

To Kate,

I refer to your letter to me dated 25 November 2024.

You state: *"Consequently, I am required to comply with the decisions of Executive and undertake the investigation."* Yet you do not state clearly whether or not I am under investigation as per rule 3.3 (b). Please specify clearly – is your investigation in compliance with clause 3.3 (b) of the QTU rules, or does your investigation have some other standing under rule? If so, please advise what the specific rules authorising this "investigation" are.

### **Natural justice and presumption of innocence**

I note that in my correspondence, sent to you on 18 November 2025, I stated:

*"The lack of this information places me at an extreme disadvantage in responding to these purported allegations against me, some of which are very serious. This raises the question of whether I am being afforded natural justice in responding to these purported allegations. Section 15 of QTU Policy A, all investigations of teachers by the Department should observe the rules of natural justice, including access to the full details of the complaints and information collected by investigators and an impartial investigation. Surely you do not contend that investigations of a member by or on behalf of the Executive should be conducted on a lesser standard?..."*

*"Similarly, the QTU policy also states that "the QTU believes in the presumption of innocence."*

I requested that you inform me within seven days whether the principles of natural justice and the presumption of innocence apply in your investigation. You have not stated whether I am being afforded natural justice in responding to these purported allegations. Neither have you stated whether the presumption of innocence applies to me in the conduct of your investigation. These omissions are of grave concern, given that you have taken the time to respond to some of the other requests within those seven days.

### **Committee time**

You state that what is discussed in committee time is not minuted or recorded, to allow for members to speak and ask questions without requiring a debate. It does not follow, however, that this is confidential. Just asserting, as you do in your letter dated 25 November, that it is confidential, does not make it so. As already communicated, you provide no specific information about what the purported "confidential information" is which you allege that I disclosed.

In my letter dated 18 November, I state: *There is no rule of our Union, no policy of our Union, no Standing Order of our Union and no contract which makes matters communicated in committee at a State Council meeting confidential.* Your failure to address this point, and inability to refute it, in your response dated 25 November is further confirmation that there is no rule, policy, standing order or contract of our Union or of State Council that makes committee time confidential.

There is no breach of “confidential information” in my communications. Furthermore, it is a grave undemocratic overreach to assert that key discussions on our supreme decision-making body, over something so fundamental as our log of claims development that has involved members voting for over 1600 motions across the state, should be confidential.

### **The movers and seconders of motions**

In your letter you state: *“Despite your assertions to the contrary, resolutions are only considered by Executive if they are in the correct form ie signed with arguments attached... who moved and seconded the resolutions is not relevant.”*

In my letter dated 18 November, I stated: *“The people who raised these motions without any supporting evidence for branches would potentially be in breach of rule 3.3(a)(vi) for making false, frivolous or malicious accusations against me, a member of the union.”*

This is now the third time you have failed to produce the argumentation that would have accompanied these motions. If these motions were indeed in the correct form, which you assert without evidence, why have you been unable to provide the argumentation to me? I am informed and believe that the mover of one motion on which you rely was asked to produce the wording of the purportedly offending post at that meeting, so that members could establish for themselves whether there were any grounds to the motion. The mover of the motion, QTU Executive member and President of the Ferny Grove Branch, Cassie Munro, refused to do so. Is it the case that these motions were not in the correct form to begin with, and Executive summoned you to conduct this investigation erroneously?

The names of the movers and seconders is very relevant in order for complaints to be made against those members for breaching rule 3.3 a) vi), for making false, frivolous or malicious accusations against me as a member. Your refusal to neither provide the names of these individuals nor the accompanying arguments indicates a significant bias in your investigation, and is an obstruction of natural justice.

### **Impartiality**

You state in your letter dated 25 November that *“I have not drawn any conclusions pending your respond (sic) to the allegations.”*

I note that in your email correspondence to all members three months ago, dated 14 August 2024, you stated: *“The QTU has been made aware of inaccuracies being reported regarding the debate and decisions taken at a meeting of the QTU’s chief decision-making body, State Council, with false information being shared online and via email.”* As the 14 August email to all members was sent so soon after my communications, dated 11 August, it is clear that you were referencing my communications.

Given that this occurred before QTU Executive empowered you to conduct this investigation, your statement in response to impartiality is contradicted by your own words on 14 August. As such, I call on you to abandon your clearly biased investigation in which you refuse to confirm the presumption of innocence and natural justice, and where you have already asserted that there are emails and information being shared online that you

allege are “false information” and “inaccurate,” even before your investigation was launched.

### **“Particulars”?**

You have now provided three examples of purportedly misleading statements. Are there any more in my communications that are purportedly misleading, as you allege? Or are these three particulars the sum total of particulars requested in my letter dated 18 November?

I will now respond to the three particulars provided, given that you have failed to provide any further particulars.

