

PM/SCAO041478  
15<sup>th</sup> December 2011

Justice Guidice,  
Fair Work Australia  
GPO Box 1994  
Melbourne VIC 3001

Dear Justice Guidice,

I am writing to you as the Acting General Secretary of the Health Services Union East Branch and HSUeast, and at the request of Union Council.

Union Council at its 14<sup>th</sup> December meeting received a report on the HSUeast Membership System, relating to staff in our Melbourne Office having greater access to the System than applies to other Offices in NSW and the ACT. However, I have since established in the month of September 2011, as I advised to Union Council that the integrity of our Unions information systems may have been compromised due to unauthorised access by foreign devices, the unauthorised activity was via devices identified as user –“PC”, and “michael-lawlers”. The logon credentials used by these devices has been identified as Leonie Flynn (Organiser) and Kathy Jackson (Executive President) respectively. Mr. Lawler as you are aware is currently the Vice President of the Federal Industrial Commission and Kathy Jackson’s fiancé.

I also reported to Council that I had received an IT services job sheet, job ID 11190 dated 4/11/11 from the Unions IT consultant in the Melbourne office that indicated that apparently the General Secretary’s office, (Michael Williamson) had been accessed without my approval, or his approval. The I/T services job sheet details that Kathy Jackson had authorized Kelly Krestas from the HSU National Office to request the I/T consultant to remove from Mr. Williamson’s laptop any HSUeast information and to remove it from the HSUeast Network, remove any passwords and clear all data and HSUeast applications. A copy of the Services Job Sheet is attached. Further, as you would be aware the General Secretary Michael Williamson is currently under investigation by the NSW Police, Strike Force Carnarvon and Union Council finds this action as most disturbing.

As a result of all the above Union Council endorsed the following resolution:

“That in light of these serious breaches the Melbourne Office is not to have any greater access to the Membership System than that currently applying to offices in NSW and the ACT. Further, the Acting General Secretary is to write to the President of the Federal Industrial Commission Justice Guidice advising that a device known as “michael-lawlers” has been utilized to access the Unions Information Systems without the approval of the Union. Leonie Flynn is to be reprimanded for her unauthorised entry, and if this is to occur again that her services are to be immediately terminated.

The Acting General Secretary is also directed in light of Kathy Jackson's direction to remove from Mr. Williamson's laptop any HSUEast information, remove it from the HSUEast Network, remove any passwords and clear all data and HSUEast applications without approval that this matter is brought to the attention Strike Force Carnarvon.

I am also aware that you have received correspondence from acting Deputy General Secretary, HSUEast and Health Services Union East Branch Gerard Hayes regarding another matter concerning Michael Lawler at a meeting he had with him on 26/9/11, and it has been suggested to me that you may be in possession of further correspondence regarding Vice President Lawler.

Union Council views this matter as extremely serious that the Unions Information Systems have been accessed by a device known as "michael-lawlers" who may be the same Michael Lawler, Vice President of Fair Work Australia, and a Judicial Officer of the Commission. It also noted with concern and endorsed the correspondence to you from Gerard Hayes regarding the meeting held with Vice President Lawler on 26/9/11.

In light of the above I would be pleased if you could advise me as to what action if any will be taken in relation to the both incidents as Union Council wishes to be assured by a thorough investigation that the device that accessed our Unions Information Systems was not that of Vice President Michael Lawler.

Copies of this letter and Mr. Hayes have been forwarded to the NSW Police and Mr. Williamson's Legal Team.

Please do not hesitate to contact me if you wish to discuss this matter further.

Yours faithfully



**Peter Mylan**  
**Acting General Secretary**