borglund would steal my intellectual property and secretly sell it to Celador. How on earth would that profit him? At that time he effectively owned the show and his company, Beyond International Ltd are by far the biggest losers as a result of these crimes. I estimate Beyond’s loss, in terms of their capitalisation, at well over one billion Australian dollars; Borglund’s personal loss, at about \$150m.

Why has Borglund and Beyond not sued?

Why has Borglund and Beyond not sued? For Beyond to successfully sue Celador Borglund would have to prove that the fraud occurred before 22 July 1997, when their last option expired. Although I am certain the crime occurred well before that date, I am equally certain no proof will ever come to light it occurred before that date. When Paul Smith is eventually forced to admit his criminality, he will ensure that the date he committed his crime will be pushed forward to as late a point as possible. Borglund and the other major shareholders in Beyond International Ltd reasoned that out long ago.

A handful

In the whole world, there were only a handful of people who had ever seen my millionaire TV quiz in its entirety. I could literally count them on one hand, but the original thief had to be one of them, because Paul Smith, the Chairman of Celador, knew everything. He knew about the contestant phone calls, he knew about the Lloyds insurance, he knew the whole thing. I took a long hard look at each of that handful of people. What had they been doing since? What were they doing now? Of them all there was only one who seemed to fit the bill for the villain, Jim Burnett, the second of the executive producers appointed by Mikael Borglund.

Every detail

Burnett was privy to every detail; indeed he was the only one (other than Borglund himself) who had ever heard me talk about the Cole Porter song. He had bizarrely provoked his dismissal from Beyond at the very point Celador were preparing for their first proposal to ITV. On 11 February 1996 Burnett had invited me to his home in the ritzy suburb of Double Bay (or Double Pay as Sydneysiders like to call it) ostensibly for his birthday party. (This was very odd; he had never attempted to be sociable before.) Naturally I asked how Beyond were going selling my show. He said it was stone dead, Beyond had given up trying to sell it, no one wanted to buy it.

Lies

This struck me as very odd. If my show was stone dead, why bother to invite me, someone he did not get along with, to his birthday party? His statement was, of course, an outright lie. Beyond renewed their option a few months later and were still trying to sell my show to a network as late as December 1996, almost a year later. Maurice Murphy, the other executive producer Beyond had working on the project called me on Christmas Eve 1996 to say he had tried, one last time, to persuade Channel Seven to take an interest, but to no avail.

“It’ll Be Alright on the Night”

Burnett already had a long-standing business relationship with Paul Smith, Chairman of Celador buying and selling skit scripts for Celador’s “It’ll Be Alright On The Night”. Burnett also had a long standing relationship with David Briggs, the comedy skit writer Paul Smith persuaded he should pretend he had created “Who Wants to be a Millionaire?” along with his writing buddies, Mike Whitehill and Steve Knight.

Knight

Knight proved smarter than anybody expected and later demanded that Smith set up Celador Films to produce a script he had written. He was even able to coerce Smith and his US accomplice Michael P Davies into manipulating Alex Wallau of the ABC TV network into lobbying for an Oscar nomination for best screenplay but more of that later.

The “Creators”

Smith wanted Briggs, Whitehill and Knight to claim they had created “Who Wants to be a Millionaire?” because he feared if Briggs alone stepped forward as the creator a clever journalist might ask awkward questions about how he had created it that he could not answer. Any difficult questions, he could demure to his partners in crime. For Smith this ruse was most important. It enabled him to profit by the crime, but he stood little risk of being prosecuted for fraud. In the unlikely event their scheme was uncovered, Smith could throw up his hands in horror and say “I had no idea! I truly believe Briggs when he told me they had created it!”

Greed

Greed would later drive Smith to abandon this safe guard. By the time the show was a mega hit and the Americans were clamouring to buy it, Smith and another of his associates, Michael P Davies, split the creator royalty from the United States between them. I had not turned up to claim my rightful due and the rewards were so staggering it was well worth the risk for Smith and Davies to incriminate themselves.

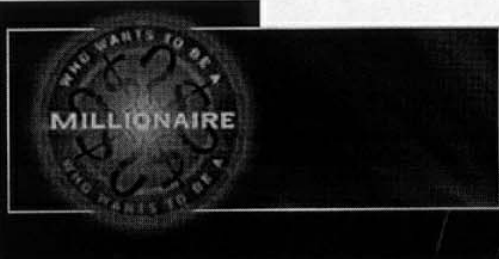
As late as November 2004 Smith and Davies were still claiming to be the actual creators of “Who Wants to be a Millionaire?” in the US. They may try to resort to the fiction that the show is now “Super Millionaire” and they are the creators. This is utterly untrue: Super Millionaire is my work and Mike Bulls work multiplied by ten; they still have not contributed a single worthwhile idea.



Daytime Late Night Video News Sports Games Shop All Shows

YOUR LOCAL STATION →

type ke
powere



- ▶ ABOUT THE SHOW
- ▶ SHOW HIGHLIGHTS
- ▶ FUN & GAMES
- ▶ SHOP NOW

- ▶ PLAY MILLIONAIRE
- ▶ FASTEST FINISH
- ▶ ENHANCED TV

ABOUT THE SHOW THE TEAM



THE CREATOR, MICHAEL DAVIES
Introducing the man who changed the face of prime time television.

YOUR HOST, REGIS PHILBIN
Step up to the big chair and meet the TV icon with all the answers.

Executive Producers
Michael P. Davies, Paul Smith

Supervising Producers
Ann Miller, Michael Binkow, Tiffany Trigg

Director
Mark Gentile

Co-Executive Producer
Leigh Hampton

Senior Producer
Patrick Sheridan

Coordinating Producer
Susan A. Claxton

Unit Publicist
Trisha Miller

EIC
Donna Pesciotta

week at a glance

sun	mon	tue	wed	thur	tgif
September 26	September 27	September 21	September 22	September 23	September 24
America's Funniest Home Videos 7/6c	The Benefactor 8/7c	My Wife and Kids 8/7c	Lost 8/7c	Extreme Makeover 8/7c	8 Simple Rules 8/7c
Extreme Makeover: Home Edition 9/8c	Monday Night Football 9/8c	According to Jim 9/8c	The Bachelor 9/8c		Complete Savages 8:30/7:30c
Wife Swap: Sneak		Rodney 9:30/8:30c			Hope & Faith 9/8c

ACCC

A few months after I began making enquiries into Burnett's background he was found guilty of dishonestly dealing with unemployed kids in the New South Wales outback town of Dubbo. Dubbo is a poor town hard hit by the global decline in the value of farm produce, drought and general rural economy malaise. Abusing poor unemployed kids in a town like this, with massive youth unemployment, was simply despicable. If he was capable of that, and he was found guilty of it and did not appeal, then he was capable of anything.

Reminded

I cannot help but be reminded of what Det Insp Chris White said during Celador's own expose of the Ingram affair, "Who Wants to Steal a Million?"

".....when you add the number of significant coughs, the number of significant coughs, add that to the behaviour pattern of Charles Ingram himself, add that to the pager activity, add that to the contact between the two and you begin to see how a circumstantial case becomes a little bit more than just purely a series of coincidences..."

Det Insp Chris White, Specialist Crime Unit

and say

".... when you add the access to the intellectual property, add that to the behaviour pattern of Burnett himself, add that to the contact between the two (the long standing business relationship between Smith and Burnett), add the fact that only Burnett and Borglund were present for the Cole Porter meeting and you begin to see how a circumstantial case becomes a little more than just purely a series of coincidences..."



Search for: Search Site map New on site Help

Complaints, inquiries & contacts

The legislation

Public registers

Glossary

Consumer rights

Business rights & obligations

Industry regulation & price monitoring

Authorising anti-competitive conduct

Internet home page -> News centre -> News releases -> 2002 -> Court Finds TV Production Company Misled Job Seekers, Aided by TV Network

Court Finds TV Production Company Misled Job Seekers, Aided by TV Network

Television production company, Crackerjack Productions Pty Ltd, has been found by the Federal Court in Sydney to have misled job seekers about the availability of work offered by it while making a reality television program for Network T en.

The court has made orders by consent against Crackerjack, its producer Mr Jim Burnett, and Network Ten Pty Ltd in relation to conduct that included the placement of misleading job advertisements in several newspapers by Crackerjack for the purpose luring potential subjects for a reality television show it was producing.

In January and February 2001, Crackerjack advertised casual jobs in the New South Wales regional city of Dubbo, and in Melbourne, seeking a 'Self Starting Girl/Boy Friday' for five days' work. Crackerjack also placed vacant positions with several job agencies in Dubbo. Its purpose in placing these advertisements was to lure job seekers to an "interview" and then film them after asking them to help out in fictitious situations contrived by Crackerjack employees. For example, job seekers in Dubbo, believing they were to be interviewed for the job, were asked to assist a film crew making a television commercial at the time. The job seekers were not told their actions were being filmed by Crackerjack for possible use in a candid camera style television show.

Two job seekers were then offered the advertised work by Crackerjack. This work, however, was not genuine and the tasks both were required to perform over the five days were part of an elaborate hoax. The two individuals involved, who were paid for their five days, were not told until afterwards the real reasons behind what they were asked to do, nor that they were being filmed.

The court, in the consent orders, found Crackerjack's purpose in advertising and offering the five days' work was to obtain candid film footage of job seekers for use in a reality television program it was making called Mind Games - A Real Life Adventure, broadcast by Network Ten on 4 August 2001.

