

On the 17 August 2007, I Valda June Kerrison, Dip Teaching for TAFE teacher, MYOB appointed trainer, bookkeeper, say on oath:

I believe all of the following:

- 1 By 2001 I had received affidavits filed by Respondent (TAFE), some of which were written by the Respondent HealthQuest personnel. Many affidavits referred to actions spreading through and between TAFE, HealthQuest and MAP, therefore this affidavit applies to all those Respondents and cases.
- 2 The affidavits are by Peter Cribb, Ruth Gallagher, Helen Jagger, Christopher Lockwood, Elizabeth McGregor, Michael Quinn, Gregor Ramsey, Gail Robison, Sharon Scuglia, Kerrie Walshaw, Gary Willmott.
- 3 By 2007 I have seen more documents applicable to these cases and better understand it. Around 2000 Ms Goode, ADT judicial member told me to bring the cases up to date; to add the further or ongoing incidents and actions which are taken against me, seemingly as unlawful acts under the AntiDiscrimination Act.
- 4 I make this affidavit in reply to this and the affidavits filed by the Respondents, in addition to or further evidence to that I previously supplied in these issues. They now involve many thousands of documents, and uncountable apparently unlawful actions and decisions taken against me. Seemingly they are an attempt to drown the issues. It is well-nigh impossible for me to it all handle myself. I do not have public funding to pay unlimited legal teams but the Respondents do. They have already spent a vast amount of public money.
- 5 The attachments referred to in this affidavit are the attachments to IRC exhibits of that number.
- 6 I believe that all of these incidents were unlawful, generated to silence me, remove me from TAFE, and discredit my reports of discrimination and victimisation in TAFE because my work history is unblemished – my performance of duties is satisfactory in every way -- yet the documents and decisions against me stand as shown, and the issues I reported have not been addressed. I believe that the documents indicate serious apparent criminal actions by many of the respondents' staff and although I reported these apparent criminal actions they also have not been addressed by either the Police, DPP, or politicians, but buried in ICAC for years.
- 7 I have compiled this affidavit and my prior affidavits from records and recollections which were recorded at the time, and have been sent to places including the Ombudsman and the Minister Mr Aquilina's office since early 1995 as well as numerous other filed records.

NO INFORMED CONSENT AND AS TAFE/HEALTHQUEST/MAP ALL DENIED ME NATURAL JUSTICE THEIR DECISIONS ARE VOID

- 8 Substantial portions of these affidavits refer to the timeframe from around 1993 onwards and Dr Jagger's and Dr Mandel's refers to my life seemingly in an attempt to discredit me personally and attempt to bar me from TAFE and any other employment by generating a fraudulent retirement certificate, insert highly prejudicial psychiatric labelling, and much more.

- 8.1 As I was working hundreds of kilometres away at the time all their decisions and detrimental words/actions were seemingly all based on documents they and their clients generated or obtained without my knowledge or informed consent.
- 8.2 This was then followed by MAP mirroring HealthQuest's words and actions when they refused to provide me with the documents they had somehow obtained from sources unknown to me, thus exhibiting that I had not at any time given my informed consent to any document or presented for any valid 'assessment'.
- 8.3 TAFE, HealthQuest, and MAP all acted unlawfully, making secret decisions and inflicting detriments from behind closed doors.
- 8.4 None accorded me my basic right to natural justice and procedural fairness, their documents are (or should be) null and void .

9 2007 - Mr Steven Davison appointed CEO of HealthQuest.

- 9.1 I received a message which I believe was from Mr Davison and the message was words to the effect that "HealthQuest may have done some wrong things in the past. I (Davison) would like those who feel badly treated by HealthQuest in the past to contact me and I will try to help."
- 9.2 The message contained contact numbers and addresses so I phoned and spoke with Mr Davison at length. I also wrote to Mr Davison "I am contacting you urgently because HealthQuest's documents especially its 'Retirement Certificate' is widely quoted and used against me by TAFE and its lawyers in the Industrial Relations Court where they have applied for massive costs against me."
- 9.3 I provided much information to Mr Davison. I sent him information which should have enabled him to see that documents he held in HealthQuest files in my name are (or should be) Null and Void due to lack of procedural fairness and natural justice.
- 9.4 I also sent information showing how HealthQuest's assumptions of disability fitted as being discrimination under s49 of the AntiDiscrimination Act, discrimination on the grounds of presumed disability.
- 9.5 At first Mr Davison appeared to me to want to resolve the matters. But my hopes have been dashed again – all the unlawful actions are still unaddressed, Mr Davison has not even commenced to act to rectify what I believe are glaring unlawful actions against me in HealthQuest's files. This enables TAFE to continue using the HealthQuest decision against me.

10 Informed consent/ procedural fairness

- 11 I believe that I could not give informed consent to any of the actions by TAFE, HealthQuest, MAP because I was not informed by any of them before they communicated with each other and wrote alleged reports, made clandestine decisions, carried out actions behind closed doors from 1993 to the present day.
- 12 Just some of the now visible decisions and actions made without my knowledge or procedural fairness were deemed null and void by general public acting for the civil organisation WhistleBlowers' Documents Exposed (<http://wbde.org>), and despite the United Nations Convention Against Corruption (UNCAC) and its

requirement that Australia protect its whistleblowers http://www.wbde.org/documents/2006Dec14UNCAC_CivilSocietyStatment.php , TAFE, and HealthQuest still refuse me this basic right. Some documents and decisions/actions carried out without my right to procedural fairness, and lodged in the evidence in IRC are listed below. I saw the bundles of documents and letters http://www.wbde.org/documents/Procedural_Fairness_Panels.php saw them addressed to the decision makers, lawyers, managers, politicians: Ms Elaine Brus, Mr Bob Carr, Mr Peter Cribb, Dr Helia Gapper, Dr Jim Holmes, Dr Helen Jagger, Mr Chris Lockwood, Mr Menzies, Dr Eva Mandel, Ms Elizabeth McGregor, Mr Mike Quinn, Dr Gregor Ramsey, Ms Gail Robison, Mr Raoul Salpeter, Hon Jeff Shaw, Ms Kerrie Walshaw, Dr Gary Willmott, Mr Robin Shreeve, Dr Andrew Refshauge, Hon Morris Iemma, allowing them the right to procedural fairness, a fundamental right which they do not allow me:

13 LIST OF DOCUMENTS FOR INQUIRY AND ACTION BY WBDE PROCEDURAL FAIRNESS AND NATURAL JUSTICE PANELS

Documents the Panels first delivered procedural fairness to the writers and others, then judged them. The documents judged null and void due to denial of procedural fairness and natural justice and labelled “VOID”. ”

- 1995 Jan 17 – VOID TAFE Managing Director Dr Ramsey memo to Dr Gary Willmott. Kerrison to “HealthQuest” Ex9
- 1995 Apr 11 – VOID TAFE Quinn to CRS Port Macquarie referral form Ex85 Att4 P3
- 1995 Apr 19 – VOID TAFE Quinn to Scuglia “Medical Assessment” Ex24”3”
- 1995 May 01 – VOID TAFE Walshaw letter to HealthQuest Dr Gapper Ex 18”A”
- 1995 May 01 -, VOID TAFE request HealthQuest “Fitness to Continue” psychiatric assessment Ex19”C”2
- 1995 May 14 – VOID TAFE McGregor directs Kerrison to “Workers’ Compensation/Rehab” appointment Ex”A”
- 1995 May 23 –VOID TAFE Walshaw, Eliason, phone call to HealthQuest “medically retire...” Ex10
- 1995 May 30 – VOID HealthQuest record of phone call from TAFE Walshaw Ex 20 (C)
- 1995 May 31 – VOID HealthQuest record of phone call from TAFE Walshaw Ex71
- 1995 Jun 05 - VOID Part of Dr J Holmes to HealthQuest. Dr Jagger. Ex 20 “D”
- 1995 Jun 16 - VOID HealthQuest doc ‘RETIREMENT CERTIFICATE’ written while K working Ex44”A”
- 1995 Jun 16 - VOID HealthQuest Dr Jagger to Kerrison. Rec’d by K after work on 22 Jun 95. Ex 20 “F”
- 1995 Jun 23 – VOID TAFE Walshaw to Kerrison. “...your notification of retirement...” Ex19”E”
- 1995 Jun 26 - VOID TAFE to State Super. TAFE’s first attempt to apply a “Medically Retired” status Ex13
- 1995 Aug 03 – VOID Part of TAFE Walshaw to HealthQuest Dr Gapper “copy and fax” Ex20”G”
- 1995 Sep 05 – VOID TAFE Scuglia Release Pay Form B22166. Amends SP B22112” Ex 31
- 1995 Oct 16 – VOID TAFE to Kerrison responding to her requests for information. EX79
- 1995 Dec 04 – VOID Part of TAFE McGregor Statement in Matter Ex 89
- 1996 Jan 23 – VOID TAFE Gail Robison to Mary Dale TAFE Legal Div Exh 98

1996 Jan 23 – VOID TAFE Gail Robison to TAFE Legal Div Exh 99
 1996 Apr 18 – VOID TAFE Salary slip. Mrs Kerrison’s Base Salary \$0.00 Extended Leave 57.59
 1996 Apr 18 – VOID TAFE computer entries leave entitlements. Journals Extended -294; Sick -190.5 Ex93
 1996 Apr 22 – VOID TAFE Walshaw to Dept Social Security. Kerrison “placed on sick...”
 1997 Feb – VOID TAFE Quinn to Walshaw. Letter “dated” 19 April 1995 Ex 24 (4)
 1997 Feb – VOID TAFE Quinn to McGregor. Letter “dated” 20 April 1995 Ex 24 (2)
 1997 Jul – VOID TAFE VR [Voluntary Redundancy] package Kerrison
 1997 Nov 11 – VOID In Parliament Hon Jeff Shaw “Ms Kerrison’s medical retirement...1996” Ex3
 1997 Nov 19 – VOID TAFE Thurston to TAFE Mortimer “Medical Retirement” “Revealed June 99” Ex85
 1998 Jan 13 – VOID TAFE Legal Officer Cribb to TAFE Lockwood
 1998 Mar 26 – VOID TAFE to State Super. Kerrison, SLWOP from “15.4.96...”
 1998 Mar 26 – VOID TAFE fax to State Super V Kerrison Exit/ LWOP (Leave Without Pay) Ex 35
 1998 Apr 14 -VOID State Super “retrospective LWOP (Leave Without Pay)...1996...” EX38
 1996 Sept 13 MAP letter sent to TAFE “disallowing” Kerrison’s “appeal” on undisclosed documents and grounds.

14 In reply to affidavits by

Ruth Gallagher, Peter Cribb, Chris Lockwood, Helen Jagger, Elizabeth McGregor, Michael Quinn, Gregor Ramsey, Gail Robison, Sharon Scuglia, Kerrie Walshaw, Gary Willmott, and further to that which I previously submitted, I say:

- 15 At Macksville High School, when I was 14 years of age, I had successfully earned the Intermediate Certificate. The present day equivalent to that award is the School Certificate. Following that I enrolled in a secretarial course at the (then) Kempsey Technical College and studied shorthand, typewriting, bookkeeping etc for the following year. The (then) Macksville Branch of the English Scottish and Australian Bank offered me employment and I worked for it mainly as a ledger-keeper for the next 5 years until 1959 when I married my husband Don Kerrison and moved to Kempsey. Don and I reared 3 children who are all well-educated, productively employed, and, similar to Don and I, exemplary members of society.
- 16 Over the years both Don and I have told our families and friends about actions and allegations made against me by the above TAFE deponents – none of whom suggested any problem to me before I reported seemingly gross discrimination and victimisation against Aboriginal students, and vulnerable women in TAFE.
- 17 From 1959 to the present day I worked in a variety of jobs as fitted in with bearing and raising our children. Through the years I studied further and obtained further qualifications including .

- 18 Since HealthQuest wrote an apparently fraudulent retirement certificate and incorporated allegations that I was “incapable”, “unable to carry out the duties of office” and somehow opined that this “condition” was permanent, I have performed all my duties in TAFE as per my statement of duties, then when TAFE excluded me from the workplace I obtained alternative similar work to obtain money to live off. Accordingly around 2000 the business organisation MYOB appointed me MYOB Trainer.
- 19 At no time during my lifetime have I applied to Social Security for sickness benefits.
- 20 At no time since being appointed as permanent full-time TAFE teacher have I applied to Social Security for unemployment relief. Social Security require employed people to provide evidence that the employment was terminated before they consider granting unemployment relief. I believe that such document is provided to the employee by an employer if they terminate an employee.

TAFE: Ms Kerrison’s services are satisfactory in every way

- 21 At all times since TAFE appointed me as teacher and Acting Head Teacher I have performed my duties to high standard, and TAFE themselves, on their reference for my work dated 21 October 1999 Ms Ros Williamson Director, Human Resources, on behalf of Mr Robin Shreeve NCI TAFE Director, wrote to Mr John Telford NSW Australians For Reconciliation Co-ordinator stating in part that “There is no report on Ms Kerrison’s personnel file that indicates than her services were other than satisfactory.” As my duties were performed not only in TAFE with their management staff, other staff, students, but also through Macleay district servicing TAFE’s clients, and other locations performing my TAFE duties, .not only for NSW but also federal TAFE duties.

HealthQuest "Retirement"

- 22 On being appointed as a TAFE teacher TAFE quickly promoted me. At TAFE’s suggestion I applied for and obtained permanent appointment. That appointment was highly competitive and I was appointed as a level 7 teacher which was a considerably higher standing than others appointed at the same time.
- 23 On 21 October 1999 Ms Williamson for Robin Shreeve NCI TAFE Director wrote to Australians for Reconciliation Mr John Telford regarding an employment reference he requested. TAFE’s letter stated in part: “Concerning the employment of Ms Valda Kerrison. I wish to confirm that Ms Kerrison was employed by the North Coast Institute of TAFE as a full-time teacher, commencing on 2 February 1988. Ms Kerrison was medically retired from the TAFE Commission on 13 September 1996. I did not gain employment.
- 24 This letter also shows that NCI TAFE, under the Directorship of Mr Robin Shreeve, have again spread their story and discriminatory implications that I am incapable/“medically retired” by saying that: “Ms Kerrison was medically retired from the TAFE Commission on 13 September 1996.”
- 25 I was duped into HealthQuest. HealthQuest then enabled TAFE to act unlawfully against me. On 14 May 1995 Kempsey TAFE Manager Ms Elizabeth McGregor wrote a note informing me that I was to travel to Sydney for "Workers' Compensation/Rehab [rehabilitation]" purposes.

- 26 On 22 June 1995, on arriving home from performing my duties as Acting Head teacher at Kempsey TAFE I opened my mail. It was a letter addressed to me from HealthQuest saying “I wish to inform you that a certificate dated 16.6.95 for your retirement on medical grounds of personality disorder has been issued to your employer. Should you require further information please contact your employer.”
- 27 I later saw HealthQuest’s “Retirement Certificate”. It looks official. I did not know, and neither TAFE nor HealthQuest informed me what they were doing, or why.
- 28 I lodged FOI requests and eventually uncovered many documents in TAFE, HealthQuest, MAP, but the damage stands against me still – none of these organisations and public servants have yet commenced to correct their acts against me, but all were fully informed many times that TAFE’s actions against me commenced because I lodged complaints in TAFE that Rhonda Hayes discriminated and victimised Aboriginals, women, and other vulnerable people in TAFE, and also TAFE teachers who taught the Aboriginal students.
- 29 Yet on 16 June 1995 HealthQuest wrote and issued a document titled "Retirement Certificate" and inserted on that document my name, sent it to my employer TAFE to use, because in response to FOI requests TAFE gave me a copy of that document. It was inserted in TAFE files without my knowledge, and TAFE freely use it to cause me harm - TAFE quote and use HealthQuest’s “Retirement Certificate” and MAP also rely on HealthQuest’s documents for the letter they sent to TAFE to use in late 1996.

I continued to serve TAFE

- 30 On 16 June 1995 I was not retired - on subsequent days I continued to be a TAFE employee carrying out my duties, supervised by Ms McGregor, and in contact with at least Ms Robison.
- 31 On 27 June 1995 I marked, checked and recorded TAFE students' exams in TAFE Roll books which TAFE had allocated to me to perform my duties. I left the Roll books on what I believe to be my desk at TAFE, along with the resources and personal possessions that I used to perform my TAFE duties. TAFE officer, Ms Debbie Kennington, whom I believe to be my Head Teacher at that time, thanked me.
- 32 Although TAFE did not allocate further teaching hours to me, I continued to do what I could promoting TAFE and its courses.
- 33 Some time later a Kempsey TAFE employee telephoned me mentioned that she was using, to teach her students, the exercises and instructions which I had compiled to teach my TAFE students.

These resources were in various teacher resource cupboards in a number of Kempsey TAFE classrooms. My resources were extensive and comprehensive and were accessible for use by TAFE teachers and TAFE students. I wrote most of them myself, but freely permitted other Kempsey TAFE staff to use them.
- 34 In approximately 1998 I saw that some TAFE notices which I had displayed in various public places in Kempsey in 1995, were still on display despite being out-of-date. I arranged that they were removed.

- 35 To the present day, existing or potential TAFE students approach me for advice and assistance regarding TAFE courses and facilities and I continue to promote TAFE and its courses.
- 36 Commencing 1993 to the present day I have continued to report to TAFE Managing Director/s and officers about issues which appear to constitute breaches of regulations and legislation.
- 37 TAFE have not formally allocated me teaching duties during July 1995 to date, but I have been willing to, and I believe capable of, resume teaching throughout this time. Even when I have felt weighed down, if TAFE had suddenly said to me something like "*It's all been a mistake, we want you to teach tomorrow*", I believe that I would have felt as if a great weight had been lifted, and capably taught.
- 38 In 1996, when TAFE, without notice or discussion with me, ceased paying my ordinary pay in 1996, in order to have money to live I worked in part-time casual employment using the skills which TAFE hired me to use and teach others to use.
- 38.1 By working in part-time casual jobs I was free to leave those jobs at short notice thus enabling me to resume teaching duties at short notice.
- 38.2 I believe that by working in other areas in industry this has not only maintained my skills but also added to those which TAFE utilised as its appointed teacher, because I have obtained further qualifications and skills.
- 38.3 TAFE, itself, sometimes pays its teachers to "Return to Industry" to ensure that its teachers, are, or become, up-to-date in their technical knowledge specific to TAFE's deliverance of technical education relevant to current practices and requirements.
- 39 While I ran the case in the Industrial Relations Commission I supported myself by working, earning income from a number of clients/employers who have approached me to do work for them after having my name referred to them from others who have hired me. The work that I was doing at that time setting up and maintaining the organisations' financial records on computers and tracking GST for the purpose of BAS (Business Activity Statement) reporting to the Australian Taxation Office.

1993 Complaints/Grievances to Dr Ramsey

- 40 Approximately mid second semester 1993 I wrote a complaint about Ms Hayes and gave the 16-page document to Ms Elizabeth McGregor saying words to the effect: "This is what I have been saying." "I don't think that it can be addressed at this level" and "I am willing to speak with anyone about it."
- 41 I recall that a few days later I again approached Ms McGregor and Ms McGregor returned the written complaint.
- 42 I approached Ms McGregor again on about 2 more occasions. I recall that the last time I approached her she offered to let me act in the position of Acting Head Teacher for the Section, commencing the following year, then added words to the effect: "Provided you do not speak about Rhonda..." and I refused the offer.
- 43 I recall that soon after that the union representative Mr Kelvin Wykes approached me and said words to the effect: "There is a TAFE department called Counselling Services which addressed a situation such as yours quickly. I know about it because someone had made a complaint against me."

