

**IN THE FEDERAL COURT OF AUSTRALIA (FCA)
NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
FAIR WORK DIVISION** **No: NSD580/2012**

NOTICE OF FILING AND HEARING

This application was filed electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 20/04/2012.

DETAILS OF FILING

Document Lodged: Originating Application under the Fair Work Act 2009 Alleging Discrimination - Form 81 - Rule 34.05(1)
File Number: NSD580/2012
File Title: James Hunter Ashby v Commonwealth of Australia & Anor
District Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing: First Directions
Time and date for hearing: 21/05/2012, 9:30 AM
Place: To Be Advised



Warwick Soden

Dated: 20/04/2012

Registrar

NOTES

1. This Notice forms part of the application and contains information that might otherwise appear elsewhere in the application. The Notice must be included in the application served on each party to the proceeding.
2. The 'reason for listing' is descriptive and does not limit the issues that might be dealt with, or orders that might be made, at the hearing.

Form 81
Rule 34.05(1)



**Originating application under the Fair Work Act 2009
alleging discrimination**

No. of 2012

Federal Court of Australia
District Registry: New South Wales
Division: Fair Work

James Hunter Ashby

Applicant

The Commonwealth of Australia

First Respondent

Peter Slipper

Second Respondent

To the Respondents

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Time and date for hearing: [Registry will insert time and date]

Place: [address of Court]

Date:

Signed by an officer acting with the authority
of the District Registrar

Filed on behalf of (name & role of party) James Hunter Ashby, Applicant
Prepared by (name of person/lawyer) Michael Daniel Harmer
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Details of claim under the Fair Work Act

The Applicant claims that:

The Parties

1. The Applicant is a person able to sue and be sued in his own name, and is employed by the Second Respondent on behalf of the Commonwealth of Australia under Part III of the *Members of Parliament (Staff) Act 1984*.
2. The First Respondent is the Commonwealth of Australia via the Minister for Finance and Deregulation. The Minister for Finance and Deregulation is the Minister administering the *Members of Parliament (Staff) Act 1984*, and pursuant to Schedule 6.3 of the Fair Work Regulations and Regulation 6.09 of those Regulations, is the relevant Employing Authority of persons employed under Part III of the *Members of Parliament (Staff) Act 1984*.
3. The Second Respondent, the Speaker of the House of Representatives, is a person empowered to employ persons under the *Members of Parliament (Staff) Act 1984*, and thus also an Employing Authority under Regulation 6.09 and Schedule 6.3 of the Fair Work Regulations. The Second Respondent, on behalf of the Commonwealth, employed the Applicant.

Sexual Harassment

4. Between January 2012 and March 2012, the Second Respondent made unwelcome sexual advances, unwelcome sexual comments and unwelcome suggestions of a sexual nature to the Applicant.

Knowledge of the First Respondent – the Commonwealth

5. In or around mid 2003, the First Respondent became aware that the Second Respondent had formed a relationship of a sexual nature with a younger male member of staff employed in the office of the Second Respondent.
6. The First Respondent obtained this knowledge via its employee, Mr Tony Nutt, a Senior Adviser to the then Prime Minister, John Howard. Mr Nutt was so informed by Megan Hobson, a former member of the Second Respondent's staff who had viewed a video in which Mr Slipper was observed to:
 - (a) enter the bedroom of a junior male staff member via the window;
 - (b) lie on a bed with the junior male staff member in shorts and t-shirt and hug the junior male staff member in an intimate fashion;
 - (c) urinate out of the window of the room.



7. Mr Nutt, having been informed of (a) and (b) above by Megan Hobson, directed Megan Hobson to "...forget all about it"
8. The Commonwealth thereafter failed to take reasonable and effective steps to prevent the Second Respondent from utilising his office to foster sexual relationships with young male staff members.
9. In or around May Budget Week 2003 the junior male staff member referred to at 6(a) above had complained to Megan Hobson to the effect "I have been abused by Peter [Slipper]. We had drinks after an electorate event on Australia Day [2003]. Peter made advances on me and I said "no"". The junior male staff member showed Megan Hobson scabs on his knuckles where he said he had recently hit a brick wall whilst defending himself against an attack by Peter Slipper during a parliamentary trip to Adelaide. Megan Hobson recommended that the junior male staff member lodge a complaint through the appropriate channels. After viewing the video referred to at 6 above, Megan Hobson formed the view that the relationship was consensual.