News releases

- ▶ 2004
- ▶ 2003
- ▶ 2002
- ▶ 2001
- ▶ 2000
- ▶ 1999
- ▶ 1998
- ▶ 1997
- ▶ 1996
- ▶ 1995
- ▶ TPC releases

Printer friendly

Printer friendly version

In addition to finding that Crackerjack had breached the Trade Practices Act 1974 by engaging in misleading conduct and misrepresenting the availability of employment, and that Mr Burnett was knowingly concerned in the conduct, the court also made the following orders against Crackerjack and Mr Burnett:

- both be permanently restrained from undertaking similar conduct again;
- Crackerjack to send a letter of apology to affected job seekers;
- Crackerjack to put in place a trade practices compliance program; and
- Crackerjack and Mr Burnett pay the ACCC's costs as agreed in relation to the legal proceedings taken against them.

Network Ten was also found by the court to have misled one of the job seekers in relation to a mock press conference he was required to take part in during the five days he thought he was working for Crackerjack as an assistant to a film crew. The court also found that Network Ten was knowingly concerned in Crackerjack's breaches of the Act by commissioning Crackerjack to produce the television show despite being fully aware of what Crackerjack proposed to do.

The ACCC has asked the Court to also restrain Network Ten from engaging in similar conduct in future. The company has opposed this application, which shall be heard by the court on 21 October 2002.

"This case sends a very sober message to all television production companies and networks who commission and broadcast their programs", ACCC Chairman, Professor Allan Fels, said today. "The popularity in recent years of reality TV programs has been demonstrated by the high ratings these shows have achieved in Australia. The ACCC understands reality TV holds great appeal for many viewers and does not wish to restrict the legitimate production of these types of programs. However, the producers of these TV shows, when seeking to maximise their entertainment potential, must be careful not to engage in misleading conduct in breach of the Trade Practices Act.

"The ACCC was very concerned in this matter that job seekers, particularly those in the New South Wales central west region of Dubbo, being keen to find work and support themselves financially, may have been exploited by the actions of the two companies involved. People looking for work are generally in a vulnerable position and prospective employers must not unfairly take advantage of this or they risk

Celador+Crackerjack

The business relationship between Burnett and Celador continues. On Monday 12 April 2004 the Sydney Morning Herald reported that Burnett's company, Crackerjack Productions had bought the Australian rights to "Brainiest Kid", a Celador format.

2 the guide apr 12-18, 2004

50 tv Michael Idato

MONEY GAMES

The Ten Network has taken an option on the British game show *Without Prejudice*. The series, screened by Channel Four in the UK, features a panel of judges who hand out cash. Contestants are asked questions by the panel, which decides which contestant should be awarded the "life-changing" sum of £50,000 (\$20,000). The UK version is hosted by Lorraine Fray. A second series began in the UK in March.

COLONIAL LIFE

The ABC has been deluged with applications for its new retro reality series *Outback House*, which will transport more than a dozen people back to colonial Australia, circa 1860. The ABC has received 2886 applications, 749 from families and 1737 from individuals, through its website (www.abc.net.au/outbackhouse). The series is being co-produced by the ABC and *Wall to Wall*, the UK company responsible for *The Edwardian Country House*, *1900s House*, *1940s House* and, recently, *Regency House Party*. *Outback House* begins production in late August and is expected to air late this year or early next year.

MINOR INTELLIGENCE

Crackerjack Productions has begun pre-production on the local version of *Brainiest Kid* and will start auditioning child geniuses next month. Australia's *Brainiest Kid*, a series of specials, will be recorded in May and will screen on Seven later this year. The format is owned by Britain's Celador, best known for *Who Wants to Be a Millionaire?* Applicants must be aged 11 or 12 as of May 31, 2004 and must still be at primary school. The online pre-audition test can be taken at www.crackerjack.com.au/brainiest.

Cut and trust

All Saints gets an extreme makeover, writes Debi Enker.

This week, veteran *All Saints* character Von (Judith McGrath) turns off the lights in Ward 17, where the Seven soap has been based for the past six years. From next week the action shifts to the emergency department, and Seven's head of drama, John Holmes, says the changes represent major surgery.

New characters will be introduced and a few familiar ones will check out. The changes were initiated last year by Holmes and Seven's script executive, Bryan Lee, to give the show a new lease of life and stem a drift of viewers. "We were seeing the scripts and watching episodes and we were feeling that there was a little bit of a sameness in it," Holmes recalls.

Although cop shows and hospital dramas are TV staples, Holmes notes there are fundamental differences between the two. "A police show like *Blue Heeler* goes out to a case every week. On a hospital series like *All Saints*, the stories come into the wards, so there can be a bit of a sameness about it."

Illustration: Holmes and Lee sketches



Baird (Dr Poole's on-screen love interest, Paula Morgan), Henry Nixon ("Sherlock" McCormack) and Fletcher Humphrey (Alex Keane), although Lyness's character might return in guest spots. In come a handful of regular and regular cast members, including Howard, who has signed-on for a year to play Dr Frank Campion, specialist and head of the emergency department.

Crime

Space Conference

Throughout the struggle with Smith and his associates in 2002/3 I was busily trying to interest the venture capitalists of Australia in my new enterprise. I was also preparing for a major presentation I was to make at the 7th Australian Space Conference which was held at the Wentworth Hotel, Sydney in July 2002. While doing all of this I decided to try to sort out the situation with Celador, quickly and quietly, so that I did not have to spend years of my life in courts and could get on with “Millionaire Astronaut”. During the first sessions of the conference I faxed a proposal to Paul Smith. It was a proposal I thought fair and reasonable and I was naïve enough to think he would appreciate the opportunity to settle the matter quietly and quickly.

AVESCO

Smith did not reply so I wrote to David Nicholson, CEO of AVESCO plc, a company listed on the London Stock Exchange and 49% owner of Celador. I told him, simply that Briggs, Whitehill and Knight had not created a damn thing. I said plainly that I suspected he already knew this, but if he did not he could find out the truth for himself. All he had to do was to enlist the support of two of his most trusted lieutenants and interview Briggs, Whitehill and Knight separately. A standardised set of questions would be put to all three of the alleged creators, about how they had created “Who Wants to be a Millionaire?”

Cross examined

I knew that Briggs, Whitehill and Knight had not created anything and I figured if they were each interviewed separately and asked standard questions such as which of three had thought of the paid contestant (premium) phone call idea, where were they when it happened etc. that they would give different and contradictory answers. I never received an answer from Nicholson but I do know that a few weeks after I put this suggestion to him, Briggs abruptly resigned as the executive producer of “Who Want to be a Millionaire?”, a position he had held since the show’s inception.

Contrary to what most of us think, *Who Wants To Be A Millionaire* is actually a British show, but because of America's influence on all of our TV screens, we think it is American. But that is OK, because each country has its own version of the show. But you might ask how did a British game show come about and spread to 71 countries around the world. This section will talk about a brief history of it.

Brief History



If *Millionaire* was so highly successful in your country especially for those of you in Britain, better thank these three guys. They are producer David Briggs, and scriptwriters Mike Whitehill and Steve Knight, makers of a game show that would sweep the world in just about 3 years so far.

It all started in 1995 when Briggs, who was working for Celador, was having his lunch. He thought of a "vague idea" which he scribbled down on a piece of paper. He tinkered this vague idea with Knight and Whitehill, also working for Celador, as they were having their lunches. They further developed this idea into a one that would something big for the three.

And they are, but what took them so long though is to first materialize that idea and put it on air. It took them three years of negotiations with British TV station ITV, with the replacement on its Program Director, and a major overhaul in terms of format, set, lights, and music (which are composed by brothers Keith and Matthew Strachan), *Who Wants To Be A Millionaire* was finally on British television on September 4, 1998 with radio DJ, Chris Tarrant. The very first person ever to sit on the hot seat is Graham Elwell. He won £64,000. The question, by the way, involved the country between Ghana and Benin (Togo).

Three years, eight seasons and 45 successful foreign versions later, *Who Wants To Be A Millionaire* still is the most watched show in the United Kingdom.

But where are they three who made *Millionaire* to where it is now? Briggs is now the producer of the show. Knight established Celador Films, while Whitehill is now Head of Comedy at Celador and Executive Producer of BBC 1's *Commercial Breakdown*.

Charles Miranda

Briggs' departure from "Who Wants to be a Millionaire?" came as a surprise to the tabloid press and they sent a posse of journalists off to find him (he had just disappeared from the Celador offices and Celador claimed they did not know where he was). I was in touch with a journalist from the Mirror at the time and Briggs was nowhere to be found. Unbeknownst to us, another journalist, Charles Miranda from the London Evening Standard, had, quiet by chance, located Briggs, and interviewed him about his departure from Celador. Briggs explained it away as the end of a long-term gay relationship, creating strain in his life that he wanted to alleviate by terminating his career as a producer at Celador.

Naive

I was naïve enough to think, having discovered for himself that the intellectual property that was "Who Wants to be a Millionaire?" had been obtained by illegal means, that Nicholson would put pressure on Smith to remedy the situation. I appreciated that he only held 49% but it was more than the 36% Smith and his wife Mrs Paul Smith (aka Sara King) jointly held, but it was not a controlling interest. However, if Nicholson was genuinely interested in seeing justice done he could have combined with Jasper Carrot, owner of 10% and together, with 59% of the shares, they could have made Smith do the right thing. Nicholson and Carrot did not do the right thing, they just kept on making money they now both knew to have been fraudulently obtained.

A J Morton

I should point out that I also wrote to John (A J) Morton, at that time Chairman of AVESCO plc, telling him that Briggs et al had created nothing. He resigned shortly afterwards. Since then, I note, AVESCO plc has been very careful to play down involvement with Celador.

Lawyers

I waited for something to happen, when nothing did, I started looking for a lawyer. I had already tried a few law firms in Sydney but they were either, local and not capable of launching a legal action in London, or they were grand international firms who saw such actions as beneath their dignity. A friend in London referred me to two London lawyers who usually work in tandem. I spent a great deal of time (six months) briefing the first, only to discover the second had a conflict of interest, so I did what I should have done in the first place, I went to the police.

