BEFORE THE INDUSTRIAL RELATIONS COMMISSION OF NEW SOUTH WALES

NO IRC 7143 of 2003

NEW SOUTH WALES TECHNICAL AND FURTHER EDUCATION
APPELLANT

VALDA JUNE KERRISON

RESPONDENT

APPLICATION TO RE-OPEN CASE

Date:

Filed by

V Kerrison
Respondent

Address for Service

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A.

On ……...The Respondent Mrs Val Kerrison makes application that the Appeals Bench of the Industrial Relations Commission for the case 7143 of 2003 New South Wales Technical and Further Education v Valda June Kerrison Appeal re-open the case

B

1) Under Legislation:

a) . **Sec 154 of the Industrial Relations Act 1996 154 Declaratory jurisdiction** (1) The Commission in Court Session may make binding declarations of right in relation to a matter in which the Commission (however constituted) has jurisdiction. The Commission in Court Session may do so, whether or not any consequential relief is or could be claimed

b) **Section 3 Objects of the Industrial Relations Act 1996 which state inter alia** :(a) to provide a framework for the conduct of industrial relations that is fair and just, (b) to promote efficiency and productivity in the economy of the State, … (e) to facilitate appropriate regulation of employment through awards, enterprise agreements and other industrial instruments, (f) to prevent and eliminate discrimination in the workplace and in particular to ensure equal remuneration for men and women doing work of equal or comparable value, … (h) to encourage and facilitate co-operative workplace reform and equitable, innovative and productive workplace relations.

c) s **169 of the Industrial Relations Act 1996 Anti-discrimination matters** (1) The Commission must [emphasis added], in the exercise of its functions, take into account the principles contained in the *Anti-Discrimination Act 1977*.

d) The *Anti-Discrimination Act* 1977 provides for: 49A Disability includes past, future and presumed disability

A reference in this Part to a person's disability is a reference to a disability:

(a) that a person has, or
(b) that a person is thought to have (whether or not the person in fact has the disability), or
(c) that a person had in the past, or is thought to have had in the past (whether or not the person in fact had the disability), or
(d) that a person will have in the future, or that it is thought a person will have in the future (whether or not the person in fact will have the disability).

49B What constitutes discrimination on the ground of disability?

*(1) A person ("**the perpetrator**") discriminates against another person ("**the aggrieved person**") on the ground of disability if, on the ground of the aggrieved person s disability or the disability of a relative or associate of the aggrieved person, the perpetrator:*

(a) treats the aggrieved person less favourably than in the same circumstances, or in circumstances which are not materially different, the perpetrator treats or would treat a person who does not have that disability or who does not have such a relative or associate who has that disability, or

e) (b) *requires the aggrieved person to comply with a requirement or condition with which a substantially higher proportion of persons who do not have that disability, or who do not have such a relative or associate who has that disability, comply or are*

able to comply, being a requirement which is not reasonable having regard to the circumstances of the case and with which the aggrieved person does not or is not able to comply.

f) s 48 of the Industrial Relations Act 1996 -National Decision

g) s 49 of the Industrial Relations Act 1996 -State Decision

h) **s 50 of the Industrial Relations Act 1996 -Adoption of National decisions which state**: (1) As soon as practicable after the making of a National decision, a Full Bench of the Commission must give consideration to the decision and, unless satisfied that it is not consistent with the objects of this Act or that there are other good reasons for not doing so, must adopt the principles or provisions of the National decision for the purposes of awards and other matters under this Act. (2) A Full Bench of the Commission is to give consideration to the National decision either on application or on its own initiative. (3) The principles or provisions of a National decision may be adopted: (a) wholly or partly and with or without modification, and (b) generally for all awards or other matters under this Act or only for particular awards or other matters under this Act. (4) The principles or provisions of a National decision so adopted may be varied by a Full Bench of the Commission, whether or not another National decision is made.

i) s **146 of the Industrial Relations Act 1996 General functions of Commission** (1) The Commission has the following functions: (a) setting remuneration and other conditions of employment … (2) The Commission must take into account the public interest in the exercise of its functions and, for that purpose, must have regard to: (a) the objects of this Act, and (b) the state of the economy of New South Wales and the likely effect of its decisions on that economy.

