

Thursday, 27 August 2015

Statement from ACTU Secretary Dave Oliver regarding the Royal Commission into Trade Unions:

Acting on behalf of a number of affiliated unions, the ACTU has today written to the Royal Commission into Trade Unions following an article published in *The Australian* newspaper by Michael Pelly which suggests:

1. A well-known journalist and lawyer Marcus Priest, telephoned Mr Chris Winslow, the publications manager for the NSW Bar Association at 5.30 on August 12 and inquired about a 'bar association alert' put out in April 2015.
2. In the conversation, Mr Priest expressed surprise that Commissioner Heydon had agreed to speak at the event because of its connection to the Liberal Party.
3. In response to the call, Mr Winslow sent an email to Mr Priest with the relevant invitation to the event attached, at 5.50pm.
4. Later that evening, Mr Winslow became concerned that a story about the matter might be about to appear in the media.
5. Mr Winslow felt an obligation to inform Counsel Assisting Mr Jeremy Stoljar of his fear to that effect.
6. Mr Winslow emailed Mr Stoljar shortly after 7.00pm with an email which included the following: "Re the Barwick lecture: Does Dyson know this is connected to the Liberal party?"
7. Counsel Assisting replied to Mr Winslow almost immediately with a statement which included the following: "I'll raise that with him."

This disclosure raises concerns for the union movement. In particular that:

1. The explanation contained in the media release of the Royal Commission on 13 August 2015, that the Commissioner had acted to withdraw from the event ("if it could possibly be described as a Liberal party event") before it attracted any media attention, might be misleading.
2. We believe there has been inadequate disclosure of relevant documents made by the Commission as to this matter.
3. That on 17 August in the initial hearing of the ACTU's application, Counsel Assisting Mr Jeremy Stoljar, criticised the ACTU's application as 'grand-standing' when in fact he knew the events described in this correspondence and today's *Australian* article had not been disclosed to the ACTU or to the public.

As such the ACTU requests:

- The Commission urgently provide any emails or other communications which are referred to, or relate to, today's article in *The Australian*.
- Once the material is received sufficient time be given to the ACTU to consider the information.
- A deferral of the handing down of the Commissioner's ruling which is due to occur at 10am tomorrow morning so that the ACTU can consider the implications.

The ACTU has always maintained that the Royal Commission is a political witch hunt by Tony Abbott designed to weaken his political opponents.

When it came to light that Commissioner Dyson Heydon had agreed to speak at a Liberal Party fundraiser we called on Prime Minister Tony Abbott to shut down the Royal Commission.

The ACTU again calls on the Prime Minister Tony Abbott to shut down the Royal Commission into Trade Unions and to stop wasting millions of tax payer dollars pursuing his own political agenda.

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