

**BEFORE THE INDUSTRIAL RELATIONS COMMISSION
OF NEW SOUTH WALES IN COURT SESSION**

IRC of 3124/2000

VALDA JUNE KERRISON
Applicant

and

**TECHNICAL AND FURTHER
EDUCATION COMMISSION**
Respondent

AFFIDAVIT:

Deponent: Valda Kerrison

Date: 3 January 2001

Filed by
Valda Kerrison

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On the third day of January 2001, I Valda June Kerrison of 5/71 Probert Street, Newtown, TAFE teacher, say on oath

- 1 On 15 March 1989 TAFE Director General confirmed my appointment as a permanent full-time employee of the Technical and Further Education (TAFE) as a Technical Teacher pursuant to the provisions of the Education Commission Act 1980.
- 2 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. A copy of that note is attached and marked "A"
- 3 I did so, then returned to Kempsey TAFE and continued teaching.
- 4 On or about 26 June 1995 Kempsey TAFE Manager Ms Elizabeth McGregor told me not to come into TAFE any more.
- 5 On 3 July 1995 I lodged my first Freedom of Information (FOI) request to NSW Government Medical Office (HealthQuest).
- 6 Under this request I sought access to documents in their files relating to their purported assessment of me on 19 May 1995. A copy of that application is attached and marked "B"
- 7 On 22 September 1995 I lodged my first FOI request to TAFE.
- 8 Under this request I sought access to documents held on TAFE files. A copy of that application is attached and marked "C"
- 9 In response to that FOI request, TAFE supplied me with some documents, one such document being a letter by TAFE Managing Director Dr Gregor Ramsey to Dr Gary Willmott Director North Coast Institute of TAFE (NCI TAFE).

- 10 This letter was headed "Re: Irregular Student Enrolment and Assessment Practices". It was undated and the middle part of the letter had been blanked out.
- 11 In addition, there was an arrow at the lower right hand corner of the letter, seeming to indicate further information which had been blanked out.
- A copy of that letter is attached and marked "D"
- 12 It took further FOI requests to obtain the missing portion of the body of that letter. The information attached at the lower right hand corner has still not been revealed.
- A copy of the latest copy of that letter is attached and marked "E".
- 13 In 1997, following further FOI requests to TAFE, a report written by Ms Elizabeth McGregor was supplied to me.
- 14 This report, entitled "Background to Complaints re Rhonda Hayes" was written by Ms McGregor around October 1993 in response to TAFE students' complaints to TAFE Managing Director Dr Gregor Ramsey.
- 15 In reading this document I noted Ms McGregor's opening statement:
- "Many years of un-challenged (by management) pettiness towards:*
- *Particular "types" of students, a number of whom have allegedly left courses because of that treatment. Both letters refer to feelings of having been intimidated and of fearing harassment.*
 - *Part-time teachers exhibiting competence that "threatened" her [Ms Rhonda Hayes]. Allegedly, many of these competent P/T/T's [Part/Time/Teachers] are no longer able or happy to work at Kempsey*
 - *The colleague herself [Val Kerrison] who claims to have suffered years of victimisation and professional sabotage"*
- 16 I also noted Ms McGregor's statement under the heading "Summary" on page 3:
- "Essentially, these student's complaints appear to be the 'tip of an iceberg' that (to mix a metaphor!) goes back a very long way. Much, much personal hurt has been experienced by Val and her perspective is, I believe, affected by that. Nonetheless, anecdotal evidence from other sources corroborates much of what she charges, and I believe both she [Val Kerrison] and these students have the right to challenge us to do something significant",*
- 17 When I received that report in 1997, I felt stunned to discover that Ms McGregor had known all along that Ms Hayes had been victimising, undermining and causing fear and damage to TAFE students and myself, yet neither Ms McGregor nor Dr Ramsey nor any other TAFE manager had stopped Ms Hayes from continuing this damaging behaviour.
- A copy of that report is attached and marked "F".
- 18 In material released to me under FOI by TAFE I discovered a copy of one of the student letters referred to in Ms McGregor's report referred to in paragraphs 13-17.
- This letter dated 28 September 1993 and addressed to Dr Ramsey informed him that Mrs Rhonda Hayes had been hindering the student's learning to the extent that she dropped out of all of Ms Hayes' classes. The student also stated that it had taken her three years to find the courage to write a letter for fear of harassment.
- A copy of that letter is attached and marked "G".

19 Another TAFE document released to me under FOI is an internal memorandum from Dr Gregor Ramsey to Ms C Wells Manager TAFE Comprehensive Audit dated 5 August 1994. The memorandum is headed "Grievance Matter - North Coast Institute of TAFE".

20 In this document Dr Ramsey wrote :

"One of the issues raised in the report relates to alleged irregular enrolments and student assessment practice at Kempsey College of TAFE. Essentially it has been alleged by Ms F Patterson, former Head Teacher of the Business Services (Administration) section that the full-time teacher of a word processing course [Ms Rhonda Hayes] enrolled herself in the course without the knowledge of the Head Teacher and then gave herself 100% exam results. The then Kempsey College Registrar and College Principal were allegedly involved in aspects of this incident.

"Also identified in the report are problems relating to resource management in the Business Services (Administration) section. "

A copy of that letter is attached and marked "H".

21 I also discovered in material released to me by TAFE under FOI a copy of the HealthQuest document headed RETIREMENT CERTIFICATE.....RE: KERRISON Val June" issued 16 June 1995 and signed H Jagger (for Dr H Gapper (Director) The NSW Government Medical Officer.

22 When examining this document I saw that across the top right hand corner a hand written note had been added stating:

"Kerry URGENT need to terminate her as at close of business today!!"

23 The note is unsigned but I believe it to have been written by Dr Gary Willmott Director NCI TAFE to Kerry Walshaw Human Resources Manager NCI TAFE.

A copy of that letter is attached and marked "I".

24 On and after 16 June 1995 I was not retired because I was continuing to work teaching at Kempsey TAFE.

25 Under subsequent FOI requests I obtained further copies of that document marked "I". These later copies appear to have had a previously attached note removed because they do not bear that handwritten note.

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

On the third day of January in the year two thousand and one.

.....
Solicitor/Justice of the Peace

.....
Deponent