"The Process" to Liars, Thieves and the Truth.

The factual events to the abuse, denial of Human Rights, Equal opportunity, democracy in Australia to a legal citizen by those using and abusing their positions of power in Government. Protecting members of the Jeovah Witness Cult. The process over 16 years to liars, thieves and the truth, being dragged through the Political and Religious arena with overwhelming evidence of the perverting of the course of Justice to a conspiracy to collude and deceive. Officers of the Crown ignoring the facts, legal documents to making telephone calls to Public Servants and their Political Party mates, for the Truth. The denial and force against "Free Will", and abuse of the confidentually and Privacy Act, with arrogance. The discrimination to my children, my family and myself because we were white Australians and I was divorced.

Dedicated to =

MY DECEASED MOTHER,
MY TWO DAUGHTERS,
OUR ANIMALS, THE TWO DOGS THAT WERE IN-CARE; as
IT WAS ONCE SAID "DESTINY IS INFLUENCED BY HUMAN WILL, BUT THAT THERE IS ALSO A TIME WHEN IT IS RENDERED IRREVERSIBLE BY HUMAN WILL".

"FOR WE WRESTLE NOT AGAINST FLESH AND BLOOD, BUT AGAINST PRINCIPALITIES, AGAINST POWERS, AGAINST RULERS OF THE DARKNESS OF THIS WORLD, AGAINST SPIRITUAL WICKEDNESS IN HIGH PLACES!"

ST. PAUL (EPHESIANS 6:12)

a few Listed documents.

(a) Australian Citizenship Act 1948.

(b) The Governor-Generals position in Australia

(c) Statement by the Governor of Tasmania a former Supreme Court Judge, Sir Guy Green.

(d) An extract of the "Wrong Way Roads" from the Diagnostic Engineer Journalen U.K.

(e) Two letters to the Examiner Newspaper in Launceston, Tasmania dated 29-3-2004, 2-5-2004

(f) Letter to the House of Lords in London, UK dated 20-3-1998

(g) Extract from the Examiner Newspaper dated 8-6-2005. in respect to a Mr Scott former Editor of the Examiner Newspaper.

(h) Extract from the Examiner Newspaper dated 17-9-2006.

(I) Hansaard - Citing of documents in Parliament

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AUSTRALIAN CITIZENSHIP ACT 1948
Schedule 2—Pledge of commitment as a citizen of the Commonwealth of Australia

Section 15

FORM OF PLEDGE NO. 1

From this time forward, under God,
I pledge my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect, and
whose laws I will uphold and obey.

FORM OF PLEDGE NO. 2

From this time forward,
I pledge my loyalty to Australia and its people,
whose democratic beliefs I share,
whose rights and liberties I respect, and
whose laws I will uphold and obey.

[Previous] [Next] [Table of Contents] [Back to top]

2.

There is provision in the Commonwealth Constitution for the Governor-General to withdraw assent to any Bill up to 12 months after it was passed.

Section 61 says "The executive power of the Commonwealth is vested in the Queen and is exercised by the Governor-General as the Queen's representative, and extends to the execution and maintenance of this Constitution, and of the laws of the Commonwealth".

This means that the Governor-General is the person who carries out all executive functions of the Commonwealth. He acts alone, he does not have to consult with anyone, although he can consult with anyone he chooses. In this situation he has the power to carry out the function described in the next Section I will quote.

Section 59 says "The Queen may disallow any law within one year from the Governor-General's assent, and such disallowance on being made known by the Governor-General by speech or message to each of the Houses of Parliament, or by Proclamation, shall annul the law from the day when the disallowance is so made known."

Again the word Queen here means the Governor- General. He is the person who annuls the law.

British Lord Chief Justice, Lord Hewart from 1922 – 1940.

"It is of fundamental importance that Justice should not only be done, but should be manifestly and undoubtedly seen to be done."

I believe that many of the persons in this case, should be held accountable for their actions and be made to pay, given the power they had.

Gail Fitton.

tasmanian legislation
TASMANIA'S CONSOLIDATED LEGISLATION ONLINE

VIEW SUMMARY

The legislation that is being viewed is valid for **3 May 2010**.

Ombudsman Act 1978 (No. 82 of 1978)

Requested: 4 Mar 2015

Consolidated: 3 May 2010

INFORMATION

Notes:

Links:

Table of Amending Instruments:	(click to view Table of Amendments)
Responsible Minister and Department:	See the latest Administrative Arrangement Order or view the Information Guides to Legislation

27. Obstruction of Ombudsman, &c.

Any person who –

(a) without lawful justification or excuse, obstructs, hinders, or resists the Ombudsman, an officer of the Ombudsman or a conciliator in the performance of his functions under this Act;

(b) without lawful justification or excuse, fails to comply with any lawful requirement made by the Ombudsman, an officer of the Ombudsman or a conciliator under this Act, or to carry out any duty imposed on him by this Act; or

(c) gives information, or makes a statement, to the Ombudsman, an officer of the Ombudsman or a conciliator knowing it to be false or misleading as to a material particular–

is guilty of an offence.

see ltr mail 10/3/2015

Earliest version – In force from 14 November 1995

tasmanian legislation
TASMANIA'S CONSOLIDATED LEGISLATION ONLINE

VIEW SUMMARY

The legislation that is being viewed is valid for **1 Feb 1997**.

Criminal Code Act 1924 (No. 69 of 1924)

Requested: 4 Oct 2013

Consolidated: 1 Feb 1997

INFORMATION

Notes:	Not specified
Links:	Not specified
Table of Amending Instruments:	(click to view Table of Amendments)
Responsible Minister and Department:	Not specified

192. Stalking

*[Section 192 Inserted by No. 65 of 1995, s. 5]*A person is guilty of a crime if that person, with the intention of causing another person physical or mental harm, apprehension or fear –

(a) follows the other person or a third person; or

(b) loiters outside the residence of the other person or a third person or another place frequented by the other person or third person; or

(c) enters, or interferes with, property of the other person or a third person; or

(d) keeps the other person or a third person under surveillance; or

(e) gives offensive material to, or leaves offensive material where it is likely to be found by, given to or brought to the attention of, the other person or a third person; or

(f) acts in any other way that could reasonably be expected to arouse the other person's apprehension or fear.

Charge:

Stalking.

This version currently in force, and has been in force since 16 November 2004

tasmanian legislation
TASMANIA'S CONSOLIDATED LEGISLATION ONLINE

VIEW SUMMARY

The legislation that is being viewed is valid for **4 Oct 2013**.

Criminal Code Act 1924 (No. 69 of 1924)

Requested: 4 Oct 2013

Consolidated: 4 Oct 2013

INFORMATION

Notes:	Not specified
Links:	Not specified
Table of Amending Instruments:	(click to view Table of Amendments)
Responsible Minister and Department:	Not specified

192. Stalking

[Section 192 Inserted by No. 65 of 1995, s. 5][Section 192 Amended by No. 59 of 1999, s. 3, Applied:24 Nov 1999] [Section 192 Amended by No. 43 of 2004, s. 4, Applied:16 Nov 2004]

(1) A person who, with intent to cause another person physical or mental harm or to be apprehensive or fearful, pursues a course of conduct made up of one or more of the following actions:

(a) following the other person or a third person;

(b) keeping the other person or a third person under surveillance;

(c) loitering outside the residence or workplace of the other person or a third person;

(d) loitering outside a place that the other person or a third person frequents;

(e) entering or interfering with the property of the other person or a third person;

(f) sending offensive material to the other person or a third person or leaving offensive material where it is likely to be found by, given to or brought to the attention of the other person or a third person;

(g) publishing or transmitting offensive material by electronic or any other means in such a way that the offensive material is likely to be found by, or brought to the attention of, the other person or a third person;

(h) using the internet or any other form of electronic communication in a way that could reasonably be expected to cause the other person to be apprehensive or fearful;

(i) contacting the other person or a third person by postal, telephonic, electronic or any other means of communication;

(j) acting in another way that could reasonably be expected to cause the other person to be apprehensive or fearful –

is guilty of a crime.

Charge:

Stalking.

(2) For the purposes of subsection (1) –

(a) a person pursues a course of conduct if the conduct is sustained or the conduct occurs on more than one occasion; and

(b) if the conduct occurs on more than one occasion, it is immaterial whether the actions that make up the conduct on one of those occasions are the same as, or different from, the actions that make up the conduct on another of those occasions.

(3) A person who pursues a course of conduct of a kind referred to in subsection (1) and so causes another person physical or mental harm or to be apprehensive or fearful is taken to have the requisite intent under that subsection if at the relevant time the person knew, or ought to have known, that pursuing the course of conduct would, or would be likely to, cause the other person physical or mental harm or to be apprehensive or fearful.

(4) Subsection (3) does not apply to a person who, in good faith, pursues a course of conduct of a kind referred to in subsection (1) in the course of performing official duties to –

(a) enforce the criminal law; or

(b) administer an Act; or

(c) enforce a law imposing a pecuniary penalty; or

(d) execute a warrant; or

(e) protect the public revenue.

This version in force from 24 November 1999 to 15 November 2004

tasmanian legislation
TASMANIA'S CONSOLIDATED LEGISLATION ONLINE

VIEW SUMMARY

The legislation that is being viewed is valid for **24 Nov 1999**.

Criminal Code Act 1924 (No. 69 of 1924)

Requested: 4 Oct 2013

Consolidated:24 Nov 1999

INFORMATION

Notes:	Not specified
Links:	Not specified
Table of Amending Instruments:	(click to view Table of Amendments)
Responsible Minister and Department:	Not specified

192. Stalking

[Section 192 Inserted by No. 65 of 1995, s. 5][Section 192 Amended by No. 59 of 1999, s. 3, Applied:24 Nov 1999]

(1) A person is guilty of a crime if that person, with the intention of causing another person physical or mental harm, apprehension or fear –

(a) follows the other person or a third person; or

(b) loiters outside the residence of the other person or a third person or another place frequented by the other person or third person; or

(c) enters, or interferes with, property of the other person or a third person; or

(d) keeps the other person or a third person under surveillance; or

(e) gives offensive material to, or leaves offensive material where it is likely to be found by, given to or brought to the attention of, the other person or a third person; or

(f) acts in any other way that could reasonably be expected to arouse the other person's apprehension or fear.

Charge:

Stalking.

(2) A person who engages in conduct of a kind referred to in subsection (1) and so causes physical or mental harm, apprehension or fear in another person is taken to have the intention

required by subsection (1) if that person knows, or ought to have known, that engaging in that conduct would or would be likely to cause the other person physical or mental harm, apprehension or fear.

(3) Subsection (2) does not apply in respect of a person who engages in conduct of a kind referred to in subsection (1) in the course of performing his or her official duties for the purposes of –

(a) the enforcement of the criminal law; or

(b) the administration of an Act; or

(c) the enforcement of a law imposing a pecuniary penalty; or

(d) the execution of a warrant; or

(e) the protection of the public revenue.

ASIC
Australian Securities & Investments Commission

Record of Registration for Business Name

Business name information for:

ELSPEDITO ENTERPRISES

This Record of Registration contains information recorded on the Australian Securities and Investments Commission's (ASIC) register under section 33(8) of the Business Names Registration Act 2011.

Date: 19 December 1977
Next renewal date: 19 December 2014

Record of registration issued by the Australian Securities and Investments Commission on 13 January 2014

Rosanne Bell
Senior Executive Leader
Registry Services and Licensing

RECORD OF REGISTRATION

ASIC
Australian Securities & Investments Commission

13 January 2014

PO BOX 4000
Gippsland Mail Centre
Victoria 3841

054/1902

GAIL FITTON
PO Box 519
Exeter TAS 7275

Web: www.asic.gov.au
Telephone: 1300 300 630

Dear GAIL

Registration of business name renewed for 'ELSPEDITO ENTERPRISES'

The ASIC key for this business name is 881170957.

Thank you for renewing the registration of your business name. Your business name is now registered until 19 December 2014.

If you have provided an email address for this business name, a record of registration will be sent to you.

To update your business name details, visit www.asic.gov.au.

For more information, please visit www.asic.gov.au.

Yours sincerely

Rosanne Bell
Senior Executive Leader
Registry Services and Licensing

CROWN SOLICITOR'S OFFICE

Westrade Square
141 St George's Tce
Perth, Western Australia 6000

Box F317 G.P.O. Perth 6001
Telephone (09) 264 1711
FAX (09) 264 1440, 264 1442
DX 175

Our Ref : CSO 4572/95
Enquiries : Mr J. Young
Telephone No . 264 1658

Dear Sir

PUBLIC LIABILITY RISKS FOR MEMBERS OF PARLIAMENT

I refer to your letter of 25 May 1995.

Specific Parliamentary privileges aside, members of parliament enjoy no special immunity or protection from civil actions for damages by reason of their being Members of Parliament or their carrying out the functions of a Parliamentarian. Accordingly, liability in any particular case falls to be determined on ordinary principles.

The one proviso to this statement of the legal position is the High Court's recognition in Stephens v. West Australian Newspapers Ltd (1994) 124 ALR 80 (and see also Theophanous v. Herald & Weekly Times Ltd (1994) 124 ALR 1) that "a freedom of communication must necessarily be implied in [the Western Australian] Constitution, just as it is implied in the Commonwealth Constitution, in order to protect the efficacious working of representative democracy and government" (per Mason CJ, Toohey and Gaudron JJ, at 89-90). Stephens and Theophanous modified the civil law of defamation by implying into the Commonwealth and State Constitutions a freedom for members of the public, within certain constraints, to discuss government and political matters and to publish material concerning Members of Parliament which relates to the performance by such Members of their duties as Members of Parliament. There is no reason in principle why that freedom, which precludes legal proceedings in relation to otherwise actionable defamatory statements (provided that the publication was reasonable and its falsity not know to the publisher) and which also in appropriate circumstances attracts the defence of qualified privilege, should not also be available to Members of Parliament where the publication concerned was of a class

which could properly be described as necessary for "the efficacious working of representative democracy and government". There is, in addition, scope for an argument that other activities of Parliamentarians, necessary for the effective administration of our democratic system, ought similarly be protected from suit, though Theophanous and Stephens were expressly confined to the law of defamation and Members of Parliament should for the present assume that when dealing with constituents they (the Members) are subject to the same legal liabilities as any other member of the public.

In very general terms a Member of Parliament will be liable in damages to a person who suffers loss or injury as a consequence of a negligent action by that member, provided that a duty of care (ie. a sufficient relationship of proximity) exists. The typical, but not sole, ingredient giving rise to a duty of care is conduct by a person giving rise to reasonable reliance by another that a particular state of affairs will occur or has occurred. A duty of care will be more readily recognised if the claim is for physical injury or death than it will be if the claim is for economic loss, and a duty is similarly more likely to be imposed in relation to acts than it is in relation to omissions.

Specifically in relation to the provision of information or advice by Members of Parliament, the present legal position is, in my view, that reflected in the following statement by Mason CJ in Shaddock & Associates Pty Ltd v. Parramatta City Council [No. 1] (1981) 150 CLR 225, at 250, paraphrasing far lengthier observations by Barwick CJ in MLC v. Evatt (1968) 122 CLR 556, at 572-3:

> "[W]henever a person gives information or advice to another upon a serious matter in circumstances where the speaker realises, or ought to realise, that he is being trusted to give the best of his information or advice as a basis for action on the part of the other party and it is reasonable in the circumstances for the other party to act on that information or advice, the speaker comes under a duty to exercise reasonable care in the provision of the information or advice he chooses to give."

In adopting Barwick CJ's formulation, Mason CJ rejected the view of the majority of the Privy Council on the appeal from the High Court's decision in the MLC case (see MLC v. Evatt (1970) 122 CLR 628) that a duty of care in relation to the provision of advice or information arises only if the provision of the advice or information requires some special skill or competence and if the adviser is in the business of giving advice of the type sought or holds himself out as having the skill and competence appropriate to a person in the field in question.

It should be pointed out that the law in this State is not entirely settled, largely because in Mohr v Cleaver [1986] WAR 67 the Full Court of the Supreme Court declared that it was bound by the Privy Council decision in MLC v Evatt, which decision, notwithstanding the reservations expressed in Shaddock, had not been formally overturned by the High Court. However, on the facts of that case, the Full

Court held that the plaintiff's case failed whether the narrow Privy Council formulation or the broader High Court description of the duty of care was adopted. Moreover, and more significantly, developments elsewhere in the law of torts render it highly likely, in my opinion, that the State Full Court will in any future case adopt the broader High Court description of the circumstances potentially giving rise to liability.

The position then is that if a Member of Parliament gives wrong information or advice on a serious matter in circumstances where the recipient is reasonably entitled to rely on the accuracy of that information or advice, the Member will be liable in damages for consequential loss if he ought to have realised that the information would be relied upon and if the inaccuracy is due to the Member's negligence. If the Member is known by the recipient to be a member of a profession (such as a lawyer or medical practitioner) and provides professional advice, then whether or not the Member was negligent will be determined according to the standards expected of that profession, this notwithstanding that the Member has charged no fee for his assistance. Otherwise, the issue of negligence will be determined on ordinary principles of reasonableness. In that regard the observations by Cook J in the New Zealand case of Meates v Attorney-General [1983] NZLR 308 are instructive. In Meates the Government was found liable for the losses suffered by a company's shareholders as a consequence of the company, relying on Ministerial assurances and advice, continuing trading despite mounting losses. The case dealt with the liability of Ministers of the Crown, but Cook J's comments, with the necessary adaptation, clearly are relevant to Members of Parliament generally:

> "Ministers of the Crown do not as such carry on a business or profession, but they necessarily hold themselves out as having special knowledge and authority in the fields of their own portfolios or, in the case of the Prime Minister, the major fields of his Government's policy. If they undertake to give specific advice regarding the application of Government policy in given cases, in circumstances where they should know that their advice will be relied on, it seems consistent with the majority judgment in the MLC case to hold that they are bound to be reasonably careful. Of course no more than reasonable care could be expected. If it is recognised that liability in negligence can arise in such cases - which some would regard as an extension of the law - obviously the Courts must be alert not to pitch the standard so high as to interfere in policy-making or inhibit the reasonably free and effective functioning of the administrative system. And of course all the circumstances of every particular case always have to be considered. These must include the definiteness or otherwise of any advice or other statement given. But there can be no doctrinal reason to start with an assumption that Ministers are automatically exempt from duties of care in such matters." (at 378-79).

It is to be emphasised, of course, that to ground a claim for damages, the recipient of advice must establish that his reliance on the inaccurate advice or information

provided was reasonable. Statements made on social occasions or patently 'off the cuff' would not normally attract liability. Furthermore, Members of Parliament would gain a large measure of protection from suit if, whenever giving advice outside their own expertise, they made that fact plain.

In response then to your specific questions:

(1) The Member of Parliament's duty of care will be determined on ordinary tortious principles. In the case of a Member providing information or advice, it will be largely irrelevant whether the recipient is a constituent, a non-constituent, or a community organisation. The key issue will be, whether, in all the circumstances the person or body receiving the assistance was entitled to rely upon the accuracy of the information provided.

(2) The duty of care is, in my view, that described by Mason CJ in the Shaddock case. The standard of care required will be that standard expected of the ordinary Parliamentarian dealing with many and varied requests for advice but in circumstances where that Parliamentarian ought to appreciate that his advice will be accorded a special respect. Where a Parliamentarian gives professional advice, he will of course be measured against the standards of the relevant profession.

(3) The member who provides inaccurate information or advice in circumstances where he ought to have appreciated that that information or advice would be relied upon will, subject to the facts of the particular case, be liable for reasonably foreseeable damages. Delay in dealing with matters would not itself give rise to liability, though if loss results from the delay and the person who sought assistance had reasonably acted on the assumption that the matter would be dealt with promptly, then an action for damages against the member may well be open.

(4) The most likely actions against Members of Parliament are actions in negligence and defamation. However, there is also the potential for liability for torts such as unlawful interference with trade or business. It is very difficult to provide further advice in the abstract.

(5) Whether any particular insurance company will issue policies in relation to the legal risks faced by Members of Parliament and what premium would be charged, will depend upon the insurance company and the individual circumstances of the Parliamentarian.

Please do not hesitate to contact the writer should you wish any clarification of the above observations. As you would appreciate, the legal position in any particular

case is very much dependent upon the facts of that particular case, and this advice can do no more than express the general principles.

Yours faithfully

SENIOR ASSISTANT CROWN SOLICITOR

27 June, 1995

pbliabn3/young/opinions/williamsv

49
49.2

New York Times,
229, West 43rd St.,
New York,
N.Y. 10036. USA.
FAX=

Phone; 212-556-1234.

RSD 360
Frankford
Tasmania
Australia 7275
Ph: 03 6396 1355
4th Nov. 1999

Dear Sir,

The writer of this letter desires to draw the attention of all your readers to some inconsistencies in Tasmania's Constitution, which was granted in 1854.

This Constitution was passed by Parliament, by the House of Lords and confirmed by the Privy Council. It was formerly signed and sealed by the then Queen Victoria in October 1854. Also, Queen Victoria signed another document which changed the name of Van Diemans to "Tasmania" subject to it being proclaimed within a specified time, failing which the name of the land Van Diemans Land remained.

The Constitution was proclaimed in December 1854, this date appearing in the newspapers of the time, and indeed it was also published in the State of Tasmania's own statutes which were extant from 1826 >1958. This publication was authorised by the Parliament of Tasmania and printed by the authorised Government printer and printed by the authority of Parliament. In Volume No 6 of this series, the Constitution was printed IN FULL, but has now been removed, and that volume updated to 1959 with much of the Constitution missing.

The writer has been consistently denied access to the complete original Constitution, and all references to it have been removed, even torn out of the master files of our newspapers which related the Declaration of this Constitution of 1984, which was publicly declared by the then Deputy Governor, Sir Henry Fox Young (I believe it to be Henry).

Other people have also attempted to obtain access to these documents, but I have found that the reels of film copied from newspapers are not consistent, too many pages and print from newspapers indicate "This page is not available".

Contact with the Prime Minister's office, Parliament, House of Lords, Privy Council (in England) have all stated that the Constitution cannot be traced.

Can your newspaper uncover the original Constitution?

Yours faithfully,

Leslie B. Tuson.

F. L. Date.

Leslie B Tuson

Refs:\bo\ltos031 Ltr.doc

Paper: Examiner date: 29/04/00 page: 9 file: Governor

Rule of law supreme — Governor

Tendency to confuse roles of a government and Parliament.

LEGAL VIEW: Sir Guy Green gives the John West memorial lecture in Launceston last night.

The rule of law ought to be inviolate, even when it clashed with political convention, Governor Sir Guy Green said in Launceston last night.

He was delivering the annual John West memorial lecture, sponsored by The Examiner and the Launceston Historical Society, at the University of Tasmania at Launceston.

Sir Guy said that as Governor if he were faced with a choice between accepting the advice of the Executive Council or of upholding the law he would uphold the law.

"It is certainly the case that if one only has regard to the principles of responsible government it can be persuasively argued that a governor must always follow the advice of the ministry.

"But the application of the principles of the rule of law leads to a different conclusion.

"In practice there is rarely any conflict between the application of the principles of responsible government and the duty of a governor to see that the executive government is subject to the law.

"But the blunt fact of the matter is that the standard model of the role of the governor in council means that in the end a governor would be obliged to accept the advice of the Executive Council even if the action to be taken was unlawful.

"I think it's beyond argument that when there is a conflict the rule of law must prevail."

Sir Guy said the view overwhelmingly supported by historians, academics and political commentators that a governor was obliged to accept the advice of the Executive Council was plainly and demonstrably wrong.

That situation had arisen because of the tendency to confuse the roles of the government and the Parliament.

The modern view was to regard them as one and the same, but that was not the case, he said.

"It is commonplace, for example, to read statements such as that the Government has enacted or amended such and such a statute.

"Well of course governments do nothing of the sort, only Parliament having the power to enact or amend legislation."

Sir Guy said such a view was not merely a lawyer's quibble.

The vice of not recognising the distinction was that it could lead to the erosion of the status and function of Parliament as a distinct and important institution of democracy.

"Take for example the practice of governments announcing that for some reason or another they will not be enforcing a particular act of Parliament," he said.

"The taking of such a step by governments rarely attracts any comment but it is in fact quite unconstitutional."

5.

One of my witnesses – now deceased. "Tasmanian 36 Roads

WRONG-WAY ROADS. Car accidents are not always the fault of the car or the driver as Leslie Tuson has shown. Investigators should bear this in mind and check whether roads are wrong.

There is, in the world of physics a theorum which is expressed as: a moving body will continue to travel in a straight line unless diverted by another force. However, must this theorum be wrong? A State Authority in Tasmania (Australia), many years ago, made a most remarkable and startling discovery. It somehow managed to keep this a secret until comparatively recently,and has for many decades indicate that the above theorum is incorrect.

In 1983, the writer of this article found some difficulty in keeping his vehicle on the correct side of a road while traversing a bend formed with a super-elevated surface. Being a member of the Institution of Diagnostic Engineers of England, (also incorporated in Australia), the episode raised in the mind of the driver the question "Why?" It was established that the steering and associated parts were in an acceptable condition, as was the traction and its related parts. The road was dry, the bitumen seal and road surface were good. The super elevation was on the wrong side of the road and this required an explanation from the road authority's engineers.

To be brief, the reasons for the malformation of the geometry of this and other such sites, offered by different engineers, are as follows:

1. If the bends were constructed like so, (demonstrating the correct attitude with a hand movement), the large trucks would fall over on the bend, so we slope it, (the crossfall), the opposite way to counteract that tendency.

2. It is necessary to drain the road.

3 To allow for traffic coming from the opposite direction.

QUERY: which side of the road carries traffic going in the opposite direction?

An engineer, coming to inspect a then recently constructed road, built at great cost to bypass a road containing a number of bends, when asked why the new road had also a number of unnecessary bends, replied, "I don't know". When told that the new road was also unsafe, the response was to the effect "that it was a bit safer than the earlier one".

However, before the bitumen seal was applied, heavy rain washed out some sections which then needed to be remade. At some expense, loads of gravel etc., were placed and the road eventually regraded with the inner periphery raised and the outer lowered.

The original finish was graded with the super elevation at the correct attitude. Although designed for unlimited speed to the maximum permitted, a restriction sign showing 65 kph now graces one end of the bypass, at the wrong end: one at each end would be more appropriate.

There are many unsafe bends on the length of this highway, and a few years ago major works were carried out to improve the understructure and widen some sections. The surface was relaid carefully retaining the incorrect attitudes of the elevated surfaces. Although the upper speed limit is 100 kph, a forest of signs indicating "skiddy surface", 35, 45, 65 kph are beginning to convince people that the roads are unsafe.

A factor which is rately mentioned, is the effect of the centrifugal force on the centre of gravity in relation to the vehicle and its load. A negative crossfall on a superelevation creates a potential for disaster.

The Australian Department of Road Safety in 1973 commissioned a "Review of Road Design in RElation to Road Safety". (ISBN 0-642-00465-0). This report is quite extensive, containing much information which appears to condemn previous and current practices of this State's Authority. A question arises; are the incorrect design and construction methods which are endemic here, also in use in other states and elsewhere for that matter?

The writer would like to hear from observant members of our Institution, particularly in Australia, and also from the general public, on the matters related in this article. This is but a precis of the actual conditions, and circumstances prevailing which are beyond the scope of this letter.

Enclosed to support the writer's views, are copies of two letters sent to and published in our newspaper, together with the full text of one letter which had been incorrectly edited. Perhaps the long established theorum is correct after all, and the principles enshrouding it are not properly understood.

Leslie B. TUSON, AAIM (rtd.), FIDiagE (No. 6042) RSD 360, Frankford 7275, Tasmania, Australia.

The Examiner Newspaper,
Launceston. 7250.

29-3-04.

FAX NO: 6334 7328

Letter to the Editor:

Dear Editor,

Reading letters in respect to the movie "The Passion of the Christ" has not the movie depicted, (a) The passing of the buck of denial thereby not living in the freedom of integrity, (b) Accepting money for information to harm, (c) the deceit, (d) how a mob of person's can be led to cry for the under-dog in the face of the truth, (e) How when good men do nothing evil flourishes, (f) the enjoyment of seeing scourging, (g) the pleasure of killing, (h) the degradation of being bodily fully exposed, (I) betrayle of trust, (J) jealousy, (K) hate not love, (L) killing to suit, (M) mocking justice, (N) justice being only relative to who is in charge, (O) pleasing a mob of persons rather than the truth, (P) to try to break a will and spirit, mentally and physically, (Q) humiliation, (R) brainwashing, (S) Supporters persons beaten and mocked, (T) Isolation, (U) Ostracize (V) Stalking, (W) harrassment, (X) bullying (Y) motherly love denied, (Z) good conquers evil? Has not this movie demonstrated that the only things that may have changed is the clothing and the scenery? There were no free passes to this movie, is not this discrimination? Is only the negative ever printed. Yours Sincerely

The fear of speaking out, victimization.

Gail Adams-Fitton,
P.O. Box 519,
Exeter. 7250.

Examiner Newspaper,
Launceston. TAS.

2-5-04.

FAX No: 63347328

Letter to the Editor.

Dear Editor,

Reading letters to the editor on Senator Barnett's actions. When animals are sacrificed and cruelty plea bargained with, the next step is the sacrafice of children, the elderly, and so on to suit. Is it not so, that if the base is not sound, the structure will crumble. Remembering a brother said to his brother, a long time ago, "Behold thy Mother" on a cross, being crucified for denouncing the laws of Rome and Ceasar for animals, as above, with a warning if it did not stop. What progress has been made since that time and what step are we upto? Do we also not need the animals for the forests?

Yours Sincerely,

Gail Adams-Fitton,
P.O. Box 519,
Exeter. 7275. TAS.
Ph= 63-961145.

their security cards re- ... ...

Claims of privilege abuse in Scott affair

Premier Paul Lennon has accused the State Opposition and the Tasmanian Greens of abusing parliamentary privilege to "denigrate the good name" of his chief of staff Rod Scott.

Both the Tasmanian Greens and the State Opposition used Question Time yesterday to criticise legal advice from Solicitor-General Bill Bale, tabled in a Budget estimates hearing last week.

Opposition Leader Rene Hidding said the advice, produced by Mr Scott in an attempt to clear his name, was one-sided.

Tasmanian Greens leader Peg Putt asked if Mr Lennon would discipline Mr Scott for attempting to "influence the Solicitor-General" in his preparation of advice.

Former Tourism Minister Ken Bacon quit his post earlier this year in the midst of controversy about his performance. Mr Bacon has since claimed Mr Scott told him to leave questions on the ailing Spirit III to TT-Line executives.

But after a request for advice from Mr Scott, Mr Bale determined that the senior staffer had not breached the criminal code or the Parliamentary Privilege Act.

Mr Bale apparently did not speak to Mr Bacon before delivering this advice.

P.10 Examiner 8-6-05

17-9-06 - Examiner P.16.

State to probe human rights

By SOPHIE FOWLER

TASMANIANS are being asked for their opinions and concerns about the protection of human rights in the State as part of an upcoming investigation.

The State Government has asked the Tasmanian Law Reform Institute to look at improving human rights in the State and whether Tasmania should have a human rights charter.

Senior lecturer of Law at the University of Tasmania's Hobart campus, Terese Henning, said the institute would consult Statewide over the next three months.

"We want a huge grassroots response if we can get it," she said.

"We want to reach all kinds of groups, not just those that we think will be automatically supportive — local councils, CWA, sporting organisations, legal groups and individuals. We're not confined in any way.

"We're looking for anyone who is interested and wishes to shape Tasmania's future laws in this area."

Ms Henning said she hoped those who made a contribution would share their personal human rights experiences. "We know that a lot of this stuff flies well beneath the radar," she said.

"We have a perception of ourselves as having a really good human rights record and our democratic processes and our justice system have delivered us a comparatively good record.

"But we also know that we are not immune from infringements of human rights."

Anyone interested in contributing should contact the institute on 6226 2066 or e-mail law.reform@utas.edu.au.

Quick facts

- A Bill or Charter of Rights is a statement of certain rights which, under a society's laws, citizens and/or residents either have, want to have, or ought to have.
- Australia is the only western country that does not have some kind of Charter of Rights. New Zealand, the UK, Ireland, Canada, South Africa and the US all have laws that specifically protect human rights.
- Victoria and the ACT also have human rights laws.

that the Premier unfortunately made some very derogatory statements which did not help that. The arrangements, particularly for the dining room and such areas, were not as good as we had hoped to get, but that is another issue.

Getting back to the point, the Government has had two years to sell this ship. I believe there is a very difficult -

Mr Gray - I could sell it. I've got some half-baked offers here.

Mrs JACKSON - It was an eye-opener for me when I went on the trip to Europe to see the attitude of these bureaucrats I went with and I suppose their reluctance to let people know that this was a State-owned enterprise that was buying the ship. When I came back I commented with mirth that they thought they were Aristotle Onassis with their own private shipping line. They were wheeling and dealing with the Government's $150 million. It was very pleasant for them, I am sure, to travel throughout Europe - first class, I might say - spotting which ferry they were going to spend the $150 million on. As I say, I think in the case of something such as a shipping line there does need to be vigilance by the Government -

Mr SPEAKER - Order. The honourable member's time has expired.

Mr WHITE - Point of order, Mr Speaker. I wonder if I may raise the matter of the minister's not tabling the material from which he quoted. I want to draw the House's attention to Erskine May's *Parliamentary Practice*, Nineteenth Edition and I quote from pages 431 and 432:

'CITING DOCUMENTS NOT BEFORE THE HOUSE

> Another rule or principle of debate may be here added. A Minister of the Crown is not at liberty to read or quote from a despatch or other state paper not before the House, unless he be prepared to lay it upon the table. This restraint is similar to the rule of evidence in courts of law, which prevents counsel from citing documents which have not been produced in evidence. The principle is so reasonable that it has not been contested; and when the objection has been made in time, it has been generally acquiesced in. It has also been admitted that a document which has been cited ought to be laid upon the table of the House, if it can be done without injury to the public interests ...'

I do not believe the minister, in quoting from that document to the extent that he did, could now argue that it would be contrary to the public interest for it to be tabled. It goes on:

> 'A Minister who summarizes a correspondence, but does not actually quote from it, is not bound to lay it upon the table ...'

In this particular case the minister quoted extensively from the document and I believe it appropriate that the document should now be tendered. I do not believe the minister understood the point that my colleague was making at the time and may have believed that he was being forced to table it. I believe that inherently it is now the minister's responsibility to make the decision because I do not believe the House can force him, but the reality is that there is a clear tradition of parliamentary precedent and principle when a document -

Mr Gray - Not in this Parliament.

CENTRAL HIGHLANDS SEARCH EXERCISE

Rescue parties win over tough going

● The Gee Park Mounted Rescue group in Lee's Paddocks, south of Lake Rowallan, on the recent search and rescue exercise. In one hour, the horses covered a day's walking distance, carrying 10 times the weight a man could carry.

● Canoeist David Buckingham negotiates rough water on the Mersey River during the exercise.

A man strapped to a stretcher is hauled up a 300 m cliff ... an alsatian dog sniffs out a trail through some of the roughest bush in Tasmania ... a horse hauls a canoe over a rocky outcrop: all these were part of a huge search and rescue exercise in the Central Highlands.

Exercise "Mersey-Dash" was staged in 140 square kilometres south of Lake Rowallan recently, taking more than 100 police and volunteers up mountains and down gullies, across rivers and plains.

The scenario was true to life. Ten 10 university students in five two-man parties had set out on a simulated archeological expedition, taking food which later was believed to be contaminated.

They must be found, and found quickly.

The officer in charge of Northern Search and Rescue (and the exercise director), Insp. Don Drewitt, said the operation had been an outstanding success.

"This was a very tough assignment for the searchers, designed to test them out in the wild where the right decisions needed to be made quickly and without external help. Everyone came up trumps!" he said.

Insp. Drewitt explained that the searchers set out at 7.30 on the Saturday morning looking for the five "lost" parties, which supposedly were at sites supplied by the University.

"When the searchers navigated their way to each of the sites, they found the lost party had moved on," he said.

"Each search team made the right on-the-spot decisions and found the new location quickly; but only to discover the lost men had been food-poisoned."

He said the right first aid had to be administered, night camps set up and radio messages passed to the base camp.

By CHRIS BUZA

"Radio communication always is difficult in such country. Positions had to be found which enabled direct-link communications between the searchers, other radio operators and base camp."

The first lost party was found late on Saturday afternoon, and others early on Sunday morning.

"Two associated exercises were held during the weekend. A sixth team was found on the banks of the Mersey by a canoe search party," Insp. Drewitt said.

"One of the lost men had to be hauled up a 300 m cliff after being found. Horses were used to take canoes around waterfalls or dams, and to haul heavy gear which otherwise would have been impossible to transport."

A seventh lost team evaded foot searchers to lay a trail for tracker dogs.

"I was staggered by the intelligence and ability of the dogs. The 'lost' party had doubled back

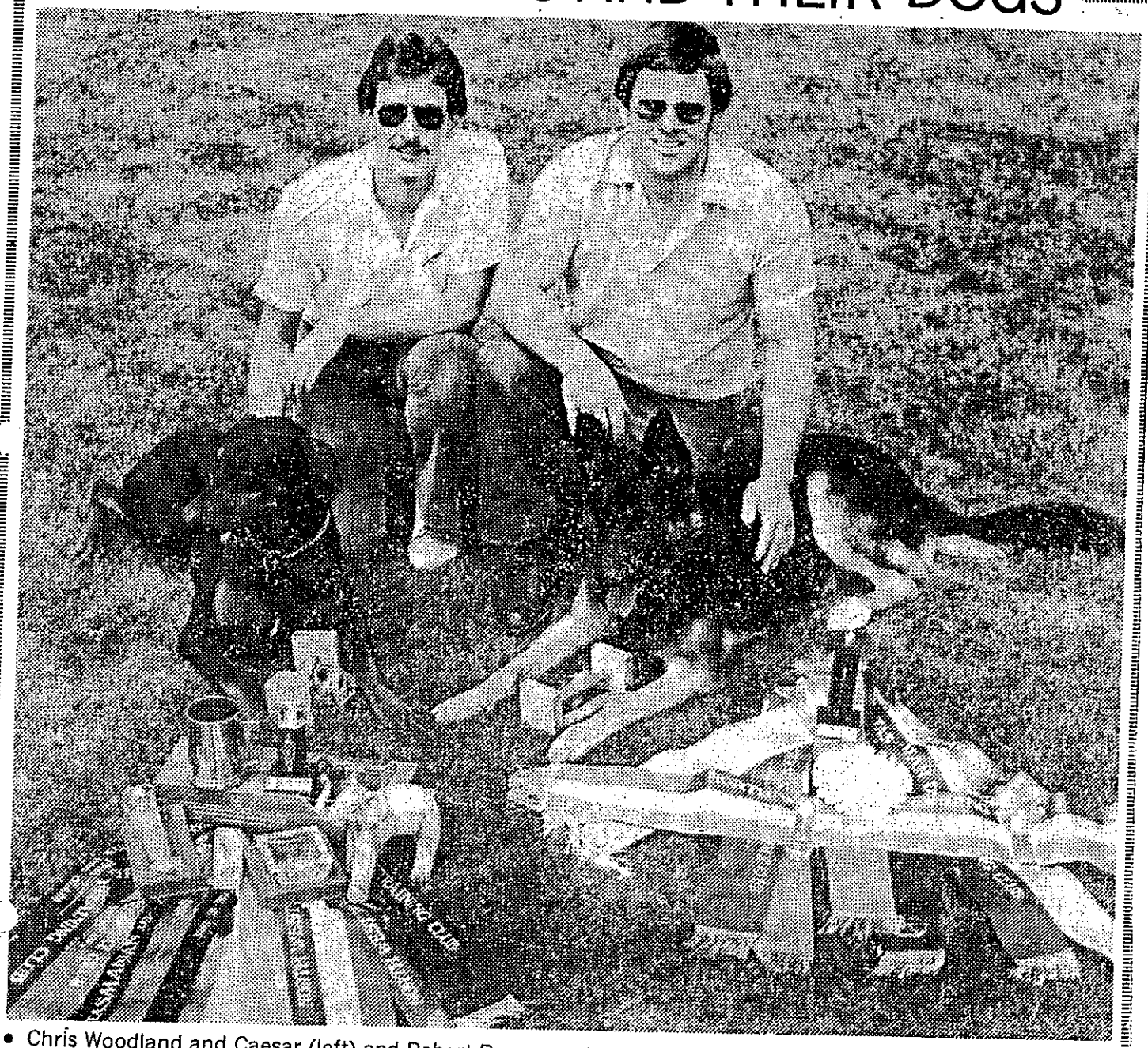
The benefits of the exercise included recognising the abilities and limitations of the individuals who took part, confidence of individuals and groups in themselves and in the capabilities of fellow searchers, and recognition of the enormous expertise available in the North at short notice.

"I'd like to thank the work of the dozen organisations which took part and their professionalism in never letting the operation become merely a game; it's a deadly serious business," he said.

The 105 participants included police, the State Emergency Service, the Wireless Institute of Australia, Elspedito Dog Tracking Club, the Gee Park Mounted Rescue Group, Tasmanian Ambulance Service, the National Parks and Wildlife Service, The Launceston Ramblers and the Walking Club, rock climbers and canoeists.

When the weekend was over, police participants who had been on their feet for 32 of the 48 hours cleaned and stowed rescue gear at

PROUD OWNERS AND THEIR DOGS



• Chris Woodland and Caesar (left) and Robert Reeves and Major, both of Rosevears, with prizes and ribbons their dogs have won over the past 12 months.

Training group gains support

EXAMINER 11-12-80

The Glengarry based Elspedito dog obedience training group continues to gain support.

The group has more than 40 members and about 20 attend classes each Sunday morning.

The group attracts dog owners from as far distant as George Town, Hillwood, Launceston and Devonport.

Mrs P. Crowden, of George Town, who has been a member for two months, said training and discipline have greatly improved her smithfield dog and given her a better knowledge of understanding a dog.

The group is controlled by Mick and Gail Adams.

Mr Adams said the dogs, which were brought for training, ranged from poodles to shepherds.

The group was formed four years ago at Sidmouth and later transferred to Glengarry, where use is made of the Elspedito kennels.

Exeter dog display a must

Owners of loved but troublesome dogs should visit the Exeter Show on Saturday and see how trained dogs behave.

At the show 13 handlers and 14 dogs from the Elspedito Tracking and Demonstration Club from Glengarry will show how a trained dog can behave and then put on a display based on the international Cruft's Dog Show in London.

The public will see dogs working and obeying instructions in a similolar manner to the Cruft's shows.

The team of dogs will include belgian and german shepherds, a boxer and a mini-dachshund.

Although the club is based at Glengarry its members come from other regions including Launceston, George Town and Westbury.

The registered club works in co-operation with the Tasmanian Police and the State Emergency Service.

Dogs and club members have taken part in search operations.

Members of the club are trained at the Elspedito Dog Training School at Glengarry which is open each Saturday afternoon.

The Tasmanian Mail Magazine, Tuesday, March 23, 1982 — 3 (NW-T

Nearly 300 entries have been received for the Exeter Show equestrian events this year. Here is Dianne Ray enjoying last year's challenge

Crufts at Exeter

THE dog obedience exhibition at the Exeter Show will feature the Cruft agility course for the first time in Australia.

The Elspedito Dog Tracking and Demonstration Club from Glengarry will use its figure-of-eight course at the show grounds as part of its demonstration on tracking and obedience with dogs.

"The course is based on the same one used at the Cruft dog show in Britain and there is nothing like it in Australia," said Mrs Adams, representing the club.

"The various demonstrations to be seen at the Exeter showgrounds will include the obedience trials, based on judging courses, the agility course and a jumping course in an area covering 30 by 40 metres.

"The dogs we use are boxers, Ger man and Belgian shepherds and the club's mascot is a miniature dachshund."

Mrs Adams said that the club's tracking dogs were used by the State Emergency Service and the police force in the north in certain situations.

"They are essential when it comes to finding people lost in the bush.

"All the dog needs to know is where the person was last seen and usually it can pick up the scent," she said.

Dog clu obedie display highlig

Handlers an the Elspedito T Demonstration warm applaus hows and festi

Dressed in uniforms, dogs showed patrons estivals how dogs cou have and do excercis kill and intelligence.

Part of their demons me as is performed st dogs at the inter g Show in London.

"But people did not ha n to see it," the direc rs G. L. Adams, said.

Club members come f r distant as Westbury George Town and West Ta

They have a co n a train, and show obedient attended the Elspedito Tr at Glengarry.

Dogs from the club have earch operations with T ce.

Mrs Adams said: "We w lly pleased with the recepti ot at the George Town Co l.

"It warmed our hearts a e hard work worthwhile.

The school's principal, Adams, said the school was persons who wanted to gai training their dogs. Sessions each Saturday at 2 pm at next door to the Glengarry Pos

To help people in the Laun on the school will hold class ubilee Pavilion at Elphin, fr ay. The classes will be held a ay at 7.30 pm.

Inquires about the tracking nstration club may be made t ce bearers — President, Mrs vice president, Mr I. Leitch; se Miss J. Beswick; treasurer, Mr

4/59

Gail sticks up for dog breed she trains and breeds to save lives

Story and pictures:
TONY ADAMS

The drama of last weekend's search for a child missing at Lake Lemonthyme was particularly acute for one woman...

...the woman who trained the tracker dogs called in to lead searchers along the confused trail left by the infant.

"At one stage we were 300 metres away, hours

GIRL (3) LOST

Searchers, dogs

breeds to save lives

Story and pictures:
TONY ADAMS

The drama of last weekend's search for a child missing at Lake Lemonthyme was particularly acute for one woman...

...the woman who trained the tracker dogs called in to lead searchers along the confused trail left by the infant.

"At one stage we were 300 metres away, hours before they found her," Mrs Gail Adams, leader of an elite team of two German shepherds and handlers, said this week.

"Police search and rescue called us in at about 7.30.

"We went to Lemonthyme to look for a three-year-old child and they gave us some clothing for the dogs to sniff.

"They held the search off until we got there.

"But it was such a disappointment.

"We didn't get going until about 10.30, then we started to track from where she was last seen.

"Then we traced the child everywhere she'd been, right through to a bridge. We knew she hadn't crossed the bridge. She went on and then came back off it.

"We lost the scent there, and later we found out she was so close.

"Just down the road.

"It was half past one in the morning and

Continued, Page 38 ►

RIGHT: Gail Adams and Pat Calder with Inka and Shadow this week. TOP: Gail with one of her pups and, INSET, from Monday's "Advocate".

Dogs Monthly, U.K – March – 1984

FLINT - THE BLIND AGILITY DO

These photographs were sent to us by Gail Adams, an avid DOGS MONTHLY reader from Tasmania, Australia who wrote to us after having read an article in the August 1983 issue which referred to a blind dog.

Flint, the blind Groenendael ...

... working at the Agility Course.

Gail writes: "I am enclosing photographs taken at one of our demonstrations at an Agricultural Show in November 1983. The dog has just recently died and I felt that these photos may help someone not to give up and treat the dog as an invalid so long as the dog is healthy. After all the years of training normal dogs, all the training books went out of the window as you learn a close bond that is very hard to even explain. I became his eyes; trust, lov made us a team. The photos are of us doing the agility course and I used to stay with him, though he learnt to work ahead of me. His name was Flint, and he w 7½ years of age at the time the photos were taken.

I hope these photos will help the handicapped and their handlers. Flint, for the record, was a Belgian Shepherd (Groenendael), an Australian Champion who also won his Companion Dog title an who sired five Champions.

I do enjoy your magazine each month."

ELSPEDITO ENTERPRISES
EST.1977.
Gail Adams
P.O Box 519
Exeter. Tasmania. 7275
Fax/Phone: (03)63981145.

LORD IRVIVE OF LAIRG,
THE LORD CHANCELLOR,
HOUSE OF LORDS,
LONDON. FAX NO: 0011-44-~~171~~ 207-2100746.

20. 3. 1998.

Dear Lord Irvine,

I faxed my letter of response to you dated 16-3-1998, to which I add further to that letter to you with full respect.

Not belonging to any Religion or Political Party only God, I quote what Jesus said as part of His teachings,

" Nevertheless, there is a miracle which is posssible for man to accomplish; it is when, full of a sincere faith, he resolves to tear from his heart all evil thought and, to attain his end, shuns the paths of iniquity.
And all things that are done without God are but gross errors, seductions, and illusions, which only demonstrate to what point the soul of the man who practices this art is filled with deceit, falsehood, and impurity.
Listen, therefore, to what I am about to say: Respect woman, for she is the mother of the universe and all the truth of divine creation dwells within her.
She is the basis of all that is good and beautiful, as she is also the germ of life and death. On her depends the entire existence of man, for she is his moral and natural support in all his works.
She gives you birth amid sufferings; by the sweat of her brow she watches over your growth, and until her death you cause her the most intense anguish. Bless her and adore her, for she is your only friend and support upon earth.
Respect her, protect; in doing this, you will win her love and her heart, and you will be pleasing to GOD; for this shall many of your sins be remitted.
Therefore I say to you: After GOD, your best thoughts should belong to women and to wives, woman being to you the divine temple wherein you shall most easily obtain perfect happiness.
Draw your moral strength from this temple: there you will forget your sorrows and failures, you will recover the wasted forces necessary to help your neighbor.
Do not expose her to humiliation; you would thereby humiliate yourself and lose the sentiment of love, without which nothing exists here below.
Protect your wife, that she may protect you and all your family; all that you shall do for your mother, your wife, for a widow, or another woman in distress, you shall have done for GOD."

Apart from the previous request for help in resoving my matter, there are fires burning out of control in the Amazon Forest and a very special race of people are in danger from them. The men there do not have any equiptment or help to fight to put the fires out. The world needs that Forest that provides oxygen for us all to breathe. The United Nations appears not to be helping nor appears to be in tune with God. I request with kindness to bring the above matter up in the House of Lords for very quick action.

Yours Sincerely,
Gail Adams.

Gail Adams

10.

Background of the beginning of this case.

Chapter 1.

"Right of Way Road."

ROW

DRAFT

BACKGROUND

Elspedito Enterprises kennels are situated in a prime position off Tasmania's Frankford Highway - a shortcut between Launceston and Devonport - the city known as the "Gateway to Tasmania". This means that the kennels were therefore sited in a prime position to benefit from tourist traffic and from people leaving Tasmania by means of the vehicular ferry.

The fact that the Elspedito Enterprises kennels had an access onto this busy highway was a major element in ensuring the profitability of Gail Adams' business. Another aspect which ensured the continuing profitability of the business was the fact that since 1986 the Beaconsfield Planning Scheme had determined that the Frankford Highway was a limited access highway, which meant that there were to be no more accessways onto this Highway and all access was to be via the existing Council Roads. Gail Adams was told of the limitations on future access when she attempted to improve her access to her own property in 1987.

The restrictions on future access to the Highway did however contribute to the viability of Gail Adams' business, mainly because any person attempting to set up a competing kennels would have to be sited off without direct access to the Frankford Highway. The provisions restricting access would then also increase the value of Elspedito Enterprises as any operator attempting to enter the kennels business would be more likely to buy an existing kennels rather than attempt to obtain access to a limited access highway.

The restrictions did mean that there was a real barrier to farmers attempting to subdivide their land in the Glengarry area as all access had to be via existing Council roads. Those farmers who did not have an access to roads already opening onto the Frankford Highway could not engage in the extremely profitable business of subdividing off 5 to 10 acre lots to service the ever increasing demand for rural residential subdivisions.

Gail Adams and other residents were therefore affronted when they heard that a developer planned to build and operate a kennels development on the Glenmore Estates property to the North of Elspedito and that the development would generate a substantial amount of traffic in an area where a sharp corner would make access and egress difficult.

The nature of the proposed access can be seen from the extract from the State Government's LIST system reproduced below which shows the sharp corner around Glengarry Hill and the current road system entering the estate.

and pro-subdivision of rural land.[2] The people in the area were generally pro-development because this meant more money for local businesses and wealth in the community. The extent of this community desire for development was later to become evident later in a series of inappropriate articles in the local section of the Launceston newspaper, relating to the proposed kennel development.[3]

The stage was therefore set for widespread community hostility towards Gail Adams when she moved to oppose a the proposed nearby development which required direct access to the Frankford Highway.

"I wasn't able to extend my access off the Frankford Highway because of the provisions of the Beaconsfield Planning Scheme," Gail Adams said.

In the mid 1970's when the Frankford Main Highway developed, what is now known as Glenmore Estates was a farm divided by the Highway. The access to this farm was a Crown Land Road Reserve on the northern boundary of Lot 3418. This CLRR is shown on plan 9/59 held in the Land Titles office. It is now registered Plan 03052

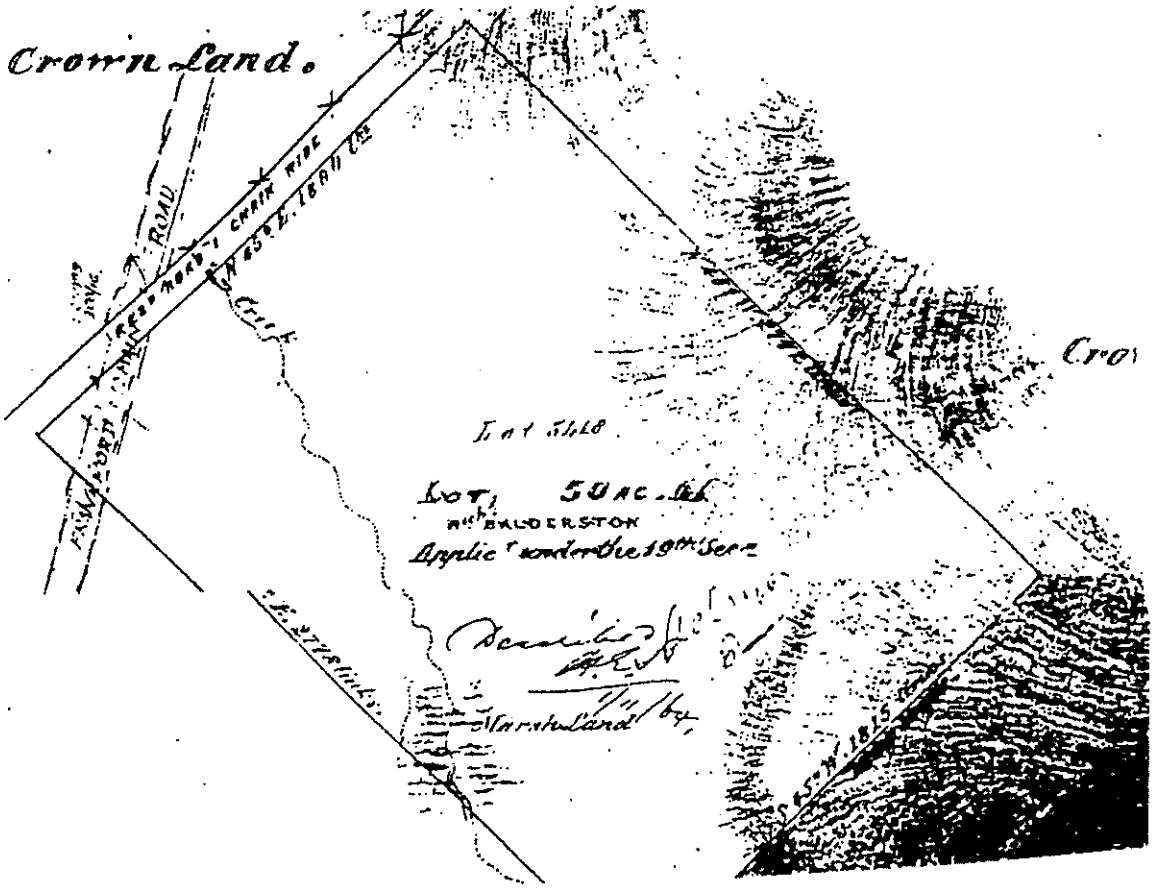


Fig 2. The CLRR providing access to Homan's farm.

2 See Examiner articles relating to development and subdivision land.

3 Examiner articles relating to kennels development.

In the late 1970s the farm was owned by a couple by the name of Homan. These proprietors found that they had difficulty in feeding out cattle due to the steepness of the Glengarry Hill. Gail Adams herself helped the Homan's grade a farm road off the Frankford Highway in order to access the Northern part of the farm for feeding cattle. There is no evidence that this particular cattle track was ever a legal access to the Frankford Highway.

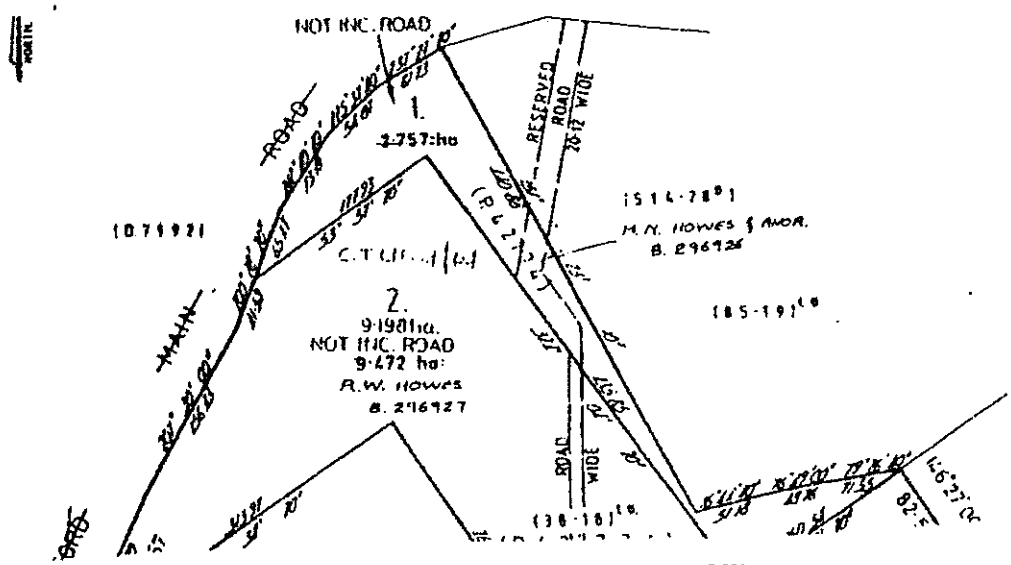
THE DEVELOPMENT

In April 1990 the developer of the proposed development wrote to the Beaconsfield Council from Sydney advising of his intention to purchase the property and to operate kennels on the property. Prior to advertising the application, the Council wrote to the Department of Roads and Transport seeking its comments on the proposed development as required by law.

When L T Middleton from the Department of Transport replied to the Beaconsfield Council on May 28 1990, he described measurements taken from the "existing Right-of-Way serving Lot 6" and stressed that the minimum sight distance required for this speed was 250 metres. This existing Right -of -Way was in fact the cattle track developed by Adams and Homan in order to feed cattle. There is no reference to the CLRR sited at the bottom of the Glengarry Hill.

Middleton recommended that for the development of the boarding kennels, a new access be constructed "approximately 90 metres north of the common boundary of Lot 6 and the property to the west where they abut the Frankford Main Road." This was about 90 metres north of the already existing CLRR.

It was also suggested that a condition of the approval for the kennel development should be that the existing Right-of-Way be relocated. What is not considered at this stage is whether a legal existing Right -of -Way actually exists or not. The plan to the land P 40795, which is one of the only two plans referred to by the agencies dealing with the matter, does not show a Right-of-Way fronting the Frankford Highway. This plan is reproduced below:



1. Fig 3. Title Plan 40795 prior to July 1990 showing no existing Right of Way.

The "new" title plan 42774 shows a Right-of-Way created by instrument B329600 in July 1990, after the DRT had made its recommendation to council as shown by the plan reproduced below:

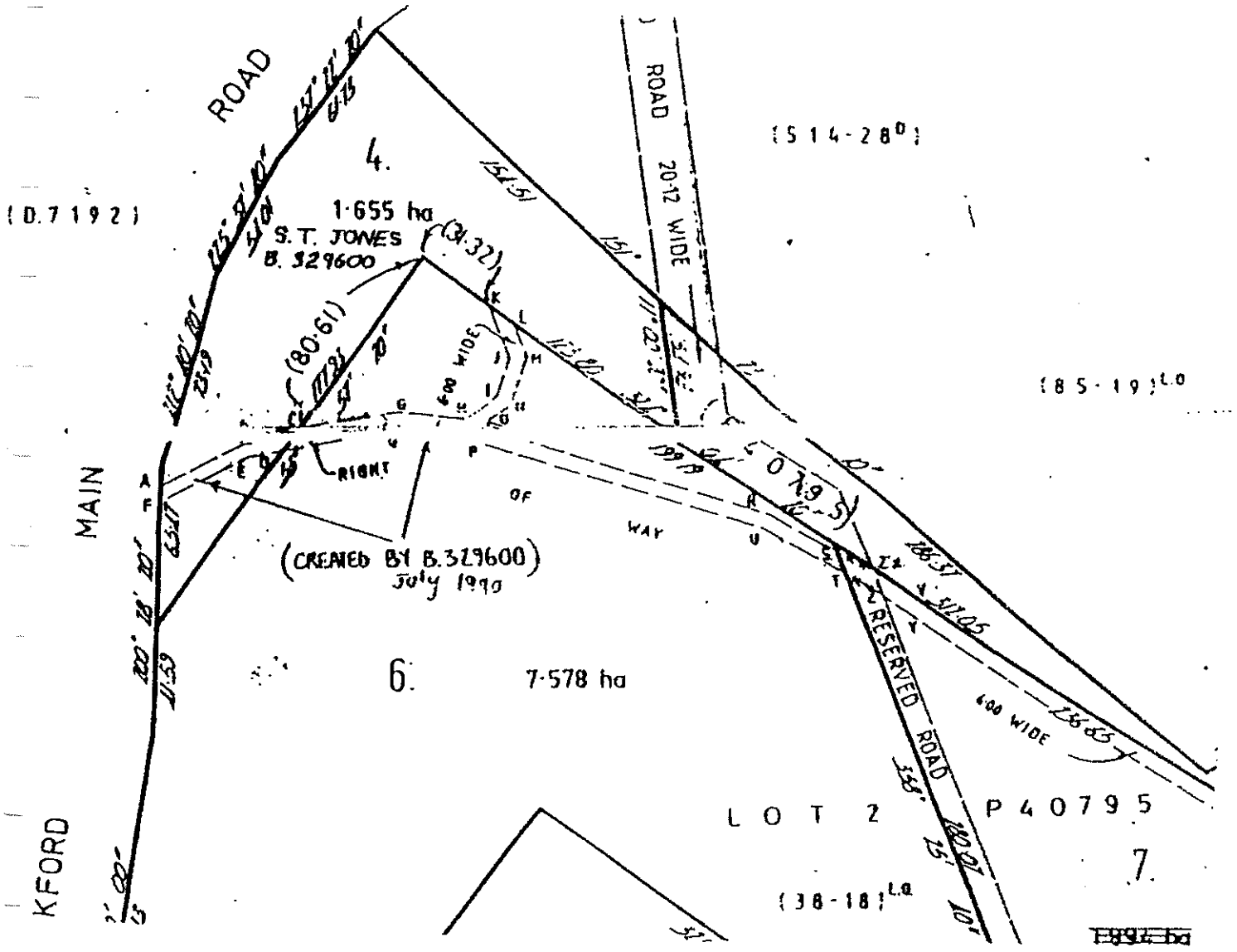


Fig 4. Plan 42774 showing the addition of a Right-of-Way in July 1990.

Therefore the Department of Road Transport must have been considering a plan which in effect did not exist at the time the Department was exercising its statutory functions in making recommendations to council about the proposed new access onto the Frankford Highway. If the DRT had consulted the correct title plan to the land they would most probably have found that no legal Right of Way existed in the first place and the recommendations would most likely have been completely different. It is important to note that neither Plan 40795 or Plan 42774 have ever been registered by the Recorder of Titles which raises the question as to why these major Departments are considering a an unregistered land title plan.

The Beaconsfield Council then approved the kennels development application on June 5 1990 subject to certain conditions which included:

A new access to the property shall be designed and constructed in accordance with the Department of Roads and Transport requirements. The access shall be in the position shown on the attached plan. No access to the existing house or kennels shall be allowed from the existing right of way.

The council is actually validating a Right-of-Way which does not exist at the time of writing. The Right of Way is created in July by instrument B329600.

The plan below was sent to the Chans on the 5th of June 1990 by the Beaconsfield Council. The plan was used again in a subsequent application by the Chan's for a pet cemetery development. This plan shows the approved access slightly to the north of the CLRR which serviced the Homan property.

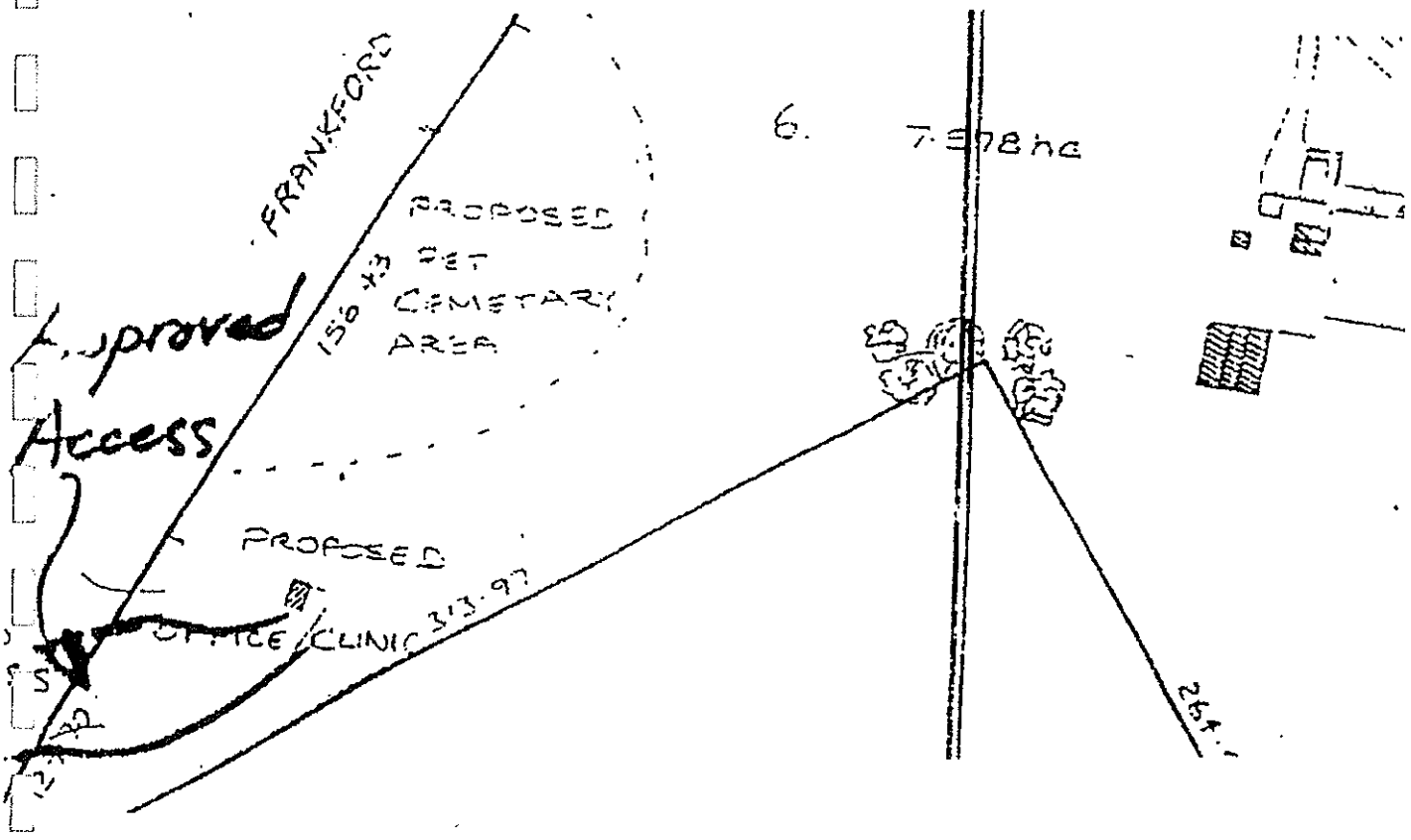


Fig 5. Plan showing the approved access onto the Frankford Highway with Gail Adams added notation showing the constructed access which was eventually built halfway down the Glengarry Hill.

When the kennels development was first advertised on May 19 1900, Gail Adams objected but the Beaconsfield Council refused her leave to object as she was out of the 14 day period set by the Council. Adams then wrote to the then Ombudsman who appointed Assistant Ombudsman David Vickery to investigate the matter. Gail Adams' complaints included among other things that the

planning application notice had been incorrectly placed where it could not be easily seen and not on the property in question. Gail Adams also raised serious questions relating to the Council's granting of a development application for kennels when the intending proprietors held no kennel licence and the fact that the development was not in the name of the title owner.

The Assistant Ombudsman wrote to the Beaconsfield Council on January 19th 1991 in which he describes his conversations with Mike Sluce Beaconsfield Planning Officer for the Beaconsfield Council.

a) Notice on Property:

I was advised that the notice was placed on the top of a gate post. About 3-4 feet high at the entrance to the estate. I have spoken to two witnesses who have categorically stated that this notice was nailed to a tree (almost 6 feet from the ground to the top of the notice) in such a position that it was virtually impossible to observe it when driving into the estate.

b) The land.

I have checked this aspect with the Department of Main Roads who have confirmed that there is a strip of land alongside the road before you reach the title boundary. This is contrary to the advice given to me that there was no DMR land at the entrance to the Glenmore Estate and would apparently support the complainant's view that the tree in question is on DMR land.

c) Licence approval

....I have made an independent check of three dog kennels in the Municipality and this has revealed that the licences were granted before the building stage was considered. Could you please explain why in this instance the normal accepted administrative practice by the Council was not followed?

d) Application for Licence

I was informed on Friday 21 December 1990 that the application for the licence had not been made. However the relevant notices appeared in the newspaper the following day, 22nd December 1990 which meant that the application must have been received by Council Officers much earlier in the month.

Assistant Ombudsman Vickery upheld these aspects of Mrs Adams complaints finding raising doubts about the veracity of some information supplied by officers of the Beaconsfield council. Another complaint by Gail Adams that the development application was not made in the name of the title holder was not addressed by Assistant Ombudsman Vickery.

Gail Adams complaint was then incorporated into a wider investigation where any persons having complaints against the West Tamar council were asked to meet with another Assistant Ombudsman in the Glengarry Hall. After this meeting which was attended by 15 to 20 objector there was no further response from the Ombudsman's office.

The Chans advertised that an application for a Licence for the Boarding Kennels on December 22 1990. Gail Adams was not allowed to object as she did not live within 200 metres of the proposed development.

On January 12 1991, developer Chan submitted another application to council to construct and operate a pet cemetery in the rural zone at Lot 2 Glenmore Estate, Frankford Highway. The council wrote to the Department of Roads Transport (DRT) including a plan showing cemetery and new access as per the previous DRT suggestion.

On February 4 1991, the DRT responded to council pointing out that the new development should be made conditional on the new access and commenting that the boarding kennel development had proceeded despite no new access and thus was not in conformity with the approval.

The council planning officer Mike Sluce said in his report for the Pet Cemetery Development that the DRT had " basically required the construction of a new access to the subject land and closure of the existing access to ensure adequate sight distance to and from the access to ensure adequate sight distance to and from the access from the Frankford Highway onto the property."[4]

Despite these comments the minutes from the Beaconsfield Council record for February 20 1990:

It has been necessary to seek advice from the Department of Roads and Transport and the Department of Environment and Planning on some aspects of the proposal. These have not yet been received and it is felt that an extension of time should be agreed upon to enable all information to be considered.

On February 25th the Beaconsfield council refused the application for the pet cemetery largely because of problems with run-off and degradation of water courses. On the same day the Beaconsfield council sought advice from their legal advisors, Archer Bushby, on Council's legal liability "if Council chose to refuse in part or in total the application by Miss Chan for a kennel licence given that the Council has previously issued a development application".

