

keywords: novel method of making submission to Australian Administrative Appeals Tribunal [AAT] and publicizing **breaches by Australian Government of International Covenants; International SCANDAL;** Australia's Disability Discrimination Act 1992 (Cth) [DDA]; harassment; bullying; cheating; of disabled; by public sector parasites; Peter David Stirk, 11 Glindemann Drive, Holland Park; Heather Baldwin; Google will publicize it internationally; Australian Administrative Law Journal [AALJ] ISSN 1321-4489; International Standard Serial Number; part Australian Literary Heritage; Online archives; high Google rankings; method to harness the massive power of Google; SSAT abrogates DDA; Paul Kanowski [Email, paul.kanowski@ssat.gov.au], Therese Guthrie and Don Smyth of the SSAT; [corrupt judge of the Federal Court, Jeffrey Ernest John Spender](#);

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Submission to the Administrative Appeals Tribunal sitting in Brisbane at 10am on 5th September, 2007, on the occasion of the Appeal of, & on behalf of, Russell Mathews, against the decision of Centrelink to cancel Russell's Disability Support Pension

by Alex Gordon LLB



Sign outside the side entrance to the building housing the Brisbane AAT. This building houses the Law Courts of the Commonwealth exercising the Judicial Power of the Commonwealth as defined in the Australian Constitution. The AAT does not exercise the Judicial Power of the Commonwealth. It merely makes administrative decisions. Having an illustration permits us to include text that Google will vociferously devour, and INDEX. Unlike humans, Google will read it to the end. Google rates photo captions more highly, than standard text. This building of the Commonwealth Law Courts in Brisbane, houses the home court for Jeffrey Ernest John Spender, who conspired with Terence Joseph Mellifont, [Terry Mellifont of TJ Mellifont infamy], the struck-off Criminal Perjuring ex-solicitor and Frank Thomas Heffernan, of the Queensland Government Railway, to defraud a disabled fellow of a sum in 1974, now worth approximately \$10million. The Beattie Qld Government is now liable for that sum.

The application of the Appellant, Russell Mathews, is that he be offered mediation while taking account of his Special Needs resulting from his disability.

Russell Mathews has been subject to harassment, bullying and discrimination by the AAT Registry in the persons of Deputy District Registrar Peter David Stirk and District Registrar Heather Baldwin. As can be seen in the [letter from our Attorney General Hon Philip Ruddock MP](#), excerpt exhibited below, harassment is illegal.

As a direct result of his disabilities, Russell has been denied his rights given to him by the Disability Discrimination Act 1992 (Cth) [DDA], and the Common Law Fiduciary Duty [FD]. By the bullying and harassment by Peter David Stirk of 11 Glindemann Drive, Holland Park, Brisbane Q4121, [that is public information], and Heather Baldwin, Russell has been denied access to the Mediation process which the AAT offers, solely because he is disabled. He has indicated his desire to attempt that process to settle this dispute, but he has been bullied by Stirk and Baldwin and [Doug Humphreys](#) [archived at <http://AustLawPublish.com/20070716letterexDougHumphreys.PDF>], and denied it. This submission is that the AAT should immediately order that this Mediation process, taking account of Russell's Special Needs, be implemented. Since this Internationally Recognized Journal [it has an ISSN], has already been published and is now a part of this Nation's Literary Heritage, held in official libraries, we cannot list developments in this journal. We can give the [hyper-link to index of future developments](#) in this matter to <http://AustLawPublish.com/directoryoflatestdevelopmentsintopicsbytopic.html#detailstirkharassment/>. Developments in the [Centrelink corruption matter](#) are [will be] archived at <http://AustLawPublish.com/directoryoflatestdevelopmentsintopicsbytopic.html#detailcentrelinkcorruption/>. We can also direct the reader to other journals in the <http://AustLawPublish.com/> stable, [Australian Disability Law Journal \[ADLJ\]](#) and the [Australian Administrative Law Journal \[AALJ\]](#) archived respectively at <http://AustLawPublish.com/austlawpublishADLJ.html> and <http://AustLawPublish.com/austlawpublishAALJ.html> /.