Abstraction

You may find it hard to see this as a crime because “Who Wants to be a Millionaire?” is a concept, a collection of original ideas. The fact that it is an abstraction does not detract, in anyway from Smith’s criminality. It is my intellectual property that I struggled over a long period of time to create. If I had carved a statue in marble and they had stolen it you would see it as crime more readily but a statue is more than a lump of marble, it is a group of abstract concepts and it is the abstract concepts, the chips the sculptor broke off, that gives it value. Smith is as much a criminal as any other who receives stolen goods; but he lives in Surrey, not the East End and is therefore almost immune from prosecution.

Mediocre

Before Paul Smith stolen my intellectual property, his company, Celador was a mediocre producer of cheap skit shows, not worth a million pounds. After Smith stole my intellectual property the value of his company multiplied hundreds of times, making Smith obscenely rich. (One recent estimate puts the value of his holdings at over 700 million pounds.)

Crime

When Smith agreed to buy my intellectual property he committed a crime. His agreement to the purchase was a crime in itself. I put it to you, Paul Smith, The Chairman of Celador, is an ordinary criminal. If a burglar robs your home, the fence who buys your DVD from the burglar, knowing it to be stolen, is a criminal. He commits a crime when he receives the DVD player stolen from you. What difference is there between this crime and what Paul Smith, Chairman of Celador, has done? When he bought my intellectual property, he knew it was stolen. The thief would not put his name to it as his own work Smith had to persuade Briggs, Whitehill and Knight to risk prosecution by putting their names to it.

NSW Police

I wrote to the NSW Police complaining that my intellectual property had been stolen, taken to London and illegally sold to Paul Smith, the Chairman of Celador. I was just going to leave it at that but my old friend, Siimon Reynolds, strongly suggested I should advise the media. In this whole affair, this was perhaps the best piece of advice anyone ever gave me. So I wrote to the media not really expecting to get any sort of response. A week or ten days went by without any sign of interest.

Media

Then the phone rang. A journalist with a local current affairs program, Quentin Dempster, called and said he wanted to meet me. His show had been cancelled for a week because of the outbreak of the Second Gulf War (and replaced by a special broadcast about the war). I had the following Friday off work so I agreed to meet him at my home that Friday afternoon. When we did meet, he gave me a very succinct analysis of what the course of events would be with the NSW Police. His analysis was exactly correct, only the time frame was out. He said it would take them seven months to decide to do nothing; it was almost a year.

AFR

Then the phone rang again. A journalist from the AFR (Australian Financial Review) called Katrina Nicholas wanted to meet me to discuss the matter. I arranged to meet her on Friday morning 28 March 2003. We met in the lobby of the immensely impressive Fairfax headquarters in Darling Harbour and went for a coffee. She asked me for evidence. I gave her a 100 page dossier with copies of all the relevant documents. I figured it would take a week for her to read the whole thing and write a story.

Sun-Herald

When I got home, around lunchtime, on that Friday, another Fairfax newspaper, the Sun-Herald, called; they wanted to go with the story, too. I told them I had met with the Australian Financial Review but I did not think they would go with the story any time soon because there was so much background material to digest. The Sun-Herald journalist, Daniel Dasey, wanted to go with the story, to my surprise, even without seeing any of the supporting documentation. I found out later he had made extensive phone enquiries to substantiate my assertions. He sent a photographer round to take my picture and phoned several times during the course of the afternoon to verify details. During the day, the Australian Financial Review also called and emailed several times.

Channel Seven

The following morning, Saturday 30 March 2003, the phone rang about 9am. It was a researcher from the Channel Seven TV network. Was I the John Leonard in the Australian Financial Review story, the creator of “Who Wants to be a Millionaire?” I was stunned. I had no idea I was in the paper; I did not even know the Australian Financial Review had a Saturday edition. I said I would call back and ran down the road to buy the paper. And there, on page fifteen, my story finally saw the light of day. For the rest of that day and all the next I was bombarded with calls from the media requesting interviews. I was elated; at long last, the truth was coming out.

Celador lawyer threat letter

Celador’s lawyers sent me a threatening letter via DHL International couriers. I had it sent back without ever taking delivery - they were so pitifully incompetent - they misspelt my name and my address. They tried again a couple of weeks later with a registered letter. I was away on Heron Island at the time but I had Australia Post send that back too. I was damned if I was going to be intimidated.

Publicity

I was naïve enough to think that all this publicity would make it imperative for the NSW Police to act. In practice, what happened was it only served to delay their weak decision. A year after all the Australian media publicity I was no further ahead in my battle with Paul Smith and his criminal associates. I was furious about the response of the NSW Police but there was not much I could do about it. They argued that until Paul Smith had agreed to buy my intellectual property no crime had occurred. When this crime did occur it occurred in London, outside their jurisdiction. I could not argue but I could not see where I could go next.

Other crimes

I thought about it for some time. Obviously I had to persuade the British police to act but how? It is very easy for the police to ignore a foreigner and although I had been born in England and grown up there, I was now, very firmly, resident at the other side of the world. My attention turned to one of the other crimes Paul Smith and his criminal associates had committed, the theft of Mike Bull’s intellectual property, the LifeLines in “Who Wants to be a Millionaire?” I had tried to get in touch with Mike Bull, tried very hard, but he had proved elusive. No doubt part of the deal he undoubtedly struck with the criminals involved confidentiality on his part.

BUSINESS

Police to quiz TV show

Report Katrina Nicholas

John J. Leonard doesn't want to be a millionaire, but he does want to be recognised as the brains behind what has arguably become the world's most popular quiz show.

According to Mr Leonard, he dreamt up the initial concept behind *Who Wants To Be A Millionaire* in early 1993, several years before UK production house Celador produced the show and sold it to British television network ITV.

Ten years later, he is fighting to be recognised. This week, the police got involved.

Mr Leonard makes claims that the concept is his — his quiz featured a jackpot \$1 million prize, along with 10 questions of escalating difficulty.

Documents obtained by the *Weekend AFR* show Mr Leonard approached several free-to-air networks in 1993 to gauge their interest in the proposal, then called *I'll Go For The Million*.

Mr Leonard also approached production houses, with both Grundy Television and Beyond Productions expressing interest.

Beyond liked the concept so much it agreed to purchase an option over future TV rights. The contract, signed by Beyond managing director Mikael Borglund, named Mr Leonard as the show's owner and set out various royalty and licence payments he would receive should the show be successful.

Mr Leonard's agent at the time, Jill Hickson, wife of former NSW premier Neville Wran, also stood to be paid under the contract.

The proposed show format described the quiz in detail. There were to be 10 questions, each with an ascending prize value. To qualify as a contestant, people had to call a 0055 number. Questions



Eddie McGuire hosts the disputed show.

Photo Vince Caligiuri

were to become progressively harder so that the chance of anyone winning \$1 million was extraordinarily slim.

There are however some differences. *Who Wants To Be A Millionaire* has 15 questions and an initial knock-out round.

To guard against too many people winning, Mr Leonard was in negotiations with Lloyds of London to insure the top payout.

Beyond spent the next two years shopping the show around to TV networks. None was interested and Beyond shelved the idea.

Mr Leonard said he was therefore very surprised to see a quiz show with a similar format appear in the UK several years later.

Mr Leonard last November ap-

proached London law firms H2O and David Price Solicitors & Advocates to act for him. Earlier this month, however, the firms declined to continue with the matter, citing a conflict of interest.

Mr Leonard has now turned his documents over to the Federal Police. Detective chief inspector Peter Lennon said the police were reviewing the documents to determine whether an investigation was warranted.

Celebrity manager Harry M. Miller on Friday confirmed he had met with Mr Leonard in 1993 to discuss a millionaire-style quiz show.

A spokeswoman from Nine Network said the station was aware of the claim and had passed it on to Celador.

NEWS IN BRIEF

ACA warns Telstra

Telstra has been issued with a formal warning over its advertising campaign promoting mobile call rates of 18¢ for five minutes. The Australian Communications Authority said the ads did not make clear that the offer only applied to the first five minutes of each call. The ACA also said Telstra's use of disclaimers to qualify its advertised offers were in breach of the Customer Information on Prices, Terms and Conditions Code.

Katrina Nicholas

Newcrest signs \$575m loan

Newcrest Mining said it signed a \$575 million syndicated loan to help finance its \$1.2 billion Telfer gold mine in Western Australia. Negotiations on the final part of the funding, \$150 million in finance leases, were at an advanced stage, the company said. ANZ Investment Bank advised on the syndicated loan, which is being provided by Australia's four major banks, plus SG and HSBC.

Stephen Wisenthal

\$30m stake in EDI sold

Hutchison Whampoa has elected to exit its investment in Australian engineering and services group Downer EDI. The Hong Kong-based conglomerate sold 61 million Downer EDI shares to institutional investors for 50¢ a share, through JP Morgan. The \$30.5 million stake represented 6.3 per cent of the company. Downer EDI's management also indicated that they would purchase Hutchison Whampoa's remaining 39 million shares at the same price through a special purpose investment vehicle. If an agreement with management is not reached for that sale, the shares will be subject to a lock-up agreement for a period of six months.

Martin Pretty

Hey Eddie, where's my million dollars?



MILLIONAIRE: Eddie McGuire MCs the Australian show. Picture: VINCE CALIGURIS

By DANIEL DASEY

WHO wants to be a millionaire? John J Leonard does, but he says his idea for a hit television show was stolen from him before he could make any money from the concept.

The Sydney man has filed a complaint with police alleging he came up with the basic idea for the syndicated *Who Wants To Be A Millionaire?* program in the early 1990s.