- 44 Mr Wykes gave me the telephone number and I rang them.
- 45 I recall that Counselling Services urged me to gather other complaints and forward them with mine for them to look at to see if they should or could be actioned.
- 46 Late 1993 I made confidential complaints to TAFE Counselling Services.
- 46.1 I recall that I asked that they read the complaint and tell me what they considered to be serious and what was not.
- 46.2 I recall that I asked it be confidential because I was afraid of what Ms Hayes would do behind my back if she knew that I had reported against her at this level.
- 46.3 I recall that I was afraid that Ms Hayes would take and hide/destroy TAFE property that I was accountable for such as Roll books and College keys. I recall that my complaint against Ms Hayes had included behaviour such as that.
- 46.4 My complaints included apparent racial and gender discrimination and victimisation, and this is verified I believe by TAFE's lawyer Peter Cribb.
- 47 I recall that a few days later Ms Elizabeth McGregor said to me words to the effect: "Gesina Meerman telephoned me and told me about your complaint."
- 48 I recall that when I later said words to the effect: "Did you tell Rhonda about my complaint?" I recall that Ms McGregor said "I can't remember." I believed that Ms McGregor was friends with Ms Hayes to the extent that she would quickly tell Ms Hayes. Consistent with that, when I was in Port Macquarie TAFE Debbie Kennington spoke freely of my complaint about Ms Hayes – apparently it was now common knowledge.
- 49 I recall that as I believed that confidentiality had been breached I telephoned Ms Meerman at Counselling Services and formally released the complaint for her to action.
- 50 About the last week of term Ms McGregor offered to let me act in the Head Teacher position next term. This time Ms McGregor made no proviso. I accepted because I wished to gain experience and knowledge of Head Teacher duties for promotion opportunities. I commenced that job in the last week of 1993, to extend through the next semester in 1994.
- 51 I recall that during the next few days. some documents which were crucial to me performing that Head Teacher job went missing from my desk.
- 52 I recall that Ms Hayes later laughed and said to me words to the effect: "I took them to Port Macquarie." I recall that I reported this to Ms McGregor, but she did nothing.
- 53 I recall that in February 1994 I telephoned Ms Meerman asking what was happening regarding the investigation.
- 54 I recall that Ms Meerman said to me words to the effect: "We haven't done anything" -- as I believed that confidentiality had already been breached the previous year I again asked that the complaint be actioned and again formally released it for action."

Aboriginal Students' – Enrolment - Access

- 55 In Kempsey, the population is not as mixed racially as in Sydney. For many years there were few who did not relate to being either Aboriginal or non-aboriginal.
- 56 In Kempsey TAFE, the Business Services (Admin Services) courses attracted enrolments from many quarters and the classes generally consisted of predominantly non-Aboriginal students.
- 57 In January/early February 1994 I was doing the Acting Head Teacher duties for Administrative Services section.
- 58 I recall that I enrolled more Aboriginal students into the Administrative Services business courses than I had ever seen in those courses before.
- 58.1 I recall that some of those Aboriginal students already knew me because I had taught them in other EEO-type courses which I had previously run. I had met some others through my community interaction and liaison with local Aboriginal organisations as part of my TAFE duties and socially.
- 58.2 I recall that Aboriginal students told me they enrolled in these mainstream courses because I had taught them before.
- 58.3 I set up a "buddy" system between the Aboriginal students to give a bit of extra assist them support and help each other in the business courses.
- 59 I recall that on or about 10 February 1994 three more young Aboriginals came to me, called me by name because I had previously taught and supervised them under TAFE's EEO programs. They asked me to enrol them in an Administration Services course and I did so.
- 60 I recall that I printed 'ABIN' in the relevant box on their enrolment forms -- this showed that they claimed Aboriginality, and financial assistance through Abstudy (many non-Aboriginal students claim similar financial assistance through Austudy and had words to the effect AUS in the relevant box).
- 61 The students' names were Hazel Duke, Cecily Lardner, and Michael (aka TJ) Smith.
- 62 I recall that I pointed out the classroom they were to go to; that I said words to the effect: "the class are doing [TAFE subject] and you teacher's name for this subject is Rhonda Hayes -- give Mrs Hayes your enrolment forms and join the class."
- 63 The three students held pens and paper and their enrolment forms in their hands.
- 64 Later in the day heard Mrs Hayes say words to the effect: "*Three Aboriginals came to my class.*" "*I told them ...*" - "*They went and sat in the canteen. They came up later and went to the next class.*"
- 65 Such behaviour was not normal practice in our Section. Once students are enrolled they have the right to join their class as soon as possible as an enrolled student in that course. Students frequently enrolled and immediately went to the relevant class and joined it.
- 66 I recall that I felt upset believing that action which turned newly enrolled students away from their class would deprive students of tuition to which they were entitled, and could even be sufficient to turn a student away permanently.

- 67 At the time Ms Hayes sounded and looked happy as if this was a joke she played on the aboriginal students.
- 67.1 I had heard and seen Ms Hayes happy and joking before when she had taken the coffee-making equipment and hid it from the vulnerable women in a Work Opportunity for Women (WOW) class.
- 67.2 At that time I heard and saw Ms Hayes laughing as she hid the TAFE cupboard holding their coffee-making utensils under her desk in her teachers' office where they could not see them. She laughed at that time.
- 67.3 Ms Hayes' actions caused angst, not only to the women, but also to the teachers caring for them. Later that day the teacher running the WOW course was standing waiting outside TAFE and when I walked by she said to me words to the effect "the WOW ladies told me that they felt unwanted in TAFE." I believe the incident would make vulnerable people feel unwanted in TAFE.
- 67.4 WOW courses were part of TAFE's EEO courses. This identified the enrolled women as vulnerable and needing special care, hopefully to entice them into more TAFE courses or work opportunities. TAFE's EEO courses were designed to provide a protective, supportive environment. The WOW were, generally speaking women who did not have much confidence in themselves, or did not have the confidence to enrol in mainstream courses or seek work.
- 67.5 WOW courses, as with all EEO courses involved building confidence in the students and encouraging and enabling them to further their education or lead to paid work.
- 67.6 For a bully, these women were already identified as needing special help personally, and needing special assistance to claim their rights to further education. TAFE personnel were aware that EEO courses were not the same as mainstream courses.
- 67.7 Teachers for these courses were first selected for their demonstrated support to vulnerable students, as well as for their technical qualifications.
- 67.8 Ms Hayes did not teach on the EEO programs. I heard Ms Hayes speak derogatively of those who taught on TAFE EEO programs, especially the Aboriginal courses by saying "[teacher] is black, or might as well be as he teaches the Aborigines".
- 67.9 I noticed that Ms Hayes delivered increasingly damaging treatment which I considered discriminating and/or victimising towards the Aboriginal students. In 1994 I saw on the TAFE computer in the teachers' office a letter addressed to the local member Bruce Jefferies with Ms Hayes' name and address as the sender. This letter asked Mr Jefferies to make inquiries for her and expressed concern that the proposed Aboriginal nursing home Booroongen Djugun was going to be built next to her (Ms Hayes') house and that it probably decrease the value of it.
- 68 The WOW incident formed part of my complaint received by Dr Ramsey late 1993 and he selected investigators for 1994.

- 69 I recall that sometime approximately February 1994 Mrs Hayes said to words to the effect: *"We were having a lesson and TJ came to the door..."* and then Ms Hayes said words that I understood at the time to mean that she had somehow 'got rid of TJ' out of the course.
- 70 Ms Hayes appeared to be smiling.
- 71 I felt concern and said to the NSW Teachers Federation representative Mr Kelvin Wykes words to the effect: *"Rhonda got rid of an Aboriginal boy out of a course."*
- 72 Mr Wykes was senior to me and had been a Head Teacher for some time.
- 73 Mr Wykes was the union representative and often told us what we could or could not do.
- 74 I relied on Mr Wykes' advice. I recall that Mr Wykes said words to the effect: *"You are doing the Head Teacher job. You are responsible. You will be held responsible for what happens in your Section (Admin Services)."*
- 75 I recall thinking that Mr Wykes did not appear concerned for the Aboriginal student. I felt powerless alone to change what was going on.

Djigay Centre of Excellence in Aboriginal education - possible illegal dismissal of students

- 76 Kempsey TAFE ran courses as do other TAFE Colleges. Kempsey TAFE also included the Djigay Centre of Excellence in Aboriginal education
- 77 Kempsey TAFE ran TAFE courses specific to Aboriginals in the Djigay Centre. I sometimes taught Aboriginal students in the Djigay Centre.
- 78 I recall that in approximately the first week of March 1994 the Kempsey TAFE Aboriginal Support officer Ms Liz Hoskins came to me about some Aboriginal students in the Administrative Services Section (not the Djigay).
- 79 I recall that Ms Hoskins said to me words to the effect: *"This is a list of the Aboriginal students who have missed lessons. Rhonda [Mrs Hayes] said for me to tell you to send them a letter telling them that they are no longer in the course."*
- 80 This time was only a few weeks into a course which was to run for 36 weeks (until around December that year).
- 81 If people had been away sick or not been in class some other reason, they still had time to catch up. Students have the right to access whatever they choose or are able to in TAFE courses. TAFE sometimes provided tutoring to students.
- 82 I recall that said to Ms Hoskins words to the effect: *"No." "Attendance isn't a criteria of the course" "Would you take it to Elizabeth and tell her about it please?"*
- 83 I recall that a few minutes later I went to Mrs McGregor's office to make sure that the students' needs and rights were being met.
- 84 I recall that Mrs McGregor said to me words to the effect *"I'll have the letters sent out."*
- 85 I recall that I said words to the effect: "we can't legally send out such letters.

- 86 I recall that Mrs McGregor said words to the effect *"Yes we can. We do it all the time down below."* 'Down below' is how some people in Kempsey TAFE sometimes refer to the Djigay Centre of Excellence in Aboriginal education.
- 87 I recall that I said words to the effect *"But we can't do that. It's illegal. If attendance is a criteria it must be written into the course, and the students must sign it to show that they know."*
- 88 I recall that Mrs McGregor repeated words to the effect: *"I'm going to have the office send letters to the students."*
- 89 I recall that Ms McGregor did not say that she would not send the letters.
- 90 I believed at the time that Ms McGregor looked censuring towards me.
- 91 I felt concern for the students. I believed that Ms McGregor had not addressed the incident concerning a Filipino woman. This had been part of my complaint to Counselling Services who sent it to Dr Ramsey.
- 92 I recall that as I left I felt shock that Mrs McGregor had said *'...we do it all the time down below.'*
- 92.1 I recall that I had taught Aboriginal students in the Djigay Centre.
- 92.2 I recall that I had heard them say to each other things like *"Where were you yesterday? Watch out or you'll be sacked"*.
- 92.3 I recall that they had sometimes said to me *"I was late. Did you mark my name in the roll? I don't want them to kick me out"*.
- 92.4 I recall that when I had heard them say things like that I had thought that they were joking.
- 92.5 I recall that after hearing what Ms McGregor said I believed that that the Aboriginal students must have been expressing fears.
- 92.6 I had seen the list of students' names that Ms Hoskins held.
- 92.7 All of the students had claimed Aboriginal status.
- 92.8 I did not recognise any non-Aboriginal students' names on the list.
- 92.9 It is probable that non-Aboriginal students had not attended some classes.
- 92.10 Mrs McGregor did not broach the incident with me later.
- 92.11 I do not recall seeing Ms Hoskins in TAFE after that, and Ms Ivy Browne subsequently performed those duties.
- 92.12 On or about 9 March 1994 I tried to be diplomatic to Ms McGregor, yet still take care of the students. I recall that I compiled a list of students (both Aboriginal and otherwise) who, according to the roll books, had not attended classes for some time.
- 92.13 I recall that took the list to Ms Robison and said words to the effect: *"Elizabeth isn't here just now, but when she comes back could you tell her that these students haven't attended class for a while, and perhaps we could send them a letter reminding them of their TAFE course and to tell them that if they wished to withdraw at any time they would need to contact the College."*

93 Up until 9 March 1994 I had not claimed any sick leave in TAFE. I had at least 100 days accumulated sick leave to my credit.

94 On 10 March 1994 I approached the union Representative, Mr Kelvin Wykes because I felt frightened and worried-sick that the TAFE officers including Ms Meerman did not appear to me to be acting in a way that protected me.

94.1 Mr Wykes said to me words to the effect: "If you feel sick or stressed, go to the doctor. Then, if you are on stress leave the Institute come into it. Chris Lockwood and Mike Quinn will contact you straight away."

94.2 I recall that Mr Wykes did not tell me why the union Representative did not do something such as "come into it."

TAFE officers listened to my complaints about discrimination then repeatedly suggested that I resign or retire

95 On 10 March 1994 I went to my doctor Dr Peter Hatton and he gave me a medical certificate for 11 March 1994-1 April 1994 stating "agitated depression - work induced"

96 When I gave the certificate to Ms McGregor, both Ms McGregor and Mr Kelvin Wykes separately told me that Mike Quinn and Chris Lockwood (the relevant NCI TAFE managers) would contact me on the next working day.

97 The next workday I waited for NCI TAFE OH&S and Rehabilitation officer Mr Mike Quinn, and NCI TAFE A/Human Resource officer Mr Chris Lockwood to telephone me.

97.1 At that time I felt optimistic because I thought that Mr Quinn and Mr Lockwood would help me in the workplace situation which caused my illness and that I would be quickly returned to work and benefit from changes in the workplace.

97.2 I believed that, if the issues were addressed, or if I could see that they were commenced to be addressed, I could be back at work immediately.

97.3 I believed that care of me in the workplace (OH&S) and rehabilitation would be quickly applied and that Mr Quinn and Mr Lockwood would be getting me back to work as soon as possible to save TAFE from having to spend extra money to employ other teachers to teach my classes.

97.4 The next workday I waited within earshot of the telephone. Neither Mr Quinn nor Mr Lockwood telephoned me.

97.5 On subsequent days I also waited but the TAFE officials did not telephone me.

97.6 Neither Mr Quinn nor Mr Lockwood contacted me the next week either.

97.7 I felt isolated and felt that things were compounding on me. I felt worse than when I first left my work

98 In March 1994 TAFE Managing Director Dr Gregor Ramsey had appointed Ms Gesina Meerman and Ms Sue Hartigan to investigate my original complaint

- 98.1 The investigators said to me words to the effect: "it is very confidential"
- 99 During March/April 1994, on a number of occasions I asked Ms Meerman to help me get back to work. Ms Meerman said words to the effect: "wait until after investigation."
- 100 In March 1994 the investigators told me words to the effect that they had booked a room at Kempsey Council Chambers room and that so that no-one at TAFE would know about my complaint.
- 100.1 I recall that at that time I believed that this was not true because in late 1993 Ms McGregor had told me that Ms Meerman had told her about my complaint.
- 101 On 28 March 1994 the investigators came to Kempsey and we met in the Council Chambers.
- 101.1 Mr Kelvin Wykes, the union representative also attended and also contributed to the meeting.
- 101.2 I said at the meeting words to the effect: "Some more incidents have occurred."
- 101.3 I said to the investigators words to the effect : "Rhonda [Hayes] turned three Aboriginal students away from the class when they went to commence their course."
- 101.4 I told the investigators words to the effect: "the Aboriginal students' names, are Hazel Duke, Cecily Lardner and Michael [TJ] Smith". I showed the investigators these students' enrolment forms which stated the students' names, and contact addresses, and the category "ABIN".
- 101.5 I said to the investigators words to the effect: "Rhonda [Hayes] got rid of Aboriginal Michael Smith. It's important to contact him." I gave the investigators TJ's resume which had his address typed on it. Mr Smith's resume has since been released by TAFE under FOI.
- 101.6 I told the investigators of another student, Ms Kylie Harrower and gave the investigators Ms Harrower's telephone number. I told the investigators words to the effect: "Ms Harrower is an important witness to contact."
- 102 I felt that the meeting ended unpleasantly. Ms Meerman shouted at me. Mr Wykes did not appear to me to support me because he did not intervene on my behalf.
- 103 Mr Wykes and I talked together after the meeting and on two occasions Mr Wykes said words to the effect: "You should resign from TAFE"
- 104 I had felt isolated from my job for more than 2 weeks. TAFE officers Mr Quinn and Mr Lockwood had not contacted me. I did not know how to attempt to return to my position.
- 105 It impacted severely on me.
- 106 On 28 March 1994 I felt alone and dispensed with by TAFE. The doctor's certificate was running out. I felt humiliated and unwanted by TAFE manager

McGregor because I had exposed her illegally getting rid of Aboriginal students in the Djigay centre.

107 I believe that Ms McGregor deliberately left me hanging to cause me more stress – Ms McGregor could have chosen to support me and the Aboriginal students, and address my grievances, but she did not.

108 I believe that Ms McGregor chose to leave me hanging, and outside TAFE so that she did not have to address the situation of vulnerable Aboriginal students being illegally kicked out of TAFE either by her personally, or under her management.

109 I did not have the courage to simply turn up in TAFE because I believed that TAFE, the classes and students were all carrying on without me, that there were no teaching duties scheduled for me, that they were being taught by part-time teachers. I felt expendable to TAFE. It impacted on me to such an extent that I went again to Dr Hatton, I didn't know what else I could do.

109.1 Dr Hatton issued a further certificate for 28 March to 30 April 1994 for "reactive agitated depression (work related)".

110 On 28 March 1994 I wrote to TAFE; enclosed the certificate; and formally resigned from some internal positions I held. They were: "Kempsey TAFE Work Skill Captain" and "Office Skills Regional Competition Co-ordinator".

111 On 30 March 1994 Ms Gail Robison Kempsey TAFE Registrar/OH&S officer/Rehabilitation officer came to my home and we completed GIO Injury forms.

111.1 At that time I said to Ms Robison words to the effect: "*Rhonda turned three Aboriginal students away from her class when they went to start their course.*" And "*they were Hazel Duke, Cecily Lardner and Michael Smith.*"

111.2 Ms Robison said words to the effect: "*I will get Mike or Chris to ring you.*"

111.3 Ms Robison also said as she was getting in the car "*I'll call you each week or so.*" I felt abandoned.

112 On or about 30 March 1994 I telephoned the NCI TAFE and asked to speak with Mr Lockwood or Mr Quinn.

112.1 The person to whom I was speaking said he was Chris Lockwood.

112.2 Mr Lockwood said words to the effect: "*Mike (Quinn) is busy for the next week, and after that we will contact you and arrange to meet.*"

113 On 5 April 1994 I telephoned the Institute and asked to speak to Mr Lockwood. I said to Mr Lockwood words to the effect "*Things have been bad for me.*" and "*What I should do?*"

113.1 Mr Lockwood said words to the effect "*you have two options – resignation or retirement.*"

113.2 Mr Lockwood ended the conversation and hung up.

113.3 That same afternoon I telephoned again and asked to speak to Mr Lockwood.

113.4 Mr Lockwood said words to the effect: "*I could meet you in about a week, but I'd have to check to see if this fits in with Mike [Quinn].*"

114. On 21 April 1994 at around 10.30 am two men came to my home. They introduced themselves as Chris Lockwood (NCI TAFE Acting Human Resources Manager) and Mike Quinn (NCI TAFE OH&S Officer and Rehabilitation Manager).
- 115 I said to Mr Lockwood and Mr Quinn words to the effect: *"Ms Hayes turned Aboriginal students away from the classroom"*
- 115.1 I said to Mr Lockwood and Mr Quinn words to the effect: *"the Aboriginal students' names are Hazel Duke, Cecily Lardner and Michael (aka TJ) Smith."*
- 115.2 I said to Mr Lockwood and Mr Quinn words to the effect: *"Rhonda somehow got rid of TJ out of the course."*
- 115.3 Mr Lockwood leaned back in his chair and appeared to be smiling.
- 115.4 Mr Lockwood said words to the effect *"Val. Mike doesn't want to tell you this. But I will. You can't be rehabilitated. Your options are to resign or retire."*
- 115.5 After a pause, Mr Quinn then said words to the effect: *"You could go the Commonwealth Rehabilitation Services (CRS) for rehabilitation. You might be able to get retraining to work somewhere else."*
- 115.6 I wished that Mr Quinn and Mr Lockwood would help me get back to my job and have outstanding issues addressed.
- 115.7 I believed that the only option they were allowing me was to go outside TAFE to CRS to apply for retraining to work somewhere outside TAFE.
- 116 On 22 April 1994 I telephoned Mr Quinn and said words to the effect: *I would like to have a mentor. I would like Rick Stucke (another Kempsey TAFE teacher) to be my mentor.*
- 116.1 Some years later I said to Mr Stucke words to the effect: *"Did anyone ever contact you to ask you to be my mentor?"*
- 116.2 Mr Stucke said to me words to the effect: *"No. Were they supposed to? No-one ever mentioned mentoring to me. I would've liked to be mentor."*
- 117 I received a TAFE letter dated 27 April 1994 from Mike Quinn A/OH&S Rehabilitation Officer. It listed options.
- 117.1 The first option listed was *"Retirement"*.
- 117.2 The second option listed. It was *"Resign"*.
- 117.3 Sometime later I noticed further information with this letter. It included the words to the effect that Workers Compensation forms must be completed and forwarded to the GIO within 7 days of notification.
- 117.4 I had notified Mrs McGregor on 11 March. Mrs Robison came to my home on 30 March. During those weeks I had felt isolated and I believe that it could have been avoided.
- 118 On 3 May 1994 I received my usual fortnightly payslip from TAFE. Included with the payslip was a note signed 'Gail' (Gail Robison Kempsey Registrar,

OH&S Rehabilitation Officer). The note stated in part *“Please remember to give me a call any time if you need to.”*

119 I recall that Ms Robison had said when she came to my home on 30 March 1994 (approximately 5 weeks earlier) words to the effect: *“I’ll call you each week or so”* but she had not done so.