Offer of Employment

10. At some time in or around June to August 2011, the Applicant was invited to the home of the Second Respondent by a third person, who was launching a bid to enter local council. At that time, the Second Respondent asked the Applicant questions about the sexual orientation of the third person. The Applicant responded that he did not know, but in the course of the conversation the Applicant openly revealed his own homosexuality.
11. On or about 15 October 2011, the Second Respondent enquired as to whether the Applicant would be interested in a role as a media adviser. A short time later, the Second Respondent officially offered the Applicant the role. The Applicant declined the offer. The Second Respondent was persistent with his offer.
12. On or about 27 October 2011, the Second Respondent again offered the Applicant the role. The Applicant again declined the offer.
13. By letter dated 5 December 2011 the Second Respondent later offered the Applicant employment as an Adviser on his personal staff as an ongoing employee, to be employed as a Personal Employee under Part III of the *Members of Parliament (Staff) Act 1984*.
14. The Applicant accepted the position and commenced employment on or about 22 December 2011. The role involved work both in the Electorate Office in Queensland and in Canberra.

First week in Canberra

15. On 2 January 2012, the Applicant travelled to Canberra to commence work there.



16. At the insistence of the Second Respondent, the Applicant was to stay in the Second Respondent's flat in Hughes in Canberra.
17. The Second Respondent told the Applicant that another long term adviser, Tim Knapp, normally stayed in the flat but was away, and that other staff had also stayed in the flat with him.
18. During the first week of the job, the Second Respondent came into the office of the Applicant and said "Tim [Tim Knapp] says you're my fuck buddy." The Applicant had heard that term at high school, and considered it poor humour but otherwise brushed it off at the time.
19. On or about Wednesday 4 January 2012, the Applicant and the Second Respondent attended Parliament House for work purposes. During the day, the Second Respondent complained of a sore neck. The Applicant knew that there were medical and other services available in Parliament House and suggested that the Second Respondent use those services to treat his neck. The Second Respondent declined to use those available services.
20. Later that day, the Applicant and Second Respondent travelled back to the Second Respondent's flat after work. The Second Respondent then said to the Applicant "Can you massage my neck." The Applicant said words to the effect of "Yeah, righto.", as he did not know what other response to give as he was brand new to his job and he was being asked by his employer.
21. The Second Respondent then lay on his bed. He did not have a shirt on and was clothed only in shorts. The Applicant stood beside the bed and began to massage the Second Respondent's neck. After about a minute the Second Respondent began to moan in a manner that to the Applicant indicated intense sexual pleasure. The Applicant was shocked, felt very uncomfortable at what was happening, and stopped immediately, saying "You're done", and proceeded to leave the room. The Second Respondent said "Oh that felt so good."
22. The next morning, Thursday 5 January 2012, as the Applicant was getting ready for work, the Second Respondent suddenly said words to the effect of:

"You're a strange one".

The following conversation then took place in words to the effect of:

Second Respondent: "You're weird because you shower with the door shut."

Applicant: "What's weird about that?"

Second Respondent: "You're a prude."



Applicant: "You can call me what you like, I'm happy to wear the tag of a
prude. I don't know what you private schoolboys got up to in
your day, but I've never found it normal to shower with the door
open. My Dad's never done it, I've never done it, my mates don't
do it, that's not weird."

Second Respondent: "But you even go to the toilet with the door shut."

Applicant: "It's not weird and it's normal."

Second Respondent: "You should try showering with the door open."

Applicant: "It's never gonna happen."

Second Respondent: "What have you got to hide? What are you doing in there?"

Applicant: "I'm not doing anything in there, it's just not normal to shower
with the door open."

23. The next morning, the Applicant was woken by the sound of the shower. The Applicant became aware that the Second Respondent was in the shower, because he could hear the way the water fell. The Applicant saw that the door to the bathroom was open. The Second Respondent thereafter continued to shower with the door open for the remainder of that week in Canberra.