Mr Leonard said that after he unsuccessfully pitched the idea to Australian television networks it was taken to Britain where it became a hit.

A NSW police spokesman confirmed legal officers were trying to determine whether the claim warranted investigation.

The show's recognised creators in the UK have firmly denied the allegation.

"The cost of this to [my agent] and myself has been obviously millions of dollars in lost royalties and commissions," Mr Leonard, a Surry Hills data base manager, said last week.

"The broader cost to Australia has been much greater.

"Australia has lost a major foreign export earner and at least 100 high-quality jobs."

Mr Leonard said that while there were differences between his concept and the format pioneered by London-based company Celador, there were significant parallels.

He said both featured million-dollar, or pound, prizes, a phone-in registration aspect to help fund the

jackpot, underwriting by British insurance company Lloyds and questions of ascending difficulty.

He does not claim credit for *Millionaire's* phone-a-friend lifeline and 50-50 concepts.

He said he came up with the idea for a million-dollar quiz show in September 1993 and penned an outline which he showed to entertainment entrepreneur Harry M. Miller the following month.

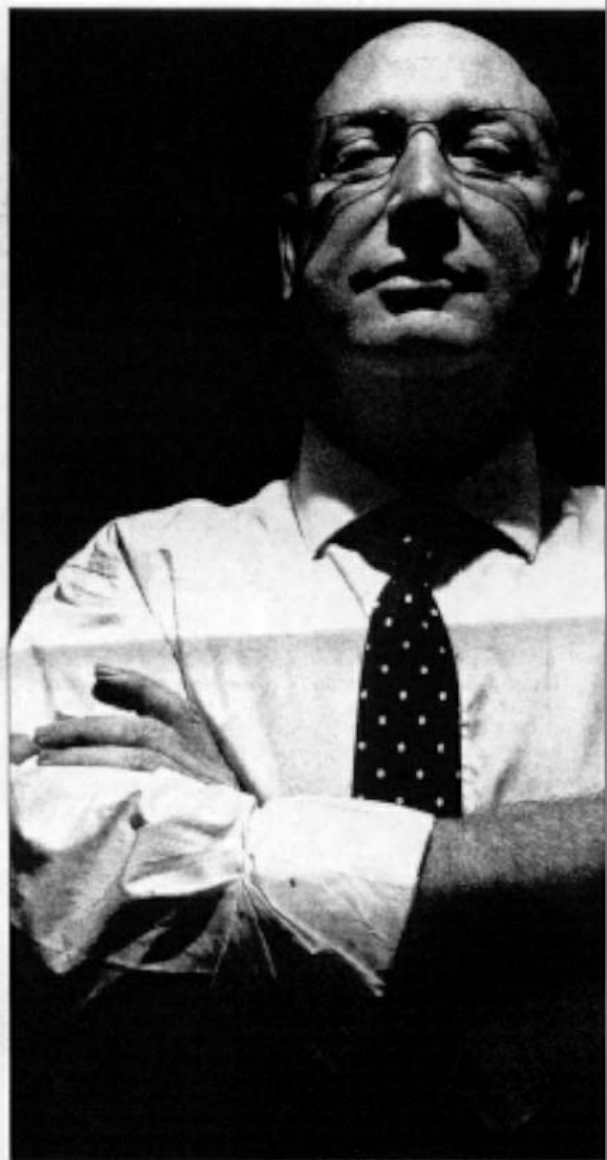
Mr Miller said yesterday he did not recall the meeting, but confirmed he had written a letter offering Mr Leonard advice on the concept of a quiz.

Mr Leonard next met television producers and, with the help of his then agent Jill Hickson (the wife of former NSW premier Neville Wran), attracted the interest of a production company.

Despite some interest over the next three years, Australian networks ultimately rejected the proposal.

He believes it formed the basis of *Who Wants To Be A Millionaire?*, which first appeared on British television in 1997. Mr Leonard said that when he learnt of the British program, which is now franchised in more than 100 countries, he initially felt he could not prove it was based on his concept.

But he said that after gathering information over the intervening years, he had approached police this month hoping for justice and a multimillion-dollar share of the show's profits.



LIFELINE: John J. Leonard says the game show was his idea. Picture: ADAM HELLNORTH

No confidentiality agreement

There was little point in trying to find out about Paul Smith's other criminal activities from Mike Bull, however, there must be other people with knowledge of Smith et al's criminality in this area. I knew Mike Bull had never presented his work to Celador. Celador used this fact at the time of his petition to the High Court as a way of claiming innocence. Their mouthpiece merely posed the question: did a confidentiality agreement exist between Celador and Mike Bull? The miserable implication was that they had never had access to his intellectual property, therefore his claim was spurious. I could see they would use that same cheap trick on me when the time came. (Please see article in London Daily Mail 7 March 2002 - cannot reproduce in this e-book.)

Stolen

It was also a legal device for blocking any attempt at a civil suit. If no confidentiality agreement existed between Mike Bull and Celador then Celador could never have seen his work and therefore could never have improperly used it. If they had never seen it they could never have stolen it and therefore there was no case to answer, in the civil courts. Of course, they obtained access to both my intellectual property and Mike Bull's not by breaching confidentiality agreements, but by simple criminal means. I focussed my attention on this other criminal act of Paul Smith and his fellow travellers at Celador (and it should be point out, David Nicholson and AVESCO plc, (aka MediaInvest) who were happy to profit by it).


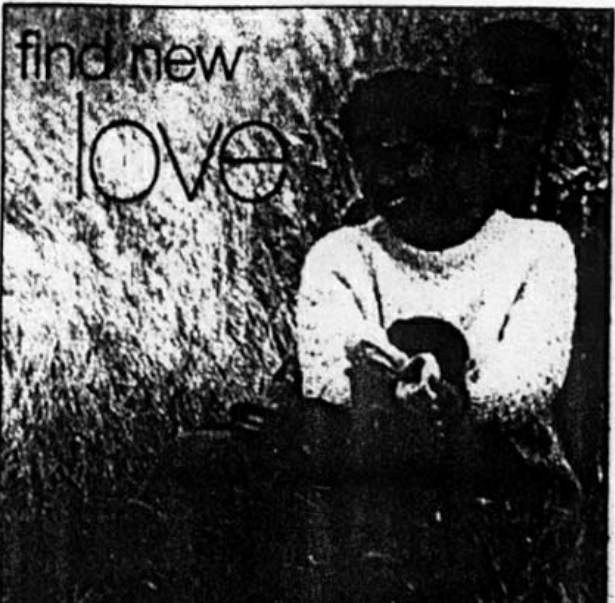
A criminal at ITV?

After a great deal of thought I settled on a simple device designed to draw out anyone with knowledge of the means Paul Smith and his criminal associates had employed to thief Mike Bull's intellectual property. I knew Mike Bull's show "Help!" had never been shown to Celador and from what I had been able to find out, it had only ever been shown to ITV. Did Celador's criminal tentacles stretch into ITV? Did an ITV employee who had seen "Help!" suggest to them to steal Mike Bull's ideas and add them to my millionaire quiz show? A criminal at ITV?

The Times Personal Column

I settled on a simple device to try to draw out anyone who might know anything. I would put an ad in The Times personal column. It may strike you as not a very good plan, but you must remember I had spent years in advertising, a few of them with the king of classified advertising, Neville Jeffress, and I knew that classified ads carry far more power than people not involved in them imagine. This is the ad, as it appeared in the personal column of the Sunday Times for 4 July 2004, section 4, page 7:

PERSONAL

ANNOUNCEMENTS WHO Wants to be a millionaire? Anyone with information regarding the 'creation' of this TV show please contact John Leonard on 0061 403809577	GIFTS A BIRTHDATE Newspaper 1847-2004 from £21. Pathé News Videos (yrly). Fr. ph. 0800 1380 9900 T/F 01934 412844 tlll 8pm 7 days www.bygone.com/st	THE SUNDAY TIMES boxoffice service For theatre and concert tickets at venues nationwide call 0870 160 3000	THE SUNDAY TIMES NOTICE TO ADVERTISERS We are not able to review or vet our advertisers or to check that they are bona fide and readers are strongly recommended to take their own precautions before entering into any agreement, or any transaction on the internet.
FOR SALE MORNING SUITS DINNER SUITS EVENING TAIL SUITS SURPLUS TO HIRE LIPMAN & SONS West End Tel 020 7240 2310 22 Charing Cross Rd WC2 City Tel 020 7623 7721 156 Fenchurch St EC3	MAIL ORDER MEN DOES YOUR SIZE, POTENCY & PERFORMANCE MATTER? Our FREE report details SAFE & NATURAL methods to enlarge your penis and improve your potency and performance. NO surgery or injections required. Excellent results possible within 4 WEEKS. For your FREE Subscription Copy call 0871 871 0010 or send your name & address to: Dash Publishing (Dept 7STM), PO Box 22, Plymstock, Plymouth, PL8 0YU www.dash.uk.com/7strm		
GIFTS Your baby's hands & feet in silver, bronze & glass  020 7639 9085	SERVICES S PEECHWRITING: Customised Laughs Guaranteed Visa/MC. Tel Mitch Murray 01624 622660.		THE SUNDAY TIMES NOTICE TO ADVERTISERS To improve our service to you and for classified staff training purposes telephone calls may be monitored.
			

British newspapers

Over the next few weeks I received a handful of calls, mainly telling me things I already knew; I even received one call from another newspaper group offering me a special rate on a host of local London newspapers. But not the call I had hoped for. In the mean time I embarked on a second strategy. I wrote to a number of British newspapers and I offered them an exclusive in exchange for underwriting a civil action against Celador, in case the police failed to act, as I feared they would. I told them the whole story, briefly, right up to the ad in the Times. One of them must have called Celador and asked them if they had any comment about the ad in the Sunday Times 4 July 2004.