On March 4 1991, the developer, Miss Chan, appealed against the Council's decision denying planning approval for the pet cemetery, while on March 18 1991, a kennel licence is issued for Salina Chan subject to 12 conditions. Condition number 11 says:

A new access to the property shall be designed and constructed in accordance with the Department of Roads and Transport requirements. The access shall be in the position shown on the attached plan.

[4] Beaconsfield Council Planning Report 20/2/91

No access to the existing house or kennels shall be allowed from the existing right of way.

The plan included in the approval is the plan shown in Fig 5.

The Chan's kennel licence says that the development is to be in accordance with council's development permit issued on the 4th June 1990. This development permit also specifies that the development is not to be serviced from the existing right-of-way.

No access to the existing house or kennels shall be allowed from the existing right of way.

At the appeal hearing against the decision of the Beaconsfield Council to disallow the pet cemetery held on August 23 1991. The developer, Salina Chan amended the application for the pet cemetery to provide for access via an existing right of way.

The Chairman of the Planning Appeals Tribunal (PAT) Kaz Pitt QC says in part:

The effect of the above provision is to prohibit any development involving an access to the Frankford Main Road, in the Rural Zone, which is the relevant zone. The development proposed by the applicants would accordingly be prohibited, in so far as it involved a new access onto the Frankford Main Road.

As a result the applicants amended the application at the hearing, to provide for access via an existing right of way. That existing right of way would not be suitable for any significant increase in the traffic, according to evidence provided by the Department of Main Roads through the Council .

The variation did not in the opinion of the Board amount to a substantially different proposal, and the appeal was accordingly conducted on the basis of the varied application.

The PAT then approved the pet cemetery with condition 4 being: "Access to the cemetery is to be via the existing access to the house". A condition which was in complete contradiction to the previous condition attached to both the kennels development and the kennels licence that the house was not to be accessed by the "existing right of way".

The Chairman, Pitt QC, was able to come to this startling conclusion presumably because the council had not informed him of the conditions attached to the kennels development and the licence approval which were fundamental to the issuing of both approvals, which prohibited the house from being accessed from the purported right of way.

For instance it is doubtful whether the kennel licence would be valid if the right of way access was to be used to access the development as this was contrary to the conditions set down by the Council for the licence. It is difficult to understand why the application was not considered to be vexatious.

On November 9 1991 an advertisement is placed by the Chans which seeks approval for the operation of the Chan kennels with an alteration of a condition of the original approval:

Miss S Chan to develop and operate Boarding Kennels within the Rural Zone at Lot 2 Glenmore Estate , Frankford Highway, Glengarry. Access to be via the existing right of way to the property.

The Beaconsfield Council refused planning approval for this particular application December 3 1991. *It is clear from the representations received that regular users of the road consider the existing access to be unsafe, even with the limited amount of traffic using the Right of Way at present. The Department of Roads and Transport advise that they consider a new access is essential if the boarding kennel development is to go ahead.*

Developer Chan appealed against the Council's decision in the Planning Appeals Tribunal and naturally many objectors filed applications against the kennels development using right of way to access the kennels development.

The Planning Appeals Tribunal upheld the Council's decision to prohibit the use of the Right of Way to access the kennels development. This meant that the kennels development could still proceed but only with a new access as recommended by the DRT and as specified in the conditions for the original approvals for the kennels development and the kennels licence.

Meanwhile Gail Adams had been concerned that the Chans had been operating their kennels from the existing Right-of-Way and had written an avalanche of letters complaining about that fact to various bodies and departments.

On the 21st of May 1992 she wrote to the Council Clerk of the Beaconsfield Council saying that she had received a copy of a judgement from the Planning Appeals Tribunal which indicated that the kennels should not be operating.

Further to the above it would be appreciated if council would advise on their intentions in the matter [5]

On the 12th of June, Planning Officer, Mike Sluce wrote to Gail Adams saying that :

I will contact the Chans and reiterate the point that they may not operate their kennels until they have constructed a new access to the business.[6]

However Salina Chan had already obtained approval to construct a new access and Mike Sluce had been on site to assist in determining the location of the access point. On the 26th of May 1992 Salina Chan applied to the DRT to construct a new access. However on the previous day May the 25th an Inspecting Officer B Quillerat had met on site with Mike Sluce "for selection of suitable access location". The application is approved by the Minister for Roads and Transport on the 29th of

[5] Gail Adams to Beaconsfield council Document 46.1
[6] Letter from Planning Officer Mike Sluce to Gail Adams document 48.1

Therefore by the time Mike Sluce wrote back to Gail Adams saying that he would inform the Chans that a new road would be required, he had already assisted in picking out the site for the new access point.

Gail Adams alleges that this access point is in the wrong place. She says that the road was meant to be placed further down the steep hill as shown on the plan prepared by the Department of Road Transport. She says that if Mike Sluce had told her that the Chans had obtained a permit for a new road she would have been able to agitate against the construction of the new road in the wrong place.

A situation has now developed where there are in effect three potential access ways onto the Frankford Highway (four if the "approved" access point is included.) It is interesting to speculate as to what would have happened if the objectors had originally objected on the grounds that the stated Right -of-Way did not exist and if the objectors were able to draw the Council's attention to the already existing CLRR which serviced the Homan property.

It is certainly the case that the developer would have been faced with much higher construction costs if a road had had to be constructed from the existing CLRR of even the approved access recommended by the DRT. The developer had already told the PAT twice that she could not afford to put in a new road, it is unlikely that the developer would have gone ahead with the proposal if her business had to be accessed through the existing CLRR.

The plans reproduced below show that the Department of Environment and Planning has had some difficulty in finding the right of way alleged to exist in the Chan application. This is primarily because the plan being considered is not the "new" plan 42774 but rather the "old" plan 40795.

Plan 40795 does not show the "Right-of-Way" which was added to the title plan in July 1990. This is why the Department is having such dificulty in establishing exactly where the access is to the property from the main road. The Reserved Road system which is designated as "closed" on the plan considered by the Department of Environment and Planning is closed because it has grape vines growing over it.

This Crown Land Reserved Road was also purchased by Mr and Mrs Richter, the vinyard owners on the 2nd of November 1990, closing off one of the main accessways into this area.

It would seem to have been lacking in prudence for the Department of Environment and Land Management to sell off this CLRR when this Road Reserve would appear to be a much more suitable access to this area than the accessways to the Chan property. This would particularly appear to be the case when this old CLRR services a very complex internal CLRR system which was obviously set up originally in order to service this area.

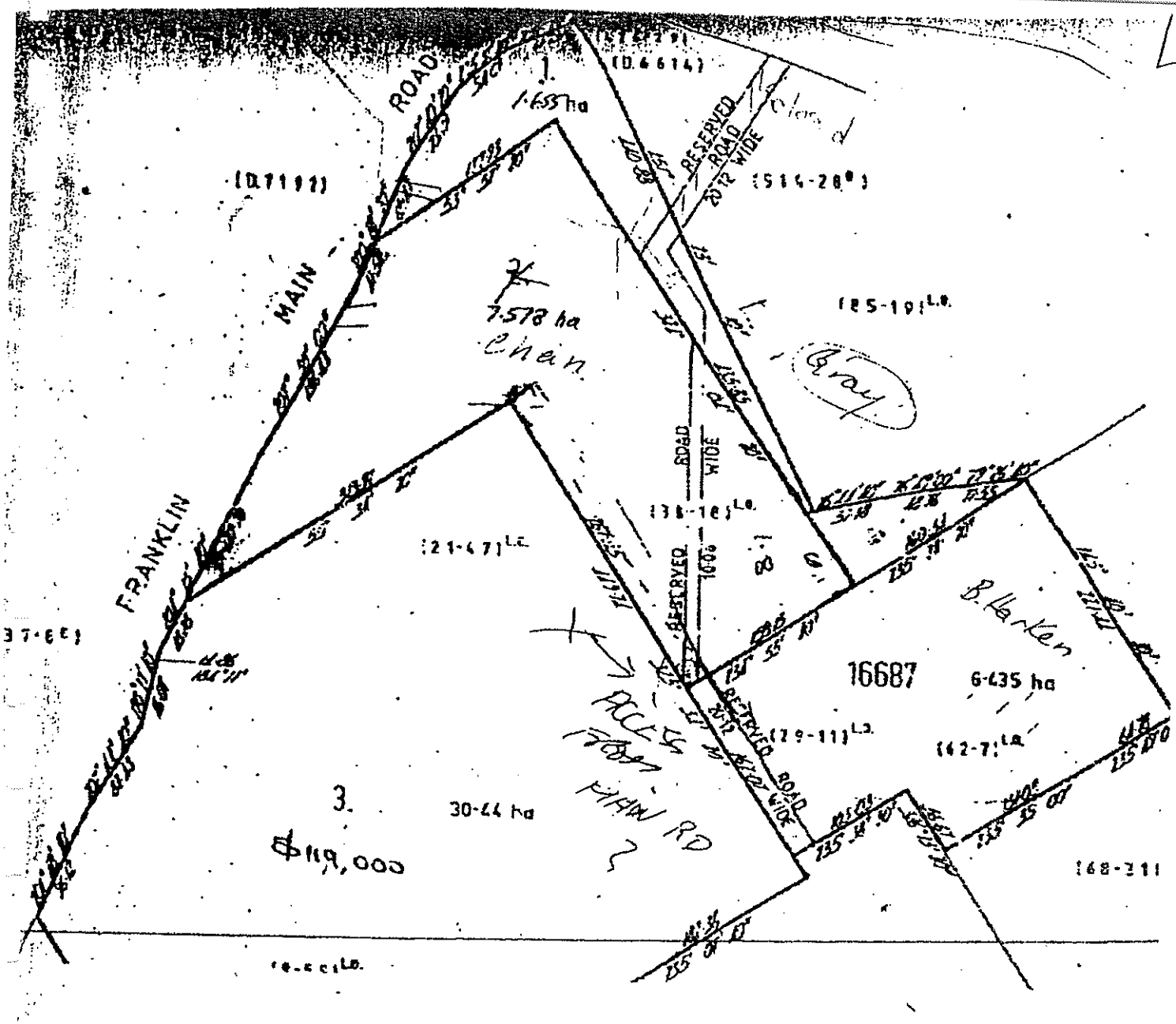


Fig 6. Plan sent in to the Department of Environment and Planning showing proposed access to Lot 2 Glenmore Estate.

There is a similar problem of with the deliberations given by the Department of Environment and Planning which in April 1991 was considering an old plan number 85/19 now known as plan number 25398. What is interesting about this plan is that R and R Richter who bought the Crown Land Reserved Road pictured on the 2nd of November 1990, and who were objecting to the Chans development proposal, are recorded as purchasers on this map which was originally reserved in 1901 and not on a more modern map.

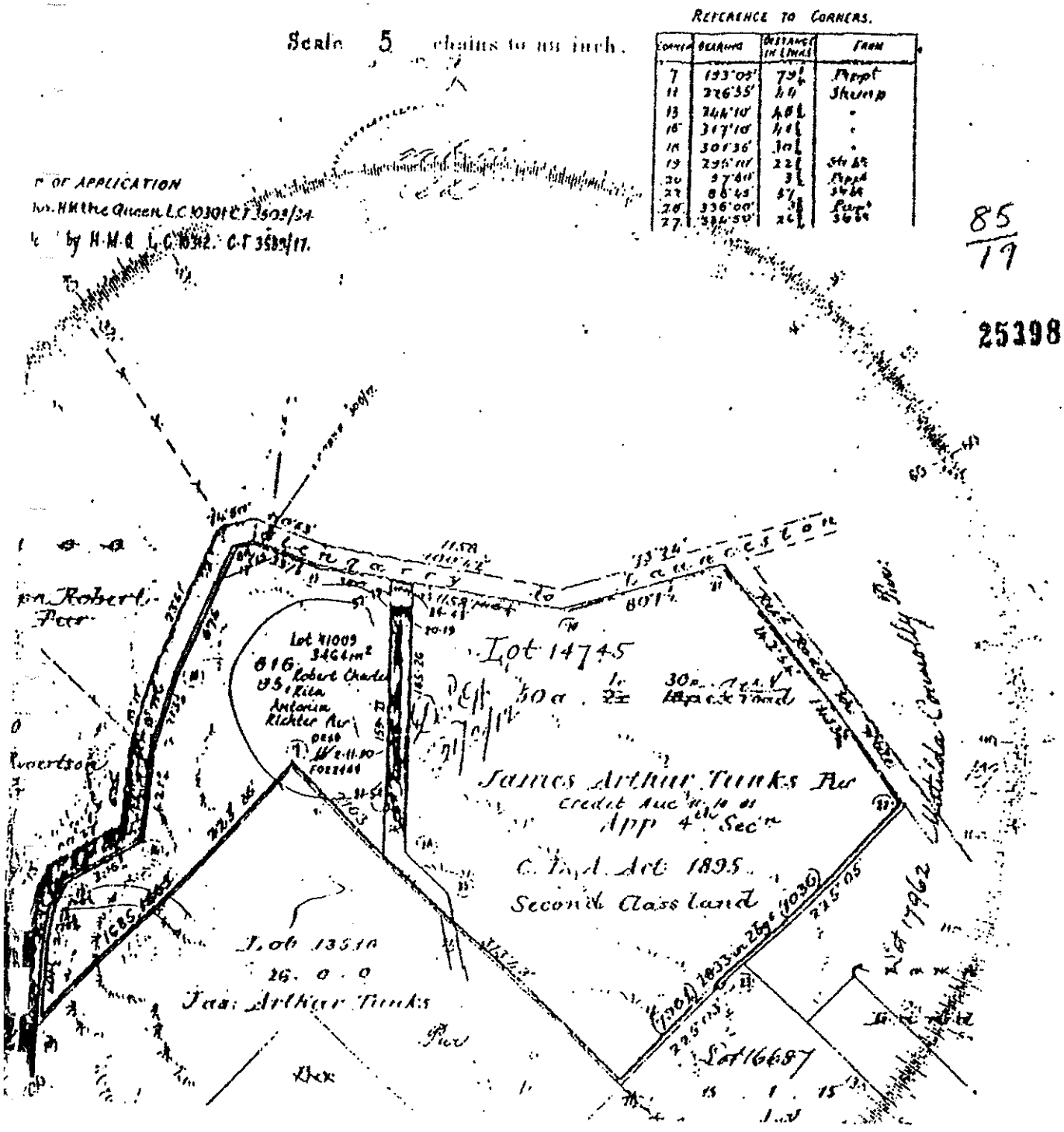


Fig 7. Plan showing question marks about access to Lot 2 Glenmore Estate. Note that the Reserved Road purchased by R and R Richter on the 2nd of November 1990 is recorded on a plan which was first registered in 1901 and which is apparently still in use in some state government departments.

THE COMMUNITY RESPONSE

Interspersed throughout Gail Adams story are claims of converging harassment arising from from individuals in the local area. Can a persons disapproval of a council decision lead to them becoming a pariah in the local community? It appears as if this might have been so as far as Gail Adams is concerned. Until the events of 1990 onward occurred Gail Adams and her Elspedito Enterprise

kennels were valued members of the West Tamar and Tasmanian communities. Gail and her husband Mick developed a volunteer team of tracker dogs which joined the State Emergency and Tasmania Police Search and Rescue Services. This team helped search for missing persons in Tasmanian's wilderness areas. 10 YEARS.

The couple also held dog obedience classes for approximately 20 dogs each weekend. When the situation first developed with the proposed kennels development at Glenmore Estate, Gail Adams had supporters, people who felt their amenity was being eroded by the existence of the development. However after experiencing support from agencies such as the Office of the Ombudsman and local politicians, Gail Adams became isolated in her continuing objection to the new accesses fronting the Frankford Highway. As she became more isolated her business contracted.

As well as the boarding kennels and the dog obedience school and tracker dog training, Gail Adams ran a miniature pony stud. These tiny horses were very popular in the early 1990s and the miniature pony business was very profitable. While it appears almost too disturbing to relate, some of the harassment of the Adams family related to these horses. Gail Adams claims that in February 1991, her miniature horses were mutilated by having the skin stripped off their faces.

From about March 1992, Gail Adams alleges that her champion miniature and Western show horses were harassed and mutilated in the following ways. She claims they were chased into fences by what appeared to be a miniature motorcycle. Her stallion appeared to have been poisoned and was shaved and clipped in areas under the chin, neck and chest prior to the show season.

Later the stallion was discovered tightly tied to the bottom of the fence with the straps of his rug so that he could not move. The police were called to all these events but Gail Adams was told by police officer that the only way the police would help was if the culprits were caught in the act. Gail Adams had to remove the miniature horses from her property in order to protect them. She was also told that she could not make her neighbours like her and that "all she needed was a man".

Another of her complaints of harassment relates to her attempts to register her miniature stallion with the local chapter of the Miniature Horse Association. Mrs Adams alleges she attempted to register her stallion with the Secretary of the AMP (Australian Miniature Ponies)in February 1992. However all her paperwork was returned and another height certificate was required before registration. She then found she was not able to get an AMP official measurer to measure here pony as he claimed that he did not have an official measuring stick! Gail Adams sees this harassment as arising from the fact that one of the Councillors on the Beaconsfield council at the time of the pet cemetery application was at one stage the Tasmanian delegate for the AMP.

Gail Adams believes that much of this harassment arose from her activity in opposing the provision of new accesses to the Frankford Highway.

"The day the decision on the pet cemetery was received through the post crank phone calls started by be received by my school age daughter. These calls were mainly received when I was not at home."

Harassment of Gail Adams took on an almost mediaeval tone on occasions. "In May 1991 I was informed by a person I consider reliable that a certain religious group had planned to ruin my business and wreck the lives of my self and my family." Gail Adams alleges.

"From about May 1991 I feel as though I was harassed in the following manner. A group of people in a religious group stood at my boundary fence, near the Glengarry Hall toilets where they proceeded to hold religious meetings. On one occasion I was spraying a colt who fainted because he was allergic to the spray I was using. When the colt fainted this group started to call out to me: "She's hurting him; she's hurting him. The evil one is hurting him."

This group included a member of the family who had developed the kennels project. "This woman stalked me by taking photographs of me on a few occasions after these meetings. My daughters found notes under the front door which had "The Evil One" written on them." These meetings commenced again in 1994 on 30/8/94, 3/9/94 and 6/9/94, Gail Adams records.

There is some support for this wide-scale inciting of hatred against Gail Adams in her files on this matter. After the local hall committee allowed a neighbour to graze her horses on the adjoining Crown Land Hall reserve thereby damaging Gail Adams fences, her solicitor wrote to the neighbour seeking payment of costs for repair of the fence. The reply sent by the neighbour is disturbing and she describes Gail Adams as "the Martian" and she accuses Gail Adams of forging her (the neighbour's) name on a letter to the Beaconsfield council. The letter dated 17th of January 1995 concludes:

I always do my homework, you have to with such a dangerous woman as many people will confirm. She has almost sued (or threatened to) 1/2 the State.

Gail Adams refers to the Glengarry-Exeter as an "evil community" and she is able to detail links between local people and organizations which appear to have treated her unfairly.

Many of these incidents appear to Gail Adams to be attempts to affect her credit. In one instance, the local branch of Centrelink withdrew a large amount of money from her cheque account on a Sunday. Centrelink did have approval to withdraw a small amount from her daughter's account but not from Gail Adams cheque account. This episode resulted in Gail Adams having a cheque "bounce" which caused her financial embarrassment in the community.

In other unusual circumstances which had the potential to affect her credit, Mrs Adams details mail tampering from March 1995 when for 3 months accounts from her suppliers were not being received.

She believes that some individuals employed in the local area are still denying her proper services. She details problems in getting Telstra re-connected. She details a lack of service from Telstra in 1999, after lines were blown down in a storm. "It took me nearly 6 days to get my phone re-connected and this was leading up to Easter time and I lost a lot business." This may seem normal

behaviour to many disgruntled Telstra clients however in Gail Adams case this Telstra line still has not been connected properly. The line is looped over her fence and travels to her house by means of conduit pipe. She says that all attempts to get Telstra to fix the line have met with failure.

Gail Adams says that she has been told that her property and other surrounding parcels have had a development plan registered with the Beaconsfield council, many years ago. She believes that she is in some way being forced out of the district because of other people's development plans which require the use of her property.

Mrs Adams claims that the local community has made her an outcast, has harassed her by interfering with her essential services and has attempted to destroy her business. Is she being paranoid? Paranoia is a psychotic disorder characterised by systematised delusions. Is it reasonable to think that a community which depends, to a large extent, on development might react in concert against someone who attempts to prevent irregular development?

Gail Adams has referred to the applications to access the Frankford highway as a conspiracy . A conspiracy occurs when a group agree together to do something reprehensible or illegal; or combine for an evil or unlawful purpose.

Which of these two extremes is more likely to be correct? It is probably easier to regard Gail Adams as paranoid than to see the Planning Appeals Tribunal, the Beaconsfield Council, the Police, the Ombudsman, politicians and local vested interests as all combining in order to keep Gail Adams from protesting about what she sees as an illegal access road.

However the fact remains that on a limited access highway where there was once a single access way there are now another three potential accessways. The government in its wisdom must have believed that limiting accesses to the Frankford highway was a good idea at one stage, however the provisions which ensure that accesses are limited have been overcome by what appears to be a most concerted and determined attempt by all concerned parties to avoid actually looking at the documents of title which clearly determine existing access rights.

There then appears to be almost delusional behaviour on the part of all the authorities concerned in order to justify exactly how these additional accessways came to front the Frankford highway. Perhaps the best example of this behaviour is that shown by former State Ombudsman Damon Thomas.

Mr Thomas undertook a review of the processes by which the Beaconsfield Council validated the accesses to the Frankford Highway. Mr Thomas then produced an extremely muddled chronology and letter to Gail Adams in which he confuses the kennels development with the pet cemetery application.

He says in his letter to Mrs Adams:"You are quite correct in that the Planning Appeal Board on the 11/5/92 dismissed the appeal by Mrs Chan for the right to operate boarding kennels due principally to

the access problems". This is not the case. On that date the Planning Appeals Board dismissed the appeal by M/s Chan for the right to develop the kennels using the existing right of way. M/s Chan already had the right to operate and develop boarding kennels and retained this right as long as she fulfilled the conditions, including building a new access, as set down by council.

In his letter to Gail Adams of the 23rd of July 1998, Damon Thomas writes to Gail Adams that the "processes of the Council as a planning authority and the processes of the Road Authority are mutually independent". This is correct however both bodies need accurate information about the exact existing legal access onto the Frankford Highway. Both authorities appear to be in the dark about existing access and are assuming that the cattle track is a Right- of- Way, which was not the case at the time of consideration

Authorities need to use the precise definitions when communicating with each other. This does not occur in the Adams case for example, the Ombudsman refers to an "access off the main road" in the 1970s. This access was the original "Crown Land Road Reserve" by which Homan's property was accessed. This road serviced the entire farm. The cattle track which became the "Right of Way' was only constructed in order to feed out cattle. The Ombudsman also refers to the existing access to "the original reserved right of way" which indicates that he is talking about the CLRR servicing the Homan property. There is a confusion of terms here as there is no legal entity as a "reserved right of way".

The DRT is confused about the roads servicing these parcels and the Department of Environment also appears confused. The Council officers have on the face of it agreed to the new access road being built in the wrong place. Is this just incompetence or is it a concerted effort to produce more access roads to the Frankford Highway?

An area like the Glengarry Hill is obviously a choice subdivision area particularly where subdivision prospects are limited due to problems with land-slip. Within easy driving distance to Launceston, five to ten acre lots in this area would sell easily. In order to subdivide a property by the severance method a number of crisscrossing roads are necessary. This is because a separate title can be obtained for a lot created by the intersection of roads without costly surveying fees or planning approvals. A large property with a network of intersecting roads is therefore a valuable property indeed. It is valuable not only to the proprietors but to many in the immediate community who will benefit from the construction associated with a rural residential subdivision.

Solicitors, insurers, builders, electricians, plumbers, tilers, real estate agents and those involved with road construction benefit from additional subdivision. The people in nearby towns also benefit from increased population. Anyone opposing new accesses to the Frankford highway, which are essential for future subdivision, will be seen as a spoiler, anti-development and a pariah.

Anyone who seeks to claim that Gail Adams is imagining things when she talks about a conspiracy will have to explain why the Beaconsfield Planning Scheme has not been applied in order to limit the number of access roads to the Frankford Highway. The best way to prove that a formula is at work

here is for others to attempt to repeat the feat.

If we look at this formula we can see that the necessary element is to convince the Department of Main Roads and the Council to accept that a 'cattle track" is actually a Right-of-Way. This appears to be a relatively easy task as these authorities will obviously accept a surveyor's plan which has not been registered at the Land Titles Office.

Once the DRT and the Council accepts that the Right-of-Way exists then it appears as if residents will also accept that the non-existent ROW exists even to the extent of appealing against its use before the Planning Appeals Board. It is suggested that if residents appeal against the use of a non-existent ROW in a Planning Appeal then this will certainly give the non-existent ROW a legal validity which it did not have prior to the hearing.

While it is probably going too far to say that the Planning Appeals Tribunal is acting corruptly in order to provide subdivision opportunities for vested interests, it would appear to have been prudent for the PAT and its present day equivalent the RMPAT to obtain current and legitimate information on the real legal interests and accesses to a particular area. It follows that if protesters want to effectively curtail rural subdivisions they should carefully establish exactly where the legal access to a particular property lies rather than believe that every cattle track is a legitimate access.

Capter 2.

Affidavits to the evants

(1) 25- 10- 1996

(2) 4- 9- 1997

(3) 14 - 1- 1999

(4) 2- 6- 2000

(5) 12- 12- 2005

(6) 9- 8- 2002.

(B. CARR,
MINISTERIAL OFFICE,
LEVEL 40, GOV. MACQ. TOWER,
FARRER PLACE,
SYDNEY. 2000. N.S.W.
FAX: 029-2283935.

29. 10. 1996.

MY MATTER IS IN REFERENCE TO
THE AUSTRALIAN MINIATURE PONY
SOCIETY INC.
HEAD OFFICE: N.S.W.

TASMANIA

TASMANIA
TO WIT

I, GAIL LES LEY ADAMS

of FRANKFORD HWY., GLENGARRY, ELSPEDITO STUD, in Tasmania,

do hereby solemnly and sincerely declare that THIS DECLARATION IS IN REFERENCE TO PHOTO-COPIES OF LETTERS OF EVIDENCE TO SUPPORT MY MATTER SENT CERTIFIED 10 DAYS AGO OUR SECRETARY, FOR YOURSELF (MR. B. CARR), REQUESTING YOUR ASSISTANCE FOR JUSTICE MY MINIATURE STUD AND MYSELF. THE SOCIETY IN QUESTION, I BELIEVE HAS 800 TO 900 MEMBERS. NONE OF THE LETTERS OF EVIDENCE SUPPLIED TO YOURSELF, DATED 20th JUNE, 1996, SENT ME FROM THE A.M.P. SOC. INC. REFUSING MY MEMBERSHIP, I LIST BELOW MY ACCOUNT OF THE SITUATION.

I HAVE NO KNOWLEDGE TO WHAT THE CORRESPONDENCE WAS OR ITS CONTENTS, THAT WAS PRESENTED AT THE MEETING OF THE A.M.P.S OC .INC ON THE 16TH JUNE, 1996.

THE ABOVE LETTER 20TH JUNE, 1996 IS THE ONLY CORRESPONDENCE RECEIVED BY MYSELF FROM THE A.M.P. SOC. INC. SINCE 1992.

I WAS NOT INVITED TO ATTEND THE MEETING HELD ON THE 16TH JUNE, 1996 BY THE ABOVE SOCIETY AND MY CHEQUE WITH APPLICATION FORM FOR MEMBERSHIP WAS, ACCORDING TO MY RECORDS, WAS CASHED ON THE 7TH MAY, 1996.

DUE TO THE EVENTS INVOLVING MY STALLION LORDONVALE CANDYMAN IN 1992, I LET MY MEMBERSHIP LAPSE WITHOUT NOTIFICATION TO THE ABOVE SOCIETY, AS THE FINANCIAL COSTS TRYING TO OBTAIN JUSTICE AT THAT TIME, HAD GONE BEYOND MY CAPACITY AND TO PERSUE THE MATTER FURTHER LEGALLY WAS NOT FINANCIALLY POSSIBLE.

I TELEPHONED THE SECRETARY OF THE A.M.P.S OC. INC. MRS M. ROWE IN JUNE, 1996, IN THE COURSE OF CONVERSATION, WE SPOKE OF THE EVENTS THAT HAD OCCURRED TO MY STALLION MY STUD AND MYSELF IN 1992 AND WHAT FOLLOWED. I AGREED, UPON HER REQUEST, TO SEND SOME OF THE LETTERS PERTAINING TO THE ABOVE EVENTS OF 1992, WITHOUT A COVERING LETTER, FOR THE RECORDS OF THE A.M.P.S OC . INC. AND THE MEMBERS TO VIEW, AS AT THE BEGINNING OF 1992 WHEN MY STALLION WAS REFUSED REGISTRATION, THE SOCIETY WAS BROUGHT BACK TO THE "MODEL RULES ONLY" OF BUSINESS AND CORP. AFFAIRS OF N.S.W. BY BUSINESS AND CORP. AFFAIRS OF N.S.W. WHICH CONTAINED NO HEIGHT REQUIREMENT NOR ANY RULE OR LAW TO OBTAIN A HEIGHT MEASUREMENT, ALTHOUGH I DID OBTAIN A MEASURED HEIGHT BY A RESPECTED E.F.A. MEASURER OF 30 YEARS, OFFICIAL OF TASMANIA. THE RECORDS OF THE ABOVE SOCIETY, AT THAT TIME, WERE ON THE PRIVATELY OWNED COMPUTOR AND DISCS OF MR & MRS B. & M. ROWE OF N.S.W., WHO AT THAT TIME REFUSED TO RELEASE THEM TO THE SOCIETY.

ATTACHED TO THIS DECLARATION ARE PHOTO-COPIES OF PAGES OUT OF THE ABOVE SOCIETIES (6) MAGAZINE "SMALL TALK", SEPT. 1996, 53RD EDITION, NO'S 29, 30, 31, 32, CLEARLY STATING MR K. BLIGHT WHO GAVE FURTHER BACKGROUND DETAILS TO THE CORRESPONDENCE, WITHOUT MY PRESENCE. THE MAGAZINE IS DISTRIBUTED AROUND AUSTRALIA, NEW ZEALAND AND THE NATIONAL LIBRARY OF AUSTRALIA. ALSO ATTACHED A COPY OF A LETTER TO THE SUPERINTENDENT OF THE NORTHERN POLICE CO. TASMANIA, IN PERSON.

All which matters I conscientiously believe to be true. And I make this solemn declaration by virtue of Section 132 of the Evidence Act 1910.

Declared at LAUNCESTON, this
25th day of OCTOBER, 1996

G. L. Adams

Before me,

J.P.

T. A. RENOAH

(No. 31.—Declaration)

TASMANIA

TASMANIA
TO WIT

I, GAIL LESLEY ADAMS

of 858 FRANKFORD HIGHWAY, GLENGARRY-7275. , in Tasmania,

do hereby solemnly and sincerely declare that

Her Majesty,
Queen Elizabeth II,
Buckingham Palace,
London. England.

Your Majesty,

Mr Simon Gimson wrote on 14th April,1997 advising that an earlier letter which I had written had been forwarded to His Excellency the Governor-General of Australia, but at the time of writing this letter, I have received no response or advice from His Excellency.

Following a telehone call to Mr Gimson, I was advised to write again and condense my accummulation of correspondence, relating to injustices and abuses suffered by my children and myself, for approximately seven years, and have also been denied my Democratic Rights as a citizen of Australia and of the Commonwealth of Nations.

Should it be so required, the writer has no objection to the Statutory Declaration, containing 13 pages, being classified as a Public Document.

I have the Honour to be your loyal subject,

Yours Sincerely,

(Mrs) Gail Adams,
858 Frankford Highway,
Glengarry. Tasmania. Australia.
Postal Address: P.O. Box 519,
Exeter. Tasmania. Australia.

all which matters I conscientiously believe to be true. And I make this solemn declaration by virtue of Section 132 of the Evidence Act 1910.

Declared at LAUNCESTON , this
4th day of September , 1997 } G. L. Adams

Before me,

J.P. 4229.

(No. 37.—Declaration)

1. In June 1990 the Local Authority approved a development which included a new access road off a major State road, for traffic. Evidence was produced that the development was invalid, illegal to the Local Government Act, Tasmanian Statues and should not be authorised. The Launceston Council refused the same development for the Chans on 30th July, 1990 file No. D.A. 03.90.103.

2. The developer, Miss S. Chan was not the title owner of the property of the above development, Mr & Mrs F. E. Chan became the title owners on 2/7/1991 of lot 6 on Glenmore Estate, Glengarry, Tasmania. (Vol 4790- Fol.21).

3. West Tamar Council The Local Authority {previously Beaconsfield}, their common law practice for approx. 30 years or more was;

(a) The title of the property had to be in the applicants name.

(b) Applications for a license to be applied for first.

(c) If the license was approved, only then could plans for buildings etc. be submitted for approval.

The above a,b,c,conditions were applied to myself 20 yrs ago, permission being only granted for 28 kennels. In 1987 Department of Main Roads and the Council refused me a new and extra access Road to facilitate an increase in my Business, as it was illegal to construct a new acess road onto the Highway.

4. Where the developer Miss S. Chan was concerned the opposite to no 3 above applied. Why?

5. Conditions were attached to Miss S. Chan's license, but when the advertising was in the newspaper for objection, the 16 conditions were not advertised , one of which required a new access road for the development. The Council approved the license.

6. Others and myself had to apply to no.3. refer to Assistant Ombudsman Mr Vickery's letter of January 1991 who investigated the Council's maladministration practices and my complaint was upheld but no action taken.

7. A letter dated 10th January,1991 was received from my Representative Minister, Mr M Polley that following receipt of my correspondence, he has written to the Minister for State Planning. Many phone calls were made to the Minister's Secretary. No further action.

8. I received a letter dated 23rd May,1991 from the Minister for Roads and Transport, Mrs J. Jackson stating that she had no juristiction to intervene on my matter but had forwarded my letter to Mr P. Patmore the Minister for Planning and Enviroment. No further responce.

9. One of the residents on the Glenmore Estate, Miss B. Harkness who had objected in writing to Council against the development, also attended with myself to a Solictor Mr T. Ellis of Clarke & Gee in Launceston in respect to Council proceedure practices and oulined in writing to us, which included reference to the "Queen's Peace" which had been broken.

10. Toward the end of 1991, a Mr. P. Stevenson acquired a property, applied for a kennel license, and Council reverted back to their common law practice, {refer to no.3.} Mr P. Stevenson was refused his kennel license, (as it was in the newspaper), he either had to get rid of his dogs or move. He moved.

11. Due to the many objections in the community especially against one part of the development, a pet cemetry, Miss S. Chan applied to the Council to use the private - Right -Of-Way Road into the Glenmore Estate for the commercil business but was refused by Council and the Government Transport Department because it was too dangerous and a traffic hazard.

12. The Private-Right-O-Way Road into the Glenmore Estate is to be jointly maintained by each owner of the individual titles. I remember this being only a track not a road.

13. The Planning Appeal Board Tribunal was held in April 1991, on the Board was a Queen's Councillor Mr Pitt and their written decision on 23rd April, 1991 J33/91 granted only the Pet Cemetry and an office for administration of her paperwork, with conditions , one being the graves must be dug 4ft deep by hand, the office using the Private-Right- Of -Way -Road and refused the rest of the Development, as a new access road off the major State Road was illegal.

14. Mr John Cohen of the Institute of Surveyors, Honery Fellow of the Institute of Surveyors of Australia, Fellow of the Royal Australian Planning Institute a very knowledgeable and respected person in these matters , represented others and myself at the above appeal. Mr J Cohen submitted a preliminary report, and during the Appeal not only proved but stated to Miss S. Chan and Mrs E. Chan (they were present), that they were utter liars. Mr John Cohen was very concerned as there was little top soil, mainly hardpan, clay, shael and rock, where pets were to be buried.

15. My Business name of "Elspedito Enterprises" registered in 1977. Miss S. Chan submitted as a statement to the Planning Appeal Board Tribunal that my house and kennel effluent were not hygienic nor upto standard. Mr J. Cohen disputed this. This resulted in harassment by Council and others to the detrement of my Business and character.

16. From the 25th April,1991 my children and myself received very abusive phone calls. Telstra was notified. At one stage the words were the same and an interpretor for Telstra told myself the language was Chinese and meant "Goodbye,Goodbye".

17. Our Champion Miniature ponies and horses were being harassed and hurt during the night, and we did not know when it would happen again, but it continued for a long time. The Police were notified, but I was told nothing could be done, unless I could catch the offenders.

18. In January 1991, Assistant Ombusman Mr Barton, visited the Glengarry Hall to hear complaints, relating to the Council's maladministrative practices, I was told to go to my Members of Parliament and to keep reporting any incident,{ as in no 15}, to the Police.

19. My personal meeting with the Rev, L Armstrong Member of Parliament with documentation left with him, resulted in him coming out to the Glenmore Estate and also meeting with a resident seeing what the problem was. He was certainly upset to the happenings and sent all documentation to the then Attorney -General,Minister for Enviroment and Planning Mr P, Patmore. Mr Patmore stated in his letter to myself of the 31st July,1991 that the Commissioner for Town and Country Planning will be investigating the matter. Nothing further.

20. In April,1992, another Planning Appeal Board Tribunal was applied for by Miss S. Chan, this was refused by Council, and the Planning Board reiterated to Miss S, Chan the first decision , the written decision was May, 1992. In June 1992 Miss S. Chan constructed a new access road into the property of Mr & Mrs Chan off the major State Road Frankford highway for the development, in a position that was never presented to any Appeal Board Tribunal by Council or The Government Main Roads Department , Freedom From Information documents acquired in 1996 by myself proved this. Copies attached.

21. At the above Appeal Miss S. Chan submitted as evidence a list of approx 176 names and signatures in her favour from the local community, but evidence was given that this list was acquired by false representation and people were bullied into signing by her brother Mr Vernon Chan, who previously lived at Picnic Point in Sydney, N.S.W.

22. My representative Members of Parliament were complained to, a few in person at times and sent documentation of evidence of the events that had and were occurring to no avail. I was sent on a merry-go-round. The Government of Tasmania had changed from Labor to Liberal, and the Public Servants appear to have retained their positions.

23. In May 1992 I started to have problems with the Australian Miniature Pony Society Inc. of N.S.W. on the refusal of the registration of my miniature stallion by the Society. I had been a member for years and never had any problems. The acting Warden Mr J. Oldenhof during some of the events with the Beaconsfield Council, and had been one of the main Councillors who passed the development for Miss S. Chan, previously had been the Tasmanian Delegate for the above Society, as both him and his wife were members, and on the name changing of the Council to West Tamar, the Councillor and his wife appeared in the newspaper, photograghed with the previous Governor of Tasmania.

24. I approached the office of Consumor Affairs in Launceston about what had

occurred to my stallion, and on examining my documentation that my paperwork be sent to N.S.W. to a Mr Holloway, Commissioner of Consumer Affairs for investigation. After many phone calls and letters to New South Wales no action was taken. A very popular T.V. Currant Affairs programme came to my property from interstate,and after a couple of hours of filming, it was suppose to go to air, but for some reason didn't, and no one could even trace the filming of it. They were here on my property for approx. 3 hours.

25. In a responsive letter to myself dated 5th August,1992, the Minister for Roads and Transport Mr F. Madill, stated that the Roads Department had approved a new access Road for Miss S.Chan's business but the Department has no power to close or relocate an access, only the Council has the authority to approve a development requiring a new access.

26. A meeting with a witness and myself with the then Minister for Local Government Mr J. Cleary for approx. 15 minutes, to be told " What has been done cannot be undone". Some of the documents of evidence was given to him including my letter to Rev. L. Armstrong Member of Parliament which outlined the maladministrations of the Council over this development and the events.

27. Certified letters, with documents relating to my complaints of injustices, were on more than one occassion, sent to the then Premier of Tasmania Mr Ray Groom. No response was received.

28. With a witness and documents, I related my problems to my Federal Parliamentry Member, Mr M. Burr. A letter dated 12/3/1993 was received from Mr Burr, stating that "discussions were on the way and there is no need to believe that they will not reach a satisfactory conclusion". A few days later Mr Burr was voted out of office and is now a West Tamar Councillor.

29. I received a letter dated 26th November,1993 signed by S.E.Chellis of Bishop Gunton & Rae Solicitors, on behalf of the Chan family, I find threatening and vindictive. The letter also contained reference to the effect that their client had at an Appeal Hearing were granted a license and approval for kennels. Senator J. Newman in her letter to myself of the 29th June,1993 stated that the Chan's were refused by The Planning Appeal Board Tribunal. As for the license, it was granted by the Council. Copies of letters and evidence supplied..

30. In the above letter from Senator Newman of the 29/6/1993, I was advised too present my documentation to the State Ombudsman Mr Green. On the afternoon of him receiving the certified letter with contents, I received an abusive telephone call to my home with him yelling at myself that he " had no intentsions of ever doing anything for me". I told him that was his decision not mine and hung up.

31. A certified letter and documents of evidence was sent to the former Prime Minister Mr P. Keating at the lodge in Canberra, but recieved back a letter stating it was not his reponsibilities but that of the Tasmanian Government, because I was also complaining about my demoratic Rights being denied. It was all sent to the then Premier of Tasmania, Mr Ray Groom and Cabinet. Mr Michael Hodgeman "Queen's Councillor" being Secretary to the Cabinet at that time. I received a letter dated 13/5/1993 that everything had been investigated and nothing could be done for me. The then Premier made his decision without my presence, giving rise to myself being set upto ridicule by other Ministers, Beaurocrats and Public Servants. My Solicitor sent my complaints to the then Minister of Police Mr Madill, his responce letter to my Solicitor of the 28/7/1995 reiterating the then Premier's letter of the 13/5/1993.

32. I sent a letter with documents of evidence, certified mail, to the Governor-General of Australia, Mr Bill Hayden, to receive back;

(a) A letter of the 4th May, 1993 of false allegations and contrary to the documents and letter sent, the letter was signed by W.G. Hoffman.

(b) I again approached the Governor-General to receive back a letter reiterating the letter to myself of the 4th May,1993 and that it would serve no useful purpose to phone or write again, signed by Jeannie Hall.

(c) Ignoring the above advice I faxed to the attention of Mr Sturkey with documents of evidence and my complaints on the 25th September, 1996 to receive a letter dated 26th September,1996, That nothing Constiutional was wrong and to go back to the Tasmanian Government.

(d) Many telephone calls were made to Sandra Cochrane of my complaints, who I was advised was the personal private Secretary to the Governor-General, Mr B. Hayden.

33. I sent a letter with documents of evidence to support my matter to the Solicitor-General of Tasmania, Mr B. Bale, and received a letter dated 21st January, 1993 to the effect that he could not investigate my matter as I was a member of the public. He stated that it was for the Director of Local Government to attended to, and that he could act only then. All documents was returned to myself.

34. My letter to Mr Burdekin dated 16th December/1993 former Commissoner for Human Rights and Equal Opportunities together with documents of evidence, plus many phone calls over a period of time, and received a letter two years later, stating basically that nothing was wrong.

35. In a letter to the Federal Attorney-General, Mr Lavarch, resulted in a letter dated 11th March,1994, that all my documents were being returned to me and there is nothing constitutional wrong, that the matter was the responsibility of the Tasmanian Government. Signed by Mr Lester Watson. Director, Ministerial and Parliamentary Section.

36. My letter of the 2nd June,1994 was sent to the Commonwealth ombudsman with documentation of evidence, on the denial of my democratic Rights, and the fact that the monies supplied for improvement to Major State Roads in Tasmania were supplied by the Australian taxpayers , that is, Federally funded, that includes the Frankford Hwy, Glengarry on which Miss S. Chan constructed a new access. I received back a letter that nothing was wrong even constitutionaly.

37. I sent a letter and documentation of evidence to the Director of Public Procecutions Mr D. Bugg, twice to receive back,

{a} His letter of 24/8/1994 that the Solicitor-General Mr B. Bale had communicated with myself and there is nothing he could do.

{b} His letter of the 4/10/1994 to the effect that I should seek legal advice.

38. I sent to the Director of Local Government Mr R. Roodenrys a letter with documentation of evidence. I received a letter that Departmental officers had thoroughly investigated the matter and nothing more could be done, his letter was dated 9th November,1994. I attented a meeting on invitation in outer Launceston on complaints of Councils, the speaker stating that Mr R Roodenrys had been dismissed by the South Australian Government in Administration, for negligence.

39. On the 7th September, 1994 at a meeting with Superintendant of the Northern Police of Tasmania with one of my daughters, I also gave him a 4 page letter outlining my complaints and the events which had occurred to my daughters and myself and our Champion Miniature horses.

40. An Inspector Woolley came to my home without prior notice, told me that the then Premier Mr Ray Groom had not denied myself Natural Justice. I told him that was a lie, he had. Shortly after the above meeting I placed an advertisement in the newspaper to that effect . Inspector after a little more discussion, especially on the harassment of members of the Jeovah Witness Religion, who were holding meetings and prayers, which included Mrs E. Chan and sometimes Miss S. Chan between one to three mornings a week, adjacent to my boundry fence. Shortly after the Inspector's visit there were no more harassments.

41. My credit rating during this period of time was AAA, and at this time I sought to pay my the Business lease vehicle, and although 5 years of payments were paid on time, I was unable to obtain credit from any financial institute and had to trade-in that vehicle although it was still in first class condition.

42. Mr Richard Bingham, Secretary to the Justice Department of Tasmania, was sent, by certified mail , documentation of evidence on all these matters. This went on and on for a couple of years. Previous to Mr R. Bingham it was a Mr. Green. All to no avail because it did the rounds through the revolving doors!

43. A letter dated the 21st August,1996 with approximately 80 pages of documentation of evidence to the National Crimes Authority, and received a letter stating that they do not handle such complaints.

44. A letter was sent to my Solicitor Mr Edwards in January 1995, from a local person, a Mrs McCaughey in which she made statements of various serious concerns, which included I did not pay my bills. I was unable to purchase fire wood after that for the winter. I have never conversed with this person outside or inside my property nor any of my dealings with the Government in trying to obtain my Democratic Human Rights, which statements were made in respects to, in her letter.

45. I have a private Box at the Post Office and about March,1995 my mail was being tampered with.For 3 months none of my accounts from my suppliers were not being received. What woke myself up to this was a Medical Specialist bill, as I was due for a major operation, which I had in December 1995. I complained to the Post Office and have not had those problems since May 1995. I almost missed out on that operation, as the waiting list is long.

46. Mrs C. Lawrence Federal Minister for The Statues of Women, was sent a letter with documentation of my injustices and the events relating to them. I received a letter dated 22/5/1995, that my matter had already been considered and that I may need to reconcile myself to the decisions made. I had spoken with First Assistant Secretary, K. Townsend over the phone at my expense a number of times before the responsive letter.

47. A letter to Mr D. Wing a Legislative Assembley Representative with documents of evidence, to receive his letter of the 26th March, 1993, to go see my Representative Parliamentarian or he could forward my documentation to Mr Loone, my Legislative Assembley Representative which he did. I sent a letter of the 28th June , 1995 to Mr Loone, there has been no action nor reply in writing. Mr Loone did come to my home for a short visit, but was more concerned what a Solicitor Mr T. Ellis had to say in writing. There has been no further response.

48. I sent a letter to the previous Governor of Tasmania, to receive a letter stating he could do nothing, he does not have the power. Many phone calls were to a Mr Pitchford at the office of the Governor,over a very long period, plus many letters, supplemented by documents of evidence. Eventually Mr Pitchford sent them on to the then Minister for Local Government Mr J Cleary, who eventually wrote to myself, with a letter stating the Council had a "Solicitor's Advice", and that to the effect Miss S. Chan could have the new access Road and the development. Not even through Freedom Of Information has this "Mysterious Solicitor's Advice" been produced, and to this day, this advice is still being refused to be produced. Mr Cleary had allowed the Planning Appeal Board Tribunal's decision to be overruled. I am of the opinion that only the Supreme Court of Tasmania could reverse that decision.

49. I have requested many times to the Parliamentary Library of Tasmania, for a copy of the whole origional Tasmanian Constitution signed by Queen Victoria in October, 1854 in England. I have received the first page and a couple toward the end of the document. I am fed up with requesting a copy. The Constitution contained laws and prohibitions.

50. I sent a letter to the Police Commissioner of Tasmania dated 16th Febuary, 1996 with documents of evidence, to receive a letter dated 11th March,1996 to the effect that I should pursue my claim through the Courts and reinforced the reccommendations and advice given to me by Inspector Woolley. Signed by L.R.Prins, Assistant Commissioner of Police and Crimes Operations.(Refer to No.40).

51. In response to my letter 16th September,1996 to the Federal Attorney-General Mr D. Williams, a response letter dated 19th November,1996 reiterating almost the same as the letter from the previous Federal Attorney-General Mr Lavarch dated 11th March,1994. Signed by Mr Lester Watson, Diorector Ministerial and Parliamentary Section.(Refer No. 35).

52. My letter dated 31st October,1996 to His Honour, Mr Justice Crawford in Launceston, was to try to achieve information on how to compel Officers of the Crown to fulfill their Official Duties, and can the Crown take action on behalf of citizens, who do not have the means available to take such action themselves. The reply came from a Mr Carroll associate to Justice Crawford, basically to go to Court. (Copies attached).

53. I applied for membership to the Australian Miniature Pony Soc of N.S.W. in early 1996. I had let my membership lapse after my stallion had been refused registration. (refer No 23 & 24).After the above Society accepted my cheque for membership, I received a letter with a Society cheque refusing my membership with no reason. I wrote to the Premier Mr B. Carr of N.S.W, who forwarded my documents, to his Minister Mrs LoPo, who's portfolio was Fair Trading. After many phone calls I received a letter dated 31.12.1996 contradicting all the documents which were supplied. I wrote again to Mrs LoPo and received a letter, stating there was nothing she could do,and to go seek legal advice.The Australian Miniature Pony Society's Magazine "Small Talk", distributed around Australia and New Zealand stated that I was refused membership on advice of a Mr Blight, who produced at a meeting documents that were detremental to myself . I do not know what the documents were or what was stated because I was not invited nor was I informed that any such meeting was to take place. I wrote to the Attorney-General of N.S.W. but was informed by him to go see a solicitor.

54. My letter of 16/4/1997 with documentation of evidence to the now Minister for Local Government of Tasmania, my representative Minister Mrs D. Swan, was handed personally on my behalf, concerning the injustices suffered by my family and

all the events that had occurred. My complaint also, of two A frames of advertising right near the highway, for the Chan's business, as it is illegal, the Minister and the Council agreed, and that there was no permission given for the A frames to be there, but the A frames are still being displayed near the Highway. The Minister was also supplied with newspaper items where Mrs E. Chan and Miss S. Chan recently appeared, contradicting the conditions that applied with the development. I have tried to meet with the Minister, who lives approx. 8 minutes from my property but it seems impossible, apparently, to no avail. The Minister, was informed that all my gryping was that, I did not like competition, which is an outright lie. No actions nor rectifications have occurred.

55. I was advised in writing from a Solicitor, Mr Doolan to make an appointment and personally give the documents of evidence to the Attorney-General, Minister for Justice, Mr Ray Groom, former Premier of Tasmania. On the 5th June,1997 this was achieved with two witnesses, who were present with myself, the meeting lasting for approx. 35minutes. I received a letter 12th August,1997 from Mr Ray Groom, that although he found some of the contents confusing, he came to the firm conclusion it was not his position to rectify my complaints, which included those of the injustices in the Court where I was ordered to pay by a Magistrate without the "Citing of Documented Evidence" produced in the Court, even though I had requested that the evidence be produced. I had been sued under a Business name that doesn't exist, (which is against the Magistrate's Act of 1989 of Tasmania). I asked Mr Ray Groom for the Magistrate Mr Willie, to be dismissed and charged for using and abusing his postion of power. As a citizen I had to rely on the Magistate's knowledge of the law being correctly upheld ,and of his integrity to uphold the law.
Since the above meeting on the 5th June,1997 I have not spoken with the Attorney-General Mr Ray Groom, nor has he contacted myself in any way, only by his letter of the 12th August,1997. Nothing appears to have changed. (refer to 31).

56. Concerning matters related to events mentioned very briefly in these statements, I enclose some copies of newspaper reports on many of these events. Since the consultation with the Minister, I have received no correspondence from him except for his letter of 5th June,1997, a copy of which is enclosed.

57. I feel that, in total, my attempt as requested to provide a brief resume of the events which are considered to be unjust. I can at present, only conclude that, over a period of about seven years I have been victimised, misrepresented, mistreated, misunderstood, penalised and denied the Justice to which I am entitled by Tasmanian and Commonwealth law.
Bearing in mind the above matters contained briefly in this requested resume, I am of the opinion that I am entitled to the recovery of my costs, expenses and damages to date.

"FROM NO's 58 to 77 RELATE TO THE COURT AND COMPLAINTS RELATING TO THEM".

58. Registered name of "Elspedito Enterprises" reg. in the name of Gail and Micheal Adams in 1977 with Business and Corporate Affairs of Tasmania as "Pets and farming", operating at Glengarry.

59. The summons relating to the undermentioned events was addressed to:

(a) Elspedito Cattery - Mrs Gail Adams - Claim No. 354/92

(b) Elspedito Boarding Kennels (a firm) - Mrs Gail Adams and Mr Micheal Adams - Claim No. 94208/94

The business name of a "Boarding Kennels and Cattery" does not exist.

60. At commencement of proceedings documentary evidence handed to the Magistrate of No.1 above with supportive documentation.

61. I complained to the Justice Department, on the manner the Magistrate had arrived at his written decision on Claim No. 354/92 (2.a, as above), such complaints included:

(d) The Magistraite stated Mr Adams and myself were married, where, as we are divorced.

(e) The Magistraite stated, "All care-no responsibility", was meaningless, where as my receipts were inscribed "All care taken, no responsibility".

(f) Evidence was produced similar, showing that words had been used by many show societies including the Royal Launceston Agricultural society to those on my receipts.

62. A witness whose name was not mentioned on the written decision stated, she was a registed veterinary nurse but produced no documentary evidence to that effect. This witness also stated that she had been on my property and that the Cattery was not fit to house or board cats. To my knowledge this witness had never entered my property, let alone my Cattery. The same witness, Mrs E. Chan of Glenmore Estate Cattery and Kennels of Glengarry, who stated she was a veterinary nurse, but did not produce documentry evidence.

63. Another witness for the Plaintiff made derogatory statements concerning myself my business and the events assosiated on the matters before the court. A number of sworn statements which contradicted this witness were sudmitted as evidence. This has not been mentioned nor considered in written decision of the Court.

64. The cat was discovered by the operators of Elspedito Enterprises approximately 3 days after leaving the Cattery to be sheltering under our residence. The Plaintiff was advised the cat was still on the premises. Mr Welsh stated to Mr Adams that the cat would not come to him.

66. The magistrate asked whether I had objections to any of the Plaintiffs witnesses. I ojected to Mrs E. Chan of Glenmore Cattery and Kennels of Glengarry due to events of two Planning Appeals, of which Mrs E. Chan was involved, and at that time complaints were in the hands of the Solicitor General of Tasmania involving Mrs E. Chan, I so stated that day in Court to the Magistrate.

67. The Plaintiff stated it was a pedigreed Siamese Cat but was unable to produce pedigree papers or other evidence to prove his statement. After 35years of experience in cat and dog breeding I had come to the conclusions that the cat was not a pedigree Siamese. The female cat was desexed and obviously could not be bred from. Evidence to my above statement was supported in Court by an expert witness of 30 years breeding Siamese Cats. Mrs E. Chan of Glenmore Estate Cattery and Kennels Glengarry, vetinary nurse witness for the Plaintifff, was shown photo's of pure and mixed Siamese Cats but was unable to identify the pure bred Siamese Cat. I suggested that the evidence by the witness for the Plaintiff to be untruthful.

68. Claim No. 94208/94 of No. (b) and (c) as above and at commencement of proceedings I provided the Magistrate with documentary evidence to the effect that our Business were not named in the Summons.

69. My personal dog "Candy" became ill and was examined by a Registered Vetinary Surgeon. I eventually received from the Practise an account for:

(a) Operation on Candy.
(b) Airfreight to Victoria of blood sample for analysis.
(c) Pathology test service.

The account was disputed because:

(d) I did not authorize the operation.
(e) I could not locate the alledged Pathology Diagnosis Authority.
(f) I was not provided with appropiate airfreight documents

confirming the alledged transport of the blood sample, although I had on various occassions requested documentary proof that the alledged services had been carried out.

70. Before receiving the Summons, every effort had been made in writing to the Vetinary Clinic requesting copies of proof of the above (b) and (c) to no avail. A complaint in writing was lodged with Consumer Affairs of Tasmania, and after many phone calls , that office stating over the phone that they had received a letter from the Vetinary Clinic on the events that had occurred, signed by a vet I did not know or had heard of. I was refused a copy of that letter.

71. A letter with documents to support my complaint was sent to the Minister of Consumer Affairs of Tasmania, Mr F Madill, (Police Minister) to no avail.

72. The vet appearing for the Vetinary Clinic in the Court, was a person not known in any manner to myself or my ex-husband, as was stated in the Court , and yet this Vet produced a letter in the Court that was sent to Consumer Affairs of Tasmania, (referNo.70)prior to the Court hearing stating the Opposite. I was refused a copy of the letter in the Court.

73. During the Court proceedings, the Plaintiff was ordered by the Magistrate to produce the appropiate documents to the Court before the verdict could be announced. Not at any time was I provided with the documents in question.

74. At the hearing several Statuatory Declarations were produced as evidence to the events that surrounding "Candy", proof that I did not give permission for an operation and why. The Magistrate ignored these , and at the reading stated they were suspicious.

75. At the conclusion of the proceedings the Magistrate requested both parties to attend at a later date for the reading of his decision. with my daughter, I attended for this reading to be informed by Mr Willie the Magistrate, that the Plaintive was on holiday in New South Wales and that the Plaintive had been notified by telephone, of his decision. Mr Willie then told myself that he had "seen the air freight docket and he was satisfied". I requested from the Magistrate a copy of his decision and a copy of the air freight document. He told me that I could not have a copy of the written decision, and if I wanted these statements I would have to apply to a Higher Court.

76. By his actions and statements I was denied access to documents which I maintain would have conclusively proven that I was a victim of collusion, to the detrement of my long established Business. Furthermore, the same Magistrate Mr Willie officiated in the matter concerning "The Cat" where there he gave a written decision. (Refer 59 (a)).

77. I have reason to believe that certain persons were involved in the matters related to the missing "Cat", my "Dog" and the new access road, which was improperly approved.

78. A copy of a letter from the Attorney-General and Minister for Justice of the State of Queensland Australia dated 16th August,1996, stating that the Bill Of Rights of 1688 still continues in forces in Queensland, is attached to this Statuatory Declaration. What happened to the rest of the States of Australia in respect to the Bill of Rights of 1688?.

QUEENSLAND GOVERNMENT

ATTORNEY-GENERAL AND MINISTER FOR JUSTICE

16 AUG 1996

In reply please quote: 96M 000911

Your ref:

Mr A. Fraser MP
Member for Coffs Harbour
Suite 2, 1 Duke Street
COFFS HARBOUR NSW 2450

Dear Mr Fraser

Status of the Bill of Rights 1688

The Honourable Denver Beanland MLA, Attorney-General and Minister for Justice has asked me to thank you for your letter of 17 June 1996 and to respond to you on his behalf.

The Honourable the Attorney-General has taken legal advice on the question raised by you being the status of the Bill of Rights 1688 ((1688) 1 William & Mary Sess. 2 c. 2).

The legal advice to the Honourable the Attorney-General is that the Bill of Rights 1688 continues in force in Queensland.

Yours sincerely

S Coates

STEPHEN COATES
LEGAL ADVISER

I need funds urgently to get this information out nationwide.

and PLEASE

Fax and photocopy these two pages until they fall apart.

A. R. (Tony) Pitt - Editor
NATIONAL INTEREST Newspaper
79 Ferry Street
MARYBOROUGH QLD 4650

This letter is published in the interest to prove to all, that the hundreds of letter written by politicians and their speeches, and their

I Gail Lesley Adams of 858 Frankford Highway, Glengarry of Tasmania do Hereby Solemly declare on Oath that what has been set out in this Affidavit is True, and to the best of my knowledge and Ability; and the letters sent and received to me;

1. The Statuatory Declaration of one page to Consumer Affairs of Tasmania and the then Minister Dr Frank Madill of Tasmania dated 26th May, 1994.

2. The Statuatory Declaration of one page to the Premier of N.S.W. Mr B. Carr dated 25th October, 1996.

3. The Statuatory Declaration of 13 pages to Her Majesty, The Queen, in Buckingham Palace, London, dated 4th September, 1997.

4. I received a letter in reply to the above no3 Statuatory Declaration delivered by Courier to the Palace from myself with many attached documents of evidence to Her Majesty, the Queen, the letter dated 15th October, 1997.

5. The Statuatory Declaration of two pages to Her Majesty The Queen in Buckingham Palace dated 17th November, 1997.

6. Copy of a letter sent to myself from an Assistant Ombudsman Mr Vickery dated 19th January,1991 Ref: S12/231DV:JW, Your Ref:MDS:TH to Mr P R Ranson, Council Clerk, Municipality of Beaconsfield, outling the Maladministration of Council and the contradictions to the approved development in question.

7. Search Copy Only from the Lands Title Office of Tasmania to myself dated 3rd December, 1991 of the Transfer Title deed Vol. 4790 Fol. 21 of B404068 of the purchase to Frederich Chan and Elfreide Chan registered 2nd July, 1991 @ 12:1pm of lot 6 on Plan no:42774 Derivation, Glenmore Estate, Frankford Highway, Glengarry, Tasmania. Plan of Survey P40795, P42774 for above estate.

8. Apart from the letter of Mr Vickery, refer No 6, in 1991 Mr Paul Stevenson of Rosevears acquired a property, then applied for a kennel licence but was refused, having the option to either reduce his dogs or move. I believe he moved. Mr Stevenson being treated to the Council's Common Law practise as myself and others,

1. A person had to acquire the property in their name.
2. Apply for a licence, and if that was approved,
3. Put forth buildings etc.

the above already stated in the Statuatory Declartion of 13 pages, No 3.

9. Two Planning Tribunal Appeals of 17th April,1991 decision 23rd April,1991, J33/91, the second J 27/92 decision 11th May,1992, were in the name of Miss S. Chan in reference to , an appeal against the determination of the Corporation to refuse planning approval for a Pet Cemetry and Office, on the Frankford Road, Glengarry; an appeal against the determination of the Coproration to refuse planning approval for the use of land off the Frankford Highway, at Glengarry for the purpose of Boarding Kennels with vehicular access to office building to be via the existing right of way to the house.

14.1.99

10. Application for Planning Approval from Miss S. Chan reference to 1st appeal Plan 5, refers to lot 2 (two) Council's Agenda dated 20th February, 1991.

11. The Beaconsfield Council approved a Development on the 4th June, 1990 subject to 12 (twelve) conditions, one being No 11 a new access road , the application for the development in Miss S. Chan, a letter acquired through F.O.I. was dated 5th June, 1990 from the Beaconsfield Council to Miss S. Chan, Snobul Kennels, 4 Blanc Ave, Panania. N.S.W. signed by Mr M.D. Sluce, Planning Officer, stating the approval to operate dog boarding kennels at lot 6 Frankford Highway, Glengarry and the above application was approved.

12. Other letters acquired through an application to F.O.I. and sent 15th May, 1996 to myself in reference to the development and new access road were,

(1a) a letter File No 90/0267 dated 26th May, 1992 to Mr Middleton De. SBCT from B. Quillerat, subject to Acess permit- S. Chan, Frankford Hwy, Glengarry, message, Luke, Please arrange De. Sec. approval/Ministerial consent for attached proposal, faxed on the 29th May, 1992.

1. M.T.K.A.
ok to sign,
LS G D
27th May, 1993.

2. W P C
please fax to Ren & sign off per S.C.D. 27th May,1992.

13. A letter 25th May, 1992 Applicant's name Ms S.M. Chan Frankford Main Road, Council approval 25th May, 1992 ,
Development approval 26th May, 1992, comments,
Council Officer Mr. M. Sluce was on site for selection of suitable access location.

Do you wish Development Section Officers to inspect the site. NO.
Inspecting Officer B Quillerat date 25th May,1993.
Ministerial Approval, Approved,Minister for Roads and Transport per K. ??? (hard to read the signature), but it certainly is not Dr Frank Madill's, who was the Minister at that time. 29th May, 1992.

14. Map sheet Exeter 4842
Map grid reference 896244
Sight distances Right 235metres
left 450 metres
Rear 450 metres
Forward 235 metres.

9. 85th percentile speed (measured) estimated 85klms/h.
10. Speed limit 100klmsH.

Letter dated 26th May, 1993 from Dept. of Roads and Transport authorises S. M. Chan to carry out works for the above new access road.
Officer B. Quillerat signed J.F. Lennon C.P. Eng.
Regional Eng.(north)
for and on behalf of Minister for Roads and Transport.

H7 14-1-97.

15. If a new access was permitted off the Frankford Hwy, Glengarry, the Roads and Transport Dept. for safety reasons, at the Planning Tribunal Appeal, Mr M. Sluce produced a map with the position at the bottom of the steep hill. This contradicts the above and the position the new access road was constructed, and was never in the newspaper for objection nor produced at any Planning Appeal Tribunal, nor was any application produced for objection from Council, irrespective the above applicant Miss Salina Chan was not the Titleowner of the property in question , nor the Titleowner when the development was approved on the 4th June,1990, nor the Titleowner at any of the Planning Appeal Tribunal's .

16. No 11 of the Council's conditions read of the development approved on the 4th June, 1990 and also conditions attached to the approved kennel licence states, " A new access to the property shall be designed and constructed in accordance with the Department of Roads and Transport requirements. The access shall be in the position shown on the attached plan. No access to the exsisting house or kennels shall be allowed from the exsisting right of way". The attached plan for the new access was the same one presented at the Planning Appeal Tribunal by Mr M Sluce as at the bottom of the steep hill. Miss S. Chan also produced 176 signatures as evidence to the tribunal , at the second Planning Appeal, but as stated on the Stauatory Declaration it was acquired falsely as it was promoted that people were stopping them from getting to their house via the exsisting private right-of-way-road.

17. Application for Kennel Licence 189/91 By-Laws 2 Miss S. Chan at lot 2 Glenmore Estate, Frankford Hwy, Glengarry, approved on 18th March, 1991, this taken from Council's agenda, as I was also present at the Council meetings with others. At the 25th Febuary,1992 Council meeting it was resolved that legal advice be sought on the possible ramifications if Council chose to refuse in part or total the application by Miss S Chan for a kennel licence given that Council has previously issued a development permit.

18. The above legal advice has never been available even through an application to F.O.I.

19. The Minister at that time Mr J, Cleary for Local Government, after documentation was given to him personally by myself , he stated to me "what has been done cannot be undone". I was also accompanied by a witness. This related to the development and the construction of the new and extra access road off the Frankford Highway, Glengarry.

20. The letter from the then Premier Mr Ray Groom to myself of the 13th May, 1993 and so stated in the 13 page Statuatory Declaration, I placed an advertisement in the Examiner newspaper, as to the contents of that letter he acted as Judge and Jury without consultation to myself and not in my presence.

21. Questions asked at Public question time at Council were many and reports were in the Examiner Newspaper. On 18th March, 1991 one question were asked by myself to the Councillors,

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" In reference to June 1990 minutes, part of Planning Officers Report, 10477, plan8, it reads; "Miss Chan's business, known as Snobul kennels, has been established for 10years in N.S.W." Upon verify with Corporate Affairs one Karas Robell and at 10.25am to-day, lesley Campbell; this is false. Is Council aware of this and is the rest of the report correct and to what lenghts did Planning Officer go to check. I rang Bankstown Council and I was informed that the property No 4 Blanc Ave , Panania a housing suburb, was in the name of Mr Frederick Chan, Commercial Artist and that no Kennel licence had ever been acquired in the name of Mr F. Chan nor Miss S. Chan in the 10 years the property had been in Mr F Chan's name. The Warden Mr Barry Ester, of theBeaconfield Council at that time, answered the question above, to the effect "that it was nothing to do what had occurred in N.S.W".

22. At that time one had to have 3 different departmental approvals at Local and State Government levels for a kennel licence, as I was informed by the Bankstown Council, and on my own inquiries at that time.

23. A question asked at Public Question time at Beaconsfield on the 18th March, 1991 was by Mrs Warren of Paringa Ave, Exeter" Has every Councillor read and checked all reports and objections, especially the Transport Report in reference to Kennel licence on Glenmore Rural Estate, Glengarry." Only a couple of the Councillors had, some were vague, some not.

24. A reply letter faxed to 4391461 to T.C.N. Channel 9 in Sydney on 9th October, 1992 to Susan York Researcher from myself, one page, in reference to the Australian Miniature Pony Soc. Inc. outlines the events what had occurred to my stallion , my Miniature Stud and the efforts made by Consumer Affairs in Hobart and Sydney, to the treatment I had received. I had presented documents to the then Premier of N.S.W. Mr Fahey who was very responsive and very concerned, a telephone call was made to my home from his Secretary as to the seriousness of the above Society. Mr Fahey directed the matter to the then Minister Mrs Chikaroisky and even with many phone call to that office, The Minister did nothing. My Stud and name still suffours to-day due to events that occurred after that . Further documentation occurred which is so stated on the 13 page Statuatory Declaration , the Statuatory Declaration to the Premier Mr B. Carr of N.S.W as stated on this Affidavit.

25. I wrote and sent many documents to the Governor of Tasmania whose office had many times sent letters to the Minister at that time, especially in reference to the new access road and the Titleowners and the events that had occurred, a reply letter dated 23rd August,1993 reitterates this. The Minister at that time Mr J Cleary Hon. Minister for Local Government and Land Management, wrote to myself to the effect "that the Council has been provided with legal advice to the effect that it's decision was not in contravention of the Planning Scheme". He went onto say" As a result of your letter, Officers of my Department have thoroughly researched this matter and have also received advice from the Solicitor-General's Office to the effect that there are no avenues open to me which could result in a resolution." This appears to be different to the letter sent to myself by the Slocitor-General at that time Mr Bill Bale.

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26. The above contradicts the decision of the Planning Appeal Tribunals decision in which the Board quoted the Laws of the Planning Scheme prohibiting a new access off the Frankford Highway, and on that Board sat the Queen's Councillor Mr Pitt employed by the Tasmanian Government . Refer the Statuatory Declaration of 13pages of this affidavit.

27. No 23 is also contradicted by the then Deputy Premier, Attorney-General and Minister for Enviroment and Planning Mr Peter Patmore in his letter to the Rev. Lance Armstrong MHA for Bass at that time dated 31st July, 1991 part of which states" I have been advised that Council sought their own legal opinions on the administration of the access provisions and on the basis of this have proceeded to allow construction of a new road notwithstanding the Planning Scheme prohibition". The Rev. Lance Armstrong MHA in his letter dated 14th June, 1991 to the above Mr Peter Patmore outlined the "serious situation" and "my support for Mrs Adam's case", "the Council has overlooked the provision in its own Planning Scheme which prohibits the building of this new access road. Thus, the validity of granting a licence to operate must be queried".

28. All above documents including the Statuatory Declarations, the Statements left at Launceston Police Headquarters in Launceston on the 4th June, 1998 were left personally by myself , which included the letter from Buckingham Palace of the 15th October,1997 that has never been addressed, at the Office of Mr Peter Patmore in Launceston, and other documents faxed to Mr Peter Patmore, the now Attorney-General of Tasmania , Minister for Justice & Industrial Relations, No.2 states in the Minister's recent letter to myself of the 5th October, 1998 " Your allegations of a deprivation of natural Justice and other administrative criticisms of Minister of the previous Government, Executives at Government House in Canberra and Magistrate Willee are not sustained". signed by Peter Patmore MHA of Tasmania. This contradicts himself , in his letter as above to the Rev. Lance Armstrong at that time,and AT NO TIME EVER had Mr Peter Patmore MET with myself, nor am I aware of the documentation he has read, nor was I present on any discussions of the whole matter or sarga now in excess of 8 years , thereby Mr Peter Patmore MHA and in his capacity as Attorney-General of Tasmania acted as Judge and Jury upon myself. The Statements left at Police Headquaters involved two Tasmanian Ministers, not one. The above events that occurred in reference to the Attorney-General's letter of the 5th October,1998 are outlined in a letter dated and faxed 12th October, 1998 to Her Majesty, The Queen, Farrer & Co, Solicitors in London .