24. At the end of that first week, the Applicant and the Second Respondent were required to return to Queensland. The Second Respondent required the Applicant to accompany him and to make a stopover in Sydney. The Applicant was wearing a purple Polo shirt, which he had to purchase in Canberra as he had not taken any casual clothes with him. While waiting in the queue to reboard the aircraft for Brisbane, the Second Respondent said to the Applicant words to the effect of:

"I wouldn't have worn that shirt if I was you."

The Applicant replied: "Why is that?"

The Second Respondent replied: "I would have worn a large. No, actually, I would have worn an extra large. You look fat in that."

The Applicant then swore at the Second Respondent, who smirked in response.

25. The Applicant had previously disclosed to the Second Respondent that he had previously had issues with his weight, but had managed to lose a significant amount. The Second Respondent thus was aware that the Applicant was sensitive to issues about his weight. The Applicant saw the comment about his weight as vindictive and deliberately spiteful.



14 January 2012 and subsequent

26. On the morning of 14 January 2012, the Applicant drove to the home of the Second Respondent and his wife in order to take the Second Respondent to meet with some of his constituents. The Second Respondent indicated to the Applicant that he wanted coffee before they left. To avoid being late, the Applicant suggested obtaining coffee from a takeaway shop near the Second Respondent's home. The Applicant therefore stopped the car at a takeaway coffee shop located approximately two kilometres from the home of the Second Respondent. After purchasing the coffee, and while they were still parked, the Second Respondent asked the Applicant "Have you ever come in a guy's arse before." The Applicant was shocked to hear this question from his employer and replied "That's not the kind of question you ask people, Peter." The conversation then ceased, but the Applicant could not leave as he was obliged to drive the Second Respondent to the meeting.
27. Some weeks later, again while the Applicant was driving the Second Respondent, the Second Respondent repeated the question and then asked the Applicant "Twinks or Bears – what are you into?". The Applicant recognised the question as relating to types of gay sexual partners and was uncomfortable, replying to the questions "They are not questions you ask."

Text Messages on 1 and 2 February 2012

28. On or about 1 February 2012, the Sunshine Coast Daily, a local newspaper circulating on the Sunshine Coast in Queensland asked the Second Respondent to do an interview on the Second Respondent's use of social media. The Sunshine Coast Daily had published stories adverse or hostile to the Second Respondent. The Applicant, and the Second Respondent's Media Adviser, Karen Doane, had advised the Second Respondent not to do the interview as the questions could easily be skewed to reflect badly on the Second Respondent. The Applicant sent the Second Respondent a text message from his mobile telephone at 5.44pm on 1 February 2012 in the following terms:

"DO NOT DO THE SOCIAL MEDIA INTERVIEW WITH CATHY. They are digging for a new angle. It will not be good!!!! The questions are laced with double meaning. It's like answering the "do I look fat" question. There's not [sic] right answer. The daily do not like u! U do not like them! I do not like them! Do not help them sell papers!"

29. A short time later, the Applicant found that the Second Respondent had done the interview despite his Advisers' advices. At 6.10pm the Applicant sent the following text message to the Second Respondent:



"You're not funny! I cannot believe you called her! We'll have to clean this mess up now!!! Fuck fuck fuck"

30. At 7.06pm the Second Respondent sent the Applicant a text message that read:

"Relax my friend! x"

The Applicant noticed that it was ended with an "x", which was used in texting to refer to "kiss", but thought it may have been a slip when sending the text. The Applicant replied at 7.07pm:

"It's so very hard to when u care about the bloke they keep fucking over. I hope like hell they don't fuck u over with this report."

31. The Second Respondent then sent a text message to the Applicant at 7.19pm which merely stated "Xxx". While the Applicant could assume that one "x" was a mistake, he became concerned at three and viewed the message as bizarre.
32. At 9.38pm that day, the Second Respondent sent the Applicant a text message which stated:

"Would be good if you here but perhaps we are not close enough?"

Despite the question mark at the end indicating that the Second Respondent wanted a response, the Applicant did not respond.

33. When the Second Respondent did not receive a response to a text message, the Applicant was aware from his time working for the Second Respondent that the Respondent would often re-send the same message. At 10.00pm, the Second Respondent again sent the text message: "Would be good if you here but perhaps we are not close enough?"

34. The following text exchange then took place:

10.10.53 – **Applicant:** "Haha where's Tim tonight?"

10.10.18 – **Second Respondent:** "Missing"

10.10.45 – **Applicant:** "Gone to pick up lol"

10.12.44 – **Second Respondent:** "Do you think timbo is closer to me than you?"