120 Upon receiving that note on 3 May 1994 I telephoned Kempsey TAFE and asked to speak with Ms Robison and we arranged that she would come to my home and speak with me.

121 On 4 May 1994 Mrs Gail Robison visited me at home. I said to Mrs Robison words to the effect: *I want to clear the air with TAFE management (Ms McGregor and Port Macquarie Manager Mr Wal Brown).*

121.1 I said to Mrs Robison words to the effect: *I am willing to talk to anyone about it.*

121.2 I spoke to Mrs Robison about my complaint and the investigation.

121.3 Mrs Robison did not arrange for me to talk to anyone.

122 On 23 May 1994 Mrs Gail Robison again came to my home.

122.1 Mrs Robison said words to the effect: *“How would you feel Val, with the investigation, if nothing changes where Rhonda’s concerned?”*

122.2 I said words to the effect: *“But I’ve still got all of the information there. And people outside TAFE do not agree with the people inside TAFE. I’d possibly go to get legal advice about cleaning some of it up. And anyone who wants the information can have it.”*

122.3 I referred to Mrs Hayes and said words to the effect: *“There’s just too much spite there.”*

122.4 I spoke of my concerns about Mrs Hayes’ actions. I said words to the effect: *“Vulnerable people. People who wouldn’t hurt her. The little quiet ones. Aboriginal students - Cecily she wouldn’t hurt a flea.” “But it’s so cruel.”* [Cecily Lardner was one of the Aboriginal students that I told Mrs Robison about on 30 March 1994].

122.5 I previously told, Mr Quinn and Mr Lockwood the Aboriginal students’ names when they first came to my home.

123 I had not heard from Mr Quinn since 17 May 1994 when I had agreed that I would go to CRS and apply for retraining to work outside TAFE.

124 After I agreed to go to CRS regarding retraining to work outside TAFE I did not receive any further Rehabilitation contact from Mr Quinn in 1994.

125 I had not heard from Mr Lockwood since our first meeting on 21 April 1994, and I did not receive any further Rehabilitation contact from Mr Lockwood to the present day.

126 On 25 May 1994 I went to my local member Mr Bruce Jeffery. I told Mr Jeffery words to the effect: *“I would like to meet with Ms McGregor and Mr Wal Brown.”*

126.1 Mr Jeffery dialled a number and I heard him ask to speak to "Elizabeth McGregor". I heard a female voice. It sounded like Ms McGregor's.

126.2 Mr Jeffery said words to the effect: *"I have Val Kerrison with me. She would like to meet with you and Wal Brown and Mike Quinn."*

126.3 I could hear a voice. It sounded like Ms McGregor. I heard her say words to the effect: *"Tell her to go to the Commonwealth Rehabilitation Services"* Mr Jeffery then said to me words to the effect: *"Elizabeth said for you to go to the Commonwealth Rehabilitation Services."*

126.4 TAFE already employed Rehabilitation and Human Resource officers. They were Ms Robison, Mr Quinn and Mr Lockwood. In addition Ms McGregor managed Kempsey TAFE resources.

127 On 26 May 1994 Ms Dianne Cook of CRS telephoned me and arranged a meeting with me.

128 Mrs Robison did not visit me after CRS arranged to take my case. CRS arranged to pursue the option of me working outside TAFE.

129 I duly went to CRS. The prospect of my training to work elsewhere was discussed. When I asked how they could guarantee that I could get a job after retraining the CRS officers said words to the effect: *"There is no guarantee of a job."*

I Return to duties at TAFE

130 On 17 June 1994 I telephoned CRS and said words to the effect: "My Dr certificates will run out on 22 June. I want to work. My job at TAFE is still there. I think that my best option is to go back into my job at TAFE. I want to start back on 23 June 1994."

131 On 17 June 1994 I telephoned Ms McGregor and said words to the effect: *"My Dr certificates will run out on 22 June. Can I come back into my job at TAFE?"*

131.1 Ms McGregor said words to the effect: *"Oh. I thought that you were going elsewhere [retraining outside TAFE]."*

131.2 I felt rejected, as if I was intruding where I did not belong.

131.3 I knew that I had no trouble myself in walking into TAFE, and had driven Ms Robison into TAFE right up to the entrance, but Ms Robison and Ms McGregor were supervising me and then did not invite or act as if I was wanted in Kempsey TAFE.

131.4 I recall feeling great humiliation. I felt that I was imposing, intruding in Their TAFE.

131.5 I felt unwanted by Ms Robison and Ms McGregor (TAFE), and I said words to the effect: *"No. There was no job guarantee in that direction."* I said words to the effect: *"Is there anything else I should do?"* Ms McGregor said "No" and hung up.

132 Commencing 17 June 1994 and on later days I telephoned Mr Mike Quinn at least twice and left messages but he did not return my calls.

133 On or around this week, at tennis Kempsey Teachers Federation Representative Mr Kelvin Wykes said to me words to the effect: "Wal Brown [Cluster Manager for Kempsey, Port Macquarie, and Wauchope TAFEs] announced [in Kempsey TAFE] that "There is no way you [Kerrison] will be allowed back into Admin Services."

134 On 20 June 1994 CRS officer Ms Dianne Cook telephoned me and arranged to meet me in the Kempsey Mall where we previously met at an al fresco coffee shop.

135 On or about 22 June when I spoke with Ms Cook she said words to the effect: "Elizabeth [McGregor] says you can't return to work on 23rd [June 1994]"

136 On 23 June 1994 Mr Wal Brown telephoned me at home and said words to the effect: "You are not allowed to return to Admin Services". Mr Brown said to me words to the effect: "You can't teach in Admin Services. Rhonda suggests that you do your teaching in other Sections."

137 I believed that if I did not teach in Admin Services section I would be removed from the source of information relevant to this Section, and set apart. I said words to the effect: "I want my job back." I asked to meet with Mr Brown about this. When I met with Mr Brown [and Ms Jeanette Houghton-Simms] Mr Brown agreed that I was entitled to my appointed position (teacher Admin Services).

138 On 7 July 1994 I attended a meeting with Ms McGregor, Ms Robison and Ms Cook.

138.1 At that meeting Ms McGregor informed me that all of the teaching hours for Admin Services had been allocated to Ms Hayes and part-time teachers.

138.2 Allocation of teaching hours is done when enrolments indicate that a course will commence.

138.3 Enrolments were taken from 23 June 1994 when I had asked to be allowed to return to my job.

138.4 Ms McGregor later gave me two options for teaching in Admin Services. One option was that on my first day back at work I was to teach a course which I had not taught before, to commence at 9 am and then teach other subjects at various times through the day until the last one which was to end at 9 pm that night. The only other option Ms McGregor put forward included that on my first day back I was to 3 classes one after the other in different courses without a break for 6 hours. I chose the first option, so that I would be able to have a break between classes.

138.5 It was I who ended up telephoning the part-time casual teachers (whom Ms Hayes and/or Ms McGregor had engaged to teach the relevant courses) to reclaim the teaching hours to fill my teaching program.

139 On 15 July 1994, I received in my mail a letter dated 8 July 1994 from the Workers' Compensation insurers GIO Australia which stated in part: "*Further to my [GIO's] letter of 19/4/94 I now confirm that liability for your claim has been accepted.*" (See **Attachment marked A**)

139.1 My claim was for "*Reactive depression. Work related.*"

140I returned to my job on 11 July 1994.

140.1 I felt happy to be back at work and enjoyed being again with colleagues and students.

140.2 I went to Kempsey TAFE at approximately 8.15 am to photocopy and compile materials required for my first class at 9 am. I finished my teaching and preparation for further classes at approximately 11 pm that night.

140.3 During that first day I went into the Admin Services section to pick up textbooks etc for a class. I saw Ms Hayes and Ms McGregor sitting talking to each other. I greeted them both. Ms Hayes did not reply. I believed that Ms Hayes had "sent me to Coventry" by refusing to speak to me, and that Ms McGregor did not ensure normal communications in the workplace.

140.4 On other occasions, sometimes in the presence of part-time staff, I spoke to Ms Hayes and received no reply.

141 I do not recall seeing the previous Aboriginal support person Ms Hoskins in TAFE after she was present when I informed Ms McGregor that it was illegal for her/TAFE to send letters to Aboriginal students dismissing them from their courses when they had merely been absent for some lessons, but at some stage another Aboriginal woman was appointed to that position.

142 There were further difficulties in my return to work. I believed that things had not altered for the better for me at TAFE because not only did Ms Hayes maintain non-answering to me, but all of the documents which would have accumulated during my absence and which I needed to perform my duties, were not in the relevant Head Teacher filing cabinet.

142.1 Ms Hayes, as permanently appointed full-time and senior to all other staff employed in the Section had been performing Head Teacher duties including compiling and receiving and disseminating the Sections documents.

142.2 All other staff during the period I was away were part-time casual staff and therefore transient.

143On 12 July 1994 I wrote to Ms McGregor. Paragraph 7 of that memo states: *"When I was in the HT [Head Teacher] office on Monday there was a radio/cassette player (one of two owned by our section) there. After saying that I was moving to another office, I could not find the radio/cassette player was not there."* That memo is annexed hereto and labelled "B". I had previously used the cassette player and tapes as a resource for teaching my classes.

143.1 At a later date Ms McGregor said to me words to the effect: *"I asked around about the recorder and Rhonda told me that Kathy [Wykes] has it and is using it for Accelerated Learning with the Trainees."*

143.2 On or around 13 September 1994 I wished to use the recorder with the Trainees, however when I searched for it in the room used by Kathy and the Trainees, the recorder was not there. I asked Kathy and was surprised when she said words to the effect: *"I haven't got it." "I've never had it."*

143.3 On 13 September 1994 at approx 5pm I approached Ms McGregor and referred to the recorder. I said words to the effect: *"Kathy doesn't know anything about it."*

- 143.4 Ms McGregor said to me words to the effect: "...Well, what you need to do is document your grievance,..." and "Maureen made it clear the other day about the fact that it can actually be dangerous for/to you if it [a grievance from Kerrison] is ill-founded..."
- 143.5 I had taken a tape recorder with me to that meeting so that I could have an accurate record of all that Ms McGregor told me to do.
- 144 During July 1994 I also approached Ms Robison. I recall that I mentioned on a number of occasions that I did not have the files/records that I needed and also that Ms McGregor appeared to simply allow Ms Hayes' "not talking" behaviour towards me.
- 144.1 Despite my repeated approaches during July 1994, to my knowledge Ms Robison did not perform any action.
- 144.2 I formed the opinion that it was only causing me damage approaching, explaining, asking for rehabilitation support etc when these approaches appeared futile.
- 144.3 After 31 July 1994 I did not approach Ms Robison in person in relation to asking for rehabilitation support. I had lost confidence in Ms Robison and Mr Quinn as Rehabilitation officers. I recollect that sometimes I included Ms Robison and/or Mr Quinn when I circulated grievances/information re the ongoing unaddressed matters applicable to rehabilitation.
- 145 On or around 20 August 1994 another teacher at Kempsey TAFE, Mr Rick Stucke came to me and said words to the effect: "*You had better do something, Rhonda has Dr Ramsey's [Managing Director TAFE] report on your complaint and she is showing it to the other staff because the report says that she hasn't done anything wrong.*"
- 146 When I arrived home from work, I received in the mail a letter dated 5 August 1994 from the TAFE Managing Director Dr Gregor Ramsey. The letter was headed "*Investigation into Grievances/Complaints*".
- 147 Attached to Dr Ramsey's letter were approximately 3 pages with many numbered pages missing. The report pages did not identify any particular aspect of my complaints and I could only guess at what they might refer to.
- 148 Dr Ramsey's letter to me stated in part: "*As you are aware Ms S Hartigan, Manger Quality Improvement Northern Sydney Institute and Ms G Meerman, Manager Counselling Services have investigated the matters raised by you in your letter to Ms Susan [sic] Beverley on 15 November 1993. I have now received the report of the investigating officers and I enclose a copy of their recommendations for your information. I do not intend to take further action in relation to the matters raised by you as I expect that implementation of the report's recommendations will resolve these issues.*"
- 149 At this time:
- 149.1 I had already formed the opinion that TAFE investigators did not contact some of the people I had named to the investigators because some had told me they were still waiting.

- 149.2 I did not think that the issues were resolved because files and equipment I had previously had access to were missing but Ms McGregor did not appear to be actioning these matters.
- 149.3 I knew that the investigators had not asked me where evidence specific to the investigation was kept in Kempsey TAFE so I thought that they would not find it; seemingly they did not want to find it
- 149.4 I knew that although I had named Aboriginal students (and supplied their address) who were apparently discriminated against by Ms Hayes I doubted now that the 'investigators' would even attempt to contact them.
- 149.5 I believed that as Ms McGregor was the one who apparently sent letters to the students in the Djigay centre, dismissing them from their class, that there was little likelihood that either she or the "investigators" would try to address discrimination/victimisation in the Djigay Centre either.
- 150 Dr Ramsey's letter was of a general nature and I could not discern what had or had not been investigated, how or when any investigation had been performed, or the scope of the investigation if there had been one.

"Danger"

- 151 In September 1994 Maureen O'Sullivan was A/Director Port Macquarie TAFE.
- 152 In September 1994, Ms McGregor, as Manager of Kempsey TAFE, directed me to go to the Palm Court Motel in Port Macquarie to attend a meeting with Ms O'Sullivan Acting College Director about my original complaint.
- 153 Ms McGregor did not give me the option of taking a support person or witness with me.
- 154 On 8 September 1994 I attended the meeting as directed.
- 154.1 I had not met Ms O'Sullivan prior to this meeting.
- 154.2 I announced myself at the reception desk and the receptionist telephoned someone saying that I was there.
- 154.3 A woman came to me, introduced herself as Maureen O'Sullivan and hugged me.
- 154.4 Ms O'Sullivan took me to her motel room where Ms McGregor was.
- 154.5 Ms McGregor hugged me.
- 154.6 The meeting was held in Ms O'Sullivan's motel room.
- 154.7 Ms O'Sullivan said to me words to the effect: "Elizabeth and I do not know what was in your complaint and you must not talk about what you put in your complaint or grievance because it is confidential and you must not talk about it."
- 154.8 I saw Ms O'Sullivan then slowly, and with many pauses and delays, read out to me the few report pages which Dr Ramsey had sent to me. At one stage Ms O'Sullivan suggested that I resign from TAFE. On three occasions Ms O'Sullivan pointed to individual paragraphs and asked me what they referred to -- once I hazarded a guess and related it to a section of my

grievance/complaint, and regarding the other two paragraphs I had no idea as they did not appear relevant to my complaint.

154.9 After about 2 1/2 hours Ms O'Sullivan, in Ms McGregor's presence, stood over me in a threatening manner and loudly said to me words to the effect: "*The Managing Director ... complaint.*" "*The Managing Director will not allow it to happen again.*" "*If you lodge another complaint and it is found to be baseless and without foundation it will be very dangerous to you.*"

154.10 Ms O'Sullivan did not explain what the danger to me would be, nor did Ms McGregor.

154.11 Then Ms O'Sullivan, in the presence of Ms McGregor, picked up a document and said to me words to the effect: "*This is a statement for you to sign.*" "*I agree that TAFE has investigated everything in my complaint and TAFE have ethically addressed all aspects of my complaint...*"

154.12 I took that to mean that I was to sign a statement to the effect that: I, Val Kerrison, agree that TAFE has investigated everything in my complaint and TAFE ethically addressed all aspects of my complaint...

155 Although she had sounded loud and threatening so that I felt frightened, I did not sign. I did not think that the statement was true.

156 On 9 September 1994 (the morning following the meeting) at around 8.45 am I went to Ms McGregor in her office. I asked Ms McGregor words to the effect: "*How did you see the meeting yesterday?*"

156.1 Ms McGregor repeated words similar to those that Ms O'Sullivan had said the previous day. Ms McGregor said words to the effect: "*the Managing Director won't allow it to happen again*" "*If you lodge another complaint and it is found to be baseless and without foundation it will be very dangerous to you*".

156.2 I thought that someone had said that my complaint was baseless and without foundation.

156.3 I thought that key witnesses had not been contacted.

157 I felt afraid.

158 I felt that my professional reputation was damaged in TAFE.

159 I thought that if we all worked together that with communication, openness and honesty the issues could be cleared up and misunderstandings, misconceptions could be sorted. TAFE teach communications to others, and employ people to assist staff and students.

Option 1 - HealthQuest

160 I was not aware at the time but Ms Maureen O'Sullivan issued a Briefing Paper dated 9 September 1995 (the day following her meeting with me).

160.1 The Briefing Paper prepared by Ms Maureen O'Sullivan to Dr Gary Willmott Institute Director contains the words: "*Regarding: Investigation into Grievance/Complaints by Ms V Kerrison of Kempsey College of TAFE.*"

160.2 The "Grievance/Complaints" referred to included allegations of discrimination.

160.3 The Briefing Paper stated in part: "*5. Recommendations 5.1 That Option 1 be implemented. ...This option may result in stress related leave by Ms Kerrison. However, this in the long term, may better position the Institute to refer Ms Kerrison to the Government Medical Officer [HealthQuest] for an assessment.*"

160.4 I was not on sick leave, and I had not claimed any sick leave since 24 June 1994.

161 On 20 October 1994 Ms McGregor circulated an internal memorandum to all Kempsey TAFE staff stating in part: "*Rhonda Hayes has been appointed A/Manager - Training & Development Unit. She begins next Monday in Lismore! A farewell lunch will be held in the Canteen at 12.00 tomorrow.*"

162 Ms Hayes had been appointed to manage the NCI of TAFE's Training and Development (Staff Development) and was in a position to allocate or withhold staff development for NCI TAFE staff, including me.

163 I relied on staff development to learn new skills for both teaching and promotion opportunities in TAFE.

163.1 I was not aware at that time of the report Background to Complaints Re Rhonda Hayes which suggested an option:

"expanding Rhonda's TD (or some other similar) role so that she is not directly supervising staff or students. She could perceive that as a developmental opportunity."

164 As "A/Manager - Training & Development Unit" Ms Hayes had more power over my future access to ongoing training and development.

165 I wanted TAFE's staff training and development because I wanted to use it to further my skills and career and I wanted to earn promotion.

166 I recall that on a number of occasions after that I telephoned the Training and Development office and asked for information specific to its training and development publications but I did not receive from Ms Hayes or the Training and Development office the information which I requested.

167 I recall that on or about 16 December 1994 I telephoned Ms Walshaw and said words to the effect: "Maureen O'Sullivan, Elizabeth McGregor (twice) and Mark Whitehead had warned me that it could be extremely dangerous for me if I lodged another grievance which was baseless and without foundation. Who decides this and how is this decided?". I recall also that I said to Ms Walshaw words to the effect: "Mark has also told me that if I lodged another complaint about Rhonda it could be regarded as frivolous, and could be considered to constitute a witchhunt, that Rhonda would sue me". I recall that Ms Walshaw said words to the effect that I could not have information about the investigation because I had gone outside the system."

Meeting with Ms McGregor

168 On or about 9 March 1995 I asked to speak with Ms McGregor.

168.1 When we met I referred to the meeting on 8 September 1994 with Ms McGregor and Ms O'Sullivan in a private room in a Port Macquarie motel and I said to Ms McGregor, words to the effect: "... *you and that other lady* [Ms Maureen O'Sullivan] *had also pointed out that if I make another claim* [a grievance/complaint from me] *that if someone, and I can't find out who, decides it is baseless and without foundation it could be very dangerous to me. Do you remember that? Because I take that as a threat.*"

Meeting with Ms McGregor - Ms Robison invited to participate

169 In 1995 Kempsey TAFE Manager was Ms Elizabeth McGregor who was in charge of the College. The Kempsey TAFE Registrar was Ms Gail Robison who was in charge of the clerical staff and general administration.

170 In March 1995 I was performing the Head Teacher duties for Admin Services section as well as teaching some of the courses. Through these two roles I put together a function which I believed would benefit the daytime Admin Services students and the Admin Services teachers as well.

170.1 Due to staggered lunch breaks, generally speaking, the students in different courses were not at leisure together during the TAFE day.

170.2 Part-time teachers sometimes had little contact with other teachers in the section.

170.3 In addition, although there had been orientation for students at the beginning of the year, some students had not been present for this, or had little knowledge of the functions for which the two Kempsey TAFE heads (Registrar Ms Gail Robison and Manager Ms Elizabeth McGregor) held responsibility.