29. A letter with attached Statements that were left at Launceston Police Headquarters, were faxed to Her Majesty The Queen in Buckingham Palace on the 10th June, 1998, to the attention of The Principal Private Secretary. Total 8 pages.

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30. The above letter of the 12th October, 1998 to Her Majesty The Queen, faxed to Farrer & Co, Solicitors in London ,also invovled the Public Prosecutor Mr D. Bugg, who had many of the documentation in this affidavit, the letter outlining the events that occurred to myself, with Mr B. Bugg sending a letter to myself dated 19th October, 1998 , in one part stating " It is important that you heed the advice given by the Attorney-General in his letter to you",. I refuse to HEED as I am not a convict.

31. The now Premier of Tasmania was faxed many documents including Statuatory Declarations including the letter from Buckingham Palace of the 15th October, 1998 the last paragraph stating " As Her Majesty 's personal representative in Australia, His Excellency will decide how best to deal with your concerns as The Queen's position is concerned", HAS NEVER BEEN ADDRESSED BY HIS EXCELLENCY, all was ignored by Mr J Bacon in his letter to myself dated 11th February, 1998 , he was then leader of the opposition of Tasmania. I approached Mr J Bacon again with F.O.I. documents and the Title of the property in question of the development and received a letter from the now Premier of Tasmania who under OATH on A.B.C. television on the swearing in of his OATH of Office to serve HER MAJESTY, THE QUEEN, which in his letter dated 18th November, 1998 of receipts of documentation on the 9th November and 14th October,1998 from myself and states " I agree with the views expressed by my colleague in his letter to you", which I believe he is referring to the Attorney-General Mr Peter Patmore, and further states Mr Peter Patmore " has advised me that the Director of Public Prosecutions has extensively examined the matter and that the Government can not provide any further assisstance to you". Again I do not know what material or documentation was read nor have I ever met with the Public Prosecutor, nor have I ever met nor discussed in person any of this sarga with Mr J. Bacon Premier of Tasmania. The Premier and the Public Prosecutor have acted as Judge and Jury without consulting with myself nor was I present at any discussions nor am I aware of the documentation they have read.

32. As stated in my letter to the Superintendant of the Launceston Police at the Headquarters in 1994 with a meeting and with a witness, there were two witness, that the events occurring at that time, two people involved were apparantly members of their family, who were helping others to bring about many events to ruin our name and the Business. These witnesses were never questioned nor was I ever asked who they were.

33. My Solicitor of Douglas and Collins Mr W.D. Edwards presented to the then Police Minister Dr F Madill many documents as to the events that were occurring to my children, myself and Business, as I was told by the Police that they could never help me. In the Minister's letter to my Solicitor dated 28th July, 1995 he placed the matter on the then Attorney-General Mr Ray Groom MHA of his letter dated 13th May,1993, when Mr Ray Groom was Premier of Tasmania.

34. Mrs D. Swan MHA and at that time was the Minister for Local Government was personally handed on my behalf many documents of evidence at her place of residence near Glengarry, and faxed through to her office in Hobart many documents of evidence relating to the matter and events, no action.Refer to the 13 page Statuatory Declaration.

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35. My above Solicitor received a letter dated 17th January 1995 from a Mrs McCaughey of Taplan Glengarry, which he forwarded to myself approx. a month later, this letter not only being false but very vindictive. This letter alledged I had forged her name, committed theft, did not pay my bills, that I had allowed the harming of her horse, and threatened half the State, signed "Tongue firmly in cheek," Ann McCaughey, Mrs Ann McCaughey, PS " I would love the chance of being in court with her foaming at the mouth when somebody sensible told her where she actually stood. I count three areas for her to address. I always do my homework, you have to with such a dangerous woman as many people will confirm. She has almost ??? (or threatened to) 1/2 the State. so I suppose I'll miss out. But do try. It would be very amusing." This person , Mrs Ann McCaughey I have never had Business dealings with nor in any way a personal relationship with, or members of her family to my knowledge. The events that occurred after this letter were devasting to my children, myself and Business, oulined a few on the 13 page Statuatory Declaration.

36. I received a letter dated 26th November, 1992 on behalf of the Chan Family from their Solicitor S.E. Chellis at Bishop Gunton Rae, that made false statements and threats, one of the statements ", that you advised the Minister of our clients Church," . I had no idea what Church they belong to nor who was their Minister. I was to learn this later after I was intimidated, harrassed , and one of the reasons for my letter and meeting with the Superintendant of Police in 1994. I was to learn that the Chan Family belonged to the Jehovah Witness Sect.The letter also states "that at the Appeal hearing wherein our clients were granted a licence and approval for kennels." This contradicts the Planning Appeal Tribunals Decisions . Miss S. Chan was at the Meeting of Council when the Questions were asked. refer to no. 20.

As there is volumus amount of paperwork involved, many other events and situations that have occurred , the stress, the costs, the alteration of our personal and Social life, I personally found it hard to cope with as my children , our animals were the innocent victims, especially what my children endured, heard and saw was to my self heartbreaking as a mother, I found it almost impossible to protect them all. One of my children was in the Court with me on two of the occassions, when our Business was sued under a name that does not exsist, and I recently paid to the Justice Department of Tasmania for the next three years, as since 1977, for Elspedito Enterprises, reg. Pets and Farming, for the Registered Business name. One situation was when a dog was set upon myself. We have endured stalking, intimidation, harrassment, victimization, to the point at times I had to place advertisements in the local newspaper. I have been through the revolving doors of various State Government Ministries and Departments, so to speak.

This Affidavit condenses eighty two (82) pages in total and as a Public Document.

Sworn at Launceston in Tasmania this 4th day of January, 1999

G. L. Adams

Before me:

J.P. 3261.

Statements with documents.

To: Det. McLusty - Launceston Police Headquarters. 2-6-2000

consists 4 pages.

1, Early Dec, 1999 I received a telephone call for the enquiry of Boarding of two greyhounds. The man gave his name as Mr A. Reid from Launceston. On querying him, he told me that due to a reduction in the number of kennels he could have was brought down to three, he had a ficence for 6 kennels but the Council had done this, as the house and grounds where he lived were to be used for the development of the Inveresk Railyards. He also told me about his wife's illness who was in and out of the hospital due to her nerves, and may have to go to Melbourne. It was to be about 1 week only, but he may have to again use the Boarding of dogs from time to time due to the above situation. With a witness I picked up the dogs at the vegi shed, Launceston, at a certain time, due to Mr A Reid going to the Hospital to see his wife. I commented on the dogs being very dirty, they needed bathing, he apolgized and stated go ahead I'll pay what they need. The elbows of the male greyhound were swollen with fluid but he stated, as over the telephone, these two pups, about 14months old were running in acreage, and that had been stopped as the land had been sold.

2. On arrival home the dogs were bathed and no fleas were on them, and rebathed a week later.Mr A. Reid rang a couple of times during that week to see whether the dogs were all right and quiet. I had those two greyhounds from 13/12/1999 to 23/12/1999. Mr A. Reid rang myself on the 21st but was reluctant to pick them up , due to his wife's illness but he was told to, due to Xmas boarding. He did and paid the full account, Rec. No. 93 , he was with another person, in a red ute. He stated to me prior that these two dogs would have to be housed in the two stables on the property and hoped the Council would not come and check.

3. Mr A. Reid also informed myself that he was trying to sell his 5acre property at Schofields in N S.W., quite a high rise area now of sydney, and it was worth over $300,000.

4. At the end of Dec.1999 I received a telephone call from Mr A. Reid, who stated his wife had had a heart attack and the ambulance had just left, could I take another two dogs. I told him I could not till the 3rd of January,.which he rang me the night before and stated due to his wife's illness and that he may have to ge to Hobart, due to his wife being transferred there due to her heart, the dogs would be boarding a lot longer. I picked up the two dogs late in the afternoon of the 3rd Jan,2000 due to the heat at the vegi shed, Launceston,at an arranged time. There was another elderly man with him. I questioned Mr A Reid this time, not just to their bathing but due to the chuncks and marks, especially on the male dog, I felt uneasy and Mr A. Reid was reassuring myself that they were okay, it was nothing to worry about, but the male dog when Mr A. Reid put him in the vehicle , was reluctant to lay or sit down. The bitch was only to happy to get into my vehicle. He stated they were young pups, not raced and brother and sister. They were mussled and had the big wide collars around their necks with attached leather leads.

5. Being quite hot and due to other commitments I was only too eager to return to the business and get the dogs out of the heat. Upon arrival they were both bathed. With two persons in attendance, the bitch had no fleas but underneath her body, was a patch perfectly round and as big as a fist,she was very shy and timid, not sure what we were going to do next. Even to-day the 1/6/2000 Rose as I call her, does not like you touching her body, especially underneath where the hair has never grown back of the round patch. Two weeks after 3rd January both dogs were putting out tapeworms.

6. On bathing the male dog, I now call Jupiter, and removing the collar, around the neck and under the chin area was so crusted with fleas they were inbedded in the skin, the white's of his eyes were red, vivid red. There was a large chunk out of his neck and two small round pieces on the side of the body as well, He was and still is very very wary of human hands. When we carefully helped him out of the hydrabath and tried to towel him , he did not like to be touched from the kidney area to the flanks. His urine stank and was very yellow. After trying to contact Mr A Reid which took over a week , as the telephone was always engaged, he told me to do what I could, they were ok. I had already started with Herbal medicines .

7. Another couple of weeks went by and again I spoke eventually with Mr A. Reid as to the tapeworms the dogs had, and having to go purchase the tablets and informed him if he had other dogs he would have to do the same and what to use as a wash for his kennels, due to such hot conditions, fleas being part of God's universe as lice in horses , when hot conditions continue extra care had to be taken.

8. Beg. of Febuary I rang Mr. A. Reid, after a lot of trying as his phone was always engaged , to the enqiry to when the dogs were to be collected and to notify him of the amount that was owing and the costs that had incurred. He informed me that he was to pick them up on the following Monday as he was waiting on a cheque coming from a trustee's office in Melbourne that he reveived every month that an elderly lady that died had left him quite a large sum of monies but that is how he received it, Monday afternoon, in early Febuary a call came from Mr. A. Reid stating the cheque would be a week late as the Secretary was on holidays in the trustees office, so the next Monday at 3.00 p.m. he would pick up the dogs. That Monday afternoon Mr A. Reid rang he had the cheque but had to wait a week for it to clear, never happened.

9. On Monday the 20th February, 2000 and to what I was to learn a little that day on a few enquiries, it was stated to me that Mr A. Reid was the person that was referred to on the front page of the Examiner Newspaper on 12th November,1999, as not like in the past of cruelty cases the persons name and address had been mentioned, his name and address had no been mentioned, I went with a witness late that evening to see Mr. A. Reid at 3 Bollan Street, Launceston with an invoice for the amount of monies owed to the Business .

10. On arrival Mr A. Reid came out of the house very surprised I was there, I presented the bill, which he asked myself could I wait for two weeks but I told him I was not prepared to wait any more as he had already had lied to me. I asked him for the reg, papers for the greyhounds, and complete ownership, the debt would be wiped. Mr A. Reid stated that they were not his dogs and that he had a lease arrangement with the owner, he wanted to pay the bill and send the dogs back to the owner, as he did not want them , neither did the owner but the owner was getting them back whether he liked it or not, they had been nothing but trouble. I braced him about the article in the newspaper, he stated that he had done nothing wrong that a wally Tusson had put him in, and went on to explain about two greyhounds picked up by Wally Tusson that one of the dogs had bowel cancer and had been checked three times by Dr Harry Cooper that nothing could be done for the dog. Mr A Reid kept repeating he had done nothing wrong and that noone was going to touch him. He took my witness and myself around to kennels that seemed to be not long errected holding 10 dogs and then informed me he had a kennel licence for 12 dogs. At about this time his wife came out and was introduce to us and started crying so did Mr A Reid, his wife was very thin and had apparently just came out of the Hospital. His wife kept saying , he has gone to far. I assured her I was not there to harm her husband, which at that point she started to calm down.

11. Mr A. Reid stated he was selling one dog, I asked him which one , I would take the dog with the papers so to reduce the bill, but all of a sudden he stated he would have to contact the half owner in Melbourne. That dog he showed me was the dog I boarded at Xmas that was suppose to have been returned to Victoria,and on entering where the dogs were the first kennel on the right was a bitch that as I approached the kennel came aggressively at us and growling which shocked me as it was the bitch I had boarded in December, I ask Mr. A. Reid what was wrong with her , he just laughed, she was very thin, and Mr A. Reid wanted us to move on. He would be in touch with me in a couple of days, as he was going to get the monies and see about the male dog.

12. On returning to the van to leave which was parked close to sheds, near the entrance to the path to the house, I noticed two heads to the right and in front of the vehicle, level with the back of the vehicle was a shed, the door was shut ,but the stink of dogs feaces and urine was terrible, and I heard movements. Summing up the situation we left.

13. The next morning I rang the Inspector of the R.S.P.C.A. as due to the extreme heat I had come away unable to sleep that night and was stressed out to what I had observed. The Inspector informed me he would go down after lunch and check it out. Receiving no phone call, I called the following day but the Inspector informed me he could not get access to Mr. A Reid,s property, as there was machinery blocking the way, but my witness checking it out and there being another property entrance there, to the right, one could enter quite easily. I rang again the R.S.P.C.A. nothing. After a week I rang and spoke with a Mary Clemons at her home one night, as I was stressed out to what the hell

was going on. Mrs. Clemons inform[illegible] myself that 8 of the greyhounds taken off Mr. A. Reid she had personally taken care of for two months and decribed the sores etc. etc. Mrs. Mary Clemons I knew and had for years been with the R.S.P.C.A. and I knew would not lie to me about the dogs.

14 I received a telephone call from a very reliable person about the acreage behind Mr A. Reid where horses were grazing on, and that the R.S.P.C.A. had not looked or searched ,as greyhounds were laying dead on the ground ,and apparently also down near a creek on that acreage. For certain reasons apart from anything to do with this matter, I am not at liberty at present to name that person.

15. In relation to a visit with a witness late one afternoon as Mr. A Reid's phone had been disconnected ,I went to 3 Boland Street with a letter from the owner of the dog's Solicitor in Victoria and to the events that had occurred since the visit on the 20th Feb., to Mr. A. Reid, what he signed on a letter of 1997 from a breeder in Victoria.

16. I rang the above breeder who did not believe me and what I was informing her in reference to Mr. A. Reid, as she stated she had been in the greyhound fraternity for 25years. I sent her a copy of the front page of the Examiner newspaper and rang her about a week later. The lady was stunned but informed myself that Mr. A. Reid was always ringing greyhound people for dogs. The lady after conversation and obviously upset, asked me "what were the dogs there for". The conversation ended.

May God no[illegible]nd deliver Justice to especially the Dogs and any Horses as the Human race would never have to-day ,without their help, have the freedom of liberty, democracy and progress of life.

It is my opinion that my Business and myself have been deliberately financially disadvantaged, as it is not the first time.

G. Adams
858 Frankford Hwy,
Glengarry. TAS. 7275.
PH- 63. 96145.

So Help Me God.

To events, Two witnesses, to the statement present with Det. N. McLarty, and myself at Launceston

[illegible]Quastes.

I Gail Lesley Adams of 858 Frankford Highway, Glengarry, Tasmania, 7275 list below to the best of my ability to be true and as a Sworn On Oath Affidavit and as a Public Document.

In reference to the complaint in September 1994 with a four page letter, personally with a witness with the Superintendant of the Launceston Police which resulted in a visit from Inspector Woolley .

One of the persons that were regularly at my Boundary Fence was a woman whose face I recognized but could not seem to place with a name.

I received a visit to my home about May 1995 from a person who I knew very well as I had sold one of my puppies to the family in 1988 and had kept in contact with often.

This person was upset as at the prior Xmas the whole family met once a year because of the grandmother , two of the family members were stating what had occurred to us and what they had planned to do to our Business and myself next . Many events already stated on an Affidavit in which incorporated statement left at Launceston Police Headquarters to have charges pressed against them on the 4th June, 1998. The two family members were husband and wife Mr and Mrs Sutherland from Paringa Ave, Exeter. It was then I placed the recognized face. Years ago Mrs Sutherland had two daughters,and at my previous training school for dogs their daughters attended, first with one dog, the daughters at that time were about 13years and 15years old, and now and a again placed the dogs for Boarding with myself. Mrs Sutherland , at that time was a Secretary at Comalco, Bell Bay.

My ex-husband retired from Comalco after 19years employment a few years ago.

I was informed a couple of years ago that Mrs Sutherlands maiden name was Overweter.

One event ,an advertisement had been placed in "lost and Found" in the Examiner Newspaper, Wednesday 26th August, 1992. I rang the Examiner Newspaper Phone Adds to enquire who placed the add as there was no name, telephone number, address, noone could respond to the add. The woman informed me at the Examiner that they could not tell me who placed the add, only that the address was a P.O. Box No. at Launceston P.O. I asked the woman if I gave two names could she state yes or no. The woman agreed and I stated Chan or Welch , the woman stated no. The add had been placed for Saturday as well but the Examiner agreed to withdraw it. I rang Launceston Police but I was informed nothing could be done.

A photo of a Cat in reference to the cat case was placed in the Tamar Times 23rd July, 1992 " Moggy Molly Loses her way ", this photo did not resemble the cat, certainly not the colour, and was not a big cat.

Attached are copies of the Newspaper add and story.

At the second Planning Appeal Tribunal at Riverside Council Chambers April, 1992, Miss Salina Chan held up a sheet of one of my new A4 letterheads. I had just aquired a certain number from Sprinta Print, as I had changed them from Bright yellow to white and shadowed the middle of the A4 with the head of a German Shepherd Dog., quite large.

91

Approx. 18 months ago I drove into a property at Glengarry, when I pulled up near a parked blue nissan sedan GNO278, the owner of the property was speaking with Mr F. Chan and another elderly man, I recognized, there were two elderly woman one was Mrs Sutherland. When I opened my car door the two woman went very quickly down the drive way and into the next property. Mr F. Chan and the other elderly man were trying to sell a magazine call the watchtower for $1.50 but the owner of the property was stating they could not afford it and had their own Religion and was not interested.

When I came home I checked the car number plates to what I had, it was the same man and car a few years back when This man and an elderly lady, at 5' o,clock, on a Sunday afternoon, I found almost about to enter into my Boarding Kennel area. I heard our dogs barking furiously but my daughter and myself were fencing at the back of the Boarding Kennel area. The signs do state on all gates, except to the front door of the house," DO NOT ENTER". They stated they wanted to have a look at the boarding kennels and cattery. They also commented on the horses ,stating that their son was in the racing industry in Victoria, had just been transferred from the Headquarters of the racing Industry to the one in Mornington. I showed them the kennels and cattery and then walked with them to the front gates of the property, they left and drove off. I never saw them again till the above when I was on the above property.

The above events are only a few that occurred.

This Affidavit consists of 4 pages.

RELEASED UNDER
FREEDOM OF INFORMATION
TASMANIA

Sworn at Launceston in the State of Tasmania
this 29th day of June 2000
by G. L. Adams
before me E.F. Richardson J.P.
2931
EONA FAY RICHARDSON.

JUSTICE OF THE PEACE

OATHS ACT 2001

STATUTORY DECLARATION

I, Robyn lorraine Perry RSD 1449 Frankford Hway Glengarry Tas 7275 RETIRED
(name, address and occupation)

do solemnly and sincerely declare that I meet mrs June Welch in 1986 When she and her daughter Wendy Martin and Grandson Timothy moved from M^t ISA to Tasmania and she commenced work at the Launceston General Hospital as the Same Ward As myself (4D), We (the staff) were told She had moved here ahead of her husband To Find a place To retire To after he left the M^t ISA Mine employment. I commenced work at the launceston General Hospital in late 1965.
(facts)

PTO

I make this solemn declaration under the *Oaths Act 2001*.

Declared at Westbury
(place)

on 9 8 2002
(date)

R L Perry
Signature

Before me,

J P
(Justice, commissioner for declarations or authorised person)

I hereby ... day of ... 9th ... day of ... 20...

While employed there I also met among other people Ms Valerie Miller RN (Night Staff) I formed a close enough relationship with MRS Welch for her to invite me to her home in Cherry RD TRAVallyn and later to invite me To accompany her back To MT ISA for a holiday on my visit To cherry Rd I met Wendy and her Son Timothy also the Dogs and Siamese ? mix of x Cat Mokky she was of an age To have been Desexed but she was not a happy cat and they were not happy with her as she had a habit of chowing the Cuff's of sleeve of Jumpers cardigans and holes in Tea Towel and chaving furniture and curtains I believed she had been given To them

While on holiday in MT ISA I met and formed a relationship with MR Neville Welch's Son Bruce I also met his other Son ALLEN his wife Monica and there Son phillip

While I was in MT ISA Bruce and I Decided that I should go back To MT ISA until he was ready To follow his father and move To Tasmania however shortly after I moved To MT ISA MR Welch Moved To Tasmania But Bruce and I Stayed in MT ISA for approximately an other 8 months

Mr Welch a Dry alcholic Dead on making To Tasmania To Gain employment at the Launceston General Hospital

While I was in MT ISA Monica gave birth To a Daughi

Before I Left Tasmania Wendy Married a MR WEBB

When Bruce and I returned To Tasmania Together Som. 8-9 months after I had moved To MT ISA I Bought a propert Near Frankford Between our SETTling in There and Bruce obtaining employment and me going Back

R J Perry 9.8.2002

P.T.O.

Dated at Nobbinga this 9th day of
April 2002
J.P.

To The haucestON Gerarah Hospital MR & MRS Welch
Moved To Legana.

Wendy had a Baby Daughter which at Two Week of age
Was Introduced To us By June as "the bitch"
When Allen, Monica Phillip and daughter came down
To visit around chistmas of 1989-90 they spent a lot
of time visiting their Jahova Witness friend here
and when phillip asked his mother what a covair was
heater was in the middle, of explaining it to him,
She was interupted, by June who told phillip it was
where Little boy where put when they where naughty
The Welch's still had molly at this time but a
different dog and the cat molly was still miss behaving
and being man handled for doing so but she had
at this time developed an unusual gait.
At this time also for some reason? Bruce and his fathe
had a falling out and They ceased To communicate
with us I had to stop work in the middle of 1990? Due
To a horse bite so very little is known after that, but when
Bruce read about molly's Disappearance/ escape from
a boarding facility in the area We thought it would have been
The Glen more Estate as we thought Allen would have recom-
meaded them but we also thought they would not be to
concerned about her due To the displeasure a distruction sh
supposedly caused.

However we were Told the dog had been run over as they
have no front fence or enclosure for a dog.
But I heard Val Miller had given them one of her Shitzu
Puppies, but held fears for its safety because of this
situation, it was run over outside their place at 10
month of age approx. Molly's fate is UNKnown. P.T.O

R. A Perry 9.8.2002

Bruce left my place in approx 1995 and I have not heard from him since 1999 approx, but he did about that time make up with his father I beleive. During my and other staffs time at the Launceston General Hospital we had cause to minister nursing care to MRS Robin Grey and MRS Peter Patmore I beleive from things that were said that Mrs Welch maintain her contact with MRS Patmore on a personal level after MRS Patmores discharge from LGH. hospital

P People
E equal
T Together
S Say Animals

R.L. Terry 9.8.2002.

Thereto ... day
of ...
Dated at ... this 9th day of
August 2002
... J.P.

THIS IS A SWORN ON OATH AFFIDDAVIT TO THE BEST OF MY ABILITY IN RESPONSE TO THE WRITTEN DECISION OF THE ANTI-DISCRIMIMATION TRIBUNAL OF 23/6/05 AFTER 2 YEARS WAITING, RECEIVED BY MAIL 28/6/05, NO.87/2002, IN THIS 15YEAR CASE FOR JUSTICE, EQUAL OPPORTUNITY AND HUMAN RIGHTS.THERE ARE ELEVEN (11) TAPE RECORDINGS TO THE SESSIONS WITH THE TRIBUNALS, IN THE COURT.

I WANT RECTIFIED WRONG STATEMENTS TO EVENTS, EVIDENCE STATED MISSING TO THE LISTED DOCUMENTS BY THE TRIBUNAL, F.O.I'S SENT BY POST TO SHOW THE INCONSISTANCIES, "NOT LISTED," JUST TO MENTION A FEW FACTS, IN THE ABOVE WRITTEN DECISION, SIGNATURE STATING MR S. BISHOP.

EVIDENCE MISSING, A SMALL EXAMPLE;

THE INDEX FILE TO THE 4 A'4 FILES, IN WHICH CONTAINS THE 82 PAGE SWORN ON OATH AFFIDAVIT, CHRONOLOGIES IN ALPHABETICAL AND NUMERICAL ORDER ,THE AFFIDAVIT OF 16/1/1999, CAT CASE, DOG CASE, COMMENTS OF THE CASE, AVERTISEMENTS PLACED IN NEWSPAPERS TO A FEW OF THE AVENTS ON MY CHILDREN, ANIMALS, PET CARING BUSINESS AND MYSELF.

STATEMENTS ------- ERRED ------ INCORRECT ----- WRONG,
NO.28 STATED "HER NEIGHBOUR IS MRS E. CHAN", WRONG , MY NEIGHBOUR IS NOT MRS E. CHAN ON EITHER SIDE OF MY PROPERTY NOR THE NEAREST NEIGHBOUR, AT GLENGARRY, IN THE RURAL ZONE OF WEST TAMAR,BUT APPROX 1 KLM GOING TO EXETER,ON THE OPPOSITE SIDE TO MY PROPERTY ON THE MAJOR STATE ROAD.

NO.30 FURTHER DISCRIMINATION WAS SUPPLIED IN THE DOCUMENTS IN RELATION TO THE CONSTITUTION OF THE COMMONWEALTH OF AUSTRALIA NO.117, CASES OF EXAMPLE, STREET v QUEENSLAND BAR ASSOSC. 1989 168 CLR 461, GORYL v GREYHOUND AUST. 1994 179 CLR 463. THE EXAMPLE TO THE CASE AS PRESENTED TO THE TRIBUNAL WAS TWO CASES, ON WHICH WERE 5 HIGH COURT JUDGES IN CANBERRA ON PARALLELL WITH THIS CASE SHOWING BIAS, JOHNSON V JOHNSON 7/9/2000 AND THE HOUSE OF LORDS 28/12/2002 REGINA V EAST SUSSEX COUNTY COUNCIL. THE FOI AND DOCUMENTS DISPLAYED "THE BIAS" TO MANY TASMANIANS AND MYSELF FOR DEVELOPMENT.

THE DOCUMENTS AND THE F.O.I.'S CLEARLY READ, LET ALONE THE EXPERIENCES, HARRASSMENTS, STALKING AND EVENTS TO MY CHILDREN, PET CARING BUSINESS, FAMILY AND MYSELF. **POLICE BEING VERY BIAS TO US**. NEVER AT ANY TIME DID POLICE BELIEVE US, ONLY OTHERS INCLUDING, MRS E. CHAN, OF THE JEHOVAH WITNESS SECT., WHO WAS MENTIONED IN THE AFFIDAVIT OF 16/1/1999, SUPPORTED BY

DOCUMENTS AND F.O.I.'S. THE LEGAL FOI'S WHICH WERE READ OUT TO MR BISHOP, CHAIRPERSON, TWICE, AND THE LETTER FROM M.H.A CLEARY TO M.H.A.GREY, 20/8/1992, AND INVOLVING MY COMPLAINTS,THE LEGAL ADVICE TO THE MINISTER MR CLEARY BY MR S. ALSTON, CROWN SOLICITOR IN THE SOLICITOR- GENERAL'S OFFICE, M/S R. HOPCROFT'S DECISION FROM THE JUSTICE DEPT., WHO WAS THE OFFICER IN THE OMBUDSMANS OFFICE TO MY COMPLAINTS IN THE GREYHOUND MATTER, WHO AGREED WITH MY THEN SOLICITOR MR T. ELLIS, WHO IS NOW THE DIRECTOR OF PUBLIC PROSECUTIONS, WHO NOW IS VERY BIAS TOWARDS MYSELF, PET CARING BUSINESS, AND TO THE EVENTS THAT HAVE OCCURRED, WHICH INCLUDE THE TWO DOGS IN-CARE, WHO IS ALSO THE F.O.I. OFFICER OF THE D.P.P. AND IN RESPONSE TO AN F.O.I. REQUEST FROM MYSELF STATED TO ME DATED 14/3/2003 " DO YOU REALLY THINK IT IS A SENSIBLE USE OF YOUR TIME OR MINE? WOULD YOU NOT BE BETTER OFF LEAVING THIS MATTER AND GETTING ON WITH LIFE?". THE ANTI-DISCRIMINATION LAW OF POLITICAL BELIEF AND POLITICAL ACTIVITY, THERE IS NO DEFININATION IN LAW TO THERE MEANING. THIS HAS APPLIED IN THE ANIMAL WELFARE ACT 1993 IN WHICH THERE IS NOT EVEN OWNERSHIP. THIS WHOLE CASE AND THE EVENTS DEMONSTRATES WITH THE DOCUMENTS AND FOI'S, CONTINUALLY COMPLAINED ABOUT SINCE 1990, PERSECUTION AND BIAS. THE FACTS ARE, THAT TWO MINISTERS BROKE THE LAWS AS DID THE BEACONSFIELD COUNCIL, NOW CALLED WEST TAMAR COUNCIL, THE MAYOR AND COUNCELLORS WERE AWARE OF. THE EVENTS UPON US WERE OBVIOUSLEY TO TRY TO SHUT US UP IN ANY WAY, WERE ABETTED BY THOSE, WHOSE INTEREST WERE AFFECTED BY CONTINUAL COMPLAINTS. "THE RIGHT OF WAY ROW DRAFT" THAT WAS WRITTEN TO THE DOCUMENTS BEFORE ANY FOI'S WERE OBTAINED, OUTLINE THIS. NOT IN ANY OF THE REPORTS OF YEARS 1991,1992,1993 DID THE SOLICITOR-GENERAL REPORT ANY MINISTER BREAKING THE LAWS OR ANY ACKNOWLEDGEMENT TO THE CONSTITUTION OF THE COMMONWEALTH OF AUSTRALIA, WHY NOT? THE FACT ALSO THAT THE SOLICITOR-GENERAL MR W.BALE BEING CONCERNED THAT THE MINISTER HAD BROKEN THE LAW. THE TRIBUNAL MEMBER MR S. BISHOP STATED, TO ME IN THE COURT AT THE TRIBUNAL HEARING, "A CONSPIRACEY", TO THE DOCUMENTS, AS A COMMON THREAD EMERGED OF TWO FACTONS. A CONSPRIRACEY HAS NO TIME LIMITS. THE INCONSTISTANCIES OF FOI'S AND THE PROLONGED ACTIONS TO THE OBTAINING OF DOCUMENTS, HAVE TAKEN YEARS. ONE PRIME EXAMPLE IS THE FOI OFFICER OF THE FEDERAL GOVERNMENT WHO COMMENTED ON THE CASE, DID NOT EVEN GIVE MYSELF 28 DAYS TO OBJECT. FURTHER DOCUMENTS OBTAINED UNDER FOI CLEARLY SHOW THAT THE TWO DOGS IN-CARE WERE DELIBERATELY SET-UP IN MY PET CARING BUSINESS, IN FOI'S OBTAINED FORM LOCAL GOVERNMENT OF TASMANIA. THIS, THE TRIBUNAL MEMBER, CALLS MULTIFARIOUS, NO FACTS OF A PRESCRIBED ATTRIBUTE. THE MEMBER WAS MADE AWARE THAT THE LAW CALLED THE "QUEEN'S PEACE" IN THE LOCAL

GOVERNMENT ACT WAS IN LAW TILL DECEMBER 1993, MEANING THE LAW TO BE OBSERVED, THE MAYOR, COUNCILLORS ETC., IN WRITING TO MYSELF BY MR T. ELLIS MY THEN SOLICITOR 1991, COULD BE FOUND NEGLIGENT. THIS CASE WAS PRESENTED IN ALPHABETICAL AND NUMERICAL ORDER WITH CRONOLOGIES, DRAFT'S, INCLUDING THE 13 PAGE STATUATORY DECLARATION, PART OF THE AFFIDAVIT, REQUESTED BY THE QUEEN FROM THE QUEEN'S SECRETARY TO MYSELF ,AND THE QUEEN'S PERSONAL PRIVATE SOLICITOR'S WERE AWARE OF. THE TRIBUNAL MEMBER WAS HANDED UP THE FOI'S FROM THE FEDERAL GOVERNMENT, AND HOW I HAD BEEN DEALT WITH AS A WOMAN. THERE WAS ALSO THE STATEMENTS MADE ON MY MENTAL HEALTH BY HERMAN VAN DE BRUG IN MARCH 1999, FOI, ON THE PRESENTATION OF THE AFFIDAVIT OF JANUARY, 1999 TO THE FEDERAL MINISTER FOR JUSTICE, TO MY HUMAN RIGHTS AND EQUAL OPPORTUNITIES AS AN AUSTRALIAN CITIZEN WHICH THE FOIS SHOWED NEVER RECEIVED IT AND JUST RECENTLY FOIS SHOWED NO DOCUMENTATION TO WHERE OR FROM WHOM DID HERMAN VAN DE BRUG RECEIVE SUCH INFORMATION. MRS E. CHAN WAS PROUD OF HERSELF BEING DUTCH AS STATED IN A FULL PAGE IN THE EXAMINER AND MARRIED TO MR FRED CHAN CHINESE.

NO 40 I HAD A RIGHT TO BE HEARD AND TO APPLY TO ANTI-DISCRIMINATION BUT GIVEN THE REPORT OF THE COMMISSIONER NOW GONE, HER STATEMENTS IN THE ADVOCATE NEWSPAPER ON "BULLYING, NO MONIES TO INVESTIGATE, THOSE PERSONS IN HIGH PLACES ARE NOT ABOVE THE LAW", GIVES REASON TO, WHEN I PRESENTED MY CASE BEING AS BIG AS IT WAS, WAS TOO MUCH, CONSIDERING THE REPLY AND I REPEAT, THE NO DEFINITIONS IN LAW IN THE ANTI-DISCRIMINATION LAWS. AT NO TIME DID ANY OFFICER OF THE CROWN COMPLAINED TO, GIVE A DAMM WHAT MY CHILDREN WERE ENDURING. THIS MADE CLEAR IN THE CLAIMS TO THE ATTITUDE TO US BY OFFICERS OF THE CROWN. THE UNIVERSAL DICTIONARY STATES ATTRIBUTE MEANS; "GIVE PERSON CREDIT FOR POSSESSING A QUALITY, ASSIGN, MERCY IS AN ATTRIBUTE TO GOD, A SWORD OF WARRIORS, A CROWN AND SCEPTRE ARE ATTRIBUTES OF KINGS". AS MANY EVENTS UPON US WERE ON THE FOLLOWING OF INSTUCTIONS AND THE PROCCESS, WHICH MEAN COMMAND, ORDER, AS THE MANY DOCUMENTS SHOW, ESPECIALLY IN THE GREYHOUND MATTER, WHERE I WAS FOLLOWING THE WRITTEN INSTRUCTIONS OF THE POLICE COMMISSIONER AND THE MINISTER'S ADVISOR MR G. JONES. CLEARLY, THE FOLLOWING OF INSTRUCTIONS, TO THE MANY AUTHORITIES OVER THE YEARS, THE OFFICERS OF THE CROWN, THE QUEEN OF AUSTRALIA AND THE QUEEN'S REPRESENTATIVE, DISPLAYS AN ATTRIBUTE TO THE LAW, RESPECT, AND THE BELIEF OF GOD AND THE TEN COMMANDMENTS, ONE OF WHICH IS THOU SHALT NOT LIE, AND STATED ONCE, THE LAW OF GOD WAS WRITTEN ON THE ROCK OF RIGHT; JUSTICE WROTE THE LAW; AND MERCY WAS THE PEN, TO ATTRIBUTE HAVING APPLIED TO THIS CASE.

NO 43 THE GOVERNOR STATING IN THE NEWSPAPER ,"THE LAW IS SUPREME ".THE DOG CONTROL ACT OF 1987 WAS IN FULL CONTROL OF THE GOVERNOR OF TASMANIA,WHY MY MANY COMPLAINTS WERE TO THE GOVERNOR, AS WAS THE WHOLE CASE, AND TO THE GOVERNOR IN COUNCIL.AS KENNEL LICENCES WERE INVOLVED,THAT BEING IN THE DOG CONTROL ACT 1987. THE FIRST ILLEGAL ACT, IN REFERENCE TO THE TWO DOGS IN-CARE MR A. REID DID NOT HAVE A KENNEL LICENCE. THIS WAS IN THE LAUNCESTON COUNCIL FILE OBTAINED UNDER FOI, WITH THE ORDERS AND INSTRUCTIONS GIVEN TO MR A. REID IN FEBUARY, 1999 BUT WERE IGNORED. NOONE CHECKED UP, TO THE INSTRUCTIONS GIVEN, BEING CARRIED OUT, ENDING UP WITH THE RAID ON 11/11/99. THE EVIDENCE TO BIAS AGAINST THE DOGS WAS PRESENTED FROM 1986 TO 2003 OF CRUELTY CASES AND THE ANIMALS TREATMENTS, COMPARED TO THE GREYHOUND DOGS IN THIS CASE, AND THE TWO DOGS IN-CARE AT MY PET CARING BUSINESS, THE ONLY SURVIVORS. NEAR 40 PLUS DOGS DESTROYED BY PERMISSION FROM OFFICERS OF THE CROWN, EMPOWERED WITH A DUTY OF CARE AND THE LAWS TO THEM, TO ENSURE THE WELFARE OF THE DOGS WHICH MOST WERE YOUNG.POLICE AND D.P.P. PREPARED THE CASE, AND SUPERINTENDANT OF POLICE MR I. DEAN STATED IN WRITING TO ME, THIS CASE WAS NONE OF POLICE BUSINESS AMONG OTHER STATEMENTS. MR DEAN WAS INFORMED OF MY COMPLAINTS AND THAT IS WAS IN HIS DISTRICT, AS STATED TO MR I. DEAN BY COMMISSIONER MR MCCREADIE. ALL POLICE OFFICERS ARE OFFICERS UNDER THE ANIMAL WELFARE ACT 1993, BUT SUPERINTENTDANT MR I. DEAN DID NOT KNOW HIS DUTY OF CARE UNDER THE ACT, A LAW OF THE PARLIAMENT. MR I. DEAN IS NOW THE MAYOR OF LAUNCESTON, A COUNCILLOR AS WELL AS A MEMBER OF THE LEGISLATIVE ASSEMMBLEY, VOTING ON THE LAW. THE OMBUDSMAN STATED, THE FAILED STATUATORY DUTIES OF LAUNCESTON CITY COUNCIL, R.S.P.C.A., D.P.I.W.E. IN RESPECT TO THE WELFARE OF THE DOGS, AND FAILURES OF POLICE AND THE DPP.THE OWNERS NOT INFORMED OF THEIR RIGHTS, AND TO ANY PROSECUTION. THE DOGS, MY PET CARING BUSINESS AND MYSELF VICTIMS OF CRIME AND BEING PERSECUTED AND PUNISHED FOR REPORTING FRAUD AND CRUELTY, EVIDENCE SUPPLIED TO THE BIAS, PREJUDICE AGAINST THE DOGS AND US.THE OMBUDSMAN NOT CORRECTING THE TRUTH TO THE PREMIER IN OCTOBER,2001 OF THE TWO LEGAL INSTRUCTIONS GIVEN ON 11/11/99 UNDER THE ANIMAL WELFARE ACT 1993, AND THE ALTERATION BY THE DEPT. OF PUBLIC PROSECUTION TO A BRIEF STATEMENT, AND THE TRUE EVENTS, LEAVING MY PET CARING BUSINESS AND MYSELF WITH A HEAVY FINANCIAL BURDEN. THE TASMANIAN GOVERNMENT IGNORING THEIR DUTY OF CARE UNDER THE LAW AND THE LAWS OF THE STATE.

370 STATED "TAXPAYERS CANNOT PAY FOR THE COSTS OF THE CARE OF THE DOGS", BY M.H.A. B.CHEEK AT THIS TIME LEADER OF THE LIBERAL

PARTY IN TASMANIA, WRONG, STATED WAS "I DON'T BELIEVE TASMANIANS SHOULD FOOT THE BILL FOR THE CARE OF THESE DOGS", WITHOUT ANY CONSULTATION OR DOCUMENTS TO OR FROM MYSELF. THE MANY COMPLAINTS TO MINISTERS AND SENATORS, WITH THE ANSWERS THAT A FEW HAD NOT BELIEVED OR READ THE DOCUMENTS OF EVIDENCE, BUT BELIEVED ON THE TELEPHONE MINISTER LLEWELLYN'S ADVISOR MR ROSS BROWN, WHO WITH THE RECENT FOI HAD BULLIED, INTIMIDATED MYSELF ON THE TELEPHONE TO SIGNING DEFECTIVE REGISTRATION PAPERS TO OWNERSHIP OF THE DOGS WITHOUT THE MINISTER'S PERMISSION. THE SAME BEUROCRAT THAT WAS IN A PREVIOUS PREMIER'S OFFICE WHEN THE LETTER FROM BUCKINGHAM PALACE, OCTOBER, 1997 ARRIVED TO ME AND I INFORMED THE PREMIER WITH NOT EVEN A REPLY. THIS BEUROCRAT, I WAS INFORMED WAS AN ADVISOR IN THE RACING INDUSTRY AS WELL,WITHIN THE GOVERNMENT. MR B. CHEEK NOW OUT OF THE PARLIAMENTARY SYSTEM STATED IN THE EXAMINER NEWSPAPER 19/11/05 PAGE 21 IN REFERENCE TO HIS BOOK INTO THE ABSURDITIES OF LIFE BEHIND THE SANDSTONE WALLS OF PARLIAMENT HOUSE, IN WHICH THERE ARE 13 WAYS TO RIP OFF THE TAXPAYER, WHICH INCLUDE THE OVERSEAS "STUDY " TRIP, THE NEVER ENDING SUPPLY OF ALCOHOL IN THE LEADERS FRIDGE AND A $5,000 A YEAR EQUIPMENT ALLOWANCE THAT IS SOMETIMES SPENT ON PERSONAL HOME FURNISHINGS. A FORMER LIBERAL STAFFER STATES " HIS RORTS EXPOSE IS 100% ACCURATE", AND YET THE IN-CARE FEES FOR THE TWO DOGS HAVE NOT BEEN PAID AS YET, EVEN WHEN I FOLLOWED WRITTEN INSTRUCTIONS TO PRESENT MY INVOICE TO THE PUBLIC ACCOUNTS COMMITTEE, ON WHICH SAT 6 POLITICANS, WHICH I WAS INFORMED TO GO TO THE SMALL CLAIMS COURT WHEN THE INVOICE WAS IN THE THOUSANDS. SMALL CLAIMS COURT FOR CLAIMS WAS ONLY TO $2,000, AT THAT TIME.

227 STATED "CALL CAME FROM A DOG TRAINER" WRONG, I WAS INFORMED THE CALL WAS FROM DOG TAINERS IN MELBOURNE, A SHIPPING SERVICE FOR ANIMALS, WHO WANTED TO COLLECT THE DOGS WITHOUT PAYING THEIR FEES OWED, MARCH 2000. I WAS UNAWARE OF ANY PROSECUTION INVOLVING THE TWO DOGS, IRRESPECTIVE I HAD NOTIFIED IN FEB.2000 R.S.P.C.A. MR. WYLD ON THREE OCCASSIONS, GREYHOUND RACING, LAUNCESTON CITY COUNCIL.NO ONE NOTIFIED MYSELF OF THE ACTIONS OF MR.A.REID WHO WAS KNOWN SINCE 1985, NOR OF ANY PROSECUTION. MR A. REID WAS NOT CHARGED TILL THE LAST DAY ON THE 11/5/2000, THE CHARGES DUPLICATED, WRITTEN UP "A NUMBER OF ", ACCEPTED BY THE COURT. HOW MANY IS A NUMBER OF, ENDING WITH A NO CONVICTION, AND OVER 20 DOGS SENT HOME TO THE OWNERS, INCLUDING THE TWO DOGS IN-CARE, BEING AT MY PET CARING BUSINESS FOR NEAR 5YEARS, ACCEPTED BY THE CHIEF MAGISTRATE. THESE DOGS WERE ALL KILLED WITH THE PERMISSION BY OFFICERS OF

THE CROWN, MAJORITY YOUNG AND REGISTERED WITH THE STATE OF VICTORIA.

50. READ OUT, TO THE CHAIRPERSON MR BISHOP, WAS PART OF THE TWO PAGE BRIEFING NOTE WITH LEGAL FOI EXEMPTIONS, OBTAINED UNDER FOI TO THE THEN MINISTER M.H.A. CLEARY, MINISTER FOR ENVIROMENT AND PLANNING IN REFERENCE TO MY COMPLAINTS OF 1992, WHOM I ALSO HAD MET WITH A WITNESS, IN LAUNCESTON, WHO INFORMED US THAT "WHAT HAD BEEN DONE CANNOT BE UNDONE". THE BRIEFING NOTE WAS THE ADVICE ON THE LAWS FROM MR S. ALSTON A CROWN SOLICITOR IN THE SOLICITOR-GENERAL'S OFFICE. IN PART READS "INSTITUTE LEGAL PROCEEDINGS AGAINST THE COUNCIL, IF ACTION WERE NOW TO BE TAKEN FOR A BREACH OF THE SCHEME, AN AGENCY OF THE CROWN, WOULD BE PROSECUTING FOR AN ACTION ALREADY SANCTIONED BY A MINISTER OF THE CROWN. THERE IS AUTHORITY UNDER SECTION 16 (3) OF THE ROADS & JETTIES ACT 1935 FOR THE MINISTER FOR ROADS & TRANSPORT TO WITHDRAW HIS CONSENT TO THE ACCESS. MRS ADAMS RAISED THE MATTER OF THE ILLEGAL ACCESS WITH THE PLANNING APPEAL BOARD 23/12/1992. THE SIX MONTHS WITHIN WHICH TO BRING THE COMPLAINT WOULD THEREFORE APPEAR TO HAVE EXPIRED 4/7/1993." MY SOLICITOR MR DON JONES OBJECTED MY COMPLAINTS TO THE PLANNING APPEALS BOARD, BUT WAS REJECTED AS WE WERE 24HOURS OVER THE 14 DAYS, BY LAW. SALINA CHAN INSTIGATED A PLANNING APPEAL AND OBJECTED WELL OVER 6 MONTHS TO ONE OF THE SAME OBJECTIONS BEING THE ACCESS ROAD NO 11 AND WHERE IT WAS TO BE CONSTRUCTED AS PER THE MAP FROM THE COUNCIL, SALINA CHAN STATED, IN WRITING, COULD NOT AFFORD TO BUILD IT IN THAT POSITION, AS IT WAS SUPPOSE TO BE THE SAFEST ACCESS, AT THE BOTTOM OF THE STEEP HILL, AND THE OBJECTION WAS ACCEPTED BY THE PLANNING APPEALS BOARD AND COUNCIL. SALINA CHAN WAS APRROVED A DEVELOPMENT WHO WAS NOT THE TITLEOWNER, NOR THE RENTER, NOR A TASMANIAN CITIZEN. THE LETTER WAS TO THE RESIDENCE AT 4 BLANC AVE, PANANIA, SYDNEY, N.S.W.WITH A MAP AND LISTED 16 CONDITIONS AND 14 DAYS TO OBJECT FROM THE 9/6/1990 ,ON THE DEVELOPMENT. NO 11 BEING THE CONSTRUCTION OF A NEW AND EXTRA ACCESS OFF THE MAJOR STATE ROAD IN THE RURAL ZONE. SALINA CHAN HAD NOT PRODUCED ANY PERMISSION FROM THE TITLEOWNER. MY THEN SOLICITOR MR DON JONES IS NOW A MAGISTRATE. THE COUNCIL ALSO APPROVED A KENNEL LICENCE TO SALINA CHAN FOR THE DEVELOPMENT IN MARCH 1991, AND ON THE SAME KENNEL LICENCE APPROVED THE DEVELOPMENT FOR A MR FRED CHAN BY THE HEALTH INSPECTOR FOR THE COUNCIL. THE KENNEL LICENCE HAD THE 16 CONDITIONS ATTACHED, WHICH INCLUDED NO 11, A NEW ACCESS. NEITHER SALINA NOR MR FRED CHAN, WERE THE TITLEOWNERS OF THE PROPERTY IN QUESTION, NOR ANY PERMISSION FROM THE TITLEOWNER PRODUCED, NOR WAS THERE ANY

ADVERTISEMENT FROM MR FRED CHAN FOR THE DEVELOPMENT IN THE NEWSPAPER FOR OBJECTION. THE PROPERTY WAS PURCHASED BY MR FRED AND ELFREIDE CHAN ON 2/7/1991, AFTER THEY TRIED TO HAVE THE DEVELOPMENT APPROVED AT ANOTHER LOCATION UNDER LAUNCESTON COUNCIL WHICH WAS REJECTED, AT LOS ANGELES RD, DILSTON. THE FOIS DEMONSTRATED THAT THE OBJECTORS WERE MISLED BY THE CHANS, THE PETITION HANDED UP TO THE PLANNING APPEAL BOARD AND ACCEPTED WAS INVALID AND A LIE, GIVEN MR VERNON CHAN WAS TELLING PERSONS THAT THE CHANS WERE BEING STOPPED AND BLOCKED TO THEIR HOME BY THE OBJECTORS, ALSO MANY OTHER FALSE STATEMENTS IN THE COMMUNITY ABOUT MY PET CARING BUSINESS AND MYSELF. THIS ALL IN THE DOCUMENTS HANDED UP, TO THE CHAIRPERSON MR S. BISHOP.

52. STATED "A POLICE OFFICER SUGGESTED THAT THE COMPLAINTANT "NEEDS A MAN", WRONG, THE POLICE OFFICER WAS INSPECTOR WOOLLEY FROM GEORGE TOWN SENT BY LAUNCESTON POLICE ON MY CONTINUAL COMPLAINTS OF HARRASSMENTS, HARMING OF THE MINIATURE HORSES, CUTTING OF MY ELECTRIC FENCE, AND MY ELECTRIC FENCE BEING TAPPED INTO, STALKING, INCLUDING A GROUP OF JEOVAH WITNESSES WHICH INCLUDED MRS E. CHAN, SOMETIMES SALINA CHAN AND ONCE VERNON CHAN, AT MY BOUNDARY FENCE. I HAD BEEN YELLED TO AS "THE EVIL ONE", AND THERE HAD BEEN NOTES LEFT UNDER OUR DOOR, THE CHILDREN FOUND, WITH "EVIL ONE" WRITTEN ON THEM. MY OLDEST DAUGHTER STALKED AND FRIEGHTENED BY A MRS A. MCCAUGHY LATE AT NIGHT WHEN FEEDING OUR HORSES, WHICH I HAD TO EMPLOY A SOLICITOR AT DOUGLASS & COLLINS TO WRITE TO MRS A. MCCAUGHEY,TO LEAVE MY DAUGHTER ALONE, AS MY DAUGHTER WAS UNDER AGE. THE LADIES HORSES HAD BEEN CONTINUALLY BREAKING DOWN OUR BOUNDARY FENCES, OVER YEARS. MRS MCCAUGHEY'S HORSES WERE CONTINUALLY GETTING OUT OF THE PUBLIC RESERVE ONTO THE 100KLM MAJOR STATE ROAD.THE INSPECTOR ALSO ASKED MYSELF, "WHY WAS MR ADAMS AT THE PROPERTY TWO DAYS A WEEK", WHICH HE WAS INFORMED, I WAS DIVORCED IN 1989, AND HAD A REGISTERED FAMILY COURT AGREEMENT, ONLY OBEYED FOR A YEAR,AND ASKED " WHO WAS THE MINISTER OF THE JEOVAH WITNESS SECT", I STATED," I DO NOT KNOW".UPON LEAVING THE PREMISES INSPECTOR WOOLLEY STATED "ALL YOUR PROBLEMS ARE YOU DO NOT HAVE A MAN AROUND". POLICE FOIS CLEARLY SHOW AND I READ OUT IN THE COURT TO THE CHAIRPERSON, THAT IN ALL THE YEARS I WAS NOT TO BE BELIEVED BY POLICE, SUPPORTED BY THE FOIS. AS STATING IN PART OF INSPECTOR WOOLLEY'S REPORT OF 14/9/1994, OBTAINED UNDER FOI," MRS ADAMS IS UPSET WITH THE CHANG,S BECAUSE THEY DID NOT BUY HER KENNEL BUSINESS AND THEN BUILT A SIMILAR BUSINESS ON THE OTHER SIDE OF THE ROAD AND HAVE EFFECTIVELY TAKEN MOST OF HER BUSINESS. THIS HAS BEEN HARD TO ACCEPT AND IT IS POSSIBLE

COMPLAINTS ARE BEING MADE TO TRY AND DISCREDIT HER OPPOSITION. MRS ADAMS IS ENVIOUS AND SAYING UNTRUE THINGS ABOUT HER AND OTHER MEMBERS OF THE JEHOVAH WITNESS FAITH. OTHER WORDS SOUR GRAPES". INSPECTOR WOOLLEY WAS A DEVOUT MORMON AS STATED IN THE TAMAR TIMES NEWSPAPER .AFTER THIS MY MOTHER WHO USED TO STAY WITH US, FROM 2 TO 6 MONTHS A YEAR, WAS BEING HARRASSED BY THE JEHOVAH WITNESS SECT IN SYDNEY, AND ONE NIGHT WAS FOUND FREIGHTENED AND CRYING THAT TWO MEN APPEARED AT HER DOOR AND SHE WOULD NOT LET THEM IN, THEY INFORMED HER THEY WERE MORMONS AND WOULD BE BACK. MY MOTHER DID NOT KNOW WHAT A MORMON WAS. AFTER THAT MY MOTHER HAD A VERY LARGE STOKE, A YEAR LATER UPON RECEIVING A BROKEN ARM AND BLACK EYE, MY MOTHER WAS MOVED FROM SYDNEY BY OUR FAMILY, TO ANOTHER STATE AND NEVER TO RETURN TO TASMANIA AGAIN. THE WORDS OF OTHERS WERE, INCLUDING MRS.E. CHAN, WERE BELIEVED, ABOVE WITNESSESS, DOCUMENTS AND FOIS TO THE CONTRARY. FOUR CASES HEARD BEFORE TWO MAGISTRATES IN THE COURTS, WHAT WE HAD ENDURED, PRESENTED TO THE TRIBUNAL SHOWING THE BIAS, MRS E. CHAN BEING IN ONE CASE, A WITNESS FOR THE CLAIMANT, THEIR SOLICITORS WERE BISHOP, GUNTON & RAE WHO ALSO REPRESENTED MRS E. CHAN. BISHOP, GUNTON AND RAE OPERATED OUT OF THE SAME HOUSE COME DRS AND BUSINESS BUILDING IN EXETER, WHO I BELIEVE DR A. CLARK WIFE WORKED FOR. I RECEIVED A THREATHENING LETTER TO ME, ON BEHALF OF THE CHANS, IN THE DOCUMENTS, SIGNED BY A MR CHELLIS, OF BISHOP GUNTON & RAE WHO ACTED FOR MY CHILDREN AND MYSELF IN THE DIVORCE AND REGISTERED AGREEMENT, ONLY OBEYED FOR A YEAR. MRS E. CHAN WAS BELIEVED AGAINST THE DOCUMENTS AND WITNESSES, AND PRODUCED NO EVIDENCE TO BE A VETINARY NURSE. HER COMMENTS ON MEDICAL EVIDENCE WAS ACCEPTED BY THE MAGISTRATE. MRS E. CHAN OUTSIDE THE COURT ROOM WANTED TO KNOW IN FRONT OF OTHERS, "WHY DID YOUR HUSBAND LEAVE YOU", THIS BEING 1992, I HAD BEEN DIVORCED SINCE 1989. THIS WAS THE CAT CASE .A WITNESS APPEARED AT THE HEARINGS, AT THE TRIBUNALS, WHO PRODUCED A STATUATORY DECLARATION CONNECTED TO THE CAT CASE, SENT TO THE COMMISSIONER DR SCUTT BUT THE CHAIRPERSON, MR BISHOP, DID NOT HAVE IT. NO QUESTIONS WERE ASKED TO THIS PERSON BY THE CHAIRPERSON, MR S. BISHOP, EVEN WHEN HE WAS INFORMED OF ITS EXSISTANCE. MR BISHOP STATED TO ME, " I HAVE READ THE CAT CASE, AND THERE WERE CRIMINAL ACTIVITIES", IN THE COURT. THE DOCUMENTS SHOW THAT THE DOG AND CAT CASE, WAS INVALID AS I WAS SUED UNDER A BUSINESS NAME THAT DOES NOT EXSIST, AND YET THE MAGISTRATE ACCEPTED THIS ACTION, IRRESPECTIVE I PAY TO BUSINESS AND CORP. AFFAIRS EVERY THREE YEARS FOR THE REGISTRATION OF ELSPEDITO ENTERPRISES SINCE 1977.

12. YES THE DISCRIMINATION ACT IN TASMANIA COMMENCED IN EARLY DECEMBER 1999 AND MANY OF THE EVENTS OCCURRED BEFORE THAT DATE BUT WHEN CONTINUENCE OF COMPLAINTS ARE OCCURRING, AND IS IT NOT SO, THAT THE RIGHT TO GO TO ANT-DISCRIMINATION WOULD BE A RIGHT TO RECTIFY WHAT HAS NOT BEEN CORRECTED ,BOTH LEGALLY, PHYSCIALLY, MENTALLY, SOCIALLY AND ESPECIALLY THAT POLITICAL BELIEF AND POLITICAL ACTIVITY HAVE NO DEFINITION IN LAW WRITTEN IN THE ANTI – DISCRIMINATION ACT , THERFORE CANNOT BE ADDRESSED, AND YET AT NO TIME DID ANY DECISION STATE THIS. NO COMPLAINTS OR ILLEGAL ACTS ADDRESSED THEREFORE, THEN THE WHOLE CASE CONTINUES, A CONSPIRACEY TO STOP AND BLOCK JUSTICE, DELIBERATE EXTENSIONS TO DECISIONS, THE IN-CARE FEES FOR THE TWO DOGS IN-CARE A PRIME EXAMPLE, NEVER PAID AND NOW AMOUNTING TO OVER $60,000 FOR NEAR 5 YEARS, AND THE ILLEGAL ACCESSES STILL EXSISTING, ON THE 1OOKLM MAJOR STATE ROAD, HALF WAY DOWN THE VERY STEEP HILL. AS ONE OF THE WITNESSES STATED TO THE CHAIRPERSON MR BISHOP, HER CHILDREN WERE REMOVED OFF THE SCHOOL BUS ROUTE, BECAUSE THE BUS USED TO STOP AT THE ILLEGAL ENTRANCE, ½ WAY DOWN THE VERY STEEP HILL, AND PARTLY ON THE HIGHWAY. THE MANY NEAR ACCIDENTS WITNESSED TO THE SCHOOL BUS, WHICH WAS FRIEGHTENING. MY TWO CHILDREN WERE ON THAT BUS. THERE WAS NO OTHER OPTION FOR MYSELF AS I COULD NOT AFFORD TO DRIVE TO THE SCHOOL EVERYDAY TO PICK THEM UP, THAT DISTANCE BEING APPROX 10KLMS ONE WAY AND GIVEN THE CIRCUMSTANCES I HAD BEEN PLACED IN FINANCIALLY, WITH THE PET CARING BUSINESS CLOSE TO BANKRUPTCEY.

19/20. STATED ; " SHE WAS AT TIMES QUITE DISTRESSED IN PRESENTING HER CASE AND IN A SOMEWHAT BELEAGUERED STATE", I HAD NO PROBLEMS RELATING TO MY DOCUMENTS AND THERE WERE MORE THAN TWO RING BINDERS HANDEDUP, AND GIVEN THE EVENTS UPON MY CHILDREN , ANIMALS, MY FAMILY, THE PERSECUTION FOR 26 YEARS, I HAD TO RELIVE THE EVENTS. MR S. BISHOP WAS HANDED UP DOCUMENTS THAT STATED MY MENTAL STATE, "MRS ADAMS HAS A LENGTHY HISTORY OF PERSECUTORY IDEATION AND HAS EMPLOYED VARIOUS AGENCIES , SUCH AS POLITITIONS AND OTHER GOVERNMENT BODIES IN HER QUESTS FOR REPARATION. HOWEVER, MOST OF HER CONCERNS HAVE BEEN LOOSLEY BASED IN REALITY AND THIS DOES NOT APPEAR TO REPRESENT A DIAGNOSABLE MEDICAL CONDITION." THIS WAS STATED TO A COMMONWEALTH DOCTOR FROM MY PERSONAL DOCTOR, DR.A. CLARK, EXETER, FEBUARY, 1999. THIS WAS GIVEN TO ME BY THE DEPT. OF SOCIAL SECURITY, WITH THE SPECIALIST'S DR GRAHAM'S REPORT,AND ALSO IN THOSE DOCUMENTS SOMEONE HAS MY MEDICAL FILE AND I HAVE SOMEONE ELSE'S MEDICAL FILE. I WAS NEVER INFORMED THAT MY MENTAL CONDITION WAS BEING ASSESSED, AND I COULD NEVER AFFORD TO EMPLOY AGENCIES, POLITITIONS ETC. MR S.

BISHOP,CHAIRPERSON WAS HANDED UP THE DOCUMENTS OF MY SCHOOLING , DIPOLMAS AT 15YEARS OLD,ONE 98 PER CENT, WHICH A BURSURY AT THE UNIVERSITY WAS GRANTED TO ME AT 15YEARS, MY MOTHERS AND FATHERS MARRIAGE CERTIFICATE, MY FATHERS AUTOPSY CERTIFICATE ,AS HE DIED AT 37 YEARS OLD AND WHEN I WAS 15YEARS OLD, AND ANOTHER CERTIFICATE, AT 6 YEARS OLD, WINNING THE SYDNEY EISTEDDFOD.. MY EDUCATION WAS WITH THE ST. JOSEPH'S NUN'S IN N.S.W., MY ST. JOSEPH'S SCHOOL PRAYER BOOK WAS SHOWN AND HANDED UP COPIES OF EXTRACT'S FROM IT. THE DOCUMENTS PROVED I WAS A LEGAL CITIZEN OF AUSTRALIA,THE COMMONWEALTH AND TASMANIA AS MY COMPLAINTS INVOLVED THE CONSTITUTION OF THE COMMONWEALTH OF AUSTRALIA THAT APPEARED TO HAVE BEEN BROKEN NO II7. THIS RELAYED TO ME AT A MEETING WITH A MR PARROT FROM THE COMMONWEALTH ADMINISTRATION IN HOBART, STATING TO ME, "YOU HAD A RIGHT TO GO TO THE GOVERNOR, YOU HAD A RIGHT TO GO TO THE GOVERNOR-GENERAL, YOU HAD A RIGHT TO GO TO THE QUEEN AND YES THE CONSTITUTION OF THE COMMONWEALTH NO 117 HAD BEEN BROKEN".THE DOCUMENTS SHOWED THE MEETING AND THE DATE IN THE A.N.Z. BANK BUILDING, LAUNCESTON.

100. STATED "HER DOGS", WRONG, THE TWO DOGS IN-CARE FROM CRUELTY CASE 506/93/00 WERE OBTAINED BY MINISTER LLEWELLYN ON A D.P.I.W.E. LETTERHEAD FROM THE OWNER. THE ONLY TWO ALIVE AS STATED EARLIER. THE FOI'S SHOW THE BULLYING OF THE MINISTER'S ADVISOR MR R. BROWN WHO RANG ME AT HOME TO TRY TO FORCE MYSELF, BY INTIMIDATATION, BULLYING TO SIGN DEFECTIVE REGISTRATION PAPERS TO OWNERSHIP FOR THE TWO DOGS. NO IN-CARE FEES BEING PAID FOR NEAR 5YEARS OR THE DOGS EXPENSES, EVEN THOUGH AN UPDATED INVOICE HAD BEEN SENT EVERY 3 MONTHS. I HAD MET WITH THE MINISTER ON TWO OCCASSIONS, ON THE SECOND OCCASSION STATED TO ME, "YOU GOT TO SIGN THESE PAPERS". THE MINISTER WAS FULLY AWARE THAT TWO LEGAL INSTRUCTIONS UNDER 14 (1) OF THE ANIMAL WELFARE ACT 1993, CARRYING A PENALTY 14(2) SUPPORTED BY THE OMBUDSMAN, WERE GIVEN ON THE DAY OF THE RAID 11/11/99 BY OFFICERS OF THE CROWN, AND INSTRUCTIONS BY ANIMAL CONTROL OFFICERS OF LAUNCESTON COUNCIL, AS MR A. REID BREACHED HIS KENNEL LICENCE CONDITIONS UNDER THE DOG CONTROL ACT 1987, TO THE DEFENDANT MR.A.REID.THE MINISTER IN WRITING STATED WHERE I HAD TO SIGN FOR OWNERSHIP, ABOVE THE WORD PURCHASER, TO SIGN AS THAT WAS ONLY A TERMINOLOGY, AWARE THE OWNER, VIA HIS SOLICITOR REQUIRED $2000 TO $3000 FOR HIS DOGS, AND THROUGH FOI SEARCHES, NO MONIES WERE PAID TO THE OWNER. I WAS INFORMED THE OWNER AFTER THIS HAD BEEN DISMISSED OUT OF RACING AFTER BEING A MEMBER FOR APPROX. 40 YEARS, IN VICTORIA, AUSTRALIA.

28. STATED IN REFERENCE TO THE CONSTRUCTION OF THE ILLEGAL ACCESS, AND THE DANGEROUSNESS OF IT, "NO FACT PUT FORWARD SUGGESTED DISCRIMINATION",WRONG .THE LEGAL EVIDENCE , STATEMENTS , THE AFFIDAVIT, THAT MANY TASMANIANS , INCLUDING MENTAL HEALTH ,AND MYSELF IN 1987, WERE REFUSED A NEW OR EXTRA ACCESS OFF A MAJOR STATE ROAD FOR DEVELOPMENT. THE CHANS HAD ACQUIRED (3) THREE. MR S. BISHOP, CHAIRPERSON, WAS MADE FULLY AWARE OF THIS, GIVEN THE LISTED DOCUMENTS ATTACHED TO THE FEW PAGES OF HIS WRITTEN DECISION, FROM THE TRIBUNAL, AFTER TAKING TWO YEARS TO MAKE IT. I FOLLOWED THE INSTRUCTIONS OF MAGISTRATE H. WOODS DECISION FROM THE PREVIOUS TRIBUNAL, WHICH, NO FILES OF DOCUMENTS WERE HANDED UP OR ANY FOIS, TO RESUBMIT MY CASE. THAT DECISION TOOK A YEAR.

29/30. THE STATEMENTS CONTRADICTS NO 28 TO MY STATEMENTS MADE. STATED "THOSE MATERIALS ARE EXTREMELY VOLUMUS AND MANY PARTS SO LONG AGO AS NOT TO BE WITHIN THE JURISDICTION OF THE TRIBUNAL OR CLEARLY WERE NOT SUGGESTIVE OF DISCRIMINATION", THE OBVIOUS LENGTH OF TIME FOR DECISIONS ,AND THIS CONTRADICTS, THE EQUAL OPPORTUNITIES AND HUMAN RIGHTS COMMISSION, WHICH WAS NOT OUT OF TIME,NOR THE TASMANIAN CONSTITUTION I READ IN THE LIBRARY, THREE LAWS IN A ROW, ONE OF WHICH STATED, EVERYONE TO BE TREATED EQUALLY, IN THE STATUE BOOKS.AS STATED PREVIOUS, THERE ARE MANY NO DEFINITIONS IN LAW , OF LAWS IN THE ANTI-DISCRIMINATION LAW.