10.13.52 – **Applicant:** "Yeah but that's to be expected. He's known u longer. That sort of stuff doesn't worry me."

10.14.40 – **Second Respondent:** "Gone to prick [sic] up whom? And closer to you than pete?"

10.16.01 – **Applicant:** "No he's closer to u. I hardly know him"



- 10.16.14 – **Applicant:** “A random root lol”
- 10.17.23 – **Applicant:** “I gotta stop being rude to my friends. Text u when I leave”
- 10.37.55 – **Second Respondent:** “U getting roks off. Pity”
- 10.38.32 – **Second Respondent:** “If you interested we could be closer?”
- 10.43.25 – **Second Respondent:** “?”
- 10.49.20 – **Applicant:** “I think we’re good already. I’m happy seeing Tim being closest. I hate stepping on toes”
- 10.49.29 – **Second Respondent:** “:)”
- 10.51.26 – **Second Respondent:** “Your call if u want to keep degrees of separation. No toes”
- 10.51.44 – **Second Respondent:** “I told him positrion [sic] open”
- 10.54.38 – **Second Respondent:** “But your call and no hard feelings in that you only want businesslike contact. In that event of the difficulty in our personla”
- 10.57.22 – **Applicant:** “I don’t know what type of contact you expect Peter. Perhaps u should define that u would like and I can then be clearer on my position.”
- 10.58.14 – **Second Respondent:** “U want something more? U brillianmt [sic] at massages”
- 10.59.57 – **Applicant:** “No I’m happy the way things are. I care for u Pete but the massage is as far as it goes. Life’s a lot more simpler when it’s business and a few drinks after work”
- 11.00.38 – **Second Respondent:** “Oh”
- 1101.32 – **Second Respondent:** “No problems and thanks for I”
- 11.01.55 – **Applicant:** “All good”
- 11.04.52 – **Second Respondent:** “Sorry things not working out but appreciate your frankness. In future in circumstances please arrange all comuncoations”
- 11.06.29 – **Second Respondent:** “Thu tim as cannot guarantee availability. Sorry u missing syd harbour creises [sic: cruises]”
35. The direction by the Second Respondent to the Applicant to communicate through an alternative adviser, Tim Knapp, was a sudden change which the Applicant considered to be a reprisal for the Applicant declining the sexual invitations of the Second Respondent. The reference to the Harbour cruise was reference to a cruise with a delegation from Samoa, involving the Deputy Prime Minister of Samoa. The Applicant had been invited



to attend, and was annoyed that he appeared to now being denied permission to attend because he had rejected the sexual invitations put by the Second Respondent. The following text exchange took place:

11.07.08 – **Applicant:** “Am I missing it now?”

11.08.06 – **Second Respondent:** “Suspect if you miss”

11.10.06 – **Second Respondent:** “If you miss ok. Tim has girlfriend and”

11.10.31 – **Second Respondent:** “And pete needs to sort out.”

11.17.39 – **Second Respondent:** “Ok your call. Sorry? You still happy to come to can? If not can cover”

36. The next morning, the Second Respondent sent the following text at 6.40.57am: “Ha only joking last night! How media/ daily? Sometimes I feel depressed and as tho the weight of the world is on my shoulders.”

The following exchange then took place:

7.53.18 – **Second Respondent:** “And suspect I’m pretty stressed about next week”

8.39.39 - **Applicant:** “Yeah I get that. Just be mindful we all carry that same level of commitment and stress for various reasons.”

8.47.16 – **Second Respondent:** “Ok :)”

10.01.46 – **Second Respondent:** “How daily? Media?”

Text messages on 26 February 2012

37. On 26 February 2012, the Applicant had a further text message exchange with the Second Respondent. It began at 5.37pm with the Second Respondent texting the Applicant with the number of “followers” he had on Twitter. After some messages about that, and about each others location, the Applicant advised the Second Respondent he was in Canberra. The Second Respondent sent the Applicant a text message at 7.18.28pm, stating:

“Lucky canberra. Tim [third person] thought you were a nice twink!”

38. That message was repeated at 7.32.09pm, with the Second again sending the message:

“Lucky canberra. Tim [third person] thought you were a nice twink!”

