

8 June 2018

## Landmark Victory to reinstate sacked POVB member

The PSA has achieved a massive win for Senior Correctional Officer (SCO) Jason Wattie.

SCO Wattie was suspended from duty in January 2015 as a result of allegations of excessive use of force against an inmate at the Amber Laurel Correctional Centre.

Mr Wattie endured a criminal trial as a result of defending himself against a violent non-compliant inmate. CSNSW at the completion of the Court process 13 May 2016, dismissed Mr Wattie from the Public Service.

In June 2016, the PSA appealed to the Industrial Relations Commission (IRC) of NSW for Unfair Dismissal. The IRC ordered SCO Wattie be reinstated as a Senior Correctional Officer on 18 October 2016.

CSNSW refused to reinstate SCO Wattie and immediately stood him down from duty and made an Appeal Application to the Full Bench of the IRC, to have the reinstatement order overturned.

On 28 February 2017, the IRC denied the Leave to Appeal of CSNSW and SCO Wattie was allowed to put his uniform back on and do the job that he has dedicated his whole life to.

On 30 November 2017, CSNSW still could not accept that these legal minds were right and decided to pursue the matter to the Supreme Court of Appeal. On this occasion CSNSW got the decision it was seeking and subsequently sacked SCO Wattie the minute the decision from the Court of Appeal was handed down.

On 20 December 2017, the PSA sought leave to appeal and to appeal the decision of

30 November. We were granted a stay in the proceedings and again SCO Wattie was reinstated to duty.

The final Appeal was heard in the Supreme Court on 28 February 2018, the decision from that hearing was handed down today.

Mr Wattie WON the Appeal and the Department was ordered to pay costs in the matter.

I would like to congratulate SCO Wattie for his perseverance in this long-running battle with an employer who has little value for the harsh environment that Correctional Officers work in. I would like to thank the PSA for standing by not only SCO Wattie but all Correctional Officers in their time of need. I would also like to thank the staff at our lawyers, McNally Jones & Staff; they have been instrumental in achieving this result for Senior Correctional Officer Jason Wattie.

**Dave McCauley**

**Industrial Officer**

**Prison Officers Vocational Branch/Public Service Association of NSW**