35. STATED "POSSIBLE REASONS FOR THE CLAIMED INACTION, COMPLAINTS TRIVIAL OR LACKING IN SUBSTANCE; IT MAY HAVE BEEN OVERWORK; LAZINESS; PROCRASTINATION; FEAR OF OTHER PERSONS, UNWILLINGNESS TO TRAVEL OR TO TAKE RISKS, IT MAY HAVE BEEN TO FURTHER A CONSPIRACY AGAINST THE COMPLAINANT.IT MAY HAVE OR WAS ENGAGED TO WHAT WAS BEING STATED, BEEN DISLIKE OF THE COMPLAINTANT BECAUSE OF PERCEPTIONS OF HER PERSONALITY OR IT MAY HAVE BEEN BECAUSE OF HER GENDER OR MATRIMONIAL STATUS." IT IS NOT MY PROBLEM, THAT THOSE IN POWER USE AND ABUSE THEIR POSITIONS, LIVE IN DENIAL OF THE TRUTH AND FOR THESE ACTIONS OR ACTS, ACCEPT MONIES FALSELY FOR THEIR WORKING POSITIONS, BY THESE ACTS AND ACTIONS AND WHEN THE WRONG ACTS OR LAWS HAVE BEEN ILLEGAL TO PLACE THEIR WRONG DECISIONS AND ACTIONS ON A PERSON OR THE PERSON WHO HAS PLACED THE COMPLAINTS TO SUCH ACTS OR ACTIONS. READ OUT WERE THE DOCUMENTS RELATING TO ADVERTISING SIGNS ON A FRAMES, PLACED BY THE CHANS STATING BOARDING KENNELS AND A TELEPHONE NUMBER, NO BUSINESS OR KENNEL NAME, NEAR THE EDGE OF THE HIGHWAY, NO SEALED SURFACE FROM THE STATE ROAD TO THE ILLEGAL ACCESS AS SET OUT TO SALINA CHAN BY THE ENGINEER MR J. LENNON, OF DEPT. MAIN ROADS AND

TRANSPORT. ONE WAS REMOVED AFTER YEARS OF COMPLAINTS, THE OTHER STILL THERE, IRRESPECTIVE THE COUNCIL AND A MINISTER M.H.A.SWAN STATED BOTH WERE AGAINST THE LAW AND HAD BEEN REMOVED, EVEN A LETTER SENT TO THE CHANS FOR THEM TO BE REMOVED AND A LETTER TO ME STATING THEY HAD. THE WIND ON MANY OCCASSIONS HAD BLOWN THESE LARGE A FRAMES ONTO THE MIDDLE OF THE 100KLM HIGHWAY, AND THEY HAD BEEN THERE FOR HOURS, AND AGAINST THE LAW, WHILE CITIZENS AS MYSELF WERE INFORMED TO PLACE SUCH SIGNAGE ON OUR PROPERTY AS IT IS AGAINST THE LAW, OUTSIDE THE FENCE BOUNDARY. MAYBE ALL THE REASONS STATED IN THE DECISION ABOVE OF THE INACTIONS WERE BECAUSE I WAS DIVORCED AND DID NOT REMARRY, AS THIS ACTION IS HATED IN TASMANIA, MAYBE IT WAS BECAUSE I WAS A MAINLANDER, BEING CALLED IT SO OFTEN, MAYBE IT WAS THE BAD TELEPHONE CALLS WE HAD SO MANY, A CHINESE INTERPRETER HAD TO BE ENGAGED TO ASSIST BY TELSTRA, MAYBE IT WAS MY COMPLAINT TO POLICE THAT A TELEPHONE CALL FROM MR MCCAUGHEY WHO STATED WHO HE WAS AND THAT MY F.C. WOULD BE PUT DOWN MY F.C. THROAT IF I DIDN'T DO AS I WAS TOLD, MAYBE IT WAS BECAUSE I TRIED TO PROTECT MY CHILDREN, WHEN TASMANIA S RECORD FOR DOING SO IS HATED, MAYBE IT WAS BECAUSE I SPOKE UP AS A WOMAN TO THOSE IN HIGH PLACES THAT APPEARED INCOMPETENT, MAYBE IT WAS REFUSING TO BE BULLIED, MAYBE IT WAS THE MANY TIMES IN PUBLIC WITH MY CHILDREN ENDURING THE TERRIBLE REMARKS, MAYBE IT WAS MY UNCLE WHO WAS A LORD, HIS WIFE A LADY, MAYBE IT WAS IN 1979 WHEN MY FAMILY AND FRIENDS ARRIVED IN FEBUARY FROM SYDNEY, QUITE EXPENSIVE AT THAT TIME, TO BE PRESENT AT THE CHRISTENING OF MY DAUGHTER WHO WAS THREE WEEKS OLD, UPON MY FAMILY SPEAKING TO CATHOLIC PRIESTS IN TASMANIA, NOT ONE WOULD BAPTISE HER, THE REASONS BEING, "HER MOTHER WAS NOT WORTH IT", MY DAUGHTER WAS BORN BLIND AND AFTER MANY OPERATIONS WAS 8YEARS OLD BEFORE THE SIGHT IN ONE EYE AND 75%IN THE OTHER WAS ACHIEVED, MAYBE IT WAS THE WORK EXPERIENCE WITH THE SAME DAUGHTER, AT SCHOOL, THAT AS SOON AS THE DIVORCE WAS FINAL, HER TEACHER WAS COMPLAINING ABOUT MY DAUGHTER AND HER QUIETNESS, NOT FITTING IN, NOT JOINING IN, ETC. WHO WAS NOT UPSET OVER THE DIVORCE, ONLY THAT I TOOK SO LONG TO ACHIEVE IT, AND AFTER THE WORK EXPERIENCE IN YEAR TEN, AT A RACING PROPERTY OWNED BY MR LARTER, HOURS BEING FROM 7:30 TO 5:30 , MY DAUGHTER WORKED HARD, ALWAYS HAS, MY DAUGHTER WAS SHOWN HER REPORT FOR THE WEEK, BUT IT WAS DIFFERENT TO THE ONE READ OUT IN THE CLASSROOM BY THE HOME TEACHER, THAT MY DAUGHTER WOULD NOT FIT INTO ANY RACING POSITION IN THAT INDUSTRY, DID NOT FIT IN, WAS NOT A GOOD WORKER, I WAS SHOWN THE REPORT AND THROUGH FOI HAVE NOT BEEN ABLE TO OBTAIN IT WHICH HAD BEEN SIGNED BY MR B. LARTER, WHOM MY DAUGHTER DID NOT KNOW, MAYBE IT WAS MYSELF BEING MADE OUT TO

BE AN EASY TARGET AS A WOMAN, ON ONE OCCASION I WAS INFORMED I PREFERRED MY STALLION, MAYBE IT WAS BECAUSE I WOULD NOT SELL MY PROPERTY CHEAPLY AS MANY REAL ESTATE AGENTS INFORMED MYSELF IT WAS NOT WORTH MUCH IRRESPECTIVE TWO PERSONS INFORMED MYSELF THERE WERE PLANS TO BUILD A WOOLSWORTH STORE . MY PROPERTY BEING IN THE MIDDLE OFF, MAYBE IT WAS MYSELF DENYING THE OWNER OF THE DRUG DOG FOR THE COMMONWEALTH NOT TO BE BOARDED AT MY PET CARING BUSINESS BECAUSE QUARRANTINE WANTED TO ENTER MY PROPERTY AND BOARDING AREA ANY TIME THAT SUITED THEM NIGHT OR DAY, MAYBE IT WAS MY COMPLAINT TO THE SCHOOL TO THE ACTS UPON MY ELDEST DAUGHTER TO THE WORK EXPERIENCE AND OTHER ACTS UPON HER, MAYBE IT WAS MY GREAT GRANDPARENTS BEING LADY IN WAITING AND VALOR TO THE DUKE OF NORFOLK AND VET TO THE QUEEN'S THOROUGBRED HORSES, AT ARUNDEL, SUSSEX IN ENGLAND WHERE MY GRANDMOTHER AND HER TWO BROTHERS WERE RAISED, MAYBE IT WAS THE KINDNESS OF ONE THE QUEEN'S BEST FRIEND'S DOING A KINDLY ACT FOR ME WITH THE DOCUMENTS, MAYBE IT WAS BECAUSE I CAME FROM ONE OF THE LONGEST LINES OF DECORATED ANZACS IN AUSTRALIA, MAYBE BECAUSE I BELIEVED RAPE IS A CRIMINAL OFFENCE, MAYBE IT WAS MY COMPLAINTS ABOUT CRUELTY, MAYBE IT WAS BRINGING ABOUT A PROSECUTION, MAYBE IT WAS THE REPORTING OF CRIME, MAYBE IT WAS THE TWO AMOUNTS OF MONEY TAKEN OUT OF MY CHEQUE ACCOUNT, ONE AMOUNT ON A SUNDAY WITHOUT ANYONE NOTIFYING MYSELF FROM THE COMMONWEALTH AND THE DEGRADATION WHEN TWO CHEQUES BOUNCED IN THE COMMUNITY, MAYBE I WAS NOT GOING TO PUT UP WITH THE LETTERS FROM THE GOVERNOR'S OFFICE SIGNED BY SECRETARY'S, THE COMPLAINTS NEVER ADDRESSED, GIVEN THE GOVERNOR OPENS PARLIAMENT AND APPROVES OF THE LAWS, WHICH THERE WAS NO PROBLEM REMOVING THE DOG CONTROL ACT 1987 OUT OF THE HANDS OF THE GOVERNOR, INTO THE RESPONSIBILITY OF PREMIER, PREMIER AND CABINET, SO QUICK WAS THE NEW DOG CONTROL BILL 2000-2001, APRIL, MAYBE IT WAS ALL THESE COMPLAINTS AND MANY MORE ABOUT ABUSE OF HUMAN RIGHTS, EQUAL OPPORTUNITIES AND TO THE RESOLUTIONS OF THE UNITED NATIONS LAWS ON THEM, MAYBE IT WAS THE STATEMENTS LEFT AT POLICE HEADQUARTERS IN LAUNCESTON ON THE 4.6.1998 TO HAVE CRIMINAL CHARGES LAID AGAINST THEM, 3 PERSONS FROM THE GOVERNOR-GENERAL'S OFFICE, TWO MINISTERS, THE CHAN FAMILY AND MRS A. MCCAUGHY, MAYBE IT WAS MY MANY COMPLAINTS TO WRONG WRITTEN STATEMENTS, ONE EXAMPLE ON MY PERSONAL VISIT TO THE SUPERINTENDANT IN LAUNCESTON,NEVER HAD I BEEN HARRASSED BY THE SEVENTH DAY ADVENTIST CHURCH, STATED THE OPPOSITE , IN A STATEMENT OF 8/9/994 OBTAINED UNDER FOI , AND A 4PAGE STATEMENT WAS HANDED TO THE SUPERINTENDANT BY MYSELF AT A MEETING WITH HIM, MAYBE IT WAS THE COMPLAINTS ON MR SLUCE A OFFICER OF THE COUNCIL, NOT A QUALIFIED PLANNER, NOR A

QUALIFIED ENGINEER, WHO WAS ON SITE FOR THE PLACEMENT OF THE NEW POSITION TO CONSTRUCT THE NEW ACCESS ROAD ½ WAY DOWN THE STEEP HILL, WHO STATED HE DID NOT NEED AN ENGINEER TO ASSIST, MAYBE IT WAS THE COUPLE OF TELEPHONE CALLS ABOUT MIDNIGHT THREATS THAT THE TWO DOGS IN-CARE WERE GOING TO BE KILLED AND I WAS GOING TO HAVE A CAR ACCIDENT, MAYBE IT WAS THE COMPLAINTS TO WHO TO TRUST TO SERVICE MY CAR. MAY BE I COULD CONTINUE WITH THE 15 1/2 YEARS OF STRESSFULL EVENTS AND THE SOUFOURING TO THIS CASE, WHICH HAS NEVER BEEN RECTIFIED NOR ANY REPARATION FORTH COMING .

36. THE COMMISSIONER'S REPORT ON WHAT WENT ON WITH THE OFFICE OF ANTI-DISCRIMINATION, THE BULLYING, NO MONIES ECT. 2003-2004. AS STATED AT THAT LEVEL OF EMPLOYMENT, WHAT IS IT LIKE FOR THE WHITE COLLAR WORKER AT A LOWER LEVEL, AND WHEN DID THE GOVERNMENT DECIDE THAT THE TRUTH MUST BE TWISTED, ALTERED,TAMPERED WITH TO JUSTICE? NO WONDER NOTHING OF MY CASE WAS EVER INVESTIGATED AND NO WONDER NO QUESTIONS WERE EVER ASKED, AND HOW COULD THEY, WITHOUT ANY DOCUMENTS OR FOIS. IN THE ADVOCATE NEWSPAPER 23/9/2004 STATED BY THE COMMISSIONER OF ANTI-DISCRIMINATION, "REVEALED THE LEVEL OF HARRASSMENT AND BULLYING SHE SAID SHE HAD TO ENDURE. PEOPLE IN POSITIONS OF POWER HAVE TO REALISE THAT THE LAW APPLIES TO THEM", WHICH I BELIEVE THIS ALSO INCLUDES THE GOVERNOR, MAGISTRATES OR JUDGES. THE AFFIDAVIT OF JAN.1999, THAT WAS BEING TRACED THROUGH FOI, THIS AND THE CHARGES PLACED WITH POLICE ON 4.6.1998 WERE FOUND IN THE POLICE FOI FILE.

36. IT IS EASY TO STATE,"VEXATIOUS, MISCONCEIVED, LACKING IN SUBSTANCE ", WHEN WORKING FOR A GOVERNMENT THAT ACTS OUTSIDE THE LAW AND IGNORES THE LAWS, ABUSES HUMAN RIGHTS AND EQUAL OPPORTUNITY, COMPLAINTS BY THE COMMISSIONER HERSELF, AND THE ABOVE THE REASONS FOR HER REJECTION, HER DECISION.SET OUT BY THE UNITED NATIONS, HUMAN RIGHTS, AND ACCEPTED BY THE 5 HIGH COURT JUDGES, IN THE CASE OF 9/2000, MENTIONED PREVIOUSLY, ONE JUDGE WAS JUSTICE KIRBY. ANOTHER PERFECT EXAMPLE, OF HUMAN RIGHTS ABUSE, WAS IN THE CIVIL COURTS IN LAUNCESTON IN SEPTEMBER 2002. THE DEFENCE WAS IN THE COURT ROOM FOR THE GOVERNMENT BEFORE THE CLAIMANT, MYSELF, TELLING MAGISTATE WILSON WHAT WAS REQUIRED AND HOW LONG IT WAS GOING TO TAKE, 10 TO 15 MINUTES, FROM THEIR START TO END WAS 15MINUTES. THEN A DIFFERENT DEFENCE, NO NOTIFICATION OF CHANGE TO MYSELF, NO INTRODUCTION ON WHO THE FOUR PERSONS WERE, AND THE MAGISTRATE APPEARED TO BE ACTING FOR THE GOVERNMENT. MAGISTRATE WILSON WAS WELL AWARE I WAS WITHOUT A SOLICITOR. THE D.P.P.ALSO AWARE OF, AS STATED THAT MAGISTRATE WILSON HAD

VICIOUS MOODS, I AGREE. MAGISTRATE WILSON HAD NOT EVEN READ THE DOCUMENTS HANDED UP TO THE COURT BY MYSELF, BECAUSE OF HIS QUESTIONS TO ME, ESPECIALLY ' WHAT HAS THE OMBUDSMAN GOT TO DO WITH THIS', BUT REPEATED D.P.P.'S CLAIM ON MY CLAIM FOR THE TWO DOGS IN-CARE BEING, OPPRESSIVE, SCANDALOUS, FRIVOLOUS, VEXATIOUS,UNINTELLIGIBLE, AN ABUSE OF THE COURT, TO ME. THE D.P.P. HAD CHANGED A BRIEF STATEMENT IN THE CRUELTY CASE FROM INSTRUCTION TO ADVICE, MY STATEMENT AND WITNESSES WERE NOT HANDED UP AS THE MINISTER STATED WOULD BE, THE PROSECUTION FILE DEMONSTRATES QUITE CLEARLY THE DISCRIMINATION, CASE 506/93/20 D.P.P. & MR A.REID. THE LAW FIRM WAS DOUGLAS & COLLINS WHO REPRESENTED THE GOVERNMENT, AS ON THE ORDER, IT WAS CONFLICT OF INTEREST, AS WELL. ALL IN THE DOCUMENTS HANDED UP TO THE ANTI-DISCRIMINATION TRIBUNAL, AND CHAIRPERSON MR S. BISHOP.

40. THE BOXES WERE NOT SIMPLY MARKED AS A CAMPAIGN FOR JUSTICE BYGOING TO ANTI-DISCRIMINATION .WRONG. THIS AS I BELIEVED AND STATED I HAD NO WHERE ALSE TO PRESENT THIS CASE , IRRESPECTIVE IT WAS MY RIGHT TO GO TO ANTI-DISCRIMINATION. THE CASE OF THE ILLEGAL ACTS ,WAS NOT MY PROBLEM ,BUT UNDER THE TASMANIAN CONSTITUTION I HAD READ, EVERYONE WAS TO BE TREATED EQUAL AND THE LAW HOLDS ON "NO" NEW OR EXTRA ACCESS ON MAJOR STATE ROADS IN THE RURAL ZONE. AS THE REVERENED LANCE ARMSTRONG OF THE GREEN PARTY IN 1991 STATED IN HIS LETTER TO THE ATTORNEY-GENERAL, MR. PETER PATMORE, OF THE LABOR PARTY IN GOVERNMENT, THE MATTER IS SERIOUS. M.H.A. ARMSTRONG CAME OUT TO VIEW THE SITUATION, AND SPEAK TO ANOTHER OBJECTOR ON THE GLENMORE ESTATE, MRS RICHTER, WHO HAD COMPLAINED.THREE PERSONS OBJECTING WERE REPRESENTED AT THE PLANNING APPEAL BY MR J. COHEN, AN EXPERT PLANNER AND SURVEYOR ,WELL KNOWN AND RESPECTED, MRS RICHTER, MR& MRS SIMPSON AND MYSELF, THAT WAS INSTIGATED BY SALINA CHAN.ALL EVENTS AND ACTIONS WERE IN THE COUNCIL FILE CLEARLY SHOWING MASS DISCRIMINATION AND THE LAWS APPLYING TO TASMANIANS, IN "REVERSE" FOR THE CHAN FAMILY, NONE OF WHICH HAS EVER BEEN RECTIFIED. THE EVIDENCE SHOWS THE EFFORT BY MANY TO THE BREAKING DOWN OF OUR COMPLETE BUSINESS, THE CAT CASE, THE DOG CASE, THE CAR, GOOD NAME, BREEDING OF DOGS, ALSO OUR HOBBY THE MINIATURE HORSE/PONY STUD, OUR SOCIAL LIVES, PERSECUTION OF MY OLDEST DAUGHTER AND MYSELF, ESPECIALLY IN THE FULL ENTIRE PARENT ROLE, AS A MOTHER.

40. "TO GLEAN FROM THE MATERIALS ", AS STATED, AND AS 43 STATES, "THE COMPLAINTANT SHOULD REST ASSURED THAT ALL MATERIAL WHICH SHE HAS PROVIDED HAS BEEN CAREFULLY CONSIDERED". HOW CAN THIS BE WITH SO MANY ERRORS, FALSE STATEMENTS, MISSING EVIDENCE HANDED-UP PREVIOUSLY.MAYBE IT IS

THE DOCUMENT STATING WITH A SIGNATURE THAT THE PREMIER'S BROTHER JOHN LENNON, THE ENGINEER, FOR DEPT. MAIN ROADS & TRANSPORT, GAVE PERMISSION FOR THE ILLEGAL ACCESS ROAD TO THE CHANS. "THE LAW IS SUPREME", AS STATED BY THE GOVERNOR. MAYBE IT ALSO, TO THE DOCUMENTS ACCEPTED BY THE GOVERNMENT FROM SALINA CHAN THAT MY HOUSE AND KENNELS WERE UNHYGIENIC, AND FOR YEARS MANY PERSONS WANTED TO SEE DRAINS AND PLANS ETC.OF THE KENNELS .VET WERE STATING THIS ALSO. THE CHILDREN PUT UP WITH THIS TREATMENT AS MYSELF FOR YEARS, AS WERE THE BAD TELEPHONE CALLS. THE SAME FACT THAT THE MINIATURE HORSES WERE BEING HURT ON AND OFF FOR YEARS, TO THE POINT THEY WERE REMOVED FOR 2 YEARS, FROM THE PROPERTY, BEFORE THEY COULD SLOWLY BE BROUGHT BACK HOME. THE LEGAL DOCUMENTS HANDEDUP TO THE CHAIRPERSON, SUPPORTING THAT SINCE 1992 WE WERE UNABLE TO CONTINUE SHOWING THE MINIATURE PONIES AND HORSES, AND THOSE ACTIONS UPON US, MANY PERSONS WERE CONNECTED IN OTHER POSITIONS OR RELATIVES TO THOSE ACTING AGAINST US, ESPECIALLY AS DELEGATES WHO HAD HORSE STUDS AS WELL. THE FOI LEGAL DOCUMENTS FROM THE OFFICE OF FAIR TRADING IN N.S.W. BACKED UP MY COMPLAINTS TO CONSUMERS AFFAIRS IN LAUNCESTON AND ESPECIALLY, ONE DOCUMENT OF 1992.THE CHILDREN WERE VERY UPSET AS THEY HAD TO ENDUE SEEING THE SIGHT OF THEIR HORSES HURT AND REMOVED, CAUSING MORE STRESS AND EXPENSE. THE EVIDENCE POINTED TO PERSON/S COMING THROUGH THE BACK OF THE PROPERTY .THERE WERE ALSO QUITE A BIT OF MONIES MISSING, EVEN COMPLAINTS FROM THE ACCOUNTANT FOR THE CLUB, BEING THE AUSTRALIAN MINIATURE PONY CLUB INC. NO ONE HAS EVER BEEN REJECTED FROM THE CLUB AS I HAD BEEN BY A MEMBER, WHO WAS MR K. BLIGHT, WHO SOLD HIS PONIES TO OTHER MEMBERS IN THE STATE WHO I HAD BEATEN IN THE SHOW RING MANY, MANY TIMES.THIS BEING PUBLISHED IN THE CLUB'S MAGAZINE THAT GOES OVERSEAS WITH MY NAME IN IT. MR K. BLIGHT'S STORY WAS ACCEPTED, A MEMBER OF N.S.W. AT THE N.S.W. MEETING. ONLY THE DELEGATES FROM EACH STATE COULD SAY WHETHER OR NOT A MEMBER APPLYING WAS ACCEPTED OR NOT. AT NO TIME AFTER THIS ACTION DID ANY DELEGATE IN THIS STATE OF TASMANIA COMPLAINED TO, TAKE ANY ACTION OR LODGE A COMPLAINT TO THE MAIN BODY IN N.S.W. FOR MY STUD OR MYSELF.I HAD RECEIVED FOR BREEDING STOCK MONIES TO KEEP THE STUD WELL AFLOAT, WHICH AFTER THIS WAS NOTHING. THE LAST DELEGATE I COMPLAINED TO AT A SHOW AT WESTBURY, WAS UP ON CRUELTY CHARGES, WHOM I WAS AWARE OF, AS MR TITLEY BOUGHT MY MINIATURE PONY/HORSE FLOAT I WAS FORCED TO SELL. MR TITLEY LIVED AT WESTBURY.THE CHAIRPERSON WAS MADE AWARE OF THIS AND THERE WAS NO CONVICTION FOR MR TITLEY, AFTER THIS. THESE EVENTS STATED TO THE PREVIOUS PREMIER AND PART OF THE AFFIDAVIT, 1999 NEVER RECTIFIED, OF N.S.W. MR B.CARR. THE AUSTRALIAN MINIATURE PONY SOC. INC. WAS

THE ONLY CLASSES HELD IN TASMANIA FOR YEARS.ONLY IN THE LAST COUPLE OF YEARS ANOTHER MINIATURE SOC. HAS HELD CLASSES TO DATE. THE CHILDREN MISSED THEIR FRIENDS, THE OUTINGS AS THE AGRICULTRUAL SHOWS ARE EXCELLENT FOR MIXING WITH, A MEETING PLACE, SPORTS ETC. FOR YEARS THIS HAD BEEN DENIED. UNLESS AN OPEN CLASS FOR MINIATURES BELONGING TO ANY SOCIETY, THE MINIATURES ARE NOT SHOWN, WHICH IS BAD FOR SELLING GIVEN THE EVIDENCE TO 1992, HANDEDUP.THIS WAS ALL INDOCUMENTS HANDED TO CONSUMER AFFAIRS IN LAUNCESTON ON MY MINIATURE STALLION AND MY MEMBERSHIP, AND TO THE TRIBUNAL. THERE HAD TO BE 3 MINIATURE HORSES DESTROYED AND 5 WALKED OFF THE PROPERTY WITHOUT ANY PAYMENT OR FAVOURS TO TRY TO SAVE THEM, THIS WAS IN THE DOCUMENTS AND NOTIFIED WAS THE PREMIER MR J. BACON AND MAGISTRATE H. WOODS.

54. STATED "THE DECISIONS COMPLAINED OF COULD RESULT FROM THE MENTAL CONDITION OF THE PROTAGONISTS GENERALLY", NOT MY PROBLEM. THIS MAY RELATE TO WHEN ON THE ADVICE OF A CRIMINAL BARRISTER AND WITH MY TWO DAUGHTERS, I OBTAINED MORE LEGAL ADVICE, I COULD PLACE STATEMENTS AT LAUNCESTON HEADQUARTERS TO HAVE CHARGES PRESSED AGAINST THEM. I DID, WITH TWO SUPPORT PERSONS PRESENT.THE STATEMENTS HANDED UP WERE SUPPORTED WITH DOCUMENTS AND NOW FOIS.AFTER THE STATEMENTS WERE LEFT, TWO POLICE OFFICERS CAME TO OUR HOME FROM GEORGE TOWN AND IN FRONT OF THE CHILDREN, AGAIN, TO THE STATEMENTS, AND TO WHAT AND WHO WAS INVOLVED; STATED, BY POLICE TO US," IT WAS ALL JUST NEIGHBOURLY, YOU CANNOT MAKE PEOPLE LIKE YOU, THAT'S THE WAY IT IS", AGAIN AND AGAIN, ESPECIALLY BY POLICEMAN MCMAHON. WHY WERE POLICE COMING TO MY PROPERTY OVER SUCH SERIOUS COMPLAINTS FROM GEORGE TOWN, THE OTHER SIDE OF THE RIVER, WELL AWAY AND OUT OF THEIR DURISTICTION, THE SAME AS INSPECTOR WOOLLEY WAS. WHY WAS THE D.P.P. NOT INVESTIGATING SUCH SERIOUS STATEMENTS MADE, NOW BACKED UP BY THE LEGAL DOCUMENTS.THE STATEMENTS INVOLVED THE ILLEGAL ACCESS, HARRASSMENT, STALKING ECT. MANY ACTIONS UPON US. IT WAS IN 1998 I PERSONALLY HANDED TO A NOW SENATOR WHO WAS IN THE OFFICE OF THE ATTORNEY-GENERAL OFFICE M/S H. POLLEY THE STATEMENTS AND MANY DOCUMENTS WITH A LETTER. THE EVENTS THAT WERE TO HAPPEN WERE SET OUT IN A LETTER TO FARRER & CO THE QUEEN'S SOLICITOR'S, TO THE ACTS AND ACTIONS UPON MYSELF AFTER THIS. THERE HAVE BEEN COMPLAINTS LODGED WITH THE OMBUDSMAN SINCE 1990 THE LETTER OF 23/7/1999 FROM OMBUDSMAN D.THOMAS REFERRING TO MRS CHAN, WHICH WAS INCORRECT AND THE STATEMENTS MADE TO THE DOCUMENTS, ESPECIALLY THE LEGALLY STATED ONES BY MR S. ALSTON WHO IS NOW THE OMBUDSMAN, FOR TASMANIA.OMBUDSMAN THOMAS AS STATED 20/7/2000 FOUND " NO EVIDENCE OF A CONSPIRACEY TO

PERVERT THE COURSE OF JUSTICE, NO IMPROPIETY, AND NO DEFECTIVE ADMINISTRATION ". THE FIRST OMBUDSMAN NOTIFIED WITH COMPLAINTS AND WITHIN THE SIX MONTHS WAS MR N. BATT, IN THE DOCUMENTS HANDED UP TO THE CHAIRPERSON, MR S. BISHOP.

55. AS STATED " THE PRESCRIBED ATTRIBUTE MUST BE "AT THE BOTTOM OF" OR " CONNECTED WITH" OR "CAUSING OR PARTLY CAUSING THE CONDUCT COMPLAINED OF",PRESCRIBE STATES IN THE UNIVERSAL DICTIONARY; (ATTRIBUTE ALREADY STATED);COMMAND, TO LAY DOWN AUTHORITY, DICTATE, TO GIVE, LAY DOWN, RULES, ORDERS. MAYBE THIS STATEMENT RELATES TO THE INCIDENT IN THE MID. 1990'S OF A IRISHWOLF HOUND X PITBULL DOG, SET UPON MYSELF, ON MY PROPERTY, BY THE OWNER, AFTER THE DOG HAD BEEN BOARDING FOR A WEEK IN DOG AND CAT CARE, LEGANA, OF THE MANAGER MR HARRY BAKER, A PET CARING BUSINESS APPROX. 15 MINUTES DRIVE AWAY UNDER THE SAME COUNCIL,(NOW KNOWN AS GRINDELWALD KENNELS AND CATTERY), WHO INFORMED MYSELF MY ARCHITECHUAL PLANS OF OUR KENNELS WERE GIVEN TO HIM BY THE COUNCIL, AS WAS ANOTHER PET CARING BUSINESS.) I WAS TOLD " TO LISTEN NEXT TIME, AND TO DO AS I WAS TOLD", I WAS UNAWARE HE HAD BEEN ORDERED OUT OF THE KENNELS AND SENT TO MY PET CARING BUSINESS. I HAD A BAD LEG FOR A YEAR, AS A LOCAL DOCTOR, NOW DECEASED, DR CLARK, DR A. CLARK'S FATHER, THE NIGHT OF THE INCIDENT, GAVE MYSELF NO ANTIBIOTICS, AND DID NOT WANT TO KNOW WHAT OR WHO DID THIS TO MY LEG, IRRESPECTIVE OF THE WHOLE JAW AND TEETH MARKS, HOLES WERE IN THE BACK OF THE TOP OF MY LEG. THE DOCTOR'S WIFE CAME IN TO THE ROOM AND STATED"WAS IT YOUR DOGS". I BRED THE GERMAN SHEPHERD DOG AND THIS WAS DISLIKED IN THE COMMUNITY, ALTHOUGH MY PERSONAL DOGS HAVE NEVER BOTHERED ANYONE OR ANYONE ELSE'S PROPERTY. WHAT MY DOGS ACHIEVED WAS THE TRACKING TEAM WITH THE S.E.S. AND POLICE, FOR ABOUT 10 YEARS, AND A DEMONSTRATION TEAM OF DOGS, WHICH HELPED RAISE MONIES FOR MANY CHARITIES, AND WAS AT THE FIRST TWO YEARS AT AGFEST. I HAVE ALREADY GIVEN ONE INSTANT TO THE CHAIRPERSON, ON A GERMAN SHEPHERD DOG AND A POLICE OFFICER "EVIL, WICKED," STATED MR BISHOP. TO THE EVENTS AND ATTITUDE IN THE COMMUNITY, I HAVE IN WRITING APOLOGIZED FOR DOING SUCH ACTS AS THE TRACKING TEAM, NOONE COULD BE MORE REMORSEFULL THAN MYSELF OR FOR THE DEMONSTRATION TEAM OF DOGS, AT TIMES MY CHILDREN HAD TO PERSERVE WITH AND TIME WAS LIMITED TO THEM, AND AGAIN I HAVE APOLOGISED FOR SUCH ACTIONS TO THE STATE OF TASMANIA AND ITS PEOPLE, AS MY NEIGHBOUR AND OTHERS IN THE COMMUNITY WANTED TO KNOW "WHAT ARE THOSE DOGS GOING TO BE USED FOR ". DR A. CLARK WAS FULLY AWARE I WAS ALLERGIC TO SULPHUR AND THE SPECIALIST DR GRAHAM WHO I WAS REFERRED TO BY DR A. CLARK, STATED I WAS NOT TO BE GIVEN CELEBREX. THIS WAS IN THE DOCUMENTS HANDED TO ME FROM SOCIAL

SECURITY AND ALSO THAT I NEVER HAD THE BAD HERNIA IN THE GROIN, WHICH WAS OPERATED ON BY A SPECIALIST IN MARCH 2003, IT WAS THAT BAD. DR A. CLARK WAS GIVEN A REPORT BY SPECIALIST DR GROOVE ON THE SEVERITY OF IT. I WAS GIVEN CELEBREX IN THE FIRST INSTANCE AND AFTER THIS FOR YEARS, TILL I STOPPED MYSELF, AFTER SEEING THE REPORTS ON T.V. AND CHANGED DOCTORS, OUT OF THE DISTRICT.

THIS AFFIDAVIT WAS MADE OUT AS STATED IN THE FIRST INSTANT, AND WITH NO INTENTIONS TO SPITE OR DETRACT POLITICAL PARTIES OR PERSONS. THE EVENTS, SIGNATURES TO DOCUMENTS CAN NOT BE CHANGED. THE TRUE FACTS, ACTIONS AND ACTS ARE MINIMAL IN THIS AFFIDAVIT, OUR LIVES CHANGED, INTO REVERSE, WITH MANY EVENTS FORCED UPON US AND ACTS. TO REINSTATE EQUALITY, HUMAN RIGHTS AND WHAT IS CALLED DEMOCRACEY. NO REPARATION HAS BEEN FORTH COMING IN THIS ENTIRE CASE. I THANK THE ST. JOSEPH'S NUN VIARNIE WHO TAUGHT MYSELF FOR THE MAJORITY OF MY SCHOOLING, TO ME, THE BEST OF TEACHERS, A WONDERFULL HUMAN BEING AND I BELIEVE CORRECT TO HER STATEMENT ON RETRIEVING A LIE, NO MATTER HOW HARD YOU TRY, ONCE YOU LET IT GO, YOU CAN NEVER GET IT BACK. THIS I STATED TO THE CHAIRPERSON IN THE COURT, MR S. BISHOP.

I BELIEVE FORCE IS EVIL, GOD IS ALMIGHTY AND THE TEN COMMANDMENTS. PEACE IS POWER AND TWO WRONGS NEVER MADE A RIGHT. THE FACT ALSO THAT THE TASMANIAN GOVERNMENT BEING WELL AWARE OF THE FACTS HAVE NOT RECTIFIED OR FORTH COMING WITH ANY REPARATION. THE GOVERNMENT FORCING MY PET CARING BUSINESS AND MYSELF UNDER THE LAWS OF DUTY OF CARE TO PAY AND CARE FOR THE TWO DOGS IN CARE. THE FOI DOCUMENTS SHOW THIS, WHICH WERE OBTAINED OUT OF LOCAL GOVERNMENT, INCLUDING AN FOI OF THE FINANCE MANAGER, THEY HAVE DEALT WITH THE INVOICE AND FILE IT. M.H.A. COX STATING IN WRITING TO MYSELF THE REVERSE TO THE FOIS AND THE DOCUMENTS

THE ABOVE STATEMENTS HAVE BEEN KEPT TO A MINIMAL WITH ATTACHED FOIS AND DOCUMENTS, WHICH INCLUDE THE 13 PAGE STATUATORY DECLARATION REQUESTED BY BUCKINGHAM PALACE FOR THE QUEEN, THE FIRST AND LAST PAGE OF THE AFFIDAVIT OF JANUARY 1999 WHICH THE STATUATORY DECLARATION IS PART OF, A FEW FOIS OBTAINED FROM THE FEDERAL GOVERNMENT , DEMONSTARTING THE ABUSE TO MYSELF AS A CITIZEN OF AUSTRALIA, THE COMMONWEALTH, THE STATE OF TASMANIA, AND AS A WOMAN. ATTACHED ALSO IS THE LETTER FROM BUCKINGHAM PALACE OF OCTOBER, 1997. THE ABUSE TO MY HUMAN RIGHTS AND EQUAL OPPORTUNITIES AS A CITIZEN BECAUSE I WAS NOT A JEHOVAH WITNESS NOR FULL OR PART ASIAN, HAS BEEN PRESENTED. A COPY OF THE LETTER TO THE CHIEF MAGISTRATE IN LAUNCESTON OF 9/12/2005 AS A COMPLAINT ON THE CHAIRPERSON MR

BISHOP, COPY SENT BY POST TO THE ATTORNEY-GENERAL, AS I BELIEVE THIS WAS CONFLICT OF INTEREST, AND I WAS INFORMED BY MR S. BISHOP NOT TO POST ANYTHING DOWN SOUTH, IN RESPECT TO THIS TRIBUNAL AS I WAS STILL OBTAINING FOIS. I WAS ALSO INFORMED BY M/S C. MCCULLOUGH ON WANTING A COPY OF THE COURT TAPES, THAT I WAS NEVER TO RETURN TO THE ANTI-DISCRIMINATION AGAIN, AND WHAT DID I WANT THEM FOR, AND WAS REQUESTED TO PUT IT ALL IN WRITING , WHICH I DID, TO WHY AND WHAT FOR. I HAD TO REQUEST THE VICTIMS OF CRIMES OFFICER FOR ASSISTANCE IN THIS INSTANCE, WHICH I RECEIVED.

A CASE NOT TOO LONG AGO IN LAUNCESTON, JUSTICE CRAWFORD SENTENCE D A MOTHER OF 3 CHILDREN, ONE ONLY 1 YEAR OLD, TO SPEND 5 MONTHS IN PRISON FOR "PERVERTING THE COURSE OF JUSTICE", BY DRIVING ON HER SISTER'S LICENCE AND LYING TO POLICE ABOUT IT.

NAME: GAIL LESLEY ADAMS-FITTON

20 pages

SIGNED BY: G. Adams-Fitton

ADDRESS: 858 FRANKFORD HWY., GLENGARRY. 7275. TAS. AUSTRALIA.

DATE: 12 December 2005

WITNESS: [signature] no 4079

DATE: 12 December 2005.

Statement 6
Police 4-6-1978

44.b

MRS A. MCCAUGHEY.

1. A woman in 1984 was requested by my ex-husband not to walk across our property with her dogs.This was requested three times before it ceased.
We did not realise till then it Mrs McCaughey who had acquired the property at the rear of ours.

2. The next incidence with Mrs McCaughey was when she came over two boundary fences and was up and over the wooden fence surrounding the Boarding Kennel area. My two year old daughter was standing against the fence with one of my dogs, as I was mowing, two arms and a head appeared over this fence above my daughter. My dog held one of her arms, but my quick orders to this top trained tracking dog, her arm was released unharmed including the thick jumper she had on. Mrs McCaughey was screaming abuse, I had to calm my two year old down as she was screaming too. I then went to Mrs McCaughey and told her to leave the property or I would put her off. She left, untouched . I then went to my daughter and rang the Solicitor. A few days later Mrs McCaughey received a letter dated 21st. May, 1985.

3. Telecom had to lay a cable along the boundary fence next to Mr Ingram's property. Due to the wet conditions, even though they tried, this had to be delayed for a few months, so we agreed to allow a drain to be dug next to the boundary fence, then the cable next to it, as it would assist our water logged paddocks and the frequent beakdown of the cable at the corner due to always being waterlogged. We also errected another boundary fence. This cable was to Mrs McCaughey house,and we had no idea that Mrs McCaughey was pregnant. I was accused of trying to kill her baby and deliberately stopping the telephone from being connected.

4.For a number of years we had no livestock on our back paddock, used this for hay, that the policeman, Mr Shegog ,used to cut and rake, ready for baling but Mrs McCaughey horses and goat were always damaging the fence, till we got fed up ,so an agreement was reached to put up a new fence. This was done by Mr.M.Shepherd, half the back boundary fence as the other half connects to a Police Reserve, continnuing around to the Public Reserve Paddock behind the Glengarry Hall.

5. The horses at times were placed in the two above reserve paddocks. I had paid Mr M. Shepherd now and then to either replace a post or repair the fence, as Mrs McCaughey's horses were always pushing against it and damaging the fences.

6. I received a telephone call on one occassion from Mr McCaughey who told me "I was to do as I was told or he would put my f—in c—, down my f—in throat", I told him " little boys shouldn't speak like that your mother wouldn't like it'", and hung up. I called the police and they came down, also at that time, my miniature horses we continually being chased by Mrs McCaughey dog to the point that one of the miniature mares aborted the foal she was carrying. This ceased for awhile after the policeman left, but then the dog returned . I no nothing of firearms and have no intentions of learning. I do not blame animals.

7. One of Mrs McCaughey's horses a chesnut gelding, 15 to 16 hands was now and again, getting out from the Public Reserve paddock behind the Glengarry Hall, and on one occassion was on the Frankford Highway. With help from my oldest daughter we put him back and the shopkeeper knew about it, as he called me when it happened.

8. I had written earlier to the then Beaconsfield Council to enquire to the purchasing of the paddocks for peace sake. I received letters dated 28th November,1985, 3rd Febuary,1986 and the 29th August,1994, stating their position to the land and my rights and ownership to the boundary fence. Copies of these letters were amongst those sent to the Glengarry Hall Committee, on which according to Mrs McCaughey's letter of the 17th January, 1995, she was a member.

9. I was getting fed up with the damage to the fences and the upkeep so I started to erreet an electric fence around the property. The first was next to the Public Reserve, next moring it was cut. I rang the police and down came Mr Shegog. Mrs McCaughey had just prior received a letter from my Solicitor dated 13th January, 1995. Mr Shegog stated to myself in front of two witnesses, that " Mrs McCaughey said I stole her electric fence unit". I gave Mr Shegog to read, a copy of the above letter sent recently to Mrs McCaughey. After that he was shown the problem and that there had been no electric fence in the near 20 years I had lived there. When Mr Shegog returned, he told me that Mr A Garwood would see that an electric fence was erreeted by Mrs McCaughey, it never was.

10. My Solicitor received a letter dated 17th January 1995 from Mrs McCaughey , which I received a copy of approx. a month later. On consulting with my Solicitor he told me not to worry about it as it was a lot of rubbish I did, till events started to happen from that letter which was vicious, malicious and vindictive in which stated, "I was a dangerous woman and many people will confirm" My eldest daughter had been verbally abused by Mrs McCaughey as she was feeding out our miniature stallion, in the dark, late one night. We were feeding our horses late at night for peace sake, and making double sure they were alright, due to the years of abuse they suffoured by person or persons to this day unknown.

11. I requested my Solicitor to send that letter with other documentation to the Glengarry Hall Committee to help rectify the situation, he did , letter dated 2nd March,1995. Towards the end of last year 1997, a person hiring the hall, looking for some paper cups found the documentation in a plastic bag and read them, and notified myself.

12. A couple of days after repairing the electric fence that had been cut, I caught Mrs McCaughey using her electric tape to hook into my live electric fence, with a piece of wood I removed it. Next day while down the back paddock again and with defience Mrs McCaughey put the tape back onto my fence, while I was at a short distance away. I called the police and Mr Summerville who I had spoken to before and who had come down, rang me back at appro. 10,50p.m. that night to tell me" to ring the Hydro as it was their problem noting to do with Police," and it seems we can never seem to help you Mrs Adams".

13. Mr Summerville also stated to myself that Mrs McCaughey could use the Police Reserve paddock for her horses, which was not the issue. it was the fence and on which Mr and Mrs McCaughey put an electric fence on,so no repairs could be done, as it was dangerous I have my electric fence on my side, of my fence that I am responsible for and own according to Tasmanian Statues.

14. Through continuous complaints from one of my daughters, who was fed up for easy 2 years with one to two dogs , while waiting for the School Bus, as they were sniffing at the bags and would jump up on her , sometimes they were quite dirty. The Bus driver a couple of times had to throw them off the Bus. I wrote to Council letter dated 10th May,1995 their reply was dated 24th May,1995. These two dogs belonged to Mrs Caughey.

15. I was also accussed of writing and signing a letter on Mrs McCaughey's behalf to the local Council.

16. In mid December 1997, 3 sheep on Mr R. Ingram's property came through onto my property, were panting badly due to the heat, they appeared not to have been shawn for years and fly blown .I asked Mr Ingram about the sheep he told me "they are not mine". I rang the R S.P.C A. who a couple of days later informed myself they belonged to Mrs McCaughey.

17. About a month ago my daughter noticed late one afternoon the power line down on the ground in Mr Ingram's property, I rang the hydro as it was to the main transformer. The Hydro came out. Mr Ingram later on informed myself it was not his line but Mrs McCaughey's.

18. On the 5th May,1998 a Julie Walters called out to myself, as there was a horse out, and it was next to my miniature stallion. that was in the paddock next to the Glengarry Hall toilets. The horse, a mare, belonged to Mrs McCaughey and was badly hurt on one of the back legs. With the help of Julie Walters we managed to open the gate to the Public Reserve paddock roll up the orange electric tape, and then very quietly I put the horse back as Julie Walters was very freightened of horses. Mrs Curtis came along, and I informed her that the horse's leg needed urgent attention, I thanked Julie Walters and left.

19. I received a letter addressed to Gail Adams with a curt note inside dated 6th May,1995 , no name on it , thanking for helping with the horse, signed Anne McCaughey

20. On the 23rd May, 1998, Mrs McCaughey was putting up an electric fence in the Public Reserve paddock I went down to the corner of my property with a witness, to find a man tieing and using my corner fence post, a short distance away was a woman with MrsMcCaughey. The man . who I did not know, started hammering and standing on the fence wire to afix more parts of an electric fence on my boundary fence adjoining the Police Reserve paddock. I watched and said nothing, he just smiled and shook his head from side to side. The witness and myself walked away. I believe the electric fence on my boundary fence adjoining the Police Reserve paddock now is joined to the electric fence in the Public Reserve paddock. It is impossible for myself

to repair my boundary fence. It appears noone informed this man that he was respassing and damaging property beforehand

My family, myself and small Business sice 1984 have suffoured intimidation.stress, malicious verbal, vindictiveness, abuse, oppression of the true facts and the continuence of harrassment, this reiterated in Mrs McCaughey's letter 15th January, 1995 to my Solicitor.

G. L. Adams
538 Frankford Hwy
Glenaray. 7275

Chapter 3

THE BASIC SUBMISSIONS TO ANTI-DISCRIMINATION

Before any F.O.I. documents were obtained.

Introduction *1 March 2000*

Gail Adams appeal for review of rejection of Anti-Discrimination Claim

Madam Chairperson,

Claim History

Towards the end of August, 2000 Mrs Adams phoned ADC to be advised that investigation officer, Ms Crotty was now handling her claim. Mrs Adams felt quite unsettled by the crabby reception her enquiry received since she believed she had followed the preliminary instructions provided by ADC officers. She was advised she would receive an outcome in next few days.

On 1 September 2000 Ms A Crotty for (Dr) J Scutt recorded Anti-discrimination Commission decision rejecting Gail Adams 10 July 2000 claim for the following reasons:-

1: The complaint does not relate to discrimination or prohibited conduct: 64(1)(b).
2: The complaint does not set out details of the alleged discrimination or prohibited conduct: 62(1)(c)

Following receipt of the ADC rejection, and being considerably disappointed with it, Mrs Adams telephoned me seeking solace and advice. Although Mrs Adams was hesitant to do so - bearing in mind the rather unpleasant reception her previous phone inquiry to ADC, I urged her to phone and discuss the matter with Dr. Scutt, since the correspondence was signed on her behalf. Mrs Adams did that and appeared well satisfied with the reception, understanding and explanation afforded her. Following that telephone discussion, Dr Scutt wrote a lengthy briefing[1] as to how the complaint needs to be presented in order to proceed to investigation. Today we seek an opportunity to, in some instances :-

(a) amend her claim form[2] ,

(b) provide additional evidence,

(c) in others instances rationalise her assessment that, in part, sufficient evidence was available and could have been provided to verify that the claim does include discrimination and prohibited conduct, as distinguished in the Act.

Generally re Mrs Adams 10 July 2000 Claim as submitted

It is appreciated that the original material supplied was insufficient to adequately comprehend the magnitude and complexity as is required. Unfortunately when Mrs Adams made her initial inquiry after receipt of application form, the telephone instructions by a commission solicitor [when transferred by reception] lead to a misunderstanding that the 82 page sworn on oath affidavit *"would be enough"*. Mrs Adams attempted to explain her difficulty in recording events and was advised to

- relate *some* in the commission form, or as an attachment, and
- the mentioned affidavit would be a satisfactory covering document.

---

1 Dr J Scutt, 11 September 2000

2 which generally requires some revision to avoid misinterpretation by the claimant

Brief Outline

Mrs Adams believes there has been a deliberate and, at times, orchestrated campaign to ensure she is not successful in obtaining appropriate correction and redress for the transgressions, prejudice & significant, related aftermath she/they

(a) individually,
(b) as a family, and
(c) small business entity

have endured over such a prolonged period. It is her steadfast belief that because she has the courage of her convictions, and stamina to persist and insist, she has experienced a greater penalty.

Having assisted Mrs Adams index and collate her documents, to my mind :-

- there appears sufficient filed evidence to support her point of view that she has been discriminated against for the reasons I shall attempt to outline, and
- examination of events outlined in the documents confirm her recurrent claims of failure, at varying levels of safeguard - that her justifiable concerns, expressed over a lengthy period, have not received sufficient attention nor have they been appropriately investigated - as she believes clearly is her entitlement.
- The 11 year case history is now indexed for presentation and inspection thus assisting the reader to gain a complete overview.

Geraldine Allan
Delegate assisting Mrs Gail Adams

Further details relating to Anti-discrimination Appeal

by

Gail Adams

on the matter of

Beaconsfield Council

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Gail Adams Political Beliefs & Activity relating to Beaconsfield Council

Beaconsfield Council breached the *Anti-discrimination Act* 1998 on grounds of

S16. attributes:-

(m) political belief
1: Anti-development
2: Environmental soundness is paramount
3: Road safety is paramount
4: All citizens are equal & have equal rights
5: Animal Welfare

(n) political activity
(o) racial belief
as follows:-

(m) political belief -

1: Anti-development

briefly[1] this includes compliance with

a 1986 Beaconsfield Planning Scheme which specifies
(i) no new minor access road in rural zone [Frankford Highway] page 78 - S6.8.1
(ii) vehicular access to open speed limit roads Schedule 6
(iii) any new major access road in rural zone must be via existing Council's roads [Frankford Highway] page 78 - S6.8.1

2: Environmental soundness is paramount

a including prevention of
(i) noise pollution - proposed development being @ top of very steep hill which geographically promotes carriage of sound, in this instance barking dogs

(ii) polluted seepage into Tunks creek which runs into the Supply River. Many objectors including myself held the belief that the Council had a responsibility to ensure any development in the community could only occur where people feel safe and are safe in all aspects of their life

---

1 comprehensive details indexed Gail Adams file 1: Beaconsfield Council-
i) items 9, 10 & 11 - [Don Jones]; ii) Cohen [qualified planner & surveyor] submission 34(b)

Attachment 1

Beaconsfield Council

Gail Adams supplementary commentary
(m) Political Beliefs & (n)Political Activity

1: Anti-development

Council has discriminated against Gail Adams in a number of ways because of her anti-development beliefs (no additional entrances onto the Frankford Highway)
briefly

(i) the Council is failing to address rationally Gail Adams complaints about special treatment for some developers.

(ii) the Council has failed to provide timely factual information to Gail Adams about development progress.

(iii) the Council has failed to provide factual information to those attempting to assist Gail Adams for example Ministers and the Ombudsman.

(iv) Council has allowed signage to remain beside the Glengarry Highway when this is prohibited by its own development conditions whereas Gail Adams' similar signage was removed.

(v) Council has allowed additional access roads to proliferate on the Glengarry Highway despite its own planning scheme and refuses to close off these roads despite advocating the closure of other roads in the area which do not comply with development conditions.

Nexus

Beaconsfield Council was at the time facing amalgamation with another council and was seeking every development it could possibly obtain in order to justify its existence. It favoured establishing new businesses over maintaining already existing businesses.

There are an unusual number of kennel developments in the Beaconsfield/West Tamar area - four altogether. Animal based activities are a major source of development in the area which is a dormitory suburb of Launceston.

Councillors were themselves personally involved in development activities. (See Examiner article 5/2/91 - GA File 1:24.3)

Attachment 1;
Beaconsfield council
Gail Adams

Pattern of Behaviour showing that the Beaconsfield Council is pro-development at the expense of existing businesses

a) Council failed to ensure that a qualified DMRT engineer was on site at the construction of a new access road for the developer.

b) Council Planning Officer Mike Sluce gave incorrect information to the Assistant Ombudsman Vickery relating to the Council's advertisement for the kennels development; placement of notices for the development and the position of the notice.

c) Council Planning Officer Mike Sluce gave incorrect information to the Assistant Ombudsman Vickery relating to the developer's application for a kennels licence.

d) Council failed to object to the Planning Appeals Board Tribunal (PABT) decision which contradicted the previous conditions attached by Council to the kennels development which prohibited access via the existing ROW.

e) West Beaconsfield Council Mayor Easther prevented questions from the public at Public Question time by acting in a bullying, intimidating manner.

f) Council did not show maps or plans of the kennels development to objectors despite being asked on many occasions. Whereas Gail Adams architect drawn kennel development plans were shown by the Council to opposing business interests who were preparing kennel development applications.

g) Ratepayers were told incorrectly at public question time by Cr Gracie Reid that the applicant for the kennel licence had purchased the kennel licence and that she had "outlaid a lot of money".

b compliance with 1986 Beaconsfield Planning Scheme, Agricultural guidelines, Dept. of Environment recommendations relating to animal burials should be at least 500m from an habitable building[2]

c description accuracy in geographical[3] reports relating to proposed developments

d adequate water supply[4] consideration for development approval

3: Road safety is paramount

a which includes compliance with

(i) DMR recommendations re only safe place for new access off Frankford Highway was as specified in report and map as per G Adams documents listed

(ii) laws for billboards and Beaconsfield Planning Scheme relating to placement of A frame signage on road verge.

b Communities share responsibility for road safety.
As for 2 above, many objectors including myself held the belief that the Council had a responsibility to ensure any development in the community could only occur where people feel safe and are safe in all aspects of their life.

4: All citizens are equal & have equal rights

a all citizens have equal right and access to boards or tribunals of review

b tribunals of review must act independently, impartially, competently and in accordance with their function as established by law

c tribunals must strictly adhere to statutory responsibilities as enacted[5]

d tribunals of review must ensure compliance with their decisions

e all ratepayers have an equal right to accurate to accurate information from local government employees.

f local government is obliged to respect the right of ratepayers to protect their amenity.

---

2 Gail Adams file 1: Beaconsfield Council - Cohen submission 34(b)

3 eg fall of land, soil type, depths in respect to burials, drainage

4 see 5 Animal Welfare

5 including time limitations for appeal as G Adams specifically complained about relating to the 14 day time for objection to Planning Appeal Board

4: All citizens are equal & have equal rights

Council has discriminated against Gail Adams in a number of ways because of her belief that all citizens have equal rights (democracy) *briefly*

(i) Council officer Mike Sluce failed to notify Gail Adams that a new access road was to be constructed for the developer when it would have been quite possible for him to do so. It can be inferred that he did this because Gail Adams would have lobbied ministers about the matter.

(ii) Council failed to object in the PABT to the developer applying to effectively change the Council approval conditions for the kennel development whereas Gail Adams was not allowed any extension of time in which to appeal.

(iii) Council did not allow objectors to view the solicitor's advice on which Council relied in granting the kennels application whereas it appears they referred this advice to various ministers who then relied on it in order to refuse to listen to Gail Adams arguments.

(iv) The Council advertised the development as lot 6 Frankford Highway Glengarry. This led to objectors and Gail Adams not having the correct information before them. Lot 6 did not come into existence until July 1990. Lot 6 showed an existing right of way whereas the proper description of the property "lot 2" did not show the Right of Way existing. This confusion of lot numbers misled Gail Adams and the objectors.

(v) The Council has allowed the provisions of the Beaconsfield Planning Scheme to be overcome by the allowing of additional accesses to the Frankford Highway and by allowing advertising signage to exist along the road whereas Gail Adams has been specifically forbidden from doing these things.

(vi) Council has allowed Glenmore Estate more economic and social advantages by allowing the illegal ROW and the advertising signs to continue whereas they have recently sought to close off the entrance to a major tourist attraction on the West Tamar Highway to enforce the Planning Scheme. (See Annexure 1: Examiner Fri 27th April 2001.)

5: Animal Welfare

a) Council has discriminated against Gail Adams in a number of ways because of her belief in animal welfare.
briefly

(i) Council failed to limit the number of dogs for the boarding kennels whereas Gail Adams and all other kennel owners have to stick to set limits.

(ii) Council failed to answer questions to objectors at public question time on the amount of dogs allowed on premises for development whereas all other applications have to advertise the number of dogs.

(iii) Council failed to ascertain whether the land was suitable for a kennels development and for the keeping of animals because they approved the kennels development before issuing the licence for the development contrary to usual practice.

(iv) Council approved a development application for the kennels development on legal advice from the council solicitors that they might be sued by the developer rather than make the decision on the merits of the application as far as animal welfare was concerned.

Further details relating to Anti-discrimination Appeal

by

Gail Adams

on the matter of

Tasmania Police & Police Minister

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Gail Adams

further details relating to Anti-discrimination claims (1) Tasmania Police (2) Minister for Police

Over a period of time[1] from September 1994 and in 2001 Tasmania Police and subsequently the Minister breached the *Anti-discrimination Act* 1998 on the grounds of

S16. attributes:-

(e) gender
(m) political belief
(n) political activity
as follows:-

(e) gender

1:

a Inspector Woolley attitude
b Unknown officer badge no 1550
c Sgt King attitude
d Chief Inspector G Lewis attitude
e (?Sgt.) Somerville Hantle
f Acting Inspector[George Town] + other officer
g Detective N McLarty

briefly

a Inspector Woolley comments to Gail Adams 1994
(i) "*all your problems are you do not have a man around*" also
(ii) questioning why was Mr Adams at the property two days a week?

b Officer[2] badge no 1550 spoke to Gail Adams 4 June 1998 in a very bullying & aggressive manner [witness present] when I was attempting to have charges laid against Ministers Groom & Cleary. I felt that if I had been a male, the officer would have treated me more respectfully.

c Sgt.King April 2000 attitude to Gail Adams in a bullying and very unfriendly[3] manner [witness present @ counter]

d Chief Inspector G Lewis of RSPCA. January 2001 arrived un-announced[4] (with gun on hip) at Gail Adams property with Inspector Paul Wyld, RSPCA. Lewis displayed domineering attitude, Wyld quiet in background. When leaving Lewis threw arms in air & yelled "you are not worth it - you are not worth it"

e (?Title)Somerville [formerly Exeter Police] sometimes in presence of another officer, sometimes alone - belittling and domineering which G Adams felt was b/c she was alone & female

---

1 dates listed specifically in Gail Adams documents
2 name unknown
3 quite contrary to the "adopt a cop" sign displayed prominently
4 Police instructed GA to ring Lewis further to complaint. That happened. G Adams specifically requested that he phone b4 coming

f George Town Police Acting Inspector (name unknown Hostle) accompanied by other police officer who attended 1998 by appointment to Gail Adams residence 1998 dismissive of serious complaints which I felt was b/c I was alone & female and not worth investigative effort. Response [repeated twice] to all 4/06/98 GA written statements about problems being encountered to L'ton Police Headquarters was "all neighbourly and you cannot make people like you" & on leaving 2nd officer stated "that's the way people are".

g During June 2000 Detective N McLarty passed over me [who was making the complaint] and directed most of his comments to my witness, Mr Errol Rossiter. I believe, had I also been male, I would have been one of the boys therefore my complaint would have received a more serious approach.

(m) - political belief -

1: All citizens are equal & have equal rights
2: Justice must both be done and be seen to be done
3: Natural Justice is paramount
4: All Police Officers are officers under *Animal Welfare Act* 1993
5: Animal experimentation, research, testing must be prohibited
6: Public Interest litigation
7: Road safety is paramount

1: All citizens are equal & have equal rights

briefly this includes

a to this end all citizens have equal right and access to unbiased and uncompromised
(a) police protection
(b) benefit of the law without discrimination

b Police must act independently, impartially and competently and in accordance with their function as established by law

c Police must ensure their eventual decisions do not disadvantage vulnerable citizens.

d Police must ensure a citizen is not obstructed in correction of a wrong by their failure to gather and record all relevant facts. They are, at all times to act with impartiality.

e Police are not the judiciary

2: Justice must both be done and be seen to be done

briefly this is interpreted as

a Citizens are entitled to a reasonable degree of satisfaction that a valid complaint to police about a crime receives proper investigation.

b Public confidence in ethical Police investigations is fundamental to the perception "justice is seen to be done"

3: Natural Justice is paramount

briefly this is interpreted as

a every adjudication including police decisions must be free from bias

b a person must be given every opportunity to present his/her case for consideration

c Police have a fundamental responsibility to afford all citizens, including Gail Adams, natural justice. This duty incorporates unbiased examination of Gail Adams evidence relating to criminal activities.

4: All Police Officers are officers under the *Animal Welfare Act* 1993

briefly this incorporates

a Police have a duty of care to ensure compliance with that Act

b Police have a duty of care to ensure objects of the Act - animals receive proper care & management and are free from cruelty and neglect

5: Animal experimentation, research, testing must be prohibited

briefly this incorporates

a Police have a duty to exhaustively investigate any complaint of animal
(i) experimentation
(ii) testing,
(iii) vivisection

6: Public Interest litigation

briefly this refers to

a Police have a duty to prosecute any crime against the *Animal Welfare Act* 1993 - not to impose that responsibility on the citizen taking private civil action as happened to Gail Adams

7: Road safety is paramount

a Communities share responsibility for road safety.

b I believed that I had a responsibility to insist that any development in the community could only occur where people feel safe and are safe in all aspects of their life. I complained to the Police about the unsafe construction/position of access road

(n) political activity - relating to beliefs 1 - 7

1: All citizens are equal & have equal rights
2: Justice must both be done and be seen to be done
3: Natural Justice is paramount
4: All Police Officers are officers under the Animal Welfare Act 1993
5: Animal experimentation, research, testing must be prohibited
6: Public Interest litigation
7: Road safety is paramount

briefly this involved

- affidavits & statutory declarations
- taking of photographs & video as instructed
- vigorously voicing beliefs to many authorities
- voluminous letter writing
  (a) to ministers (b) to media (c) the HM the Queen ,(d) the Governor
- vigorously voicing beliefs to many authorities
- extensive Freedom of Information searches including DPP files
- obtaining Magistrate court tape
- Complaint to Ombudsman[5]
- lobbying
  (a) politicians
  (b) office of Ombudsman
  (c) complaint hand-up and attendance @ Government community forum

in the area of activity S22. (1)

(c) provision of goods and services by failing in their particular duty of care to

1: administer the laws of Tasmania

2: properly investigate Gail Adams allegation of the crime of fraud

3: properly inform the Minister for Police of Gail Adams allegation of the crime of fraud

4: hand up to the public prosecutor for consideration Gail Adams statement, video and photos that Det McClarty had requested her to produce and provide to facilitate a proper and complete inquiry relating to her allegations.

5: ensure, as Animal Welfare Officers, under the Animal Welfare Act, the incare of two greyhounds

6: provide Mrs Adams appropriate assistance to lodge her complaints as would be expected by an 'ordinary' member of the public

5 rejected initially - Gal Adams to appeal ruling

7 Mrs Gail Adams holds a belief, shared by other citizens, that it was her right to the service of Tasmania Police insofar as she

- be provided with full assistance and protection by Tasmania Police
- be informed of matters relevant to any development relating to the subject of her allegation

Linkage between attribute [political belief 1-7] and discrimination in area of activity

1: All citizens are equal & have equal rights

(a) whereas A Reid[6] received more favourable treatment from Police by their reluctance to charge him - see attachment 1 for detailed synopsis

(b) whereas Police apathy towards Gail Adams' complaints, I continued to be disadvantaged in the community by offensive neighbourhood activities including harassment, trespassing, intimidation and damage to my animals - refer to details in draft synopsis 'The Right of Way Row' delivered to Magistrate Wood at 2nd hearing

2: Justice must both be done and be seen to be done

(a) whereas A Reid received more favourable treatment from Police by their failure to handup Gail Adams statement, video & photos to DPP - see attachment 1 for detailed synopsis

(b) whereas Police failed to take remedial action for Gail Adams & daughters, following my June 1998 statements left at Launceston Police Headquarters

(c) whereas Police Minister failed to accept Gail Adams solicitor's complaint about Police inaction & Council mal-administration

(d) Because the threats, intimidation & harassment by members of the Jehovah Witness sect continued after Gail Adams complaint it appeared Woolley did not properly investigated my complaints in my September 1994 statement

(e) Because the cutting & tapping into electric fence, damage to boundary fence, harming of GA horses, horses on public & police reserve damaging Gail Adams boundary fences, and stalking continued after Gail Adams complaint it appeared Exeter Police |Somerville| did not properly investigate and take appropriate remedial action to my complaints. Because these matters were not addressed some persons in the community have an adverse opinion of Gail Adams.

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6 re Greyhound matter - refer Gail Adams index file 4

3: Natural Justice is paramount

(a) whereas Mr Ray Groom MHA received more favourable treatment than was afforded Gail Adams.

It appears that without investigation, in 1994 Inspector Woolley stated to Gail Adams that Ray Groom did not deny her[7] natural justice

Denial of natural justice

Gail Adams interests in ensuring

- her business was not adversely affected by misinterpretation of law
- her reputation, coupled with damage to her business and family was clearly sufficient interest to give her action standing for inquiry

Gail Adams is entitled to procedural fairness -the application of the no bias rule.There is room for the inference or reasonable suspicion that all Police proceedings have not been free of bias. That is detrimental to Mrs Adams.

4: All Police Officers are officers under *Animal Welfare Act* 1993

(a) whereas as officers of animal welfare in their bias and favourable treatment towards Mr A Reid & by failure to

- immediately charge Mr Reid[8]
- ensure all remaining greyhounds were from premises and returned to owners thereby ensuring greyhounds (& indirectly Mrs Adams) were not at risk as happened

(b) whereas as officers of animal welfare acted with undue care in writing up the charges

(i) they were duplicitous;
(ii) no specific number of dogs [43+] substituted for 'many'.

This most probably resulted in his Worship's order that there be no conviction recorded against the defendant[9] on specific undertakings. The defendant Arthur Reid to Gail Adams on more than one occasion "no one will touch me"

---

7 as per her letter of complaint to Superintendent of Police

8 not wait until last hour-11/05/00 at Mrs Adams vigorous and exhaustive insistence b4 charging Reid

9 FoI revealed detailed comment- DPP 8/12/00 letter to Mr Wyld RSPCA

5: Animal experimentation, research, testing must be prohibited

Detective McLarty requested Gail Adams to take photos & video of the 2 greyhound dogs in her care. These were to indicate injuries and visual evidence of GA allegations of signs of experimentation.
G Adams FoI of DPP file [post-trial] revealed that her statement video & photos were not included in the DPP brief.

6: Public Interest litigation

During Gail Adams many & vigorous attempts to have Police investigate her allegations of fraud & other criminal activity re Mr Reid/greyhounds, the Police were constantly unenthusiastic towards her approaches whereas they repeatedly suggested to Gail Adams that she institute civil action against Mr Arthur Reid

This is a biased imposition.The necessity to undertake private legal advice for inquiry into matters under the jurisdiction of Minister for Police is not imposed on others who validly seek Police intervention and services.

7: Road safety is paramount

Whereas it appears the Police failed to

(a) investigate Gail Adams complaint
(b) take appropriate remedial action towards a business operator
    (i) constructing and access road contrary to the planning appeal board tribunal's decision
    (ii) using an illegal access road constructed
        - in a dangerous position
        - contrary to 1986 Planning Scheme conditions.

More specific details in Right Of Way Row draft brief.

The result for Mrs Gail Adams - defective Police investigations and processes have, over an avoidable prolonged period, had the following consequences:-

Mrs Adams belief is that she has unfairly suffered and still does by

- further need for campaigning/letter writing & other activities
- her image and reputation are subject to challenge and unnecessary ridicule

Mrs Adams is entitled to protect her interests by ensuring:-

- her business is not adversely affected by misinterpretation and breaking of law
- protection of her reputation, coupled with damage to her business and family was clearly sufficient interest to give her action standing for proper inquiry
- her financial status is not worsened by unnecessary legal expenses incurred through the denial of access to the service of Police

additional harm and disadvantage

- inference - credibility questioned
- associated mental and emotional stress
- associated economic loss because housing 2 greyhound dogs
- substantial impairment of fundamental rights through the acts and omissions
- personal loss of enjoyment of life
- family loss of enjoyment of life

Summary

The discrimination by Tasmania Police has caused the following detriment to Gail Adams

- by Police non-action - endorsement is therefore to be assumed for the litany of criminal and other inappropriate activities as Gail Adams has often listed and repeated. Including:-

  (a) the lack of police assistance afforded GA when attempting to expose criminal activity; in fact the reverse - behaviour to imply that it was Gail Adams activities that were inappropriate

  (b) failure of prescribed public authorities at times to act within the constraint of the law of Tasmania

  (c) inference that improper bullying attitudes are acceptable

By the specified Police discrimination, Mrs Adams has -

(i) continued to incur additional costs

(ii) continued to incur further time loss and distraction from her business enterprises

(iii) been, and her business is unfairly disadvantaged by the Police's failure to accept and take remedial action towards valid complaints

(iv) and is, along with other citizens, constantly at risk when travelling on the unsafe highway
  (a) b/c sign has not been removed
  (b) b/c of the unsafe nature of the position of the access to main highway

(v) been denied her basic rights as a citizen of the State of Tasmania which is promoted as a democracy - i.e. denied appropriate service of Tasmania Police which is available to other citizens who have less complex problems and are not engaged in complicated issues.

(vi) been denied enjoyment of life for herself and family over 10 years

Attachment 1
Explanatory brief : Greyhound Case
Gail Adams

1. Tasmania Police and Chief Inspector Lewis of the RSPCA, an agent of Tasmania Police discriminated against Gail Adams on grounds of political belief, political activity and gender by refusing to deal with the greyhounds which Arthur Reid left in her care. Tasmania Police and Inspector Lewis could at all times have impounded the greyhounds as evidence of cruelty to animals but failed to do so. Gail Adams provided evidence of cruelty and mistreatment by means of a video to Tasmania Police, at their request.

a) Inspector Lewis put down 8 dogs for Arthur Reid at a cost of $90.00 to the RSPCA when these dogs were not sick and where the only reason for putting the dogs down was "B/C they belonged to Reid & couldn't look after them". (See annexure A)

RSPCA also looked after 8 dogs at a cost exceeding $1,000 for Arthur Reid.

whereas Gail Adams was forced to look after two of the dogs[1] involved for many months at her own expense because Tasmania Police, Inspector Lewis and the DPIWE failed to act and ensure that Arthur Reid return the remaining dogs to their mainland owners as instructed.

b) Inspector Lewis, Tasmania Police and the DPP all failed to ever establish how many dogs there were at the Boland St property and failed to ensure that all dogs were returned to their mainland owners. The responsibility of Inspector Lewis, Tasmania Police, DPIWE and the DPP to deal with the remaining dogs appears to be obvious if it is considered that Reid's lack of financial resources was apparent at all times to these agencies:

i) Inspector Lewis had eight of Reid's dogs put down because he (Reid) could not afford to keep them.
ii) The DPP's own notes show that they realised Reid's impecunious situation. (See annexure B)

Gail Adams complaints about the dogs being left with her by Mr Reid should have resulted in RSPCA/Tasmania Police/ DPIWE action to take the dogs into custody as evidence against Arthur Reid in a further case as Arthur Reid was instructed by the RSPCA to clean up the pens and to return the remaining dogs to their owners.

It should have been foreseeable to the agencies involved that Mr Reid would have trouble returning the 30 remaining dogs to their mainland owners. This behaviour on the part of all these agencies could only be explained by the fact that they thought that Mrs Adams had few resources and little power in the situation because of her marital status and because she was a woman. The way that Inspector Lewis dealt, in a blokey way, with Albert Reid's problem of too many dogs is in direct contrast to the way Mrs Adams' problem was dealt with.

---

1 when RSPCA have a L'ton boarding kennel business @ Remount Road - refer yellow pages

29.4.2001 GREYHOUND MATTER, very briefly.
Two registered Victorian Greyhounds in-care at Elspedito Enterprises at Glengarry, Manager Gail Adams. The two dogs verified by Vic. Greygound Reg. 3years old April, 2001.

Tasmania Police and Chief Inspector Lewis of the R.S.P.C.A., discriminated against Gail Adams on grounds of Political Belief, Political Activity and Gender by refusing to deal with the two greyhounds which Arthur Reid left in her care. Tasmania Police and Chief Inspector Lewis could at all times have impounded the greyhounds as evidence of cruelty to animals but failed to do so. Gail Adams provided evidence of cruelty and mistreatment by means of photo's and video to Tasmania Police at their request, and had prior supplied evidence , complaint and statement of Fraud to Tamania Police and Melbourne Police Fraud Squad.

Inspector Lewis, Tasmania Police and DPP all failed to even establish how many dogs there were at the Boland St. property and failed to ensure that all dogs were returned to their mainland owners. The responsibility of Inspector Lewis, Tasmania Police, D.P.I.W.E. and the DPP to deal with the remaining dogs appears to be obvious if it is considered that Reid's lack of finacial resources was apparent at all times to these agencies. Dpp's own notes show that they realised Reid's impecunious situation.

Gail Adams complaints about the dogs being left with her by Mr Reid should have resulted in R.S.P.C.A./ Tamania Police/ D.P.I.W.E. action to take the dogs into custody as evidence against Arthur Reid in a further case as Arthur Reid was instructed to clean up the pens and to return the remaining dogs to their owners.

The DPP did not reply to Gail Adams concerns about being left with the two greyhounds on 11th May,2000 whereas they phoned a Mr Puccinilli, a relative of Arthur Reid back on the same day and sought further information. This could only be because they saw Mrs Adams as an interfering, annoying woman who was making trouble for them.
Gail Adams statement, photo's , video was not handed -up by Tasmania Police to DPP, as stated it would be by Minister D. Llewellyn.

ANTI-DISCRIMINATION TRIBUNAL
TASMANIA

31st January 2005

Ms Gail Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Adams-Fitton

Re: APPLICATION FOR REVIEW UNDER THE ANTI-DISCRIMINATION ACT 1998
Gail ADAMS-FITTON -v- Dept of Police & Public Safety - Tasmania Police; Minister for Police, Beaconsfield Council; Ombudsman
Gail ADAMS-FITTON –v- Director of Public Prosecutions

I refer to your letter dated 11th January, 2005.

Your letter has been put to the Tribunal member who has carriage of your matters and you will receive a response in due course.

Yours sincerely

Colleen McCullagh
Office of the Anti-Discrimination Tribunal

Anti-Discrimination Tribunal
23 - 25 Liverpool Street, Hobart Tas 7001
Telephone: (03) 6233 3620 or (03) 6233 8372 Facsimile: (03) 6233 5355

Chapter 4.

Advertisements and Articles

~~Printed~~ In Newspaper over years supplied to Government and Anti-Discrimination.

99

SYDNEY MORNING HERALD.

SMH, Wednesday, July 21, 199

ATTENTION GOVERNOR GENERAL OF AUSTRALIA

My complaint, regarding breaking of Commonwealth Constitution, concealments was sent to you. I received back a letter of false allegations and contrary to the documents and letters supplied. Same complaints were sent to the Queen in Buckingham Palace, received back anonymous note contradicting the documents and letters sent.

