

**From:** Chambers - Hatcher VP

**Sent:** Monday, 29 January 2018 4:30 PM

**To:** 'Noni Lord'; Chambers - Hatcher VP; 'KEMP, James'; 'Stephen.bull@unitedvoice.org.au'; Leigh Svendsen; 'fogarty@denmanchambers.com.au'; Kairsty Wilson; 'cainpaul@icloud.com'; 'craig.rawson@ags.gov.au'; 'abigail.cooper@ashurst.com'; Nigel Ward; 'chris@greenacres.net.au'; 'MarkW@greenacres.net.au'; 'pfrench@disabilitylaw.org.au'; 'samanthaf@pwd.org.au'; 'Anthony.rohr@maiwel.com.au'; 'Smith\_c1@optusnet.com.au'; 'Steve.burgess@flagstaffgroup.com.au'; 'Roy.rogers@flagstaffgroup.com.au'; 'lmooney@dsa.org.au'; 'mlcinitaly@gmail.com'; 'mjbuck2@telstra.com'; 'estelleshields@hotmail.com'; 'hdickens@dsa.org.au'; 'kerrie.langford@nds.org.au'; 'bree.willsmore@dss.gov.au'; 'johnharvey@greenacres.net.au'; 'marywalsh6@bigpond.com'; 'mpatrick@disabilitylaw.org.au'; 'Skillsmaster275@outlook.com'; 'cnewbold@actu.org.au'; 'Rowena.Freeland@dss.gov.au'; Joe Murphy; 'cwatts@actu.org.au'; 'robk@accessindustries.com.au'; 'Chris.D'SOUZA@dss.gov.au'; Emily Slaytor; 'Paul Musso ([paul.musso@nds.org.au](mailto:paul.musso@nds.org.au))'; 'Claire Bratney'; 'jzadel@hwle.com.au'; 'sryan@hwle.com.au'; 'Sina Zevari'

**Subject:** RE: AM2014/286 - SUPPORTED EMPLOYMENT SERVICES AWARD [ABLAW-ImanageDocs.FID135807]

Dear Parties,

**Re: AM2014/286 – Supported Employment Services Award**

I refer to the attached email regarding the application for leave to file a further witness statement.

In our email dated Monday 22 January 2018, the Full Bench granted leave to the AED Legal Centre to file a further statement of evidence after the timetable for the filing of evidence had expired subject to three identified conditions. Those conditions included that the statement must be filed and served by 4.00pm Thursday 25 January 2018 and that the maker of the statement be available for cross-examination at the hearing in Melbourne on 8 or 9 February 2018.

On 28 January 2018, the AED Legal Centre sent to the Commission via email a statement of evidence of Kairstien Wilson annexing an unsigned statement of Mr Tim Potter (Statement). Further, the AED Legal Centre has advised that Mr Potter is not able to attend the Commission and give evidence on 8 or 9 February 2018 or indeed on any day listed for the hearing of this matter.

The Full Bench considers the AED Legal Centre has not complied with the conditions of the grant of leave to file a further statement. Further, the Full Bench considers it would be unfairly prejudicial to other parties if the Statement was admitted otherwise than in accordance with the identified conditions. Accordingly, the Statement will not be accepted for filing in the above proceedings.

Kind regards,

**Helen Hamberger**

Associate to Vice President Hatcher

**Fair Work Commission**

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