171 On or around 29 March 1995 I asked Ms McGregor if I could speak with her. When she agreed I asked if I could ask Ms Robison (who was in the next room) to join us because I wanted to invite them both to a function.

171.1 As Ms McGregor and Ms Robison had separate responsibilities and were sometimes not at Kempsey TAFE, I wished to obtain their agreement to participate, then arrange the function to fit in with their different schedules and commitments.

171.2 When Ms McGregor agreed, I went to the next room and asked Ms Robison if she could spare a few minutes.

171.3 I outlined my proposal, telling them words to the effect: "*if the students can meet and talk with you, and talk with each other and compare courses, I think that it would be of benefit to them. Then, at the same time I will hold a staff meeting for the teachers.*"

171.4 Both Ms McGregor and Ms Robison readily agreed and consulted their diaries and settled on a time that they were both going to be in the college and free to attend.

171.5 Ms McGregor suggested that we hold the function in the college's Djigay Centre (Centre of Excellence in Aboriginal Education), and told me whom to contact to book the Djigay Meeting Place.

171.6 I then invited all available classes in Admin Services to a combined get-together to informally 'Meet the Management' of Kempsey TAFE (Ms Robison and Ms McGregor).

171.7 I invited all Admin Services teachers to a staff meeting to be held at the same time, and arranged that the meeting be taped for the information of any staff who could not attend, so that they would not feel 'left out' from the information and discussion.

171.8 I catered for the function and arranged for photographic coverage of the event,

171.9 I applied this function specific to the courses the students were studying. Some students were studying how to organise such functions and at their teachers' suggestion, they assisted to organise and run the function as part of their TAFE studies.

171.10 Afterwards I drafted the press release for Ms McGregor's approval, arranged for the photographs to be developed and got them ready for possible publication in the newspaper.

171.11 I gave the surplus photos of the function to the students who helped run the activity so that they could put them in their employment folders as pictorial evidence of their work assisting to organise and deliver the function.

171.11.1. I had not seen that happen before nor have I heard of it happening since in that Section.

172I recall that on 23 May 1995 after authorisation by my manager Ms McGregor I asked the local newspaper *The Macleay Argus* journalist/editor to publish a report and photograph of the activity mentioned above. This was to promote Kempsey TAFE, its students, Management, and courses.

172.1 The journalist/editor asked me to submit the article and photograph for consideration and I did so.

173 On 26 May 1995 *The Macleay Argus* published the article and photograph under a large heading TAFE TALK.

174 I state on oath that this was the only time that I asked to speak with Ms McGregor and Ms Robison was asked to leave her room and come and be present for the discussion; that Ms Robison was present at this discussion because I personally went into her room and asked for her to be present; that I did this in order that Ms McGregor and Ms Robison could both hear the proposal then discuss it together to a) decide if they wished to participate or modify the proposal, and b) if they wished to participate, to be able to compare their schedules and commitments and set a day and time that was suitable to both of them.

175 I believe that Ms Robison tells lies.

Meeting 10 April 1995 - TAFE officers see documents in my file – I reported that I had given my papers to solicitors - Aboriginal students

176 Around 7 April 1995 Ms Debbie Kennington agreed to leave Port Macquarie TAFE and accept the appointment of Head Teacher Office Administration Kempsey TAFE.

177 Around 7 April 1995 the NCI OH&S and Rehabilitation Officer Mr Mike Quinn and Kempsey TAFE OH&S and Rehabilitation Officer Ms Gail Robison arranged to meet with me.

178 On 10 April 1995 I met with them. I taped the meeting.

178.1 I had last seen Mr Quinn around a year earlier, and recall that when I telephoned repeatedly and left messages asking him to assist me return to my job in TAFE Mr Quinn did not either return my phone calls or assist me in any way.

178.2 I recall that I had repeatedly reported to Mr Quinn and Ms Robison that Ms Hayes refused the Aboriginal students Lardner, Duke, Smith entry to their TAFE class.

179 At that meeting of 10 April 1995 with Ms Robison and Mr Quinn we spoke of TAFE's purported investigation into the complaints/grievances I had lodged and I said to Mr Quinn and Ms Robison words to the effect: *"I've got papers on file, but they are down with the solicitor's in Taree at this time."*

180 At the meeting we discussed TAFE's purported investigation into the complaints I lodged and Mr Quinn said words to the effect: *"So you are saying that some people who might have been key players in this grievance haven't been contacted?"*

180.1 Both officers could see documents in my file on the desk. I pointed to the letters given to me by the Aboriginal students Mr Michael Smith and Mr Wright.

180.2 **Again I repeated that Ms Hayes kept Aboriginal students out of their class. This and similar incidents formed my reporting to TAFE, HealthQuest, MAP many, many, many times over these 14 horrific, years, and it is still not addressed. The 3 organisations all received my report, and all now use public funds to present to court as if their staff have done nothing wrong.**

180.3 I said to Quinn and Robison words to the effect: *"I knew what had happened to Michael Smith. He and two other Aboriginal kids, I sent them up to join the class, with pen and paper in their hand. Rhonda sent them away and they sat down in the canteen until the next teacher came and then they came up and joined the class. This was when I enrolled them at the beginning of last year. They weren't contacted. I don't know who has been contacted, and in what way."*

181 I recall that I had originally spoken of this to Ms Robison when Ms Robison came to my home on 30 March 1994. I had told Ms Robison the names of the three Aboriginal students -- Michael Smith, Cecily Lardner and Hazel Duke. I recall that I had mentioned them again by name to Ms Robison in subsequent conversations.

181.1 I recall that I had similarly spoken to Mr Quinn and Mr Lockwood when they came to my home on 21 April 1994. I told them the names of the students: Michael Smith, Cecily Lardner and Hazel Duke

181.2 I recall that I had also told Dr Ramsey's investigators Gesina Meerman and Sue Hartigan, named the Aboriginal students, and given them

copies of the 3 students' enrolment forms so the investigators could contact them.

181.3 I recall that Dr Ramsey wrote 5 August 1994 that his investigators reported back to him after speaking with me and sent me uninformative parts of the report.

181.4 I now have seen the previously hidden from me parts of that 1994 report. It has the word "discrimination" written on the official TAFE report Meerman and Hartigan generated, but with parts concealed from me by Dr Ramsey. I was not privy to that information until years later.

182 On 10 April 1995 Ms Robison said words to the effect: "*You need more feedback to the investigation so that you know what happened*".

182.1 I saw Mr Quinn write something on paper.

182.2 To my knowledge neither of them did anything about this.

183 I recall that at that meeting on 10 April 1995, after I showed Mr Quinn and Ms Robison the letters on my file, Mr Quinn suggested that I go to Commonwealth Rehabilitation Services (CRS) in Port Macquarie and have 3 or 4 sessions of counselling for self esteem/confidence-building.

184 I agreed to go to CRS for 3 or 4 sessions of counselling for self-esteem, as I would have attended a TAFE-sourced similar staff development facility had it been offered.

184.1 I recall thinking at the time that I wished that the documented grievance which I gave Mr Quinn and Ms Robison would be actioned in TAFE.

184.2 I believe that this would address the issues of TAFE Aboriginal students either being kicked out of class by Ms Hayes – wherever she was- or the Djigay centre ignoring the right of Aboriginal students to their TAFE education, even if they were absent on occasion

184.3 That is a right that was freely accorded to the white students under McGregor and Robison. I believe to this day that TAFE have not contacted those students and invited them back to TAFE because I have spoken over the years with some of the Aboriginal elders Mavis Davis, and when I informed her that TAFE did not have the right to send those letters to Aboriginal students, I saw her look very surprised.

184.4 I believe that correcting discrimination or perception of discrimination/victimisation in TAFE would be better use of public funds than TAFE officers Willmott, Walshaw, McGregor, Quinn, Robison authorising payments to an outside organisation to 'counsel' me.

185 As Mr Quinn and Ms Robison were ending the meeting Ms Robison said words to the effect: "I'm going to talk to Mike [Mr Quinn]."

186 I was not aware at that time of Dr Ramsey's letter dated 17 January 1995 to Dr Willmott re HealthQuest and its handwritten note "*For attention Kerry Walshaw*".

187 Ms Robison and Mr Quinn saw documents in my file.

187.1 Ms Robison and Mr Quinn worked with and/or under Ms Kerrie Walshaw.

187.2 Ms Robison, Mr Quinn, and Ms Walshaw worked under the Directorship of Dr Gary Willmott.

188 Around this time, 10 April 1995, Ms Debbie Kennington, who had agreed to take the position of Head Teacher for the Section, telephoned me and I forwarded the Section program so that Ms Kennington could pick which classes she wished to teach next semester.

189 When Ms Kennington was installed as Head Teacher Kempsey TAFE, TAFE (Walshaw, McGregor, Willmott) now had a back-up TAFE teacher in place in Kempsey TAFE to run the sections when/if I was overnight removed by a HealthQuest fraudulent retirement certificate which could and did dupe me out of TAFE.

189.1 I believe that this is why, the following day Quinn commenced making untrue secret allegations to commence the HealthQuest process.

189.2 HealthQuest's "Retirement Certificate" concept which enabled TAFE to dupe me into staying home instead of going doing my job in TAFE – TAFE/McGregor/Walshaw/HealthQuest duped me into thinking I was retired in June 1995 without my knowledge or consent.

189.3 Ms McGregor told me by phone "you don't come in [to Kempsey TAFE and work] any more"

189.4 Ms Walshaw wrote as if I was forcibly retired/sacked.

189.5 Ms Walshaw/Dr Willmott authorised that my employment status on TAFE computer was changed to "medically retired".

189.6 Ms Walshaw/Dr Willmott authorised that my pay was stopped in July 1995

189.7

Tape Recordings

190 I did not see or speak with Mr Quinn from 10 April 1995 until he presented to Industrial Relations Commission as TAFE's witness, nor speak privately with Ms Robison until then also. In IRC I informed TAFE, Quinn, Robison directly and through their lawyers Brus, Cribb, and Kenzie to Willmott etc that I had taped the meeting of 10 April 1995, and I believe they agreed that there was nothing in that meeting regarding their stories maligning me: about guns, potential suicide, aggression, duress alarms, killing, potential murder, etc.

191 Later I applied to IRC to be allowed to reopen the case to put in my tape recordings of meetings with Robison, McGregor, Quinn as I believe they clearly show these people to be lying to the Court and attempting to pervert the course of justice, but Schmidt J did not allow my application. I had taped the meetings for verification of what was said at the meetings. I believed that this was necessary because McGregor, Quinn, Robison were all speaking as if they were ethically performing their (relatively simple) duties such as addressing grievances, and working ethically, but it eventually appeared to me that they were not, thus inducing me to repeat the same evidence over and over again – and I still am. I feel tortured repeating the same thing over and over again.

"Aggressive tendencies"

192I was not aware at the time, but on 11 April 1995, the next day following the meeting of 10 April 1995, Mr Quinn contacted the Commonwealth Rehabilitation Services (CRS).

192.1 On 11 April 1995 CRS record states in part: *"Initial referral" "aggressive tendencies, feelings of worthlessness... agreed to carry out initial interview and that Mrs Kerrison would have to seek professional counselling or CRS could not continue to be involved. Di Cook"*

192.2 On 11 April 1995 I had only registered one day's absence from work for the past 9 months, and had actually made up that time in performing the Head Teacher duties.

192.3 I was not aggressive.

192.4 I had lodged written and verbal complaints regarding racial and gender discrimination, victimisation, and OH&S damage.

192.5 I had reported the possible crime of false entries in TAFE's public registers, and, although I did not know it at the time, the Managing Director Dr Gregor Ramsey had accepted my allegations as true.

192.6 I believed that the complaints/grievances were not actioned, instead they accumulated and compounded.

193 On 12 April 1995 I met with CRS officer Ms Dianne Cook. Ms Cook said words which I took to mean that in order to have 3-4 sessions of confidence building with CRS I had to go to a psychiatrist and submit to psychiatric process.

TAFE conduct courses on confidence building and stress management

194TAFE themselves conduct courses on personal development including confidence building, stress management, working with Aboriginals, and "special needs" vulnerable students

195 TAFE select teachers to work with special program students such as EEO classes with one of the main criteria for selection being the applicant's abilities to support students with special needs such as long-term unemployed, women, Aboriginals, students with disabilities.

196Soon after I commenced working in TAFE in 1983 and throughout my teaching in TAFE I was frequently selected to work on such courses.

197Following that, whenever possible I applied to attend Staff Development courses applicable to confidence building and applied it as part of my care for students and other teachers in TAFE.

197.1 One of the TAFE officers who taught me to care for the students, especially those who came to TAFE under its EEO programs was my Participation and Equity Program (PEP) supervisor Ms Pene Loza.

197.2 During 1986/87, after selection through competitive process particularly relating to understanding of and caring for TAFE students who might be effected by low self-esteem and /or victims of discrimination and other personal issues, I was appointed as PEP Co-ordinator for Kempsey TAFE.

197.3 At various times during 1986/87 Ms Loza conducted staff development for the PEP Co-ordinators, and I found these courses to be particularly

relevant to the care of people lacking confidence including vulnerable (sometimes traumatised) students in TAFE's EEO programs.

198 I only resigned from the position of TAFE EEO Co-ordinator because I was appointed as a full-time TAFE teacher of Business Services Administration Services Section in 1988, and as part of further training required to obtain formal teaching qualifications I was going to be in Sydney for much of the following 2 years and not in Kempsey TAFE available to run the PEP courses.

199 I believe that it was due to my reputation for caring for people, and my other demonstrated skills that other TAFE Co-ordinators continued to select me to teach on these courses because they said words to the effect that: "We only appoint special teachers for our special programs." I felt glad and proud to be selected and maintain my special interest in this area of caring for vulnerable people.

199.1 I also feel proud that other members of my family are also involved in caring for and kindness to others.

199.2 Many people comment to me on the kindness demonstrated by my husband of 40+ years and he frequently tell me, and I have seen, of actions he has done caring for and helping others for no reward other than personal satisfaction.

199.3 Our youngest daughter successfully applied to Lifeline to be trained as a telephone counsellor manning on a voluntary basis their Lifeline telephone service. She often told me of working at that at night, for no pay other than personal satisfaction, as well as performing her full-time paid job.

200 I felt at the time that I had benefited from the Staff Development that Ms Loza structured and taught, and believe that it greatly benefited me, and through my greater knowledge, benefited the students especially the vulnerable disadvantaged ones such as the aboriginals, women.

201 I believe that it was because I dissented to, and would not shut up about, apparent damage to vulnerable people in TAFE that TAFE Managing Director authorised and condoned an 'investigation' which did not contact key witnesses including Aboriginal student Mr Michael Smith and Ms Kylie Harrower.

201.1 Mr Smith and Ms Harrower allowed me to keep copies of their letters.

201.2 Ms Harrower said to me words to the effect: *"I sent it to Dr Ramsey, to Ms McGregor, to the Director of NCI TAFE, and about 3 other places but did not get a reply from any of them."*

(Ms Harrower's two-page letter attached marked 1a and 1b)

201.3 My husband recently said to me words to the effect: *"I saw TJ (Mr Michael Smith) the other day and he said that still no-one [from TAFE] has contacted him."* I believe that Mr Smith had also sent his letters to at least TAFE's Willmott, McGregor, Ramsey.

202 I also sent and have seen others send them to many, many people who are paid to be responsible for avoiding discrimination in TAFE. These people have high or highest public office, from the top down – Prime Minister Howard, Beazley, Rudd, Premiers Carr and Iemma, Attorneys-General Jeff Shaw, Bob Debus, Hatzistergos, ministers Dr Andrew Refshauge Aquilina etc, TAFE M-D level including Gregor Ramsey, Dr Gary Willmott, staff Mr Robin Shreeve, Ms Kerrie

Walshaw, Mike Quinn, Elizabeth McGregor, Gail Robison, Mr Chris Lockwood, and their lawyers and barristers IV Knight, Raoul Salpeter, Mary Dale, Elaine Brus, Mr Menzies, Mr Peter Cribb, HealthQuest's Dr Helia Gapper, Dr Eva Mandel, Steven Davison, Dr Jim Holmes, Dr Helen Jagger,

203 From this I believe that TAFE and government officers are expending public resources to purchase/manufacture allegations against me rather than address issues including acknowledged false entries to TAFE's public registers and discrimination and victimisation in TAFE, and rely on the courts to "find" against me.

204 I believe that if I had not tried to stop what I believed to be discrimination and victimisation to vulnerable people, including TAFE students, other teachers, and myself, and reported to TAFE Managing Director Dr Ramsey discrepancies in his 'investigation', that Dr Ramsey would not have authorised a forced psychiatric assessment of me.

205 I believe that TAFE officers including Ms McGregor, Ms Robison, Mr Quinn, Ms Walshaw manufactured allegations which they knew to be false about me because they hid their allegations and did not allow me to rebut them or provide evidence against their allegations before they wrote and published them in places where they could (and seemingly did) discredit me and cause me damage and loss.

1997 Ms Kerrie Walshaw -- "inform me of my employment status"

206 On or about November 1996 I heard of a TAFE officer who might attempt to assist me.

207 I recall that on or about 29 November 1996 I contacted Ms Heather Crawford A/Director Access and Equity South Sydney Institute of TAFE regarding my employment status. Ms Crawford reported back to me that she had contacted Kerrie Walshaw, and said to me words to the effect that: "Kerrie Walshaw will write and tell you what your employment status in the new year". I recall that Ms Walshaw did not do so, and nor did anyone else.

1997 - TAFE Legal Officer-- "employment status" "...assuming that Ms Kerrison's employment was terminated on 13 September 1996..."

208 Sometime in 1997 I obtained a copy of a MAP document. It was signed by MAP's Dr Harley and dated September 1996 but I did not receive it from Dr Harley either then or later. I did not at any time meet with Dr Harley. I did not at any time give informed consent to any process with Dr Harley. I did not at any time have knowledge or copies of documents Dr Harley wished to use. Dr Harley did not show me what I was appealing against. Dr Harley did not at any time fully inform me.

209 Around 1999 I said to the Administrative Decisions Tribunal (ADT) words to the effect: "*I have lodged FOI requests to TAFE and a lot of the pages they sent me were blank pieces of paper.*" The ADT directed TAFE to supply the originals of documents which had I had requested previously under FOI.

210 Amongst the documents I received I found some pages of internal memos from and to TAFE Legal Officer Mr Peter Cribb.

211 On reading those documents, some such pages appear to me to be part of a 4-page memo dated 8 October 1997 from Mr Peter Cribb TAFE's Legal Officer to Ms Ros Williamson Assistant Director, Human Resources North Coast Institute of TAFE, with page 2 either missing or withheld. (**Attached marked 2**)

211.1 Page 1 Paragraph 1: "Whilst about to prepare the "two-page" summary ... I received a request to provide a draft response to questions raised in the Legislative Council concerning Ms Kerrison's employment status..."

211.2 Page 1 Paragraph 2: "The Hon Elizabeth Kirkby MLC has asked:

211.3 Page 1, Paragraph 3: "...Will the Minister provide details about the current employment status of Ms Val Kerrison with her employer Kempsey TAFE? Is Ms Kerrison still employed at Kempsey TAFE? Has Ms Kerrison's employment with Kempsey TAFE been terminated?"

211.4 Page 1, Paragraph 4: "From documents on the Legal Services Unit file it is not possible to give a definitive answer as to Ms Kerrison's employment status. It has been assumed that Ms Kerrison's employment has been terminated for the purposes of the Anti-Discrimination Board proceedings.

211.5 Page 4, Paragraph ii) "Following the resolution of the appeal did TAFE send any correspondence to Ms Kerrison advising her of the outcome of her appeal or discussing her employment status? If so, please provide me with a copy. [handwritten note: 'NO']"

211.6 Page 4, Paragraph iii) "Are there any other relevant documents on your files concerning the fact or date of termination of Ms Kerrison's employment? If so, please provide me with a copy. [handwritten note: 'send pay final monies record']"

TAFE -- Voluntary Redundancy package - Val Kerrison

212 Amongst papers supplied by TAFE in around 1999 to the Administrative Decisions Tribunal (ADT) and then to the Industrial Relations Commission was a page headed "TAFE Miscellaneous worksheet" containing the words "V.R. Package" [perceived to be Voluntary Redundancy Package] and "\$48,779" and "Kerrison Val". The page does not include the date which it was written (**See Attachment marked 3a**)

212.1 NSW Industrial Gazette Vol 298 9 May 1997 states that effective from 1 July 1997 the wage for teachers on Step 4 to be \$48,779. (**See Attachment marked 3b**)

213 On 27 April 2001 I recall that Mr Kenzie (barrister for the Respondent TAFE) say words that I took to mean that TAFE officer Ms Sharyn Scuglia remembers compiling it, but that she had not written handwritten references "CV" at the top and "J49" at the bottom.