Mrs Gail Adams — Elspedito, Frankford Highway, Glengarry. Tas. 7275

TO THE PREMIER AND CABINET

OF TASMANIA

A written complaint plus supplied documents, concerning BREACHES of Commonwealth Constitution, discrimination, L.G.A., Tasmanian Laws and loss of my democratic rights.
Will my complaint be resolved?
Media reporters please note.
Mrs Gail Adams, Elspedito, Frankford Hwy, Glengarry, 7275.

MERCURY 7/4/1993

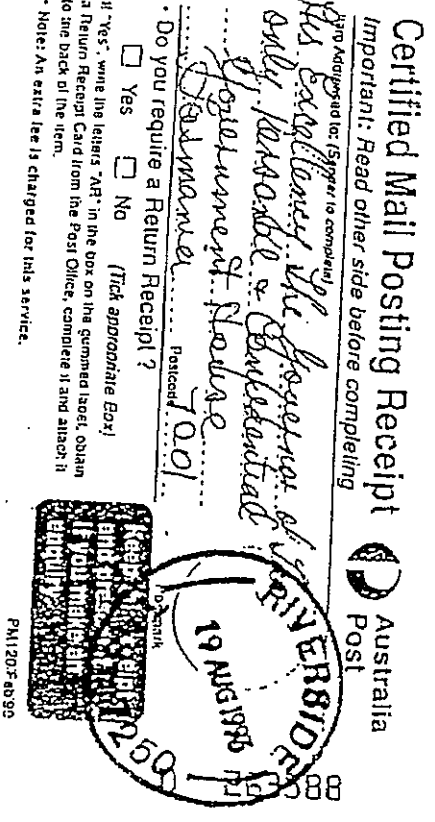
Whistleblowing a Tassie speciality?

Perhaps it's because Launceston bank executive Alwyn Johnson was the first genuine whistleblower, but the new, and bizarrely-named Senate Committee on Public Interest Whistleblowing, is positively dominated by Apple Islanders. Chairwoman is Tasmanian Liberal Senator Jocelyn Newman, which is no surprise since she instigated its formation.

But with her are fellow-Tasmanians Paul Calvert (Liberal) and Shayne Murphy (Labor). Only two mainlanders won a guernsey — WA Green Christabel Chamarette and another Sandgroper, Michael Behan (Labor).

SUNDAY EXAMINER NEWSPAPER. 24/10/1993.

109



TTENTION to the Tasmanian Government and State Ombudsman. The denial of my children and myself of our judicial rights under the Bill of Rights 1688, Discrimination under the constitution of the Commonwealth of Australia,. No. 117 and denial of our natural justice. We have been mistreated and misrepresented. Ample documents of evidence have been supplied. Gail Adams, Frankford Highway. Glengarry 7275.

THE MERCURY

ATTORNEY GENERAL OF TASMANIA

On TV news 11th April 1994, you stated "some countries with United Nations do not even have basic democratic rights." Why then, have my two daughters, myself and other Tasmanians been denied human rights, equal opportunities and subjected to discrimination by the Tasmanian Government? Is not this illegal under the Constitution of the Commonwealth of Australia no 117, and no 1187

Mrs Gail Adams, Frankford Hwy, Glengarry 7275.

Wednesday, April 13, 1994

2 — THE EXAMINER, Saturday, January 21, 1995

26 — THE EXAMINER, Thursday, June 22, 1995

Attention: Prime Minister

Mr Paul Keating

If Mrs C. Lawrence can have her bills paid fighting for her rights, under the Bill of Rights 1688, re: The Senate on TV, June 21, 1995. Why cannot my children and myself not only have our rights back but costs paid also under the Bill of Rights 1668? You have had our matter presented twice to you.

Gail Adams, Frankford Highway, Glengarry.

EXAMINER 17-2-1996.

Public Notices

TO PREMIER OF TASMANIA

Despite my sending a number of letters to you by Certified Mail, which provided evidence of denial of natural justice, my rights under the Australian Constitution, you have chosen to take no action, as shown by your letter dated 13th May, 1993. This has resulted in personal victimised and material disadvantage to myself. As the nominal head of the Liberal Party and State of Tasmania, I find this deplorable. It appears you acted as judge and jury without my presence.

EXAMINER. 21-7-1994

Subdivision

As a concerned ratepayer in the West Tamar Council Municipality I think that there should be an official inquiry into whether the facts of the letter about a West Tamar subdivision (July 12) from Richard Pearn are correct. If so, why would the rest of the councillors disregard professional reports, advising of the unsuitability of the subdivision on ex-councillor John Oldenhof's property.

Are they, as stated, placing ratepayers in danger of "future litigation." Not to mention the builders who may unwittingly be contracted to build houses on a land slip fault. — M.G.S., Exeter.

Phone bug claim denial

But oyster farmer is not convinced

By MATTHEW ROGERS

Government involvement in a spy ring that allegedly bugs telephones to discredit people was denied in State Parliament yesterday.

The denial came as it was revealed that the home phone of a Tasmanian oyster farmer — who has been engaged in a four-year legal battle with the Government — had been bugged for almost as long as the dispute.

Telstra removed a bug from Kevin Franklin's Richmond home on Thursday and he has hired a private investigator who has given Federal Police the names of two Tasmanian people who could be responsible.

Mr Franklin said that the pair were known to Federal Police and were employed all around Australia to "bug phones, discredit people and so on".

Mr Franklin has been locked in a compensation battle with the State Government after an oyster-killing parasite prevented his East Coast operation from fulfilling export contracts about four years ago.

Labor questioned Fisheries Minister Robin Gray on the matter in Parliament yesterday. Mr Gray said: "No agent of this Government would be involved in such activity."

Mr Gray

But when asked whether Mr Gray's statement lent weight to what the private investigator had found, Mr Franklin said: "No, it doesn't."

Mr Franklin said he was amazed that Mr Gray had failed to answer in Parliament yesterday direct questions such as was any government employee or agent instructed to bug the house and who ordered it.

"I was quite amazed at Robin Gray's performance this morning, I don't think he answered most of the questions at all," he said.

"I'm keeping a very open mind on who may be behind it."

Police protest over search powers

By ELLEN WHINNETT

The Police Association yesterday attacked the State Government for not giving police the power to search for evidence of the commission of a crime.

The association's executive, meeting in Launceston, criticised the Government for not passing legislation to give the powers to police.

Police Association secretary Des LeFevre said that police were unable to obtain warrants to search for evidence for commission of crimes.

"The need for such powers has been acknowledged to exist since mid-1989 and the Police Association since that time has made numerous approaches to obtain the required amendments," Mr LeFevre said.

"Despite regular reassurances that the necessary processes are in train, no legislation has emerged."

Mr LeFevre said that police were becoming "totally disillusioned" that they had to continually engage in major investigations with one hand tied behind their backs.

"The facility being sought would allow police to apply to a magistrate for a search warrant," he said.

EXAMINER 3-2-1996

Public Notices

AN OPEN LETTER

LEGAL PROFESSION IN CRISIS

Yesterday I lodged two (2) Writs with the Supreme Court of Hobart against two (2) Hobart solicitors. I felt that I had to take this action as I believe that an alarming number of solicitors do not, or choose not to understand the meaning of word 'confidentiality'. I believe that they have divulged personal information of a very sensitive nature and also assisted strangers in an attempt to undermine my interests. I will attempt to recover substantial damages no less than ½ million dollars and will be making a complaint to the necessary authorities for what I would term gross professional misconduct. Should it come to my attention that any other officers of the Court or any other persons continue to engage in this behaviour then further Writs will be lodged. This is not an isolated incident.

Signed: Mr. Rodney K Richards, Entrepreneur.

NO RESPONSE

TO GOVERNOR OF TASMANIA My petition, July/Aug 1993, to yourself, concerning breaches of the constitution, Tasmanian statutes, discrimination, concealment of true facts etc. Why Dept of Roads over-ruled a Planning Board decision and gave an additional access off a main road, a privilege denied others. Why has this aberrance been maintained and my judicial rights denied? It appears I have been misrepresented, mistreated and misunderstood. Mrs Gail Adams, Elspedito, Frankford Highway, Glengarry 7275, Tas.

MERCURY NEWSPAPER.

Wednesday, October 13, 1993

MERCURY NEWSPAPER.

November 20, 1993

PUBLIC NOTICES

TO THE GOVERNOR OF TASMANIA

In ref to my ad in this newspaper, 13/11/93, to yourself, your Minister wrote to me, evading the issues and remaining silent on the critical matters. Has the Constitution been abandoned, or is justice only relative to who is in charge? Mrs Gail Adams, Frankford Hwy, Glengarry.

EXAMINER NEWSPAPER. 14/8/93.

Pets Wanted and For Sale

ELSPEDITO

Whoever over the last 2 years has been making bad phone calls to my children and myself, harmed my min. horses, slated my business, just to mention a few things, CEASE. My complaint regarding the breaking of the Commonwealth constitution, the Local Govt. Act, Tasmanian laws, concealment, contradictions, is now with the Governor of Tasmania. I thank sincerely my clients for supporting my business. Gail Adams, Glengarry.

December 1, 1993

THE MERCURY

PUBLIC NOTICES

THE GOVERNOR of Tasmania. Third advert. Involvements, and concealments of evidence by: Local Govt and Ministers, breaking of the Constitution and denial of justice, continuing over 2 years. (Exeter Tip same local authority?) My petition ignored by your office and Ministers. When does the law prevail and justice begin? Why cannot this problem be rectified?

Gail Adams, Glengarry. (003) 96 1145.

No RESPONSE

EXAMINER NEWSPAPER. P.86

Saturday, June 14, 2003

Public Notices

GOVERNOR, EXECUTIVE OF TAS., JUSTICE DEPT, SOLICITOR-GENERAL, OMBUDSMAN, POLICE MINISTER:
My ads in this newspaper 7/4/1993, 14/8/1993, 13/10/1993, 21/1/1995, 1/8/1998, 1/3/2000, further validated by F.O.I. documents, to illegal Acts of Law, repercussions eg collusion, deceit, terrorism and bias since 1990 to my family, animals, business and myself. Why denial of truth and Justice of illegal process while legal instructions were being followed? Why no Senate inquiry to the above, given also Federal involvement, denial of UN Human Rights laws, an Affidavit, Queen's letter '97, all in regards to a legal citizen? Elspedito Ent., Gail Adams.

Paper: Examiner, date: 1/3/00 page: 36 file: Governor / Prem / A/General

Senator J. Newman 15/3/2000
left at Launceston Office, personally.
3 pages.

Public Notices

(1) (2) (3) **GOVERNOR, PREMIER, ATTORNEY-GENERAL OF TASMANIA**

Supplied to you, ignored an 82 page sworn on oath, Affidavit, a Public Document, dated 14th January 1999, a letter from Buckingham Palace on behalf of the Queen October 1997, a letter from the State Ombudsman dated 23rd July, 1999, on this 10 year saga. I received a letter dated 13th December, 1999 from the Chairman Q.C. of the Planning Appeal Tribunal in relation to the above, as he chared the Appeal of 1991, followed by an Appeal 1992, both Appeals instigated by a person who was not the title owner of the land for the proposed development, nor supplied any evidence for permission, which involved a new and extra access road, denied to many Tasmanians, Mental Health and myself for development. The Appeals overruled by a never seen "Solicitors Advice" The injustices, degredation, discrimation, stalking chain of evens that occurred to my family, our animals, small business and myself, with some events upon us, by members of a Religious Sect. Evidence supplied since 1990. Petitions to Parliament, witnesses oaths in court, Oaths of Office, do not they end "so help me God" Governor?. Why was I made to pay without the "citing of documents of evidence"?
Gail Adams
Glengarry Tas.

Copy sent to (1) (2) (3)

"A CONSPIRACEY TO PERVERT THE COURSE of JUSTICE."

GAIL ADAMS,
858 FRANKFORD HWY,
GLENGARRY. 7275. TAS.
OR
P.O. BOX 519,
EXETER. 7275.
PH=63.961145.

THE MERCURY — 28-5-1996.

Hayden was a real high-flier

By BRUCE McDOUGALL in Sydney

FORMER Governor-General Bill Hayden spent $125,240 — more than $4000 a day — taking taxpayer-funded flights around Australia during one month last year, newly released documents show.

Travelling in a RAAF jet at a cost of $3100 an hour, Mr Hayden made 29 trips last year to a Queensland air base near the farm property where he and his wife Dallas were building their retirement home.

In an 11-day period from July 19 to July 30, the Governor-General's special purpose Falcon 900 made seven return runs to the Amberley RAAF base west of Brisbane.

During this time the Governor-General attended only one official engagement in the area, launching a "steam fest" 45 kilometres from his retirement property at Bryden.

Often after transporting Mr Hayden and entourage to Queensland, the RAAF jet would return to Canberra and an aircraft would fly back again a couple of days later to pick him up.

Bill Hayden: averaged $4000 a day in taxpayer-funded flights in one month.

Details of special-purpose flights obtained under Freedom of Information show Mr Hayden made 55 trips around Australia in the RAAF jet — sometimes taking members of his family with him — between July and December last year.

Many of the trips to Amberley base were for official purposes but the Governor-General's office confirmed Mr Hayden also visited his property.

But the Governor-General took far fewer trips to other parts of Australia, with the exception of Sydney. Mr Hayden visited Melbourne only twice and Perth once in the July-December period.

Figures detailing costs of the flights show the Governor-General spent $125,240 in July, $78,430 in August, $71,300 in September, $32,550 in October and $72,230 in November.

A further 18 trips were made in December as Mr Hayden's seven-year term as Governor-General was winding down.

The Governor-General's private secretary Douglas Sturkey said yesterday people "laughed" about the frequency of the former Governor-General's trips to Amberley but added there was little difference in flying time between landing there or at Brisbane.

"It's only about a 40 minute drive between the two. A lot of his Amberley visits were to attend engagements in the Brisbane area and the south-east Queensland corner," he said.

AFFIRMATION OF OFFICE

I, WILLIAM GEORGE HAYDEN, do solemnly and sincerely affirm and declare that I will well and truly serve Her Majesty Queen Elizabeth the Second, Her heirs and successors according to law, in the office of Governor-General of the Commonwealth of Australia, and I will do right to all manner of people after the laws and usages of the Commonwealth of Australia, without fear or favour, affection or illwill.

4-3-06

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Pets Wanted and For Sale

"Two dogs in-care since January 3, 2000, from a cruelty case, 40 plus dogs, majority destroyed, Legal instructions given under 14 (1) of Animal Welfare Act 1993 to be returned to owners, who were deprived of rights. Raid was 11/11 1999, charges laid 11/5 2000, last day, no conviction. Owner of two dogs via a Solicitor required $2000 to $3000. I refused to sign defective papers to ownership to Authority who paid no monies to owner, F.O.I. check, nor in-care fees under the Act. A few days before Christmas 2005 in writing to me, Authority, in part, stated "it would be in my best long term interest to cut your losses and put the past behind you," etc. Persecution for five years for reporting crime from Authority.'

— Gail Fitton, Elspedito Ent. PO Box 519, Exeter 7275.

Tasmania's pampered pet brigade

Chan clan.

She said that her parents, Fred Chan, a retired commercial artist, and Frieda Chan, a veterinary nurse, fell in love with Tasmania on a visit.

"Dad said: 'if you all love animals so much and reckon there is room for a service in Tasmania, we'll move there and give it a go," Salina said.

"So the Lawn Forest pet cemetery and the Glenmore Estate pooch pads for dogs and cat flats were born.

"My brother, Vernon is the undertaker; his wife, Vanessa is the cat carer; mum is the animal nurse who specialises in dog care; Dad is the general hand who keeps us under control and around whom we revolve."

One visitor said: "If reincarnation exists then I want to return as a dog and live with the Chans and be spoilt rotten."

When the On The Road team visited the Chans, Amy and Rodney Chapman, of Beaconsfield, bought in their loved dog for a massage and laser treatment.

"It's like coming to visit old friends," Mr Chapman said, "the laser aids our dog's arthritis; the hands-on treatment is fantastic for the dog. Household pets are part of family life; it's a pleasure to see them get the best treatment because the pets give us great love and devotion."

Salina has always had an affinity with animals. "I was given a pup when I was three weeks old," she said. "I learnt to walk hanging on to a bulldog."

Once Miss Chan had visions of becoming an artist and was accepted into a Sydney art college, but other ambitions called. The desire to be an artist continued as a hobby. After much practice and painting the image of friends' pets in oils and or pencils and inks, she became an accepted animal artist. She was featured in Burke's Backyard as one of Australia's few successful animal portrait painters.

Because no college offered a course in animal massage and laser treatment, Miss Chan became a qualified human masseur. "The principals are the same," she said, "I'm sure that the animals appreciate the treatment; on a second visit they are ready to leap on the table.

"Already veterinary surgeons are sending dogs and cats to me for post operative treatment and physiotherapy."

Asked if laser and massage treatment could cure an animal's impotence when all else appeared to be normal she replied: "I can not guarantee that, but after treatment I've had animals leave with a glint in their eyes. Owners have reported good results."

The Chan's bulldog, Phantom, is current Tasmanian bulldog of the year. They have st bernard and british bulldog studs. Their house is adorned with paintings and sketches of their favourite pets, trophies and blue ribbons abound.

Probably their best asset is their friendly and out-going personalities — then result of the marriage between a Chinese man and a Dutch woman.

Mrs Frieda Chan said: "We want to live in Tasmania and to keep our family together."

(but it's part of the battle).

It's enrolling
to vote
(or updating your enrolment).

If you're an Australian citizen aged 18 or over, make sure you're enrolled to vote before the rolls close this Monday. Or update your enrolment if you've changed address.

Enrolling to vote is compulsory. But don't worry if you've been putting it off, because there'll be no penalty if you do it now.

Either pick up an enrolment form at any Post Office, or go to any Electoral Office and enrol immediately.

For enquiries just call 008 805 863, or in Hobart (002) 315 055.

Enrol to vote. Do it now. Otherwise you're selling yourself short.

Hurry, rolls close
6pm this Monday.

year and were aimed at people said.

PH1-15-1-05 Saturday Exa
Examiner

'Palatial penthouse suite' plan for Kons condemned

By MICHAEL STEDMAN

The Opposition and the Greens have called for Primary Industries, Water and Environment Minister Steve Kons to abandon plans to construct his new office on the top floor of Hobart's Marine Board Building.

The refurbishment of the former Hobart Ports Corp. boardroom is tipped to cost $200,000.

Opposition Treasury spokesman Brett Whiteley said money spent on a "palatial penthouse suite" would be better spent addressing community needs, and Greens acting leader Kim Booth called it an outrageous waste of taxpayers' money.

Mr Kons defended the plans, saying he was moving out of his fifth-floor office at the request of the department, which also has its offices on that floor.

A spokesman for the minister said room needed to be made for more DPIWE staff who would otherwise have to be housed in new offices.

"A thorough review of existing accommodation was carried out by DPIWE and other departments, and it was decided the most viable option would be to relocate the ministerial office," he said. "The cost of creating new office space for those new staff would be similar to the renovations for the minister."

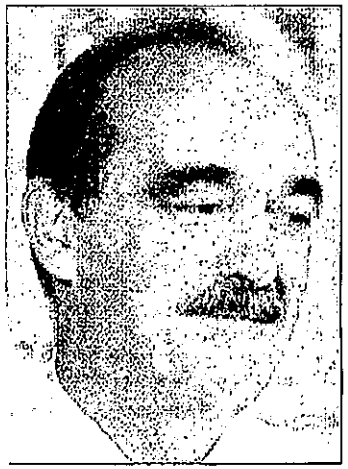
REQUEST: Steve Kons

Mr Whiteley said the future of the Marine Board Building was uncertain, as it was earmarked for sale as part of the Hobart waterfront redevelopment. "If the building is sold in the near future and converted to another use such as a hotel, this refurbishment will end up as an even more obscene waste of money," he said.

JACKSON REVEALS INNER LABOR WORKINGS

Examiner Newspaper
21-1-2006.

Bacon was not liked



UNPOPULAR: Former Premier Jim Bacon

BY PHILIPPA DUNCAN

Late Premier Jim Bacon was not liked by most of his ministerial colleagues, retiring Attorney-General Judy Jackson has revealed.

Ms Jackson said she had known Mr Bacon for a long time but in the end "it wasn't a good relationship".

She said that if Mr Bacon had had his way in 2003 he would have stripped her of her Attorney-General portfolio.

She kept the post only because Mr Bacon was rolled by a Labor Caucus that strongly supported Ms Jackson.

Ms Jackson said she had stood firm against Mr Bacon, who was reputed to be a screamer.

"I didn't have much choice, did I?" she said.

CONTINUES: Page 2

FIGHT FOR JUSTICE: The Labor Caucus saved Judy Jackson from being given the boot as Attorney-General by Jim Bacon in 2003.

ATTORNEY-GENERAL REFLECTS ON 20 YEARS IN POLITICS: Spectrum

The Examiner - Saturday - Nov. - 3 - 2007. P9.

THI

Aldermen talk up socialistic aims

By RACHEL WILLIAMS

A MORE socialistic approach to local government appears to be on the cards after the declaration of the polls for the Launceston City Council yesterday.

Mayor-elect Albert van Zetten spoke of his wish to see rate rises kept to a minimum to help the people in the community who were "doing it tough", the first Greens member Jeremy Ball spoke of his wish for social justice for the vulnerable and the marginalised while Ian Norton said he wanted to develop a buddy system to help the elderly, disadvantaged and the ill.

Ald. van Zetten encouraged the new council not to attack others but be involved in healthy debate around the table.

He said he was open for correction when necessary, making reference to the last few days since coming under fire from anti-pulp mill people after saying that the approval decision needed to be accepted, hurts needed to be healed and environmental guidelines adhered to.

Ald. van Zetten has since reiterated that he did not want the mill to be built.

Mr Ball said that the council's previous pledge that it would support the mill only if a number of key issues had been addressed had not been honoured and he hoped enough members of the new council would be able to "make good".

Yesterday's declaration by Australian Electoral Commission representative Suzie Rogers, was an interesting scenario for Mr Norton, who was "borne out of" the council's 10-year plan because he was made redundant as part of a Queen Victoria Museum and Art Gallery restructure.

Mr Norton said he held no grudges as a result of the decision and hoped to achieve good things for the facility from the council table.

Ald. van Zetten, general manager Frank Dixon and a number of other successful candidates paid tribute to the work that past Mayor Ivan Dean had done over the past two years.

An official swearing-in ceremony of the new council will be held on Tuesday at 1pm.

The new council comprises Ald. van Zetten, Deputy Mayor Rosemary Armitage, Robin McKendrick, Ivan Dean, Tony Peck, Frank Nott, Ted Sands, Annette Waddle, Graeme Beams, Jeremy Ball, Ian Norton and Ray Shipp.

Newly elected aldermen Ian Norton and Jeremy Ball with corporate secretary Martin Reynolds in the Launceston council chambers yesterday. Picture: PAUL SCAMBLER

AGENDA
31-3-2013.
SUNDAY TAS. P.18.

All power, no

SUNDAY SOAPBOX

IT is time to abolish our antiquated and undemocratic Legislative Council, writes former government minister Terry Aulich.

WHAT costs more than $6 million a year and stands in the way of progress and open democracy?

The answer is the Tasmanian Legislative Council.

Back in 1848, Governor Denison recommended the establishment of a Tasmanian Upper House to "check the spirit of democracy".

Despite some improvements in its structure over the years, the Legislative Council has generally met old Bill Denison's requirements.

This anti-democratic sentiment can be expected of an upper-class 19th century governor sent to Tasmania to manage the unruly colonials but, 175 years later, does the Legislative Council really perform its stated modern function of paying full-time members of the council to review the Government's legislation with an unbiased eye?

When it comes to full-time responsibilities, there are some who are totally dedicated, but too many see it as a part-time occupation despite many earning up to $162,000 a year in salary and allowances.

In addition, the council is composed of very small electorates and the Legislative Councillors have a six-year term that almost guarantees the three councillors who come up for election each year are going to be re-elected because they are better known, they have six years to campaign and can fly under the radar without the electors knowing where they stand on key issues.

In the past decade, in the electorate of Nelson, for example, more than 16 per cent didn't bother to vote.

Legislative Councillors also have an allowance for an electoral office, staff and travel, so they are generally likely to be re-elected, which means they are not as accountable as members of the House of Assembly who face elections at least every four years and all at the same time, usually under great public scrutiny.

Let us look at the claim that the Legislative Council's proper role is to review government legislation in an unbiased manner.

That claim is quite misleading. Over the years some candidates have been members of political parties but parade as independents.

Others have been convinced to side with a political party through the offer of a ministry or even assistance with the numbers to become president of the Legislative Council. Others are just plain conservative.

Then there is the council's power to disrupt government decision-making but escape being accountable for its actions.

Those Legislative Council's powers are unique.

First, it is the only Upper House in the western world that can stay in place while denying the Government its budget and thus send the House of Assembly and, therefore, the Government to an election, unlike the Australian Senate.

This powerful provision is not theoretical – the Legislative Council sent the Labor government to an election in 1948.

Then, not a single member of the Legislative Council volunteered to face the people at the same time, even when the electors returned the government with a comfortable win.

One Legislative Councillor, Greg Hall, recently stated that more than 90 per cent of government legislation is passed by the Council.

What he didn't say was the fact that significant government legislation requiring forward thinking has usually been mangled, delayed or rejected by the Legislative Council.

The Legislative Council basically destroyed the Lowe Labor government by holding up and amending Doug Lowe's Bill to save the Franklin River. That action of denying an elected government its right to make tough but forward-thinking decisions was responsible for years of bitterness and division in the Tasmanian community.

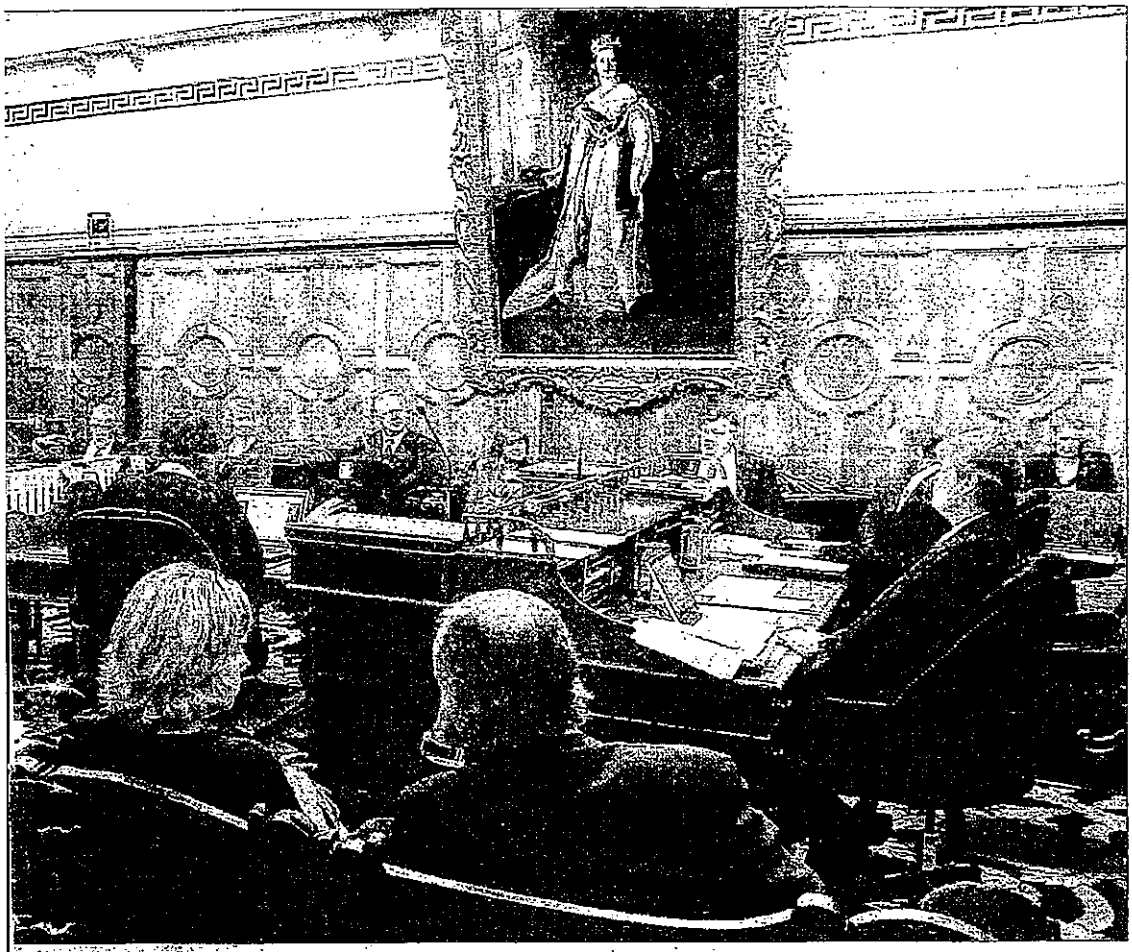
That bitterness was only solved when the Hawke government in Canberra stopped the Franklin dam. What did that say about Tasmania's capacity to make its own government decisions?

I can see similarities with the current forestry legislation, which has been held up by the Legislative Council when most of the key players from all sides of the forestry debate have come to a signed agreement. That agreement will enable the Federal Government to inject millions of dollars into the Tasmanian economy to help us face a rapidly changing economic environment.

Tasmanian voters have clearly indicated in polls that they want decisive and forward-looking governments but they will never have these while the Legislative Council is the last refuge for every interest group

AGENDA
SUNDAY TAS 31-3-2013. P

accountability



EASY MONEY: Many see the Legislative Council as a part-time job. Picture: SAM ROSEWARNE

The author

Terry Aulich is former senator and minister in the Lowe and Holgate Governments. His company Aulich and Co provides strategic advice to business and community organisations.

that wants to strangle every government initiative they don't like.

So, what is the solution?

Abolish the Legislative Council then strengthen local government, which can handle true local issues and be a voice for local issues, especially if there is compulsory voting as proposed by the State Government.

I should stress that no major political party now campaigns for abolition of the Legislative Council, possibly on the principle that you don't want to upset members of the western world's most powerful Upper House – not if you want them to sign off your legislative program.

In the meantime, at the next round of limited Legislative Council elections to be held in May, electors may want Legislative Council members and candidates to address these points: Are you truly independent of political parties? Will you refuse to accept a ministry so that you can remain truly independent? Above all, will you give up all other occupations and be a full-time Member of Parliament?

I analysed the statements by the new challengers in Hobart-based Legislative Council elections of Nelson and Pembroke.

In Nelson, Helen Richardson acknowledges she is a member of the Labor Party but will not join the Caucus of the ALP and will be a full-time member with no other job.

The Greens candidate Tom Baxter says he will give up his job if elected.

Sitting Member Jim Wilkinson did not return calls but his Facebook page states that he keeps his hand in his law firm but has made a conscious effort to ensure it does not conflict with his parliamentary duties.

In Pembroke, Allison Ritchie was an ALP member and would be full-time if elected.

The Member for Pembroke, Vanessa Goodwin, is a Liberal, is full-time and, as a shadow minister, would presumably accept a ministry in any Liberal government.

The official spokeswoman for Green candidate Wendy Heatley backs the Greens' policy of full-time parliamentarians.

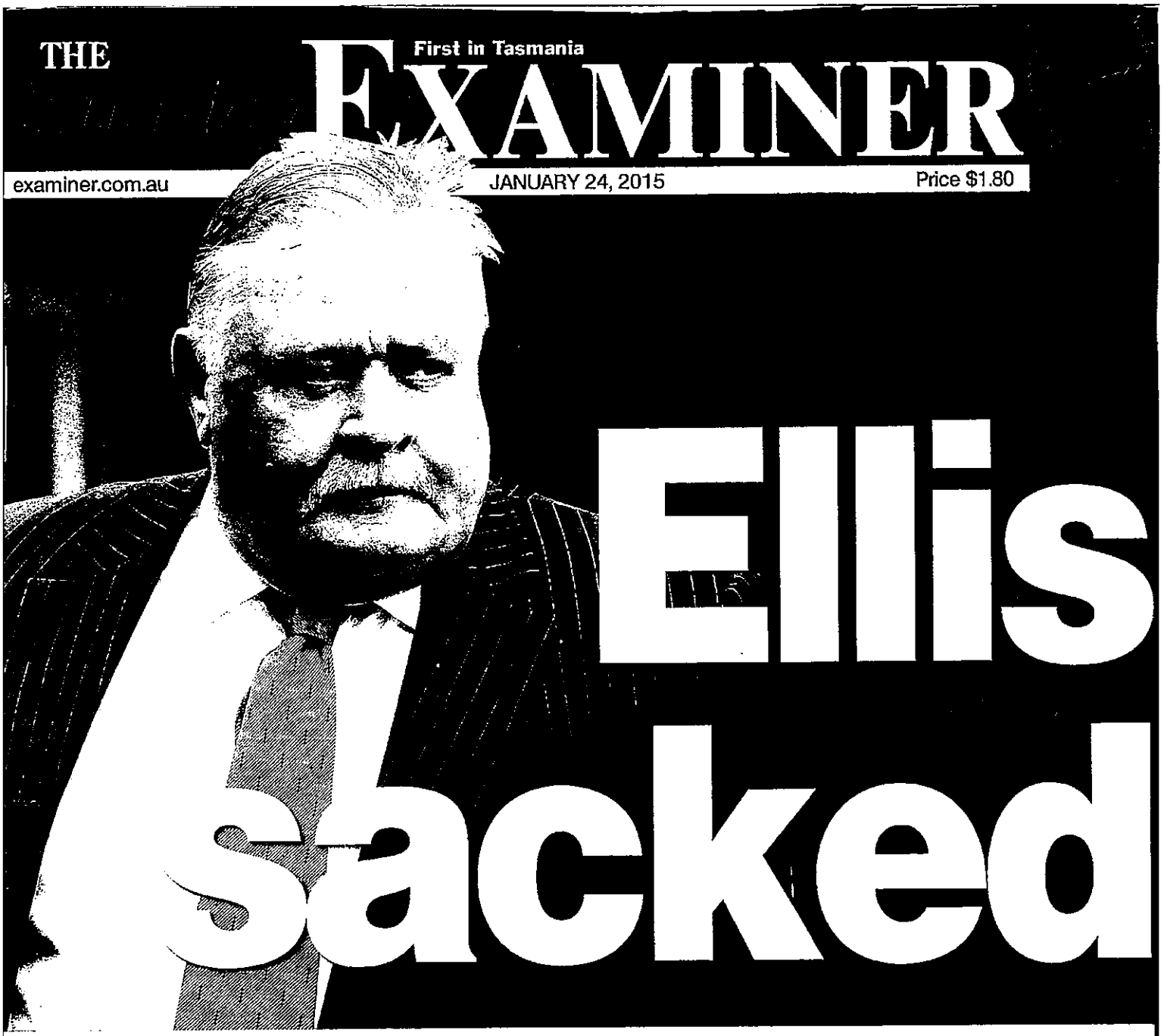
Voters take your pick.

In an era where Tasmania has so much potential, provided it has far-sighted political leadership, it is vital that all politicians have a vision of hov we should adapt to change.

If electors want change and improvement, they can always boot ou a government in the House of Assembl

They have no such luxury when it comes to the Legislative Council, whic saunters its way into another century.

THE First in Tasmania EXAMINER
examiner.com.au JANUARY 24, 2015 Price $1.80



Ellis sacked

NATALIA Pearn's parents say they finally feel she has received justice and they will learn to live without their beloved daughter.

Director of Public Prosecutions Tim Ellis was yesterday sacked from his role by Governor Kate Warner on advice from the state government.

The state's top prosecutor had been suspended on full pay since 2013 when criminal charges were laid against him after he caused the death of the 27-year-old Launceston woman by negligent driving.

Miss Pearn's parents, Kris and Alan, said they were stunned by the decision.

"Now I just feel like she's got some justice today," Mrs Pearn said. "It is a relief, but it's not going to bring Tali back.

After months of uncertainty, Attorney-General Vanessa Goodwin advised Professor Warner to remove Ellis from the position effective immediately.

Dr Goodwin said the government would be amending lifetime appointments within the DPP legislation.

She said she would be looking at removing the obligation to pay statutory officers suspended from duty.

"At present there is no legal power to suspend the Director of Public Prosecutions without pay and the government intends to look into this," Dr Goodwin said.

"The government shares the community's concern and I will return to this matter at a later stage."

During his time as DPP, Ellis earned an annual salary of about $600,000 including benefits and expenses – which he continued to receive up until yesterday.

Ellis will not receive a payout but will be paid $290,000 in entitlements.

REPORTS: PAGES 4-5

ELLIS SACKED

DISMISSED: Tasmanian Attorney-General Vanessa Goodwin announces the termination of Tim Ellis as DPP. Picture: LEIGH WINBURN

AFTERMATH: Mr Ellis' car after the fatal car crash on the Midland Highway near Lovely Banks. Picture: WIN NEWS

VICTIM: Natalia Pearn, who was killed in the car crash involving Tasmania's top prosecutor. Picture: LIAM KIDSTON

Finally, a release of sorts

DUNCAN ABEY

THE parents of car-crash victim Natalia Pearn say yesterday's decision to sack disgraced Director of Public Prosecutions Tim Ellis might finally allow them to remember their daughter for how she lived rather than how she died.

And Alan and Kris Pearn rejected assertions made on social media that they were seeking vengeance by backing calls for his dismissal.

"We are not vengeful but we also don't think he is fit for the

Alan and Kris Pearn

position of DPP. He went all legal instead of going human," Mrs Pearn said.

It was not the crash itself that left her family devastated but Ellis' approach in the subsequent months of appeals on multiple technical points of law and seeking to retain his high-paying job despite overwhelming public opposition.

"You have no idea the hurt and heartache this has caused our family," she said.

The Pearns, who have left Tasmania for a new life in Queensland, say it is only now that they can think about the next phase of their lives.

"God we miss her," Mrs Pearn said. "She was such a wonderful person."

And, despite receiving a handwritten letter of apology from Ellis within days of the crash, Mrs Pearn said she would welcome the chance to sit down with him to hear a candid account.

FROM PAGE 1

His government-supplied Mercedes sedan crossed on to the wrong side of the road and slammed head-on into a Toyota Corolla being driven by Launceston woman Natalia Pearn, 27.

Ms Pearn was killed instantly and Ellis and his wife Anita Smith suffered serious injuries.

He pleaded not guilty to negligent driving causing death, saying that he must have dozed off at the wheel.

DAVID KILLICK

But he was found guilty by Magistrate Chris Webster, who said a sleeping driver could not have rounded the bend where the crash occurred.

Attorney-General Vanessa Goodwin yesterday acknowledged the great public concern about the case and said she had spoken to the Pearn family about the Government's decision.

"Ensuring that the community has confidence in the Office of Director of Public Prosecutions is essential to ensuring that Tasmanians can have confidence in our criminal justice system," she said.

"If confidence is eroded in the Office of the DPP, confidence in criminal justice system will be undermined.

"That is why it was so important to act and protect the integrity of the Office."

She said there would be a review of the current lifetime appointment for the role of Director of Public Prosecution and Solicitor-General but would not be drawn on what term would be imposed.

The Government would also look at arrangements for senior public servants to be suspended without pay.

Ellis has been receiving his full pay and entitlements of more than $430,000 a year since he was suspended by then attorney-general Brian Wightman in November 2013.

Ms Goodwin said she had written to Ellis after his conviction in December saying she had sought a response from him as to whether his conduct amounted to misbehaviour.

"On 15 January, I determined to advise the Governor to remove Mr Ellis from the office of the Director of Public Prosecutions on the grounds of misbehaviour pursuant to section 10 of the

NO PAYOUT

DOWNFALL: Former Director of Public Prosecutions Tim Ellis leaves after court pleading not guilty. Picture: KIM EISZELE

Director of Public Prosecutions Act 1973.

"I provided that advice to Her Excellency at midday today at a meeting of the Executive Council at Government House.

"Her Excellency acted on my advice and Mr Ellis has been removed from the Office of the Director of Public Prosecutions.

"Similar to the inability to comment on a matter while it is before the courts, neither I nor the Government was able to comment on this matter before Her Excellency had made her decision."

Ms Goodwin said Ellis retained the right to appeal the Government's decision to the Supreme Court.

Ellis' 15-year tenure as DPP was littered with controversy.

In 2009, he prosecuted police commissioner Jack Johnston on charges of disclosing official secrets.

Then Supreme Court Justice Peter Evans put a permanent stay on proceedings and Ellis failed in a bid to mount a High Court appeal.

The unsuccessful prosecution was estimated to have cost the state more than $500,000.

Ellis played a central role in the decision to withdraw the appointment of former police commissioner Richard McCreadie to act in Mr Johnston's role during his suspension.

Mr McCreadie, who previously served as Tasmania's police commissioner for 12 years, was nominated by then premier David Bartlett. His appointment was withdrawn after one day on advice from Ellis. Mr McCreadie was never found guilty of any misconduct.

It followed two unsuccessful cases brought against former deputy premier Bryan Green during the Tasmanian Compliance Corporation affair which ended in hung juries.

Ellis was also forced to publicly defend his decision not to prosecute as many as 100 men who were reported to have had sex with a 12-year-old girl in 2009.

Ellis said only 19 people had been identified, 12 were interviewed and most denied sexual contact, making the prospects of a conviction unlikely.

Former Tasmanian MLC and Glenorchy mayor Terry Martin was the sole conviction in the case.

He was found guilty of underage sex and producing child-exploitation material and given a suspended 10-month jail term.

Working life 'now in limbo'

THE Government's decision to sack DPP Tim Ellis came as no surprise to the man himself — despite his determination to hold on to the job.

Tim Ellis' fall from grace — and the difficulties he faces rebuilding his life — were outlined eloquently by his lawyer Garth Stevens in his plea in mitigation in the Magistrates Court last month.

"There is a real prospect that the Government will provide advice to the Governor to terminate the defendant's employment as the Director of Public Prosecutions," Mr Stevens told Magistrate Chris Webster.

"If his current position is terminated, a return to the bar to practise as a barrister is complicated by his health and, of course, the need to re-establish his practice.

"He has been out of the private profession for 15 years.

"The nature of his injuries and the ongoing issues that it has caused, and will cause him, will also mean that appearing as an advocate where he is required to stand for lengthy periods will be difficult if not impossible for him in the short term and potentially long term.

"In a very real sense, your honour, his professional and working life is now completely in limbo."

Mr Stevens also pointed out the "public punishment and humiliation" his client had received.

He said the matter had "received media scrutiny like few other cases that come before this jurisdiction".

"Throughout the experience of coming to court on each occasion, the defendant has been incapacitated by his injury, either using walking sticks, crutches and the like, he has been flanked by reporters and camera operators," he said. "On one occasion, a reporter from a mainland news service almost tripped the defendant over while he was still wearing the external frame to support his leg."

EXAMINER NEWSPAPER 14-1-2015

Pet boarding kennels booking out

By ROSITA GALLASCH

ANIMAL boarding over the holiday season is so popular now, places can book out six months in advance.

According to a number of facilities in the North, business has boomed in recent years and has become more constant through the year, although the Christmas/New Year period remains the busiest.

Pets Now Boarding owner Anna Henry has operated a cattery at Breadalbane since 2011 and opened a "state-of-the-art" kennel facility prior to Christmas.

According to office manager Sophie Harris, the facility welcomes 26 dogs and 12 cats in individual pens and has been booked out constantly since before Christmas, and is just tapering off now.

The new dog pens each feature a bed, toilet, self-replenishing water bowl and direct access to one of four social areas - including one set up as a homey lounge environment.

Grindelwald Kennels and Cattery owner, and West Tamar councillor, Tim Woinarski said this time of the year was "ridiculously busy" but in the 13-and-a-half years he's had the business it had grown.

The facility caters for 33 cats and 20 dogs and Mr Woinarski said in the past seven years they've seen business operate at about 80 to 85 per cent capacity year round.

They find while many families might take off during the school holiday period, as soon as that's over many without kids will leave their pets and travel, and then the grey nomads go for three to six months.

Longford Park Boarding Kennels owner Rhonda Pettyfor offers 55 dog pens and 14 cat, all of which have operated at capacity in the past few weeks.

She said while the Christmas/New Year time remained the busiest and they book out six months in advance, business was constant and Easter was already filling up.

Ms Pettyfor said they had pet owners from Hobart on their way to the ferry, and the West and East Coasts, however they had no plans to expand the business.

Pets Now Boarding office manager Sophie Harris and owner Anna Henry with Poppy.
Picture: PHILLIP BI

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Ellis gets 4-month suspended sentence

By GEORGIE BURGESS

THE state's top prosecutor has avoided jail for death driving charges but faces an uncertain future in his role.

Timothy James Ellis was yesterday sentenced to a wholly suspended four-month jail term for causing the death of 27-year-old Launceston woman Natalia Pearn by negligent driving.

The Director of Public Prosecutions was driving in the wrong lane of the Midland Highway near Spring Hill on March 24 last year when his car struck Miss Pearn's hatchback, killing her instantly.

In sentencing Ellis in Hobart yesterday, magistrate Chris Webster said the negligence was significant, but not at the higher end of the scale of seriousness for offences of death by negligent driving.

During sentencing submissions Ellis's defence lawyer Garth Stevens said there was a "real prospect" the government would advise Governor Kate Warner to remove him from the position of DPP.

"His professional working life is in limbo," Mr Stevens said.

Mr Stevens said Ellis was remorseful, and Miss Pearn's death "weighed heavily on him".

In a victim impact statement Miss Pearn's parents Alan and Kris said her death "destroyed their souls".

"Now I'm left with an endless ache in my heart," the statement said.

"Mr Ellis, you did not plan to take a life on that day, but you and you alone are responsible for me not having my Natalia here".

Attorney-General Vanessa Goodwin said the government was taking advice and considering its options.

REPORTS: Pages 4-5

Picture: NEIL RICHARDSON

RAIN threatened to spoil the pre-Christmas Big Bash clash between the Hurricanes and Sydney Sixers last night as Blundstone Arena filled with a sea of purple-clad fans. But there was no stopping 14-year-olds Tessa Portanger, of Howrah, left, and Millie Burdon, of Tranmere. The duo were among the first of 13,140 fans to take their seats as the skies cleared and a 19-over contest built to a thrilling finish. **FULL REPORT** PAGE 44

Picture: NIKKI DAVIS-JONES

Job on the line as Ellis gets suspended jail term for woman's death

DPP CONVICTED

DAVID KILLICK

THE Tasmanian Director of Public Prosecutions, Tim Ellis SC, is expected to be dismissed from his $427,000-a-year job after being handed a criminal conviction and a four-month suspended jail sentence for negligent driving causing death.

Ellis, 58, was sentenced in the Hobart Magistrates' Court yesterday over the crash that killed Natalia Pearn, 27, on the Midland Highway on March 24 last year.

Magistrate Chris Webster said Ellis was driving on the wrong side of the road – most likely because of inattention and confusion over which lane he should have been in.

"His inadvertence and lack of attention to his driving and his position on the road was not mere moments, but was prolonged," he said.

"He drove for a relatively long time and distance while on the wrong side of the road." Magistrate Webster convicted Ellis and sentenced him to four months in jail, wholly suspended on the condition he be of good behaviour for two years.

He was also disqualified from driving for two years.

Ellis, right, pleaded not guilty to the charge, saying he had no recollection

CONTINUED PAGE 2

WEATHER | HOBART Partly cloudy 20 | LAUNCESTON Possible shower 22 | BURNIE Sunny 19 | Details 26-27

V1 - MERE01Z01MA

MERCURY NEWSPAPER- FRONT PAGE-24-12-14.

24-12-2014 EXAMINER NEWSPAPER

Tim Ellis arrives at the Hobart Magistrates Court yesterday for sentencing with his wife Anita Smith. Picture: NEIL RICHARDSON

Legal career is in limbo until government decides

By PATRICK CARUANA

THE professional future of top prosecutor Tim Ellis hangs in the balance as the government considers whether it will terminate his position.

Ellis has been suspended from his job as Director of Public Prosecutions since last year, and the government says it is considering its options after he was convicted of death by negligent driving.

Under the Director of Public Prosecutions Act, the governor can remove Ellis from the role if he is "guilty of misbehaviour".

Law Society of Tasmania president Matthew Verney said the government was in uncharted waters, as the legal definition of misbehaviour was not clear.

"No one really knows exactly what that means – does it mean in the context of his job or in the broader context of misbehaviour," he said.

"It's going to be a difficult matter for the government."

Further complicating the matter is the fact that the state's solicitor-general Michael O'Farrell, SC, has previously represented Ellis.

"It's possible that they would take advice from interstate, I would have thought that that is sensible," Mr Verney said.

Mr Verney said it was best for all concerned that the matter be resolved quickly.

"There's a lot of concern in this matter and certainly we all hear that," he said.

"It's feeding uncertainty about the very role of the DPP ... there needs to be clarity about the position as soon as possible."

Shadow attorney-general Lara Giddings has previously called for the government to introduce fixed-term contracts for the position.

In sentencing submissions to the Hobart Magistrates Court yesterday, defence barrister Garth Stevens said Ellis could lose his job.

"There is a real prospect the government will provide advice to the Governor to terminate his position of DPP," Mr Stevens said.

"His professional working life is in limbo."

Mr Stevens said Ellis had asked the government to state its position on his employment, but was yet to receive a response.

Ellis 'not to blame' for delays associated with trial

By GEORGIE BURGESS

THE state's most senior prosecutor was wrongly portrayed as the "evil architect" of the ongoing delays associated with his trial, a court has heard.

During sentencing submissions yesterday, defence lawyer Garth Stevens told Magistrate Chris Webster that Director of Public Prosecutions Tim Ellis endured humiliation and unprecedented media attention during his hearings.

"The defendant is remorseful, it shouldn't be forgotten he was involved in a tragic accident," Mr Stevens said.

Mr Stevens said at one point Ellis did not leave his house for a week, and often turned down social invitations.

He said Ellis was not to blame for the delay in the proceedings, which had been going since last year.

Mr Stevens said Ellis wanted to keep working as the DPP but was suspended, and had asked the government to state its position on his future in the role, but did not receive a response.

"There is a real prospect the government will provide advice to the governor to terminate his position of DPP," Mr Stevens said.

"His professional working life is in limbo," he said.

Mr Stevens argued Ellis had suffered public punishment, humiliation and media scrutiny "like few other cases".

"He has been portrayed as the evil architect of the ongoing matters," he said.

He told the court Ellis suffered ongoing acute leg pain and had to modify his house to cope with the injuries sustained in the crash.

Mr Stevens said a letter sent to Natalia Pearn's parents Alan and Kris was "bonafide, genuine and sincere".

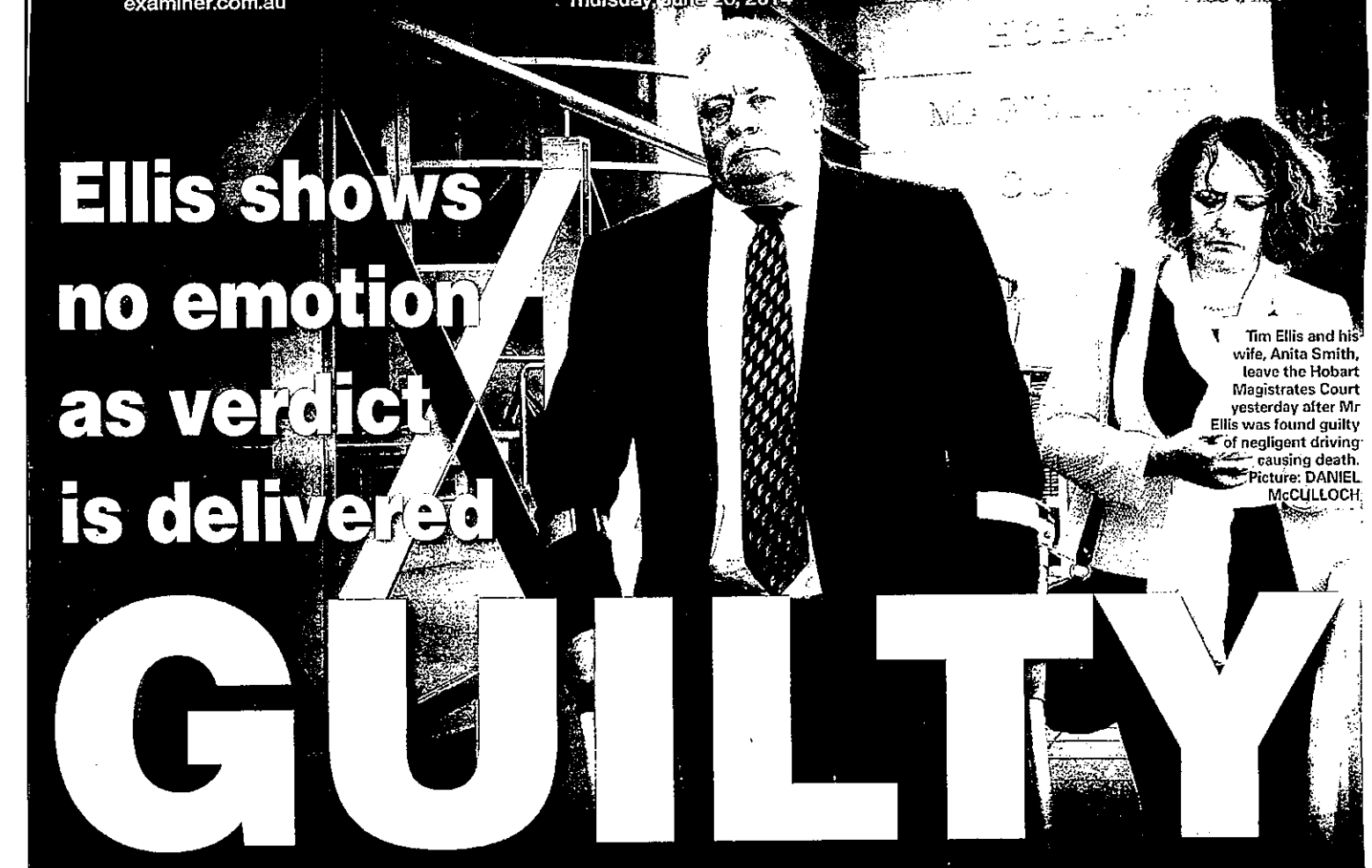
He said the death of Miss Pearn weighed heavily on Ellis and he had sought counselling.

The EXAMINER

examiner.com.au Thursday, June 26, 2014 Price $1.50

Ellis shows no emotion as verdict is delivered

GUILTY



Tim Ellis and his wife, Anita Smith, leave the Hobart Magistrates Court yesterday after Mr Ellis was found guilty of negligent driving causing death. Picture: DANIEL McCULLOCH

By ROSEMARY BOLGER

THE future of Tasmania's top prosecutor Tim Ellis's job remains uncertain after he was found guilty of killing Launceston woman Natalia Pearn by negligent driving.

Handing down his decision yesterday, Hobart magistrate Chris Webster rejected the defence that Mr Ellis could have been falling asleep when he drove his car on the wrong side of the Midland Highway and crashed head-on into Miss Pearn's hatchback on March 24 last year.

Miss Pearn, 27, died instantly.

Sitting in the front row of the public gallery, Miss Pearn's father, Alan, and sister Keli held hands as the verdict was read out.

Mr Ellis showed no emotion inside the courtroom and did not comment as he walked to his car on crutches with his wife, Anita Smith, by his side.

Defence lawyer Michael O'Farrell, SC, immediately indicated that an appeal would be lodged.

Mr Ellis has been suspended on full pay since October last year, when he pleaded not guilty to the charge of negligent driving causing death.

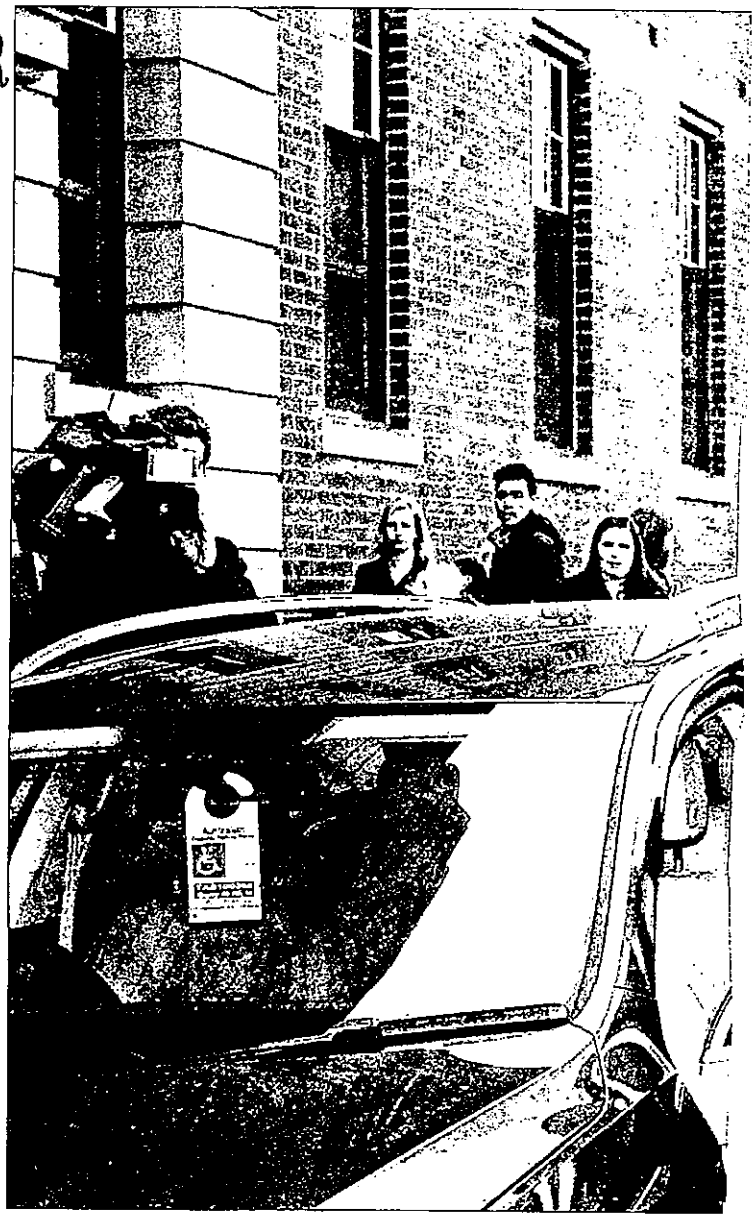
The state government declined to comment yesterday on the future of Mr Ellis's position as Director of Public Prosecutions.

He will be sentenced on July 22.

READ MORE: PAGES 4-5

EXAMINER NEWSPAPER 26-6-14 P.4.

Guilty finding: Ellis sleep defence rejected



IT WAS "inconceivable" that Director of Public Prosecutions Tim Ellis was falling asleep as he drove up to 1.5 kilometres in the wrong lane before his car collided with Natalia Pearn's, killing her, magistrate Chris Webster said yesterday.

Mr Webster spent three months considering evidence presented during a five-day trial in March before finding Mr Ellis guilty of negligent driving causing death.

In his reasons for the decision, Mr Webster rejected Mr Ellis's defence that he was not conscious in the lead-up to the head-on collision on March 24.

"It is inconceivable that a vehicle could be driven ... onto the incorrect side of the road at 100km/h, maintain its position in that lane for 700 metres, and then round a sweeping bend, and continue on that road for a distance of between 300 to 800 metres whilst the driver was asleep," Mr Webster said in his statement of reasons.

Mr Ellis passed two vehicles before the crash.

"I do not accept that he would go to sleep immediately after passing two vehicles at Spring Hill," Mr Webster said.

The magistrate also said sleep should be excluded as an option because Mr Ellis had been successfully treated for sleep apnoea and his previous problems with lack of sleep had been fixed.

Rosemary Bolger

It was a case that attracted national attention as the man revered for fiercely prosecuting the law became the defendant.

Mr Ellis showed no emotion as the verdict was read out and maintained his silence outside the courtroom as he made his way slowly on crutches to his car, followed closely by a waiting media pack.

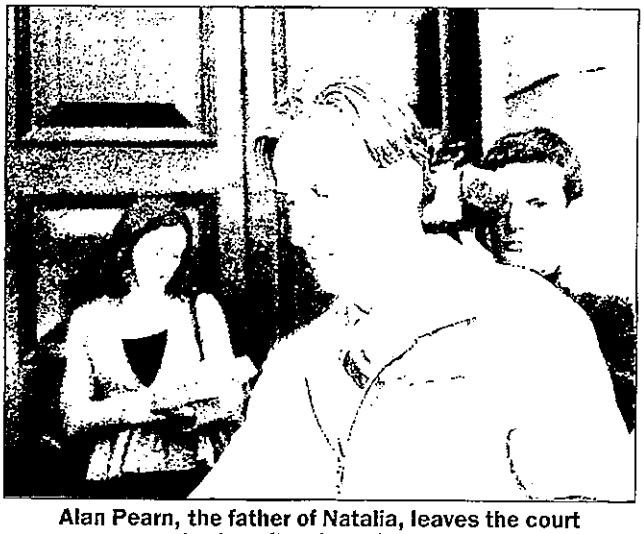
Miss Pearn's father, Alan, flew down from Queensland to hear Mr Ellis be found responsible for causing the death of his youngest daughter.

Miss Pearn's family declined to comment on the verdict, citing commitments to a national television program.

High-profile Tasmanians with grievances against Mr Ellis were also in the court to hear the decision, including former police commissioner Jack Johnston, who was unsuccessfully prosecuted for allegedly disclosing state secrets.

Stuart Shaw, who has faced Mr Ellis in the courtroom in the past, was pleased about the guilty verdict.

"It gives me great pleasure to see justice being done," Mr Shaw said outside court.



Alan Pearn, the father of Natalia, leaves the court yesterday after the guilty verdict.

P. 5

Director of Public Prosecutions Tim Ellis getting into his car chased by the media.
Picture: DANIEL McCULLOCH

Mourners at Natalia Pearn's funeral.

The funeral service of Natalia Pearn.

The crash site.

Difficulties loom in appeal process

TASMANIA'S Director of Public Prosecutions, Tim Ellis, who was yesterday found guilty of negligent driving over a fatal head-on crash on the Midland Highway, has indicated that he will appeal against the verdict.

Mr Ellis is facing a 12-month jail term and $1300 fine for the charge of causing death by negligent driving.

Mr Ellis was driving in the wrong lane of the Midland Highway on March 24 last year when his car struck Launceston woman Natalia Pearn's hatchback, killing her instantly.

Defence lawyer Michael O'Farrell, SC, requested an adjournment before sentencing, foreshadowing an appeal against magistrate Chris Webster's decision.

It could take months before an appeal is heard, with difficulty expected in finding a Tasmanian Supreme Court Justice willing to hear the matter against the prominent legal figure.

Two magistrates refused to preside over the trial, before magistrate Chris Webster agreed to take it on.

Government minister Rene Hidding said yesterday that there would be no change to the arrangements in the Director of Public Prosecutions' office while the matter was still before the courts.

"It looks like being there for a little while yet," Mr Hidding said.

Asked if Mr Ellis's prolonged absence had caused a disruption to the office, Mr Hidding said Tasmania was being well served.

"It always is if there's a person out of the position, but that's been a longstanding thing now, and the office is operating well," Mr Hidding said.

Mr Ellis is on a salary of about $500,000 and will remain suspended on full pay until at least the conclusion of the legal proceedings.

If the guilty verdict is upheld and Mr Ellis does not resign from his position, only the Governor has the power to sack him.

Under the legislation, the DPP can be removed from office if he is "guilty of misbehaviour".

The severity of the penalty handed down is likely to be a factor in determining if Mr Ellis's crime constituted misbehaviour.

Mr Ellis will appear in court again for sentencing on July 22.

21/2/2015

OUR

The EXAMINER
EDITORIAL OPINION

Too many wasteful councils

THE Auditor General's report on local government performance will fuel the debate over amalgamation.

It will certainly focus our attention on the notion that a state with 512,000 residents must pay hefty rates and other fees to support 29 councils with more than 260 elected representatives.

It is sobering to think that two decades ago a population of 472,000 residents actually propped up 46 councils, prior to council mergers. Reform evolves slowly in Tasmania

In the latest report some councils are up to par, but the performances of many has prompted Auditor General Mike Blake to observe: *"...financial performance has not shown any signs of significant improvement over the past four years, with still too many councils incurring operating deficits."*

His extensive report found that 12 councils had underlying deficits and 15 others has surpluses below the appropriate benchmark.

These councils are sitting on assets of almost $9 billion and collect revenue totaling more than $700 million a year. They are a costly addition to the weight of government hanging over Tasmania.

The report found that three Northern councils had underlying deficits and two others had wafer-thin surpluses. While it is always quarantined from the amalgamation debate, Flinders Island Council recorded an underlying deficit of $1.88 million for a population of less than 1000.

There is merit in a region being well represented. People usually don't like ceding their power to big government and big cities. Governments in Tasmania and Victoria have lost elections on this very issue over the past 20 years.

But our tiny population in our tiny state is represented in the three tiers of government by more than 310 elected officials. That's about one "politician" for every 1620 people. Something hasto give, and ought to.

Surely there is a way of making democracy more effective in Tasmania without infringing our democratic rights.

– BARRY PRISMALL, deputy editor

Chapter 5.

Letters received by myself, a few.

5/Dec.

29.1

"see 29.1 Andeac"

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Our Ref SEC:KS

Your Ref

26th November, 1992.

Mrs. G. Adams,
P.O.
EXETER TAS. 7275

Dear Madam,

Re: CHAN FAMILY

We advise that we act on behalf of Mr. & Mrs. Frederick Chan of Glenmore Estate Kennels, P.O., Glengarry 7275. We are instructed that since our clients arrived from Sydney in March, 1990 to set up kennels in Glengarry we are instructed that you have slandered our clients' professional competence and personal values throughout the Glengarry area.

Evidence

We are instructed that you advised the Minister of our clients' church by way of a complaint that Saline and Elfriede Chan had cursed and sworn at the appeal hearing wherein our clients were granted a licence and approval for kennels.

No

We are also instructed that you stated Vanessa Chan had behaved in a provocative manner at the appeal hearing and that you have complained to persons in the Community of Elfriede and Fred Chan making crank telephone calls at all hours of the night to you, speaking in Chinese and Dutch.

We are also advised that you have made verbal allegations throughout the Glengarry community that the Chans' Kennels were responsible for losing a Siamese cat from their care. We are advised by the Chans that there is no evidence that our clients had care and control of the cat.

Such verbal attacks on our clients, their business and their children are clearly defamatory. Unless you refrain from such behaviour our clients will have no alternative but to seek redress in the Supreme Court of Tasmania by way of damages in a monetary form from you for the damage you have caused to their professional and personal reputation throughout the Community.

Please note that this is a serious matter and any further outbursts either verbally or in writing will result in immediate action.

Yours faithfully,
BISHOP GUNTON RAE

Per: S.E. CHELLIS

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MAX BURR
MEMBER FOR LYONS

12th March, 1993

Mrs. Gail Adams,
C/- Post Office,
GLENGARRY.....7275

Dear Gail,

RE DEVELOPMENT BY MISS S. CHAN

Following our discussion in my office I have carefully read through the documents you left. Obviously you have taken your complaint to a wide range of authorities, and also taken legal advice.

I should say at the outset that it is not the role of any institutional authority to prevent or hinder competition, or to deny a competitor business from operating in your area. The role of the authorities is to ensure that regulations are adhered to so that the best interests of the broader community are protected.

Your first complaint is that the Beaconsfield Council did not adhere to its own planning scheme. Whether the procedures used for approval were properly administered by the Council could only be determined by Court action, and that would be an expensive exercise. However, it is also acknowledged that the Beaconsfield Council has the authority to change its planning schemes if it wishes. If it did not have such authority the Council would not be able to move with changing circumstances, and the result would be a very backward Council.

You have also raised the matter of road access to the Chan property. I note that the Department of Construction has expressed concern, and the Planning Appeal Board has sought a response from the Beaconsfield Council. I understand discussions between the various authorities are under way, and at this stage, there is no reason to believe they will not reach a satisfactory conclusion.

In the circumstances there is nothing I can do and I am therefore returning your documents.

Yours sincerely,

MAX BURR
Retiring Member for Lyons

Government House,
Canberra ACT 2600.

4 May 1993

Dear Mrs Adams,

I write to acknowledge your letter of 29 April 1993 to the Governor-General the difficulties you have encountered in your efforts to establish a kennel and pet cemetery at Glengarry.

Unfortunately the Governor-General is unable to intervene in the matter in any way as it lies wholly within the responsibilities of the Tasmanian state government and the shire of Beaconsfield - primarily the latter.

From the documents you sent it appears that you have exhausted all avenues in your efforts to be able to proceed with the project. I am sorry that there is no other action I can recommend and, in case you have further need of them, return the documents you sent with your letter.

Yours sincerely,

(W.G. HOFFMAN)
Executive Officer

Mrs G. Adams
"Elspedito"
PO Box 519
EXETER TAS 7275

TASMANIA

Premier

13 MAY 1993

Dear Mrs Adams,

I refer to your correspondence and discussions with my Senior Private Secretary (Mr John Jessup) about your various concerns in respect to the approvals granted by the Beaconsfield Council for the establishment of boarding kennels at Glengarry by Miss S. Chan. I understand that your particular concern is in relation to Council allowing a new access on to Frankford Main Road to serve Miss Chan's kennels.

Bearing in mind that my colleague the Minister for Environment and Land Management (Hon John Cleary, MHA) recently met with you on this matter, and that the Clerk to the Commissioner for Town and Country Planning (Mr John Caulfield) has taken your case up with Council, I would advise that there is nothing further that the Government can do in the circumstances.

FREEDOM OF INFORMATION UNIT TASMANIA POLICE

I further understand that you have spoken to the Secretary of the Department of Justice about your claim for reimbursement of legal costs and expenses, and that the Ombudsman has also addressed this aspect.

Whilst I appreciate your concerns and your claim for reimbursement of costs, I regret that the issues are not matters which I or my Ministerial colleagues can assist you with.

Yours sincerely,

Ray Groom

Ray Groom
Premier

Mrs G. Adams
P.O. Box 519
EXETER Tas 7275

Rec 14/5

PARLIAMENT OF AUSTRALIA · THE SENATE

SENATOR JOCELYN NEWMAN
SENATOR FOR TASMANIA

JMN:RB

June 29, 1993

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams,

Thankyou for your telephone call to my office this morning regarding your complaint against the Beaconsfield Council for allowing a new access road from Frankford Highway to Miss Chan's property, and your request for compensation.

I am sympathetic for your concerns but regret that this is a matter that is best dealt with by the most appropriate person, being the Ombudsman, as he is an independent investigator.

However, I understand that you appealed to the Ombudsman and that the Ombudsman completed his investigation and found that there was nothing more that could be reasonably done for you.

I'm advised that while the Chan's appeal to the Planning Appeals Board was refused, the access point was, however, approved by the Department of Roads and Transport by a permit issued on May 25, 1992.

You could raise this particular point with the Ombudsman for investigation. However, you would need to establish that there are good reasons for further investigation. I understand that unless there are exceptional circumstances, the Ombudsman is unable to consider the matter again if two years has passed.

Yours sincerely,

Jocelyn Newman

JOCELYN NEWMAN

TELEPHONE : (002) 34 2611
FACSIMILE : (002) 34 2556

GOVERNMENT HOUSE
TASMANIA 7001

23rd August, 1993

Mrs G. Adams,
PO Box 519,
EXETER, TAS 7275

Dear Mrs Adams,

Thank you for your letter of 19th August, 1993.

I note your situation is that you have not received a response from the Minister and I have again referred your latest letter for the advice of the Minister for Local Government, the Honourable T.J. Cleary, MHA.

You will appreciated that in such matters, the Governor must accept the advice of the Minister and cannot intervene directly.

I will bring the matter to the Minister's attention.

Yours sincerely,

P.J. MANTON
ACTING OFFICIAL SECRETARY

Collected my mail 25/11/1993 @ 1-40pm, emptying my private Box at Exeter. P.O.

when I returned at 3-00pm to Exeter. P.O this letter was handed to me, just arrived as I was speaking to Mr Manton approx 10-50 AM 25/11/1993

193

26.3

TASMANIA

Minister for Environment and Land Management

Mrs Gail Adams
P.O. Box 519
Exeter 7275

Dear Mrs Adams

I refer to your letter of 18 August 1993 addressed to His Excellency the Governor of Tasmania regarding a kennel licence granted to Miss S Chan of Glengarry.