The Stirk harassment was included in his communiques to Mr Mathews. That is available to the AAT and we request that they are provided to this hearing in deliberation of this submission. If need be, we can, at a later time, place all those communiques OnLine for our International audience [we have already now done this as referenced below] if the AAT ignores the breaches of the International Covenants on the Rights of the disabled by Stirk, Baldwin, the AAT, Doug Humphreys, and Paul Kanowski [Email, paul.kanowski@ssat.gov.au], Therese Guthrie and Don Smyth all three of the SSAT and Centrelink staff including Marie Louise Kitchen of Nundah Centrelink [see the [Louise Kitchen Amrita \[LKA\]](#) – she tends to drop the 'Marie' - publication by Russell archived at <http://AustLawPublish.com/20070326LouiseKitchenAmritajournalissue200701forprint.pdf> /]. Russell has found with his brain injury disability, written communications are far preferable. The advent of email has meant that Russell can be far more efficient in achieving his goals. **The Louise Kitchen of Centrelink, Nundah, is now on record, in writing, of lying to the effect that email is insecure, and that that is the reason that Russell could not use email to communicate with Centrelink. That is a lie. Louise Kitchen, of Centrelink,**

Nundah, is a LIAR. Email with encryption is far more secure than mail by Post.

Centrelink, and the AAT, have ulterior motives for not wanting email used by Centrelink "clients". One Friday morning, Louie Kitchen saw the LKA online. Apparently she was unimpressed. She reported it immediately to her superior. They sought a barrister's opinion about whether they could take any action against Russell. Nothing has happened to date. Maybe the lying Kitchen will want to sue now. That would give email for communicating with the Public Service good publicity and their real reasons for harassing Russell. It would also give the International Scandal by the Australian Government through Centrelink, as well as our Journals and Publications, good publicity.

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Stirk's communiques will show his penchant to harass the disabled with his threats that Russell's appeal will be dismissed if Russell does not do as Stirk wishes. One can wonder at his not answering Russell's request of the 26 May, 2007 until two days before the "conference". Baldwin tried to portray Russell's request as 'unusual'. It was a simple request for assistance with travel. In fact, that was a lie by Stirk. He had ignored Russell's request by email for other reasons, but was caught out. We may produce the documented evidence for that OnLine at a later time. Maybe that was the reason Stirk reacted with such venom. Baldwin was able to simply agree with the request for travel assistance, no trouble. Then we had his harassing demand that Russell provide insurance details to cover any damage that may be done by his assistance dogs. No doubt he intended that to seem to Russell that if he did not provide that, his right to be accompanied by his two little assistance dogs, may be denied to him. They are very small. They weigh respectively, 3.9kg and 11.8kg. The [details, including a photo of Russell's Assistance dogs were online then and still are at http://haigreport.com/myassistancedogsprovidedforunderthedisabilitydiscriminationact1992.html](http://haigreport.com/myassistancedogsprovidedforunderthedisabilitydiscriminationact1992.html) For Baldwin to then characterize that demand for Insurance Details by Stirk as an "abundance of caution" is simply ridiculous [her letter is archived at <http://AustLawPublish.com/20070710HeatherBaldwinDistRegist.PDF> /], as ABSOLUTELY NOTHING DEPENDS UPON THE ANSWER, other than the veiled threat to deny Russell's

access with his assistance dogs. Note also that Baldwin refers to his assistance dogs as “companion dogs”, no doubt to denigrate them and him. Hence [Stirk's demand for Russell's “insurance details”](http://AustLawPublish.com/20070618%20letter%20ex%20Peter%20Stirk%20AAT%20Dep%20Regr%2020071773-4.pdf) [archived at [http://AustLawPublish.com/20070618 letter ex Peter Stirk AAT Dep Regr 20071773-4.pdf](http://AustLawPublish.com/20070618%20letter%20ex%20Peter%20Stirk%20AAT%20Dep%20Regr%2020071773-4.pdf)] is simply and solely HARASSMENT. Russell's Insurance details have absolutely nothing to do with the “SAFETY OF USERS OF THE BUILDING”. That was also obvious to Heather Baldwin, and had nothing to do with the safety of users of the building. That was merely Stirk's trying to threaten Russell because Russell is disabled. Clearly, the public service has found that it can threaten the disabled at will, and the disabled do not have the characteristics to stand up for their rights. This extends all the way from Centrelink.

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We highlight the evidence of Stirk's threats to Russell to have the matter dismissed if he did not bow to Stirk's demands. His [first threat that the matter may be dismissed is archived \[with the threat in bold larger type\]](http://AustLawPublish.com/20070619StirkEarlierEmailthreattodismiss.pdf) at <http://AustLawPublish.com/20070619StirkEarlierEmailthreattodismiss.pdf> /. The [second occasion of this threat to dismiss](http://AustLawPublish.com/20070620Stirkemailthreattodismiss.pdf) is archived at <http://AustLawPublish.com/20070620Stirkemailthreattodismiss.pdf> /. While it may be argued that Stirk did not “compose” the earlier threat, he would have known it was in the text he sent. As for the second; that was a very deliberate threat to cheat a disabled person. Because of the usual history of discrimination against Disabled persons, it is readily perceived that disabled persons can be more easily threatened. Clearly, that was Stirk's intention, with all his threats. Those emails should be readily available from the aat's own system. However, as this Journals will have other uses, they are referenced separately.