Vicki

I would say the call to Celador, requesting a comment on the Times ad, was made on the morning of Monday 9 August 2004. By a little after 10am that morning, London time, 7pm Sydney time (I'd just gotten home from work) my phone rang. Not my mobile phone, the number in the ad, my home number the one I had given to the Times if they needed to contact me. On the line was a young woman with a broad cockney accent, Vicki. She said someone had called to say he could not get through to the number in the ad, it was wrong, and did they have an alternative number. I assured Vicki the ad was fine, I had received several calls. I asked for his name and number and promised to call him.

David Briggs, the actor

Vicki told me the man's name was John Baccini and she gave me his number. I called, the person who answered seemed to be expecting my call, addressed me as John, and said "You got my message then?"

Luton

He then proceeded to identify himself as John Baccini and said he was calling me from Luton in Bedfordshire. He said a friend had seen my ad in the paper and called him, so he had called me. His friend had been a bit tardy in calling which was why it was five weeks after the ad had appeared. I asked him what interest he had in "Who Wants to be a Millionaire?" He then proceeded to tell me that he had created the show "so long ago he would not bore me with the details"

“...the bastards have me by the balls”

If he had said just about anything else I might have been more taken in but I knew I had created “Who Wants to be a Millionaire?” and that the possibility some one else had done so, independently, was at least one hundred billion to one, i.e. impossible. So I asked him who was the putative creator of “Who Wants to be a Millionaire?” He seemed a little taken aback and then said “Dave Briggs”. Not David Briggs, or Briggs, Whitehill and Knight. Just “Dave Briggs” I asked him for whom this person worked And he hurriedly started to tell me a company called Celador. He said he had been pursuing them for years but “...the bastards have me by the balls”

A very big rat

He hurried on to ask me why I had put the ad in the paper. I hesitantly said that I knew every detail about the creation of “Who Wants to be a Millionaire?” bar one. He suggested that we pool our resources to attack Celador, he asked me to tell him what I knew about the creation of the program and Celador. When I first spoke to “Baccini” I thought he was just a harmless crank. I had talked to a couple of them before but, by this point, I smelt a very big rat. So I asked him for the name of his lawyer. He said he did not have one, he was self litigating. I wished him luck with his case and hung up. As I put the phone down I could here him shouting plaintively “John! No! John, wait!”

Mobile

After this conversation had ended, I leaned over and picked up my mobile. While I had been talking to Vicki I had received two calls. I played the messages, they were both from “John Baccini” giving the number Vicki had just given me and asking me to call him. He had called twice during the brief time I had been talking to Vicki at the Times.

Celador called

What was that all about? My guess was that one of the journalists I had mentioned the Times ad to had called Paul Smith at Celador and asked him to comment on the ad that had appeared in the Times asking for information about the creation of “Who Wants to be a Millionaire?” No doubt Smith had dismissed it as the work of a crank with a throw away line about how lots have people have claimed to be the creators.

Smith calls Briggs

Smith then called Briggs and told him to find out about the ad. Now, five weeks later, not easily obtained. Smith could not be seen to be asking the Times about the contents of the ad without arousing suspicion. So Briggs called the Times saying he could not get through to the number in the ad hoping the person at the Times would read out the ad to him, which of course she did, including the number. Vicki, being conscientious about her work, decided to take his details and relay them to me in case the ad had the wrong number, as “John Baccini” had originally, falsely, asserted.

Markyate

The following day, I checked on the phone number “John Baccini” had given me to see where in England the phone was located, if indeed it was in Luton in Bedfordshire as he had claimed. The phone number,

015 82 45 08 03

was located in a place called Markyate in Hertfordshire. I have never been in Hertfordshire or Luton but from what I have been able to find out, Markyate is a much more likely location for a person who has made a fortune from the theft of intellectual property than Luton.

Briggs/Baccini

I came to the very obvious and inescapable conclusion the David Briggs, alleged creator of “Who Wants to be a Millionaire?”, and “John Baccini” were one and the same person. So I took a leaf out of Briggs book and I called the number asking to speak to David Briggs. The person on the other end appeared to be a drunk “John Baccini”. He asked who wanted to speak to him. I said I was David Carter, a journalist from the Sydney Morning Herald. He asked for a number and said he would call back. I pressed the point, I said I wanted to speak to David Briggs, was he there. No, he was not there right now. But you know how to get in touch with him, I asked. He hesitantly replied that he did. I said “Thanks, that’s all I needed to know” and hung up.

David Carter

A few minutes later a seemingly more drunk Baccini/Briggs called and asked to speak to David Carter. I had actually made the call from a friend's business and I told him it was a business. He called again a few minutes later saying he was calling from London and he wanted to talk to David Carter. I told him the same thing again. A couple of hours later, a message was left on my mobile saying that the number to contact David Briggs was 7845 6999 which is the number of the Celador switchboard. Briggs has not worked there for two years, ever since David John Nicholson, CEO of Celador's largest shareholder, AVESCO plc (now known as MediaInvest) had forced Smith to dismiss him for lying about having created "Who Wants to be a Millionaire?"

Standard

To be sure the person calling was Briggs I called a friend of mine, Jackie Annesley, the features editor at the London Evening Standard and asked her to call the number in Markyate and ask for David Briggs. Jackie called for two days and got either hours of an engaged signal or the phone was abruptly hung up if it was answered. Eventually she had to leave for the night on Friday 13 August 2004 but she asked her personal assistant, Liz Wass, to keep trying. She eventually got through and Briggs answered and said he was Briggs, although he later backtracked when he found out she was from the Standard.

The Real John Baccini

There is a real person called John Baccini although I am certain that my caller was in fact David Briggs, the person Paul Smith persuaded, along with Steve Knight and Mike Whitehill, to pretend they had created "Who Wants to be a Millionaire?" John Baccini has brought a claim against Celador for infringement of intellectual property in relation to "Who Wants to be a Millionaire?" All I can say is that I created everything that is the TV program "Who Wants to be a Millionaire?" it is all my work except for the LifeLines. I created it without reference to any other person's intellectual property, whatsoever.

The Complaints to the Police

The Police Charges

Paul Smith, the Chairman of Celador, committed fraud when he agreed to buy my intellectual property. He knew he was involving himself in a criminal act and sought to conceal it by persuading David Briggs, Steve Knight and Mike Whitehill to pretend they had created it. That Smith knew they were not the true creators is evident in the fact that Smith and his US associate Michael P Davies pocketed the US creator royalties later. If Smith genuinely believed Briggs et al were the true creators, he would have paid them the US creator royalties instead of splitting them with Michael P Davies.

SFO

It was further evident to David Nicholson, CEO of AVESCO plc that the intellectual property was obtained by criminal means. Therefore I have complained to the SFO Serious Fraud Office about these crimes, and it is a series of crimes commencing with Smith entering into a fraudulent transaction and the others assisting in the concealment of it. David Briggs, Steve Knight, Mike Whitehill, Michael P Davies and David Nicholson are accessories after the fact, as indeed was Mrs Paul Smith (aka Sara King) joint owner of his shareholding and active participant in the business. They were all knowingly involved in the concealment of this crime. They did so because they profited by the crimes, in total to the tune of hundreds of millions of pounds.

FBI

I have complained to the SFO about these crimes and to the FBI about subsequent crimes committed by Smith, Davies and another and about another related felony crime committed by Davies alone. I have made a complaint also to the Australian Federal Police about another related crime.

Psychological violence

His crimes are not only monetary, they go deeper than that, into psychological violence. He has robbed me not only of the pleasure of receiving the awards “Who Wants to be a Millionaire?” has won. And it has won awards. Why would it not, it is the most successful light entertainment program in the history of television. It has won at least thirty major awards. Not one credits John J Leonard with the creation of the show. No accolades, no proud mum, no fame.

Winners not paid

Over the years the show has been on, Smith has refused to pay winners because they had a criminal record. Contestants who legitimately won were denied their winnings because they had previously been convicted of an offence. Smith subjected these people to public humiliation for absolutely no reason whatsoever. Paul Smith showed no compassion for them.

Smith is an extraordinarily rich criminal

The first line the police will take with my complaint will be: this is a civil matter. I believe this is a criminal matter. I may well be able to pursue a civil case in due course and I fully intend to do so, the main purpose of this book is to raise the funds necessary. But this goes well beyond a civil matter.

Funding civil action

My main purpose in writing this book has been to attempt to raise the four hundred thousand pounds I am told I will need for a civil action against Smith and his criminal associates. At some point in the future such an action will occur and I am certain I will succeed. However, whatever the outcome of that action, however much of the money stolen I will have recovered, justice will not have been done. Justice will be denied if all that happens is that the thieves are forced to pay up part of the money they have stolen.

Guilty

Justice must be done - and be seen to be done. Each of the guilty must be prosecuted: Paul Smith as the instigator of the crime. David Briggs, Steve Knight and Mike Whitehill who assisted Smith in concealing his crime. David Nicholson, CEO of AVESCO plc, Sara King (Mrs Paul Smith), Michael P Davies and Jasper Carrot were all happy to knowingly profit by Smith's crime, they should all be prosecuted as accessories after the fact.

Justice

There is little justice in making the criminals pay back some of the money years after it was stolen. For true justice to be done and be seen to be done, there must be a criminal prosecution of Smith and his criminal associates.

The creators of intellectual property

If Smith and his associates get away with this crime and forced to do no more than pay compensation through the civil courts then the creators of intellectual property the world over have no protection from this sort of criminal. They will be encouraged to engage in more thieving - the worst that can happen is that they are forced to pay a sum at a later date. Criminal prosecution of Smith and his criminal associates is the only path to justice in this case and any other case like it.

