

19 March 2025

Adero Law responds to the Western Australian article titled “Investigation clears union powerbroker Carolyn Smith of groping allegations.”

Adero Law confirms that it acts for the complainant as referenced in the article and on behalf of its client considers it appropriate to correct the record.

To that extent Adero Law wishes to make to following points:

1. Adero Law or its client did not request an investigation be conducted by the Union.
2. Adero Law and its client did not participate in the investigation that was proposed by the Union because it lacked procedural fairness and did not involve the ability to interrogate witnesses or otherwise obtain supporting third party documents.
3. Adero Law and its client has not been provided with the investigation report and is unaware of what, if any, investigation actually took place.
4. Adero law and its client are still pursuing all legal avenues as it is entitled to do so for a determination of the claims and considers that the Unions investigation will be of no relevance or consequence.

Adero Law and its client believe it is incorrect and inappropriate for the National President of the Union Jo Scholfield or Carolyn Smith to in anyway assert or imply that that this investigation vindicated the Union absent any proper testing of the evidence by lawyers and independent bodies.

The complaint is of a deeply personal nature for our client and she wishes to maintain her privacy at this time. Our client is distressed that the Union is claiming vindication and has done so publicly and boldly despite the fact that there are still ongoing court proceedings.

Adero Law is also working with other clients who work or who have previously worked for the Union and anticipates instructions from those clients to bring further claims and allegations of serious misconduct against the Union and executive members in the coming weeks.

Quotes attributable to Rory Markham, Managing Principal of Adero Law

It is inappropriate to claim vindication and to suggest that there is no case to be answered absent any testing of the evidence and if the Union wishes to maintain credibility amongst what will be a series of claims to come then it ought to have a genuine independent process to resolve disputes.

Significant to the forthcoming court proceedings will be contemporaneous police and medical records as well as geolocation data that Adero Law says will support the

allegations made by the complainant. Such evidence has not been requested by the Union or formed part of its investigation.

Rory Markam

Managing principal of Adero Law