When Russell complained to Baldwin about Stirk's offensive conduct, [Baldwin attempted to frustrate Russell](http://AustLawPublish.com/20070621emailbullyingbyheatherbaldwin.pdf). This is harassment due to his disability, and is illegal. The email interchange is archived at <http://AustLawPublish.com/20070621emailbullyingbyheatherbaldwin.pdf> /. She should have investigated. Clearly, she was happy for Stirk to have behaved as he did. She decided she could act a smart Alec and say she had nothing about which to consider. She should have asked Stirk of his dealings with Russell Mathews. That would have led her to the emails and letters. She wished to make it as difficult for Russell as possible. Since he is disabled, [we would proffer the view that a large proportion of AAT litigants, especially Centrelink appellants, would be disabled to a large degree although not so classified], smart little lawyer bristles Baldwin, felt she could use her lawyer smarts on the disabled, as she clearly always does. Clearly, that is what they, Baldwin and Stirk, are doing repeatedly, as

usual conduct. If Kitchen wishes to sue, Stirk and Baldwin will become involved also.

We trust that the AAT appreciates both the gravity of this matter and also that all the details of it will be available internationally. It would have to be appreciated that not everyone in the world thinks highly of the Australian Government and would be happy to promote Australia's breaches of International Covenants. With our stable of journal, especially the OnLine archives, and all the cross referencing between them, anyone anywhere in the world will be able, via Google, to find all this material.

Mouthing platitudes about disability is insufficient to implement the provisions of the DDA. It is essential to accommodate the "SPECIAL NEEDS" of those disabled persons. All that Doug Humphreys, Stirk and Baldwin of the AAT and Paul Kanowski [Email, paul.kanowski@ssat.gov.au], Therese Guthrie and Don Smyth all of the SSAT and Centrelink staff do, and have done in this matter, is mouth those platitudes so plentiful in the Public Sector. To the public sector, proper treatment of the disabled means not treating them any differently than they would treat non-disabled persons. "Special Needs" to them means that they would have to be treating disabled persons differently and that is not required, in their little minds, by the DDA.

Because of his Disability, Russell has needed to adapt to best achieve in this life. Because of his disabilities, he is less efficient at achieving his goals. This means it takes him longer to achieve anything. He needs to adapt to be as efficient as possible. This is without all the bullying and harassment he has to withstand from Public Sector parasites like Peter David Stirk of 11 Glindemann Drive, Holland Park infamy. As a result of his adaptations, Russell has Special Needs. Public sector parasites who do not understand indirect discrimination, believe they can deny him his Special Needs, because they are "public servants".

Special Needs due to Russell's Disabilities.

Russell is disabled with consequent Special Needs. His major disability is consequent upon a number of head injuries with resulting brain damage and brain tissue atrophy. While so, Russell is still very intelligent and has been able to substantially adjust to his disabilities. This means he has Special Needs. These must be accommodated in all government programs, pursuant to the DDA and the Australian Governments agreement to UN covenants on the Rights of the Disabled.. These have not been accommodated by all government agencies from Centrelink, SSAT and the AAT. It appears that Russell is not an isolated instance. It appears that Centrelink does not accommodate the Special Needs of the large group of disabled persons with whom it deals; these being the recipients of Disability Support Pensions. **THIS IS AN INTERNATIONAL SCANDAL.**

Due to his disabilities, he has resulting changes in behaviour. He is highly vulnerable, and the AAT and Centrelink have played on this. His behavioural changes are recognized as his thinking being pressured, over-inclusive, tangential, irrelevant and disorganized. He tries to cope with this but still remain independent. This means he must not communicate verbally but rather in writing so he can organize his ideas. Russell has had three main Specialists medical consultants over the years. These are Dr Brian E Hazell, a specialist Psychologist, Dr Rob J Moyle, a Specialist Psychiatrist, and Dr Ian G Brown, a Thoracic and Sleep Physician.