j) s152 of the Industrial Relations Act 1996 Commission in Court Session as a superior court of record in s 152 of the Act

k) **s 162 of the Industrial Relations Act 1996 Procedure generally** (1) The Commission may, subject to this Act, determine its own procedure. (2) (i) may exercise, on its own initiative, any function exercisable by it on application (except when it is in Court Session), and (j) may, on its own initiative, inquire into any industrial matter.

l) **s 170 of the Industrial Relations Act 1996 Amendments and irregularities** (1) The Commission may, in any proceedings before it, make any amendments to the proceedings that the Commission considers to be necessary in the interests of justice. (2) Any such amendment may be made: (a) at any stage of the proceedings, and (b) on such terms as the Commission thinks fit (including, if it can award costs in the proceedings, terms as to costs). (3) If this Act, the regulations or a rule of the Commission is not complied with in relation to the institution or conduct of proceedings before the Commission, the failure to comply is to be treated as an irregularity and does not nullify the proceedings, any step taken in the proceedings, or any decision in the proceedings. (4) For the purposes of subsection (3), the Commission may wholly or partly set aside the proceedings, a step taken in the proceedings, or a decision in the proceedings

m) s **175 of the Industrial Relations Act 1996 Powers of interpretation** The Commission may, for the purpose of exercising its functions in connection with a matter before it, determine any question concerning the interpretation, application or operation of any relevant law or instrument (including the industrial relations legislation and any industrial instrument).

n) s **179 of the Industrial Relations Act 1996 Finality of decisions** (1) A decision of the Commission (however constituted) is final and may not be appealed against, reviewed, quashed or called into question by any court or tribunal.

o) s **406 Awards and other industrial instruments provide minimum entitlements** (1) The conditions of employment set by an industrial instrument are the minimum entitlements of employees. (2) The provisions of a contract of employment or other contract do not have effect to the extent that they provide an employee with a benefit that is less favourable to the employee than the benefit to which the employee is entitled under an industrial instrument.

C Grounds and Reasons for Re-opening case

COURT OF LAST RESORT, ERRORS, IRREPARABLE HARM

1) **The Commission in Court Session is a court of last resort**.

Failure to re-open can cause Mrs Kerrison irremediable injustice which cannot be rectified later.

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Ove Arup and Ors v Inspector Mansell [2005] NSWIRComm 49

"*… whether the existence of **s 179** in the statute created an implied power to re-open appeals on the basis that the Commission in Court Session was a court of last resort.*

***Consequently, it was held that the Commission in Court Session was a court of last resort** and thus, despite the authorities which held that once an order disposing of a proceeding had been perfected that proceedings were at an end in that court and were beyond recall by that court, in order to avoid an "irremediable injustice", circumstances may render it appropriate for a Full Bench of the Commission to re-open proceedings.*

2) The Commission has made errors which should be corrected. Failure to do so can bring the Commission into disrepute

3) Failure to re-open and review the Decision of December 2004 may create irreparable harm to the application of discrimination law under the AntiDiscrimination Act (AD Act) which may not be able to be rectified later in the inferior Administrative Decisions Tribunal.

DISCRIMINATION CONSIDERATIONS

4) The Commission was mistaken or misled into failing to be guided by the Objects of the Act regarding discrimination.

a) Instead of preventing discrimination the Commission overturned SchmidtJ's judgement by repeatedly applying discriminatory presumptions instead of evidence and logic.

b) In doing so the Commission has undermined the conditions of employment previously granted by the Commission in NSW TAFE Enterprise Agreement

c) In applying discriminatory presumptions instead of evidence, the Commission has set precedent for other similar breaches of the AntiDiscrimination Act 1977.

d) These precedents may be followed in other State and National Decisions.

e) As the Commission is a superior court of record, by condoning or accepting discrimination in its decision making it has undermined the function of the Administrative Decisions Tribunal EEO Division.