213.1 Those were references were filing and source references which I added as part of my filing system so that I can file and source the documents for identification purposes when necessary.

TAFE Lawyer Peter Cribb – Kerrison Not Retired

213.2 I believe that Peter Cribb, possibly through Chris Lockwood asked Sharyn Scuglia to prepare that Voluntary Redundancy package, knowing and believing full well that I was not retired.

213.3 In late 1997 Peter Cribb, in the company of Elizabeth McGregor and Ros Williamson offered to assist me lodge another grievance in TAFE using "TAFE's new Grievance Policy". I accepted.

213.4 Cribb, McGregor, Williamson and I were fully aware that TAFE Grievance Policy was for the use of TAFE personnel only.

213.5 I believe from this that all of us, Cribb, McGregor, Williamson knew that I was still a TAFE employee.

213.6 On 3 April 2003 when I won the case in the IRC, Cribb, Brus, John Macdonell arranged to meet with me at Crown Solicitor's Office (CSO), and all apparently accepted and agreed that I was still a TAFE employee because they made arrangements and commenced paying my TAFE salary into my bank account and issued me with PAYE employment summaries for the financial years 2003 and 2004.

Filing and Source References

214 Many documents in my files were not supplied to me as and when they were written.

215 Through FOI requests and then Tribunal and court directions, bundles of documents have been supplied intermittently through 1995 to the present day.

215.1 Due to the spasmodic nature of their disclosure to me I have added filing and source references to their edges in order to record the source and timeframe during which I eventually obtained copies of those, previously hidden from me, documents.

215.2 I added the references in places where I believe they do not distort or mislead as to the contents of those documents but enable me to source the documents for identification purposes when necessary and as required by the Crown Solicitors for the Respondent in legal proceedings.

17 July 1997 ... "nothing has been finalised"

216 On 17 July 1997 State Super record, supplied to ADB and then to IR Commission shows inter alia: "[State Super] *phoned Chris McPherson* [NCI TAFE officer] - *member was* [reported in TAFE documents to State Super] *retired, but is still appealing no decision - nothing has been finalised.*" (***See attached marked 3C***)

217 I recall that late 1996 and during 1997 I wrote to and contacted members of parliament and also made representations on my own behalf, informing, amongst other things that the last employment status which TAFE had officially contacted me and informed me of had been when Ms Walshaw wrote and informed me in April 1996 that TAFE had somehow placed me on Sick Leave Without Pay (albeit without my knowledge, input, or consent).

218 I recall that I asked questions as to what my employment status was.

219 I recall that I had also asked that I be allowed to resume my duties.

220 On 29 July 1997 the Minister Mr John Aquilina wrote to Mr B Jeffery, MP; The Hon E Kirkby MLC, and Ms V Kerrison, 3 individual letters which all stated inter alia that: "[Ms Kerrison] *will be given every opportunity to pursue her claims in the conciliation conference that will be arranged by the Anti-Discrimination Board.*" (***See letters attached marked 3D, 3E, and 3F***)

AntiDiscrimination Board Meeting 20 October 1997

221 In 1997 TAFE legal officer Mr Peter Cribb, TAFE officers Ms Elizabeth McGregor and Ms Ros Williamson were invited by the Anti-discrimination Board to attend a conciliation conference with me and we met on or around 20 October 1997.

222 At the Conciliation meeting I recall vividly TAFE Legal Officer Mr Peter Cribb stood and in a threatening manner shouted at me: "*Have you ever said the word 'gun'?*" and repeated this again and again. I recall that an AntiDiscrimination Board conciliation officer Mr Gerardo DeLiseo then stood and repeated what I felt to be assault by demanding "*Have you ever said the word 'gun'?*"

223 I recall that my support person attempted to protect me from the TAFE and ADB officers by standing and saying "Don't answer that! Don't answer that!"

223.1 Since then, my support person at that meeting said to me words to the effect: "*Yes, I remember that too.*"

224 I recall that at the meeting at the ADB on 20 October 1997 Mr Cribb said (I don't recall how many times but it seemed excessive) words to the effect: "*What was the 4-word statement you said about 'the only way to solve the problem is with a gun and that is in relation to yourself and another person in TAFE'.*"

224.1 I have never said or implied such allegation.

225 I recall that Mr Cribb then repeatedly demanded words to the effect: "*What was the 4-word statement you referred to?*" I repeatedly replied words to the effect: "I said 'No-one wants to know'".

225.1 I recall that at that meeting TAFE legal officer Mr Peter Cribb, TAFE officers Ms Elizabeth McGregor and Ms Ros Williamson proposed to me that I lodge a grievance using TAFE's new Grievance Policy and added words to the effect "*We will help you lodge the grievance*".

225.2 TAFE's Grievance Policy is only applicable to be used by TAFE's employees.

225.3 TAFE Voluntary Redundancy package is only applicable to TAFE employees.

226 I recall that on 8, September 1994 TAFE officers, Ms McGregor and Ms Maureen O'Sullivan had, in a threatening manner said to me words to the effect: "the Managing Director will not allow it [further grievance from Kerrison] to happen again. If you [Kerrison] lodge another complaint it will be very dangerous to you". I recall that Ms McGregor repeated similar words on or around 9, and 13 September 1996.

226.1 I recall it vividly because it added to my nightmares and feelings of fear and horror that I suffered from their actions and unsubstantiated stemming from uncovering their allegations in 1995.

226.2 In late 1995, when I first began accessing the documents compiled without my knowledge or input by TAFE and HealthQuest the severe chest pains and feelings of horror and fear, became too much, I collapsed and I was taken to a nearby doctor who had an electrocardiograph administered on me.

226.3 After the meeting at the ADB, and after it seemed apparent to me that TAFE were not going to investigate as they assured the ADB that they would, because of feelings of fear, and not knowing what Kempsey-located TAFE officers (Ms Elizabeth McGregor and Ms Gail Robison)' and Mr Quinn from Lismore or somewhere, would do or write next, I felt forced to leave my home and husband in Kempsey, and come to Sydney.

226.4 I have resided in Sydney most of the time since.

AntiDiscrimination Board -- "...that TAFE would be conduct [ing] the investigation in accordance with the new grievance policy and procedure and that Ms Kerrison would be involved in the process..."

227 On 20 October 1997 TAFE and I met at the ADB as parties to conciliation meeting.

228 At that meeting I recall that TAFE Legal Officer Mr Peter Cribb and officers Ms Elizabeth McGregor and Ms Williamson put forward a proposal saying words which I understood to mean: "*NCI TAFE will help you lodge a grievance using TAFE's new Grievance Policy*" and "*TAFE will get someone outside NCI TAFE to investigate it*" and "*you [Kerrison] will be invited to have input*".

229 My copy of "New South Wales Technical and Further Education Commission - Teachers and Other Educational Staff" signed 31 January 1994 states in part.

"32 Grievance Resolution

"32.1.1: "This process shall apply to all education staff as defined."

230 On 21 October 1997 Ms Jill Moir Conciliation Officer for the AntiDiscrimination Board wrote a letter addressed to Mr Peter Cribb Legal Officer Legal Services TAFE NSW. (See ADB 2-page letter Attachment marked 4)

230.1 ADB letter to TAFE 21 October 1997, Page 1, Paragraph 3: "Ms Williamson stated that TAFE would conduct the investigation in accordance with the new grievance policy and procedure and that Ms Kerrison would be involved in the process. The investigation would be conducted by an officer from another district in TAFE and would be done in conjunctions with Ms Williamson."

1997 – Cribb TAFE Legal Officer -- "...assuming that Ms Kerrison's employment was terminated on 13 September 1996..."

231 On 21 October 1997 (the day following the meeting at the ADB, TAFE Legal Officer Mr Peter Cribb wrote a memorandum and faxed it from TAFE Legal Services to Ms Ros Williamson, Assistant Director, Human Resources, North Coast Institute of TAFE. (See Attachment marked 5)

231.1 On Page 3, Paragraph 3 Mr Cribb wrote in part: "*...Was her employment effectively terminated on 13 September 1996 following the disallowance of her appeal to the Medical Appeals Panel? Even assuming that Ms Kerrison's employment was terminated on 13 September 1996...*"

Application -- extended leave

232 I perceived that there were ongoing outstanding and apparently ignored serious matters including possible criminal action of someone illegally taking my

extended leave, and due to TAFE's previous refusal to allow me to access it I applied to its Legal Officer Mr Peter Cribb.

233 On 22 March 2001 I wrote to TAFE Senior Legal Officer Mr Peter Cribb and enclosed my signed TAFE Application for Leave. (**Attachment marked 6**)

234 I hand-delivered the application to Mr Cribb's workplace.

235 I now perceive from looking at my records that the official application dated 22 March 2001 for part of my extended leave was not actioned.

236 I believe that Mr Cribb has the legal knowledge to recognise possible breaches of law including unauthorised changes to registers recording my entitlements.

237 To my knowledge neither Mr Cribb nor anyone else responsible for ensuring that TAFE officers comply with the law, including TAFE Managing Director Dr Boston and the Minister Mr Aquilina, has reported possible fraud, and/or possible false entries to TAFE's public registers, and/or fake retirement certificates to the police.

238 I have not authorised anyone to take my extended leave.

239 I have not signed a request to resign or retire.

TAFE Teacher Ms Pene Loza

240 Sometime during the year 2000 an acquaintance Mr Gerard Crewdson said to me words to the effect: *"I've heard about a whole workplace being referred to HealthQuest. It's an organisation funded by DOCS (Department of Community Services) from the North Coast region. A Pene Loza has contacted Cynthia [Kardell President Whistleblowers Australia NSW Branch]."*

241 I remembered that I had worked with a Ms Pene Loza while in TAFE. I contacted the telephone number given to Ms Kardell and found that the person whom I contacted was the same Pene Loza that I knew. Ms Loza said to me words to the effect: *"TAFE HealthQuested me in 1992. Then Leonie asked me to work in ... under DOCS. Then they tried to HealthQuest us, and when this did not work they made us redundant."*

242 When I was talking to Ms Loza, she mentioned that Ms Kerrie Walshaw and Ms Kay Eliasson were involved in a summary removal from duties while she was working, and the phrase "medical retirement" was used. This sounded similar to my situation.

243 After I was served with affidavits by Ms Kerrie Walshaw and Dr Ramsey I contacted Ms Loza and asked whether I could use documents which she had previously supplied to me relating to actions taken by Ms Walshaw and Ms Eliasson (who is mentioned in Ms Walshaw's affidavit).

244 I believe that Dr Ramsey was Managing Director in 1992.

245 Ms Loza responded to my request by also making an affidavit setting out the details of what had happened to her in TAFE.

245.1 Her affidavit was sworn on 23 August 2001, and will be filed and served along with this affidavit.

246 At Page 7, Paragraph 40, Ms Pene Loza reports:

"In hindsight, it is apparent that I was duped into believing that the Healthquest Certificate was an official document and that TAFE was acting legally in terminating my employment and 'retiring me on medical grounds'."

(See Affidavit sworn by Ms Pene Loza on 23 August 2001 which is filed separately at Industrial Relations Commission and served together with this affidavit).

REPLIES SPECIFIC TO PARTS OF RESPONDENT'S AFFIDAVITS

247 Affidavit sworn by Peter Cribb

248 Mr Cribb first presented to me in late 1997. He was accompanied by Ms McGregor and Ms Williamson.

Aboriginal Students Report Discrimination/Victimisation

249 I gave Mr Cribb and Ms McGregor and Ms Williamson copies of reports signed by 2 Aboriginal TAFE students Mr Smith and Mr Wright. They had finished reading the reports.

249.1 Mr Smith and Mr Wright were 2 Aboriginal students from Kempsey TAFE.

249.2 Mr Smith's report informed of apparent racial discrimination by Ms Rhonda Hayes against Mr Smith and 2 other Aboriginal students Duke, Lardner.

249.3 His report then described further even more serious apparent discrimination/victimisation by Ms Hayes against him personally.

249.4 The second report was Mr Wright's evidence.

250 "Gun"

251 At the time I met Mr Cribb, he held copious records written by Mr Cribb's workmates in TAFE: they had written and made a lot of false allegations about me – wild, dangerous allegations that I was making threats of shooting people, suicide, killing, guns, etc. I had not said any such thing.

252 These stories were written by TAFE staff Quinn, Robison, and McGregor. I believe that Mr Cribb recognised that they were false and attempted to bully me into supplying him with something he could pretend was evidence.

253 I believe that Mr Cribb recognised that these people were lying, that they were not credible because he commenced shouting at me "HAVE YOU EVER SAID THE WORD GUN?" evidently in an attempt to get something/anything that he could use against me in court. He failed.

254 Mr Cribb loudly repeated this demand again and again.

255 TAFE staff Ms McGregor and Ms Ros Williamson watched Mr Cribb making these demands.

256 TAFE Grievance Policy

257 Mr Cribb has held copies of the grievances I lodged in TAFE from 1993. Mr Cribb is aware or should be aware that according to TAFE's Grievance Policy all of my grievances remain unaddressed.

258 Mr Cribb has been informed that "medical retirement" is a discriminatory phrase, yet Mr Cribb uses it freely against my name.

259 I believe that Mr Cribb would be aware of legislation regarding false instrument such as a fraudulent “Retirement Certificate” used to dupe me, and other people into thinking it certified retirement, and the possible repercussions under the Crimes Act for making, copying, and using a false certificate.

260 I believe that Mr Cribb ’s legal knowledge would enable him to advise TAFE staff that they must not persecute me for reporting discrimination and victimisation in TAFE, nor for reporting false entry on public records, yet even today he stands and supports those who act and speak against me.

261 In around 1997 I reported to Mr Cribb personally that TAFE staff had stolen my accumulated extended leave and sick leave accruals. I specifically told him that I had not authorised anyone to take them. Mr Cribb failed to act on my reports making him complicit I believe.

262 **Affidavit sworn by Ruth Gallagher Discriminatory “Medical Retirement”**

263 Re paragraph 3, Ruth Gallagher evidently presumes that I have a disability and writes an instruction to “terminate” me” as at close of business today.

264 Ms Gallagher applied this message to the HealthQuest “Retirement Certificate” dated 21 June 1995 which named a psychiatric disability.

265 Ms Gallagher, in paragraph 6 states “...then forwarded his directions to Kerrie Walshaw”. Ms Walshaw, then used the discriminatory phrase “medical retirement” evidently on the assumption that I was ill or disabled.

266 Both Ms Gallagher and Ms Walshaw could have consulted their own files and seen that I was, as usual, capably working on and after 21 June when HealthQuest somehow certified on psychiatric grounds a retirement.

267 **Affidavit sworn by Helen Jagger**

268 HealthQuest commenced secret files on me around 1 May 1995 for their client TAFE.

269 HealthQuests’ Dr Helen Jagger and Dr Helia Gapper apparently appointed Dr Eva Mandel to perform a psychiatric interrogation of me because this is what she did to me on 19 May 1995 , and I was completely in the dark. I did not at any time give informed consent to any HealthQuest process, and indeed I never could because I was not ever informed.

270 I believe that Jagger enabled Walshaw to insert documents and lies about me into their secret files because I have since uncovered them in other doctors’ offices, in court, and in TAFE’s similarly secret files.

271 I believe that even HealthQuest were fully aware that their client TAFE/Walshaw were getting them to compile secret files containing lies because in IRC [EXH 20 Attachment "A"] HealthQuest notes. HQ Mandel Continuation Sheet "She is ?? actually working at present" when TAFE/Walshaw/Scuglia/Herd had clearly stated that I was not working.

272 Still Mandel/Jagger/HealthQuest persisted with their psychiatric interrogation at me.

- 273 On 19 May 1995 Dr Mandel avidly read the letters by Aboriginal students Smith and Wright so I believe she was aware that there was discrimination/victimisation going on in Kempsey TAFE, and I told he about it also.
- 274 Dr Mandel also read and kept a copy of the letter drafted by my lawyers to the Minister Mr Aquilina including what I believe was serious maladministration in TAFE.
- 275 On 19 May 1995 HealthQuest.s/Jagger's/Gapper's psychiatrist Eva Mandel persisted in getting me to sign a form. I vividly recall Dr Mandel standing over me as she gave me a pen to sign the document giving me no time to read it. I had no idea what she made me sign or the dangers and implications. I did not know what process HealthQuest was doing, or why. It was like walking unknowing into a black hole and I wanted to get out. I thought TAFE were just sending me to a GIO doctor to have my blood pressure measured. I did not know who or what HealthQuest was.
- 276 Around late June 1995 HealthQuest wrote and sent to TAFE and me documents applying a psychiatric label to my previously good name, and wrote a "Retirement Certificate" for TAFE, knowing full well that I was not retired and therefore they could not truthfully certify retirement.
- 277 HealthQuest/MAP's "Retirement Certificate" enabled TAFE to use the discriminatory phrase "medical retirement" against me, harming me now for more than 12 horrific years; enabled TAFE to cause me pain and suffering through discrimination in the workplace, to my other prospective employers, and particularly to judges Walton, Staunton, and Staff in Industrial Relations Commission who also adopted this discriminatory phrase "medical retirement" against me.
- 278 I believe that this "Retirement Certificate" breaches the Crimes Act 1900 regarding false instrument:

Crimes Act: " False instruments issued by public officers 337. A public officer who, being authorised or required to issue an instrument whereby any person may be prejudicially affected, issues the instrument for an improper purpose knowing it to be false in a material particular is liable to imprisonment for 5 years."

and " Accessories after the fact—how tried and punished 347. Every accessory after the fact to any such felony may be indicted, convicted, and sentenced as such accessory, either before, or together with, or after the trial of the principal felon, whether such felon has been previously tried or not, or is amenable to justice or not."

- 279 I believe that Dr Jagger knows that the "Retirement Certificate" does not constitute a retirement certificate because she wrote to me "... contact your employer". I believe that Dr Jagger, if she believed her own "Retirement Certificate" would have been more likely to write "ex-employer".

- 280 I believe that HealthQuest's apparently fraudulent retirement certificate enabled TAFE to simply exclude me from my job because this is what TAFE did, meanwhile broadcasting and quoting HealthQuest's defamatory psychiatric labeling and purported retirement. I believe that TAFE appreciated HealthQuest's assistance to TAFE because TAFE still rely on HealthQuest's "Retirement Certificate" to discredit me, discriminate against me as if I were sick/incapable, and punish/victimise me for my truths in TAFE.
- 281 I did not know what was in HealthQuest files and Drs Mandel/Gapper/Jagger knew it because they all elected to not show me even though I was in their offices on 19 May 1995 – they then sent me a form to sign to transfer their secreted information to MAP. This enabled the false allegations to be spread wider.
- 282 I do not know what was in the file, I have seen references in MAP to documents/files in my name, but do not know what or where they are – HealthQuest and MAP records that they simply sent files in my name to and from each other at will, even though I specifically withdrew any alleged permission to transfer my records – they assisted TAFE keep me out of my job, blacken my name, and cause me immeasurable suffering.
- 282.1 At times I have collapsed unconscious from the specific united actions of TAFE, HealthQuest and MAP; their purported "Retirement Certificate", secret files with stories of guns, suicide, killings, etc in my name.
- 282.2 I felt and feel terrible grief and pain, and tortured trying to get these organizations to act in accordance with their published guidelines and laws etc.
- 282.3 I believe that these 3 organisations all act together enabling each other to ignore any laws or guidelines such as OH&S, Privacy, workers' rights, or requirement for truth/ethics.
- 283 Walshaw freely contacted HealthQuest and MAP exchanging material useful to TAFE in their actions against me. TAFE valued the "Retirement Certificate" as they quote it widely along with the psychiatric labeling manufactured by Jagger and Mandel in HealthQuest.
- 283.1 Similarly a farcical appeal against unknown allegations was somehow disallowed by Dr Harley in MAP, evidently on the grounds of documents in their files.
- 283.2 I read records that Dr Harley conferred with HealthQuest Dr Jagger re my FOI requests to HealthQuest and MAP.
- 283.3 Dr Harley wrote in 1996 in relation to the medical appeal I lodged "***Decisions of the Medical Appeals Panel are based on a review of HealthQuest files ...***" – files which I do not know what is in them.
- 284 Dr Harley wrote in 1996, and sent to TAFE, a document which they evidently found useful because they still use it against me.
- 284.1 The documents said in part: "[Kerrison's] medical file has been carefully reviewed... and on the basis of the available [to Dr Harley but not to Kerrison] medical evidence the Panel is of the opinion that the assessment of HealthQuest was appropriate at the time of your examination. [Kerrison's] appeal is therefore disallowed."