39. The Applicant was concerned that the Second Respondent was discussing him in sexual terms. He could not recall who “Tim [third person]” was, and could not recall meeting him. At 7.35.25pm, the Applicant sent the following text message:



“Why would he have seen a pic of me? That’s a little weird that comment from him. Weird he was having that convo with u”

40. The Second Respondent replied at 7.56.46pm

“Met u in person”

41. The following exchange then occurred:

8.00.18pm – **Applicant:** “Oh Tim. What was the discussion about.”

8.01.25pm – **Second Respondent:** “U”

8.02.10pm – **Applicant:** “In a good way I hope.”

8.03.28pm – **Second Respondent:** “Bout whether your loyalty was to the thugs in LNP or to me! I told him I was hopeful your loyalty was to me”

The “Tim [third person]” referred to in paragraphs 37 to 41 was not Tim Knapp.

42. There then followed a lengthy exchange of text messages in which the Second Respondent appeared to be questioning the loyalty of the Applicant and attempting to control his actions. In the course of that text exchange, the Second Respondent sent the following message:

“;;)ok I do like you but must understand I get upset when you play with my enemies and keep me in the dark. It is not what I expect of someone I considered I am close to. If you find this intolerable please discuss”

43. The Applicant has kept all text messages on his mobile telephone and had his mobile telephone forensically examined to ensure that the messages were genuinely sent.

Incident on 1 March 2012

44. On 1 March 2012, the Applicant prepared for the Second Respondent a YouTube video of the Second Respondent explaining the significance of the Mace in the Parliament. The Applicant had the video on his personal laptop, and was sitting in his office in the offices of the Second Respondent.

45. The Second Respondent came and stood behind the Applicant, and watched the video on the Applicant’s laptop. The Second Respondent then put his hand on the arm of the Applicant, and stroked the Applicant’s arm, stating in low tones “You do such a beautiful job with these videos”. The Applicant immediately dropped his arm to ensure the touching ceased.

Incident on 20 March 2012

46. On 20 March 2012, the Applicant was in his office. The Second Respondent walked into the office and said “Can I kiss you both”. There was no other person present in the



office, and the Second Respondent was looking only at the Applicant. The Applicant said "No" very loudly, so that the Media Adviser Karen Doane looked up from the next office to see what was happening. The Applicant moved away from the Second Respondent.

47. By this time the Applicant had formed the view that the Second Respondent had recruited the Applicant to his personal staff for the purpose of pursuing a sexual relationship with the Applicant.
48. The Applicant was further informed by the Second Respondent that the Second Respondent had in November 2011 interviewed another gay man for the purpose of recruiting that man to the office.

Causes of action

49. The conduct set out in paragraphs 18 to 27, 30 to 36, 37 to 42 and 44 to 46 constitute adverse action by the Respondents against the Applicant, such conduct being because of the person's sexual preferences. The conduct is in the nature of sexual harassment and is unlawful in terms of the *Sex Discrimination Act 1984*, and, insofar as the conduct occurred in Queensland, in terms of the *Anti-Discrimination Act 1991* of Queensland, and, insofar as the conduct occurred in New South Wales, the *Anti-Discrimination Act 1977* of New South Wales.
50. Further, the conduct set out in paragraphs 24, 34 and 35 were attempts to victimise the Applicant because he refused to have a sexual relationship with the Second Respondent, his employer and a person in authority over the Applicant.
51. Due to the conduct of the Respondents, the Applicant has suffered considerable stress, humiliation and illness and is currently seeking medical assistance.
52. The Applicant is concerned to ensure that the Second Respondent no longer uses his position to pursue relationships of a sexual nature with young male employees.

The Applicant relies on sections 340, 351, 539, 540, 545 and 550 of the *Fair Work Act 2009*.

The Applicant asks the Court for:

- (a) An order that the Second Respondent undergo counselling and training in the area of anti-discrimination;
- (b) A civil penalty be imposed on the Respondents;
- (c) Compensation for the adverse action (to be calculated following the receipt of expert medical evidence);
- (d) Interest on any compensation;
- (e) Costs;



- (f) Such other orders as the Court deems fit.

Accompanying document

This application is not accompanied by a certificate issued by Fair Work Australia under section 369 of the *Fair Work Act 2009* as this matter does not involve termination of employment. This application is accompanied by a Genuine Steps statement to the extent that the proceedings are not excluded proceedings.