5) The Commission should have taken into account the obsolete 'paternalism' inbuilt in the Technical and Further Education (TAFE) Act s 20, and the other similar Acts advocating that the employer may "cause" an employee to be retired, as well as the stigma and implications that the employee is to old and/or incapable to be in the workforce.

a) The Commission should have recognised that the AntiDiscrimination Act outlawed forced retirements many years ago; that the power to enter into retirement may be applied for by the employee if s/he so wishes, and the employer may accept that application. .

b) The Commission should have recognised and interpreted this section of the TAFE Act as obsolete, and determined that there was no application for "causing a person to be retired" in the Commission or in the TAFE Act.

c) The Commission should have recognised that this was not a facility allowed for in the Enterprise Agreement, and such an outmoded concept does not come near even the minimum terms and conditions of employment as determined by the Commission itself in the TAFE Enterprise Agreement. The Commission should have recognised that the TAFE Commission has the power to discipline or sack an employee, **(SEE Appeal Books Vol 3 Pages 622-633)** but has not held the legal power to force an employee to retire since this was legislated against in the AntiDiscrimination Act 1977.

d) The Commission should have taken into account TAFE's legal representative's arguments that s20 of the TAFE Act dated from the dinosaur age, and used its power under **s175 Powers of interpretation**, to set in motion proceedings to eliminate or vary the application of s20 of the TAFE Act in line with the AntiDiscrimination Act 1977.

TAFE ENTERPRISE AGREEMENT SETS MINIMUM ENTITLEMENTS

6) The Commission should have taken into account that there is no facility published in the TAFE Enterprise Agreement to cause an employee to be retired, nor is there a publication to inform TAFE staff that this is part of the **employment contract** and concluded that such a facility is not part of the employment contract under which Mrs Kerrison and others including Dr Willmott are employed by TAFE. This is consistent with the AntiDiscrimination Act 1977..

7) A forced retirement was not identified as a part of the employment contract Mrs Kerrison signed. As there is not evidence that Mrs Kerrison knowingly signed a contract allowing some other person to cause her to be retired the Commission should determine if it is legal.

PROCEDURAL FAIRNESS CONSIDERATIONS

8) The Commission was procedurally in error when it disallowed Mrs Kerrison's contentions that TAFE relied on decisions and actions performed without procedural fairness.

CASE MAY NEED TO BE REMITTED BACK TO LOWER COURT TO CLARIFY IN THE PUBLIC INTEREST, AND IN THE INTERESTS OF JUSTICE.

9) In order to rectify lack of procedural fairness, natural justice, and other questions raised in this Application, if the Commission Appeal Bench cannot judge and act on this, the case should be remitted back to the Commission In Court Session to establish

a) If there was a decision, who made it and when

b) Then judge whether or not there was Natural Justice, or if the decisions are actually null and void as Pleaded by Mrs Kerrison in 2000 and as Found by the public in 2006 and sent to the Commission at that time.

c) In which case the Commission should re-visit

i) the Appeal by TAFE and .

ii) its own Judgement December 2004.

iii) ensure that Justice is properly served, and seen to be served,

before calling for submissions regarding final Orders.

10) PUBLIC INTEREST

11) This application and case is in the public interest. The public have commenced acting on this case themselves, and put in a application *ex debito justitiae* to the Commission.

12) This case has widespread application as it applies to some thousands of people employed similarly to Mrs Kerrison, and without being informed of a possibility of a forced retirement under a number of Acts such as:

Technical and Further Education Act, s20

National Parks & Wildlife Act 1974, Schedule 5A, Schedule 5

Teaching Services Act 1980, s76

Education (School Administration & Support Staff) Act 1987 s16

Public Sector Management Act, 1988 s36

Police Department (Transit Police) Act 1989, s13 and 14

Transport Administration (Staff) Regulation 2000

Public Sector Employment & Management Act 2002, s25

13) Politicians have frequently asked questions in Parliament not only on behalf of Mrs Kerrison, but others agitating about employers using HealthQuest against their internal reporters (whistleblowers). The Public inquiry/ies into the HealthQuest process published in the Lowe Inquiry "Independent Review of HealthQuest" on the WhistleBlowers' Documents Exposed site at http://www.wbde.org/documents/2000_Mar_HealthQuest_Report_David_Lowe_Consulting.pdf identified that employees including Mrs Kerrison were denied procedural fairness

