

From: Chambers - Hatcher VP <Chambers.Hatcher.VP@fwc.gov.au>
Sent: Tuesday, 2 August 2022 11:09 AM
To: Mary Walsh <marywalsh6@bigpond.com>
Cc: activactionteam@gmail.com
Subject: RE: Request for extension re Cross Examination

OFFICIAL

Dear Ms Walsh,

The Vice President notes items 1, 2 and 4 through 6.

Regarding item 3, no further witness statements are to be filed without the Full Bench's express permission. The deadline to file evidence has already passed. The Vice President confirmed during the directions hearing that he did not understand the Activ Action Team's submission dated 22 July 2022 to comprise evidence, and as such did not intend to permit the four named members of the Activ Action Team (Janette Gee, Heather Shaw, Amy Clark and Leeann Murphy) to be cross-examined. Please refer to the [transcript](#) at PN151-PN164.

Regarding item 7, I will email you the document under separate cover.

Edrea Venal
Associate to Vice President Hatcher



Fair Work Commission

Australia's national workplace relations tribunal

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The Fair Work Commission acknowledges that our business is conducted on the traditional lands of Aboriginal and Torres Strait Islander people. We acknowledge their continuing connection to country and pay our respects to their Elders past, present and emerging.

This email was sent from Gadigal Country.

From: Mary Walsh <marywalsh6@bigpond.com>
Sent: Monday, 1 August 2022 9:33 PM
To: AMOD <AMOD@fwc.gov.au>
Cc: Activ Advocacy Action Team <activactionteam@gmail.com>
Subject: Request for extension re Cross Examination

Good evening

Please be advised that, pursuant to the Directions issued 27/7/2022 we advise that:-

- (1) Our Voice Australia will be physically represented by Mary Walsh in the Sydney registry from 15 August, 2022 to 19 August, 2022.
- (2) All four members of the Activ Advocacy Action Team (who have been called for cross examination) will be attending via Microsoft Teams from Perth.
- (3) They will file individual witness statements in support of their submission and will do so by 5.00pm(WA time) 5 August, 2022.
- (4) Availability of these 4 members, and the 14 witnesses cannot be determined until after AED Legal provide an outline of the matters which they seek to investigate under cross examination – due by COB 3 August, 2022.
- (5) When that is determined arrangements can be made to accommodate the needs of the FWC, how and when the electronic arrangements can be accommodated.
- (6) Our Voice Australia no longer requires to cross examine AED Legal witness – Professor Ron McCallum.
- (7) Our Voice Australia requests to be provided with the Department of Social Services **(Department)** document titled **“Item 1 and 2 data report”**.

Not all of the 14 witnesses are independent. Some have no self- advocacy skills. They live in different communities and some have no transport availability. All have different individual support needs. Those support needs will be assessed after AED Legal outline the matters they need to cross examine. All of the witnesses are concerned about being cross examined in a legal environment but we are doing the best we can, given a lack of resources and no legal representation, to meet the demands being made.

Mary Walsh
Regional Co-ordinator
Our Voice Australia