Endless repeats

The creators of intellectual property enrich your life every day. They provide all the entertainment you see and hear as well as all the useful objects you use in your day-to-day life. If they have no protection from theft they will simply stop producing. It is in your interest that their interests be protected. Therefore I urge you most strongly to impress on the Serious Fraud Office the real need to attend to these crimes as crimes and not to try to evade their responsibility by labelling them merely civil matters.

Imprisonment

The pain and suffering Smith's criminality has inflicted on me is incalculable. He had no regard for the impact of his crimes on my life, to merely fine him would be meaningless. I believe the only just and meaningful punishment is a prison sentence.

Conclusion

Losers (to date)

Throughout this saga, there have been winners and losers. The biggest losers, losing far more than me, have been the shareholders and staff of Beyond International Ltd. That company has lost at least a billion Australian dollars in capitalisation.

The next biggest losers are the taxpayers of Australia. They have lost hundreds of millions in tax revenue as a result of this theft.

And then there's my monetary loss, suffering and denial of creator credits.

Winners (to date)

Some of the winners to date, have been Paul Smith, the Chairman of Celador, he has amassed at least one hundred million pounds through the theft of my intellectual property.

The other big winners are the shareholders and executives of AVESCO plc who own 49% of Celador, especially David John Nicholson, the CEO of AVESCO (aka MediaInvest). Jasper Carrot, he owns 10% of Celador, and has been happy to receive money he has known for years was dishonestly obtained.

The other big winners are the employees of Celador almost all of them owe their employment to my genius. Celador was not worth a million pounds, when Smith agreed to take delivery of my intellectual property, knowing it to be stolen.

Idol and Big Brother

Some other winners in all of this are the producers of new TV shows that depend on a link between TV and the phone system. I created this link when after a year of struggle to find a solution to the problem of funding "Millionaire", came up with the idea of using paid contestant phone (premium) calls to raise the prize money.

TV shows like Big Brother and Idol would not exist if I had not created this idea.

No one would have heard of the Dutch TV producer Endemol if I had not worked my guts out to produce this brilliant concept. It is useless to say someone would have thought of this sooner or later, the possibility existed for years before but no one thought of it until I did.

Knight

But perhaps the biggest winner of all has been Steve Knight. Prior to the accepting the risk of fraud charges by putting himself forward as one of the creators of “Who Wants to be a Millionaire?” Knight was a mediocre skit writer. But he had a dream of turning a script he had written into a feature movie. He was able to exploit his position as one of the insiders in the fraud to persuade Smith to set up Celador Films, hire a great director and make his script into a real film.

Alex Wallau

Best of all, Knight was able to use “Who Wants to be a Millionaire?” connections in the US to secure an Oscar nomination for his screenplay. The US connection, Alex Wallau, the head of ABC TV, was less than happy when he found himself being pressured to use his influence with his parent company, Disney to press for an Oscar nomination. He owed the producers of “Who Want to be a Millionaire?” big time, the show single-handedly had saved his network from bankruptcy in 1999, but securing an Oscar nomination for this script? It was an awfully high price to pay.

Script

The simple fact of the matter was that Knight’s script for “Dirty Pretty things” was not of a standard that justified an Oscar nomination. You can see this for yourself. Compare Knight’s script with two other recent British films, “Lock Stock and Two Smoking Barrels” and “Sexy Beast”. The scripts for both of these British films are light years ahead of Knight’s effort in terms of characterisation, witty dialogue and sheer ingenuity of plot. But neither Guy Richie for “Lock, Stock” or Louis Mellis and David Scinto for “Sexy Beast” secured a best original screenplay nomination. Knight has been, perhaps, the cleverest of all these criminals, one of the biggest winners of all.

Dreadfully untrue things

No doubt, at some point after the publication of this book, Smith and others will make a statement about suing me for saying dreadfully untrue things about them. They may make some moves along those lines directly after making such a statement but the matter will never come to court. Smith and his associates know the truth and they know they would not be able to stand up to cross examination. Look what happened when Briggs, Knight and Whitehill were cross-examined in private by Nicholson and his lieutenants. This was amateur time, in court they would be exposed in a few minutes. Do not be fooled by the legal action bluff.

X PRIZE

On 4 October 2004 Burt Rutan won the US\$10m Ansari X Prize when test pilot Mike Melville made his second flight into space within the two weeks specified. A couple of days before that Sir Richard Branson announced he would buy five, five seater space ships from Rutan's joint company with Paul Allen, co-founder of Microsoft, for his new venture Virgin Galactic. Sir Richard plans to have people flying into space by 2008.

Millionaire Astronaut Internet Quiz

This is simply the best news I have had in years and now that I have completed compiling this book I will return to my Millionaire Astronaut Internet Quiz so that I can offer the prospect of a flight into space to anyone who wants to go.

The future of humanity

I believe, deeply, that the future of humanity lies in space, without expansion into space we have no enduring, secure, future. If we do not expand out into space and learn how to redirect asteroids and comets, sooner or later one will put an end to - as the cliché goes - life as we know it. Sputnik was an immense leap, the first human manufactured object to orbit the earth. Gagarin and Armstrong were two more quantum leaps but we had stagnated until Dr Peter Diamandis created the X prize and Burt Rutan signed up. Now, a glorious new age has begun and my contribution will be to democratise space travel by bringing the dream within reach of anyone who wishes to go.

Everyone will have a fair chance

Entry into my Millionaire Astronaut quiz will be under ten dollars and the ultimate prize will be a million dollars and a sub-orbital flight into space. In due course the price Sir Richard Branson has quoted, around two hundred thousand dollars, will come down. Eventually it will be within the reach of any person who is really determined to experience space and weightlessness. In the meantime, for less than ten dollars a contest, everyone will have a fair chance of being both a millionaire and travelling into space.

MM

Below is a letter I wrote to Maurice Murphy on 3 October 1997. It is the first time I stated publicly my new preferred name for the show - "Millionaire!" - the short hand name it would become known by worldwide. I refer to 1-900 calls - between my first proposal and this letter Telecom Australia changed the designation of charged calls from 0055 to 1900. This letter is so prophetic, it shows the certainty I had my show would be a huge global success. It also shows the grasp of economics one has to have to embark on such a project. Do Briggs, Knight and Whitehill have such knowledge?

Optimistic

On Saturday 24 September 2005 it will be 12 years since I first thought of "Who Wants to be a Millionaire?" On Sunday 4 September 2005 it will seven years since it first appeared on ITV in UK. On Friday 1 July 2005 it will be three years since I first confronted Celador with the certain knowledge they had stolen my intellectual property. It seems as though this battle has gone on forever but, despite all the setbacks I have made constant steady progress in my battle. I am now very optimistic that justice will be done and be seen to be done.

Mr. John James Leonard
102 Elizabeth Bay Road
Elizabeth Bay NSW 2011

Fri 3rd October 1997

Mr. Maurice Murphy
Executive Producer
Beyond International Ltd
109 Reserve Road
Artarmon NSW 2064

Dear Maurice,

I know there's not much chance of my show seeing the light of day, but I keep on working on it and refining it. I'd like to tell you, briefly, the most recent thoughts I've had.

The most important thing is something I mentioned to you and Mikael a few months ago, I've changed the name to

"Millionaire!"

Although I think "I'll Go For The Million!" is a great name, I think the simple one word title is better.

I've written a draft of a pilot episode. At the beginning of the show I have the compere asking each player "What would you do if you had a million dollars?" instead of the usual things about hobbies and their kids. I think this should be the standard opening, the standard introduction to each player.

The questions I've compiled for the half hour pilot are difficult but, as always, I maintain that this is the key to success in the quiz show business.

When I first talked to Mikael about the show early in 1995 (I think you were there at the time) I said that it might not be economically viable until 1997. But it would certainly be a goer by 1998, because of the increase in network revenue and the relative decline in value, in real terms, of a million dollars. I think that assessment was correct and that, even discounting the possible revenue from the 1-900 contestant selection calls, the show has become economically viable.

I've kept the other idea I added later, "A million dollars is.... 71 Toyota Starlets... 100 tonnes Cadbury's Dairy Milk...." etc. I still think that is a good idea, promoting well known products never does any harm on commercial TV and translating a million dollars into things people readily understand is definitely worth doing.

I've spent a great deal of time considering the problem of a compere. The events surrounding the departure of John Burgess from "Wheel" and the ensuing fiasco with Tony Barber have brought

home to me how important the compere is. Finding the right person is no easy task. Some who smiles easily, has an air of kindness, sympathy; polite, speaks quickly but clearly; is instantly likeable to the audience; intelligent.... it is a very tall, difficult to fill, order. I find myself considering all sorts of people I might never have thought of a year ago.

By the time you read this letter I will be in Rome, I'm happy to say, (I'll send you a postcard). I'll be back early next month if you want me to polish up my pilot episode and send it to you. Obviously, if there is any hope that something might eventuate, I'll be only too happy to help you with any submission or presentation you may make.

Thank you, Maurice, for all your efforts to date on my little show, I know hope is fading, but I do still pray that one day it will see the light of day. I know, in my heart of hearts, it will bring thousands of hours of thrilling entertainment to millions of people, if it ever happens.

Yours faithfully

J J Leonard

What can I do?

What can you do?

You have already done a great deal by buying and reading this book, for this I thank you with all my heart. If you want to do more to help please read these last few, very important, paragraphs. On Wednesday 8 December 2004 I lodged formal complaints with the Serious Fraud Office, Elm St, London. I also lodged complaints with the FBI in the USA and the Australian Federal Police in Sydney. Much of the information in those complaints has been canvassed here but there were a few things included that were not discussed in this book.

British Police

Because I do not presently reside in Britain, I cannot phone my MP and ask my MP to speak to the Home Secretary. The Police will probably do nothing, unfortunately modern policing is driven by public interest. Very few people produce intellectual property and few of them are ever subject to a theft this brazen, the police feel such a case is not valuable PR.