D Particulars

1) On September 2004 the Commission was mistaken or misled when it disallowed The original amended application specifically applied for natural justice consideration including:

a) **Paras E58 - 59** *None of these decisions have lawfully complied with the statutory power conferred on the TAFE Commission under sec 20 of the TAFE Commission Act 1990. All the decisions have involved denial of procedural fairness, improper purpose and bad faith*

b) **Commencing Para E2 through to E3a)** *"On or about the 17 January 1995, the then Managing Director of the TAFE Commission made a decision proposing that the applicant should be referred to a body called HealthQuest for what was termed an assessment of the applicant's Fitness to Continue in employment. In making his proposal, the Managing Director of the TAFE Commission denied the applicant procedural fairness/natural justice - the applicant was not informed of this decision or the grounds upon which it was made "*

c) In **Para E 13 "***Each of the decisions taken by officers of the TAFE Commission, HealthQuest and the MAP in relation to the applicant's employment has involved:*

a) denial of procedural fairness/natural justice"

2) *Natural Justice* is a basic right which the Commission should not have jurisdiction to deny, and anyway it was specifically applied for in Mrs Kerrison's application.

a) When the case was heard before SchmidtJ: Dr Willmott made mention of no time, year, or even century when he first sighted the "Retirement Certificate" relevant to this **court case this century.**

b) All parties, TAFE, Mrs Kerrison, SchmidtJ held the Amended Application which claimed lack of natural justice throughout this case and the inbuilt numerous decisions and detrimental actions.

c) SchmidtJ saw, heard, and found that Dr Willmott did not make a decision on Mrs Kerrisons employment. There was no requirement for SchmidtJ to judge on procedural fairness when there was no decision.

d) TAFE lawyers saw, heard, the cross examination of Dr Willmott.

e) Neither TAFE lawyers, nor Dr Willmott took the opportunity during re-examination to establish when Dr Willmott actually first saw the document, or questioned when or how he made any decision, if they thought he had made one. Nor did these legal representatives suggest or question if there had been any procedural fairness. It was as if there had been no decision, and therefore no requirement of procedural fairness needed to be established.

f) TAFE lawyers were the ones most likely to have evidence of a decision if there had been one, and any process showing natural justice in that decision making. TAFE lawyers saw and heard Dr Willmott testify he had no recollection of sighting the certificate. General processes where a manager gives instruction to staff is not evidence that Dr Willmott made any decision on a document he probably did not see until perhaps years later. TAFE did not choose to establish a decision and due process when they had the opportunity and right – instead they declined to re-examine Dr Willmott.

g) Mrs Kerrison similarly saw, and heard Dr Willmott and as she claimed there had been no decision by Dr Willmott, there was no need to explore procedural fairness when there was no decision. Indeed it would be time-wasting to do so.

h) SchmidtJ observed and saw Dr Willmott claim he had no recollection of sighting the "Retirement Certificate" at any specific time until probably years later or closer to this court case

i) The three parties acted as if there was no decision and therefore no need to establish procedural fairness.

j) The Commission Appeals bench, either mistakenly or misled by compelling arguments from TAFE council Menzies, who did not have the benefit of seeing and hearing the evidence first hand given at the hearing before SchmidtJ, and the Appeals bench Justices Staunton, Walton, and Staff, who did not have the benefit of seeing and hearing the evidence first hand given at the hearing before SchmidtJ, agreed that Dr Willmott, made, not only a decision to forcibly retire Mrs Kerrison, but that it included convoluted arrangements regarding a non-procedural appeals process

months/year later which in still shrouded in mystery. These opinions of the Bench and TAFE's new barrister are not backed up with evidence.

k) The Commission knows, or **should** know that it is virtually impossible for Mrs Kerrison to produce evidence of the negative Denial of Natural Justice, and especially now, long after the case.

l) The vast number of legal practitioners acting for TAFE could have applied to put in new evidence if they believed that any existed to show procedural fairness.

i) Instead the ones to put together evidence are the concerned public, and judged the list of more than 30 (thirty) decisions and actions against Mrs Kerrison, listed in the **Appeal Books Vol 2 pages 346-349** and Affidavit of Emergency 21 March 2006, to be null and void. According to legal opinion

> In Hubbard Association of Scientologists International v Anderson and Just (No 2) (1972) VR577 579 Adam J delivered the judgement of the court (Adam, Little and Gowans JJ) and said:
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> *"If an act is void then it is in law a nullity. It is not only bad, but incurably bad. There is no need for an order of the court to set it, aside. It is automatically null and void, without more ado, though it is sometimes convenient to have the court declare it to be so. And every proceeding which is founded on it is also bad and incurably bad*."
>
> *You cannot put something on nothing and expect it to stay there. It will collapse.*
>
> , as is their right, especially when this could have been dealt with by court, but was not done in a way to take in all the purported decisions against Mrs Kerrison.

ii) The decision to refer Mrs Kerrison to HealthQuest mentioned in Para E3 of the Amended Application above set in motion the string of decisions including the decisions around the alleged fraudulent Retirement Certificate 16 June 1995 and following. These have since been publicly researched, investigated, with and judged null and void. See http://wbde.org and the list Attached.