Other relief

The Applicant also claims other relief:

Breach of Contract

53. The terms on which the Commonwealth through the Second Respondent employed the Applicant included terms that the Commonwealth would:
- (a) not conduct itself, without reasonable and proper cause, in a manner likely to destroy or seriously damage the relationship of trust and confidence between the parties (the “**Trust and Confidence Term**”).
 - (b) act towards the Applicant fairly and in good faith (the “**Good Faith Term**”);
 - (c) act with due regard for the agreed purpose of the Applicant’s contract of employment, consistently with the justified expectations of the Applicant, and with due care to avoid or minimise adverse consequences to the Applicant such that it could not act so as to interfere with the Applicant’s ability to perform his obligations under the contract or prevent the Applicant from enjoying the benefits of his contract and would exercise any power under the Applicant’s contract of employment reasonably having regard to the nature of the contract and the entitlements under it (the “**Cooperation Term**”); and
 - (d) provide a safe system of work for all its employees including the Applicant and take all reasonable steps to protect the safety of its employees including the Applicant (the “**Safe Work Term**”).
54. By the conduct described in paragraphs 18 to 27, 30 to 36, 37 to 42 and 44 to 48, the Respondents have breached the Applicant’s contract of employment, including but not limited to the Trust and Confidence Term, the Good Faith Term, the Cooperation Term and the Safe Work Term.
55. Further, and without limiting the preceding clause, the Respondents have, by the conduct set out below, breached its obligations under the Trust and Confidence Term, the Good Faith Term, the Cooperation Term and the Safer Work Term by involving the Applicant in questionable conduct in relation to travel.



Particulars of Conduct

- (a) On 27 January 2012, the Applicant was required, as part of his duties, to travel with the Second Respondent in Sydney. The Second Respondent travelled in a vehicle that was not a Commonwealth Car, was not obviously a taxi cab, and which did not have a meter or any other form of charge device and which did not display in any way obvious to the Applicant that the vehicle was one for hire or reward. The Second Respondent told the Applicant that he was being picked up by a friend.
- (b) During the journey, the Second Respondent asked the driver words in or to the effect of "How many cabcharges do you require?" The driver replied "Three". At the end of the journey, the Second Respondent signed three vouchers but did not otherwise fill in any details, and handed them to the driver.
- (c) On 5 February 2012, the Applicant was again required, as part of his duties, to travel with the Second Respondent in Sydney. The same driver, and what appeared to be the same vehicle, were used for the travel. Again, the Applicant was forced to witness the Second Respondent sign multiple cab charge vouchers without any details being completed, and witness the Second Respondent hand them to the driver.
- (d) On 11 February 2012, the Applicant was again required, as part of his duties, to travel with the Second Respondent in Sydney. The same driver, and what appeared to be the same vehicle, were used for the travel. Again, the Applicant was forced to witness the Second Respondent sign multiple cab charge vouchers without any details being completed, and witness the Second Respondent hand them to the driver.
- (e) The Applicant intends to make arrangements to make a statement to the Australian Federal Police concerning these expense issues concurrently with the filing of this Application.

56. Due to the conduct of the Respondents, the Applicant has suffered considerable stress, humiliation and illness and is currently seeking medical assistance.

The Applicant asks the Court for:

- (a) Damages for breach of contract (to be calculated following the receipt of expert medical evidence);
- (b) Interest on any damages;
- (c) Costs;



(d) Such other orders as the Court deems fit.

Employee / Employment details

The Applicant commenced employment on or about 22 December 2011, working as an adviser to the Speaker for the House of Representatives at the local electoral office in Buddina, Queensland and in Parliament House Canberra.

The allegations contained in the Application are supported by sworn/affirmed evidence and, in the case of text messages, by independent forensic Information Technology assessment and report.

Applicant's address

The Applicant's address for service is:

Place: c/- Harmers Workplace Lawyers
Level 28, St Martins Tower
31 Market Street
SYDNEY NSW 2000

Email: michael.harmer@harmers.com.au

Service on the Respondent

It is intended to serve this application on the Respondents.

Date: 20 April 2012

Michael Harmer

Signed by Michael Daniel Harmer
Lawyer for the Applicant