

Media release

Public apology to Priscilla Atkins, Chief Executive Officer of NAAJA

In *Atkins v North Australian Aboriginal Justice Agency Ltd* [2024] FCA 686, the Federal Court made findings that, between November 2022 and February 2023, NAAJA took unlawful adverse action against its chief executive officer, Priscilla Atkins and thereby contravened the *Fair Work Act 2009* (Cth) on six occasions. The Court held that NAAJA's evidence failed to demonstrate that NAAJA did not take this action against Ms Atkins because she exercised or threatened to exercise her workplace rights, and it was therefore presumed to have acted for these unlawful reasons.

NAAJA unequivocally accepts the findings made by the Court.

Amongst other things, the Court found that, in late November 2022, NAAJA unlawfully suspended Ms Atkins from her employment. The Court also found that the passing of a resolution in January 2023 to terminate Ms Atkins' employment was unlawful, invalid and of no effect, and that a letter purporting to dismiss Ms Atkins in reliance on this resolution was similarly unlawful and of no effect.

Ms Atkins remains employed as the chief executive officer of NAAJA. For the avoidance of doubt, her employment is not subject to any suspension or ongoing disciplinary investigation. NAAJA wholly resiles from any express or implicit findings of wrongdoing made by it against Ms Atkins in the lead up to her purported and unlawful dismissal.

NAAJA apologises without reservation to Ms Atkins for the unlawful action it took against her and the hurt, pain and suffering she endured as a result of those actions, as well as any damage suffered to Ms Atkins' reputation by reason of NAAJA's actions.

NAAJA sincerely hopes to move forward from the events of the past two years in a professional and cooperative way with Ms Atkins for the benefit of Ms Atkins, NAAJA and the community that NAAJA proudly serves.

Media contact

Comments in this media release other than direct quotes can be attributed to a NAAJA spokesperson.

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