3) The Commission should require that TAFE managers and Director/s operates as it signed that it would in the Enterprise Agreement. This would include:

a) Appropriate entitlement to have TAFE or the Commission formally declare decisions and actions which were performed without procedural fairness/natural justice to be null and void and to be so stamped and set aside.

b) TAFE workplace and management should be factually free from discrimination

c) TAFE workplace and management should be factually free from victimisation for making reports of discrimination, victimisation, bullying, and internal fraud (false entries on public registers)

d) TAFE workplace and management should be prohibited from forcing an employee to submit to psychiatric or psychological assessments or other investigation into their thoughts, beliefs or opinions.

e) TAFE workplace and management should be compelled to accord procedural fairness/natural justice in their decision-making processes.

f) TAFE workplace and management should be compelled to accord human rights regarding free speech, thoughts and beliefs as set out in UN Declaration of Human Rights, of which Australia is a signatory.

g) TAFE workplace and management should be compelled to conserve public resources by attending to and correcting its own issues/errors in their entirety and in a sensible timeframe as opposed to ignoring issues leaving the complainant to either abandon an issue or rely on the court processes to merely judge selected parts at various times according to different jurisdictions.

4) TAFE workplace and management should be compelled to adhere to their Industrial instrument "TAFE Enterprise Agreement"

5) 18 July 2005 WhistleBlowers' Documents Exposed, being self-funded and acting with the voluntary work of concerned citizens,

6) 8 January 2006 WhistleBlowers' Documents Exposed made application on Mrs Kerrison's behalf and in the public interest made public application *ex debito justitiae* to the Industrial Relations Commission including Justices Wright, Walton, Staunton, Staff, and Crown Solicitor's Office lawyer I V Knight, others, setting out their citizens' concerns

a) When the members of the public made application to the Industrial Relations Commission for justice for Mrs Kerrison. Part 2 listed the personnel asked to produce evidence of natural justice including:

> 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; and requested any evidence to show that natural justice was accorded to Mrs Kerrison..
>
> b) 18 July 2005 WhistleBlowers' Documents Exposed, being self-funded and acting with the voluntary work of concerned citizens,
>
> ***researched**,
>
> http://www.wbde.org/documents/2005_Jul_18_WBDE_Procedural_Fairness_Panel_More_Info.php
>
> ***investigated**
> http://www.wbde.org/documents/2005_Jul_18_WBDE_Procedural_Fairness_Panel_Letter_to_Key_Players.php

*and **judged** the decisions and actions against me null and void due to denial of procedural fairness http://www.wbde.org/documents/2005_Jul_18_WBDE_Procedural_Fairness_Panel_Documents.php.

7) The IRC In Court Session Justice Schmidt found, and it still stands: *"197 Having come to this conclusion, I do not propose to deal in great detail with the evidence as to the process followed by TAFE, in referring Ms Kerrison to HealthQuest. In summary, it is sufficient to note that the evidence showed that: - Ms Kerrison was deliberately deceived as to the reason why she was being sent to HealthQuest.*

8) Mrs Kerrison's entitlement to natural justice, and the fact that it had been denied was specifically set out in the Judgement of SchmidtJ.t:

"The parties' respective cases

"169 " … Ms Kerrison's case rested on the fundamental premise… that those persons who were involved in actions which detrimentally affected her, had been motivated to do her harm in her employment; that she was entitled to natural justice in any consideration of her continued employment at TAFE and that this she had been denied.

9) The lawyers for TAFE, and now the Commission Appeals Bench – but NOT Mrs Kerrison or SchmidtJ, frequently use the discriminatory phrase "medical retire". Mrs Kerrison's submissions stand on this and are enunciated in the **Appeals Books Vol 2 Pages 317-8** "The Respondent's Reliance on Psychiatric Labeling and the Word 'Medical'", and the Section "Medical Retirement" in **Appeals Books Vol 2 Page 319**.