“Particular #1”: “Our leadership argued hard, and council voted against a rally”. You state: *“No Senior Officers of the Union entered this debate.”*

This statement from me is not misleading, and is a true and accurate reflection of the meeting. As noted in the minuted proceedings of August 2024 State Council, both L Holcombe and S Tibaldi spoke against the motion for a rally (p19) – and were the only Council members to speak against the motion. They are both sitting members of the current Executive. Do you contend that the Executive is not part of our union’s leadership?

“Particular #2”: “State Council wasn’t representative of members”. You state: *“This questions the integrity of Council Representatives and their representation of the views of the members in the relevant branch or area council.”*

As communicated already, the communications, including the quote above, comprise my honest and reasonable opinion, as well as factual reportage.

I certainly believe that 1,600 motions from branches relating to specific claims gives some accurate and substantial indication of what the majority of members want from the coming EA. And I believe that State Council voting to not adopt a single one of these motions as a claim and instead settle for five amorphous “interest areas” does indicate a failure of representation.

One example of this is that, in the branch and area council motions considered by Executive for August State Council (comprising all the motions carried by branches and Area Councils across the state for EB11), there were 45 branches and three Area Councils that moved motions calling for NCT parity between primary, special and secondary school teachers. Yet that is not reflected in either of the Election Asks or the five interest areas adopted at August State Council.

Expressing the view that State Council wasn’t representative of members when adopting the five interest areas falls within the bounds of a normal exchange of views and debate within a union, and is a legally protected, honestly held reasonable opinion.

Furthermore, your argument that “This questions the integrity of Council representatives” is not relevant to your investigation, which is, that my communications are alleged to contain

purported inaccuracies. Your statement above makes no reference to inaccuracies, and nor do I believe it is inaccurate or misleading.

“Particular #3”: “They don’t want to put any clear demands or pressure on Labor ahead of an election”. You state: *This is both inaccurate and misleading given the decisions of this council in relation to the state election asks and campaign.*

This is an honest and reasonable opinion. The lack of clear demands is evident in the five interest areas which are deliberately vague, as provided in the rationale expressed by L Mertens the minuted proceedings of August 2024 Council. The refusal to support a public rally outside parliament demonstrated an unwillingness to put pressure on Labor. It is neither inaccurate nor misleading to express an honestly held opinion as to why interest-based bargaining is being pursued. The special election edition of the Journal, published 15 Oct 2024, makes no mention of the pay freeze implemented by Labor in 2020, and nor did it mention the fact that our pay has declined in the last three years relative to inflation. These omissions indicate a lack of preparedness to place pressure on Labor ahead of an election, and call them out for their recent track record on our wages.

In fact, there is deliberately misleading information in material you authorised and distributed to all members which is easily established by facts. On page 15, it is stated that “In the Newman years, salaries increased by 8.1 per cent over three years. The current agreement saw [an] 11 per cent increase over three years, as well as a 3 per cent Cost of Living Adjustment.”

While these salary figures alone are accurate, they are misleading because they do not accurately depict the purchasing power of our wages when we compare inflation over those same periods. According to ABS, inflation for Brisbane for our three-year agreement under Newman came to 6.7% (meaning our wages’ purchasing power increased by 1.4%) whereas for the last 3 years to June, inflation for Brisbane comes to 17% (meaning our wages’ purchasing power decreased by 6%). The reason to point this out is to indicate that under both Labor and Liberal governments, our wages have stagnated, and that deliberately excluding inflation when just mentioning wages is misleading. When coupled with the line “Who will have the best deal for Queensland teachers and leaders in the next EB?” this places no pressure on Labor to improve our wages, and indicates that my statement in my correspondence is neither inaccurate nor misleading. To whom do I complain about misleading information that has been authorised by our General Secretary and circulated to the whole QTU membership?

## **Conclusion**

I note that in both your recent correspondence dated 25 November, and dated 1 November, you fail to cite any specific rules of the QTU that I am alleged to have broken.

I reiterate that, in my communications cited in your letter 1 November, and my conduct as an observer, I have broken no rules of the QTU. Your failure to cite any rule in either of your letters to me, and your failure to provide any evidence to substantiate the allegations that

my communications were purportedly misleading and inaccurate, is proof that this is the case.

I reiterate that this investigation is politically motivated, given that at least one sitting member of the Executive moved branch motions requesting an investigation, and that you yourself had already formed the opinion that information regarding August State Council being circulated online and via email was “inaccurate” and “false”. Please notify Executive, the branches and area councils included in your communications dated 1 November that you have failed to produce any evidence to substantiate the assertions of alleged inaccurate reporting of Council proceedings, that there were no rules breached, and remind the branches and area councils that it is a democratic right for any member to have observer status at State Council. Remind them that, with democracy as one of our Union’s five values, members’ knowledge of proceedings of our supreme decision-making body, and the accountability of State Council delegates to their branches, is crucial to a democratic union. Remind them as well that false, frivolous or malicious accusations against any member of the QTU is a breach of our constitution and rules.

Regards,

Tim Arnot