

Your ref AM2018/12 - Aboriginal Community Controlled  
Health Services Award 2010

Our ref AUSN117-869617 (JZLB)

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Associate to Deputy President Gostencnik  
Fair Work Commission  
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19 June 2019

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Dear Associate

**FOUR YEARLY REVIEW OF MODERN AWARDS  
ABORIGINAL COMMUNITY CONTROLLED HEALTH SERVICES AWARD 2010 (AWARD)  
FAIR WORK COMMISSIONS PROCEEDING NUMBER: AM2018/12 (PROCEEDINGS)**

We refer to the Varied Directions issued by Deputy President Gostencnik on 5 April 2019, as amended on 7 June 2019 (**Varied Directions**), and confirm that we act for the National Aboriginal and Torres Strait Islander Health Worker Association Limited (ACN 138 748 697) (**NATSIHWA**) in the Proceedings.

Due to NATSIHWA's witnesses being located in urban, regional and remote Australia, NATSIHWA is still in the process of obtaining executed witness statements from several of its lay witnesses (see item 4(y) to 4(hh)), and has therefore provided these witness statements in unexecuted form. NATSIHWA will file these witness statements upon their execution.

Pursuant to the Varied Directions, please find **enclosed** by way of sharefile link, for filing on behalf of NATSIHWA:

- 1 NATSIHWA's [submissions](#) in support of its application for substantive variations to the Award;
- 2 the Final Draft Determination proposed by NATSIHWA, in [clean](#) version and [track](#) changes;
- 3 the following expert reports:
  - (a) the [expert report](#) of Alyson Wright dated 11 June 2019; and

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*Kennedys offices, associations and cooperations:* Australia, Argentina, Belgium, Bermuda, Brazil, Chile, China, Colombia, Denmark, England and Wales, France, Hong Kong, India, Ireland, Israel, Italy, Mexico, New Zealand, Northern Ireland, Norway, Pakistan, Peru, Poland, Portugal, Puerto Rico, Russian Federation, Scotland, Singapore, Spain, Sweden, Thailand, United Arab Emirates, United States of America.

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(b) the [expert report](#) of Associate Professor Ray Lovett dated 18 June 2019;

4 the following lay witness statements:

(a) the [statement](#) of Karl John Briscoe affirmed 18 June 2019 (**Briscoe Statement**), save for its Exhibit KB-1 which we address below;

(b) the [statement](#) of Antoinette Liddell dated 18 June 2019;

(c) the [statement](#) of Fiona Wilson dated 18 June 2019;

(d) the [statement](#) of John Watson dated 18 June 2019;

(e) the [statement](#) of David Hart dated 18 June 2019;

(f) the [statement](#) of Rebecca Tracey dated 18 June 2019;

(g) the [statement](#) of Naomi Zaro dated 18 June 2019;

(h) the [statement](#) of Helena Badham dated 18 June 2019;

(i) the [statement](#) of Cynthia Sambo dated 18 June 2019;

(j) the [statement](#) of Kristy Pursch dated 18 June 2019;

(k) the [statement](#) of Debbie Gertz dated 7 June 2019;

(l) the [statement](#) of Richard Assan dated 18 June 2019;

(m) the [statement](#) of Ruth Mallie dated 18 June 2019;

(n) the [statement](#) of Charlene Badham dated 18 June 2019;

(o) the [statement](#) of Peter Yarran dated 18 June 2019;

(p) the [statement](#) of Devetta Mundraby dated 18 June 2019;

(q) the [statement](#) of James Hurley dated 18 June 2019;

(r) the [statement](#) of Karen West dated 18 June 2019;

(s) the [statement](#) of Derek Donohue dated 18 June 2019;

(t) the [statement](#) of Leeann Geas dated 18 June 2019;

(u) the [statement](#) of Dr Stephanie Trust dated 18 June 2019;

- (v) the [statement](#) of Tanya Geier dated 19 June 2019;
- (w) the [statement](#) of Georgina Taylor dated 19 June 2019;
- (x) the [statement](#) of Aaron Everett dated 19 June 2019;
- (y) the unexecuted [statement](#) of Daniel Niddrie;
- (z) the unexecuted [statement](#) of Roslyn Hart;
- (aa) the unexecuted [statement](#) of Robert Dann;
- (bb) the unexecuted [statement](#) of Tanya King;
- (cc) the unexecuted [statement](#) of Lorraine Gilbert;
- (dd) the unexecuted [statement](#) of Haysie Penola;
- (ee) the unexecuted [statement](#) of Evelyn Wilson;
- (ff) the unexecuted [statement](#) of Chandel Compton;
- (gg) the unexecuted [statement](#) of Daphne de Jersey; and
- (hh) the unexecuted [statement](#) of Zibeon Fielding,

(together, the **Documents**).

We confirm that we are in the process of delivering (by hand) three hard copies of the Documents and three hard copies of Exhibit KB-1 as referred to in the Briscoe Statement (consisting of twelve lever-arch folders in total) to the Sydney registry of the Fair Work Commission today.

Should you have any queries in relation to the above, please do not hesitate to contact Naomi Cooper, Associate on +61 2 8215 5992.

Yours sincerely

**Justin Le Blond**  
Partner  
for Kennedys