10) HealthQuest's Opinion_The submissions that there was no finding, and information that a HealthQuest 'opinion', some hundreds of Km from Mrs Kerrison teaching in Kempsey, or wherever, cannot be construed as a valid finding as is mandatory for the very first step to the TAFE s20 purported retirement.

a) This is explained more fully in Appeal Books Vol 2 Page 295 S-V

b) There are two important aspects of this for the Commission to note:

i) TAFE lawyers appear to have mistaken or misled the Commission into thinking a psychiatric label was sufficient to ground evidence of fault in Mrs Kerrison; for example:

HealthQuest and TAFE do not tell Mrs Kerrison of any 'concerns' but HealthQuest practitioner accepts TAFE's secret utterances and on receipt of about $800 forms an 'opinion' that Mrs Kerrison is unable to carry out [any?] duties of office – even though everyone knew Mrs Kerrison was ably teaching as usual.

ii) The evidence of TAFE and HealthQuest was presented to SchmidtJ,

From Schmidt J. judgement Para 211

Here, the evidence showed that the diagnosis rested upon an inaccurate and one-sided account of Ms Kerrison's conduct at work, from a person who herself, in fact, was not in possession of all of the relevant facts. When they were revealed in these proceedings, these facts vindicated Ms Kerrison's concerns and complaints about her treatment by TAFE, so as to remove the foundation for Dr Jagger's opinions.

c) This type of detriment on the grounds of a presumption is the very reason that the AntiDiscrimination Act is in place.

11) The alleged fraudulent Retirement Certificate – Reported under s.337 Crimes Act

i) The HealthQuest purported retirement certificate was inspected by Barrister-at-Law Mr Harrington, and charges of crime under s 337 of the Crimes Act were laid against the individuals involved in 1999-2002, and again recently. SEE Attached.

b) The Commission should not use a document which an independent Barrister at Law deems part of a criminal act. Fraud unravels everything.

12) This application and case is in the public interest. The public have commenced acting on this case themselves, and put in a application *ex debito justitiae* to the Commission. , and Mrs Kerrison relies on that application to assist her case.

13) A decision under s20 TAFE Act

a) The Commission should ascertain what, if any evidence the Commission holds to judge or agree that there is a legitimate finding that Mrs Kerrison failed to carry out a duty. This should be with due process as set out in the TAFE Enterprise Agreement (**AB Vol 4 Pages 622 to 631**), showing the minimum requirements as set by TAFE and Industrial Relations Commission Enterprise agreement, such as :

i) The statement of duties applicable to Mrs Kerrison in evidence

ii) The evidence showing the name of the person charging her, the charges set out, the date the charges were formulated and the signature and position held of the charger.

iii) The day and evidence that such charge was delivered to Mrs Kerrison

iv) The day and evidence that Mrs Kerrison was informed of all the charges and invited to respond, and or rebut, and told how and when to put in her answer to the charges BEFORE any decision was made that she failed to perform her teaching duties.

b) Then, and only then, find some evidence of the decision.

c) According to s20 TAFE Act, it is only after that that the decision maker looks for the next, different, criteria to fulfill this multi-step facility. And only after the 4 steps, then there may (or may not) be a decision against the employee.

d) None of this is set out in the TAFE Enterprise Agreement as the minimum to come to a finding for managing poor performance in TAFE. According to the Enterprise

Agreement, agreed to by TAFE and The Commission, and shown to Mrs Kerrison as being her minimum entitlements, there is no forced retirement.

14) It is in the Public Interest to see that Justice is served.

E. Industrial Instruments affected

1. The New South Wales Technical and Further Education Commission-Teachers and Educational Staff Enterprise Agreement (Enterprise Agreement)

G. Applicant

1 Name: Valda June Kerrison

2. Capacity in which the applicant applies
Employee TAFE Commission (New South Wales)
Or retired

3. Temporary Address
C/- 12 Alverton Street, Kempsey, NSW 2440

4 Solicitor or Agent N/A

5 Address for service
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Kempsey
NSW
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H. Respondents

1. The Technical and Further Education Commission of New South Wales a body corporate which for the purposes of any Act is a statutory body representing the Crown by reason of the provisions of the Technical and Further Education Act 1990.

2 The State of New South Wales in the Right of the Department of Education and Training and the State of New South Wales in the Right of the Department of Technical and Further Education.

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Signature

Filed