We have SEVEN SPECIALIST MEDICAL REPORTS to support Russell's case, before the AAT, and this submission for Mediation, and before the Australian Government and the International Community. These are in date order:

Dr RJ Moyle 20040923: Archived at <http://AustLawPublish.com/20040923.Moyle.dogSS.html> /,
Dr BE Hazell 20051005: Archived at <http://AustLawPublish.com/20051005 Dr Hazell Report.PDF> /, **Dr RJ Moyle 20060216:** Archived at <http://AustLawPublish.com/20060216 Dr Moyle re Special Needs of Advocacy.PDF> /, **Dr RJ Moyle 20060223:** Archived at <http://AustLawPublish.com/20060223xDr Moyle reEffectDuress0002.PDF> /, **Dr I G Brown 20060403:** Archived at <http://AustLawPublish.com/20060403 re OSA Dr Ian Brown reducedresize50pc.html> /, **Dr RJ Moyle 20070125:** Archived at <http://AustLawPublish.com/20070125MoyleBrainOSAnneedsnow02.pdf> /, and **Dr RJ Moyle 20070426:** Archived at <http://AustLawPublish.com/20070426DrMoylereSNAresize50pc.html> /.

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I represent our Editor Russell Mathews. This submission is to the Administrative Appeals Tribunal sitting in Brisbane at 10am on 5th September, 2007, on the occasion of the Appeal of Russell Mathews, against the decision of Centrelink [Clk] to cancel Russell's Disability Support Pension early this year, 2007.

Emerging technologies and the resulting revolution in methods accounts, for this presentation in this form. This submission is an actual edition of the Internationally recognized Law Journal, the Australian Administrative Law Journal [AALJ]. It forms a part of Australia's Literary Heritage, and is acquired, held and catalogued in the National Library of Australia [NLA], in Canberra and likewise in the State Library of Queensland in Brisbane. Additionally, we, at Australian Law Publishers Pty Ltd will archive this journal online. [NLA also promotes our journals online. A google search for many will produce promotions at nla.gov.au sites.] The most powerful aspect to this combined method of distribution is that Google will index this journal. Subsequent AALJ editions will cover further developments and can highlight terms and aspects of this edition of the AALJ, with hyper-links to it and with terms that Google will readily highlight, and index.. That subsequent edition can mention the actual UN Covenants with links to this journal and Google will index this.

The Appeal is also against the decision of the Social Security Appeals Tribunal [SSAT] to confirm the Centrelink decision. These are all major breaches of the Disability Discrimination Act 1992 (Cth) [DDA]. As exhibited below in paragraph 17 of the SSAT decision, those parasites sitting as the SSAT explicitly excluded the DDA from their deliberations. They purportedly have a knowledge of law with law degrees. It is no wonder they are “working” for a government instrumentality. It appears that the Commonwealth Public Service, Centrelink, SSAT and AAT registry, believes it can abrogate the DDA at will and so take absolutely no account of it. Interestingly, the SSAT mentioned the DDA and overtly and specifically excluded the DDA from its considerations, as exhibited below in paragraph 17.. Centrelink [Clk] pays absolutely no heed to the DDA. This is especially concerning as Clk has a large grouping of individuals classified as Disabled, officially and known to Clk to be disabled and without any doubt at all, entitled to the rights and protections of the DDA. As part of the Australian Government, this puts Australia in breach of its International Covenants on the disabled. Russell has made complaint to the HREOC re breaches of the DDA by Commonwealth Public Service, Clk, SSAT and AAT Registry, including Stirk, Baldwin and Doug Humphreys.

The fact that we are publishing this submission to the AAT in the Inaugural Edition of the Australian Administrative Law Journal [AALJ], does not diminish its import to the AAT.

I refer to the [Letter we have received from the Attorney General Hon Philip Ruddock MP](#). It is online at <http://AustLawPublish.com/20070725letterRuddockDisability.PDF/>. A relevant paragraph is exhibited here:

The Australian Government considers that all people with disability have the right to participate as fully as possible in community life, with dignity and comfort. The Disability Discrimination Act provides that it is unlawful for a person or organisation to discriminate against a person on the basis of disability in a range of areas, including in relation to the administration of Commonwealth Government programs and Commonwealth laws. It also prohibits harassment on the basis of disability.

Excerpt of SSAT Decision, per Paul Kanowski, Therese Guthrie and Don Smyth:

17. The Tribunal does not propose to comment on whether Centrelink must, in order to comply with the *Disability Discrimination Act 1992*, take the sorts of steps Mr Mathews urges: undertaking special needs assessments, appointing case managers for some pensioners, and so on. These matters have resource implications and the Tribunal is not equipped to assess them, and in any event it is not the Tribunal’s role to investigate or assess such matters.

We wonder what justice could emanate from the AAT, given that the President is a Judge of the Federal Court of Australia, when the presently longest serving judge of the Federal Court of Australia is the Corrupt [Jeffrey Ernest John Spender](#), [see <http://AustLawPublish.com/20070823VUAJissue200703.pdf> and hyper-links therefrom].

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