As it was considered to be more appropriate for me to deal with the issues you raised in your letter it was sent to me for attention and direct reply to you.

The issue in relation to the validity of the Council's original decision on this matter was raised, as you have indicated, in the Planning Appeal Board decision of 11 May 1992 which states inter alia:

"Given the provisions of the Council's Planning Scheme (See Clause 7.5 and Schedule 6) which, in effect, prohibit any development involving a new access on to the Frankford Main Road it is arguable whether the Council's earlier approval of the proposed boarding kennels subject to a condition requiring the provision of a new access to the property was, in fact, a valid approval. However, that is not a matter which the Board is required to determine".

Although the Board is obviously saying that it is arguable that Council's decision was invalid I understand that the Council has been provided with legal advice to the effect that it's decision was not in contravention of the planning scheme. *

As a result of your letter, officers of my Department have thoroughly researched this matter and have also received advice from the Solicitor-General's Office to the effect that there are no avenues open to me which could result in a resolution.

May I suggest however that if you wish to pursue the issues further you should seek your own legal advice.

Yours sincerely

John Cleary
MINISTER

19 OCT 1993

2 Bayfield Street, Rosny Park 7018
P.O. Box 138 Rosny Park 7018
Telephone: (002) 33 8305 Fax: (002) 44 4348

ATTORNEY-GENERAL'S DEPARTMENT

35.2

Support Group
Resources

118832:CD

11 March 1994

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

COMPLAINT WITH BEACONSFIELD COUNCIL

Further to my letter of 22 February 1994, the documents you provided on 16 February 1994 regarding your complaint with the Beaconsfield Council have now been fully considered.

After careful consideration, I can only reiterate my previous advice that the Attorney-General is unable to assist. The Tasmanian Government has responsibility for this matter and there are no constitutional or other issues involved for which the Commonwealth Government has responsibility.

I am returning all documents to you. I am sorry that I cannot be of assistance in this matter.

Yours sincerely

Lester Watson
Director
Ministerial and Parliamentary Section

30.10

[redacted]

OMBUDSMAN

and
Delegate for the Commonwealth Ombudsman

My Reference: S12/231 RG:MW
Your Reference:

12 March 1994

Mrs Gail Adams
P O Box 519
EXETER 7275

Dear Mrs Adams

Complaint: West Tamar Municipal Council (formerly Beaconsfield)

I refer to your letter of 7 April, 1994, concerning the circumstances in which a kennel licence was issued to Miss S Chan in the West Tamar Municipality.

As the matter has already been the subject of exhaustive review, not only by my office but by the Hon the Premier, the Minister for Environment and Land Management and other senior government officers, I regret that I must decline to pursue it further. I make that decision in accordance with section 21(1) of the *Ombudsman Act* 1978 which reads:

> *"The Ombudsman may refuse to entertain a complaint, or, having commenced to investigate a matter raised in a complaint, may refuse to continue the investigation, if he is of the opinion -*
>
> *(a) that the matter raised in the complaint is trivial;*
> *(b) that the complaint is frivolous or vexatious or is not made in good faith;*
> *(c) that the aggrieved person does not have a sufficient interest in the matter raised in the complaint; or*
>
> *(d) that, having regard to all the circumstances of the case, the investigation, or the continuance of the investigation, of the matter raised in the complaint is unnecessary or unjustifiable."*

Yours sincerely

R F X GREEN
OMBUDSMAN

Telephone: (002) 34 9200 (Toll free) 008 001 170 Fax: (002) 24 0094

27 May 1994

Dear Mrs Adams,

I refer to your letter of 20 May 1994 to the Governor-General.

As indicated in this office's letter of 4 May 1993, it is not for the Governor-General to intervene in the matters raised in your letter. I must also add that there is no ground, constitutional or otherwise, for the Governor-General to take any action.

I note that you have already written to the Governor of Tasmania, the relevant State Minister, the Human Rights Commissioner and the Ombudsman on your complaints.

I believe no useful purpose would be served by any further approach, whether by phone or in writing, to this office.

Yours sincerely,

J Hall

Jeannie Hall
Deputy Official Secretary
to the Governor-General

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

DIRECTOR OF PUBLIC PROSECUTIO
15 MURRAY STREET, HOBART
TASMANIA 7000
TELEPHONE (002) 33 2613
FAX (002) 34 2892

37.6

MY REF D123.6 DJB:KSS
YOUR REF.

4 October, 1994

Mrs. G. Adams
PO Box 519
EXETER 7275

Dear Mrs. Adams,

I refer to your letter of the 22nd September 1994.

You raise in your letter a question which once again illustrates the reasoning behind my suggestion that you obtain urgent legal advice.

Negligent acts by public servants are not necessarily criminal and are, in most cases, the subject of civil litigation as opposed to prosecutions under the Criminal Code. It is not a function of my Office to consider submissions such as yours which, as far as I can discern, raise no issue of criminal negligence and certainly no question for consideration of a prosecution under the Criminal Code.

The issues you have raised are more concerned with your rights as a citizen to either seek enforcement of a statutory right or to claim damages for a breach of that right. There may also be other bases upon which you should be seeking advice. In any event I repeat what I have already said you should, as a matter of urgency, obtain your own legal advice. I regret that I cannot assist you further. If you continue to write to me this will only further delay what must now be an urgent need for you to obtain appropriate legal advice from your own Solicitor.

Yours faithfully,

(Damian J. Bugg Q.C.)
DIRECTOR OF PUBLIC PROSECUTIONS

C:\WORK\CROWN\GADAMS.DOC

WDE:BJD 950094

2 March, 1995

Mrs Mary Barnes
Hall Committee
Main Road
EXETER 7275

Dear Mrs Barnes,

Re: Gail Adams

We act on behalf of the abovenamed.

Our client is involved in a dispute over the maintenance of a boundary fence with the McCaughey's who we understand are running horses on Crown Land (which adjoins the hall's land).

There has been correspondence between our client and the McCaughey's and we have been requested by her to supply you with copies of the same.

Yours faithfully,
DOUGLAS & COLLINS

Per:

W.D. EDWARDS

Enc.

17/1/95
"Taplan"
Glengarry
961245.

Dear Mr. Edwards,

I am pleased to see Mrs Adams contributing to the economy by way of fees to your firm. She will get more information from you than from the little green fron Mars who she usually consults.

The boundary fence between Mrs Adams and the Police and Recreation Reserve is, I am sure you know, the responsibility of the owners of the adjoining properties (by council definition) We are responsible for the fence adjoining our property and your client is for her adjoining property. Mrs Adams has suffered a severe lapse of memory as the Beaconsfield Board reminded her of this condition only a couple of weeks before Christmas in their reply to a letter sent by Mrs Adams on my behalf. I was unaware that she had kindly written a letter to them for me and I am very so grateful that she went to the added trouble of signing it for me.

I naturally informed the Glengarry Hall Committee (I am also a member) that I was not responsible for the trouble extending to them, yet again, over the fence. Mrs Adams has protracted phone calls to the members regularly about what the council allegedly tells her that they need to do work on the fence.

The fence is checked regularly to try and appease the woman but nothing is ever enough. The fence is vertical, not leaning as I stated in your letter to me, secure and has an 18 inch trench dug on Mrs Adams side of the fence suggesting her little ponies

have a greater fascination for my masters than the other way around.

This sudden activity with contact through yet more addictors (didn't John Cable get licke was caught about by your clients fear that I might sue her. (Same reaction when Lee dog bit me and she hit me some years ago. Keyamoin story that one). My 12mth old Thoroughbred filly was coaxed over the fence by her Stallion and then cruelly beaten back over it by the Mistre she has sustained severe cuts & abrasions the hind quaters + legs and will be permanently scarred but otherwise OK I thi

There is a law in most States of Australia forbidding stallion owners to house their animal in anything less than electric fencing and never on an adjoining fence where there are other horses or children passing Unfortunately the law in Tasmania does no state this yet as I found out from Mr Jack Kings of the Police. but certainly it is unlawful to allow damage to persons and livestock where reasonable care has not been taken to prevent harm.

On the evening following the discovery of my hurt horse I inspected the fence and found Teresa stapling back to top wire no the place where there had obviously been a big struggle. When I asked her had she seen anybody trouble there that day she said "NO". (was it coincidence or was she acting also on advice from Mariam to for no reason fix a fence strand where she was sure nothing had happened?) I asked her to tell her mother that I would check on electric fence. the next day to

prevent further damage to any of the concerned parties.

Mrs Adams had previously told another Hall Committee members when this was suggested as a remedy for her. that electric fences kill horses. But on returning from a weeks holiday at Buckeno I checked the fence and to my surprise your client had also put up an Electricfence and that our electric fence wait which was secured to the corner post and well hidden from view had unfortunately vanished! Mentions again I suspect!

I reported this to the police on Saturday 14th Jan at about 7.00.

Telephoned 8th - 9pm Before phoning the police I tried to phone mrs Adams to talk to her but all she was able to say when she finally came to the phone was " You'll be talking with my solicitors" As she had not heard the reason for my call I wonder which matter we will be discussing as there are several.

There is no need to repair the fence as it is in good repair, and if there was mrs Adams is compelled by the council (the part owners of the fence) to maintain it herself as she must have done years ago when she owned our block of land too. So I will not be paying for the fence and will continue to smile politely and do all I can to maintain a semblance of neighbourly peace in the face of extreme adversity but I will not be frightened by continual threats and letters from your poor solicitors (at least you get paid), libelous & slanderous comments made by this deranged woman. Please close the door behind you as you may let her know this. but look out!

I've all the excitement of this enthralling case. Your letter to me was unsigned, maybe if you sent it to your client she would happily oblige! 44.4

Tongue firmly in cheek

Ann McCaughey

MRS ANN McCAUGHEY.

I would love the chance of being in court with her foaming at the mouth before somebody sensible told her where she actually stood.

I count three areas for her to address.

I always do my homework, you have to with such a dangerous woman as many people will confirm.

She has almost sued (or threatened to) ½ the Hall. so I suppose I'll miss out. But do try. It would be very amusing.

Department of Justice

OFFICE OF THE SECRETARY

Mr Bingham
3201
M505 REB:ML

30 March 1995

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

Thank you for your letter of 16 March 1995, enclosing copies of some of the correspondence relating to the issues which concern you.

I have spoken to the Ombudsman about these issues, and have had an opportunity to examine his file. There is a wealth of material on it, which indicates that your concerns have in fact been thoroughly investigated by a number of people. In these circumstances, there is nothing further which I can do to assist you.

Thank you for raising your concerns with me. Whilst I understand your frustrations about this matter, it appears to me that all appropriate avenues have been exhausted.

Yours sincerely

Richard Bingham
SECRETARY

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A-616/96

JEM:SH

11 March 1996

Mrs Gail Adams
PO Box 519
EXETER 7275

Dear Mrs Adams

I acknowledge receipt of your letter dated 16 February 1996. I am advised that Inspector Woolley spoke to you on 26 February and outlined the reasons why the police cannot become involved in civil disputes.

There are ample avenues for you to pursue your claim through the civil courts and I reinforce the recommendations and advice given to you by Inspector Woolley.

The circumstances, as described in your letter, do not disclose any evidence of a criminal nature and I am not in a position to offer any further police assistance.

Yours sincerely

RELEASED UNDER THE FREEDOM OF INFORMATION ACT TASMANIA POLICE

L R PRINS
Assistant Commissioner of Police
Crime & Operations

West Tamar Council

JT 10/260/40/1
1960606.00003

PO Box 59
BEACONSFIELD
TAS 7270

Council Chambers
West Street
BEACONSFIELD
TAS 7270

tel: (003) 83 1106
fax: (003) 83 1540

Ms Gail Adams
PO Box 519
EXETER TAS 7275

18 June, 1996

Dear Ms Adams

Re: Freedom of Information Request - 4/96

Further to my letter of 6 June 1996 I provide the following advice.

I refer to your Freedom of Information request for "a copy of a solicitor's advice" in regard to the construction of a new entrance from the Frankford Highway to the proposed premises at Lot 6 Glenmore Estate, Glengarry and advise that a determination has been made that you are not entitled to the information on the grounds of legal professional privilege in accordance with Section 29 of the Freedom of Information Act 1991.

You have the right under section 47 of the Act to apply for a review of this decision. To apply for a review you must write a letter to Mr Graeme Stagg, Principal Officer (FOI) of West Tamar Council, within 28 days of receiving this notice. (As this notice has been posted, it is deemed to have been given to you on the 5th day after it was posted).

Should you have any queries please contact me on 83 1106.

Yours sincerely

Jannie Turner
FREEDOM OF INFORMATION OFFICER

cc: Graeme Stagg
PRINCIPAL OFFICER

letter11\adams02

Our vision is to enhance the West Tamar as a desirable place to live and visit.

It will offer a unique blend of residential communities and rural landscapes abundant with natural features that will be promoted and maintained to provide maximum usage for our residents, enterprises and visitors alike.

A-665

196

West Tamar Council

PO Box 59
BEACONSFIELD
TAS 7270

Council Chambers
West Street
BEACONSFIELD
TAS 7270

tel: (003) 83 1106
fax: (003) 83 1540

GRS: 10/260/40/1
1960624.00021

Ms Gail Adams
PO Box 519
EXETER TAS 7275

8 July, 1996

Dear Ms Adams

Re: Freedom of Information Request - 4/96

Thank you for your letter received 25 June 1996.

I have reviewed the determination made by this agency's Freedom of Information Officer, Jannie Turner, and advise that I support her decision in that you are not entitled to the information on the grounds of legal professional privilege in accordance with Section 29 of the Freedom of Information Act 1991.

You have the right under section 48 of the Act to apply for a review of this decision. To apply for a review you must write a letter to the Ombudsman, 23 Kirksway Place, Battery Point 7004, within 60 days of receiving this notice. (As this notice has been posted, it is deemed to have been given to you on the 5th day after it was posted).

Should you have any queries please contact me on 83 1106.

Yours sincerely

Graeme Stagg
PRINCIPAL OFFICER (FOI)

letter12\adams01

Our vision is to enhance the West Tamar as a desirable place to live and visit.

It will offer a unique blend of residential communities and rural landscapes abundant with natural features that will be promoted and maintained to provide maximum usage for our residents, enterprises and visitors alike.

25.4.

Dr. Frank Madill M.H.A.

Ground Floor
65 Cameron Street
Launceston 7250
Tel: (003) 36 2422
Fax: (003) 36 2255

2nd Floor, Marine Board Building
Franklin Wharf
Hobart 7000
Tel: (002) 33 3456
Fax: (002) 23 8663

28 July 1995

Mr W D Edwards
Douglas and Collins
9-13 George Street
LAUNCESTON 7250

Dear Mr Edwards

Thank you for your letter of July 20 requesting an appointment for Mrs Gail Adams of Frankford Highway, Glengarry.

I enclose a copy of a letter from the Premier, Hon Ray Groom, MHA (dated 13 May 1993) in relation to this matter and in light of this and extensive enquiries my Executive Officer has made, I do not believe I can be of any assistance to Mrs Adams complaint. 27.2

If you still wish me to see your client please let me know but I do not think it will serve any purpose.

Kind regards,

Yours sincerely

Frank Madill

HON DR FRANK MADILL, MHA
Member for Bass
"MINISTER FOR POLICE"

NOW - SPEAKER.

chapter 6

LETTERS IN ALPHABETICAL AND NUMERICAL ORDER, SUPPLIED IN A4 FILES TO BOTH STATE AND FEDERAL GOVERNMENTS.

Gail Adams index - Statut[illegible]y Declaration : 4 September [illegible]997

Development approval	1	
Title owner not Miss Chan - purchased F & E Chan 2/07/91	2.1	Copy of Chans title
Title owner not Miss Chan -	2.2	shows no private right of way-road
Title owner not Miss Chan - Title plan no P40795	2.3	plan refers to lot 2 Chans - no private right of way road
Title owner not Miss Chan - Title plan no P42774	2.4	plan refers to lot 6 Chans - map shows private right of way road
Beaconsfield Council common law practice; see file 56	3	over 30 years, see application to G Adams 1987 application for access road
Developer Chan exempted from Beac. Council practices	4	4/09/90 see file 56
Kennel licence	5	see file 56
Ombudsman - Batt 12/12/90 re GA 12/12/90	6.1	Vickery upheld complaint re Beaconsfield Council maladministration
Ombudsman - Vickery (Assistant) enclosing 6.3	6.2	see below
Ombudsman - Vickery (Assistant) to B/Council Ranson 19/01/91	6.3	Complaint by Mrs Adams & Ms. B Harkins
Ombudsman - photo of position of notice on tree on DMR land	6.4	see square marked on tree trunk
Ombudsman - photo of position of tree on DMR land	6.5	DMR land away from entrance - out of sight
MHA Polley: G Adams letter 9/05/91 personally delivered	7.1	+ 5 attachments as listed - showing discrimination & maladministration of Council
MHA Polley: Mr M. - 10/05/91 re G Adams complaint	7.2	Lyons elected representative
MHA Patmore Mr P Min ALP L'ton.- 9/05/91 G A complaint	8.1	+ 5 attachments as listed - showing discrimination & maladministration of Council
MHA Jackson Ms J Min Roads & Transp.- 23/05/91 G A complair	8.2	refers to Patmore Minister for Planning & Environment
Legal advice (Ellis) 2/10/90 - Beaconsfield Council Harkins/Adams	9.1	Queens peace had been broken, notice not on land - Expenses
Legal advice (Ellis) 12/09/90 - objection to Beaconsfield Council	9.2	advertisement not posted on applicant land; nor in position that could be sighted
Legal advice (Ellis) 1/11/90 - Beaconsfield Council Harkins/Adams	9.3	argue no requirement for Council .... not litigated b4; possibly certiorari $15,000
Legal advice (Ellis) 1/11/90 - to Harkins/Adams -Council's Solicito	9.3	conceded (1) notice not posted on land (2)no evidence furnished to Council
Legal advice (Ellis) 5/12/90 - Beaconsfield Council Actions to	9.4	B Harkins & G Adams; recommending referral of matter to Ombudsman
Legal advice (Ellis) 17/02/92 - confirming to Gail Adams entitled	9.5	expenses PAB; S176(1)(B) "cause Queens peace to be kept" & other relevant S's
Developer Stevenson must adhere to Beac. Council practices	10	

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Gail Adams index - Statutory Declaration : 4 September 1997

Development refusal by Council & Transport Dept	11	refer to 56: Council/Planning Appeal Board
Private-right-o-way Road : Glenmore Estate	12	jointly maintained by title owners
Planning Appeal Board Tribunal : Decision J 33/91	13	refer to 56: Council/Planning Appeal Board
Planning Appeal Board Tribunal : Objection to Decision J 33/91	14	Mr John Cohen (planner & surveyor) rep for objectors: letter Ombudsman 19/04/91
Elspedito Enterprises denigrated to Planning appeal Board	15	see letters/lies not yet indexed
Abusive phone calls	16	
Police - Miniature ponies & horses attacked & ors - ref 53	17	1992 1993 1994- police notified - & visited property "have to catch offenders"
Ombudsman hearing - complaints Council maladministration	18	Glengarry Hall - January 1991
MHA Rev Lance Armstrong 14/06/91 to Gail Adams	19.1	sent letter to Minister for environment & planning - Patmore
MHA Rev Lance Armstrong 14/06/91 to Minister Patmore	19.2	"It would appear.....council has overlooked provision in its own planning Scheme."
MHA Rev Lance Armstrong 31/07/91 from Minister Patmore	19.3	advised Council sought legal opinion notwithstanding Planning Scheme prohibition
MHA Rev Lance Armstrong 23/08/91 to Gail Adams forwarding	19.4	letters 1) Patmore - 19.3, 2) Armstrong to Council Clerk Beaconsfield council
MHA Rev Lance Armstrong 10/12/92 Gail Adams- letter 8ps.	19.5	1)met with 1991;2) item 19 presented @ further meeting; 3)extract Constitution 11
MHA Rev Lance Armstrong 6/01/93 to Gail Adams	19.6	Ruling from Solicitor-General on whether councils decision is an offence [see 33.1}
Access Road - construction without proper legal process	20	construction bypassing regulation authorities
Planning Appeal Board Tribunal : J 27/92 Petition presented	21.1	Ms S Chan submitted as evidence of community approval
Planning Appeal Board Tribunal : J 27/92 re Petition presented	21.2	Mrs Richter gave evidence of bullying to obtain signatures to petition
MHA's ignored G Adams complaint	22.1	General summation of ignoring matter
MHA Gray RT - Watkins 9/07/92	22.2	request copy of letter to Beaconsfield Council
MHA Gray RT - GA 28/09/92 complaint re Beaconsfield Council	22.3	Local authority's incompetence & closed-mindedness
Miniature Pony Society (NSW) problems with organisation	23	Oldenhof
Consumer Affairs Complaint	24	Miniature ponies
MHA Madill Roads & Transport Minister : 26/06/92	25.1	MHA Braid referring to Madill GA 22/06/92
MHA Madill Roads & Transport Minister : 5/08/92 factual error	25.2	R & T had approved new access road

Gail Adams index - Statutory Declaration : 4 September 1997

MHA Madill Min for Police: D&C/Edwards 25/07/95 for G Adams	25.3	request appointment re Discrimination by (1) W/T Police; (2) W/T Council
MHA Madill for Bass: to D&C/Edwards 28/07/95 for G Adams	25.4	27.2] Premier 13/05/93; extensive enqu.= no assistance; appt. will serve no purpose
MHA Cleary: J Minister for Environment & Land Mngmt-19/03/93	26.1	GA + witness mtg with Cleary- L'ton "What has been done cannot be undone"
MHA Cleary: Mr J.- G Adams letter 19/08/93 to Governor	26.2	re planning decision : Chan
MHA Cleary: Mr J.- to GA 19/10/93 re 26.2	26.3	B/Council legal advice-not contravening planning scheme; S/G-no avenues resolve
MHA Cleary: Mr J.- to GA 2/09/96 re A frame	26.4	Your matters under current consideration
MHA Cleary: Mr J.- to GA 24/09/96 re A frame	26.5	"Access was approved by Beaconsfield Council" very erroneous reply
MHA Cleary: Mr J.- to GA 30/09/96 re A frame	26.6	Mr Cleary is currently considering the matters in your letter
MHA Groom Mr R - Premier; several registered letters	27.1	20/09/92; 28/09/92; 2/11/92 no response received
MHA Groom Mr R - Premier; GA letter 22/03/93	27.2	met with Minister Cleary 19/03/93. supplied with documents. Witness attended
MHA Groom Mr R - Premier; reply to GA 13/05/93	27.3	"I regret that the issues are not matters which I nor Min. colleagues can assist with"
MHR Burr Mr M; 12/03/93 letter "discussions on the way	28	& there is no need to believe that they will not reach a satisfactory conclusion"
Legal - for Chan's Solicitors: B G & Rae letter to GA 26/11/92	29.1	unsupported claims warning GA re verbal attacks throughout Glengarry community
Legal - for Chan's Solicitors: B G & Rae letter to GA 26/11/92	29.2	"advised Minister of client's church ... ." GA no knowledge denomination/minister
Federal - Senator J Newman: 29/06/93-referred State Ombudsman	30.01	advised to present documentation to Ombudsman Green
Federal - Senator J Newman: 18/04/94-reiterates above	30.02	go to Ombudsman or legal advice
Federal - Senator J Newman: 25/07/94-repeats previous advice	30.03	thoroughly researched
Federal - Senator J Newman: 24/05/96 Ryan Crago	30.04	Bring to Senators attention ASAP - A frames
Federal - Senator J Newman: 3/09/Ryan Crago re adv. signs	30.05	Bring to Senators attention ASAP - A frames
Federal - Senator J Newman: 13/09/96 Ryan Crago re adv. signs	30.06	State Govt. matter - referring matter to MHA John Cleary
Federal - Senator J Newman: 17/10/96 Ryan Crago re adv. signs	30.07	Mr Cleary has advised forwarded response directly
Federal - Senator Bronwyn Bishop electorate officer : 6/07/93-	30.08	will bring matter to Senators Attn.,
Ombudsman - Green - G Adams letter 7/03?/04?/94	30.09	
Ombudsman - Green 12/03/94 to G Adams after receipt 7/04/94(?)	30.10	Refusal to investigate

Gail Adams index - Statutory Declaration : 4 September 1997

Ombudsman - Green phoned G Adams after receipt of 30.1	**30.11**	[Friday 11/03/94 pm] abusive, "had no intentions of doing anything for me"
Prime Minister Keating replied to GA certified letter & evidence	**31.1**	advising Tasmanian Government responsibility
MHA Madill Dr F 28/07/95 to Edwards @ D & Collins	**31.2**	refers Groom letter 13/05/93; "do not think meeting will serve any purpose"
Governor-General Hayden: GA 1st letter of complaint 29/04/93	**32.1**	with evidentiary documentation
Governor-General officer WG Hoffman reply 4/05/93	**32.2**	misinterpreting GA complaint - cannot help to establish kennel & pet cemetery
Governor-General Hayden: GA 2nd letter of complaint 20/05/94	**32.3**	cannot find letter
Governor-General officer Jeannie Hall 27/05/94	**32.4**	repeating 32.3 reiterating (& misinterpreting) 32.1 -GA
Governor-General Hayden: GA 3rd faxed complaint: Attn. Sturkey	**32.5**	faxed 25 September 1996 - with 17 pages documentation
Governor-General Secretary Sturkey reply 26/09/93	**32.6**	nothing constitutionally wrong - Tasmanian Government matter
Governor-General Hayden: GA phone calls:Sandra Cochrane	**32.7**	Pte Secretary to Governor
Solicitor-General WR Bale: GA letter dated 15/01/93	**33.1**	containing substantial quantity of documentation
Solicitor-General WR Bale reply to GA dated 21/01/93	**33.2**	could not investigate; refer Director of Local Government: attn Caulfield:
HREOC: Burdekin : GA letter 16/12/93 + many phone calls	**34.1**	complaint to commission
HREOC: Blackadder (Delegate) : reply 18 months later - 23/03/95	**34.2**	"Discrimination" & "Human Rights" are strictly defined. Commission unable assist
HREOC: complaints Info officer Robertson 30/03/99	**34.3**	"discrimination is unlawful ....." HREOC no power to investigate complaint
HREOC: GA to complaints Info officer Robertson 9 & 15/04/99	**34.4**	
HREOC: complaints Info officer Robertson 21/04/99 see p2:	**34.5**	"It is for these reasons Commission will not be taking any action about this matter"
MHR Attorney-General Lavarch: G Adams 19/10/93 complaint	**35.1**	re basic Human rights
MHR Attorney-General Lavarch: L Watson, Director reply 11/03/9	**35.2**	returning documents, nothing unconstitutional, refer Tas Govt.,
Ombudsman - Commonwealth - GA letter 2/06/94	**36.1**	complaint re Federal funding to Tas roads, including Frankford H'way, Glengarry,
Ombudsman - Commonwealth - 10/06/94 letter to G Adams	**36.2**	not within jurisdiction of C'wealth - C'wealth funding @ discretion of States
DPP : D Bugg : G Adams letter 12/08/94	**37.01**	cannot find
DPP : D Bugg reply to 37.1 -18/08/94 (inappropriate for DPP)	**37.02**	suggest seek legal advice, explains relationship DPP to Govt. Dept/agency
DPP : D Bugg : G Adams letter dated 12/08/94	**37.03**	requesting justice be done, concealment cease

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DPP : D Bugg reply to GA 37.3 -24/08/94 (inappropriate for DPP	37.04	Premier's Office made him aware of history; Sol-Gen has communicated to GA,
DPP : D Bugg : G Adams certified letter dated 22/09/94	37.05	forwarding copy of complaint to police & encl. copy of extract - Frankford main rd.
DPP : D Bugg reply to GA 37.5 - 4/10/94 (inappropriate for DPP)	37.06	negligent acts not necessarily criminal acts; not function DPP consider submissions
DPP : D Bugg : G Adams letter dated 16/06/98	37.07	affidavit/statutory declaration + other documents
DPP : D Bugg reply to GA 37.8 - 17/06/98 (re affidavit)	37.08	view same as 18/08/94; leave matter of investigation to Police & will contact
DPP : D Bugg : G Adams letter dated 15/10/98	37.09	attaching a copy of Attorney-General letter
DPP : D Bugg GA letter 17 pages - 19/10/98	37.10	sending copies of letters forwarded to the Governor of Tas
DPP : D Bugg reply to GA 37.9 - 19/10/98	37.11	briefed the Attorney-General, cannot discuss with Gail -
Local Government - G Adams letter/documentation 31/10/94	38.1	detailing letters enclosed = self explanatory
Local Government Director R Roodenrys- 9/11/94 reply 38.1	38.2	Refers to no of authorities thoroughly researched & sought advice from S-General
Police: GA{& witness} meet with North. Superintendent 7/09/94	39.1	4 page letter of [all matters of] complaint supplied
Police: Criminal Code Extract S73(1) (a-c); and S74	39.2	Unlawful assemblies ; Breaches of peace
Police: shortly after 7/09/94, Inspector Woolley unannounced visit	40.1	[no document] advised GA Premier (Groom) had not denied nat. justice
Police: re 40.1 Woolley visit GA detailed harassment claim	40.2	Shortly after the Woolley visit harassment ceased
Police: re blue pamphlet distributed by S Presbyterian church	40.3	re Jehovah Witness distributed around L'ton & outer districts as far as Swan Bay
Police: re 40.2 4/06/98 Woolley visit concluded with his statement	40.4	"Your problem is that you do not have a man around"
Credit Rating - during 5 year vehicle lease [$360 per month] period	41	lease period expired, no refinance available from any financial institution
Justice Department - GA letter(s) & Stat. Dec. 24/06/92 & 23/07/92	42.01	& phone discussion 5/08/92
Justice Department 6/08/92 - Sec. JO Green reply to GA 42.1	42.02	1-no claim; 2-attempt Beaconsfield council, 3-referred matter to Ombudsman,
Justice Department 26/04/93 - Sec. JO Green reply to GA 8/08/92	42.03	sought advice of Administrator of Courts [re small claims] & will write when recd.
Justice Department 8/06/93 - A/ Sec. Jameson reply to GA 8/04/93	42.04	not possible alter court record; request Administrator stat dec on court written decisic
Justice Department 30/03/95 - Sec. Bingham reply to GA 16/03/95	42.05	Examined file (thoroughly investigated); spoken to Ombudsman, nothing further
Justice Department 5/07/95 - Sec. Bingham reply to GA 16/02/95	42.06	asked Chief Magistrate to review correspondence & advise GA of outcome of review
Magistrate's Chambers - A G Shott chief Magistrate 20/07/95	42.07	to GA 16/0295 - I shall write to you in the near future; also see 42.7

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Justice Department 27/07/95 - Sec. Bingham reply to GA 21/07/95	42.08	former position not advanced;copies forwarded to Min. for Police as requested
Justice Department 17/04/96 - Sec. Bingham reply to GA 1/04/96	42.09	read documents, nothing further to add, asked C Magistrate to examine complaints
Justice Department 17/05/96 - FoI officer to GA 17/05/96	42.10	Chief magistrate forwarding copy of small Claim 94208 Willee [Von Bibra]
Justice Department 5/06/96 - FoI officer to GA 21/05/96	42.11	enclosing copies A - E as listed re 42.10 [re Willee]
NCA - G Adams letter 21/08/96	43.1	forwarding approx. 80 ps. evidentiary documentation
NCA - letter to G Adams dated 21/08/96	43.2	requesting NCA to investigate matters - briefly detailed
NCA - letter to G Adams dated 3/09/96	43.3	do not relate to NCA functions
McCaughey - from ZK&P:Roy Waldon 21/05/85	44.1	(1)Trespassing; (2) disparaging comments in community; warning to cease
McCaughey - from ZK&P:Roy Waldon to G Adams 28/05/85	44.2	referring to 44.3; if insufficient to prevent advice is to contact Police or the writer
McCaughey - from D&Collins/Edwards 13/01/95	44.3	re Boundary fence repair costs
McCaughey - D&Collins/Edwards 17/01/95	44.4	denying liability; NB disparaging, vindictive, sarcastic comments
McCaughey - to D&Collins/Edwards 2/03/95	44.5	re boundary fence & Crown land
McCaughey - Statement (1/several) from G Adams 4/06/98	44.6	Items 1-20 as listed to Police
Aus. Post - verbal complaint May 1995	45.1	mail tampered with
Aus. Post - GA complaint 1&2/07/98 to AFP	45.2	included mail tampered with
Aus. Post - A Federal Police reply (undated) July or August 98	45.3	focus on serious fraud; not a matter for AFP; local Council & Tas Government
Office Status Women G Adams to Min. C Lawrence 1/06/95	46.1	cannot find; see 46.2 reply suggests contact community legal service
Office Status Women from Min. C Lawrence to G Adams 12/06/95	46.2	cannot provide specific legal advice;may have to reconcile Omb & HREOC decision
MLC Wing - G Adams letter 9/03/93	47.1	request assistance
MLC Wing - reply to G Adams 26/03/93	47.2	contact 1 of 7 Lyons MHA's or MLC Loone, will deliver documents if GA requests
MLC Loone - G Adams 28/06/95 (also refer this file 9)	47.3	nothing in writing,visited GA @ home, sighted T Ellis letter(s) S/Dec file 9.2
Governor of Tas - G Adams letter 29/04/93	48.01	exhausted all avenues through MP's; Constitutional rights denied; please investigate
Governor of Tas - G Adams letter 1/07/93	48.02	Minister misled; Ombudsman acting improperly, peddling wrong information;
Governor of Tas - (DJ Pitchford) letter 12/07/93 to G Adams	48.03	"referring 48.2 to his Ministers for appropriate action"

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Governor of Tas - G Adams letter 19/08/93 4 pages	48.04	generally delailing matters
Governor of Tas - (PJ Manton) letter 23/08/93 to G Adams	48.05	referred 48.4 to Minister Cleary; appreciate Governor must accept advice of Minister
Governor of Tas - (DJ Pitchford) letter 14/10/93 to G Adams	48.06	again brought to attn of Min Local Govt; will reply within 7 days
Governor of Tas - Min Cleary letter 19/10/93 to G Adams [26.3]	48.07	1)- B/Council legal advice-not contravening planning scheme; S/G-no avenues resolv
Governor of Tas - G Adams letter 1/06/94 + phone disc same day	48.07	2) - letter not on file
Governor of Tas - (PJ Manton) letter 3/06/94 to G Adams 48.7b	48.08	re details of Governor Oath of office + sample copy
Governor of Tas - refer 48.8	48.09	sample copy of Governor Oath of office
Governor of Tas - Executive Council Secretariat 7/07/94	48.09	copy of 3 oaths
Governor of Tas - (DJ Pitchford) letter 12/08/94 to G Adams	48.10	referred back to Minister, usual "matter been considered fully, I regret.." letter
Governor of Tas - G Adams letter 5/02/98	48.11	2 page stat. dec., & ors, Buckinham Palace letter, could please stop 8 yr saga?
Governor of Tas - (PJ Manton) letter 18/02/98 to G Adams 48.11	48.12	reiterate previous advice nothing further Gov. assist: serve no useful purpose continue ex
Governor of Tas - G Adams letters 14, 19, 26, 28 October 98	48.13	request speak directly with the Governor
Governor of Tas - (PJ Manton) letter 2/11/98 to G Adams 48.13	48.14	reiterate previous NFA, + unable to agree to request speak directly with the Governor
Governor of Tas - G Adams various letters, most recent 22/02/99	48.15	+ telephone enquiries to Manton office
Governor of Tas - (PJ Manton) letter 25/02/99 to G Adams 48.15	48.16	remind Gov will not intervene, speak with, respond any further correspond./communicat
Governor of Tas - G Adams letter, 8/08/00	48.17	discrimination - Governor unable to agree to request to meet with him.
Governor of Tas - (PJ Manton) letter 25/02/99 to G Adams 48.17	48.18	Gov read correspondence NFA constitutionally proper no use continue exchange correspc
Governor of Tas - G Adams letter, 7/09/00	48.19	re discrimination, injustices due to defective public administration
Constitution- Index to Statutes of Tasmania dated 1 June 1897	49.1	1854 - refer p9: item 6 Page in statutes Vol III p 1494
Constitution- Tuson 4/11/99 to New York Times	49.2	"can your newspaper uncover the original Constitution?"
Police: GA{& witness} meet with North. Superintendent 7/09/94	50.01	also refer 39 - 4 page letter of [all matters of] complaint supplied
Police: GA/ Commissioner 16/02/96	50.02	complaints re disputes - Gail to provide
Police: A/ Commissioner Prins 11/03/96 refers Woolley 26/02/96	50.03	civil dispute; pursue thru court; no evidence crime; inability offer further p assistanc
Police: GA Statement 4/06/98 re POLICE	50.04	re dissatisfaction with ineffectivness of Police

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Police: GA Statement 4/06/98 re CHAN family	50.05	items 1-20 of complaint as listed
Police: GA Statement 4/06/98 re Magistrate WILLEE	50.06	items 1-21 of complaint as listed
Police: GA Statement 4/06/98 re Attorney-General GROOM	50.07	items 1-6 of complaint as listed
Police: GA Statement 4/06/98 re Mrs McCAUGHEY see also 44.5	50.08	items 1-20 of complaint as listed
Police: GA Statement 4/06/98 re Attorney-General CLEARY	50.09	1) - items 1-5 of complaint as listed
Police: GA Statement 4/06/98 re Deputy Sec Governor-General	50.09	2) - Carol SUMMERHAYES - items 1-2 of complaint as listed
Police: GA Statement 4/06/98 re Official Sec Governor-General	50.10	STURKEY - items 1-2 of complaint as listed
Police: GA Statement 4/06/98 re Officer Government House, Can.	50.11	HOFFMAN WG - items 1-2 of complaint as listed
Police: GA/ HM Queen E 11 - 10/06/98 re all items in this file 50	50.12	advising police officer badge no 1550 accepted statements
MHR Attorney-General Williams G Adams letter 16/09/96	51.1	88 pages certified claiming some matters are Federal - see 51.2 reply = no, State
MHR Attorney-General Williams reply 19/11/96 [State matter]	51.2	see note re Lester Watson repeat of 35.2 [2.5 yrs earlier - revolving doors]
H/H Justice Crawford - G Adams letter 31/10/96 seeking advice	52.1	How to compel officers of the Crown to fulfil their duties?
H/H Justice Crawford - Associate B Carroll reply 1/11/96 G Adam	52.2	not H/H role give advice; rather determine disputes properly bought b4 him
Miniature Ponies - AMPS - 1986 re membership Gail Adams	53.01	53.1a -requesting classes for Miniature ponies; see this file for AMP (Tas) only clas
Miniature Ponies - Extract Small Talk - re 31/12/90 to complainant	53.01	53.1b - re people being slurred without right of reply
Miniature Ponies - AMPS Tas cttee - re 11/02/91 Nott to Secretary	53.02	Sydney abide by rules;print in Small Talk for Tas members know truth; Oldenhoff
Miniature Ponies - Accountants-24/10/91 to Treasurer	53.03	amendments/improper records kept, estimate only; impossible to determine accurate
Miniature Ponies - GA to 60 Minutes-13/07/92	53.04	concerns & operations of AMPSociety inc. NSW
Miniature Ponies - Consumer Affairs Tas -31/07/92 to GA re	53.05	advice Invest. officer referring to Dept Cons. Affairs NSW
Miniature ponies - SD&H solicitors -20/07/92 all society members	53.06	(1) Whittles expulsion from society (2) & truth in Small Talk
Miniature ponies - Consumer Affairs NSW -18/09/92 to GA	53.07	rules incorp. assns., not function/intention intervene internal disputes; Blight advice
Miniature ponies - Blight Registrar - 1/10/92 to GA	53.08	application regn for Lordonvale CM @ AGM 18/10/92
Miniature ponies - AMPS Inc -2/10/92 notice to members	53.09	of special general meeting - re Whittle disciplinary action
Miniature ponies - G-9/10/92 to TCN Channel 9 re refusal	53.10	stallion membership

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Miniature ponies - Consumer Affairs NSW -28/10/92 to GA	53.11	refer to GA letter 18/09/92 & phone re refusal; accepted Blight advice only
Miniature ponies - GA to Consumer Affairs NSW -2/11/92	53.12	re 53.11 acceptance of Blight advice GA denied natural justice
Miniature ponies - Premier NSW -17/11/92 re 53.12	53.13	will be dealt with by Minister for Consumer Affairs
Miniature ponies - Consumer Affairs NSW -23/11/92 to GA	53.14	being examined by Chikarovski (nothing ever happened)
Miniature ponies - Consumer Affairs NSW -15/12/92 to GA	53.15	Associations Incorpn Act, Dept CA regard matter as internal dispute; victimisation
Miniature ponies - Tas Mini News -April/May 1993	53.16	see page 6 "I feel we are free of trouble makers at last"; also told in person @ shows
Miniature ponies - Small Talk 1996 K Blight gave b'ground details	53.17	see page 2 "application for membership from Mrs Adams not be accepted""
Miniature ponies - G Adams 25/10/96 Stat dec Carr NSW Premier	53.18	unfair refusal of membership of AMP Society Inc.; see memo 53.1a for Tas
Miniature ponies - Premier NSW -18/11/96 re 53.18	53.19	unable to intervene; brought to attn of Minister for Fair Trading F Lo Po
Miniature ponies - NSW Min. Fair Trading Lo Po'/ G A 31/12/96	53.20	Senator Shayne Murphy referral; 1)membership, 2) rules of AMP Society Inc.,
Miniature ponies - Model rules for incorporation of Associations	53.20	53.20 attachment - NSW Business & Consumer Affairs
Miniature ponies - G Adams 31/12/96 NSW Minister Fair Trading	53.21	advice of misunderstanding of GA complaint & non acceptance of reply
Miniature ponies - NSW Min. Fair Trading Lo Po'/ G A 28/04/97	53.22	received 53.21, matter being examined;
Miniature ponies - NSW Min. Fair Trading Lo Po'/ G A 27/05/97	53.23	incorrect answers; maybe apply to anti-discrimination board
Miniature ponies - NSW Attorney-General Dept. to G A 27/06/97	53.24	not appropriate to provide pte legal advice; go to Legal Aid Commission
Miniature ponies - G A to Premier NSW 13/02/99	53.25	encl. stat dec; objection to being "shoved under carpet"; request read true facts;
Miniature ponies - NSW officer Fair Trading to G A 2/03/99	53.26	received 53.25, matter being examined;
Miniature ponies - Premier/Cabinet NSW -11/03/99 re 53.25	53.27	Premier arranged to bring matter b4 A/G; Minister(s) - Ind. Relations & Fair Trading
Miniature ponies - NSW officer Fair Trading to G A 16/03/99	53.28	received 53.25, matter being examined;
Miniature ponies - NSW Director-Gen F Trading to G A 26/03/99	53.29	Dept no authority intervene; seek dispute resolution svce; or reapply for membership
Miniature ponies - G A to Premier NSW 29/03/99	53.30	discrimination, victimisation,seeking revisit matter, resolution & compensation
Miniature ponies - Premier/Cabinet NSW - 8/04/99 re 53.30	53.31	Premier arranged to bring matter b4 A/G; Minister(s) - Ind. Relations & Fair Trading
Miniature ponies - NSW officer Fair Trading to G A 20/04/99	53.32	received 53.30, matter being examined;
Miniature ponies - Premier/Cabinet NSW to GA - 28/04/99	53.33	re possible use of Mobile Trendy Horses for Olympic Games to M Knight Minister

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Miniature ponies - NSW officer Fair Trading to G A 20/05/99	53.34	Dept no authority intervene; seek dispute resolution svce; Dept unable to assist
A-frame - W/T Council to GA 26/08/96 .,	54.1	No approval for any A-frame Glenmore Estate Kennels, not a requ. to display
A-frame - GA to MHA D Swan 29/08/96 - Min Local Govt.,	54.2	W/T Council: seeking advice improper advertising on Frankford H'way
A-frame - W/T Council to GA 23/09/96 .,	54.2	1-Confirms letter to Chan demanding removal of signs; 2- believe removal occurred
A-frame - MHA D Swan 15/10/96 to GA - Min Local Govt.,	54.3	enclose response from W/T Council to Minister; trust resolves long standing matter
A frame - GA to MHA D Swan 16/04/97 - Min Local Govt.,	54.4	Items 1 - 7 as listed. Seeking assistance to end saga, injustices & abuses of HR&EC
A frame - MHA D Swan to GA recd 22/04/97 - Min Local Govt.,	54.4	54.4b - Snr. Pte. SEC. Pearce will draw Minister's attn to matter
A frame - GA to Fed Treasurer 14/07/98 - Min Local Govt.,	54.5	
A frame - Treasury Director, Liaison 29/07/98 to GA	54.6	matter for Tas State Minister Local Govt, referred to Hon Denise Swan
A-frame - MHA D Swan 4/09/98 to GA - Min Local Govt.,	54.7	nothing further to add to earlier letters,therefore intend to close file on this matter
Dept. Premier & Cabinet Tas Sec. 4 March 1993 re B Council	55.1	55.1a - advising Mrs A Keating/Prime Ministers Dept forwarded to Premier of Tas
Dept. Premier & Cabinet Tas Sec. 7 May 1993 re B Council	55.1	55.1b - acknowledging GA 22/4/97 request seeking meeting with A/General
MHA Ray Groom Attorney-General 12 August 1997 - B Council	55.2	Read all correspondence/some confusing. Nothing can do to assist. Not his role
MHA Ray Groom Attorney-General 12 February 1998 re B Counc	55.3	as per 12/08/97, not role to arbitrate. No basis to intervene in matter
MHA Ray Groom A-General GA letter 19 February 1998 re B Cou	55.4	
MHA Ray Groom A-General 9 March 1998 to GA re B Council	55.5	re 55.4 spoke last year. B/C matters judicial proceedings cannot get involved
Beaconsfield Council	56.1	refer separate file
Denied Justice - Ellis to G Adams 1 November 1990	57.1	Planning dispute, notice not posted on land, need to challenge decision in court
Denied Justice - Ellis to G Adams 17 February 1992	57.2	"cause the Queen's peace to be kept & maintained within its district"
Denied Justice - Hansard 1 March 1994	57.3	citing documents of evidence/rule of evidence in courts of law
Denied Justice - Ombudsman 23 July 1999	57.4	1) - "you are quite correct PABd 11/05/92 dismissed appeal by Mrs Chan [sic] "
Denied Justice - Ombudsman Chronology 23 July 1999	57.4	2) - Chronology Flawed - Gerald & Gail to work on this
Denied Justice - Constitution C'Wealth ref: 117: 118	57.5	117-rights of residents in States, 118 Recognition of laws &c. of States
Registration of Business Names: 1977 "Elspedito Enterprises"	58.1	

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Cat Case- Summons address to Elspedito Cattery (a)	59.1	NB: Small Claim form instruction/procedures; No such business registered
Dog Case- Summons address Elspedito Boarding Kennels (a firm)	59.2	NB: Small Claim form instruction/procedures; No such business registered
Cat Case- evidence no regd. business Elspedito Cattery 59.1 (a)	60.1	provided to Magistrate Willee at beginning of hearing - 29/01/93
Dog Case- evidence no regd. business Elspedito Boarding Kennels	60.2	provided to Magistrate Willee at beginning of hearing - 15/11/94
Cat Case- complaint to Justice Dept., re Magistrate decision	61	
Cat Case- 1) Biased Witness statement; 2) regd. veterinary nurse	62	
Cat Case- plaintiff witness - evidence disputed by sworn statements	63	no recognition in written decision of Court
Cat Case- plaintiff advised cat discovered on premises 3 days after	64	Owner Welsh stated cat wouldn't come to him (owner)
Cat Case- GA objected to plaintiff witness Chan	66	B/C of planning appeals & matter at Solicitor-General at the time
Cat Case- plaintiff claim pedigreed Siamese cat not substantiated	67	supported by witness - 30 yrs breeding experience but ignored by Magistrate
Dog Case- evidence no regd. business Elspedito Boarding Kennels	68	provided to Magistrate Willee at beginning of hearing - 15/11/94 see 60.2
Dog Case- personal dog Candy ill - Regd Vet. Surgeon A/C	69	(1) details of A/c, (2) reasons for dispute of A/C
Dog Case- Regd Vet. Surgeon A/C B4 summons details requested	70	& copy of proof for 69 (b) & (c); not supplied. Written complaint to Cons. Affairs;
Dog Case- letter complaint - Minister Madill Consumer Affairs	71	
Dog Case- Vet Clinic rep in court not known as was stated	72	
Dog Case- Vet Clinic ordered court produce appropriate documents	73	GA (defendant) not provided with documents as provided to court
Dog Case- Stat decs claiming no authority produced in court	74	Magistrate ignored these, claiming they were "suspicious"
Dog Case- Magistrate request parties return later for decision	75	note circumstances (75) as recorded; GA have to apply to higher court for copies
Dog Case- Magistrate denied access to documented evidence	76	victim of collusion; Magistrate Willee also presided over Cat case.
Dog Case- GA reason to believe Chan's involved in Dog case	77	Larner (Vet) solicitors Archer Bushby who also acted for Beaconsfield Council
Bill of Rights still in force Queensland 16/08/96	78	Does it apply to other states in Australia?

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A- frame a- W/T Council to GA 26/08/96 .,	54.1	No approval for any A-frame Glenmore Estate Kennels, not a requ. to display
A- frame b- GA to MHA D Swan 29/08/96 - Min Local Govt.,	54.2	W/T Council: seeking advice improper advertising on Frankford Hway
A- frame c- MHA D Swan 15/10/96 to GA - Min Local Govt.,	54.3	enclose response from W/T Council to Minister; trust resolves long standing matter
A- frame d- GA to MHA D Swan 16/04/97 - Min Local Govt.,	54.4	Items 1 - 7 as listed. Seeking assistance to end saga, injustices & abuses of HR&EC
A- frame e- MHA D Swan to GA recd 22/04/97 - Min Local Govt	54.4	54.4b - Snr. Pte. SEC. Pearce will draw Minister's attn to matter
A- frame f- GA to Fed Treasurer 14/07/98 - Min Local Govt.,	54.5	
A- frame g- Treasury Director, Liaison 29/07/98 to GA	54.6	matter for Tas State Minister Local Govt, referred to Hon Denise Swan
A- frame h- MHA D Swan 4/09/98 to GA - Min Local Govt.,	54.7	nothing further to add to earlier letters,therefore intend to close file on this matter
Abusive phone calls	16	
Access Road - construction without proper legal process	20	construction bypassing regulation authorities
Aus. Post a - verbal complaint May 1995	45.1	mail tampered with
Aus. Post b - GA complaint 1&2/07/98 to AFP	45.2	included mail tampered with
Aus. Post c - A Federal Police reply (undated) July or August 98	45.3	focus on serious fraud; not a matter for AFP; local Council & Tas Government
Beaconsfield Council	56.1	refer separate file
Beaconsfield Council a - Development approval	1	
Beaconsfield Council b- common law practice; see file 56	3	over 30 years, see application to G Adams 1987 application for access road
Beaconsfield Council c- practices - Developer Chan exempted	4	4/09/90 see file 56
Beaconsfield Council d- practices -Developer Stevenson must adhe	10	
Beaconsfield Council e- Development refusal by Council & Transp	11	refer to 56: Council/Planning Appeal Board
Bill of Rights still in force Queensland 16/08/96	78	Does it apply to other states in Australia?
Cat Case a- Summons address to Elspedito Cattery (a)	59.1	Never any such business registered
Cat Case b- evidence no regd. business Elspedito Cattery 59.1 (a)	60.1	provided to Magistrate Willee at beginning of hearing - 29/01/93
Cat Case c - complaint to Justice Dept., re Magistrate decision	61	
Cat Case d- 1) Biased Witness statement; 2) regd. veterinary nurse	62	

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Cat Case e- plaintiff witness - evidence disputed by sworn statemer	63	no recognition in written decision of Court
Cat Case f- plaintiff advised cat discovered on premises 3 days afte	64	Owner Welsh stated cat wouldn't come to him (owner)
Cat Case g- GA objected to plaintiff witness Chan	66	B/C of planning appeals & matter at Solicitor-General at the time
Cat Case h- plaintiff claim pedigreed Siamese cat not substantiated	67	supported by witness - 30 yrs breeding experience but ignored by Magistrate
Constitution- Index to Statutes of Tasmania dated 1 June 1897	49.1	1854 - refer p9: item 6 Page in statutes Vol III p 1494
Constitution- Tuson 4/11/99 to New York Times	49.2	"can your newspaper uncover the original Constitution?"
Consumer Affairs Complaint	24	Miniature ponies
Credit Rating - during 5 year vehicle lease [$360 per month] period	41	lease period expired, no refinance available from any financial institution
Denied Justice a - Ellis to G Adams 1 November 1990	57.1	Planning dispute, notice not posted on land, need to challenge decision in court
Denied Justice b - Ellis to G Adams 17 February 1992	57.2	"cause the Queen's peace to be kept & maintained within its district"
Denied Justice c - Hansard 1 March 1994	57.3	citing documents of evidence/rule of evidence in courts of law
Denied Justice d - Ombudsman 23 July 1999	57.4	1) - "you are quite correct PABd 11/05/92 dismissed appeal by Mrs Chan [sic] "
Denied Justice e - Ombudsman Chronology 23 July 1999	57.4	2) - Chronology Flawed - Gerald & Gail to work on this
Denied Justice f - Constitution C'Wealth ref: 117; 118	57.5	117-rights of residents in States, 118 Recognition of laws &c. of States
Dept. Premier & Cabinet Tas Sec. 4 March 1993 re B Council	55.1	55.1a - advising Mrs A Keating/Prime Ministers Dept forwarded to Premier of Tas
Dept. Premier & Cabinet Tas Sec. 7 May 1993 re B Council	55.1	55.1b - acknowledging GA 22/4/97 request seeking meeting with A/General
Developer Chan exempted from Beac. Council practices	4	4/09/90 see file 56
Developer Stevenson must adhere to Beac. Council practices	10	
Development approval	1	
Development refusal by Council & Transport Dept	11	refer to 56: Council/Planning Appeal Board
Dog Case a- Summons address Elspedito Boarding Kennels (a firr	59.2	Never any such business registered
Dog Case b- evidence no regd. business Elspedito Boarding Kenne	60.2	provided to Magistrate Willee at beginning of hearing - 15/11/94
Dog Case c- evidence no regd. business Elspedito Boarding Kenne	68	provided to Magistrate Willee at beginning of hearing - 15/11/94 see 60.2
Dog Case d- personal dog Candy ill - Regd Vet. Surgeon A/C	69	(1) details of A/c, (2) reasons for dispute of A/C

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Dog Case e- Regd Vet. Surgeon A/C B4 summons details requeste	70	& copy of proof for 69 (b) & (c); not supplied. Written complaint to Cons. Affairs
Dog Case f- letter complaint - Minister Madill Consumer Affairs	71	
Dog Case f- Vet Clinic rep in court not known as was stated	72	
Dog Case g- Vet Clinic ordered court produce appropriate documen	73	GA (defendant) not provided with documents as provided to court
Dog Case h- Stat decs claiming no authority produced in court	74	Magistrate ignored these, claiming they were "suspicious"
Dog Case i- Magistrate request parties return later for decision	75	note circumstances (75) as recorded; GA have to apply to higher court for copies
Dog Case j- Magistrate denied access to documented evidence	76	victim of collusion; Magistrate Willee also presided over Cat case.
Dog Case k- GA reason to believe Chan's involved in Dog case	77	Larner (Vet) solicitors Archer Bushby who also acted for Beaconsfield Council
DPP : D Bugg a : G Adams letter 12/08/94	37.01	cannot find
DPP : D Bugg b reply to 37.1 -18/08/94 (inappropriate for DPP)	37.02	suggest seek legal advice, explains relationship DPP to Govt. Dept/agency
DPP : D Bugg c : G Adams letter dated 12/08/94	37.03	requesting justice be done, concealment cease
DPP : D Bugg d reply to GA 37.3 -24/08/94 (inappropriate for DP	37.04	Premier's Office made him aware of history; Sol-Gen has communicated to GA,
DPP : D Bugg e : G Adams certified letter dated 22/09/94	37.05	forwarding copy of complaint to police & encl. copy of extract - Frankford main rd.
DPP : D Bugg f reply to GA 37.5 - 4/10/94 (inappropriate for DPI	37.06	negligent acts not necessarily criminal acts; not function DPP consider submissions
DPP : D Bugg g : G Adams letter dated 16/06/98	37.07	affidavit/statutory declaration + other documents
DPP : D Bugg h reply to GA 37.8 - 17/06/98 (re affidavit)	37.08	view same as 18/08/94; leave matter of investigation to Police & will contact
DPP : D Bugg i : G Adams letter dated 15/10/98	37.09	attaching a copy of Attorney-General letter
DPP : D Bugg j GA letter 17 pages - 19/10/98	37.10	sending copies of letters forwarded to the Governor of Tas
DPP : D Bugg k reply to GA 37.9 - 19/10/98	37.11	briefed the Attorney-General, cannot discuss with Gail -
Elspedito Enterprises denigrated to Planning appeal Board	15	see letters/lies not yet indexed
Federal a - Senator J Newman: 29/06/93-referred State Ombudsma	30.01	advised to present documentation to Ombudsman Green
Federal b - Senator J Newman: 18/04/94-reiterates above	30.02	go to Ombudsman or legal advice
Federal c - Senator J Newman: 25/07/94-repeats previous advice	30.03	thoroughly researched
Federal d - Senator J Newman: 24/05/96 Ryan Crago	30.04	Bring to Senators attention ASAP - A frames

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Federal e - Senator J Newman: 3/09/Ryan Crago re adv. signs	30.05	Bring to Senators attention ASAP - A frames
Federal f - Senator J Newman: 13/09/96 Ryan Crago re adv. signs	30.06	State Govt. matter - referring matter to MHA John Cleary
Federal g - Senator J Newman: 17/10/96 Ryan Crago re adv. signs	30.07	Mr Cleary has advised forwarded response directly
Federal h - Senator Bronwyn Bishop electorate officer : 6/07/93-	30.08	will bring matter to Senators Attn.,
Governor of Tas a - G Adams letter 29/04/93	48.01	exhausted all avenues through MP's; Constitutional rights denied; please investigate
Governor of Tas b - G Adams letter 1/07/93	48.02	Minister misled; Ombudsman acting improperly, peddling wrong information;
Governor of Tas c - (DJ Pitchford) letter 12/07/93 to G Adams	48.03	"referring 48.2 to his Ministers for appropriate action"
Governor of Tas d - G Adams letter 19/08/93 4 pages	48.04	generally detailing matters
Governor of Tas e - (PJ Manton) letter 23/08/93 to G Adams	48.05	referred 48.4 to Minister Cleary; appreciate Governor must accept advice of Minister
Governor of Tas f - (DJ Pitchford) letter 14/10/93 to G Adams	48.06	again brought to attn of Min Local Govt; will reply within 7 days
Governor of Tas ga - Min Cleary letter 19/10/93 to G Adams [26.3	48.07	1)- B/Council legal advice-not contravening planning scheme; S/G-no avenues resolv
Governor of Tas gb - G Adams letter 1/06/94 + phone disc same da	48.07	2) - letter not on file
Governor of Tas h - (PJ Manton) letter 3/06/94 to G Adams 48.7b	48.08	re details of Governor Oath of office + sample copy
Governor of Tas i - Executive Council Secretariat 7/07/94	48.09	copy of 3 oaths
Governor of Tas i - refer 48.8	48.09	sample copy of Governor Oath of office
Governor of Tas j - (DJ Pitchford) letter 12/08/94 to G Adams	48.10	referred back to Minister, usual "matter been considered fully, I regret.." letter
Governor of Tas k - G Adams letter 5/02/98	48.11	2 page stat. dec., & ors, Buckinham Palace letter, could please stop 8 yr saga?
Governor of Tas l - (PJ Manton) letter 18/02/98 to G Adams 48.11	48.12	reiterate previous advice nothing further Gov. assist; serve no useful purpose continue ex
Governor of Tas m - G Adams letters 14, 19, 26, 28 October 98	48.13	request speak directly with the Governor
Governor of Tas n - (PJ Manton) letter 2/11/98 to G Adams 48.13	48.14	reiterate previous NFA, + unable to agree to request speak directly with the Governor
Governor of Tas o - G Adams various letters, most recent 22/02/9	48.15	+ telephone enquiries to Manton office
Governor of Tas p - (PJ Manton) letter 25/02/99 to G Adams 48.15	48.16	remind Gov will not intervene, speak with, respond any further correspond./communicat
Governor of Tas q - G Adams letter, 8/08/00	48.17	discrimination - Governor unable to agree to request to meet with him.
Governor of Tas r - (PJ Manton) letter 25/02/99 to G Adams 48.17	48.18	Gov read correspondence NFA constitutionally proper no use continue exchange correspo

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Governor of Tas s - G Adams letter, 7/09/00	**48.19**	re discrimination, injustices due to defective public administration
Governor-General a Hayden: GA 1st letter of complaint 29/04/93	**32.1**	with evidentiary documentation
Governor-General b officer WG Hoffman reply 4/05/93	**32.2**	misinterpreting GA complaint - cannot help to establish kennel & pet cemetery
Governor-General c Hayden: GA 2nd letter of complaint 20/05/94	**32.3**	cannot find letter
Governor-General d officer Jeannie Hall 27/05/94	**32.4**	repeating 32.3 reiterating (& misinterpreting) 32.1 -GA
Governor-General e Hayden: GA 3rd faxed complaint: Attn. Sturke	**32.5**	faxed 25 September 1996 - with 17 pages documentation
Governor-General f Secretary Sturkey reply 26/09/93	**32.6**	nothing constitutionally wrong - Tasmanian Government matter
Governor-General g Hayden: GA phone calls:Sandra Cochrane	**32.7**	Pte Secretary to Governor
H/H Justice Crawford a - G Adams letter 31/10/96 seeking advice	**52.1**	How to compel officers of the Crown to fulfil their duties?
H/H Justice Crawford b - Associate B Carroll reply 1/11/96 G Ada	**52.2**	not H/H role give advice; rather determine disputes properly bought b4 him
HREOC: a Burdekin : GA letter 16/12/93 + many phone calls	**34.1**	complaint to commission
HREOC: b Blackadder (Delegate) : reply 18 months later - 23/03/9	**34.2**	"Discrimination" & "Human Rights" are strictly defined. Commission unable assist
HREOC: c complaints Info officer Robertson 30/03/99	**34.3**	"discrimination is unlawful ....." HREOC no power to investigate complaint
HREOC: d GA to complaints Info officer Robertson 9 & 15/04/99	**34.4**	
HREOC: e complaints Info officer Robertson 21/04/99 see p2:	**34.5**	"It is for these reasons Commission will not be taking any action about this matter"
Justice Department a - GA letter(s) & Stat. Dec. 24/06/92 & 23/07/	**42.01**	& phone discussion 5/08/92
Justice Department b 6/08/92 - Sec. JO Green reply to GA 42.1	**42.02**	1-no claim; 2-attempt Beaconsfield council, 3-referred matter to Ombudsman,
Justice Department c 26/04/93 - Sec. JO Green reply to GA 8/08/92	**42.03**	sought advice of Administrator of Courts [re small claims] & will write when recd.
Justice Department d 8/06/93 - A/ Sec. Jameson reply to GA 8/04/9	**42.04**	not possible alter court record; request Administrator stat dec on court written decisic
Justice Department e 30/03/95 - Sec. Bingham reply to GA 16/03/9	**42.05**	Examined file (thoroughly investigated); spoken to Ombudsman, nothing further
Justice Department f 5/07/95 - Sec. Bingham reply to GA 16/02/95	**42.06**	asked Chief Magistrate to review correspondence & advise GA of outcome of review
Justice Department g 27/07/95 - Sec. Bingham reply to GA 21/07/9	**42.08**	former position not advanced;copies forwarded to Min. for Police as requested
Justice Department h 17/04/96 - Sec. Bingham reply to GA 1/04/96	**42.09**	read documents, nothing further to add, asked C Magistrate to examine complaints
Justice Department i 17/05/96 - FoI officer to GA 17/05/96	**42.10**	Chief magistrate forwarding copy of small Claim 94208 Willee [Von Bibra]

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Justice Department j 5/06/96 - FoI officer to GA 21/05/96	42.11	enclosing copies A - E as listed re 42.10 [re Willee]
Kennel licence	5	see file 56
Legal - for Chan's Solicitors: B G & Rae letter to GA 26/11/92	29.1	unsupported claims warning GA re verbal attacks throughout Glengarry community
Legal - for Chan's Solicitors: B G & Rae letter to GA 26/11/92	29.2	"advised Minister of client's church ... ." GA no knowledge denomination/minister
Legal advice a(Ellis) 2/10/90 - Beaconsfield Council Harkins/Adam	9.1	Queens peace had been broken, notice not on land - Expenses
Legal advice b(Ellis) 12/09/90 - objection to Beaconsfield Council	9.2	advertisement not posted on applicant land; nor in position that could be sighted
Legal advice c(Ellis) 1/11/90 - to Harkins/Adams -Council's Solicit	9.3	conceded (1) notice not posted on land (2)no evidence furnished to Council
Legal advice d(Ellis) 1/11/90 - Beaconsfield Council Harkins/Adan	9.3	argue no requirement for Council .... not litigated b4; possibly certiorari $15,000
Legal advice e(Ellis) 5/12/90 - Beaconsfield Council Actions to	9.4	B Harkins & G Adams; recommending referral of matter to Ombudsman
Legal advice f(Ellis) 17/02/92 - confirming to Gail Adams entitled	9.5	expenses PAB; S176(1)(B) "cause Queens peace to be kept" & other relevant S's
Local Government - G Adams letter/documentation 31/10/94	38.1	detailing letters enclosed = self explanatory
Local Government Director R Roodenrys- 9/11/94 reply 38.1	38.2	Refers to no of authorities thoroughly researched & sought advice from S-General
Magistrate's Chambers - A G Shott chief Magistrate 20/07/95	42.07	to GA 16/0295 - I shall write to you in the near future; also see 42.7
McCaughey a - from ZK&P:Roy Waldon 21/05/85	44.1	(1)Trespassing; (2) disparaging comments in community; warning to cease
McCaughey b - from ZK&P:Roy Waldon to G Adams 28/05/85	44.2	referring to 44.3; if insufficient to prevent advice is to contact Police or the writer
McCaughey c - from D&Collins/Edwards 13/01/95	44.3	re Boundary fence repair costs
McCaughey d - D&Collins/Edwards 17/01/95	44.4	denying liability; NB disparaging, vindictive, sarcastic comments
McCaughey e - to D&Collins/Edwards 2/03/95	44.5	re boundary fence & Crown land
McCaughey f - Statement (1/several) from G Adams 4/06/98	44.6	Items 1-20 as listed to Police
MHA Cleary: J Minister for Environment & Land Mngmt-19/03/93	26.1	GA + witness mtg with Cleary- L'ton "What has been done cannot be undone"
MHA Cleary: Mr J.- G Adams letter 19/08/93 to Governor	26.2	re planning decision : Chan
MHA Cleary: Mr J.- to GA 19/10/93 re 26.2	26.3	B/Council legal advice-not contravening planning scheme; S/G-no avenues resolve
MHA Cleary: Mr J.- to GA 2/09/96 re A frame	26.4	Your matters under current consideration
MHA Cleary: Mr J.- to GA 24/09/96 re A frame	26.5	"Access was approved by Beaconsfield Council" very erroneous reply

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MHA Cleary: Mr J.- to GA 25/09/96 re A frame	26.6	Mr Cleary is currently considering the matters in your letter
MHA Gray RT - a Watkins 9/07/92	22.2	request copy of letter to Beaconsfield Council
MHA Gray RT - b GA 28/09/92 complaint re Beaconsfield Council	22.3	Local authority's incompetence & closed-mindedness
MHA Groom Mr R -a Premier; several registered letters	27.1	20/09/92; 28/09/92; 2/11/92 no response received
MHA Groom Mr R -b Premier; GA letter 22/03/93	27.2	met with Minister Cleary 19/03/93. supplied with documents. Witness attended
MHA Groom Mr R -c Premier; reply to GA 13/05/93	27.3	"I regret that the issues are not matters which I nor Min. colleagues can assist with"
MHA Jackson Ms J Min Roads & Transp.- 23/05/91 G A complain	8.2	refers to Patmore Minister for Planning & Environment
MHA Madill a Roads & Transport Minister : 26/06/92	25.1	MHA Braid referring to Madill GA 22/06/92
MHA Madill b Roads & Transport Minister : 5/08/92 factual error	25.2	R & T had approved new access road
MHA Madill c Min for Police: D&C/Edwards 25/07/95 for G Adam	25.3	request appointment re Discrimination by (1) W/T Police; (2) W/T Council
MHA Madill d for Bass: to D&C/Edwards 28/07/95 for G Adams	25.4	27.2] Premier 13/05/93; extensive enqu.= no assistance; appt. will serve no purpose
MHA Madill e Dr F 28/07/95 to Edwards @ D & Collins	31.2	refers Groom letter 13/05/93; "do not think meeting will serve any purpose"
MHA Patmore Mr P Min ALP L'ton.- 9/05/91 G A complaint	8.1	+ 5 attachments as listed - showing discrimination & maladministration of Council
MHA Polley: G Adams letter 9/05/91 personally delivered	7.1	+ 5 attachments as listed - showing discrimination & maladministration of Council
MHA Polley: Mr M. - 10/05/91 re G Adams complaint	7.2	Lyons elected representative
MHA Ray Groom a Attorney-General 12 August 1997 - B Council	55.2	Read all correspondence/some confusing. Nothing can do to assist. Not his role
MHA Ray Groom b Attorney-General 12 February 1998 re B Cour	55.3	as per 12/08/97, not role to arbitrate. No basis to intervene in matter
MHA Ray Groom c A-General GA letter 19 February 1998 re B Cc	55.4	
MHA Ray Groom d A-General 9 March 1998 to GA re B Council	55.5	re 55.4 spoke last year. B/C matters judicial proceedings cannot get involved
MHA Rev Lance Armstrong a 14/06/91 to Gail Adams	19.1	sent letter to Minister for environment & planning - Patmore
MHA Rev Lance Armstrong b 14/06/91 to Minister Patmore	19.2	"It would appear.....council has overlooked provision in its own planning Scheme."
MHA Rev Lance Armstrong c 31/07/91 from Minister Patmore	19.3	advised Council sought legal opinion notwithstanding Planning Scheme prohibition
MHA Rev Lance Armstrong d 23/08/91 to Gail Adams forwarding	19.4	letters 1) Patmore - 19.3, 2) Armstrong to Council Clerk Beaconsfield council
MHA Rev Lance Armstrong e 10/12/92 Gail Adams- letter 8ps.	19.5	met with in 1991 also & item 19 presented at a further meeting with him