284.2 This formed the basis for TAFE to again claim that I was retired, without HealthQuest's "Retirement Certificate" and MAP Harley's letter I believe it would have been more difficult if not impossible for TAFE to do this and be believed by anyone.

285 Re Jagger's paragraph 8. I did not have a "treating psychiatrist", I was NOT being treated by any psychiatrist and Mandel knew it because she asked, and I told her "I am not going to any psychiatrist."

286 Re Jagger's paragraph 14, Dr Jagger assisted TAFE/Walshaw by accepting without my knowledge 3 pages from Walshaw, without checking for accuracy by either her or Walshaw inserted more wild unsubstantiated comments from her uninformed position and did as Ms Walshaw asked, forwarded it all to MAP to help TAFE. Significantly Dr Jagger only supplied 2 of the 3 pages to ADT.

287 Affidavit sworn by Christopher Lockwood 18 July 2000

288 Mr Lockwood was Staff Officer in 1994, and supposed to aide staff such as I but he did not do so. When speaking with Mr Lockwood and Mr Quinn on the patio of my home I noticed that Mr Lockwood listened with apparent pleasure when I reported racial discrimination/victimisation by Ms Rhonda Hayes: I told Mr Lockwood that Ms Hayes had refused Aboriginal students Duke, Smith and Lardner entry to their legitimate TAFE class. Immediately after that Chris Lockwood leaned forward, and with evident relish told me words to the effect "your only options are to resign or retire". I did not follow Mr Lockwoods' instruction.

289 In Mr Lockwood's affidavit again he assumes a retirement – this time on discriminatory medical implications.

290 Mr Lockwood should be aware of staffs' employment rights, and the TAFE Enterprise Agreement, which of course contains no forced retirement either on age or medical grounds – this is discrimination and prohibited under the AntiDiscrimination Act.

291 In Paragraph 6 Mr Lockwood refers to TAFE's purported "medical retirement" written on my employment files, and on TAFE computer files – all in my name.

292 Mr Lockwood refers to my accrued extended leave, and sick leave. In his affidavit Mr Lockwood indicated that he either carried out or had knowledge that someone else carried out the annexure/theft of my entitlements – Mr Lockwood and TAFE do not hold any authority signed by me to spend or dispense with in any way my accrued funds and entitlements.

292.1 However TAFE was attempting to sever my employment.

292.2 Walshaw, or perhaps Lockwood had summarily stopped my pay, then apparently through embarrassment Walshaw restored in September 1995.

292.3 I was living off this income. TAFE/Walshaw and/or Lockwood or Willmott suddenly stopped my pay again.

292.3.1. TAFE records clearly show that on 26. 1996 Apr 04 – on my TAFE Salary slip. My Base Salary is \$43850.00 Extended leave accrued was 57.17. See IRC EX 14

292.3.2. The next fortnight TAFE record dated 1996 Apr 18 - TAFE Salary slip shows that someone (perhaps Lockwood, or Walshaw, or Willmott, or a combination of same) changed my computer records to a Base Salary \$0.00 . This gave me no income whatsoever. I believe that my Extended Leave of 57.59 is quite clear evidence of fraud by one of these managers .

292.3.3. Then someone put through journal entries taking all my accrued entitlements. In one swoop on 1996 Apr 18 - TAFE computer entries show that someone simply subtracted via journal entry Extended Leave subtracted 294; and Sick Leave subtracted 190.5 . See IRC Ex93

293 Although I reported this as fraud to TAFE Legal Officer Peter Cribb, he did not either refer it to the Police, or speak with me about it in any way. This was, of course, yet another grievance, and remains unaddressed. Significantly, it appears that Peter Cribb is good friends with Chris Lockwood because FOI has revealed emails between these 2 men apparently laughing together at my plight through these terrible years.

294 I have reported this and other similar acts against me and my property to the Police Dept, and hope it will be addressed.

295 I believe that it is also significant that the underlying documents “authorising” the detrimental changes to my employment and taking my accruals all have been either destroyed by TAFE personnel, or been withheld in contravention of court summonses and FOI legislation.

296 While Mr Lockwood may be acting in an assumption that I have a disability and that is grounds sufficient for actions against me or disability discrimination, I believe that it is more likely that he is carrying out victimisation in line with his refusal to address my grievances in early 1994 about discrimination and victimisation to Aboriginal students and victimisation to me by Ms Hayes. Depriving me of income on which to live is a detriment, and combined with TAFE’s threats to me drove me out of Kempsey.

297 I received a phone call and a male voice said to me that “Chris”, I believe this to be Chris Lockwood, and Sharyn Scuglia were laughing saying that the solution for TAFE was that “a bullet would be cheaper”.

298 I received an email saying the same, that for TAFE, “a bullet would be cheaper”
299

300 Affidavit sworn by Ms Elizabeth McGregor:

301 I dispute Ms McGregor's version of events

302 It appears that TAFE ‘witnesses’ and/or their lawyers passed their witnesses’ affidavits around between the witnesses who simply copied other ‘witnesses’ statements and unlawfully swore their truth when in fact they had no knowledge, This renders the complete affidavits unbelievable.

303 Paragraphs 1-30

304 I believe these paragraphs to be warped, untrue, evasive, and an attempt to distort the truth to hide her own racial discrimination, the racial and gender

discrimination and victimisation by her associate Ms Rhonda Hayes, and an attempt to get rid of me in order to cover up her mismanagement.

305 Ever since I argued with Ms McGregor early in 1994 and told her, in front of the Aboriginal Support person Ms Hoskins that it was illegal for her to be sending letters to Aboriginal students, kicking them out of their TAFE courses, Ms McGregor has refused repeatedly to address any issue or grievance I presented her with.

306 Ms McGregor refused me permission to return to my TAFE job, and it was only after much persistence by me that she allowed me to resume my teaching position. This is extraordinary behaviour, however Ms McGregor held a position of power.

307 I saw Ms McGregor ignore the plight of the Aboriginal students, and I believe she attempted to get rid of me or enable TAFE management to punish me to such an extent that she broke me – or worse - and so get rid of me because I kept reporting to her and others the apparent victimisation and discrimination by Rhonda Hayes.

308 **Page 3, Paragraph 15:** I did not at any time say or imply that anyone was "useless and should be shot."

309 **Page 4, Paragraph 23:** At no time did Ms McGregor "ask[ed] the rehabilitation officer to join us."

310 **Page 2 Paragraph 10** purported "Memorandum of Understanding This repeats the false statements in Walshaw's affidavit.

310.1 It appears that TAFE 'witnesses' and/or their lawyers passed their witnesses' affidavits around between the witnesses who simply copied other 'witnesses' statements and unlawfully swore their truth when in fact they had no knowledge, This renders the complete affidavits unbelievable.

310.2 One such place was regarding a purported "Memorandum of Understanding".

310.3 In EXH 89 4 December 1995 Ms McGregor's "Statement in Matter" for GIO, on Page 2, Line 24, Ms McGregor states "Following these meetings the Director drafted a 'memorandum of understanding' which was signed by both parties [Kerrison and Hayes]. In this memo each agreed to reunite the Section, to work together and to access any grievances appropriately."

310.4 In her affidavit [EXH 23] Ms McGregor, in Paragraph 12, Ms McGregor swears that "As a result of these meetings, both teachers signed a memorandum of understanding."

310.5 Ms Walshaw in **Paragraph 5**. "I was aware...each of the teachers {Hayes and Kerrison} signing a memorandum of understanding in which they agreed to reunite the section, work together and address any grievances according to the established procedures."

311 I believe this is a lie, and while it may be copied between TAFE's affidavits sworn by their alleged witnesses Walshaw, McGregor etc, the facts are:

311.1 There was no "memorandum of Understanding" signed by me

311.2 TAFE were asked to produce that document in IRC and failed to do so – apparently there is no person in TAFE who holds such a document

311.3 Neither Ms Hayes nor I were anything more than people within the section; neither of us had the power to either divide the Section nor to “reunite” the Section. That was the power of NCI Director Willmott, who also had the power direct personnel (such as Hayes and I) to manage the Section if TAFE Management appointed us to do so.

311.4 On 15 September 1994 [Exh 58] McGregor to Kerrison-- Includes on second page, lower left handwritten note: "all files for this year are in the college somewhere. If Gary [Willmott] decides to reunite the section the files will be reunited and accessible to all staff."

311.5 The Enterprise Agreement at Clause 32.3.1 *"All supervisors and managers have an obligation to identify and resolve, as far as possible, causes of stress to staff without waiting for a grievance to be expressed."*

311.6 On 11 September 2001 at Page 222 Mrs Kerrison testified that Mrs McGregor eventually gave her permission to drive to Wauchope and copy their files, but instructed Ms Kerrison to "be discreet about it".

312 The Grievance Policy appeared to be ignored from Dr Ramsey and Dr Willmott down.

313“**Danger**”

314 I recall that on or about 13 September 1994 Ms McGregor said to me words to the effect: "... *Maureen made clear the other day about the fact that it can actually be dangerous to you if it [a grievance] is ill-founded...*"

314.1 Each time I approached her after that, asking Ms McGregor to address the accumulating issues, Ms McGregor repeated that threat to me “*dangerous to you*”.

315 What eventually happened was worse and more damaging to me than I could have imagined.

316 “**HealthQuesting**” **duped me**

317Ms McGregor duped me to “HealthQuest” me,

317.1 McGregor testified that she initiated the HealthQuest process in May 1995. She deceived me on 14 May [EXH 2 Attachment "A"] Handwritten note McGregor to me that it was for "workers Compensation/Rehabilitation". I went to HealthQuest as ordered, expecting possibly that a doctor might take my blood pressure. I had no idea that this was a psychiatric interrogation, a purported “Fitness to Continue” psychiatric process based on false secret documents – that TAFE and HealthQuest were deep into this process backed by a hidden “Medical Appeals Panel” – all apparently working together in harmony with secret files on public servants

318 Ms McGregor then again duped me in late June 1995; Ms McGregor told me by phone “you don’t come in [to TAFE] any more”.

319 **Supplied false work schedules**

320 10 April 1995 [EXH 101] I saw a bundle of documents addressed to Mr John Caldwell GIO.

320.1 The documents included bear the signatures of Ms McGregor and Ms Robison. The documents relate to 31 January 1995 where I suffered an injury

and did not work on 31 January, but made up the time lost i.e. a non-financial claim. I had reported by the next day as all injuries must be reported.

320.2 On 10 April 1995 after I met with Quinn and Robison, evidently Ms McGregor and Ms Robison decided to activate this claim and forward the documents to GIO.

320.3 Both Ms McGregor and Ms Robison elected to not attach my correct work schedule for 31 January (non-teaching week) – both elected to attach my work schedule dated 10 March 1995 (a teaching week), and both Ms McGregor and Ms Robison claimed that I was not scheduled on duty on the relevant day in January. I believe that they both knew, or should have known that I was fielding all the prospective students' inquiries, scheduling the classes, answering the public's inquiries etc being the only full-time teacher working in Admin Services section and as with all other full time teachers we were running the Sections preparing for a new year of enrolments and servicing the courses and students.

320.4 I believe that it is unlikely that both Ms Robison and Ms McGregor did not know the difference between January (enrolments period) and March (teaching period), when they decided to send these documents to GIO - but it is possible that both officers chose to manufacture inferences/allegations to GIO that I was not intellectually capable in order to damage a Workers Compensation claim, or potential workers comp claim .

320.5 Some months later after HealthQuest and TAFE had purportedly certified my retirement, when I tried to find out what TAFE and HealthQuest were doing and they would not tell me, I lodged FOI requests

320.6 When I saw the words and concepts of guns, suicide, shooting, killing etc written by TAFE Quinn/Walshaw and sent to me by HealthQuest I collapsed unconscious.

320.7 The union helped me lodge a workers comp claim.

320.8 GIO disputed the claim.

More than 80 TAFE Documents hidden for years at home by McGregor

321 In a letter dated 3 February 1997 TAFE Executive Dir John Allsopp sent me around 80 or more documents which TAFE had previously not been supplied under FOI.

322 Mr Allsopp's letter stated in part: "You were previously advised on 5 August 1996 that investigations were continuing by staff of the NCI and that you would be notified if any additional relevant documents were located. Some such documents have been located. These papers were held by the former College Manager, Kempsey [McGregor], and were not previously identified as they were not held on official files."

323 When I looked at the letters I saw that some of them were signed by Mike Quinn, ostensibly to various TAFE names, and therefore should have been on at least Quinn's files and the addressees.

- 323.1 These letters suddenly “found” in 1997 letters were signed by Quinn but were written differently to the Quinn letters I saw in 1995. The letters were “dated” April 1995.
- 323.2 They held even more horrifying, to me, untrue allegations and insinuations of guns and killings implying me.
- 323.3 These suddenly “found” letters formed TAFE’s core documents or “evidence” to the AntiDiscrimination Board to justify their HealthQuest actions regarding these victimisation/ discrimination cases.
- 324 Another item revealed in all these documents was a handwritten note signed “E” as in Elizabeth McGregor, "dated" 11 April 1995 [EXH 88]
- 324.1 This was evidently meant to convey that McGregor had written to me in 1995 "Mike Quinn phoned for you a couple of times, then left a message with me to let you know that he has contacted CRS & Di Cook will contact you today or tomorrow"
- 324.2 I did not see any such note in 1995, and as it did not appear likely or truthful by McGregor, when questioning Quinn in IRC I asked Quinn if he recalled phoning at all and said no.
- 324.3 TAFE used this note to cross-examine me, and it formed part of their ADB “evidence” attempting apparently to show that TAFE supported me.
- 324.4 I did not see any “support” in 1995, nor did I see in 1995 this note ‘dated 1995’.
- 325 In my 23 April 1995 [EXH 63] letter given to McGregor I wrote: "I cannot Accept my Loss of Credibility Within TAFE "
- 325.1 At Para 11.4 state again “I am warned of possible dangerous repercussions to me if I lodge another grievance and it is found to be baseless." And "Kerrie did not think it fair to Elizabeth to listen. Said Elizabeth should be present...counseling [for Kerrison] 11.4 ...warned of possible dangerous repercussions to me if I lodge another grievance.....I am frightened of lodging a [formal high level] grievance..."
- 325.2 This is yet another grievance which has not been addressed. And shows breaches of Enterprise and OH&S Act

326 Affidavit sworn by Mr Mike Quinn:

- 327 I dispute Mr Quinn's version of events throughout, believing them to be wilfully self-structured out of thin air to discredit the truths I reported and cause me harm professionally to get rid of me out of my job, damage me safety-wise, and privately destroy my reputation, especially:
- 327.1 **Page 2, Paragraph 4 (b):** At no time did I make or express threats to Ms Robison. At no time did I make threats involving physical harm with a firearm directed towards Rhonda Hayes or any other person. At no time did I say words to the effect: "I won't be responsible for my own actions".
- 327.2 **Page 3, Paragraph 5:** At the meeting on 21 April 1994, at no time did I slam the table with my hand. At no time did I raise my voice. I did not say words to the effect: "I am sorry about my behaviour, I am on medication". At

no time in April 1994 was I on medication. At no time have I ever worked for the Water Board.

328 The last time that I spoke or communicated with Mr Quinn in any way until IRC hearing was at a meeting with him and Ms Robison in the morning of 10 April 1995.

329 Quinn now knows that my conversation with them was taped in full, and I believe it is free for all to see that Mr Quinn deliberately lied in his affidavit.

330 Although all TAFE staff were sent material regarding protection rights under Protected Disclosures Act which was in force when I met with Quinn, as with other so called protections which TAFE have ignored in my case, I have suffered immeasurable detriment from then on.

331 Quinn and Robison received my document on 10 April 1995 in which I reiterated the plight of the Aboriginal students which I had first told him in 1994 – I maintained they were discriminated against and victimised by Hayes. I also said to them that my file on this was with my lawyers.

331.1 The next day CRS held a record of a phone message from Quinn which I believe indicates that Quinn phoned CRS and untruthfully said that I had “aggressive tendencies...” 11 April 1995 [EXH 85 Attachment 4] Mr Quinn to CRS. Page 3 at the top has handwritten note "...aggressive tendencies..." yet under cross examination it appears Quinn concedes he did not speak to me at all after that taped meeting

331.2 Around 19 April Mr Quinn wrote and circulated documents with (to me) horrifying false allegations and insinuations about guns, killings, etc about me. In stark contrast to Mr Quinn’s secret actions I was teaching as usual unaware that TAFE were setting up their “HealthQuesting” process to enable them to overnight exclude me from TAFE.

332 I did not have any way of protecting myself from false, secret stories about guns, suicide, killings about me. I know it has almost killed me with shock, horror, grief – and pleading like this to authorities for more than a decade, over and over again impacts terribly – more than 13 years of torture to me while others profit from my pain.

333 Ramsey, Willmott, Quinn, Walshaw, Robison, Cribb, McGregor and all the others gave me no way to protect myself.

334 During the court proceedings on 20 June 2002 MFI 6 I gave a copy of the transcript of 10 April 1995 to Quinn, Robison and their lawyer Brus. It was a 16-page document headed: "Meeting with Gail Robison (College OH&S and Rehabilitation Officer), Mike Quinn (NCI TAFE OH&S and Rehabilitation Officer) and Val Kerrison at Kempsey TAFE ON 10-4-95"

334.1 Cross examination of Ms Gail Robison: T/s 20 June 2002 on page 583 Line 13 I stated that it was "a tape recording of the meeting".

T/s 20 June 2002 on page 563 Ms Robison agrees that the transcript "sounds like me"

T/s 20 June 2002 on page 564 lines 21-26 Ms Robison in response to my question "Is this the general way

Mike, myself and you spoke?" says "You mean, for me personally, yes. As I just said it is my language, it is my language. I could possibly say throughout this, yes, it is pretty much your [Val's] language and Mike's as well but the specifics of all this I mean I don't recall that.

"T/s 20 June 2002 on page 564 Lines 29-30 Mrs Robison answers "It is very in depth and a good while ago but it is the general way we all spoke. I feel it is, yes.

334.2 T/s 20 June 2002 on page 582 Lines 34-44 in my cross-examination of Mr Michael Quinn

APPLICANT [Kerrison]: Q. Mr Quinn, did you have time to have a look at that document?
A. I have had time to peruse it, yes.

Q. Does the content of it appear familiar to you?
A. It does. It has refreshed some things, yes.

Q. Has it refreshed your memory enough to say yes, that is what happened?
A. I would say that's reasonably accurate.

Mr Quinn "T/s 20 June 2002 on page 583 Lines 39-51 Cross-examination of Mr Quinn

Q. Do you agree that there was only one such meeting after I came back from stress leave in June 1994, so, between June 1994 and up to my time in TAFE which was in June 1995 there was only one meeting, is that correct?
A. There was one face to face meeting with yourself, yes.

Q. Mr Quinn, during that meeting was there any reference to threats of suicide or guns from me?
A. Not by your transcription there.

335 On or around 19 April 1995 [EXH 24 Attachment "3"] Quinn to Scuglia "She has not been assessed by Healthquest previously for this injury/illness" "Gary to sign out" and "...she has mentioned a few times to use force to solve her problems..."

335.1 I believe that as at 19 April 1995 when Mr Quinn stated "...she [Kerrison] has mentioned a few times to use force to solve her problems..." but Mr Quinn had not seen or spoken to me since 10 April.

335.2 I believe that to "use force" is a concept that would require immediate preventative action - immediate being within minutes, Mr Quinn exhibits non-

concern for possible imminent danger, and Mr Quinn would know that he had neither seen or spoken to Mrs Kerrison for him to form such a wild concept.

336 I believe that wild fabricated claims such as were generated and circulated by TAFE staff may constitute a breach of the Crimes Act, not only as detrimental actions against a witness or potential witness, but also false statement that a person or property is in danger:

Extract from Crimes Act

False statement that a person or property is in danger

203. If: (a) a person:

(i) makes to another person a statement that the first-mentioned person knows to be false or misleading; or

(ii) sends to another person a document containing such a statement; and

(b) the statement is likely to make that other person fear for the safety of a person (including the maker of the statement or the person to whom it is made) or for the safety of property, or both,

the first-mentioned person is liable to imprisonment for 5 years.

337 I believe that Mr Quinn and others made the knowingly false allegations and circulated them in order to fabricate a 'reason' to send me to HealthQuest and comply with the authorisation that Dr Ramsey had issued in January 1995 – and the Crown Solicitors indemnify them against charges against them.

