

**Fair Work Commission**

**Four Yearly Review of Modern Awards**

**Supported Employment Services Award 2010**

Matter No. AM 2014/286

**AED'S OBJECTIONS TO EVIDENCE OF THOSE PERSONS IT WISHES TO  
CROSS-EXAMINE**

**First Statement of Chris Christodoulou, dated 21 September 2017**

1. Objection is taken to paragraphs 46 and 47 and attachment H. The material contained therein is relevant.

**Further Witness Statement of Chris Christodoulou, dated 15 November 2017**

2. Objection is taken to paragraph 12. The paragraph is irrelevant. It is a statement of opinion that contains no probative evidence.
3. Objection is taken to paragraph 17. The paragraph is speculation. It contains no probative evidence.
4. Objection is taken to the second and following sentences of the paragraph. These sentences contain expressions of opinion, are speculative and don't contain any probative evidence.
5. Objection is taken to paragraphs 30 and 31. These paragraphs contain no probative evidence pertaining to the merit of the AED proposal and are irrelevant.
6. Objection is taken to paragraphs 32 through to 46. These paragraphs are irrelevant to the merit of either the AED proposal or the ABI/NSW Business Chamber proposal. Moreover, the paragraphs contain statements of opinion, not evidence of facts.

**Third Statement of Chris Christodoulou, dated 8 December 2017**

7. Objection is taken to paragraphs 2 to 4. These paragraphs contain untestable hearsay.

**Statement of Stephen Charles Burgess, dated 21 September 2017**

8. Objection is taken to paragraphs 12 through to 82. These paragraphs contain no probative evidence, and are irrelevant.
9. Objection is taken to paragraphs 99 to 111. These paragraphs contain no probative evidence, and are irrelevant.

**Further Statement of Stephen Charles Burgess, dated November 2017**

10. Objection is taken to the second and third sentences of paragraph 4. These statements are statements of general opinion and do not contain probative evidence.
11. Objection is taken to paragraph 5. The paragraph is a submission.
12. Objection is taken to paragraph 8. The paragraph contains a submission and generalised statements of opinion.

**Statement of Bradley Raymond Burrige, dated 25 September 2017**

13. Objection is taken to paragraphs 6 through to 39 and paragraphs 67 through to paragraph 76. These paragraphs do not contain probative evidence and are irrelevant.

**Statement of Ann Constable, dated 21 September 2017**

14. Objection is taken to paragraphs 8 through to 42. These paragraphs do not contain probative evidence and are irrelevant.
15. Paragraphs 52 through to 60. These paragraphs do not contain probative evidence and are irrelevant to any fact in issue concerning the merit wages tool proposed by ABI and the NSW Business Chamber in support of which Ms Constable is relied upon.

**Statement of Heath Alexander Dickens, dated 22 September 2017**

16. Objection is taken to paragraphs 10 through to 36. The paragraphs contain no probative evidence and are irrelevant on the same basis as identified for the statement of Ann Constable.

17. Objection is taken to paragraphs 58 through to 87. These paragraphs contain irrelevant material.

**Statement of Anthony Rohr, dated 21 September 2017**

18. Objection is taken to paragraphs 29 through to 73. These paragraphs merely contain descriptive information concerning the internal operations of the ADE. They do not contain probative evidence and are irrelevant.
19. The same objection is made with respect to paragraphs 108 through to 119.

**Statement of Dr Kenneth Baker, dated 20 November 2017**

20. Objection is taken to paragraphs 12 through to paragraph 22. They contain no probative evidence.

**Statement of Sally Powell, dated 21 November 2017**

21. Objection is taken to paragraph 5 through to paragraph 11 and paragraphs 16 to 27. The material contained in these paragraphs is of no probative value and irrelevant. The economic and social benefits of supported employment and its place in labour market policy is not a matter in contest in these proceedings.

**Witness Statement of Andrew Donne**

22. Objection is taken to paragraphs 27 through to 29. These paragraphs contain irrelevant material.

**Witness Statement of Nicole Fitze, dated 24 November 2017**

23. Objection is taken to paragraphs 87, 89, 90 and 91. These paragraphs contain statements of opinion akin to submissions.
24. Objection is taken to paragraphs 92 to 96. These paragraphs contain statements of opinion and are irrelevant.