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MHA Rev Lance Armstrong f 6/01/93 to Gail Adams	19.6	Ruling from Solicitor-General on whether councils decision is an offence [see 33.1]
MHA's ignored G Adams complaint	22.1	General summation of ignoring matter
MHR Attorney-General Lavarch: G Adams 19/10/93 complaint	35.1	re basic Human rights
MHR Attorney-General Lavarch: L Watson, Director reply 11/03/9	35.2	returning documents, nothing unconstitutional, refer Tas Govt.,
MHR Attorney-General Williams G Adams letter 16/09/96	51.1	88 pages certified claiming some matters are Federal - see 51.2 reply = no, State
MHR Attorney-General Williams reply 19/11/96 [State matter]	51.2	see note re Lester Watson repeat of 35.2 [2.5 yrs earlier - revolving doors]
MHR Burr Mr M; 12/03/93 letter "discussions on the way	28	& there is no need to believe that they will not reach a satisfactory conclusion"
Miniature Ponies a - AMPS - 1986 re membership Gail Adams	53.01	53.1a -requesting classes for Miniature ponies; see this file for AMP (Tas) only clas
Miniature Ponies a - Extract Small Talk - re 31/12/90 to complainan	53.01	53.1b - re people being slurred without right of reply
Miniature Ponies b - AMPS Tas cttee - re 11/02/91 Nott to Secretar	53.02	Sydney abide by rules;print in Small Talk for Tas members know truth; Oldenhoff
Miniature Ponies c - Accountants-24/10/91 to Treasurer	53.03	amendments/improper records kept. estimate only; impossible to determine accurate
Miniature Ponies d - GA to 60 Minutes-13/07/92	53.04	concerns & operations of AMPSociety inc. NSW
Miniature Ponies e - Consumer Affairs Tas -31/07/92 to GA re	53.05	advice Invest. officer referring to Dept Cons. Affairs NSW
Miniature ponies f - SD&H solicitors -20/07/92 all society member	53.06	(1) Whittles expulsion from society (2) & truth in Small Talk
Miniature ponies g - Consumer Affairs NSW -18/09/92 to GA	53.07	rules incorp. assns., not function/intention intervene internal disputes; Blight advice
Miniature ponies h - Blight Registrar -1/10/92 to GA	53.08	application regn for Lordonvale CM @ AGM 18/10/92
Miniature ponies i - AMPS Inc -2/10/92 notice to members	53.09	of special general meeting - re Whittle disciplinary action
Miniature ponies j - G-9/10/92 to TCN Channel 9 re refusal	53.10	stallion membership
Miniature ponies k - Consumer Affairs NSW -28/10/92 to GA	53.11	refer to GA letter 18/09/92 & phone re refusal; accepted Blight advice only
Miniature ponies l - GA to Consumer Affairs NSW -2/11/92	53.12	re 53.11 acceptance of Blight advice GA denied natural justice
Miniature ponies m - Premier NSW -17/11/92 re 53.12	53.13	will be dealt with by Minister for Consumer Affairs
Miniature ponies n - Consumer Affairs NSW -23/11/92 to GA	53.14	being examined by Chikarovski (nothing ever happened)
Miniature ponies o - Consumer Affairs NSW -15/12/92 to GA	53.15	Associations Incorpn Act, Dept CA regard matter as internal dispute; victimisation
Miniature ponies p - Tas Mini News -April/May 1993	53.16	see page 6 "I feel we are free of trouble makers at last"; also told in person @ shows

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Miniature ponies q - Small Talk 1996 K Blight gave b'ground detai	53.17	see page 2 "application for membership from Mrs Adams not be accepted""
Miniature ponies r - G Adams 25/10/96 Stat dec Carr NSW Premie	53.18	unfair refusal of membership of AMP Society Inc.; see memo 53.1a for Tas
Miniature ponies s - Premier NSW -18/11/96 re 53.18	53.19	unable to intervene; brought to attn of Minister for Fair Trading F Lo Po
Miniature ponies t - Model rules for incorporation of Associations	53.20	53.20 attachment - NSW Business & Consumer Affairs
Miniature ponies t - NSW Min. Fair Trading Lo Po'/ G A 31/12/96	53.20	Senator Shayne Murphy referral; 1)membership, 2) rules of AMP Society Inc.,
Miniature ponies u - G Adams 31/12/96 NSW Minister Fair Tradi	53.21	advice of misunderstanding of GA complaint & non acceptance of reply
Miniature ponies v - NSW Min. Fair Trading Lo Po'/ G A 28/04/9	53.22	received 53.21, matter being examined;
Miniature ponies w - NSW Min. Fair Trading Lo Po'/ G A 27/05/9	53.23	incorrect answers; maybe apply to anti-discrimination board
Miniature ponies x - NSW Attorney-General Dept. to G A 27/06/9	53.24	not appropriate to provide pte legal advice; go to Legal Aid Commission
Miniature ponies y - G A to Premier NSW 13/02/99	53.25	encl. stat dec; objection to being "shoved under carpet"; request read true facts;
Miniature ponies z - NSW officer Fair Trading to G A 2/03/99	53.26	received 53.25, matter being examined;
Miniature ponies za - Premier/Cabinet NSW -11/03/99 re 53.25	53.27	Premier arranged to bring matter b4 A/G; Minister(s) - Ind. Relations & Fair Trading
Miniature ponies zb - NSW officer Fair Trading to G A 16/03/99	53.28	received 53.25, matter being examined;
Miniature ponies zc - NSW Director-Gen F Trading to G A 26/03/	53.29	Dept no authority intervene; seek dispute resolution svce; or reapply for membership
Miniature ponies zd - G A to Premier NSW 29/03/99	53.30	discrimination, victimisation,seeking revisit matter, resolution & compensation
Miniature ponies ze - Premier/Cabinet NSW - 8/04/99 re 53.30	53.31	Premier arranged to bring matter b4 A/G; Minister(s) - Ind. Relations & Fair Trading
Miniature ponies zf - NSW officer Fair Trading to G A 20/04/99	53.32	received 53.30, matter being examined;
Miniature ponies zg - Premier/Cabinet NSW to GA - 28/04/99	53.33	re possible use of Mobile Trendy Horses for Olympic Games to M Knight Minister
Miniature ponies zh - NSW officer Fair Trading to G A 20/05/99	53.34	Dept no authority intervene; seek dispute resolution svce; Dept unable to assist
Miniature Pony Society (NSW) problems with organisation	23	Oldenhof
MLC Loone c - G Adams 28/06/95 (also refer this file 9)	47.3	nothing in writing,visited GA @ home, sighted T Ellis letter(s) S/Dec file 9.2
MLC Wing a - G Adams letter 9/03/93	47.1	request assistance
MLC Wing b - reply to G Adams 26/03/93	47.2	contact 1 of 7 Lyons MHA's or MLC Loone, will deliver documents if GA requests
NCA - G Adams letter 21/08/96	43.1	forwarding approx. 80 ps. evidentiary documentation

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NCA - letter to G Adams dated 21/08/96	**43.2**	requesting NCA to investigate matters - briefly detailed
NCA - letter to G Adams dated 3/09/96	**43.3**	do not relate to NCA functions
Office Status Women a G Adams to Min. C Lawrence 1/06/95	**46.1**	cannot find; see 46.2 reply suggests contact community legal service
Office Status Women b from Min. C Lawrence to G Adams 12/06/	**46.2**	cannot provide specific legal advice;may have to reconcile Omb & HREOC decision
Ombudsman aa - Commonwealth - GA letter 2/06/94	**36.1**	complaint re Federal funding to Tas roads, including Frankford H'way, Glengarry,
Ombudsman ab - Commonwealth - 10/06/94 letter to G Adams	**36.2**	not within jurisdiction of C'wealth - C'wealth funding @ discretion of States
Ombudsman a - Batt 12/12/90 re GA 12/12/90	**6.1**	Vickery upheld complaint re Beaconsfield Council maladministration
Ombudsman b - hearing complaints Council maladministration	**18**	Glengarry Hall - January 1991
Ombudsman c - Vickery (Assistant) enclosing 6.3	**6.2**	see below
Ombudsman d - Vickery (Assistant) to B/Council Ranson 19/01/91	**6.3**	Complaint by Mrs Adams & Ms. B Harkins
Ombudsman e - photo of position of notice on tree on DMR land	**6.4**	see square marked on tree trunk
Ombudsman f - photo of position of tree on DMR land	**6.5**	DMR land away from entrance - out of sight
Ombudsman g - Green - G Adams letter 7/03?/04?/94	**30.09**	
Ombudsman h - Green 12/03/94 to G Adams after receipt 7/04/94(	**30.10**	Refusal to investigate
Ombudsman i - Green phoned G Adams after receipt of 30.1	**30.11**	[Friday 11/03/94 pm] abusive, "had no intentions of doing anything for me"
Planning Appeal Board Tribunal : Decision J 33/91	**13**	refer to 56: Council/Planning Appeal Board
Planning Appeal Board Tribunal : J 27/92 Petition presented	**21.1**	Ms S Chan submitted as evidence of community approval
Planning Appeal Board Tribunal : J 27/92 re Petition presented	**21.2**	Mrs Richter gave evidence of bullying to obtain signatures to petition
Planning Appeal Board Tribunal : Objection to Decision J 33/91	**14**	Mr John Cohen (planner & surveyor) rep for objectors: letter Ombudsman 19/04/91
Police a: shortly after 7/09/94, Inspector Woolley unannounced vis	**40.1**	[no document] advised GA Premier (Groom) had not denied nat. justice
Police aa - Miniature ponies & horses attacked & ors - ref 53	**17**	1992 1993 1994- police notified - & visited property "have to catch offenders"
Police b: re 40.1 Woolley visit GA detailed harassment claim	**40.2**	Shortly after the Woolley visit harassment ceased
Police c: re blue pamphlet distributed by S Presbyterian church	**40.3**	re Jehovah Witness distributed around L'ton & outer districts as far as Swan Bay
Police d: re 40.2 4/06/98 Woolley visit concluded with his stateme	**40.4**	"Your problem is that you do not have a man around"

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Police e: GA{& witness} meet with North. Superintendent 7/09/94	39	4 page letter of [all matters of] complaint supplied
Police ee: GA{& witness} meet with North. Superintendent 7/09/9	50.01	also refer 39 - 4 page letter of [all matters of] complaint supplied
Police f: GA/ Commissioner 16/02/96	50.02	complaints re disputes - Gail to provide
Police g: A/ Commissioner Prins 11/03/96 refers Woolley 26/02/96	50.03	civil dispute; pursue thru court; no evidence crime; inability offer further p assistance
Police h: GA Statement 4/06/98 re POLICE	50.04	re dissatisfaction with ineffectiveness of Police
Police i: GA Statement 4/06/98 re CHAN family	50.05	items 1-20 of complaint as listed
Police j: GA Statement 4/06/98 re Magistrate WILLEE	50.06	items 1-21 of complaint as listed
Police k: GA Statement 4/06/98 re Attorney-General GROOM	50.07	items 1-6 of complaint as listed
Police l: GA Statement 4/06/98 re Mrs McCAUGHEY see also 44.	50.08	items 1-20 of complaint as listed
Police ma: GA Statement 4/06/98 re Attorney-General CLEARY	50.09	1) - items 1-5 of complaint as listed
Police mb: GA Statement 4/06/98 re Deputy Sec Governor-General	50.09	2) - Carol SUMMERHAYES - items 1-2 of complaint as listed
Police n: GA Statement 4/06/98 re Official Sec Governor-General	50.10	STURKEY - items 1-2 of complaint as listed
Police o: GA Statement 4/06/98 re Officer Government House, Car	50.11	HOFFMAN WG - items 1-2 of complaint as listed
Police p: GA/ HM Queen E 11 - 10/06/98 re all items in this file 50	50.12	advising police officer badge no 1550 accepted statements
Prime Minister Keating replied to GA certified letter & evidence	31.1	advising Tasmanian Government responsibility
Private-right-o-way Road : Glenmore Estate	12	jointly maintained by title owners
Registration of Business Names: 1977 "Elspedito Enterprises"	58.1	
Solicitor-General a WR Bale: GA letter dated 15/01/93	33.1	containing substantial quantity of documentation
Solicitor-General b WR Bale reply to GA dated 21/01/93	33.2	could not investigate; refer Director of Local Government: attn Caulfield:
Title owner a not Miss Chan - purchased F & E Chan 2/07/91	2.1	Copy of Chans title
Title owner b not Miss Chan -	2.2	shows no private right of way road
Title owner c not Miss Chan - Title plan no P40795	2.3	plan refers to lot 2 Chans - no private right of way road
Title owner d not Miss Chan - Title plan no P42774	2.4	plan refers to lot 6 Chans - map shows private right of way road

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Index (5) *[Beaconsfield Council File]*
Gail Adams submission to Anti-Discrimination Commission

Miscellaneous

1 A frame signs erected on highway
2 Application to operate boarding kennels via existing pte right of way road

Beaconsfield Council

3 - advertising of applications,
4 - approval of development on a kennel licence
5 - bias to ratepayers
6 - Development plan for Glenmore Rural Estate
7 - overruled Planning Appeal Board written decision J27/92
8 - Planning Scheme
9 - policy re Title owners
10 -refusal Pet Cemetery application
11 - refusal Pet Cemetery& associated office

Developer : Chan

12 - advertising & operating before written decision/approval
13 - appeal over Pet Cemetery & Associated Office Ruling
14 - application for kennel licence
15 - application for Pet Cemetery & Associated Office
16 - purchase of land : Lot 6 Glenmore Estate

Miscellaneous

17 Citizen objection to Pet Cemetery application
18 Drug Dog
19 Elspedito tracking dogs

Gail Adams Activities

20 - affidavit to Planning Appeal Board Chairman, Pitt
21 - complaint to Planning Appeal Board
22 - FoI request for release of legal advice to Beaconsfield Council
23 - Freedom of Information requests & supply
24 - questions and complaint to Beaconsfield Council
25 - questions to Planning Appeal Board
26 - request for review of Freedom of Information ruling

Miscellaneous

27 Glenmore Estate Titles
28 Kennel Licence
29 Legal advice to Beaconsfield Council
30 Misleading Ombudsman
31 Objections to permit for additional boarding kennels in area
32 Ombudsman Inquiry

Planning Appeal Board

33 - (i) notification (ii) hearing re kennels & use existing private r-o-w road
34 - discriminatory in rulings : Chan/other Tasmanians
35 - hearing for Pet Cemetery & Associated office
36 - written decision J27/92 [appeal dismissed]
37 - written decision on Pet Cemetery & Associated office

Miscellaneous

38 Threatening letter from Chans' solicitor to Gail Adams

Gail Adams index - Beaconsfield Council 15 February 2001

1	late 1987	DMR refused GA asp. new & extra access Rd. Glengarry; against 86 Beaconsfield plan. scheme. Elspedito Advertising sign :	order to move on/in property
2	11/01/2000	Planning appeal board dismissed - Mental Health Services T115/89 application, because of use of right of way off state road	Chairman Pitt QC.,
3	15/05/1990	Beaconsfield Council sought advice DMR re Chan proposed development application NB application for Boarding kennels only	advice only
4	16/05/1990	Beaconsfield Council held discussions with DMR re no 11 of 12 conditions (new access road)	advice only
5	19/05/1990	Beaconsfield Council public notice: SM Chan, Lot 6 Frankford H'way (?where), Boarding kennels only; No notice on land	Examiner newspaper
6	28/05/1990	DMR letter to B Council re new access road; see map with [safety] location of access Rd on Frankford H'way, @ bottom of hi	Rural zone
7.1	4/06/1990	B'field Council approve Ms S Chan [not title owner; no permit] dog board. kennels application;12 conditions; NB 1 Objector	Brenda Harkin
7.2	October 1998	Beaconsfield Council - West Tamar Newsletter : "An applicant will need to provide council with proof of ownership of land"	
8.1	5/06/1990	Beaconsfield Council notify- Ms S Chan (Sydney) boarding kennel application approved : 12 conditions appeal must be lodged	14 days from 9/06/90
9.1	22/06/1990	Don Jones (solicitor) faxed GA appeal - planning appeal board	
10.1	2/07/1990	Beaconsfield Council - Town & Country planning - complaint GA appeal exceed 14 day expiry limit	
11.1	6/07/1990	Planning Appeal Bd advice to Don Jones: GA appeal invalid - exceeded 14 expiry date	
12.1	30/07/1990	Mr F & Mrs E Chan application to LCC for kennel/cattery complex refused @ Los Angelos Rd., Dilston (LCC Minutes)	9.1 Stat Dec

13 Legal advice/Ellis : Beaconsfield Council

13.1	2/10/90	Clarke & Gee -Ellis forwarding copy of his letter to Beaconsfield Council see 13.2	9.1 Stat Dec
13.2	12/09/90	Ellis/Clarke & Gee to Beaconsfield Council:application for appro not posted in conspicuous position as required by S733B(3)(a)	

14		**Chan application : Kennel licence**	
14.1	26/09/90	Beaconsfield Council planning officer, Sluce reply to 13 - claiming notice on gate post. Wrong, up a tree on DMR land, see photo	
14.2	photos	copy of photos (original Stat Dec file 6.5) indicating sign was placed up a tree, out of sight on DMR land	
14.3	1/11/90	Legal advice (Ellis) - Beaconsfield Council Harkins/Adams: interpretation S733B(3);could cost $10-15,000 to bring application	9.3 Stat Dec.
14.4	5/12/90	Legal advice (Ellis) - Harkins/Adams - refer matter & Ellis letter to Ombudsman, who is charged with investigating such matte	9.3 Stat Dec.
15		**Examiner report: Chan family**	
15	11/90	Chan family + 8 dogs moved onto Glenmore Estate; Note immediately ran into troubles re council decision	Examiner article 23/05/91 -
16		**Chan application : Kennel licence**	
16.1	22/12/90	Ms Salina Chan advert for Kennel licence for Lot 2, my premises, Glenmore Estate (knew of 12 conditions at this time)	attachment:Dog Control Act
16.1	continued	1/12 4th June 1990 conditions = new access road - which was not constructed at time of this advertisement;	pages 1556,1557,1559
16.2	plan	Note Plan =Lot 6, not Lot 2 as advertised Examiner; & part of pet cemetery now on section of Lot 4 (to be checked)	
17		**Chan application : Pet Cemetery & Associated office**	
17.1	2/01/91	Ms Salina Chan application for pet cemetery & associated office Lot 6, Glenmore Estate; many objections	
17.2	undated	Copy of original petition of objectors with names, addresses & signatures, sent to Beaconsfield Council	

18		**Beaconsfield council Advertisement re Chan application**	
18	12/01/91	Beaconsfield Council advert for Miss Salina Chan application, Lot 2 : objections to be within 14 days; Warden Barry Easther	Examiner public notices
19		**Beaconsfield council Advertisement re Chan application**	
19.1	12/12/90	Ombudsman Batt acknowledges GA 12/12/90 complaint. will be in contact	
19.2	19/01/91	A/Ombudsman Vickery writes to Beaconsfield Council re administrative procedure re Lot 6 development : Ms Salina Chan	Legal advice (Ellis) 17/02/92 -
19.2	17/02/92	Clarke & Gee Ellis re several sections of Local Govt. Act; Positive obligation imposed by the Act on the Municipality	
20		**Glenmore Estate Titles**	
20	20/01/91	Titles of Glenmore Estate	
21		**Beaconsfield Council/Ombudsman**	
21	23/01/91	Beaconsfield Council- Sluce to Ombudsman - appears to be confusion re discussion & with O to complainants. asking to meet	
22		**Beaconsfield Council/acknowledge objection to pet cemetery**	
22	29/01/91	Beaconsfield Council- [Bennett] write to Simpson (sic) [GA]	

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23		**Refusal [Beaconsfield Council] Pet Cemetery & Associated Office**	
23	20/02/91	Beaconsfield Council Agenda plan 5- refusal for Pet Cemetery & associated office	
24		**Beaconsfield Council/Ratepayers**	
24	25/02/91	Beaconsfield Council seeks legal advice on Chan application for kennel licence	
24.1		written questions to Council	
24.2		G Adams question to Mayor & Councillors. Warden Easther stated NSW activities not relevant	
24.3	5/02/91	"Ratepayers query pet cemetery" note relevant sections	Examiner extract
24.4	5/02/91	Landslip danger in Beaconsfield Municipality; Exeter tip closed after chemicals found seeping into MacDonalds private property	Examiner extract
24.5	28/02/91	B'field Council approval for kennel [building]; no approval kennel licence b/c of awkward position Council seek legal advice	Examiner extract
24.6	23/05/91	S Chan: Planning appeal Bd overruled Council decision on pet cemetery & office; can now build kennels & cattery	Examiner extract
24.7	12/07/95	W/T Councillor Pearn complaining - Oldenhof's application for subdivision on landslip - voted 6 - 1 to allow	Examiner letter to Editor
25		**Refusal [Beaconsfield Council] Pet Cemetery & Associated Office**	
25	26/02/91	B'field Council to G Adams: advice refused planning approval - application Miss S Chan-Lot 2 develop pet cemetery & office	Wright:Dep Mun Engineer

26		**G Adams Questions to Council/Complaint to Warden Easther**
26.1	28/02/91	G Adams to Beaconsfield Council: Questions 1-7 as listed re Lot 6 Glenmore Estate
26.2	posted 3/01/91	Return to Sender: unopened (original in file) from Warden Easther - G Adams sent registered mail to Warden & Councillors - see next line also
26.2	7/02/91	both received return to sender unopened [Gracie Reid & G Adams] - Beaconsfield Council:objections re Lot 6 Glenmore Estate see above also
27		**G Adams Questions to Planning Appeal Board re Chan appeal lodged?**
27	7/03/91	G Adams request to Planning Appeal Board - please advise if appeal lodged by S Chan re development Lot 6 Glenmore Estate
28		**G Adams Questions to Beaconsfield Council re danger of entrance off Frankford Highway**
28	11/03/91	G Adams to Beaconsfield council- Have council considered danger of entrance off Frankford Hway tot Lot 6 Glenmore Estate?

29		**Beaconsfield Council Development plan for Glenmore Rural Estate**	
29	12/03/91	Beaconsfield Council reply to G Adams [ref 26.1]	
29	Question 1	Chan did not provide overall development plan - indicated 3 stages of development: see below listed	
29	Question 1	Stage 1:kennels- 50 dogs/20 cats; Stage 2:kennels -30 more dogs; Stage 3:G/hound & show dog exercise pool & pet cemetery	NB G Adams only allowed
29	Question 2	Miss Chan has not submitted [to Council] timing schedule for development	28 kennels & no other dev.
29	Question 3	Stages category =miscellaneous under Municipal planning scheme	
29	Question 4	Future use of Glenmore Rural Estate controlled by Municipal Planning Scheme	
29	Question 5	as Answer @ Council mtg 25/02/91-Chan's NSW kennel activities not relevant: Tas application - no Council enquiry made	
29		see file 29.5 Minutes Council mtg 4/06/90 ; planning officer's report re her statement in application	Chan's credentials
29	Question 6	re GA Q1 26.1 re Chan application = no special rights; appropriate Council consider developer & objectors requirements	
29	Question 7	Development permit & kennel licence applications each considered in accordance with Statutory requirements	
29	Question 8	Council considered S78(9) of Dog Control Act 1987 in assessmentof application & for reports by Council officers	
29	Question 9	Primary purpose of legal advice to ensure no conflict between development permit & kennel licence application	
29	Question 10	Deferred Council matters automatically relisted following council meeting	
29	Question 11	The no of dogs to be kept on Chan's property will be determined under current application b4 council for kennel licence	
29	Question 12	Plans for 8 pte breeding kennels form part of stage 1 development application [in file]	
29.2	23/05/91	verifies Chan statement arrived Tas Nov 90 & brought 8 dogs with them - 4 Blank Ave., Panania [Bankstown Council]	
29.2	continued	GA checked re 4 Blank Ave., Panania [Bankstown Council] = 1) no kennel licence, & 2) no regd. Business Snobul	Examiner extract

30		**Chan lodged appeal over pet cemetery ruling**	
30.1	13/03/91	PAB notifies GA re Ms S Chan appeal over Pet Cemetery & associated office - hearing 17/04/91	
30.2	4/04/91	S Chan states 1) appeal likely determine future kennel venture; 2) confident est. modern/profess. dog board. kennels & cattery	
30.2	continued	also 3) incorp. remedial treatment centre for animals, 4) & says "has designed layout of kennels"	Tamar Times extract
30.2	continued	4) had copy of Elspedito Architectural plan-Vet. Surgeon S Woirnaski & H Baker advised Council gave copy plan Council	

31		**Kennel Licence**	
31.1	18/03/91	Beaconsfield Council meeting ; public questions	
31.1	Question 1	Is council aware that inform. as per planning officer report 4/06/90 is incorrect? [GA ref to NSW Corp Affairs]	
31.1	Question 2	Have all Councillors read & checked all reports, especially Transport report re kennel licence, Glenmore Estate?	: G Adams asked
31.1	Question 3	Possible for Councillors to have relevant documentation Friday previous to Monday Council meeting? Note Esther reply	Mrs Warren asked
31.2	18/03/91	Council meeting passed purchase by Mr & Mrs Richter of Reserve Road off Frankford H'way joining pte right-o-way road	G Adams asked
31.2	continued	this Richter purchase of Reserve Road then prevented entry to Chan property off Frankford Highway -thus need for new access	passed b4 Kennel licence item
31.2	see 29.2	verifies Chan statement arrived Tas Nov 90 & brought 8 dogs with them - 4 Blank Ave., Panania [Bankstown Council]	see 29.2
31.3	18/03/91	Beaconsfield Council Minutes of meeting ; 189/91 passed Kennel licence - Miss Salina Chan - advertised 22/12/90 Examiner	Examiner extract
31.3	continued	Lot 2 [not Lot 6]; see p3 6 conditions attached to kennel licence - NB condition 2 - to be in accordance with 4/06/90 permit	Lot 2 Glenmore Estate
31.3	continued	conditions board.kennels- 23 dogs; pte. kennels- 8 dogs; 11/04/97 T/T attach G/kennels can accommodate "50 dogs @ one time	Plan states Lot 6
31.3	OBJECTIONS	3 Objections - only 2 were valid - see grounds a-g which council disregarded by licence approval	refer attach. Tamar Times
31.3	HEALTH Sur.	surveyor's report -inspected Lot 2 16/01/91 owned by F Chan for septic disposal for kennels & office	
31.3	BLDG INSP.	Snr Bldg. Inspectors Report - application for bldg permit - Mr F Chan construct pte dog kennels, boarding kennels & cattery	
31.3	LICENCE	advertisements to this date only for kennel licence only, ratepayers know nothing about building licence until meeting	bldg permit granted kennel lice
31.3	Application	by Ms Salina Chan - not Mr F Chan (who was not title owner at this time)	never advertised
31.3	COMMENT	by Council - objections A-F inclusive addressed by development permit 4/06/90; Note objection G not addressed	
31.3	Recommendations	Refer attachment 1- Note 2 to be in accordance with permit 4/06/90 (item 7 above) - which includes No 11: new Access Road	

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31.3	Kennel licence	Page 2 : Item 1 Application for kennel licence advertised;Miss Salina Chan Attachment 1 K/licence ;	refer rear 31.3 conditions
	continued	refer p3 final par: Council approve pte. kennels, boarding kennels & cattery development for Mr F Chan	
31.3	final COMMENT	25/02/91 resolved seek legal advice on ramifications if Council refused in part/in total b/e development permit already issued	
31.3	final COMMENT	LEGAL opinion Archer Bushby is appended - Not correct; never sighted by anyone, FoI request = privilege document	common law sequence 1,2,3
31.3	final COMMENT	ref Attachment 2 ; Cleary states Council legal advice not in contravention of planning scheme	included GA Omb. complaint
32			
32	20/03/91	Beaconsfield Council to G Adams confirming resolution to issue kennel licence; enclosed copy of licence & conditions	
33			to Miss S Chan
33	12/04/91	Planning Appeal bd dismisses appeal; J18/91; Chairperson K Pitt QC., part of decision states :-	
33	continued	"where there is development which involves direct access from state rd refusal is deemed. .. proposal involves direct access from a state classified road	
33	continued	GA & ors, incl. Mental Health from 1987 refused new/extra access for development; Ms S Chan granted (4/06/90) new access	
33	continued	Ms S Chan : NOT TITLEOWNER; NOT RESIDENT in Tasmania, LOT 2 or Lot 6?	Why? = Discrimination

34	17/04/91	**Planning Appeal Board HEARING: for a Pet Cemetery & Associated Office**	
34 (b		Preliminary submission at hearing : J Cohen [Planner & Surveyor} on behalf of residents	
34 (c		Ms S Chan [not title owner] called [unsupported] evidence from Mrs E Chan [mother]; J Cohen's evidence demonstrated false	
34 (d	4/03/91	Ms S Chan [not title owner] grounds of appeal -handed to all present @ appeal hearing	hearing was recorded
34 (d	par 1-page 2	office [not just for pet cemetery] essential for already planning approved Boarding Kennels, Cattery & Recovery Center for Pets	
34 (d	refer above	4/06/90 approval for Boarding Kennels only with 12 conditions attached	see next line comment
34 (d	note Ms Chan	"the cost of constructing a road to the existing dwelling is .. prohibitive"; NB date 4/03/91-14 day to appeal expired 23/06/90	
34 (e	comment	"office to keep accurate records, receive clientele ... A boarding establishment cannot function correctly without such a facility"	[Note appeal states office
34 (e	refer page 3	Elspedito kennels named "as the brunt of the opposition to our proposal"; ... "check their credentials" ... "method of hygiene"	[is for boarding establishment
34 (f	page 3, par 1	"my mother is a veterinary nurse..." no supporting evidence supplied; in fact G Adams research indicates this is not true	Cohen reply ? in record
34 (g	Chan 7/03/91	to DMR re Lot 2 [NB Council refer to Lot 6] Glenmore Estate • refer par 2 : re nearby rival boarding kennel "opposition"	
34 (g	" par 3	to DMR re Lot 2 Glenmore Estate requesting • drawing for new access road as specified;	
34 (g	" par 4	to DMR re Lot 2 Glenmore Estate asking to alter DMR ruling • to use existing [private] right-of-way	
34 (h	see also (b)	Defending Elspedito Enterprises + ors at hearing : J Cohen [Planner & Surveyor} on behalf of residents	
34 (i	Chan evidence	re pet cemetery crushed by J Cohen; eg info relating to Canberra Pet Cemetery proved false	
34 (j	Plan of Lots	Note no Lot 2, rather Lot 6 appears as the area under discussion; see item 5 this file B/Council Examiner advertisement	

35		**J 33/91 :Planning appeal Board Written Decision on Pet Cemetery & Associated Office**	
35	23/04/91	Planning appeal Board Written Decision - Pet Cemetery & Associated Office; Refer attachment -B'field Planning Scheme 1986	
35(a)		Pet Cemetery & Associated Office approved using existing private right-of-way road & same road to house {contrary to.....	
35(b)		Associated office to be built near the house	refer 4/06/90 conditions
35(c)	page 2-par 2	existing use indicated to be residential.. by whom? refer this file no 5 & others - Council stated "rural zone" & refer 35(d)	
35(d)	page 2-par 3+ ors	any development involving a new access road prohibited in "rural zone" (pars 6 + 7)	
35(d)	page 2-par 8	applicant amended application at hearing, to provide for access via an existing right-of-way; already refused for further use	
35(e)	page 2-par 8	DMR report 28/05/90 -"existing r-o-w would not be suitable for any significant increase in traffic..."	
35(f)	pages 4 & 5	7 conditions; refer no 4: "access to cemetery to be via existing access to the house" [NB Registrar RMPAT final comment ..	
35(g)	14/02/93	article - massage parlour, laser equipment, animal studio for portraits; physiotherapy; post operative treatment;	3/11/00]
35(h)	30/05/94	uses acupuncture for dogs; recovery service; bathing & grooming service; & massage or acupuncture for owners!	Examiner
35(i)	11/04/97	accommodation for 50 dogs at one time; physiotherapy, laser treatment & acupuncture	Examiner
35(j)	11/08/93	TV show Contact Chan stated operating kennels for approx 10 months [not true] relevance being not truthful person	Tamar Times
35(k)	6/08/92	Twenty-two dogs can be housed in pooch pads, veterinary nurse;	
35(l)		Gail to detail	Tamar Times

36		**Chan purchase Lot 6 Glenmore Estate**	
36.1	2/07/91	TITLE: Mr F & Mrs E Chan purchase Lot 6 [not Lot 2] on plan no 42774, Glenmore Estate	ABC Radio
36.2	22/12/90	Salina Chan signed in Public Notices - - Lot 2 Glenmore Estate "my premises"; objections within 14 days;	
36.3	October 1998	B4 buying land check with Council re planning conditions. Applicant need to provide council with proof of ownership	Examiner
37	2/09/91	Bfield Council/Armstrong [19.2 Stat Dec file] par 2: our [legal] advice Planning Scheme does not prohibit new access requd.	W/T Council Beacon Newslett
38	Booked late 1991	ps118/160 - advertising as listed - yet @ booking appro only for pet cemetery & office ; Chan appeal PA Tribunal April 1992	
38	continued	written decision May 1992, yet advertising & operating from January 1992	1992 Yellow pages
39	9&16/11/91	B'field council advertisements 1 & 2 re Lot 2 -9/11: note incorrect presentation. Ombudsman contact. Adv. corrected for 16/11	
40	11/11/91	7 objectors - letter listing opposition reasons to item 39 Beaconsfield Council advertisement;	Examiner Public notices
41	13/11/91	Gail Adams letter of objection: includes fact that there are already 2 boarding kennels operating in area	

42		**Chan application to operate boarding kennels via existing private right of way road**
42.1	31/12/91	Beaconsfield Council to Gail Adams re Lot 6 (not 2) advised 16/12/ decision of refusal of Chan application
42.1	continued	Note par 2: "The applicants have 14 days from 20 [sic 21] December 1991 to appeal that decision to the Planning Appeal Board"
42.2		G Adams transcribed wording Chan application
42.3	Key Document	951/91 Planning officers report : Plan 17 Beaconsfield Council
	•1	Rural Zone, Lot 6 {not Lot 2}
	•2	see also 42.4; the access road is invalidly constructed & positioned contrary to plan: & as specified by DMR&Transport
	•3	proposal advertised for statutory 14 day period -
	•4	approval to operate kennels subject to conditions [4/6/90] - discussion for third time. 3 applications by S Chan
	•5	"Dept. Roads & Transport advise that they consider a new access is essential if the boarding kennel is to go ahead"
	•6	Recommendation: Council refuse application for reasons outlined in [this] report
42.4	Key Document	Attached plan [to 42.3] shows the location of both the existing right-of-way & the approved access point

road position-pencilled on plar

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43		**Planning Appeal Board notification appeal hearing re boarding kennels**	
43.1	14/01/92	Planning Appeal Board notify Gail Adams - appeal by Salina Chan against B'field Council Dec 91 decision hearing 24/03/92	
	•1	INVALID APPEAL because:- 4/06/90 Beaconsfield Council decision for new access road for boarding kennels & house	
	•2	14 days expired 23/06/90 - Applicant failed to object by due date- Beaconsfield Council then accepted invalid 1991 application	
	•3	Council failed to dismiss invalid application involving pte right-of-road [b/c 1990 ruling already made & appeal time expired]	
	•3 cont'd	see this file 7 - Condition no 11 [of 4/06/90] states ....[NEW] access shall be in the position shown on the attached plan	
	•3 cont'd	NO access to existing house or kennels shall be allowed from existing right-of-way [DMR because of dangerous situation]	constructed incorrect position
	•4	Planning Appeal Board [written decision 23/04/91-this file 35] overruled DMR & Council re pet cemetery & associated office	refer file 6 this file
	•5	Beaconsfield Council failed to adhere to its own planning scheme 1986	
43.2	17/02/92	Legal advice [Tim Ellis] to Gail Adams re 14/02/92 discussion; further explain Local Gov. Act	
	•1	Local Government amendment (Planning & Development) Act No 50 of 1990; commenced on 16 January 1991	S.847(2)(c) and/or (d) relevant
	•2	S 733D(8) Local Govt. Act re expenses of parties before the PAB	
	•3	S 176D(B) Local Govt. Act requires municipality "cause Queen's peace to be kept & maintained within its district"	
	•4	Queen's peace means essentially that the law be observed + positive obligation on municipality to prevent breaches e.g.	planning permit conditions
	•5	S 821 : person guilty of an offence..wilfully neglects to perform any duty which by Act is appointed to perform	

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2nd PLANNING APPEAL TRIBUNAL HEARING 24/03/92

for use of existing private right of way road for Kennels

44.1	24/03/92 4/03/91	SM Chan, [LOT 2 GLENMORE ESTATE] letter of appeal to Commissioner for Town & Country Planning	LOT 2 OR LOT 6?
	REFER BELOW	34 (d) - 34 (f) repeated b/c 4/03/91 evidence from 1st hearing 17/04/91 was re presented @ 2nd hearing 24/03/92	
34 (d	par 1-page 2	office [not just for pet cemetery] essential for already planning approved Boarding Kennels, Cattery & Recovery Center for Pets	
34 (d	refer above	4/06/90 approval for Boarding Kennels only with 12 conditions attached	
34 (d	note Ms Chan	"the cost of constructing a road to the existing dwelling is .. prohibitive"; NB date 4/03/91-14 day to appeal expired 23/06/90	see next line comment
34 (e	comment	"office to keep accurate records, receive clientele ... A boarding establishment cannot function correctly without such a facility"	[Note appeal states office
34 (e	refer page 3	Elspedito kennels named "as the brunt of the opposition to our proposal"; ... "check their credentials" ... "method of hygiene"	[is for boarding establishment
34 (f	page 3, par 1	"my mother is a veterinary nurse..." no supporting evidence supplied; in fact G Adams research indicates this is not true	Cohen reply ? in record
44.2	24/03/92 7/03/91	SM Chan, [LOT 2 GLENMORE ESTATE] letter to Dept of Roads & Transport	
34 (g	REFER BELOW	34 (g)x3 repeated b/c 4/03/91 evidence from 1st hearing 17/04/91 was re presented @ 2nd hearing 24/03/92	LOT 2 OR LOT 6?
34 (g	Chan 7/03/91	to DMR re Lot 2 [NB Council refer to Lot 6] Glenmore Estate • refer par 2 : re nearby rival boarding kennel "opposition"	
34 (g	" par 3	to DMR re Lot 2 Glenmore Estate requesting • drawing for new access road as specified;	
	" par 4	to DMR re Lot 2 Glenmore Estate asking to alter DMR ruling • to use existing [private] right-of-way	
44.3	Map	submitted by B/Council @ appeal hearing indicating approved access Rd to Lot 6	
44.4	21/07/2000	FoI re Planning Appeal Board decision J27/92 : Copy of petition 1 submitted by S Chan @ 2nd Appeal hearing	Petition 1
	•1	Upon Chan presentation of petition as evidence, some objectors sought inspection & copy of same. Chairman refused both	only obtained FoI 21/07/00

	•2	refer Page 3, Par 2 of 44.1 "brunt of opposition to our proposal has been provided by nearby Elspedito Kennels"	discrimination commenced
	•3	refer Page 1, Par 2 of 44.2 "However our proposal has met with some opposition from nearby rival boarding kennel"	singling Elspedito
	•4	PAB accepted Invalid petition - case misrepresented to signatories; see below, Chan granted approval to her house, refer 35(a)	1st PAB Decision
		"We see no reason for barring Miss S Chan the use of said access for HER HOUSE& kennels"	
	•5	Invalid petition, signatures only, no printed names & addresses; could be bogus	
44.5		FoI re Planning Appeal Board decision J27/92 : Copy- petition 2 to 4 signatories submitted by S Chan @ 2nd Appeal hearing	Petition 2
	•1	PAB accepted Invalid petition - case misrepresented to signatories; see below, PAB granted approval to 3 items refer 35(a)	
		"no reason to object .. from using ... the HOUSE & Associated OFFICE for use of both PET CEMETERY & KENNELS"	
	•2	note above line: signatories admit aware that has access to HOUSE	
	•3	Brenda Harkness : original objector - suddenly crossed floor ; very fearful of Chans; see notation	
	•4	Invalid petition, signatures only, no printed names & addresses; could be bogus	
44.6		Mrs H Tait: statement read @ hearing; refer final pars-What warrants oversight or contravention of Councils planning scheme?.	
44.7		Mrs G Adams: 6 page statement read @ hearing; representing other objectors	
44.8		booked end 1991 b4 appeal - Business using pte right-o-way rd. when no approval granted for kennels; S Chan admission	yellow pages 1992: 118, 160
44.9		Beaconsfield Council representative @ hearing : Mr Sluce - planning officer	
44.10		Mrs Richter gave evidence re bullying [by Vernon Chan] of persons to obtain signatures to petition	
44.11		Mr M Adams gave evidence re 1) hazardous entrance, 2) misleading photos supplied by Miss S Chan	

45 **PLANNING APPEAL BOARD WRITTEN DECISION - J27/92 - 11 May 1992**

45.1 11/05/92 Decision J27/92 dismissing Appeal of 24/3/92; repeating decision of 1991 45B/91- Pet Cemetery & Associated Office

•1 refer to 45B/91

•2 refer to original conditions : No 11 of 4/06/90

•3 refer to Chan tendering of evidence & supporting documentation in form of petition & photographs : page 3: par 2

•4 p3 : penultimate par: "Board accepts advice of Dept of Roads & Transport for .....proposed development should not proceed"

•5

45.2 Repeat copy of petition : refer 44.4 & 44.5

45A

46.1 21/05/92 G A request to B'field Council: (1) confirmation of council receipt of written decision J27/92;

(2) What are Councils intentions, since Chan's should not be using premises for operation of kennels?

47.1 22/05/92 Planning Appeal Board to GA: Local Govt. Act - S733c(4) : Corpn. (Council) must implement determination of Appeal Board

Final par : suggest G Adams follow up with Council!

48		**Beaconsfield Council re decision J27/92 (new access road & Chan's current operations)**	
48.1	12/06/92	Beaconsfiled Council to G Adams: {GA recd. by post 18/06/92], confirming Council has J27/92 (refer 46.1)	
	" par 2	Council planning officer confirms "I will contact the Chans....they may not operate kennels until ... constructed new access	
	Note 1	GA FoI requests revealed no evidence of any written or verbal contact as par 2 states	
	Note 2	unlawful construction of new [refused by 2 PAB decisions] access road completed 19/06/92	
48.2	19/11/92	refer 35 re J33/91: approval pet cemetery & assoc. office: note Examiner article details extent operations which breach permit	Examiner
49.1	19/06/92	Telephone contact with Dept. Main Roads & Transport officers revealed no knowledge of construction of new access road	49 for confirmation of details
49.2	note 1	new access road in definitely [dangerously on 100km highway] different position to approved location on DMR&T map	
	note 2	location/position of new access road not advertised by Council, calling for objections	
50.1	22/06/92	GA refers to B/Council 48.1 par 2: noting apparent Council reconsideration of PAB conditions of approval	
		par 3:GA seeking reimbursement of expenses incurred in her [now futile] appeal to PAB	
51.1	15/07/92	B/Council to G Adams: "Council will not be reimbursing expenses incurred by yourself relating to Chan Planning Appeal"	
52	26/11/92	**Bishop Gunton & Rae 26/11/92 letter**	also see 29.1, 29.2 Stat Dec
52.1	par 1	Chan's instructions : G Adams has "slandered .. client's professional competence & personal values throughout Glengarry area"	G Adams evidence on this
		refer 30.2 & other news articles this file: all say arrived in Tasmania Nov 1990 which is contradictory to par 1- line 3	
	par 2	"you advised the Minister of our client's Church that S & E Chan had cursed & .....@ appeal hearing...."	letter too detailed for index
	pars 3-6	evidence re telephone calls, GA defamatory allegations re Kennels causing damage to professional & personal reputation	however, if required can be

	finally	warning to cease outbursts or immediate supreme Court action.	verbally delivered. Briefly a
	Note	S Chellis had a conflict of interest - in 1989 unsatisfactorily conducted Adams divorce matters & Ors.	contemptuous letter
52.2	26/02/95	"Jehovah Witness movement was banned ..... grounds that its existence was prejudicial to public welfare & order in Singapore"	para. 5-Sunday Examiner

53 G Adams Complaint to Planning Appeal Board 1992/1993

53.1	23/12/92	GA to PAB re J27/92: letter of complaint re construction of new access road & operation of boarding kennels
54.1	11/01/93	PAB to GA re [53.1] advising that matter re Glenmore Estate Boarding kennels has been raised with Beaconsfiled Council
55.1	25/01/93	GA to PAB raising fundamental issues relating to administrative errors re 4/06/90 development permit
56a.1	8/02/93	PAB to GA re 54.1, taken advice, advised Council opinion authorisation minor access breach clause 7.5.1 B/Planning Scheme no further information fwded
56b.1	10/05/95	G Adams to Dog Control Officer, W/Tamar Council : complaint & request for control
56b.2	24/05/95	W/T Council Env. D'ment officer Wright; receipt of complaint; difficult detect occasional breaches; no other recent complaints

57 **Freedom of Information requests 28 May 1996**

57.1	18/04/96	Dept Transport to G Adams ; wish to proceed with application which involves personal affairs of ors.
57.2	15/05/96	Dept Transport to G Adams; release of copies of planning works permit : new access road, Chan-Lot 6, Glenmore Estate
57.3	28/05/90	Dep (N) Sec Roads to Mun. Beaconsfield - technical information & recommendation of location for new access road
		page 1 par 6 Suggesting that the recommendation be included in conditions of approval
		page 2 requests requirements 1 & @ be included in conditions of approval for proposal
		p2:par 6 -expresses serious concern re traffic intensive nature. Alternative suggested to satisfy minimum criteria for safe access
		p2:par7 " Such a measure would alleviate inherent risks to all concerned .....associated with this existing access".
57.4	undated	recd. 18/06/90: Beaconsfield Council fax DMR copy of approval (7.1) for Dog & Cat boarding kennels
57.5	28/05/96	Dept Transport to G Adams: Fol search = 2 enclosures; no copy of legal advice; suggest apply W/Tamar Council
57.6	11/06/93	Transport & Infra. to Commissioner Town & Country Planning - confirming after a meeting events as listed (a) - (c)
57.7.2	28/05/96	see 57.3
57.7.1		Annexure B : Minimum proposal requirements for construction of access road
57.8	26/05/92	S Chan application to construct an access road
57.9	25/05/92	Ministerial approval - G Adams challenge to specifics refer 14/01/99 Affidavit
57.10	26/05/92	DRT interdepartmental fax - seeking Development section approval

58		**G Adams request for release of legal advice to Beaconsfield Council**	
58.1	6/06/96	FoI officer- W/Tamar Council to G Adams advising application for legal advice is receiving attention	Examiner extract
58.2	5/07/94	LCC development services manager :"Planning Minister, Mr .....had no power to overturn a tribunal decision"	
59.1	18/06/96	West Tamar Council FoI officer to G Adams - determination not to release (S29 of FoI Act)	
59		**G Adams request for review of FoI decision**	
60.1	24/06/96	G Adams to West Tamar Council - requesting review of 59.1	
61.1	8/07/96	W/Tamar Council FoI review officer upholding decision : 59.1	Statutory dec index 30.11
	NB-comment	G A did not appeal to Ombudsman b/c 12/03/94 been told (phone) had "no intentions of ever doing anything for you" refer	
62	26/08/96	G Adams to West Tamar Council - complaint 1-4 re A frame signs displayed edge of Frankford Highway	
63	26/08/96	W/Tamar Council to G Adams re 62 "No approval ....by council for any portable frames...."	
64	23/09/96	W/T Council to D Swan: 19/09/96 : letter to Mrs Chan requiring removal of subject signs. Understood signs removed	

65		**Title owner/drug dog/tracking dogs**	
65.1	October 1998	W/T Council newsletter: page 7 (refer item 7 this file) "must be title owner or written permission"	Tamar Times
65.2	15/05/98	Glenmore Estate Kennels & Cattery advert. "Home of n/Tas detector dog 'Buck"	
65.3	22/02/99	GA to Governor - complaint (3) re drug dog	media clippings
65.4		articles re (1) Elspedito Tracking Dog & Demonstration Team Inc., (2) Training School [Glengarry]	
	NB-comment	approx. 10 yrs with S.E.S & Northern Police [voluntary]; Elspedito OK for donation of service; bypassed for paid;	
66		**Misleading Ombudsman**	
66.1	30/07/99	Misleading (by error & omission) reply from W/Tamar Council to Ombudsman: brief summary of administrative procedures	
67		**G Adams affidavit to Pitt: Planning Appeal board.**	
67.1	16/11/99	G Adams to Planning Appeal Board Chair : Mr Pitt QC forwarding sworn Affidavit; FoI; General summary of dissatisfaction	
68		**Chairman Pitt: Planning Appeal board to GA: matter not in jurisdiction**	
68.1	13/12/99	Planning Appeal Board Chair : Mr Pitt to G Adams; matters seeking redress don't fall within jurisdiction of tribunal	
69		FoI release : RMPAT - Evidence Petition	
69.1	21/07/00	RMPAT to GA : (1) Copy of petition [44.4;44.10] & (2) search for 28/05/90 Transport cant locate	

7 0		**A Frames : Questions to West Tamar council**	
70.1	25/08/00	G Adams to W/T Council asking reason why 1 of 2 A frames removed?	
71.1	Sept: 2000	Photos as listed & described	
7 2		**FoI RMPAT documents**	
72.1	3/11/00	RMPAT registrar to GA : 7 conditions; note penultimate par. re access condition no 4 .... no provision for any new access	refer 34b, 35
72.2	3/11/00	Preliminary report : JW Cohen	
72.3		Preliminary submission	
72.4		Copy of written decision J 33/91	
7 3		**Warden Easther : Parks & Wildlife must obey planning decision**	
73.1	31/12/00	G Adams note re Southern Cross News & entrance not to planning decision requirements	Examiner p21
73.2	12/12/00	Article re Easther : new Mayor of W/Tamar Council	
		Current operating status of Chan Estate	
73.3	2001	Extract from current telephone directory confirming current status of operations of Glenmore Estate	

74		**Bias shown to ratepayers - Adams' must comply with all regulations + more**	
74.1	14/02/01	Photo's of unkempt state of property next to Adams' property. Approx 150 feet separates two properties	
		Complaints (i) eyesore (ii) fire hazard, to Council remain outstanding/unresolved;	
		Approx 24 years ago, Beaconsfield Council administration visited Adams' site approx 1 month after taking possession	
		Notified house on demolition list which had not been notified at time of purchase	
		Demanded that property be cleaned up -will be "keeping an eye on it"	
	1977	At time of kennel approval verbally told by a Council member "right thing to do' is supply water to local public hall	13 years @ Adams expense

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Gail Adams index - Post Statutory Declaration to :- Pre 10/12/99 Anti-discrimination Act

Date	Source	Key Words	No
15/10/97	MHA Swan: Denise to Gail Adams	West Tamar Council reply to Denise Swan enclosed	1
15/10/97	Buckingham Palace to Gail Adams	Tasmanian Government responsibility; but forwarding Adams corr. to Gov-General	2
16/10/97	Senator Bob Brown from Gail Adams (7 enclosures)	13 page Stat Dec to HM Queen; reply from Buckingham Palace & other encls.	3
10/11/97	Premier Rundle from Gail Adams (16 pages)	Statutory declaration - remaining 12 pages faxed: immediate attention of Premier	4
11/11/97	Governor-General (Secretary) to Gail Adams	HMajesty copy GA 9/10/97; repeat several B4 advice: no grounds GG any action	5
4/12/97	Law Society of Tasmania from Gail Adams	Requesting society to investigate matters in enclosed Statutory declaration	6
8/12/97	Governor-General (Secretary) to Gail Adams	HMajesty copy GA stat dec 4/09/97 + encls; returning for "your safe keeping"	7
19/12/97	Law Society of Tasmania to Gail Adams	Law Society Investigation cttee. advise no jurisdiction. Refer to Attorney-General	8
14/01/98	Attorney-General Groom from Gail Adams	Reiterating evidence already on A/G & Premier file; demanding Justice be done	9
2/02/98	MHA Bacon: Mr Jim (Labor Leader) from Gail Adams; 27ps	Forwarding Stat dec; claiming costs & compensation; L/S say to A-Genera; read this letter	10
2/02/98	Attorney-General Groom to Gail Adams: repeat 12/08/97 advice	Not role of A/G to arbitrate in individual disputes. No basis for intervention.	11
5/02/98	Governor of Tasmania from Gail Adams with documentation	Request Sir Guy Green "stop this near 8 year saga.. perverting course of justice"	12
11/02/98	MHA Bacon: Mr Jim (Labor Leader) to Gail Adams	Sympathy; not in position to assist; nothing can be done to resolve	13
19/02/98	Attorney-General Groom from Gail Adams	advised by law society - present matter to Attorney-Genera; n/a = request diplomatic intervention	14
27/02/98	Prime Minister of Australia from Gail Adams : documentation	letter not on this file	15
9/03/98	Attorney-General Groom to Gail Adams: reply to 19/02/98	Matters judicial proceedings; not possible to become involved; regret worries & problems;	16
10/03/98	Prime Minister (snr legal adviser) to Gail Adams	sympathy BUT.. unfortunately, inappropriate PM involvement; nothing PM can do	17
25/03/98	MHA Madill: Speaker of House (Tas) from Gail Adams- 9 pages	Petition to put forth in Parliament with 6 enclosures as listed	18
1/04/98	Senator Bob Brown from Gail Adams (registered documents)	"White Australian divorced woman appears to be quite a barrier to overcome" to gain assistance	19
5/04/98	Prime Minister of Australia from Gail Adams :	letter not on this file (see 31)	20
8/04/98	Attorney-General Groom from Gail Adams re A/G 9/03/98 reply	complaint -A/G ignored GA stat. dec re perverting of justice; copy of GA Examiner adverts	21
15/05/98	Petition G Adams to House of Assembly -	approved by Clerk of House; requesting Parliament take appropriate action	22

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Gail Adams index - Post Statutory Declaration to :- Pre 10/12/99 Anti-discrimination Act

20/05/98	MHA Milne:Christine; from G Adams enclosures (2)	C Milne advised GA by phone will not table; MHA Lance Armstrong already helped GA;	23
10/06/98	Buckingham Palace: Queen E11 from Gail Adams	Statements G Adams to L'ton Police; GA informed (by Somerville) nothing going to be done	24
16/06/98	DPP: Mr D Bugg from Gail Adams	complaint & advice GA statements to Police officer 1550 re charges to be pressed	25
19/06/98	DPP: Mr D Bugg from Gail Adams	(1)visit by 2 Police officers (2) request that democratic rights be returned,(3) matter be ended	26
June 94	Magistrate Court (Small Claims) documents	details of cheque payment & 6 weeks delay	27
22/06/98	Prime Minister of Australia from Gail Adams :	letter not on this file (see 31)	28
23/06/98	MHA Bacon: Mr Jim (Labor Leader) from Gail Adams	FoI re illegal subsidy road; "8 yrs victimised stalked harassed set up to ridicule not Asian race"	29
14/07/98	MHA Milne:Christine; from G Adams enclosures (2)	Request advice re discussion with Green Party re petition; is it to be read to Parliament?	30
14/07/98	Treasurer (Commonwealth) from Gail Adams	fax not on this file	31
18/07/98	MHA Bacon: Mr Jim (Labor Leader) from Gail Adams(7 pages)	Copy GA 22/03/93 as listed; Mental Health; refused original copy unaltered Tas. constitution?	32
23/07/98	Prime Minister (snr legal adviser) to Gail Adams	Dispute primarily State Government & agencies;PM not involved in legal disputes individuals	33
29/07/98	Treasurer (Commonwealth) to Gail Adams	Matter directly with portfolio of Tas State Minister for Local Govt; referred to D Swan	34
4/09/98	MHA Swan: Denise (Min. Local Govt.) to Gail Adams	History of disagreement with Chan family. Noting further add to earlier letters. File closed	35
7/09/98	DPP: Mr D Bugg from Gail Adams	refer item 29: page 6 Beaconsfield Council file	36
29/09/98	Attorney-General Patmore from Gail Adams with attachments	DPP to present GA 8.5 year saga to Attorney-General	37
1/10/98	Senator Newman: Jocelyn; (Adviser) to Gail Adams	Matter will be brought to Senator's attention	38
5/10/98	Attorney-General Patmore to Gail Adams	1) complaint dealt with appropriately: Police; 2) other complaints not sustained; seek legal advice	39
7/10/98	Attorney-General Patmore from Gail Adams with attachments	Detailed letter raising several matters as listed	40
12/10/98	Queens solicitors from Gail Adams : enclosure documents	Detailing activities to obtain fair resolution; this list became part of 14/01/99 affidavit	41
14/10/98	Governor of Tas from Gail Adams : enclosure documents	intervention please to correctly rectify matters as per documents	42
15/10/98	DPP: Mr D Bugg from Gail Adams	confirming telephone advice re brief to A/G Patmore; GA requests copy	43
19/10/98	DPP: Mr D Bugg to Gail Adams	No copy of brief to GA; not satisfied GA has legal claim; but get legal advice	44
26/10/98	Premier of Tas from Gail Adams : enclosure documents	Former 2 Premiers appeared not to read my letters, attachments self explanatory	45

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Gail Adams index - Post Statutory Declaration to :- Pre 10/12/99 Anti-discrimination Act

28/10/98	Governor of Tas from Gail Adams :	requesting meeting with Govnr; unable to afford legal repn., remind re stat. dec	46
2/11/98	Premier of Tasmania: Bacon from Gail Adams with attachments	summary of many complaints; requesting compensation for consequences as listed	47
18/11/98	Premier J Bacon to GA	P Patmore advises DPP has extensively examined the matter & govt can assist no more	48
19/11/98	Fax to Governor of Tas from Gail Adams	I have requested from the Premier costs and compensation	49
20/01/99	Affidavit - Govt of Tas - Affidavit from GA	Affidavit - 82 page sworn on 14/1/99	50
20/01/99	Governor of Tas from Gail Adams :	Forwarding 7 pages - affidavit	51
3/2/99	Gail Adams to Premier Carr - NSW	Regarding AMP Inc victimisation	52
18/02/98	Gail Adams to Law Society of Tasmania from Gail Adams	Affidavit - 82 page - 14th January 1998 - Conspiracy to pervert the course of justice	53
22/2/99	Director General - The Cabinet Office NSW- to Gail Adams	The premier has arranged to bring your approach to the Ministers attention.	54
22/2/99	Governor of Tasmania from Gail Adams	Affidavit -82 page - Previous Gov; Mr Norton; was he drunk & disorderly?	55
25/2/99	Governor of Tasmania - to Gail Adams -	The office will not be responding to any further correspondence	56
25/2/99	Restraining Order against Mr & Mrs Welch	Abuse- verbal and continuing	57
3/3/99	Federal Minister for Justice - Paul Griffiths -	Jurisdiction - ...pursue the matters with your solicitor.	58
13/4/99	Gail Adams to Clerk of Plt House -	Inc various letters	59
13/4/99	Clerk of the House to Plt to Gail Adams	Have receipt of your letter	60
28/4/99	Premier of Tasmania from Gail Adams	My personal life has nothing to do with the maladministration of a council	61
28/4/99	Premier of Tasmania from Gail Adams	List of documents sent.	62
29/4/99	Premier J Bacon to GA re-iterating letter of October 1998	"I suggest that you seek legal advice regarding your clients ".	63
4/06/99	Gail Adams to the Gov of Tasmania	Reference to Dog Trailer SPC	64
18/6/99	Gail Adams to the Governor of Tasmania	Reference to State Ombudsman and Assistant Ombudsman	65
4/6/99	Ombudsman of Tas from GA	"9 year saga" ; advised to present to O by chairman Legal & Constitutional Senate Select Cttee	66
9/6/99	Senator Joscelyn Newman - to Gail Adams	"matter a responsibility for the Tasmanian Government"	67
15/6/99	Peter Patmore to Gail Adams	"I can be of no further assistance to you"	68

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Gail Adams index - Post Statutory Declaration to :- Pre 10/12/99 Anti-discrimination Act

18/6/99	Gail Adams to Governor of Tasmania	"I have requested compensation"	69
22/6/99	Gail Adams to Peter Patmore -	"Is it not your position....to properly investigate this matter"	70
25/6/99	Ombudsman to Gail Adams	"I have absolutely no jurisdiction to make these enquiries."	71
30/6/99	Gail Adams to Damon Thomas	Complaining about financial situation	72
5/7/99	Gail Adams to Ombudsman	Treatment by Connect Credit Union;Business blamed for $1,000 petrol bill;	73
12/7/99	Gail Thomas to Ombudsman-	Request for costs and compensation	74
14/7/99	Gail Adams to Ombudsman	Selina Chan could not afford to construct new access road.	75
19/7/99	Andrea Dalton to the Ombudsman	The only safe place stated by council ..for a new access...	76
23/7/99	Ombudsman to Gail Adams	I obtained the official Departmental File in respect of the Frankford Main Rd	77
23/7/99	Ombudsman to Gail Adams	Chronology of events- 29/5/91 -	78
30/9/99	Ombudsman to Gail Adams	A Council's response which discloses no illegality on the part of the Council	79
30/7/99	Council letter to Damon Thomas	No need for Mrs Chan to make further application to Council for use of development	80
16/11/99	Gail Adams to Pitt QC	This saga should have been corrected in 1991 and 1993	81
30/11/99	Gail Adams to Governor -	Has sent documents weighing 1 kg to Pitt. Refers to accident on ROW & RACT	82

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index 8 : Gail Adams - Post 10/12/99 : to current

Date	Key Words	Commentary	No
13/12/99	Resource Mngement & Planning Appeal tribunal - Pitt/GA	reply GA[file 7-77] Contrary to Omb.DT phone instr. to GA- not tribunal jurisdiction	1
3/03/00	Governor General to Gail Adams	acknowledge faxed documents [complaints] of 1/03/00	2
7/03/00	G Adams to- Legal Ombudsman J Paxton	re Law Society & ors., included many documents	3
15/03/00	Legal Ombudsman J Paxton to G Adams	explaining limited functions; returning GA documents	4
15/03/00	office of Senator J Newman - with compliments	as advised previously advising this is a matter for state Attorney-General Patmore	5
17/03/00	Governor General to Gail Adams	acknowledge faxed documents [complaints] of 9/03/00	6
23/03/00	DPP[Tim Ellis] from Gail Adams	faxed 12 documents [complaints] (3 faxes = no response)	7
27/03/00	MHA - Polley Mr Michael from Gail Adams	request GA Lyons representative to finalise saga - enclosed supporting summary docs.	8
29/04/00	Governor of Tasmania - Extract Examiner	Rule of Law - supreme	9
4/05/00	MHA - Llewellyn David Min. for Police Adviser Gerald Jones	recd. GA 1/05/00 documents - L'ton Police -asked Commissioner to advise outcome	10
10/05/00	Commissioner McCreadie to GA	10 this file - referred N. District Supt; RSPCA matter b4 petty sessions; civil debt	11
19/05/00	G Adams to Commissioner McCreadie	GA referring to fraud as criminal offence; GA matters of concern not addressed	12
24/05/00	MHA - Llewellyn David Min. for Police to Gail Adams	report on progress of complaint; Inspect. Hortle (Geo. Town) to call on GA	13
29/05/00	Commissioner McCreadie to GA re matter of fraud	DPP advised McLarty Lton CIB-no fraud charges; GA other info to Beac. police 25/05	14
19/06/00	G Adams- Commissioner McCreadie	4/06/98 statement/affidavit; still complaining dangerous access road; no permit	15
22/06/00	Tas Police, Johnson Deputy Commissioner	noting GA 19/06/00- dealing with Detective Constable McLarty	16
29/06/00	G Adams- Commissioner McCreadie	see index : re Gail regd. documents to McCreadie -2ps. affidavit as McLarty request	17
10/07/00	G Adams fax - Ombudsman Damon Thomas	letter 30/09/99 included inaccuracies; Advising O misled. S27(c)= guilty of offence	18
10/07/00	Anti-Discrimination Commission to G Adams	acknowledging receipt 10/07/00 of GA complaint	19
12/07/00	G Adams - Police Minister- Llewellyn	referring to 10/05/McCreadie; & business & family Victims of Crime	20
17/07/00	Ombudsman Damon Thomas - G Adams	O substantive review (23/07/99); W/T Council 30/07/99; planning process followed	21
18/07/00	MHA - Llewellyn David Min. for Police Adviser Gerald Jones	re progress on McClarty investigation - McL asked to contact GA	22
20/07/00	G Adams - Ombudsman Damon Thomas	17/07/00 unacceptable response; please confirm a review not warranted	23
20/07/00	Ombudsman Damon Thomas - G Adams	previously: office invest. no evidence of conspiracy; completed investigations; NFA	24
undated/07/00	G Adams - Ombudsman Damon Thomas	Complaints have not been addressed	25
21/07/00	Resource Management & Planning Appeal Tribunal	J27/92 FoI - provided copy of petition	26
4/08/00	G Adams - Ombudsman Damon Thomas	application for review on basis of additional evidence not considered '99.	27
7/08/00	Ombudsman Damon Thomas - G Adams	matter closed, dealt with Plan. Tribunal & reconsidered by Council; no conspiracy	28

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index 8 : Gail Adams - Post 10/12/99 : to current

8/08/00	G Adams - Governor of Tasmania refer 25/02/99 letter	Manton advice : inability Gov. to agree to speak with GA. Advise status of matters	29
8/08/00	Governor of Tasmania Exec. officer	acknowledge receipt of 29, Governor overseas	30
9/08/00	G Adams - Senator J Newman re letter 9/06/99	encl. Patmore replies-GA 15/06/99 & 5/10/99; request JN to A-G to reconsider	31
9/08/00	G Adams - Dept. Justice: Attn Sec. R Bingham	no response from Police Commissioner to GA request 29/06/00	32
10/8/00	Governor General to Gail Adams	no grounds for A-Gen take action; reiterating C Summerhayes 11/11/97 = outdated	33
10/08/00	G Adams fax - Ombudsman Damon Thomas	7/08/00 response most unacceptable & flawed. Refer to S16 Ombudsman Act 1978	34
13/08/00	G Adams - Premier J Bacon re Sunday meeting	Item 3 -Discussion points: matters previously submitted as listed	35
14/08/00	Australia Post;Lou Otto - to Gail Adams	Re: allegations of mail tampering	36
15/08/00	A/G Patmore (A Smith) - G Adams referral: Senator J Newman	legal advice former DPP; seek ind. legal advice; no reason to re-open investigations	37
17/08/00	G Adams - Senator J Newman re Patmore letter 15/08/99	Points 1 - 5 as list, investigation will vindicate "bombarding"elected representatives	38
25/08/00	West Tamar Council from Gail Adams	asking reason for only 1 A frame removed 1996; several attachments	39
attachment	A Watson - West Tamar Council to Gail Adams	No approval has been given for A frame signs	39
1/9/00	Anti-Discrimination Commission to Gail Adams	Claim rejected	40
	Activities after ADC rejection of Gail Adams Claim		
6/9/00	Police Dept Commissioner J Johnson to Gail Adams	Complaint involving A Reid was before the Court 1/9/00	41
7/9/00	Governor of Tasman from Gail Adams	10 complaints with docs., no acknowledgement from Premier re forum	42
8/9/00	Governor Guy Green to Gail Adams	NFA; correspondence serves no useful purpose	43
9/9/00	Gail Adams to Police Commissioner McCreadie	Could I have a report on investigations to date?	44
12/9/00	West Tamar Council to Gail Adams - Ray Wright	You have not renewed your kennel licence	45
19/9/00	Gail Adams to Anti Discrimination Commission	appeal rejection, request review of decision	46
27/9/00	Premier Bacon to Gail Adams: answer to forum 12/08/00	Recent info makes no change to his letter of 18/11/98; no benefit in meeting GA	47
19/9/00	Anti Discrimination Commission to Gail Adams	acknowledging 46 this file	48
3/10/00	Gail Adams to Premier Bacon	When is the next public forum to be held?	49
13/10/00	Gail Adams to Helen Anderson, RMPAT	FoI-Seeks to be supplied with J Cohen's submission to J33/1991 - Pet Cemetery	50
3/11/00	Helen Anderson Registrar RMPAT to Gail Adams	"...access condition (no 4) does no provide for any new access to be created "	51
enclosure	J Cohen submission to Planning Appeal Board	"..construction of a new access and closure of the existing access".	51
enclosure	Beaconsfield Planning Scheme 1986	Schedule 6 Vehicular Access to Open Speed Limit Roads	51
enclosure	J33/91- Planning Appeal Board - Pet Cemetery and Office Acces	The applicants amended the application to provide for access via an existing ROW	51

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index 8 : Gail Adams - Post 10/12/99 : to current

12/12/00	Tas Police FoI unit : PK Sergeant	RSPCA not subject to FoI; no access to prosecution file to answer GA Qs 1-3	52
8/01/01	Anti Discrimination Commission from Gail Adams	request extension time from 18/01/01	53
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28/02/01	Tas Police - Acting Commander Bonde to Gail Adams 12/01/01	GA re dogs in protest @ Parliament :Dog Control Act requires: (details)	57
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5/03/01	Minister for Police : Llewellyn MHA from Gail Adams	1-Are you willing provide reasons no action 14/01/99 sworn affidavit?	60
	" " " Gail Adams written complaint 5/02/01	2-Are you willing provide reasons no action 2 greyhounds in care; points (a-c)	
	" " " Gail Adams written complaint 5/02/01	requests a response within - 7 days; & acknowledgement of receipt of letter	
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9/03/01	Minister for Police : Llewellyn MHA from Gail Adams	advising index handed to AD Tribunal 1/03/01 included greyhound matter	79
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GH1

Cat Case : Gail Adams

Cat case- Escaped cat notice 4/7/92	1	Defamation - Taken down at 3.00 pm on 4/7/92
Cat case- Article about missing cat in the Examiner newspaper -23/7/92	2	Defamation - "Wishing they had never left Molly at a cattery".
Cat case- letter from Bishop Rae & Gunton seeking damages 30/7/92	3	Legal - Damages
Cat case - statement from owners of the cat 7/92	4	Legal - Damages
Cat case- Letter to GA from Bishop Rae & Gunton 21/8/92	5	Legal - Damages - Seeking specific damages
Cat case-Advertisement in the Examiner 26/8/92	6	Stat Dec - evidence - Stating that Molly was not lost from Glengarry Kennels
Cat case- GA rings Examiner 26/8/92	7	Examiner - bias - No address - only PO Box; ad due to run next Saturday
Cat case - Letter to Bishop, Rae & Gunton from Clarke & Gee 2/9/92	8	Legal - incompetent- We act for GA do not question liability only the amount c
Cat case- letter from Bishop, Gunton Rae to Clarke & Gee 16/9/92	9	Legal - settlements Unless some satisfactory offer of settlement is forthcom
Cat case- letter to GA from Clarke & Gee 23/9/92	10	Costs -"enclose accounts from the Examiner"
Cat case- letter from Clarke & Gee to GA - 28/10/92	11	Legal - "Their clients are issuing proceedings against you in the Small Claims
Cat case- affidavit - M J Leedham	12	Stat Dec -Recommendation for the cattery
Cat Case- letter from Clarke & Gee to GA - 16/11/92	13	Legal - "Notice of Defence enclosed"
Cat case- Clarke & Gee to GA - 10/12/92	14	Lawyers "We have closed our file"
Cat case- Clarke & Gee to GA - 10/12/92	15	Costs - $75.00 costs

Cat Case : Gail Adams

Cat case- Affidavit - M A Ransley - 23/1/93	16	Stat Dec"Mrs Adams was extremely upset.."
Cat case- Affidavit - O R Judd 25/1/93	17	Legal - threats "..she said if she takes it down I'll sue her...."
Cat case - Affidavit - J A Broomby 26/1/93	18	Stat Dec - Evidence "..and said if she takes the notice down I will sue her"
Cat case- Statement GA - 29/1/93	19	Evidence - not accepted"Molly was eating..."
Cat case- M A Adams statement	20	Fact - error of "at no time has E Chan been on the property"
Cat case - Decision of Magistrate Willee 19/2/93	21	Costs -Respondent to pay the claimants the sum of $192.00 plus $25.00
Cat case- Magistrate Willie's reasons 19/2/93	22	Bailment - Burden on the bailee to prove they took appropriate care
Cat case- GA to Clarke & Gee - 4/4/93	23	Legal- negligent -"Mrs Clarke appears to have been negligent in providing inc
Cat case - GA - Affidavit - 7/4/93	24	Evidence - affidavit
Cat case-Letter to GA from Clarke & Gee- 19/4/93	25	Legal - Negligence -Agrees about Miss Clarke's advice"We are prepared to am
Cat case- GA complaint about Magistrate Willie 4/6/98	26	Registration - incorrect "Summons issued in the wrong name".
Cat case- GA affidavit 14/1/99	27	Registration- incorrect -"Summons ....Elspedito Cattery Claim No 354/92 - n
Cat case- Application for restraint order - GA - 2/3/99	28	Orders - Restraint -Against Neville Welch, 47 Bindaree Rd Legana - verbal a
Cat case- chronology -	29	

Cat Case : Gail Adams Statutory Declaration

Cat Case a- Summons address to Elspedito Cattery (a)	**59.1**	Never any such business registered
Cat Case b- evidence no regd. business Elspedito Cattery 59.1 (a)	**60.1**	provided to Magistrate Willee at beginning of hearing - 29/01/93
Cat Case c - complaint to Justice Dept., re Magistrate decision	**61**	
Cat Case d- 1) Biased Witness statement; 2) regd. veterinary nurse	**62**	
Cat Case e- plaintiff witness - evidence disputed by sworn statements	**63**	no recognition in written decision of Court
Cat Case f- plaintiff advised cat discovered on premises 3 days after	**64**	Owner Welsh stated cat wouldn't come to him (owner)
Cat Case g- GA objected to plaintiff witness Chan	**66**	B/C of planning appeals & matter at Solicitor-General at the time
Cat Case h- plaintiff claim pedigreed Siamese cat not substantiated	**67**	supported by witness - 30 yrs breeding experience but ignored by Magistrate

CAT CASE STATUATORY DECLARATION 9-8-02 IN REFERENCE TO CAT molly AND OWNERS.

