

Witness Statement

Peter Wicks

1. My name is Peter WICKS and I live in Sydney New South Wales
2. Copies of documentation have been provided in electronic format and are labelled as Annexures with corresponding letters.

Background

3. I am a writer who writes work for my own website wixxyleaks.com
4. I also perform freelance work for other publications such as Independent Australia
5. I also work part-time for a disabled childrens charity organisation
6. I am a current member of the Labor Party and two unions, the MEAA and the USU
7. I was approached by a source with documentation that showed that a company owned by Kathy Jackson and Jeff Jackson had been raising substantial invoices to Kathy Jacksons branch of the HSU and these were being paid by the branch. The company was Neranto #10 Pty Ltd
8. After doing some research and discovering that the Fair Work Australia investigation into the HSU did not look at Kathy Jacksons branch during the period she had been Secretary, and that her partner, Michael Lawler was the Vice President of FWA I thought that it warranted investigation.
9. After discovering that Michael Lawler had been appointed to his position as VP of FWA by Tony Abbott who as leader of the then in opposition Liberal Party and the man who stood to gain the most from any attack on Federal Labor MP Craig Thomson due to the hung parliament I published my first article on the subject entitled "I Think I Smell A Rat" on 16/5/2012.
10. After publishing that article I have been in receipt of many documents from various sources much of which I have tendered as evidence.
11. I am presenting these items as evidence and making a sworn statement to ensure that all evidence currently available has been put before the Commission.

Katrina Hart Statement

2. Ms Hart has a section in her witness statement entitled "Members privacy and Mr Peter Wick's blog" paragraphs 215-224 inclusive
3. Aside from the misspelling of my surname Ms Hart makes some statements which are false.
4. Ms Harts address was put up on my website and was taken down by myself without there being any formal request or otherwise from Ms Hart.

5. Ms Harts address was on the bottom of an email that I republished on my site, in evidence as [Peter Wicks Annexure A](#) “Katrina Hart campaign email”.
6. The email had been sent to thousands of HSU members as part of her election campaign during work hours and from a hospital computer.
7. The email had been sent to me by a reader who was part of the mailing list and was unsure where Katrina Hart had retrieved his personal details from to be sending him an unsolicited email.
8. Ms Hart would have been aware of her address being on her email as it was the only place that her address appeared on my site
9. Ms Harts assumption that I had a database from within the HSU is completely false
10. Given it was Ms Hart who in fact made the address public indicates to me that she has intentionally set out to deceive the Royal Commission by providing false information.
11. In Ms Harts statement paragraphs 222 and 223 are contradictory she cannot have informed the HSU and then claimed to have informed nobody
12. Far from Ms Hart telling nobody of her address, she chose to email it to thousands of members completely unsolicited from a mystery database.

Kathy Jackson

3. In regards to Kathy Jackson and allegations of her misconduct I have several documents to enter into evidence.
4. [Peter Wicks Annexure B](#) is a copy of a letter addressed to John Tyquin of the Victorian Police from the HSU Acting General Secretary Peter Mylan seeking for several matters involving Ms Jackson to be investigated.
5. [Peter Wicks Annexure C](#) is copies of cheque remittances, invoices and photocopies of cheque stubs relating to Neranto #10 Pty Ltd which was owned by Kathy and Jeff Jackson.
6. Page 5 of [Annexure C](#) shows what appears to be Kathy Jacksons signature on a cheque remittance which would indicate she was aware of Neranto #10 and its business which conflicts with her sworn testimony before the Commission.
7. [Peter Wicks Annexure D](#) shows copies of cheque requisitions and invoices for Neranto #10 some of which appear to bear the signature or initials of Ms Jackson.
8. Although my scanned copies are unclear, the original documents were sent to Chris Brown at HSU National office by myself.
9. [Peter Wicks Annexure E](#) is a copy of Jeff Jacksons resignation letter and details of invoices and payments made by the union to a company called K Koukouvaos Consulting.
10. Koukouvaos is Ms Jacksons maiden name.
11. [Peter Wicks Annexure F](#) is a contract that saw Robert Elliott collect a salary of \$150K pa plus superannuation and a guaranteed rise each year for doing virtually nothing. Robert Elliott is a friend of Ms Jacksons, and the partner of a Victorian State MP. The contract bears the signature of Ms Jackson and Michael Williamson.
12. [Peter Wicks Annexure G](#) shows payment details for several payments to Minifie Child Care Association where Ms Jacksons children attended. One of these payments is marked as being for staff uniforms.