Quinn's further 2 letters "Dated" April 1995, but different to 1995 style

338 Quinn's letter "Dated" 19 April 1995 [EXH 24 Attachment "4"] but possibly generated late 1996-1997 Quinn to Walshaw - no Kerrison name - "There has been no individual person directly threatened, however as you can understand this has made these staff very uneasy and concerned for their safety. Brian Miller was also aware of these situations and I was made aware of this in a recent conversation with the individuals concerned which I verbally advised you of."

339 "Dated" 20 April 1995 [EXH 24 Attachment "2"] but possibly generated late 1996-1997 Quinn to McGregor "(Restricted Access)" no Kerrison name

339.1 I believe that these two documents (Ex 24 Attachments "4" and "2") are particularly significant.

339.2 They are contrived in that no-where in these documents does the my name appear, instead in Ex 24 Attachment "4" Mr Quinn laboriously writes "a staff member who has been on leave due to work related stress illness" when the document recovered under FOI in 1995 (Attachment "3") contained my name.

339.3 At the time Mr Quinn wrote Attachment 3 (sometime prior to November 1995) Mr Quinn could have assumed that I would never see it as he secreted it from me. However from late 1995, the time that I lodged a

complaint in the AntiDiscrimination Board (ADB), and notified Ms Walshaw and therefore TAFE, it was apparent that not only was it likely that TAFE would need 'evidence' against me, but that any 'evidence' would be sent to me by the ADB - hence a reason for Mr Quinn to possibly fear charges under s203 of the Crimes Act or Defamation Act.

339.4 Mr Quinn's documents were attached to Mr Quinn's affidavits to the IR Commission and also to ADT . The conclusion reached is that at least these two documents, together with IRC Exh 88 may be attempts to pervert the course of justice.

339.5 I know, and told Walshaw/TAFE late 1995 I had collapsed from the horror and shock, and grief of their actions, and at other times since – TAFE and their lawyers imply keep going, and try harder against me. They have caused me immeasurable pain, horror and harm physically, personally and professionally.

They may be breach of Crimes Act s203

These documents breach Enterprise Agreement,

Victimise under Enterprise Agreement

Breach OH&S Act,

Breach Privacy Act,

Possibly breach Defamation Act

340 In the letter which Quinn wrote and sent to me dated 20 April 1995 [EXH 24 Attachment "1"] it was significantly different to the letters he hid from me.

340.1 Quinn made no mention whatsoever of his guns or potential violence or aggressive tendencies etc claims. I believe that to be in line with him lying.

340.2 Quin wrote: "CRS will be in contact with you over the next week to 10 days regarding your first appointment which will be at Port Macquarie. “ I believe that this is further evidence that Mrs McGregor's note at IRC Exh 88 is fabricated 'evidence'

340.3 Quinn wrote: : "...you will need to submit direct to the Campus Manager a leave form indicating 'Workers Compensation CRS"

I believe that this ties in with IRC Ex 95 (9 September 1994 Memorandum O'Sullivan to Dr Willmott) "Option 1...may result in stress related leave by K...may better position the Institute to refer Ms Kerrison to the Government Medical Office for an assessment..."

340.4 Quinn's last paragraph first page "Confidentiality will be maintained to the highest level of TAFE's policy with regard to this subject ..."

I believe these to be false assurances to me by Mr Quinn who had already apparently written 19 April 1995 IRC EXH 24 Attachment "3"[Quinn to Scuglia] "She has not been assessed by Healthquest previously for this injury/illness.

340.5 Quinn includes: "...document tabled..." This was the Protected Disclosure and grievance under TAFE's Grievance Policy – both of which

should have ensured that TAFE management protected me, if for no other reason, but did not. I believe it shows TAFE personnel victimise rather than address grievances or protected disclosures, and a danger to people to use.

340.6 Quinn adds: "raised your concerns with [Ms Walshaw]" I believe that this again identifies Ms Walshaw as party or potential party to the HealthQuest retaliatory action that Dr Ramsey authorised to Dr Willmott "for attention Kerrey Walshaw" on 17 January 1995 See IRC Exh 44 Attachment "E" and EXH 7

341 Affidavit sworn by Dr Gregor Ramsey:

342 I dispute Dr Ramsey's version of events, believing his behaviour since 1993 when he first obtained a copy of my complaint re Aboriginal (racial) and gender discrimination and victimisation by Rhonda Hayes.

343 I believe that ever since then Dr Ramsey has ignored the unaddressed issues brought repeatedly to his attention, instead he set in action the "HealthQuesting" process to destroy my career, reputation, safety, health or worse, and to cover up his mismanagement of TAFE and its resources for his own benefit from 1993 to the present day.

344 The Aboriginal students still have not been accorded the TAFE training they enrolled for. Dr Ramsey, while rising high in public employment has ignored their lack of education and their entitlement to education.

345 Dr Ramsey's affidavit is short and self-serving,

346 Dr Ramsey's actual actions and inactions regarding his management of TAFE from 1993 are, I believe, enormous because the repercussions continue to the present day having cost the public purse many millions of dollars in courts, and maintaining staff who are act either incompetent or corrupt..

347 Dr Ramsey acknowledges that my grievances existed and therefore stand because they are still unaddressed by the very person (Ramsey) who delivered the TAFE Grievance Policy to us.

348 In response to my further grievance to Dr Ramsey 25 October 1994 Dr Ramsey urged Willmott to victimise me by urging an unlawful HealthQuest psychiatric interrogation to silence/discredit me and my truthful reports of racial and gender discrimination by Hayes in TAFE.

349 On 25 October 1994, because of unlawful acts towards me such as being repeatedly warned/threatened by TAFE managers O'Sullivan and McGregor under Willmott's directorship, of danger to me in regard to lodging further complaints/grievances within TAFE, and Dr Ramsey quoted by O'Sullivan and McGregor as being the source of these threats/warnings of danger to me, I wrote to the Managing Director of TAFE Dr Ramsey. I referred to the previous complaints I had submitted to his office, and mentioned discrepancies in TAFE's "investigation" of that complaint. I reported in part:

“ Information... was never sought
1.2 Contacts...not contacted.
1.3 Practices ... still condoned.

- 2... Outcomes...more uncomfortableness at work.
- 3...not improvement in my working conditions.
- 4...confidentiality...not entitled to info but am stopped from raising issues which appear to have not been addressed...powerless.

I then told TAFE MD Ramsey that I was going outside his system:
“Therefore I do not feel these problems can be handled to my satisfaction within TAFE. I am going outside TAFE to find someone to help resolve the issues for me.”

I since noticed that my letter now contains additional notes by MD [Managing Director] 2/11/94: “Mr Allsopp -> IR. Could I please have a personal (oral) briefing on this. What action can we take? [Ramsey’s initials] MD 2/11/94”

- 350 When Dr Ramsey replied to me I was not aware that he wrote a completely different letter to Dr Willmott, and that he could have more quickly and easily sent me a copy of that letter – but chose to withhold that information from me and write a 2-page letter to me which was completely different.
- 351 This concealed from me the unlawful action: Dr Ramsey urged Dr Willmott to HealthQuest me instead of addressing my unaddressed grievances.
- 352 I believe that this effectively denied/withheld/refused me TAFE’s Grievance Policy processes to address my grievances.
- 353 I believe that Dr Ramsey and Willmott together wished to eliminate me the grievant/complainant instead of addressing the racial and gender discrimination and victimising by Hayes under Willmott, Walshaw, McGregor, Robison, Quinn, Lockwood etc because he
 - 353.1 Withheld my employment rights under Enterprise Agreement (which he signed) while he allowed to others including Hayes their employment. Dr Ramsey urged the HealthQuest process which generated the fraudulent “Retirement Certificate”,
 - 353.2 That purported Retirement Certificate duped me, and apparently others as well, and enabled TAFE to blacken my good name with psychiatric labelling “personality disorder” to attempt to justify their actions summarily removing me from my position and stopping my pay etc.
- 354 In IRC EXH 17 Attachment "B" [Dr Ramsey to Kerrison 17 January 1995] *on page 2 the first paragraph states: "I note from your letter you perception that you are experiencing "more uncomfortableness at work" since the outcome of your grievance. The TAFE Commission will not tolerate victimisation within the workplace. If you become aware of any acts of victimisation which may be directed against you **in the future** [emphasis added], you should immediately provide details of such acts to the Institute Human Resources Manager."*
 - 354.1 I believe that Dr Ramsey was aware from my and other peoples’ or TAFE students’ complaints directly to him that discrimination and victimisation was occurring in his TAFE
 - 354.2 I believe that Dr Ramsey was aware that “uncomfortableness” can be an indication of victimisation – and I was still experiencing it because Dr Ramsey himself noted those 2 concepts together: Dr Ramsey uses the words

“uncomfortableness” and “victimisation” in the same paragraph in his letter to me.

355 I read in the TAFE Enterprise Agreement which Dr Ramsey introduced to all TAFE employees including me, and that he signed and endorsed, sets out that “**4.2.9 A grievance is considered concluded, although not necessarily resolved, when a person with a grievance chooses to withdraw.** The grievant should advise the person handling the grievance either in writing or verbally. 4.2.10 Wherever possible grievances should be resolved in a way that is satisfactory to all those involved. Grievances are usually only considered resolved when the cause of the grievance has been removed or dealt with, and when arrangements have been made to repair and make good any damage and distress suffered by the grievant and/or respondent...”

356 In Transcript 19 June 2002 Cross-examination of Dr Ramsey Page 519

356.1 I asked Dr Ramsey “ Q. What options would have been available at that time?

356.2 Dr Ramsey replied: “ I presume the normal options: Take no action, take action, delegate it to the human resources people to take action, take action at the institute level that would be appropriate, and in fact as I read on the paper, my handwriting for those who can't read it says, "Could I please have a personal briefing on this, what action can we take". So, clearly I was at that time looking to take action.

356.3 I believe that Dr Ramsey could have addressed my grievances, or ordered his staff to do so, and chose instead to “HealthQuest” me because my grievances have still not been actioned or concluded.

357 I saw on Ramsey’s letter to me 17 January 1995 [EXH 3 Attachment 2; and EXH 8; and EXH 44] on the second page that it has 2 pointers but the noted information has been removed from the copy supplied to the Court. I asked for that information under FOI and court Summons but neither TAFE nor Dr Ramsey did not supply it to me.

357.1 As there were 2 pointers I believe that it is likely that these referred to replies/messages from Dr Willmott about the 2 issues relevant to commencing the HealthQuest process – they were

357.1.1. Admin Services section was a large section. When I first joined TAFE there were 3 permanent TAFE teachers running the Admin Services section. At the beginning of 1995 I was the only permanent TAFE teacher, and I ran the whole section appointing casual part-time staff to teach therefore if I was suddenly removed/duped out of the job there was no alternative teacher in place to cover the gap and run the section. I believe that Dr Willmott informed Dr Ramsey around 30 January 1995 that he would have to delay the “HealthQuesting” that Dr Ramsey urged until he had appointed another full-time teacher to run the Admin Services Section.

357.1.2. Around 10 April 1995 when Debbie Kennington was appointed to Kempsey as Head Teacher Admin Services section, and I believe that Dr Willmott passed on that information to Dr Ramsey so that Dr Ramsey was kept aware of the progress Dr Willmott was making in the

cruel HealthQuest action Ramsey urged Dr Willmott to carry out against me.

Dr Ramsey Introduced and signed TAFE's Enterprise Agreement

358 Dr Ramsey introduced the new TAFE Enterprise Agreement to TAFE.

358.1 We watched via TV hookup as it was all explained to us section by section including the Grievance Procedures. My copy is dated and signed by Dr Ramsey and the union "31 January 1994".

358.2 On 28 February 1995 (EXH 39 [TAFE Enterprise Agreement]) at the back on page 3-13 of the TAFE Enterprise Agreement is the signature again of Dr Ramsey "in the presence of Graham Devlin" and it was stamped by the Industrial Registrar for the Industrial Relation Commission.

359 The HealthQuest process with its purported, "Retirement Certificate" was going to, and did enable TAFE to remove the person who made complaints and grievances of discrimination and victimisation in TAFE, that Dr Ramsey refused to investigate properly.

359.1 I believe that TAFE would have been embarrassed if it was observable to my students and the other teachers if they were aware that Ramsey/Willmott simply acted as if they had somehow sacked me overnight without my knowledge or rights at all.

359.2 It would have been noticeable to staff and students if overnight there was no permanent TAFE teacher running the large Admin Services section.

359.3 And this is what happened; sometime later people I was no longer in TAFE and said to me in the street comments like "you just disappeared", "did you resign?" "did TAFE sack you".

359.4 The grief and pain I felt was huge, and I did not know how to answer because I did not know what was going on.

359.5 All that I knew at that time was that on or about 16 June 1995 Dr Jagger of HealthQuest wrote to me saying "*I wish to inform you that a certificate dated 16.6.95 for your retirement on medical grounds of personality disorder has been issued to your employer. Should you require further information please contact your employer.*"

359.6 I received this in the mail when I arrived home from teaching on 22 June 1995. This was the only information I held, and I did not have an answer other than this. I felt more humiliation and deep grief than I have ever felt before.

360 Affidavit sworn by Ms Gail Robison:

361 I dispute Ms Robison's version of events throughout, believing them to be wilfully self-structured out of thin air to unlawfully distort the truth, discredit the truths I reported and cause me harm professionally to get rid of me out of my job, damage me safety-wise, and privately destroy my reputation. I dispute Ms Robison's version of events including the following.

362 **Page 1, Paragraph 2:** At no time did I say to Ms Robison words to the effect: "The only time I want you to help me is when I ask you to." At no time did I say such words or anything similar to any person.

363 **Page 1, Paragraph 3:** At no time did I say to Ms Robison or anyone else that: "Nobody cares about me" and I believe that Ms Robison knows that she is lying.

364 At no time did I say Ms Robison or anyone else that Ms Robison doesn't "seem to be able to make decisions" because Ms Robison's job as campus Registrar consists of making decisions.

365I believe that Ms Robison is lying and knows that she is lying because Ms Robison listened, seemingly intently to my grievances, and to this day has seemingly made a private decision to not address them.

366I have seen Ms Robison sit on my patio acting concerned when I told her that Ms Hayes had refused Aboriginal students entry to their course and then do nothing, yet when in view of the public (such as at the TAFE front office) act immediately to efficiently and effectively correct Aboriginal students' bus pass forms or show them directions.

367I saw Ms Robison sit at my home looking intent while we talked about Rhonda Hayes and her keeping Aboriginal students Lardner, Smith, and Duke out of their TAFE courses, then believe that Ms Robison I believe that Ms Robison in public.

368Re "provided much and continued support for [Kerrison] both on campus and at home." I believe Ms Robison knows, or should know that providing support does not consist of: doing nothing to address grievances; and secretly generating documents about guns, suicide, duress alarms, killings behind closed doors and secretly writing lies behind closed doors

369**Page 1 Paragraph 4:** I saw the IRC remove this paragraph from evidence, possibly due to it being hearsay.

369.1 however I have heard my husband after we saw the words and concepts that Ms Robison wrote about me in January 1996 (soon after I lodged the victimisation claim with ADB)

369.2 Ms Robison testified in IRC that she wrote them for TAFE lawyer Mary Dale. They were written about 6 months after Ms Robison last saw me,

369.3 The 2 documents were conspicuously undated and contained wild untrue insinuations about duress alarms, killing etc, they were:

369.3.1. 23 January 1996 [EXH 98] Robison "Confidential Valda Kerrison - Rehabilitation; See next section (Ex 99) for explanation

369.3.2. 23 January 1996 [EXH 99] Robison "Confidential Valda Kerrison - "Val has returned to work..."

369.4 They were contrived to appear to have been written in different TAFE eras, using different computer fonts, in the years 1994 and 1995, but Ms Robison testified that they were in fact written around 23 January 1996.

369.5 After reading these documents my husband he described Ms Robison as a "two-faced lying s**t" .

370I have seen and also heard my husband comment on Ms Robison. We have seen her sitting on our patio drinking tea in the sunshine, surrounded by birds in the flowering trees..

370.1 I saw Ms Robison smiling and relaxed and thought to myself that it must be very pleasant for Ms Robison to be paid by TAFE to come and sit and talk about her daughter who I taught in TAFE for an hour or so.

370.2 Ms Robison sometimes came out to my home by taxi. I recall that she said words to the effect "Normie Bannerman (a taxi driver) drove me out."

When Ms Robison chose to come out and visit, travelling by taxi to our secluded house, surrounded by trees in a very quiet street – I drove her back to TAFE .

370.3 I remember this vividly because when I drove into TAFE grounds, right up to the entrance, I knew that I was perfectly able to walk into TAFE.

370.3.1. I knew that it was Ms Robison (who was the Kempsey TAFE Rehabilitation and OH&S Officer), and Mike Quinn (NCI TAFE Rehabilitation and OH&S Officer) who were not opening the TAFE door facilitating for me to return to duties.

370.3.2. Ms Robison visited my home on the authority of Ms McGregor, and had an office with an internal adjoining door to Ms McGregor.

370.3.3. It was Ms McGregor who, when I phoned and up-front asked to return to TAFE, did not expedite the return – there was no reason that I could not have been assisted back into TAFE immediately from the day I walked out.

370.3.4. With even very minimum rehabilitation assistance I could have been back in TAFE on 12 April, and before any student or teacher knew.

370.3.5. During all this time Ms McGregor would have been signing the authorisations to pay casual teachers to teach my classes, and I was receiving my teacher salary each fortnight.

370.4 **Page 2, Paragraph 5:** At no time did I say to Ms Robison words to the effect that: "What are you doing here? Have you just got forms for me to fill in?" At no time did I turn up music very loud. At no time did I pace the floor for about 10 to 15 minutes."

370.5 **Page 2, Paragraph 6:** At no time did I say the words alleged by Ms Robison. At no time did I say to Ms Robison words to the effect that I "felt suicidal" At no time did I say such words or anything similar to any person.

370.6 **Page 2, Paragraph 7:** At no time did I say the words alleged by Ms Robison. Ms Robison met with me from 11 - 31 July 1994 and at no time did I say to Ms Robison words to the effect: "*If I had a gun I would shoot myself*". At no time did I say such words or anything similar to any person.

370.6.1. We discussed Ms Hayes keeping Aboriginal students out of TAFE.

370.6.2. We discussed our daughters who were of similar age. We together admired the scenery and our cat and discussed it.

370.6.3. We discussed concepts such as “ while I am out of TAFE, who is looking out for the Aboriginal students in Admin Services section?” I remember thinking that there would not be many Aboriginal students left in Admin Services classes run by Ms Hayes by the time I got back to work.

370.6.4. On 10 September 1994 [EXH 57] CRS Program Review Meeting for Valda Kerrison. Contains:

" 3. Ms McGregor stated they are awaiting a response from the Institute Director as to how the section should operate...Summary Points 2. Ms Robison stated she could be a resource/support person with TAFE."

After I saw the cruel statements Ms Robison generated, lying that I was talking about guns, shooting, killings, suicide etc, I looked back at the documents I held and noticed that it was only after I told Ms Walshaw that I lodged the complaint with the ADB in late 1995, that Ms Robison in January 1996 wrote for TAFE lawyer Mary Dale these lies.

At no previous time did Ms Robison say anything like that to me, nor did she ever have cause to because I did not ever say or intimate such things. Ms Robison as OH&S officer was trained to act immediately if there was a genuine OH&S danger in any way in TAFE – indeed we all were.

At this date (20 September 1994) no document shows that any such purported issues existed. I doubt that Ms Robison ever had concerns about me because she would not be seeking to be meeting me in private as a resource/support person for me if she did.

371 Affidavit sworn by Ms Sharyn Scuglia:

372 I did not know a Ms Sharyn Scuglia until she presented as a “witness” in IRC.

373I dispute Ms Scuglia's version of events. I believe them be unlawful lies and distortions to distort the truth and mislead any reader of her ‘testimony’.

374At no time have I ever telephoned and asked to speak to a Ms Sharyn Scuglia

375 I presume now that perhaps there is a Ms Scuglia who may perform some clerical duties in TAFE.

376 At no time did I say to a Ms Scuglia or anyone else "*why was my consent to the salary overpayment being debited not sought*" – this appears to be simple lying because the issue is that someone unlawfully stole all of my accrued sick leave and extended leave entitlements, and used TAFE computer to do so change the records.

377I have not authorised or given authority to any person to take my accrued leave entitlements, however I did report to Peter Cribb that they had been taken. Mr Cribb did not address either this incident, or the underlying grievance. Now I have reported it to the Police Department as fraud.

378 I believe that Ms Scuglia, probably on the instruction of Peter Cribb wrote the Voluntary Redundancy package late 1997 to 1998, and either or both would know that Voluntary Redundancy packages are an entitlement of TAFE staff; i.e. knowing full well that I was not retired.