It is in your interests

I urge you most strongly to impress on the Serious Fraud Office the real need to attend to crimes of intellectual property theft as crimes and not merely civil matters. This a criminal matter, please help to ensure it is dealt with as such:

If you would be so kind as to call Mr Robert Wardle, director of the Serious Fraud Office in London on 020 7239 7272 please ask him how The Celador Fraud investigation is proceeding, that would be immensely helpful.

ITV

If you worked at ITV in London in the 1990's especially around 97/98 or know some one that did, I would very much like to hear from you. Celador almost certainly had a criminal associate working at ITV in the mid to late '90's, I - and I am sure the police, too - would very much like to know who that was. Many other people, friends and associates of Paul Smith etc must have known.

I can be contacted by e-mail: johnjleonard@yahoo.com

Money raised

The money raised by the sale of this book will be used, in part, to finance a civil suit against Celador in the London courts, once a sufficient sum has been accumulated. This may take some time because legal action is an extremely expensive proposition. I need to sell one copy of this book for each 600 people in Britain (an almost impossible target, international sales will be crucial) in order to gross the minimum four hundred thousand pounds I am told I will need.

Thank you

There is an exquisite irony in what I am doing here. Big Media complains about the alleged infringement of their copyright by the Internet. I am using the Internet to complain that a Big Media associate infringed my copyright. Despite all, I have a deep sense that in the end justice will prevail. Thank you, for your kind interest and your continuing support. If you found this book interesting please recommend it to your friends, family and colleagues. This very little David on the other side of the world, needs all the help he can get in his struggle with this colossal, and very rich, Goliath.

John James Leonard
Sydney, 19 December 2004

Appendix A

Proposal

The pages following are the actual proposal Beyond agreed to buy on 22 July 1995 (which differs slightly from the first proposal I put to Beyond in November 1994).

The last page is my rough workings in Lotus 1-2-3 of the global potential of the show. I knew even then it would be played in a hundred countries, in dozens of languages, and a score or more currencies.

**Please note: million prize, p8, Lloyds insurance p9,
premium rate phone calls p10 (and theme music as discussed)
Please also note the variation on p11 of the prize in fifteen
steps from \$125 to \$1m.**

These elements alone, combined, make it an actuarial impossibility Celador could have arrived at the same thing by chance.

**Actuarial speaking, the possibility
is at least one in one hundred billion.**

"I'll Go For The Million!" is a new TV game show that is a test of visual literacy, general knowledge and speed of response. Four things differentiate it from other quiz shows:

- i) the prize money ranges up to \$1,000,000
- ii) it has a female compare/quiz master
- iii) most of the questions are visual, or image based.
- iv) the selection of the contestants by 8005 phone call.

The Format:

"I'll Go For The Million!" is played by four contestants. Three are entirely new to the game, the fourth is the champion from the preceding episode. (If it is the first episode or the preceding episode saw the "I'LL GO FOR THE MILLION!" champion, then all four are new to the game. Such an episode is a "qualifying" episode or game, and has no prize money.) [It is envisaged the game will be played five nights per week.]

Each contestant is seated behind a desk, has a buzzer and competes to answer the questions. First on the buzzer gets

first crack at **A** proposal for a new TV game show.

The Scoring:

Each contestant begins the game with ten points. Points are awarded for correct answers and deducted for wrong answers. Most questions begin with a visual and a verbal clue. If a contestant gets the (C) John James Leonard 1994 they get five points.

"I'll Go For The Million!" is a new TV game show that is a test of visual literacy, general knowledge and speed of response.

Four things differentiate it from other quiz shows:

- i) the prize money ranges up to \$1,000,000
- ii) it has a female compere/quiz master
- iii) most of the questions are visual, or image based.
- iv) the selection of the contestants by 0055 phone call.

The Format:

"I'll Go For The Million!" is played by four contestants. Three are entirely new to the game, the fourth is the champion from the preceding episode. (If it is the first episode or the preceding episode saw the departure of an undefeated champion, then all four are new to the game. Such an episode is a "qualifying" episode or game, and has no prize money.) [It is envisaged the game will be played five nights per week.] Each contestant is seated behind a desk, has a buzzer and competes to answer the questions. First on the buzzer gets first crack at the question.

The Questions: an example:

The Scoring:

Each contestant begins the game with ten points. Points are awarded for correct answers and deducted for wrong answers. Most questions begin with a visual and a verbal clue. If a contestant gets the right answer right away they get five points.

If they have a go and get it wrong they lose five points. If no one tries after the first verbal clue a second is given but only three points is awarded, if a third clue is required only one point is offered. (Wrong answers on the second and third clues lose three and one points respectively.) This plus and minus scoring allows contestants to rise from nowhere in a few minutes or fall from a commanding lead as quickly. It makes the game more unpredictable, more exciting. Wrong answers bar a contestant from making any further attempts at answering that particular question. A three second delay between each clue to allow time for answers to be proffered. A contestant that proffers an

The Questions: forfeits the right to make any further attempts. Where ever possible the questions are image based or offer a visual clue. This is important: most quiz shows are just "talking heads". We live in age of unprecedented visual literacy, people want visual stimuli. A rapid succession of thought provoking images is far more entertaining than a flat, staid, picture of a quiz master blandly asking a contestant a question.

leader and make a game more exciting by opening up a chance for
The Questions: an example:

The quiz master asks the contestants to look at the screen which shows a picture of Antonio Vivaldi and to identify the person in the picture. Very few people would know what Antonio Vivaldi looked like and so the quiz master helps the contestants along with a couple of clues: "He was a seventeenth century composer

and he wrote this piece of music" (a few bars of Vivaldi's mandolin concerto are played). If a contestant can get the right answer just from the image they score five points. If they guess wrong they lose five points. After the second clue, in this case a musical clue, is given a correct answer earns three points and a wrong one loses three. In this case the third clue might be "He lived and worked in this northern Italian city:" [Picture of Venice]. If a contestant correctly answers after the third clue, they score one point. A wrong answer loses a point. There is a three second delay between each clue to allow time for answers to be proffered. A contestant that proffers an incorrect answer forfeits the right to make any further attempts at that question.

"Rapid_Fire":

Towards the end of each segment or round is a brief section, called "Rapid Fire", of short, quick, verbal questions each for one point, each can be answered with one word. Quick questions and answers like this may unseat a previously well entrenched leader and make a game more exciting by opening up a chance for another contestant.

The Questions Must Be Difficult:

For the audience, the main appeal of game shows lies in the satisfaction of answering the questions correctly before the contestants. In a world driven by ratings, it's the audience

that really counts. If the questions are childishly simple, then there is no satisfaction or challenge in answering, for the majority of the audience. Secondly, sheer audience size is not the only criterion when it comes to selling the advertising slots on the show. If audience research shows that the show attracts the above-average-intelligence-viewer, then a premium can be exacted for the advertising time. [The more intelligent people are, the more they earn, thus the higher their disposable income, thus the more attractive they are to advertisers. The higher IQ A & B quintiles are notoriously difficult for advertisers to reach. A show that credibly promises to deliver this sector of the market will command a premium on the scheduled rates.]

after a champion has retired undefeated, there is no prize money, only a High Ratings+ monetary prize provided by a sponsor, such as a watch.

The network which has the highest rating programs in the early evening enjoys a flow-on benefit for the rest of the evening. The network that broadcasts "I'll Go For The Million!" in the 7pm slot can look forward to higher ratings across the board, not just in the show's slot.

Also, another audience draw card/ratings winner, is the female quiz master.

"Do you want to take the money and other prizes you've won
The Female Quiz Master: for the million!"

Australian TV quiz shows have always stuck to the same formula: an older male quiz master and a pretty young female thing that just tizzes around. It's time to drop this tired old format

and try something new like employing an attractive, intelligent woman as the quiz master. More than half the audience is female (and they do most of the buying of the advertised products), around half the contestants are female. Before they watch "I'll Go For The Million!" they saw, to a female news reader, why not listen to a female quiz master?

There are plenty of glamorous and intelligent women who could do the job admirably; Jana Wendt, Maggie Taberer, Deborah Hutton, Jennifer Byrne or Patrice Newell would be ideal.

The Prizes:

On the first night of the program, or the first episode after a champion has retired undefeated, there is no prize money, only a minor supplementary prize provided by a sponsor, such as a watch. Such an episode is a "qualifying game" to identify a new champion. The winner of the "qualifying game" goes on to play against three new contestants for a prize of \$4,000 and another supplementary prize. If the champion wins they go on to play against three new contestants for double the preceding night's prize money. At the end of each episode the quiz master asks the champion:

"Do you want to take the money and other prizes you've won tonight or will you go for the million?", without a single loss, they must reply: "I'll go for the million!" a million dollars. They will indicate they will play on or something else to the

effect that they will take the money they have won that night.

Champion appearance	Winnings	Supplementary prizes
1.	\$ nil	Watch ?
2.	\$ 4,000	Walkman ?
3.	\$ 8,000	TV ?
4.	\$ 16,000	VCR ?
5.	\$ 32,000	Stereo - CD ?
6.	\$ 64,000	Computer ?
7.	\$ 125,000	Interstate holiday ?
8.	\$ 250,000	Boat ?
9.	\$ 500,000	Overseas holiday ?
10.	\$ 1,000,000	Car ?