13. Minifie Park Child Care Centre staff do not wear uniforms.
14. [Peter Wicks Annexure H](#) shows a \$13,100 expense claim from Ms Jackson labelled as HESTA
15. [Peter Wicks Annexure I](#) is a record of a \$12,500 postage and shipping payment that seems very rounded up for a multitude of postage payments and occurs at approximately the same time that Jeff Jackson is alleged to have a car imported from overseas.
16. [Peter Wicks Annexure J](#) is a letter addressed to Kathy Jackson detailing staff complaints of her taking photos of them without permission. This occurred in the lead up to the police raid which Ms Jackson seemed to be aware was coming to the NSW Branch Office. Staff believed photos were taken by Ms Jackson so that media photographers would know who to look for.
17. [Peter Wicks Annexure K](#) is the payment record of a \$63,000 Honorarium payment to Kathy Jackson and the minutes of the BCOM meeting associated with its approval.
18. [Peter Wicks Annexure L](#) is the bank statements for the HSU Number 3 Branch cheque account from June 09 to July 2010
19. [Peter Wicks Annexure M](#) is a breakdown of the bank statements **in Annexure L** which shows details of credit card repayments, a \$58K payment to Jeff Jackson, cashed cheques and payments to the NHDA slush fund during that period.
20. [Peter Wicks Annexure N](#) is the documentation involving the purchase of a Volvo by Ms Jackson where the union has paid \$5005 more than the amount that was due.
21. [Peter Wicks Annexure O](#) is a copy of the cash cheque for Ms Jacksons Volvo plus the extra \$5005 with the signatures of Mr Yeates and Ms Jackson.
22. [Peter Wicks Annexure P](#) is Kathy Jacksons Diners Club credit card statement from January 1999 which shows amongst other items the purchase from a car dealer of something to the value of \$38,286
23. [Peter Wicks Annexure Q](#) shows details of some BCOM cash payments for the Number 3 Branch
24. [Peter Wicks Annexure R](#) shows details of a payment allegedly made to Wai Quen for legal assistance.
25. Wai Quen when asked was no longer living in Australia at the time of this payment and was unaware of why there would have been any payment made to her at all.
26. I have been informed that the HSU organised for a trace on the payment to be made and that the payment was received by a Mr Danny Chan, not Ms Wai Quen
27. [Peter Wicks Annexure S](#) is the BAS expense reporting for the Number 3 branch from July to September 2005.
28. [Peter Wicks Annexure T](#) provides a breakdown of some of the items in the expenses for that quarter.
29. Some of those expenses include \$3934 on camera equipment, \$5,152 into what appears to be a slush fund named JR Discretionary Fund, and \$22,976 on a trip to the snow.
30. If the snow trip was for union business as has been claimed it has never been mentioned in any of the union magazines, newsletters or media statements either 6 months before or after the trip.
31. Ms Jackson in her witness statement makes a number of false claims against me.

Ms Jackson claims in paragraph 345 of her witness statement

“He has now published about a hundred articles that are full of false and malicious smears about me, my partner, my partners father, his children, his brother, Mr Marco Bolano, Ms Katrina Hart and Victoria No 3 BCOM Members.”

2. None of the articles I have published have been full of false and malicious information
3. Not once have I been approached by Ms Jackson to remove any information in an article that she claimed to be false.
4. All of my articles that deal with her partner Michael Lawler have been based on the information of witnesses, evidence documentation, statements in mainstream press made by Jackson herself, and undisputed facts such as his position at Fair Work Commission
5. My article that touched on the Lawler family was based on their work history and was in no way false or malicious. I found it relevant that Michael Lawlers who was an appointee of Tony Abbott had a father who was an ex staffer of the Menzies government, the first Australian Ambassador to the Holy See, and a leading Catholic lobbyist.
6. I also found it relevant that whilst the investigation by Fair Work Australia was being undertaken that somehow missed any evidence of Kathy Jacksons alleged wrongdoings that Michael Lawlers brother was the CEO of the Australian Crime Commission.
7. I also found it extremely relevant that Mr Lawler who had repeatedly claimed to the media that he had nothing to do with the HSU matter had neglected to mention that two of his sons had been working at his partners branch of the union
8. In regards to Mr Bolano and Ms Hart, I can again state that neither I nor Independent Australia have never been asked to remove any material that they have claimed to be false
9. Regarding articles involving the BCOM I have only listed who they were and what their current roles are, none of which is malicious or false.
10. My referring to the BCOM is due to the fact that Ms Jackson has repeatedly stated that they authorised all of her spending and cash withdrawals of union members funds.
11. Paragraph 346 of Ms Jacksons Witness Statement claims

“Mr Wicks has been able to link to his articles a large range of material, including very low level accounting records that can only have come from Mr Mylan and Mr Williamsons’s supporters. I believe that they trawled through all of the records of the old No 3 Branch looking for material that could be misrepresented to smear me. Mr Wicks has engaged in gross racism and misogyny towards me.”

2. Some of the documentation that Ms Jackson refers to as “very low level accounting records” include complete bank statements for the unions bank account, credit card statements, an auditors report, cheque requisitions and remittances, invoices, and transaction details.
3. If there are indeed higher level accounting records or records of the BCOM approvals of spending then I am sure that the union members, the current branch management, Victoria Police and the Royal Commission would appreciate seeing them.
4. Ms Jackson makes the assumption that anybody who would like to see her accountable for her spending of members funds must be a supporter of her factional enemies, rather than a real whistleblower or someone sick of seeing their union funds squandered by someone who appears to be living a “Millionaires Lifestyle”, to use Ms Jackson’s terminology.
5. The documentation that appears on my site shows no bias nor is it misrepresented, these are just financial documents. If these documents “smear” Ms Jackson as she claims it is due to their content not the manner in which they are represented.
6. I strongly deny any racism or misogyny in my articles towards Ms Jackson. I note that I have not been accused of being a man hater for my articles on the allegations against Michael Williamson or Marco Bolano.
7. I believe that it also warrants mention that Ms Jackson has testified that she became suspicious of Michael Williamsons activities when she saw the “Millionaires Lifestyle” he was leading yet has neglected her own home selling for close to \$2 Million recently.