379I believe that Ms Scuglia in conference or the instructions of seniors such as at least Walshaw, Cribb, Lockwood, Willmott changed and backdated my employment status in 1998, knowing full well they were acting without power, and to cause me harm.

380 I received a phone call and a male voice said to me that “Chris”, I believe this to be Chris Lockwood, and Sharyn Scuglia were laughing saying that the solution for TAFE was that “a bullet would be cheaper”.

381 I received an email saying the same, that for TAFE, “a bullet would be cheaper”

382Affidavit sworn by Ms Kerrie Walshaw:

383 I dispute Ms Walshaw's version of events. It appears that TAFE ‘witnesses’ and/or their lawyers passed their witnesses’ affidavits around between the witnesses who simply copied other ‘witnesses’ statements and unlawfully swore their truth when in fact they had no knowledge, This renders the complete affidavits unbelievable.

384 One such place was regarding a purported "Memorandum of Understanding".

384.1 In EXH 89 4 December 1995 Ms McGregor's "Statement in Matter" for GIO, on Page 2, Line 24, Ms McGregor states "Following these meetings the Director drafted a 'memorandum of understanding' which was signed by both parties [Kerrison and Hayes]. In this memo each agreed to reunite the Section, to work together and to access any grievances appropriately."

384.2 In her affidavit [EXH 23] Ms McGregor, in Paragraph 12, Ms McGregor swears that "As a result of these meetings, both teachers signed a memorandum of understanding."

384.3 Ms Walshaw in **Pagagraph 5**. “I was aware...each of the teachers {Hayes and Kerrison} signing a memorandum of understanding in which they agreed to reunite the section, work together and address any grievances according to the established procedures.”

385I believe this is a lie, and while it may be copied between TAFE’s affidavits sworn by their alleged witnesses Walshaw, McGregor etc, the fact are:

385.1 There was no “memorandum of Understanding” signed by me

385.2 TAFE were asked to produce that document in IRC and failed to do so – apparently there is no person in TAFE who holds such a document

385.3 Neither Ms Hayes nor I were anything more than people within the section; neither of us had the power to either divide the Section nor to “reunite” the Section. That was the power of TAFE Management, who also had the power to appoint the personnel (such as Hayes and I) to manage the Section if TAFE Management appointed us to do so.

386 Re paragraph 7

386.1 On or around 16 December 1994 I phoned Ms Walshaw and said words to the effect that: Maureen O’Sullivan, Elizabeth McGregor and Mark Whitehead had all warned me that it could be extremely dangerous for me if I lodged another grievance which was baseless and without foundation. Mark has also told me that if I lodged another complaint about Rhonda it could be

regarded as frivolous, and could be considered to constitute a witch-hunt, and that Rhonda would sue me. I quite believe that she could if TAFE managers backed her up. Rhonda hid the tape-recorder I needed for teaching so I could not use it in class. Elizabeth told me that Cathy had it; but she didn't – Rhonda had it. I told Elizabeth, and Elizabeth threatened me again with danger if I lodged a grievance. It feels like victimisation to me. Who decides and on what basis is a grievance considered baseless and without grounds?" I believe this was another grievance in accordance with TAFE's Grievance Policy

- 386.2 On 23 February 1995 [EXH 19 Attachment "B"] Ms Walshaw's letter to me proposed "TEAP counselling " and "I would support Dr Ramsey in encouraging you to contact me if you feel that you suffer any victimisation in the workplace." I believe this not only mocks me in my fears of danger, but also makes mockery of the Enterprise Agreement Dr Ramsey introduced.
- 387 On 1 May 1995 [EXH 44 Attachment "D"] and [EXH 18 Attachment A] in the letter Walshaw (Herd) to HealthQuest – I believe that Ms Walshaw made a decision to manufacture and use this document specifically in compliance with Dr Ramsey's 'authorisation' and Dr Willmott's agreement (demonstrated by him passing Ramsey's letter to her) passed between these parties. I believe that it breaches Acts and guidelines as above especially as she had not seen or spoken to me for many months.
- 388 Also on 1 May 1995 Ms Walshaw's office sent another document to HealthQuest, [EXH 18 Attachment A Page 2] [EXH 19 Attachment "C" Page 2] Scuglia HQ1 to HealthQuest "Is worker on duty NO Is there a claim for worker's compensation? YES (If "YES" attach relevant information". I believe that as at 1 May 1995, not only was there no current workers's comp claim (although one commenced late 1995 when I collapsed from the shock of Walshaw/Quinn's guns/suicide lies) but I was at work performing my duties in full view of TAFE and the public – and Walshaw/TAFE would know it because they held my work records. However although Walshaw's purported workers's comp claim does not fit the truth, I believe it may better fit Maureen O'Sullivan's preferred option September 1994.
- 389 On and after 23 June 1995 [EXH 19 Attachment "E" and EXH 44 Attachment "B"] Walshaw to Kerrison wrote of "notification of retirement from HQ" "briefed on your rights and entitlements...". Ms Walshaw assumed a disability: she applied the discriminatory phrase "medical retirement" on my employment records, and kept me out of my work.
- 390 Later I phoned Ms Walshaw and explained that simply keeping me out of my job because someone/HealthQuest/Gapper/Mandel said or thought I had a disability was discrimination on the grounds of a presumed disability, Ms Walshaw shouted "*I know all about discrimination!*" Ms Walshaw again refused to allow me to return to my job.
- 391 On 30 June 1995 [EXH 19 Attachment "G" and EXH 44 Attachment "C"] Walshaw to Kerrison, when Ms Walshaw wrote "...I am still following up on a number of other issues that you raised and shall write again next week." She did not do so, still keeping me in the dark.

- 392 Ms Walshaw and or Dr Willmott authorised that my salary be stopped without my knowledge or consent. Therefore I suddenly had no income on which to live, and with TAFE's and HealthQuest's psychiatric labeling, I now had the punishment of a rancid employment record.
- 393 30 June 1995 [EXH 13] TAFE Walshaw /Willmott attempt to sever their superannuation responsibilities. Notification of Exit to SASS
- 394 Again Walshaw/Willmott attempted to sever my superannuation in late 1996

Affidavit Sworn by Dr Gary Willmott

- 395 TAFE Enterprise Agreement including its Grievance Policy had been presented to us.
- 396 My grievance to Dr Ramsey included complaints of racial and gender discrimination by Rhonda Hayes, and this is also written by TAFE lawyer Peter Cribb.
- 397 TAFE ran courses as do other TAFE Colleges. Kempsey TAFE also included the Djigay Centre of Excellence in Aboriginal education
- 398 Kempsey TAFE ran TAFE courses specific to Aboriginals in the Djigay Centre. I sometimes taught Aboriginal students in the Djigay Centre.
- 399 I recall that in approximately the first week of March 1994 the Kempsey TAFE Aboriginal Support officer Ms Liz Hoskins came to me about some Aboriginal students in the Administrative Services Section (not the Djigay).
- 399.1 I recall that Ms Hoskins said to me words to the effect: *"This is a list of the Aboriginal students who have missed lessons. Rhonda [Mrs Hayes] said for me to tell you to send them a letter telling them that they are no longer in the course."*
- 399.2 This time was only a few weeks into a course which was to run for 36 weeks (until around December that year).
- 399.3 If people had been away sick or not been in class some other reason, they still had time to catch up. Students have the right to access whatever they choose or are able to in TAFE courses. TAFE sometimes provided tutoring to students.
- 399.4 I recall that said to Ms Hoskins words to the effect: *"No." "Attendance isn't a criteria of the course" "Would you take it to Elizabeth and tell her about it please?"*
- 400 I recall that a few minutes later I went to Mrs McGregor's office to make sure that the students' needs and rights were being met.
- 400.1 I recall that Mrs McGregor said to me words to the effect *"I'll have the letters sent out."*
- 401 I recall that I said words to the effect: "we can't legally send out such letters.
- 401.1 I recall that Mrs McGregor said words to the effect *"Yes we can. We do it all the time down below."* 'Down below' is how some people in Kempsey

TAFE sometimes refer to the Djigay Centre of Excellence in Aboriginal education.

401.2 I recall that I said words to the effect *“But we can’t do that. It’s illegal. If attendance is a criteria it must be written into the course, and the students must sign it to show that they know.”*

401.3 I recall that Mrs McGregor repeated words to the effect: *“I’m going to have the office send letters to the students.”*

401.4 I recall that Ms McGregor did not say that she would not send the letters. I believed at the time that Ms McGregor looked censoring towards me.

401.5 I felt much concern for the students. I believed that Ms McGregor had not addressed the incident concerning a Filipino woman. This had been part of my complaint to Counselling Services who sent it to Dr Ramsey.

401.6 I recall that as I left I felt shock that Mrs McGregor had said *‘...we do it all the time down below.’*

401.7 I recall that I had taught Aboriginal students in the Djigay Centre. I recall that I had heard them say to each other things like *“Where were you yesterday? Watch out or you’ll be sacked”*.

401.8 I recall that they had sometimes said to me *“I was late. Did you mark my name in the roll? I don’t want them to kick me out”*. I recall that when I had heard them say things like that I had thought that they were joking.

401.9 I recall that after hearing what Ms McGregor said I believed that that the Aboriginal students must have been expressing fears.

401.10 I had seen the list of students’ names that Ms Hoskins held.

401.11 All of the students had claimed Aboriginal status.

401.12 I did not recognise any non-Aboriginal students’ names on the list. It is probable that non-Aboriginal students had not attended some classes, but they were safe from this apparent racial discrimination.

401.13 Mrs McGregor did not broach the incident with me later. I do not recall seeing Ms Hoskins in TAFE after that, and Ms Ivy Browne subsequently performed those duties.

402 This formed part of the grievance/complaint I lodged. Letters by the Aboriginal students were sent to Dr Willmott, I and others have also sent the Aboriginal students’ letters to Dr Willmott. All the grievances, including these discrimination issues are still outstanding – they have never been addressed with me by Dr Willmott or his staff.

403 **“Dangerous to you”**

404 Regarding this grievance/complaint, in late 1994 Dr Willmott appointed O’Sullivan and McGregor to meet with me.

404.1 Ms McGregor directed me to go to Palm Court Motel Port Macquarie, and insisted that I must keep the meeting private and confidential, therefore I had no witness with me.

404.2 When I arrived at the Motel I was taken to a unit/bedroom in Palm Court Motel Port Macquarie. In that secluded unit Maureen O’Sullivan in the

presence of McGregor loudly warned/threatened me with danger in regards to lodging a further grievance in TAFE.

404.3 Ms O’Sullivan loudly and threateningly said “*the Managing Director [Gregor Ramsey] (probably by instructions to Gary Willmott and passed on to McGregor and O’Sullivan, and then to me) will not allow it (another grievance by me) to happen again! If you lodge another grievance and it is found to be without foundation it will be very dangerous to you!*”.

404.4 This was followed by more of the same words that it would be very dangerous to me: a couple of times by Ms McGregor, and also by another TAFE person Mark Whitehead, I felt fear and trembling

405 I lodge another grievance to Ramsey – a cry for help – Ramsey and Willmott

406 On 25 October 1994, because of unlawful acts towards me such as being repeatedly warned/threatened by TAFE managers O’Sullivan and McGregor under Willmott’s directorship, of danger to me in regard to lodging further complaints/grievances within TAFE, and Dr Ramsey quoted by O’Sullivan and McGregor as being the source of these threats/warnings of danger to me, I wrote to the Managing Director of TAFE Dr Ramsey. I referred to the previous complaints I had submitted to his office, and mentioned discrepancies in TAFE’s “investigation” of that complaint. I reported in part:

- “ Information... was never sought
- 1.2 Contacts...not contacted.
- 1.3 Practices ... still condoned.
- 2... Outcomes..more uncomfortableness at work.
- 3...not improvement in my working conditions.
- 4...confidentiality...not entitled to info but am stopped from raising issues which appear to have not been addressed...powerless.

I then told TAFE MD Ramsey that I was going outside his system:
“Therefore I do not feel these problems can be handled to my satisfaction within TAFE. I am going outside TAFE to find someone to help resolve the issues for me.”

I since noticed that my letter now contains additional notes by MD [Managing Director] 2/11/94: “Mr Allsopp -> IR. Could I please have a personal (oral) briefing on this. What action can we take? [Ramsey’s initials] MD 2/11/94”

407 When Dr Ramsey replied to me I was not aware that he

- 407.1 Send Dr Willmott a copy of grievance October 1994
- 407.2 Sent Dr Willmott a copy of the reply Dr Ramsey wrote to me; and
- 407.3 wrote a completely different letter to Dr Willmott.

408 Dr Ramsey could have more quickly and easily sent me a copy of the letter he sent to Willmott, – but both Ramsey and Willmott chose to withhold that information from me. Dr Ramsey’s 2-page letter to me which was completely different to the one he wrote to Dr Willmott.

409 This concealed from me the unlawful action: Dr Ramsey urged Dr Willmott to HealthQuest me instead of addressing my unaddressed grievances.

410 I believe that this effectively denied/withheld/refused me TAFE's Grievance Policy processes to address my grievances.

411 I believe that Dr Ramsey and Willmott together wished to eliminate me the grievant/complainant instead of addressing the racial and gender discrimination and victimising by Hayes under Willmott, Walshaw, McGregor, Robison, Quinn, Lockwood etc because he

411.1 Withheld my employment rights under Enterprise Agreement (which he signed) while he allowed to others including Hayes their employment. Dr Ramsey urged the HealthQuest process which generated the fraudulent "Retirement Certificate",

411.2 That purported Retirement Certificate duped me, and apparently others as well, and enabled TAFE to blacken my good name with psychiatric labelling "personality disorder" to attempt to justify their actions summarily removing me from my position and stopping my pay etc.

412 In IRC EXH 17 Attachment "B" [Dr Ramsey to Kerrison 17 January 1995] on page 2 the first paragraph states: *"I note from your letter your perception that you are experiencing "more uncomfortableness at work" since the outcome of your grievance. The TAFE Commission will not tolerate victimisation within the workplace. If you become aware of any acts of victimisation which may be directed against you **in the future** [emphasis added], you should immediately provide details of such acts to the Institute Human Resources Manager."*

412.1 I believe that Dr Ramsey and Dr Willmott were aware from my and other peoples' or TAFE students' complaints directly to him that discrimination and victimisation was occurring in his TAFE

412.2 I believe that Dr Ramsey and Dr Willmott were aware that "uncomfortableness" can be an indication of victimisation – and I was still experiencing it because Dr Ramsey himself noted those 2 concepts together: Dr Ramsey uses the words "uncomfortableness" and "victimisation" in the same paragraph in his letter to me.

413 I read in the TAFE Enterprise Agreement which Dr Ramsey introduced to all TAFE employees including me, and that he signed and endorsed, sets out that ***4.2.9 A grievance is considered concluded, although not necessarily resolved, when a person with a grievance chooses to withdraw. The grievant should advise the person handling the grievance either in writing or verbally. 4.2.10 Wherever possible grievances should be resolved in a way that is satisfactory to all those involved. Grievances are usually only considered resolved when the cause of the grievance has been removed or dealt with, and when arrangements have been made to repair and make good any damage and distress suffered by the grievant and/or respondent...***

414 In Transcript 19 June 2002 Cross-examination of Dr Ramsey Page 519

414.1 I asked Dr Ramsey " Q. What options would have been available at that time?

- 414.2 Dr Ramsey replied: “ I presume the normal options: Take no action, take action, delegate it to the human resources people to take action, take action at the institute level that would be appropriate, and in fact as I read on the paper, my handwriting for those who can't read it says, "Could I please have a personal briefing on this, what action can we take". So, clearly I was at that time looking to take action.
- 414.3 I believe that both Dr Ramsey and Dr Willmott could have easily and cheaply addressed my grievances, or ordered their staff to do so, instead they acted together instead to “HealthQuest” ; my grievances have still not been actioned or concluded.
- 415 I saw on Ramsey’s letter to me 17 January 1995 [EXH 3 Attachment 2; and EXH 8; and EXH 44] on the second page that it has 2 pointers but the noted information has been removed from the copy supplied to the Court. I asked for that information under FOI and court Summons but neither TAFE nor Dr Ramsey nor Dr Willmott supplied it to me.
- 415.1 As there were 2 pointers I believe that it is likely that these referred to replies/messages from Dr Willmott about the 2 issues relevant to commencing the HealthQuest process – they were
- 415.1.1. Admin Services section was a large section. When I first joined TAFE there were 3 permanent TAFE teachers running the Admin Services section. At the beginning of 1995 I was the only permanent TAFE teacher, and I ran the whole section appointing casual part-time staff to teach therefore if I was suddenly removed/duped out of the job there was no alternative teacher in place to cover the gap and run the section. I believe that Dr Willmott informed Dr Ramsey around 30 January 1995 that he would have to delay the “HealthQuesting” that Dr Ramsey urged until he had appointed another full-time teacher to run the Admin Services Section.
- 415.1.2. Around 10 April 1995 when Debbie Kennington was appointed to Kempsey as Head Teacher Admin Services section, and I believe that Dr Willmott passed on that information to Dr Ramsey so that Dr Ramsey was kept aware of the progress Dr Willmott was making in the cruel HealthQuest action Ramsey urged Dr Willmott to carry out against me.
- 416 Early 1995 NCI TAFE under Willmott, circulated information that the Protected Disclosures Act was in place to protect us from repercussions if we reported wrong-doing in TAFE to TAE managers. It came into force before I reported to Quinn and Robison on 10 April 1995. Directly after that meeting Mr Quinn and Ms Robison commenced actions against me which have damaged/destroyed my rights and entitlements, and sometimes almost my life. Details are described throughout this and thousands of similar documents in court and on the web.
- 417 Willmott held my grievances and Dr Willmott has been fully informed for many years of the racial and gender discrimination I reported.
- 418I believe that Dr Ramsey and Willmott together wished to eliminate me the grievant/complainant instead of addressing the racial and gender discrimination and victimising by Hayes under Willmott, Walshaw, McGregor, Robison, Quinn, Lockwood etc because he

- 418.1 Both withheld my employment rights under Enterprise Agreement (which Ramsey signed) while they both allowed to others including Hayes to continue safely in their employment. Dr Ramsey urged the HealthQuest process which generated the fraudulent "Retirement Certificate", Dr Willmott carried it through,
- 418.2 That purported Retirement Certificate duped me, and apparently others as well, and enabled TAFE to blacken my good name with psychiatric labelling "personality disorder" to attempt to justify their actions summarily removing me from my position and stopping my pay etc.
- 419 In June/July 1995, and again in 1996 Ms Walshaw and or Dr Willmott authorised that my salary be stopped without my knowledge or consent. Therefore I suddenly had no income on which to live, and with TAFE's and HealthQuest's psychiatric labeling, I now had the punishment of a rancid employment record.
- 420 30 June 1995 [EXH 13] TAFE Walshaw /Willmott attempt to sever their superannuation responsibilities. Notification of Exit to SASS
- 421 Again Walshaw/Willmott attempted to sever my superannuation in late 1996
- 422 Sharyn Scuglia's signature was on more documents headed TAFE where TAFE management were evidently instructing Ms Scuglia to surrupticiously change and backdate my employment status in 1998.
- 423 When I won the case in IRC, I repeatedly faxed Dr Willmott. TAFE and its lawyers admitted on 3 April 2003 that I was still a TAFE employee and arranged to return me to payroll.
- 424TAFE then attempted to force me to HealthQuest for purported medical assessment although they held, and I supplied another copy to them as well, a current doctor's certificate that I was fit for TAFE duty.
- 425Ignoring their responsibilities, TAFE set up another psychiatric interrogation, this again deprived me of my right to work. As a TAFE employee I risked being sacked if I worked elsewhere without TAFE's permission.
- 426 Eventually TAFE commenced paying me. TAFE then applied to the Industrial Relations Commission that they had "medically retired" me. I repeatedly informed the IRC that this was simple discrimination – a discriminatory phrase – a presumed disability – to no avail. TAFE lawyers including Cribb, Brus, Menzies, and unlimited staff, barristers, lawyers combined – the IRC panel of Justices Staff, Staunton, Walton adopted as their own the discriminatory unlawful phrase "medically retired" and now seek massive costs against me.

427 I believe all of the above to be true. I believe that none of the detriments to me would have happened if I had not “rocked the boat” and reported Rhonda Hayes’ unlawful discrimination/victimisation to TAFE management – and seemingly there is still nothing or no-one to stop her continuing more of the same.

SWORN By the Deponent)
At Kempsey)
Before me:)

On the 19th day of August in the year two thousand and seven.

.....
Solicitor/Justice of the Peace

.....
Deponent