If a challenger wins, the champion leaves with nothing (except the supplementary prizes), even if they have won, say, nine nights in a row. It's a sudden death, winner takes all game. The only way a challenger gets to have a crack at any of the money is to beat the champion. The only way the champion can win all the money is to beat all challengers. On the way to the million dollar prize a champion must beat thirty other contestants. If they lose once they lose everything. A successful challenger then begins their long hard road to the million. Make no mistake, anyone who can beat thirty others, in front of millions of viewers, without a single loss, risking more and more money each night (eventually half a million dollars) that person deserves a million dollars, they will certainly have earned it; there's nothing easy about this game.

every three or four weeks, perhaps even less frequently, the cost

The Supplementary Prizes: will be very low, under \$20,000 per half

Each night there is a supplementary prize to go with the cash.

The supplementary prize is a material object of some desirability provided free or at a discount by the shows sponsors. The

contestant who wins on a given night wins the supplementary prize

for that night, even if they lose the money at a later stage,

i.e. a contestant who wins four stages wins four supplementary

prizes but loses the money. The main purpose of this feature is

to promote desirable new products for sponsors. Also it ensures

some-one who appears for several nights but is eventually beaten

is rewarded for their effort. on dollar winner. Apportioning the

cost of paying out a million dollar prize over 200 episodes will

The Million Dollar Prize: each half hour episode. Therefore the

The first time each champion plays for \$1,000,000.00 whether they

win or lose, it will be the highest rating half an hour in

Australian television history. wish to: The thrill, the tension,

created by the sudden death, 1 million dollar play-off, will be

irresistible to almost all human beings. Even people who never

watch game shows, will watch that night.

The Cost:

There won't be many occasions in the history of the program when

a champion plays for the million and wins. of The majority of

champions will have the good sense to quit around the \$16,000 or

\$32,000 mark. ns With the average winner walking away with \$32,000

every three or four weeks, perhaps even less frequently, the cost of producing the show will be very low, under \$20,000 per half hour, probably even less, excluding a provision for a million dollar winner. An average of 21.75 episodes per month, $21.75 \times$
 $\$4,600 = \$100,050$ (and below that for the first year with a cost of

\$1,000,000: The Odds: the insurance premium

In straight-out chance terms, the possibility of one contestant winning the million dollar prize is 59,049/1. The show would have to run five nights a week for more than 226 years before there would be a certain winner! However, it is not a game of chance, it is reasonable to expect that every 200 episodes or so the show will produce a million dollar winner. Apportioning the cost of paying out a million dollar prize over 200 episodes will add \$5,000 to the cost of each half hour episode. Therefore the total cost of each episode can be fairly estimated at less than \$25,000. Television network executives and game show producers, being prudent people, may not wish to take the small risk of a person winning a million dollars early in the program's history or two winners occurring close together. It may therefore be advisable to take out insurance.

Insurance: "Go For The Million!" I propose an entirely new method

It is possible to take out contingency insurance against there being too many large winners. The producers of the program pay a premium each month to a syndicate at Lloyds of London. This contingency insurance covers them against having to pay out more

than \$100,000 worth of prizes in a calendar month. Therefore, built in to the cost of production is:

i) \$4,600 per episode of the program for prize money (there will be an average of 21.75 episodes per month, $21.75 \times \$4,600 = \$100,050$) and

ii) the cost of the insurance premium.

With insurance the producers can protect themselves against the cost of excessive payouts. If they pay out less than \$100,000 in any given month they make a windfall profit from prize pool for that month, it may fairly be expected that most months the total prize money will not exceed \$100,000.

Alternatively, the producers may take out insurance to cover paying out any prizes at all in the course of a month in which case there is no need for a prize allocation of \$4,600 per episode but the insurance costs would be much higher.

The problem of meeting the cost of prizes may be solved by an entirely novel method of contestant selection.

Selection of Contestants:

Traditionally games shows have selected the contestants to appear on the program by auditions. For the selection of contestants for "I'll Go For The Million!" I propose an entirely new method which will not only reduce the cost of identifying suitable contestants, it will also increase the revenue of the show.

Instead of holding auditions the show promotes a "0055" telephone number for aspiring contestants call. When they call a

recorded message asks them to answer a question. Each week a new question is asked. To be considered as a contestant a person must answer ten questions, in a row, correctly; i.e. they must have the right answer to the weekly question for ten consecutive weeks. One wrong answer and they have to start again. Naturally people will circumvent the process by listening to the question and then looking up the correct answer and calling back with the right answer. This is irrelevant because the main function of the "0055" is to raise revenue. The people who successfully answer ten questions in a row will still exceed the number of contestant places, so there will have to be a ballot, or a supervised exam, or both, to make the final decision about contestants. If each "0055" phone call produces a net of \$1.25 and there are 100,000 calls per week the gross weekly revenue alone from contestants will cover the whole cost of production of the program. This contestant selection strategy could be easily adapted for interactive television when that becomes available. Taiwan, Thailand and the

Philippines the relatively low value of the local currency and

Variations: A low standard of living means that one million units

A number of variations to the ideas set out here have been devised, mainly they hinge on decreasing the number of contestants and increasing the number of games played to win the million. The main variation is three contestants with the prize money ranging from \$125 to \$1m over fifteen episodes. Winning, on a pure chance basis, in this configuration, is twice as easy

as in the format worked out in detail earlier (32,768/1 as opposed to 59,049/1). For "I'll Go For The BILLION!" in Japan etc (see later) it may be necessary to run the game for twelve nights starting with a one million prize. The odds under these circumstances are over half a million to one. It might be possible to run the standard game along these lines if costs made it necessary. Details on any of these variations can be supplied on request.

International potential:

This game show has huge international potential. The nations with the greatest potential are USA, UK and Japan. In Japan and a number of other nations the game will have to be called "I'll Go For The BILLION!" because of the low value of the local unit of currency. These exceptions are dealt with in detail later in this document. In India, Pakistan, the Czech Republic, Taiwan, Thailand and the Philippines the relatively low value of the local currency and the generally low standard of living means that one million units of the local currency is between US\$30,000 and US\$40,000. This means that large audiences can be attracted at little cost or risk.

Belgium and Luxembourg's currencies also fall into this category but the relatively high standard of living means that the top prize might need to be two, four or eight millions to make the

games sufficiently exciting. The title then might be "I'll Go For The **MILLIONS!**"

The value, in US\$ of one billion in the local currency is:

In Austria, Morocco, China, Hong Kong, Sweden, Norway, Denmark, Uruguay and France the value of the local currency unit is such that one million ranges in value between US\$100,000-US\$200,000.

This means relatively low risk in the prize potential but high excitement value for the audience. US\$ 10,240,655 97.65x r

In each case, either the size of the population or the relative

In Holland, Germany, Singapore, Canada and Switzerland the values are such that the top prize ranges US\$0.6m-0.8m. This is very exciting even for these affluent economies and given the size of the populations (except for Singapore) the risk is manageable.

In Brazil and Argentina the relatively high value of the local units of currency would mean that the first prize would be over US\$1m however the enormous populations of these two nations will support a program like this despite the relatively low average standard of living. The UK has the highest value in terms of its local currency (the pound sterling), over US\$1.6m, however a large population and a relatively high standard of living make the show viable.

"I'll Go For The **BILLION!**":

In these nations, Japan, S Korea, CIS and Italy, the very low value of the local currency unit will require a prize of one

billion to be offered if the program is to generate the level of excitement experienced in the other nations discussed.

The value, in US\$ of one billion in the local currency is:

COUNTRY	CURRENCY	VALUE IN US \$'s	EXR 4 Nov
CIS	1b roubles	US\$ 323,625	3090 ex r
Italy	1b lira	US\$ 641,849	1558 ex r
Korea S	1b won	US\$ 1,254,863	797 ex r
Japan	1b yen	US\$ 10,240,655	97.65ex r

In each case, either the size of the population or the relative wealth of the nation, or a combination of both, makes the show a viable proposition in each of the above economies, it is in Japan that the greatest profit potential for the program exists, it is 13.8 times greater than the profit potential in Australia.

J J Leonard

COUNTRY	CURRENCY	RATE	1m = US\$		
CIS	rouble	3090	\$324 billion		\$323,625
Italy	lira	1558	\$642 billion		\$641,849
Korea S	won	796.9	\$1,255 billion		\$1,254,863
Japan	yen	97.65	\$10,241 billion		\$10,240,655
India	rupee	31.395	\$31,852		
Belgium	franc	31.22	\$32,031		
Luxembourg	franc	30.85	\$32,415		
Pakistan	rupee	30.6194	\$32,659		
Czech	koruna	27.507	\$36,354	30-40.	
Taiwan	dollar	26.0305	\$38,416		
Thailand	baht	24.92	\$40,128		
Phillipines	peso	24.75	\$40,404		
Austria	schilling	10.674	\$93,686		
Morocco	dirham	8.7115	\$114,791		
China	renminbi	8.5238	\$117,319		
Hong Kong	dollar	7.7297	\$129,371	100-200.	
Sweden	krona	7.3526	\$136,006		
Norway	krona	6.6195	\$151,069		
Denmark	kroner	5.9425	\$168,279		
Uruguay	peso uru	5.37	\$186,220		
France	franc	5.2055	\$192,105		
Finland	markka	4.66	\$214,592		
Sth Africa	rand	3.51	\$284,900		
Mexico	new peso	3.4305	\$291,503		
Egypt	pound	3.39	\$294,985		
Israel	shekel	3.0108	\$332,138		
Malaysia	ringgit	2.56	\$390,625		
Peru	new sol	2.218	\$450,857		
Holland	guilder	1.7015	\$587,717		
Germany	Dmark	1.5167	\$659,326		
Singapore	dollar	1.469	\$680,735		
Canada	dollar	1.3583	\$736,214	US\$ 600-800	
Australia	dollar	1.3468	\$742,501		
Switzerland	franc	1.2677	\$788,830		
Argentia	peso	0.9994	\$1,000,600	} over 1m US\$.	
Brazil	cruzeiro	0.844	\$1,184,834		
UK	pound	0.61862	\$1,616,501		