8. Also worth mentioning is Ms Jacksons purchasing a set of \$3,000 Bulgari Earrings with a credit card that union members funds were being used to pay off. These earrings which would seem obscenely expensive to the vast majority of union members were allegedly a gift for Julie Williamson, Michael's wife.
9. [Peter Wicks Annexure A2](#) is a receipt for the Bulgari earrings.

Michael Lawler

1. Michael Lawler is one of the Vice Presidents of Fair Work Commission formerly Fair Work Australia
2. Michael Lawler was appointed to his position by Tony Abbott during the Howard Government era
3. Michael Lawler is the partner of Kathy Jackson
4. Michael Lawler was at one stage the industrial judge at FWA who had jurisdiction over matters involving the health industry including matters involving the HSU where his current partner was secretary of a union branch.
5. [Peter Wicks Annexure U](#) is a copy of a letter sent to then Fair Work Australia Justice Guidice from the unions Acting Secretary complaining of possible breaches of the unions computer network by a computer with the user ID "michael-lawlers"
6. **Annexure U** also deals with the deletion of all of the information from Michael Williamsons notebook which it was hoped would contain evidence
7. [Peter Wicks Annexure V](#) is a copy of a letter sent to former FWA President Justice Guidice regarding the alleged intimidation and bullying she claims to have received from Michael Lawler via phone when she decided to leave the union.
8. [Peter Wicks Annexure W](#) are copies of payslips from the HSU Number 3 Branch whilst Ms Jackson was Secretary for a Matthew and Donald Lawler.
9. Matthew and Donald are both sons of Michael Lawler and were employed by Ms Jacksons branch of the union despite living in a different state and both enjoyed a higher rate of pay than many of the union members were receiving.
10. [Peter Wicks Annexure X](#) is a screen image of one part of the properties page of a document titled Kafka, the author is shown as Jackson

11. [Peter Wicks Annexure Y](#) is a screen image of another part of the properties of the Kafka document which shows that the software used to save the document is licensed to Fair Work Australia
12. [Peter Wicks Annexure Z](#) is a copy of the document in the file named Kafka
13. According to the KPMG report into the FWA investigation into the HSU Michael Lawler did not allow access to his electronic equipment including his computer.
14. I have also been made aware by various members of the press that when an article regarding allegations surrounding Ms Jackson is being considered that the legal department of that media organisation often receives pressure on behalf of Michael Lawler to not pursue the story
15. I was also contacted by Mr Lawlers solicitor and asked to remove several articles which I refused to do on the basis that they were not in any way false.

Behaviour of Witnesses at Commission

5. I would like to point out that witness Marco Bolano has been intimidating members of the press both inside and outside the Commission.
6. Both police and Royal Commission security have received reports from multiple victims, and I am also of the understanding that video footage has been obtained.
7. If the Commission is seeking to eradicate this kind of behaviour from the union movement I would suggest starting by ensuring that witnesses behave in an appropriate manner
8. This behaviour from Mr Bolano continued after Royal Commission security had been advised.

In Conclusion

9. It is my belief that the scope of this Royal Commission is too narrow
10. There are political aspects that have been out of the scope of this Royal Commission and their absence can only encourage the notion of the Commission being politically motivated and biased which is why I believe these matters should be explored in more depth.
11. I believe efforts should be made to determine the level of pressure and influence that was applied by the current Attorney General George Brandis on the Police investigations of Michael Williamson, Craig Thomson and Kathy Jackson amid cries of political interference.
12. In the case of Michael Williamson it would seem that everybody received immunity from police prosecution except Mr Williamson, and would clearly suggest that the investigation was politically motivated and influenced.
13. In the Williamson case people like Richard Hew, Alf Downing and Cheryl McMillan have escaped prosecution despite being involved in hundreds of thousands of dollars worth of fraud at the member's expense.
14. At what point are the member's interests going to be considered by authorities?

15. In Victoria we have seen Craig Thomson found guilty using the “reasonable person” clause to override questions of authorisation in relation to amounts of spending of less than \$25K
16. Yet in the same state Police are yet to lay a charge on Kathy Jackson for the spending of over \$1 Million on credit cards and over \$200K in cash withdrawals despite having the same authorisation defence as Mr Thomson, albeit her authorisation is via the BCOM.
17. This apparent double standard within Victorian Police leads to speculation of corruption within the police force and also questions the motives of the politicians applying the pressure on police.
18. I note that both NSW and Victoria are Liberal Party governed states and Mr Brandis is also a Liberal Party member.
19. I also note that the NSW Police Minister at the time was Michael Gallacher who is currently facing disturbing corruption allegations before the Independent Commission Against Corruption.

Signed: _____

Peter Wicks

Date: 10th July 2014