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Dog Case : Gail Adams

Dog Case as per file		
Dog Case - Photographs of Candy	1	
Dog Case - Dr Brian Larner - 17/6/91- Invoice	2	
Dog Case -Dr Brian Larner - 28/10/92 - Invoice	3	
Dog Case - Dr Brian Larner -11/2/93- Invoice	4	
Dog Case - Dr Brian Larner- 31/05/93- Statement	5	
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Dog Case - Dr Brian Larner- 5/01/94-Invoice	8	
Dog Case - Dr Brian Larner- 31-03-94-Statement	9	
Dog Case -Dr Brian Larner- 31/05/94- Statement	10	
Dog Case -Dr Brian Larner- 31/01/94- Statement	11	
Dog Case - Gail Adams requests test results from Larner	12	
Dog Test - Gail Adams requests test results from Larner again 25/5/94	13	Failure to provide information on request
Dog Case - Gail Adams complaint to Consumer Affairs 25/5/94	14	GA says that Mr Adams bought the dog back at 7.45 pm on the 5th Jan
Dog Case - Gail Adams requests copy of statement made by Vet at Dr Larner's	15	Information - denial of GA requests copy of tests held by B Larner
Dog Case - Gail Adams - Affidavit 26/5/94	16	Instructions - ignoring GA says "I did not want Candy operated on"
Dog Case- Mike Adams- Affidavit 15/6/94	17	I left Glengarry at approx 6.50 and arrived....at about 8.00 pm
Dog Case- Office of Consumer Affairs to Gail Adams 6/6/94	18	"It may be necessary for you to defend any action taken by Dr Larner"
Dog Case - Tasmanian Collection Services to GA 4/7/94	19	Registration - incorrect Claim for $556.75 - Adams: Gail Leslie & Elspedito
Dog Case- Tasmanian Collection Service - 4/07/94	20	Registration - incorrect Business Name
Dog Case- Gail Adams to Tas. Collection Services - 5/7/94	21	Instructions - ignored "At no time did I give permission for my dog Candy to

9/41

Dog Case : Gail Adams

Dog Case Affidavit from Leslie Tuson 18 /7/94	22	Stat Dec "Mrs A was concerned about the dog being subjected to futile operat
Dog Case-Tasmanian Collection Service- 21/7/94	23	Legal Proceedings threatened - amount due $556.75
Dog Case- Summons to Appear Court of Requests- 12/8/94	24	Costs - Amt due $556.75 + $78.00 + $30.00
Dog Case- Notice of hearing - Claim 94 208 Small Claims Tribunal - 9/9/94	25	Registration - incorrect Gail Adams & Michael Adams- set down for hearing o
Dog Case- Zeeman Kable & Page - 13/9/94	26	Election of transfer to Small Claims Tribunal
Dog Case- Zeeman Kable & Page-13/9/94	27	Notice of Election to transfer the matter to Small Claims Court
Dog Case- Affidavit AM Fallshaw- 8/10/94	28	"Gail asked Mick to ring the vet .....and put her down".
Dog Case- Zeeman Kable & Page - 14/10/94	29	Hearing at Small Claims Court has been set down for 15th November
Dog Case- Zeeman Kable & Page- 20/10/94	30	Information - denial of -It is the usual practice that the details you sought are
Dog Case- Dr Brett Chittick to CAC 17/5/94	31	Evidence - doubtful Dr Larner advised that the blood test had not yet been co
Dog Case- K R Pinkard Court Registrar to GA - 15/11/94	32	Information - denial of "Please return the letter as soon as possible."
Dog Case- Letter from GA to Chief Magistrate 20/11/95	33	Complaint - I request to contact the Dept of Justice
Dog Case- K R Pinkard Clerk of Small Claims Tribunal - 24 Jan 1995	34	The Magistrate will give his decision ...on Tuesday 14th February
Dog Case- Order Small Claims Division 15/2/1995	35	Costs- Respondent to pay Claimant $366.00 + $108 Court of Requests
Dog Case- Richard Bingham- Dept of Justice - 17/4/96	36	Jurisdiction - Has asked Chief Magistrate to examine claims you have raised
Dog Case- John Garde FOI Officer - 17/5/96	37	FOI -A Shott is forwarding copy of Small Claims File 94208

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Australian Government
Attorney-General's Department

Corporate Services Group

03/1167

25 November 2005

Mrs Gail Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Mrs Adams-Fitton

FOI REQUEST

I refer to your application under the *Freedom of Information Act 1982* (the Act) of 24 November 2005 (dated 25 November). You seek a waiver of the application fee and access to any documents in reference to the following statement referring to you within the email dated 26 February 1999 (which I released to you on 17 November 2005): *"I think that she has a mental problem, and she has implied in a couple of letters that she has/is being treated for it"*. With reference to that statement you seek, in particular:

> *'(a) Copies of my letters in reference to the above, mental problem.*
>
> *(b) Or other sources where Herman Van de Brug received this information, to the stated mental problem.'*

Decision

2. I am, pursuant to arrangements approved by the Secretary of this Department under subsection 23(1) of the Act, authorised to make decisions, on behalf of this Department, in relation to this matter. I can accordingly advise that, having made the relevant searches within the Department, I have been unable to locate any documents within this Department as described in your request.

3. I am obliged, therefore, to refuse your request under section 24A of the Act which allows an agency to refuse a request if all reasonable steps have been taken to locate the documents sought and it is satisfied that the documents either don't exist or cannot be found. I am satisfied in this case that there are no such documents held within this Department.

Fees

4. Under the circumstances, I have decided to waive the $30.00 application fee for your request.

Right of Review

5. Should you wish to do so, you may seek an internal review of any aspect of my decision in this matter. Such a review would be carried out by another senior officer of this Department. If you wish to pursue this course of action you should forward an application to me within 30 days of the date of this letter. You should also enclose in that letter the required $40 application fee with any cheque or money order made payable to the Collector of Public Monies.

6. You can, however, request a waiver of the above fee. This Department has the power under the Act to waive this fee for any reason including the following two – that payment of the fee would cause financial hardship to the applicant, and that release of the documents is in the general public interest or in the interest of a substantial section of the public. Should you seek a waiver of the above fee, you should state clearly in your letter the reasons for seeking such a waiver and include any documentary evidence you may have which supports your contentions in that regard.

7. You are also entitled, should you wish to do so, to complain to the Commonwealth Ombudsman about any aspect of the way in which your request has been handled.

Yours sincerely

Machiko Hodge

Machiko Hodge
Manager
Freedom of Information Unit

Telephone: 02 6250 6819
Facsimile: 02 6250 5907
E-mail: machiko.hodge@ag.gov.au

Tasmania

DEPARTMENT *of*
PREMIER *and* CABINET

23 FEB 2005

Ms G Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Adams-Fitton

I refer to your Freedom of Information request received on the 10 December 2004 concerning information regarding a Minute to the Premier signed by Sally Shepherd and approved on 15 November 2001.

Attached are copies of all documents on the Department's file that were used by Sally Shepherd for the purpose of preparing the Minute to the Premier referred to above. There are 26 pages, numbered 80-105 (top right hand corner). It is clear from the file that these were the documents gathered by Sally Shepherd for this purpose. I have also verified that this is the case by speaking to Sally Shepherd.

You will note that I have provided the bundle of documents, rather than divide them up into the categories you describe in your letter, as in my view this is the most practical and accurate way I can respond to your request. Also, I do not fully understand each question you pose, and I do not believe that it is within my role as Freedom of Information Officer to comment in detail (and to make assumptions) about which documents were relied on to draw specific conclusions.

I have not exempted any information under the *Freedom of Information Act 1991*, although I believe that you are already in possession of these documents. I have enclosed them in any event in order to respond to your request as quickly as possible and to avoid any further delay.

I have agreed to waive costs in this instance.

Yours sincerely

Carmen Kelly
FOI Officer

23 February 2005

Tasmania

DEPARTMENT *of*
PREMIER *and* CABINET

Ms Gail Adams-Fitton
PO Box 519
Exeter TAS 7275

Dear Ms Adams-Fitton

I refer to your freedom of information request received on 20 September 2006 in which you seek material excluded in a previous request on the grounds of section 29 of the FOI Act (documents effecting legal proceedings).

In the Department's response you were notified that legal professional privilege does not expire after a 10 year period and as such the Department would continue to claim an exemption under section 29. I understand that you still seek a copy of the original document and have approached to Office of the Ombudsman.

The initial correspondence to you did not make it clear that the original document, containing the deleted sections, you seek cannot be located after a search of this Department's records and it therefore cannot be provided to you or made available for a review.

If you have any queries regarding the above, please contact me directly on (03) 6233 3496 or by email to david.pammenter@dpac.tas.gov.au.

Yours sincerely

David Pammenter
FOI Officer

17 November 2006

In reply please quote: 700-0610004
Contact Officer: Terry Mc Cully

OMBUDSMAN
TASMANIA

99 Bathurst Street, Hobart 7000
GPO Box 960 Hobart TAS 7001
Telephone 1300 766 725
(03) 6233 6217
Facsimile: (03) 6233 8966
Email: ombudsman@justice.tas.gov.au
www.ombudsman.tas.gov.au

7 December 2006

Ms G Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Adams-Fitton

Freedom of Information Act Review: Department of Premier and Cabinet

On 4 October 2006 you applied to the Ombudsman for the review of a decision of the Department of Premier and Cabinet (the Department) dated 27 September 2006 refusing access to information under the *Freedom of Information Act* 1991 (the FOI Act). For the following reasons I cannot review the decision under the FOI Act.

On 20 September 2006 you requested the Department grant access to 2 paragraphs of information it had previously deleted from a "briefing note" in response to another request you made under the FOI Act in 2003. The Department claimed that the information was exempt.

After your application to my office it became apparent that the real problem, was that the "briefing note" could not be located. After consulting with you the Department was requested to carry out further searches to locate the information. In response the Department informs me that "searches for the document were undertaken with the Local Government Division, DPAC Records Management and DPIW Records Management" without success.

As a practical matter I cannot conduct a review without inspecting the information in dispute. As I am satisfied that the searches and inquiries the Department has reported making in an effort to locate the information have been reasonable in all the circumstances of the matter, there is no further action I can take in relation to your application.

Yours sincerely

Simon Allston
Ombudsman

OMBUDSMAN
TASMANIA

In reply please quote: 700-0711025
Contact Officer:

10 January 2008

Ms G Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Fitton

Freedom of Information Act Review: Department of Primary Industries & Water

The developments in this matter are as follows.

On 7 December 2007 the Department of Primary Industries and Water informed the Ombudsman, "the Department has not been able to locate any recent correspondence from Ms Gail Fitton, either in the Department's Records system or with key staff in the Animal Health and Welfare Branch. Specifically, a freedom of information request dated 19 October 2007 from Ms Fitton has not been located". In answer this office forwarded a copy of your FOI request to the Department on 17 December 2007.

Section 16 of the FOI Act provides that an agency shall take all reasonable steps to enable an applicant to be notified of a decision on a request as soon as practicable but in any case not later than 30 days after the request was received by the agency. In the circumstances the time for the Department to notify you of a decision on the request will be calculated from 19 December 2007.

A copy of this letter has been forwarded to the Department.

Yours sincerely

Richard Connock
Principal Officer

Postal Address
GPO Box 960
Hobart, Tas 7001

Hobart Office
Ground Floor,
99 Bathurst Street
Hobart, Tas 7000
Fax (03) 6233 8966

Launceston Office
Henty House,
1 Civic Square
Launceston, Tas 7250
Fax (03) 62 6330 2038

Office of the Ombudsman
1800 001 170
ombudsman@justice.tas.gov.au

TELEPHONE : (03) 6234 2611
FACSIMILE : (03) 6234 2556

OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE
TASMANIA 7001

January 16th 2008

Mrs G. Fitton
PO Box 519
EXETER TAS 7275

Dear Mrs Fitton,

I refer to your letter of January 14th 2008 seeking any documents relating to you which may be held by His Excellency the Governor.

The Governor of Tasmania is not subject to the provisions of the *Freedom of Information Act 1991,* consequently it is not possible to meet your request.

Yours sincerely,

John Chilcott
Official Secretary

The Ombudsman of Tasmania,
G.P.O. Box 960,
Hobart. 7001. TAS. FAX No: 62338966

20-1-2008.

Attention: F.O.I. Officer Mr McCully.

Dear F.O.I. Officer

My complaint is in respect to my request and the reply from the Office of the Governor of Tasmania dated 16-1-2008. My request dated 14-1-2008 under F.O.I.

(a) The Dog Control Act 1987 was by law taken out of the Control of the Governor of Tasmania, to the Dog Control Bill of 2000, enacted in law April 2001, to the Premier, Premier and Cabinet, due to the many complaints in respect to the Greyhound matter and the two dogs in-care VKC148, VKC150 since 3/1/2000 from cruelty case 506/93/00, as it involved "Kennel Licences", also part of the 16 year case.

(b) It was my right of passage in law, to present my valid legal complaints to the Governor, who at the time had been a Supreme Court Judge.

(c) The Governor approves the passage of laws and corrections in law, and well aware of the Dog Control Act 1987 being rescindered, and why.

(d) The Governor, Governor-In-Council by ignoring his duty under law, caused the soul-souking denial of my Human Rights and Equal Opportunity, using and abusing his position of power which the refusal of my F.O.I. demonstrates. My pet caring business being the only one having dogs from the above cruelty case.

(e) I have under the Data Protection Act 1998 of the U.K. received my request from Buckingham Palace without any problems, due also to myself being discriminated against for not being a Jovah Witness or full or part chinese, by Officers of the Crown in Tasmania.

The Queen in her letter of October 1997 did not need F.O.I's to the complaints. I had the right of passage in law, given the Coronation Oath, the Text of the Oath to the Coronation Oath 1953 — as set down, Act 1688. My rights under the Constitution of the Commonwealth of Australia No 117, which had been broken.

(g) I want my F.O.I. request granted and nothing witheld by Officers of the Crown in the Office of the Governor, Governor-In-Council of Tasmania, as the same legal valid illegal acts and actions were complained about and presented with the respective documentation of evidence.

Yours Sincerely,

Gail Fitton (Adams)
P.O. Box 519
Exeter. 7275. TAS.
PH= 0363961145.

Attached:

1. F.O.I. request dated 14-1-2008.
2. The reply to F.O.I. request dated 16-1-08.
3. The Letter, copy of, from Buckingham Palace dated 15-10-1997.
4. The reply to the receiving of the C.D. of over 400 pages to the 16 year case dated 5-11-2007.

TRANSACTION REPORT

21-JAN-2008 08:36

FOR: EL SPEDITO ENTERPRISES 0363961145

SEND

DATE	START	RECEIVER	PAGES	TIME	NOTE
21-JAN	08:32	62338966		4'13"	OK

the
Matter a.
Since 3/1/2a.
as it involved me.
the 16 year case.

(b) It was my right of passage in law, to present my valid legal complaints to the Governor, who at the time had been a Supreme Court Judge.

(c) The Governor approves the passage of laws and corrections in law, and well aware of the Dog Control Act 1987 being rescindered, and why.

(d) The Governor, Governor-In-Council by ignoring his duty under law, caused the soul during denial of my Human Rights and Equal Opportunity, using and abusing his position of power which the refusal of my F.O.I. demonstrates. My pet caring business being the only one having dogs from the above cruelty case.

(e) I have under the Data Protection Act 1998 of the U.K. received my request from Buckingham Palace without any problems, due also to myself being discriminated against for not being a Jehovah Witness or full or part Chinese, by Officers of the Crown in Tasmania.

OMBUDSMAN
TASMANIA

In reply please quote: 700-0801039
Contact Officer: Milda Kaitinis

4 February 2008

Ms G Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Fitton

Complaint: Office of the Governor (Tasmania)

I refer to your facsimile transmission of earlier today and acknowledge receipt of your application dated 20 January 2008 for a review of the decision of the above named to refuse your request for information under the *Freedom of Information Act 1991*.

The officer who is handling your application, Ms. Kaitinis, is currently on leave, but returns at the beginning of next week. I shall bring to her attention your request for an update immediately upon her return.

Yours sincerely

Richard Connock
Principal Officer

Postal Address
GPO Box 960
Hobart, Tas 7001

Hobart Office
Ground Floor,
99 Bathurst Street
Hobart, Tas 7000
Fax (03) 6233 8966

Launceston Office
Henty House,
1 Civic Square
Launceston, Tas 7250
Fax (03) 62 6336 2038

Office of the Ombudsman
1800 001 170
ombudsman@justice.tas.gov.au

CHAPTER SEVEN

A SMALL AMOUNT of FREEDOM of INFORMATION DOCUMENTS, WHICH AT TIMES TOOK 6 TO 12 MONTHS TO ACQUIRE, of THE ORIGINAL CASE.

LOCAL GOVERNMENT ACT, 1962

PLANNING APPEAL BOARD

In the matter of:

S.M. CHAN

v.

BEACONSFIELD MUNICIPAL COUNCIL

John Walter Cohen,
Rutherglen Residential Club,
HADSPEN, Tas. 7290

TO PROVE:

I have been a Registered Surveyor for over 60 years and have been concerned with Town Planning for most of that period.

I am a Fellow of the Royal Australian Planning Institute of which I have been a Member since its inception in 1951.

I frequently give advice on Town Planning matters.

I have given evidence in Town Planning appeals on a number of occasions.

I am familiar with the Municipality of Beaconsfield Planning Scheme 1986.

Mr. Chairman and Members of the Planning Appeal Board,

From time immemorial human beings have had a close affinity with animals of one sort or another, either as a helper to make easier labouring tasks or as a companion or pet. The dog is thought to have been man's first pet, for whilst evidence has it that the dog was man's first hunting ally, it has been established that as early as 7000 B.C. it had become a domestic friend as well.

Various animals, birds and reptiles have been trained and kept as a favourite or treated with fondness. It is often the case that, when death overtakes the pet, the owner's grief is such that nothing short of a proper internment and memorial is good enough for the departed friend. There is evidence of animal burials in Egyptian tombs and even today in Japan some buildings have special vaults for the purpose. The disposal of the remains of departed pets is a particular problem, especially in an intensely developed urban area.

Whilst it is my personal opinion that for reasons of hygiene and to obviate the problem of continuing maintenance of the burial ground there should be established Municipal crematories and the burial of animal remains forbidden, whilst internment is preferred, the suitable location of the facility remains a town planning problem.

Town planning is concerned with putting all uses in their proper place. It is my opinion that for any one of the several reasons which follow the site proposed by the appellant is not a suitable site even if the provisions of the Scheme did permit the creation of a new access to the land off the Frankford Main Road.

The topography of the land is unsuitable for the establishment of that which has been reported to be a Lawn Cemetery 'similar to lawn cemeteries for human remains that abound throughout

Australia'. Such cemeteries are established on gently sloping land and are easily accessible to pedestrians.

One of the plans submitted with the application gave a rough indication by arrows that the land fell in various directions. No indication was given as to the extent of the fall. Reference to the Tasmap 1:25,000 series would give some idea of the fall. A site inspection will show that the area is intercepted by steep gullies and the land in places may be as steep as, or even steeper than, one part vertical to two parts horizontal.

It would be virtually impossible to create a lawn cemetery suitable for the purpose on the land - persons visiting the graves could not possibly maintain their footing. It is my opinion that the cost of construction of the proposed internal roadway to service the graves and the kennels would be prohibitive even if a satisfactory gradient could be obtained.

The geology of the area is such that there is a shallow depth of topsoil overlaying a shale-like material. Whilst this shale may be difficult to excavate, it may not impede the passage of water. This raises the possibility of the pollution of underground water and that which will find its way into adjacent watercourses.

The Department of Agriculture, Tasmania, has in its Service Sheet No. 19-10/1990 given guidelines for acceptable methods of disposal of sheep carcases. These guidelines could well be adopted for the internment of pets, especially the larger type of animals.

It is specified that:

> "The site should at least be 500 m from any habitable buildings and at least 50 m from a public roadway and located where contamination of ground water cannot result.

> The site must be at least 50 m from a stream or watercourse and not interfere with underground services. (HEC: Telecom: Water mains). The gradient of the site should not be more than one vertical to three horizontal."

It is further specified that the burial pit should be at least 3 metres deep to allow 2 metres of fill over the carcases.

The Department of Environment has made a provisional recommendation regarding the trench disposal of solid waste, including dead animals and condemned meat or carcases.

Some of the site characteristics which I consider would be applicable to the disposal of the bodies of pets are that:

- soils should be readily excavated to a depth of at least 2 metres before reaching bedrock or any highly impervious layer.

- There should be no evidence of any watertable, permanent or seasonal, within the trench depth.

- The underlying strata should not have discontinuities nor be highly fractured.

There are other criteria which I could supply if necessary.

It is my opinion that the site proposed fails in every respect to justify its use as a pet cemetery and should remain available for any of the permitted uses in the Rural Zone.

It is immediately adjacent to the Frankford Main Road which is an important alternative tourist route linking the West Tamar region and the North West coastal area.

It is within less than 500 metres of habitable buildings, it is

closer than 50 metres from a watercourse and its location is such that contamination of ground water could result.

In the Consideration of Applications for Planning Approval (Clause 3.9 on pp. 18 & 19) among other things the objectives of the Scheme and the intent of the zoning have to be taken into account. These are detailed in Part 6 of the Scheme and whilst I will not discuss these in detail it is my opinion that the development and use of a Pet Cemetery as proposed on this land would be contrary to those objectives and the intent of the Rural Zone.

It is my opinion that it was a proper decision of the Beaconsfield Council not to grant planning approval, not only for its stated reasons, but additionally because it was precluded from permitting the development by the provisions of its Planning Scheme as stated by me in my preliminary submission.

It is my opinion that the appeal against Council's decision should be refused.

J.W. COHEN.

L.S., Hon. F.I.S. AUST., F.R.A.P.I.

106

S6.8 Access Spacing to Listed Roads

S6.8.1 An access to a listed road shall be located such that the distance between that access and any other access on the same side of that road is not less than that specified in the Table to this Clause, hereunder.

Table to Clause S6.8.1

Minimum Distance Between Accesses to the Same Side of a Listed Road

Road	Minor Access	Major Access
West Tamar Highway		
(a) Cormiston Rd Killara Dr, Lanena	N/A	N/A *
(b) Exeter -C725 (Batman Development Rd)	no new accesses in the Rural Zone	To be via existing Council roads
Frankford Main Road	no new accesses in the Rural Zone	To be via existing Councils roads
Batman Developmental Rd		
(a) West Tamar - Rowella M.R.	1000 m	3000 m
(b) Rowella M.R. - Batman Bridge	N/A*	N/A*

S6.8.2 An access point to a listed road shall be located not less than 50 metres from an access located on the opposite side of that road, when measured between the centrelines of those access along the centreline of that road.

* Subject to the Limited Access Provisions of the Roads and Jetties Act 1935.

Notice of applications for planning approval.

S. 733B inserted by No. 63 of 1975, s. 2

Subsection (1) amended by No. 91 of 1985, s. 31.

733B—(1) This section applies to applications for planning approvals of any of the following kinds:—

(a) planning approvals of any kind that the Minister has by order declared to be planning approvals to which this section applies;

(b) planning approvals of any kind that a corporation may grant only in pursuance of a power conferred on the corporation to relax or modify the provisions of a planning scheme or interim order in their application to any land;

(c) planning approvals for development of any kind that, under a planning scheme or interim order, a corporation has a discretion to refuse or permit.

Subsection (2) amended by No. 91 of 1985, s. 31.

(2) For the purposes of this section a power conferred by planning scheme or interim order to impose conditions or restrictions in any planning approval shall not of itself be regarded as conferring a discretion to refuse or permit development.

Subsection (3) amended by No. 91 of 1985, s. 31.

(3) An application for a planning approval to which this section applies—

(a) shall not be entertained by the corporation unless the corporation is furnished with a copy of a notice of the application, in such form as may be prescribed, and with such evidence as may be prescribed that that notice has been published in a daily newspaper published in Tasmania and circulating generally in the locality in which the land to which the application relates is situated and has been posted in a conspicuous position on the land; and

(b) shall be determined by the corporation—

(i) not earlier than the expiration of the period of 14 days beginning on the relevant date; and

(ii) not later than the expiration of the period of 42 days beginning on the day on which the corporation was furnished, in accordance with paragraph *(a)*, with the copy notice, the prescribed form, and evidence referred to in that paragraph, or such further periods as is agreed to, in writing, by the corporation and the applicant.

(4) The clerk to the Commissioner shall, in such manner as the Commissioner may direct, notify all persons entitled to be heard in the proceedings on an appeal under this section of the time and place at which the appeal will be heard.

(5) Where a person who is entitled to be heard by the Commissioner on an appeal under this section does not, after being notified by the clerk to the Commissioner of the time and place of the hearing, appear to be heard, the Commissioner may proceed with the hearing in his absence.

(6) On an appeal under this section, the Commissioner may inform himself on the matter the subject of the appeal in such manner as he thinks fit and the procedure on the appeal shall be as the Commissioner may direct.

(7) On an appeal under this section, the Commissioner may allow or dismiss the appeal, or may reverse or vary any part of the decision of the corporation, whether the appeal relates to that part of the decision or not, so that the effect of the decision is that which, in the opinion of the Commissioner, should have been the decision of the corporation on the application to which the appeal relates.

(8) The Commissioner's determination of an appeal under this section shall be given effect to by the corporation.

Insertion of new section 829B in Principal Act.

38—After section 829A of the Principal Act, the following section is inserted in Division 1 of Part XXII:—

Institution of proceedings by Director.

829B—(1) A prosecution for an offence against this Act may be instituted in the name of the Director.

(2) Nothing in subsection (1) shall be taken to prevent the institution by a person other than the Director of a prosecution for an offence against this Act, but an offender is not liable to be punished more than once for the same offence.

Transitional.

39—(1) In this section, "commencing day" means the day fixed by proclamation under section 2 (3).

(2) If, on the commencing day, sections 4 (2) and 5 are not in force, a reference in the Principal Act as amended by this Act (other than those sections) to the Director shall, until the commencement of those sections, be read as a reference to the person for the time being holding, or acting in, the office of Director of Local Government.

(2AC) A municipality shall not allow development of any land subject to a dispensation under subsection (2) *(b)* otherwise than in accordance with a planning approval in respect of that development as provided by section 733B.

(3) Section 734 of the Principal Act is amended by omitting subsection (2A) and substituting the following subsection:—

(2A) An interim order shall be made by resolution of the municipality and shall not be effective unless—

(a) it is approved, in writing, by the Commissioner; and

(b) its making, together with that approval, has been publicly notified by the municipality, and the municipality has deposited in the municipal office for public inspection a copy of all maps, plans and other particulars relating to the order which shall, where necessary, be supplied by the Commissioner to the municipality.

Section 847 substituted

11—Section 847 of the Principal Act is repealed and the following section is substituted:—

Obstruction of sealed schemes

847—(1) In this section; **"development"** has the same meaning as in Division 2 of Part XVIII.

(2) A person who carries out work or who does any other act that—

(a) is contrary to a planning scheme, an interim order under Part XVIII or any other scheme sealed under this Act; or

(b) impedes or obstructs the execution of any such scheme or order; or

(c) constitutes a breach of a condition or restriction of a planning approval imposed by a corporation pursuant to any such scheme, order or a determination of the Planning Appeal Board under section 733C; or

(d) constitutes development of any land otherwise than in accordance with a planning approval or any such determination relating to that land—

is guilty of an offence and is liable on summary conviction to a fine not exceeding 100 penalty units and a daily fine not exceeding 10 penalty units.

(5) The servcie authority shall be responsible for the proper maintenance of such barriers, flags, and lights as aforesaid, and shall be answerable for any liability incurred through negligence in relation thereto.

Regulation of electric wires.

14—(1) The Minister at any time may require any service authority in charge of any electric-light or power mains, which cross any State highway, at its own cost, to take such measures as may be necessary to ensure a clear space of not less than eighteen feet from the surface of the road beneath such mains.

(2) Where the Minister proposes to widen, regrade, or alter the alignment of any State highway, he may require the service authority in charge of any pole or tower carrying overhead wires to remove the same to such position as will make it clear of such proposed work.

(3) The service authority shall comply with every such requirement of the Minister, and the reasonable cost of its so doing shall be repaid by the Minister to the service authority out of the Fund.

Regulation of erection of poles, &c.

Ib., s. 14.

15—(1) In any case where a service authority desires to erect any pole or tower for carrying electric mains or wires along any portion of a State highway, such authority shall apply in writing to the Minister for permission so to do, and shall submit a plan showing the proposed disposition of the poles or towers in relation to the pavement, shoulders, and structures of the road to be affected thereby.

(2) The Minister may grant such permission as aforesaid, either in accordance with the plan so submitted or subject to such alteration of the disposition of the poles or towers as the Minister may think fit.

(3) The Minister may require the service authority forthwith to remove, at its own expense, any pole or tower erected by it as aforesaid otherwise than in accordance with such permission, and the authority shall comply with every such requirement.

Appointments of officers.

Ib., s. 15.

16—(1) The Governor may appoint such officers as he may consider necessary for the purpose of carrying out the provisions of this Part.

(2) Such officers shall be paid respectively such salaries, remuneration, and allowances as the Governor may determine.

(3) All such payments as aforesaid shall be made out of the Fund.

Provisions in respect of plant and equipment.

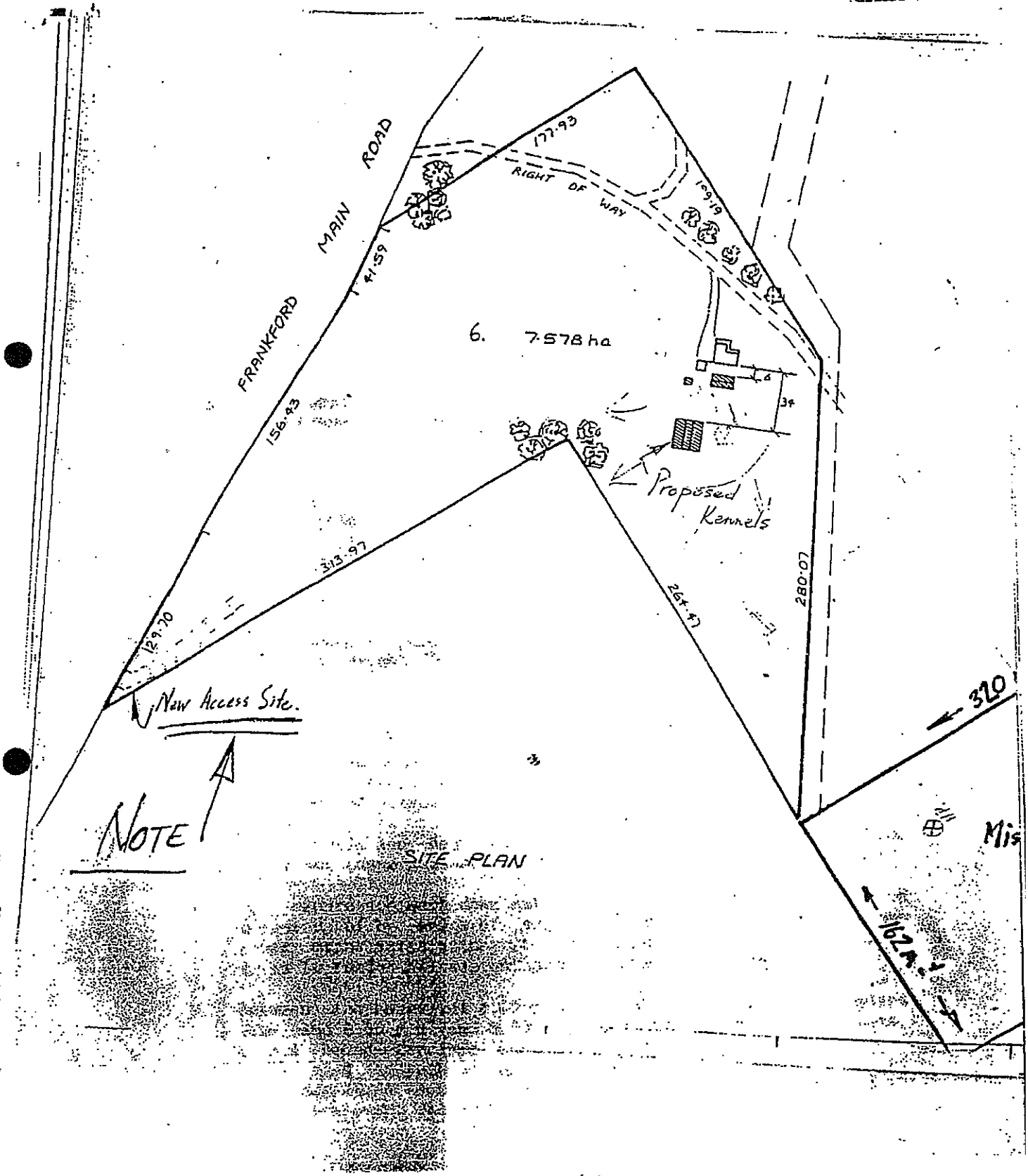
Ib., s. 16.

17—(1) The Minister may—

I. Purchase and acquire such road-making plant and equipment as he may consider necessary for the purposes of this Act:

II. At any time—

(*a*) Repair and maintain in good condition any such plant and equipment as aforesaid and all other plant and equipment at the disposal of the Minister for the purposes of this Act: and


MAIN ROAD
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Proposed Kennels
264.47
280.07
New Access Site.
NOTE
SITE PLAN
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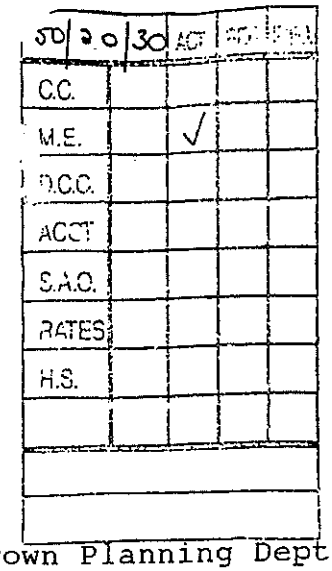
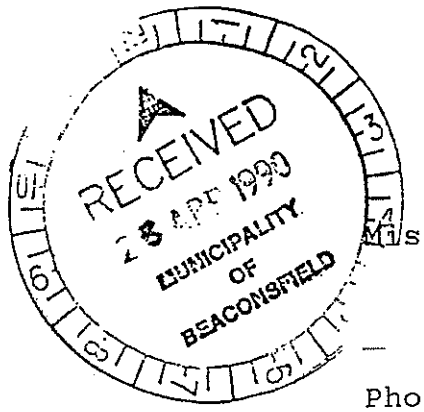
F.O.I. – D.P.I.W.E.





Miss Salina M. Chan

Phone:(

April 19, 1990

Town Planning Dept.,
Beaconsfield Council Chambers,
BEACONSFIELD. TASMANIA. 7270

Dear Sir,

As I am currently interested in purchasing a property in Glengarry, I would like to make a formal application to establish a Boarding Kennel. The property is 18 acres in Glenmore estate, Glengarry. The agent handling the sale is of J.B. Tasmania Real Estate. We would like to provide a professionally staffed, modern establishment, built with the format of the Sydney Quarantine Station Kennels.

Our Qualifications: Snobul Kennels has been established in N.S.W. for 10 years. We are trained and certified animal attendants, having certificates ranging from pet care to veterinary nursing. Our home-bred dogs have appeared on National and International television, including a Guinness Book of Records Titleholder.

We propose to establish the kennels in 3 stages.

Stage I - kennelling for 50 dogs and 20 cats.

Stage II - kennelling for 30 more dogs.

Stage III - greyhound and show dog exercise pool and pet cemetery.

We also wish to provide an injury recovery massage service for racing and show dogs.

I realise that a notice has to go into the newspapers. is acting as our agent in this matter and can be contacted on 28 1232.

The plans for Stage I are in the process of being drawn and will be sent to you in approximately one week from now.

We would be pleased if this matter could be put to Council expediently to facilitate the sale of the property.

Yours Sincerely,

Salina Chan
.....

JUN 14 '90 08:32 BEACONSFIELD COUNCIL 003 831340 P.2/3

WEST STREET
BEACONSFIELD
TASMANIA 7270
P.O. BOX 59

Telephone: (003) 831106
Facsimile: (003) 831540
When telephoning or calling please ask for:

MUNICIPALITY OF BEACONSFIELD

Our Ref.: MDS:TH
Your Ref.:

5 June, 1990

Miss S. Chan,
4 BLANC AVE,
PANANIA. N.S.W.
(SYDNEY)

Dear Miss Chan,

Re: Application for Planning Approval to Operate Dog Boarding Kennels at Lot 6 Frankford Main Road, Glengarry

I wish to advise that the above application for planning approval was approved by Council at the meeting held on Monday, 4th June, 1990 subject to the following conditions:-

1. The layout of the site and the size of the proposed buildings, structures and works as shown on the submitted plan shall not be altered without the permission of the Council.

2. The number of dogs and cats kept on the site at any one time shall not exceed 50 dogs and 20 cats.

3. Cyclone wire mesh 1.8 metres in height, shall be erected around the kennel runs.

4. All available means shall be used to prevent barking of dogs so as to prevent the use becoming a nuisance to nearby persons by reason of noise.

5. The kennels and dog runs shall be kept clean at all times and shall not cause nuisance by reason of smell to nearby persons.

6. All manure and wash down water shall be stored on the site and disposed of by means of septic sewerage treatment, or some other means satisfactory to the Council and Health Department so as to render all wastes harmless and inoffensive.

7. Between the hours of 6.00 p.m. and 8.00 a.m. Eastern Standard Time and 8.00 p.m. and 8.00 a.m. Eastern Summer Time all dogs, unless being exercised on a leash, shall be locked in kennels constructed in such a manner and with walls, roof and doors of such materials that darkness inside the kennel is ensured in order to prevent the barking of dogs.

8. Adequate landscaping and tree screening shall be planted with trees and shrubs so as to provide an effective visual screen.

9. All trees and shrubs within such areas shall be maintained in a healthy and sturdy condition and any dead or diseased trees shall be replaced as soon as practicable.

10. No advertising sign shall be erected, painted or displayed without the consent of the Council.

11. A new access to the property shall be designed and constructed in accordance with the Department of Roads and Transport requirements. The access shall be in the position shown on the attached plan. No access to the existing house or kennels shall be allowed from the existing right of way.

12. This permit shall expire if the development hereby permitted has not commenced within 2 years of the date of issue of this permit.

This approval is subject to the right of appeal to the Planning Appeal Board. Any appeal must be lodged within 14 days of the 9th June, 1990.

This approval shall not come into force until the expiration of the 14 day period.

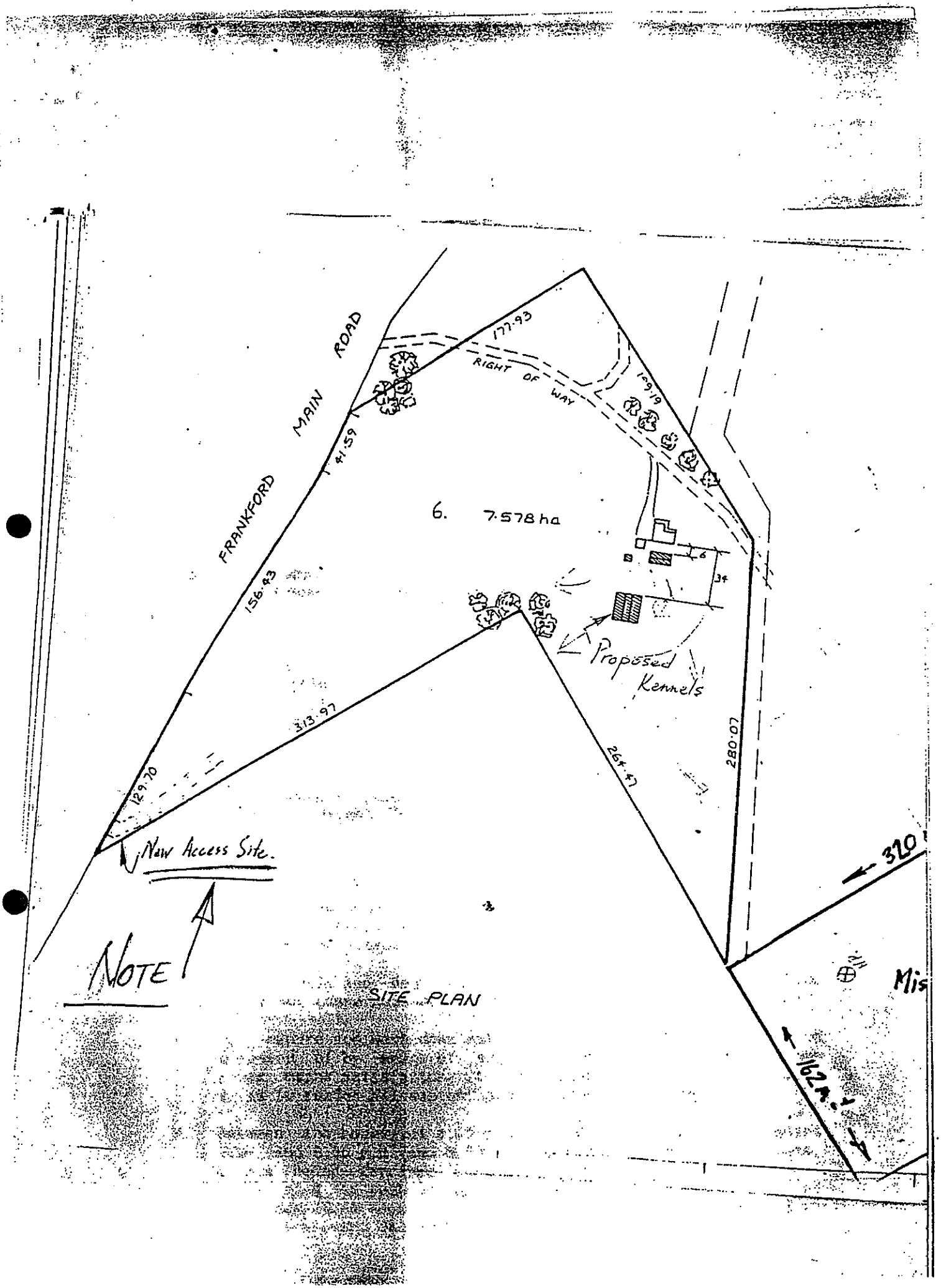
If you have any further queries, could you please contact the undersigned.

Yours faithfully,

M.D. Sluce,
PLANNING OFFICER.

* The 14 days ended on 23/6/1990.

No 11 – illegal.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6. 7.578 ha
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Proposed Kennels
264.47
280.07
New Access Site.
NOTE
SITE PLAN
320
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		ACT	REP	INFO
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M.E.		✓		
D.C.C		✓		
ACCT				
S.A.O.				
[illegible]				
H.S.				

MUNICIPALITY OF BEACONSFIELD
RECEIVED
23 JAN 1991

Miss S. Chan

Ph.

23.1.1991

Dear Sir/Madam,

Recently I submitted to council a development application for a Kennel Licence, Office and Pet Cemetery. A petition against this development has been circulated by the proprietor of a nearby kennel. This petition which misrepresents our intention has been signed by a considerable amount of people. I understand their reluctance to an establishment as represented by our business rival and wish to clarify the format of our proposal to establish a Pet Cemetery.

(1) It will provide a needed service for the greater city of Launceston and immediate environment by presenting an alternative to many people who, not wishing to be reminded of the loss of a pet buried in the backyard are forced to dispose of the remains in an undignified unhygienic manner or of enlisting the help of a local veterinarian to dispose of the loved pet with the agony of not knowing it's whereabouts in death.

(2) Contrary to the statement in the petition it will not be an unpleasant eyesore in the community such as the cemetery further up the highway in Frankford. We are planning a facility which will be unseen and unnoticed from the highway in the same format as the Canberra Lawn Forest Pet Cemetery Federal Highway A.C.T.. Each grave will be marked by a native shrub or tree and at their base there will be a Besser Paver at ground level with a plaque attached on which the owner may have the pets name and date of demise engraved. Only the trees and shrubs arranged in a pleasing park like environment will be visible from the road.

(3) Traffic will be minimal as the entire complex will be conducted by appointment only. We are not expecting more than one or two burials a week and the majority of those being small dogs or cats who will be buried manually.

(4) Hygiene will be strictly maintained all cadavers will be enclosed in body bags for burial and a pine casket furnished on request. All burials will be performed immediately on receipt.

/2.

It is unfortunate that the proprietor of the nearby boarding establishment has taken it upon herself to incite the community of Glengarry by misrepresenting our proposed facilities. The Municipality can only benefit by a well planned professionally conducted free enterprise.

Hoping that this letter may clear up any objections to our development proposal.

Yours sincerely,

Salina M. Chan

(B)

113

LTM/JK

L. T. Middleton

30 6158

~~MR204/9-1~~;
MR204/3-44

Mr P R Ransom
Council Clerk
Municipality of Beaconsfield
PO Box 59
BEACONSFIELD Tas 7270

4 February 1991

Dear Sir,

FRANKFORD MAIN ROAD (B71) AT GLENGARRY
PROPOSED PET CEMETERY AND OFFICE/CLINIC - MISS S. CHAN

Thank you for your correspondence dated 24 January 1991, together with attachments.

It is considered that the comments contained in the Department's correspondence dated 28 May 1990, in relation to Miss Chan's boarding kennels are applicable for the current proposal.

Your conditions of approval for the boarding kennels, dated 5 June 1990, in particular condition 11, are also applicable. Regarding condition 11 you are advised that the access required has not been constructed and, therefore, it is assumed that that development is not in conformity with the approval issued. It is trusted that this aspect will be resolved prior to Council giving consideration to the current proposal.

It is trusted that the above advice will be of assistance.

Yours faithfully,

I. W. Beauchamp
for DEPUTY SECRETARY ROADS

Copy for the information of:

Regional Engineer North

114

MUNICIPALITY OF BEACONSFIELD

PO BOX 59
TELEPHONE (003) 83 1106
FAX No. (003) 83 1540

Council Chambers
West Street
Beaconsfield
Tasmania 7270

Ref RW:DM 1/91

26 February, 1991

Miss S. Chan
Snobul Kennels
Lot 2 Glenmore Estate
Frankford Highway
GLENGARRY TAS 7275

Dear Madam,

Application for Planning Approval to Develop a Pet Cemetery and Office at Lot 2 Glenmore Estate, Frankford Highway, Glengarry (Appplication No. 1/91)

I advise that the above application for planning approval was considered by Council at the meeting held on Monday 25th February 1991.

Council determined to refuse planning approval for the proposed pet cemetery and office for the reasons outlined in the attached report.

An appeal against this determination may be lodged with the Planning Appeals Board within 14 days of the date of this letter. I enclose a Notice of Appeal form to be used when lodging an appeal. Please note that a fee of $25.00 is payable to the Planning Appeals Board on lodgement of the form.

If you have any further queries on this matter could you please contact the undersigned.

Yours faithfully,

Ray Wright
DEPUTY MUNICIPAL ENGINEER

Encl.

COPY

Appeal no: .....

Date Received: .....

NOTICE OF APPEAL

LOCAL GOVERNMENT ACT 1962

PLANNING APPEAL BOARD

TO: Clerk to the Commissioner for Town & Country Planning,
30 Davey Street,
HOBART, Tas. 7000.

I/WE ..... SALINA M. CHAN .....

OF (Residencial Address) LOT 2 GLENMORE EST. FRANKFORD HWY, GLENGARRY 7275

Hereby appeal against the decision of the corporation of the ~~City~~/Municipality of BEACONSFIELD... in relation to Application No: ...1/91..... being -

*(a) the decision advertised in (Name of Newspaper) EXAMINER on (date) 2.3.91

~~(i) to grant planning approval;~~

(ii) refusing to grant planning approval;

~~(iii) to grant planning approval subject to conditions or restrictions;~~

*~~(b) the failure of the corporation to determine the application within the period applicable under S.7338(3)(b)(ii), to grant planning approval.~~

* Delete whatever is not applicable.

LOCATION & DESCRIPTION OF DEVELOPMENT

TOWN/LOCALITY GLENGARRY... ROAD/~~STREET~~ FRANKFORD HWY NO.....

LOT NO: (if available) LOT 2... SEALED PLAN NO:(if available) .....

NAME OF APPLICANT .....SALINA M. CHAN.....

ADDRESS LOT 2 GLENMORE EST. FRANKFORD HWY. GLENGARRY, 7275

DESCRIPTION OF DEVELOPMENT ...P.E.T. CEMETERY & OFFICE.....

.....

GROUNDS OF APPEAL

1. .....(PLEASE SEE ATTACHED LETTER).....

2. .....

3. .....

4. .....

(Additional grounds may be attached)

DATED THE ...4th.....DAY OF ...MARCH..... 19.91....

SIGNATURE OF APPELLANT/~~AGENT~~ .....

POSTAL ADDRESS LOT 2 GLENMORE ESTATE TELEPHONE NO: (003)
FRANKFORD HWY. GLENGARRY,
TASMANIA, 7275.

2

116 3

Municipality of Beaconsfield

Dog Control Act 1987 TASMANIA Section 78
Regulation 20 (1) (c)

KENNEL LICENCE

Licence № 00035

Date 18 MARCH 1991

Name of owner/occupier MISS SALINA M. CHAN

Address GLENMORE ESTATE, FRANKFORD HWY, GLENGARRY

This licence entitles SALINA CHAN

to keep not more than THIRTY-ONE (1)

dogs of (2) REFER ATTACHED CONDITIONS

in the premises situated at FRANKFORD HWY, GLENGARRY

until the 30th day of June 1991, subject to the provisions of the *Dog Control Act 1987* and the regulations under that Act.

Conditions to which licence is subject —

REFER ATTACHMENT FORMING

PART OF THIS LICENCE

Registrar of dogs

(1) Number of dogs.
(2) Breed or kind of dog.

Receipt No. 38543.

321

MUNICIPALITY OF BEACONSFIELD

Conditions attached to and forming part of Kennel Licence NO. 00035 issued to Miss. Salina M. Chan on 18 March, 1991 for premises at Glenmore Estate, Frankford Highway, Glengarry.

1. All buildings to be constructed in accordance with the requirements of the Building Regulations, 1978 and the requirements of council's Senior Building Inspector,

2. Development to be in accordance with council's development permit issued on the 4 June, 1990,

3. That the landscaping plan required by the development permit be prepared and submitted to Council's Municipal Engineer for approval prior to any landscaping works being commenced, and further, that the landscaping works be carried out before the premises are occupied,

4. The maximum number of dogs housed in the boarding kennels to be 23 (all breeds) and in the private kennels 8 (British Bulldogs and Saint Bernards), a total of 31 dogs to be accommodated,

5. Installation of septic tank and absorption trenches for waste disposal to be inaccordance with the requirements of council's Senior Health Sureyor, and

6. Compliance with clause 22 of the Dog Control Regulations, 1988 and all other requirements of the regulations and the Dog Control Act, 1987.

A/Registrar of Dogs.
18 March, 1991.

---

above conditions never listed in newspaper, No 2, involves 13 conditions 1 of which is a new access off the Frankford Hwy.

Therefore 17 conditions 222 should have been advertised for objections in the newspaper.

City of Launceston

MINUTES

MEETING OF THE LAUNCESTON CITY COUNCIL
MONDAY 30TH JULY, 1990

File No: DA.03.90.103

Agenda Item 3

LOS ANGELOS ROAD, DILSTON - PROPOSED DOG/CAT BOARDING KENNEL COMPLEX

Author: R. Kay (DP2)

DECISION STATEMENT

To determine an application for approval for development and use of land located at Los Angelos Road, Dilston (P.I.D. 6713351) for the purpose of a Dog/Cat Boarding Kennel Complex.

BACKGROUND DATA

Applicant - F. & E.M. Chan, 4 Blanc Avenue, Panania N.S.W. 2213
Location - Los Angelos Road, Dilston
Area of Site - 3.914ha
Zoning - Dilston/Windermere Special zone
Existing Use - Rural Residential
T.P. Classification - Kennels
Date Received - 18th June, 1990
Expiry Date - 30th July, 1990 - extension of time granted

RECOMMENDATION

That application number DA.03.90.103 for approval for development and use of land located at Los Angelos Road, Dilston (P.I.D. 6713351) for the purpose of a Dog/Cat Boarding Kennel Complex be refused for the following reasons:

1. The proposed use is incompatible with surrounding rural and rural-residential land uses.

2. The proposed use will have a detrimental effect on the amenity of the area because of excessive dog barking noise being generated by the Boarding Kennel Complex.

3. The proposed use and development will have a detrimental effect on the amenity of the area because of inadequate liquid waste disposal due to:

   (a) Insufficient area of suitable land available for commercial on-site disposal;

and

MINUTES

MEETING OF THE LAUNCESTON CITY COUNCIL
MONDAY 30TH JULY, 1990

File No: DA.03.90.103 — Agenda Item 3

LOS ANGELOS ROAD, DILSTON - PROPOSED DOG/CAT BOARDING KENNEL COMPLEX

Author: R. Kay (DP2)

(b) Excessive amount of liquid waste being generated by unroofed, paved, kennel areas.

DECISION: 30.07.90

Moved Alderman McKendrick, seconded Alderman Lees
That the Recommendation be adopted subject to the following alteration to point 3 (a);
Delete word "commercial" and substitute the word "conventional".

CARRIED.

The Minutes of this Meeting were confirmed by Council at a Meeting held on

Minute Book Page No.

Chairman

323(b)

~~APPEAL~~ 1771. APPEAL this was Presented at Both Appeals = March '91 ✓ 92 by Developer.

CLERK TO THE COMMMISSIONER FOR
TOWN & COUNTRY PLANNING,
30 DAVEY STREET,
HOBART, TAS. 7000.

MISS S.M. CHAN
LOT 2 GLENMORE ESTATE
FRANKFORD HIGHWAY,
GLENGARRY, TAS. 7275.
Ph. (003) 96 1344

Dear Sir/Madam,

4th March, 1991.

GROUNDS OF APPEAL:

Attached are photocopies of correspondence between myself and the Municipality of Beaconsfield.
As you can see in councils letter of 26th of February 1991 there were 18 specific matters raised by objectors concerning the proposed Pet Cemetery.
However when we consider councils discussion only objections 4, 7, 13, 14 & 16 should have required further clarification.
I was informed by council that there would only be question time after the council meetings and that it was not necessary for me to attend as it would not affect councils ultimate decision.
I was informed however that at the council meeting held on the 25th of February 1991 that the objectors were present at the meeting and voiced their opinions. As I was not in attendance I did not have the opportunity to convey my side to council.

I am now appealing to the Commissioner for Town & Country Planning to review objectively councils decision. Enclosed is a cheque for $25.00 being the fee payable.

Re No.4 Seepage from the site to the water course could be a problem - The Pet Cemetery located at South Arm in Southern Tasmania has been in operation for approximately 16 years with no apparent problems.

Re No.7 The latter part - The proposed office building which is of basic design could be visually obtrusive.- We intend to plant

/2.

native vegetation (in effect replacing natural habitat which was originally removed). The Office building although basic would be no more obtrusive than similar dwellings along the Frankford Hwy. Additionally native plants will be tastefully planted around the building. This office is not just for the Pet Cemetery but is essential for the already planning approved Boarding Kennels Cattery and Recovery Center for Pets.

Please Note: It is because the Department of Roads and Transport have requested that a new access be constructed from the Frankford Hwy. that we have submitted the proposal for the office to be located nearer the highway. The cost of constructing a road to the existing dwelling is quite prohibitive. I can't stress how important it is to have an office to keep accurate records, receive clientele professionally. A boarding establishment cannot function correctly without such a facility.

Re No.13 Burial of animals on farms (e.g. sheep) is not an unusual situation, however this could be a potential future problem.-It is highly unlikely that a farmer who can't give his sheep away would spend money to have it buried. It is to be a Pet Cemetery to service Launceston not a Farm Cemetery.

Re No.14 Ancillary developments and the ultimate development. - Our property is just over 18 acres in size. We do not intend to use more than 2 acres of that for the Pet Cemetery nor do we wish to pollute the air with a crematorium.

The area set aside is a small pokey corner which is bounded by the Frankford Hwy. and natural Bush which we are leaving for our resident wildlife. We have 2 Echidnas, at least 1 Wombat, Quail, Parrots, Tassie Devils and the occasional snake. The last thing on our minds is to be destructive to our precious environment.

I have completed the 3 year Certificate Course Domestic Animal Care at Bankstown Technical College N.S.W., There we covered

/3.

Domestic, Farm and Native Species of animals in theory and practice. In my last 2 years I topped the Course. Included in the course were animal hygiene and Kennel management. So I am well aware of the importance of proper hygiene and also the practicality of providing a service to the North of the State which would otherwise be only available in the South of the state In addition my mother is a Veterinary Nurse who can greatly assist with her knowledge.

As the brunt of the opposition to our proposals has been provided by the nearby Elspedito Kennels I would be grateful if council could check their credentials as they have publicly questioned mine in the Examiner Newspaper Tuesday February 5, 1991. on page 10. Several members of local council have since perused our credentials. Another matter of concern is their methods of hygiene in particular house and kennel effluent as they are located similarly from the watercourse. Our kennels have septic tanks and 60m of French Drain.

Re No.16 Future maintenance of site and the ultimate use of the land, particularly if the operation is not successful.-

This property is where my parents have retired and it is and will be the future home of my brother and his wife and myself. As the Pet Cemetery will be of a Lawn format with native plants it will be natural, non obtrusive and easily maintained. General upkeep even if the Pet Cemetery is not financially viable would not be difficult.

I hope that the Planning Appeal Board will consider my application. Also if the Board has any suggestions or recommendations please let me know.

Yours Faithfully,

Salina M. Chan

Department of Roads & Transport
Roads Division
N.E. District Office
313 Wellington St.
Launceston Tas., 7250

Miss S.M. Chan
Lot 2 Glenmore Estate
Frankford HWY.
Glengarry, Tas., 7275
Ph. (003) 96 1344

Dear Mr Johnson,

7th March, 1991

Recently I telephoned your office in regard to a new road access to our property at Lot 2 Glenmore Estate. Enclosed is a photocopy of Beaconsfield Council's letter outlining the conditions of our planning approval.

As the distance from the house and kennels is quite a long way we proposed to council to build our office closer to the new road access. However our proposal has met with some opposition from a nearby rival boarding kennel and thus we are at the appeal stage of our application for an office.

I have requested that the standard specification drawings for the new road access onto our property be sent to me so that we can organise quotes Etc...

In the event that the office has to be located nearer the house we were wondering if it was possible to use the existing Right of Way by;
(1) Widening the existing access point sufficiently to provide safe turning.
(2) Widening the Right of Way for 2 cars part way along the road to prevent congestion.

If this is an option could you let me know and send relevent specifications, requirements, costs etc.

Hoping that you can help us with our proposal.

Yours sincerely,

Salina M. Chan

COHEN & ASSOCIATES PTY. LTD.
SURVEYORS AND TOWN PLANNERS

CHRISTOPHER J. COHEN, L.S., M.I.S., AUST.

CONSULTANT:
JOHN W. COHEN, L.S., Hon., F.I.S., AUST. F.R.A.P.I.

103 CAMERON STREET
P.O. BOX 990
LAUNCESTON 7250
(003) 31 4633

Fax: (003) 34 0241

COPY

Your ref:

19th April, 1991.

Our ref: P285

The Ombudsman,
G.P.O. Box 960 K,
HOBART, Tas. 7001

Attention: Mr. D. Barton

Dear Sir,

Re: Beaconsfield Municipal Council
Approval of Boarding Kennels for Miss S. Chan

Mrs. G. Adams of 'Elspedito', Glengarry, has asked that I should write to you on behalf of herself and others.

As town planning consultant I represented Mrs. Adams, Mr. and Mrs. D.H. Simpson and Mr. and Mrs. R. & R. Richter before the Planning Appeal Board on Wednesday last, 17th inst., in the case of an appeal by Miss Chan against the Council's refusal to grant planning approval for the establishment of a pet cemetery on the same parcel of land on which approval had previously been granted for the development and use of boarding and breeding kennels.

One condition of approval of the kennel development was that access was to be provided from the Frankford Main Road at a point near the southern corner of the property.

This condition was imposed following advice from the Department of Roads and Transport which considered that the additional traffic generated by the development would create a hazardous situation where the right of way joined the Highway, the right of way being the sole access point for this and three other properties.

The plan submitted for the pet cemetery showed its access as being from the Frankford Main Road in the location specified as a condition of approval.

I made a preliminary submission to the Planning Appeal Board which contended, in essence, that whilst Pet Cemetery as a Miscellaneous Use was a 'Discretionary' use, it was prohibited by another provision of the Scheme which in mandatory terms stated that there shall be no new accesses to the Frankford

Main Road.

I enclose a copy of my submission for your information.

In the penultimate paragraph I stated that although it was not a matter for consideration at the hearing, the planning permission for the Boarding Kennels, being conditional on the provision of a new access, may be invalid.

The condition was:

"A new access to the property shall be designed and constructed in accordance with the Department of Roads and Transport requirements. The access shall be in the position shown on the attached plan. No access to the existing house or kennels shall be allowed from the existing right of way."

The Board reserved its decision on my submission and proceeded to hear the case on its merits in the expectation that the existing access, already found to be dangerous, might be improved.

In my opinion this would not validate the Boarding Kennel permit which is surely a nullity.

The Chans are proceeding with the Kennel development - the breeding section is already completed.

The Board on 12th April published its decision J18/91, Craven v. Municipality of Kingborough, dismissing the appeal. In this case a development otherwise discretionary was deemed to be refused where direct access from a State Road was involved.

Please advise if I can assist you further.

Yours faithfully,
COHEN & ASSOCIATES PTY. LTD.

J.W. COHEN.

Enc.

MUNICIPALITY OF BEACONSFIELD

PO BOX 59
TELEPHONE (003) 83 1106
FAX No. (003) 83 1540

Council Chambers
West Street
Beaconsfield
Tasmania 7270

Ref.: PRR:KW 221600.1095

29 May, 1991

Miss S. Chan,
Glenmore Estate,
Frankford Highway,
GLENGARRY. Tas. 7275

Dear Madam,

Re: Dog Boarding Kennels & Pet Cemetery - Access on the Frankford Main Road

I would advise that Council has sought legal advice on the provisions of the Beaconsfield Planning Scheme in respect to the requirement to provide a new access onto the Frankford Main Road.

The advice that Council has received is contrary to that raised with the Planning Appeals Board and subsequently accepted by the Board at the hearing, that a new access is prohibited by the Planning Scheme. The legal advice is that the provision of schedule 6 provides no bar to the location of the access point as approved by Council, namely at a location other than the existing access point.

The effect of this advice is that it provides us with the following scenario:

That the permits and conditions of approval for the boarding kennels and the pet cemetery are both valid and must be complied with. This will now present the following traffic requirements.

1. The existing access can be used for the pet cemetery only.,

2. A new access must be constructed for the house and boarding kennels.

To use the existing right of way for access to the house and kennels would be in breach of the approval given by Council on the 4 June, 1990 and would result in a prosecution by Council for non compliance with the planning permit.

There are legal alternatives available to you to have the above situation remedied. It is suggested that you should seek legal advice regarding your alternatives in respect of this matter.

Yours faithfully,

P. R. Ranson,
COUNCIL CLERK.

c.c. Ombudsman

Roads and Transport
287 Wellington St.,
Launceston, Tas.

Miss Salina Chan
Lot 2 Glenmore Est.
Frankford Hwy.
Glengarry, Tas. 7275
Ph. (003) 961344

Dear Mr Davis,

3-6-1991

Re- my written inquiry of 7th March 1991 in regard to road access to our property at lot 2 Glenmore Estate. Since that time one of your representatives did visit and inspect the site and felt that the most suitable access would be the reserve Rd. However on enquiring I found that the land had been purchased from the Crown by Mr also living on Glenmore Estate. Thus preventing access to the remainder of the Estate via the original reserved Road.

Since my letter to you I have made application for Planning approval to develop a Pet Cemetery and Office. This office is to serve as both the cemetery and boarding Kennel reception area and for storage of records. Re- copy of Municipality of Beaconsfield's letter dated 26-2-1991, as indicated my planning approval was refused and thus I used my right to appeal to the Planning Appeals Board. On 17th April 1991 the Appeal Board met with Council and myself to discuss same. The results of which are in the enclosed copy of the Boards decision.

/2.

I would like to draw to your attention that on the notice of Appeal (a copy of which is enclosed) I made a specific note of the function of the proposed office. The Board felt the suggested site of the office at the new entrance was not suitable and suggested we amended the application by positioning the office near the house: Which was consistent with my initial application to council. Council sent me a letter dated 5th June 1990 advising us of the new access point which made it necessary for me to apply for a repositioning of the office as a road to the property from the new access is topographically prohibitive.

As we satisfied the board that traffic movement for our development would not exceed the maximum permissible but would only consist of half the permissible maximum on a very busy day and as the business will be conducted by appointments thus spacing movements to and from the site they suggested we use the existing access to the house.

In all circumstances the board regarded the proposal appropriate. At this point we felt confident that Council would accept the deliberation of the Appeal Board. Therefore work has commenced on the remaining approved buildings ie. Boarding Kennels and Office.

/3.

However, on 29.5.1991 I received the enclosed letter from Beaconsfield Council advising us that the existing access was to be for the Pet Cemetery and associated office only with a new access required for the house and boarding Kennels. We do not however require an access to the Kennels as dogs will be booked in at the office and walked to the Kennels. But we do require access to our own dwelling. The existing right-of-Way was designed and approved by council to serve the occupants of Glenmore Estate. Four of the Five lots serviced by this right-of-Way pass through our property, does it not seem discriminatory to prevent our own access?

To aid in traffic movement we propose to upgrade the existing road entrance as per councils specifications for dual Entrance and would like to make a suggestion to erect a sign similar to one further along the Frankford Hwy. which warns motorists of Entering Traffic near an access.

I would be pleased if these matters could be addressed to expedite the already delayed development.

Yours Sincerely,

TASMANIA

LAND TITLES ACT 1980

FOLIO OF THE REGISTER 121
NUMBERED

Vol. 4790 Fol. 21

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple in the land within described together with such interests and subject to such encumbrances and interests as are shown in the Second Schedule. In witness whereof I have hereunto signed my name and affixed my seal.

Recorder of Titles.

FIRST Edition Registered
10-7-1991
Prior C.T. 4654/64

DESCRIPTION OF LAND

Parish of Marland Land District of Devon, Lot No. 6 on Plan No. 42774, Derivation; Part of Lot 13516 Granted to J.A. Tunks

FIRST SCHEDULE

B404068 FREDERICK CHAN and ELFRIEDE MARIA CHAN Registered 2.7.1991 at 12.1pm

SEARCH COPY ONLY
3 DEC 1991
UNREGISTERED DEALINGS
Nil
per

NO ENDORSEMENTS—OVERLEAF

SECOND SCHEDULE

~~B398134~~ BENEFITTING EASEMENT: Right of carriageway over the strip of land marked A.B.C.D.E.F. on Plan No. 42774 (Subject to conditions contained therein)

~~B358122~~ BURDENING EASEMENT: Right of carriageway (appurtenant to Lot 4 on Plan No. 42774) over the strip of land marked C.G.H.I.J.K.L.M.N.O.P.Q.D. on Plan No. 42774 (Subject to conditions contained therein)

B404068 ~~B358133~~ & ~~B358177~~ BURDENING EASEMENT: Right of carriageway (appurtenant to Lots 5 & 7 on Plan No. 42774 and Lot 16637 on Plan No. 40795) over the strip of land marked C.G.H.O.R.S.T.U.P.Q.D. on Plan No. 42774 (Subject to conditions contained therein)

Property NOT in name of Salina Chan

2

119

Office of The Green Independents

House of Assembly, Parliament of Tasmania, Australia

First Floor Henty House
One Civic Square
LAUNCESTON TAS 7250

Telephone (003) 32 2298
Facsimile (003) 34 1487

14 June 1991

The Hon Peter Patmore, MHA
Minister for Environment and Planning
Level 10, Executive Building
15 Murray Street
HOBART TAS 7000

Dear Peter

Re Building development on Lot 6
Frankford Highway, Glengarry

I write on behalf of Mr G Adams, Glengarry, who has complained to me about the administrative procedures followed by the Beaconsfield Council in relation to the granting of approval for the above-mentioned development.

I am aware that our parliamentary colleague, the Hon Michael Polley, has also contacted you about this matter and has forwarded on to you copies of the relevant documents. I do not, therefore, intend to repeat the full story. However, I would indicate that I consider this to be a serious situation and would indicate my support for Mrs Adams' case.

Miss S Chan, the developer, has been given Council approval to proceed with the development on the condition that a new access road is built on the southern corner of the property.

It would appear, however, that in making this decision, the Council has overlooked the provision in its own Planning Scheme which prohibits the building of this new access road.

A Christine Milne
Ph (003) 23 2007
Fax (003) 23 2969
31 Brooke Street

A Di Hollister
Ph (003) 23 2007
Fax (003) 23 2969
31 Brooke Street

A Bob Brown
Ph (003) [illegible]
Fax (003) [illegible]
Parliament House

A Lance Bates
Ph (003) [illegible]
Fax (003) [illegible]
Parliament House

A Lance Armstrong
Ph (003) [illegible]
Fax (003) [illegible]
[illegible]

445

120

Page Two

The present access road, which is currently no more than a track, is situated right on a very dangerous bend in the Frankford Highway. Therefore, for safety reasons, it is most undesirable for it to become the access road for the increased volume of traffic which the building development will generate.

It seems then, that while building approval has been granted the developer will not be able to meet the condition of providing an adequate access road. Thus, the validity of granting a licence to operate must be queried. Meanwhile Miss Chan is proceeding with building the complex.

It is for this reason that a resolution of this problem is needed urgently. I ask you, therefore, to treat this matter accordingly.

Yours sincerely

Rev Lance Armstrong, MHA
INDEPENDENT FOR BASS

LA:AH

19.3

copy

TASMANIA

THE HON. PETER PATMORE

Deputy Premier, Attorney General and Minister for Environment and Planning

Rev Lance Armstrong, MHA
Independent Member for Bass
House of Assembly
Parliament House
HOBART 7000

31 JUL 1991

Dear Rev Lance Armstrong

Thank you for your letter of 14 June 1991 outlining the complaints made by Mr G Adams of Glengarry concerning the administration of the Beaconsfield Planning Scheme 1986 by Council.

The local Council, in this instance the Beaconsfield Council, is charged with a duty to give effect to, and to observe and to enforce the observance of, the requirements of the Scheme.

In this instance, I understand that Miss S Chan, the developer, has been given Council approval to proceed with commercial Dog Kennels while the Planning Appeal Board overturned a Council refusal and approved a Pet Cemetery.

One of the issues to be addressed by both the Council and Board was access to Frankford Main Road. I have been advised that Council sought their own legal opinions on the administration of the access provisions and on the basis of this have proceeded to allow construction of a new road notwithstanding the Planning Scheme prohibition.

The Commissioner for Town and Country Planning will be investigating the matter further, and may encourage Council to review the relevant clauses with a view to Council initiating an amendment to the planning scheme .

Yours sincerely

Peter Patmore
MINISTER

Level 10, 15 Murray Street, Hobart TAS 7000
Telephone: (002) 30 6653 Fax: (002) 34 7361

122

LTM:MJ

L T Middleton

30 6158

MR204/9-1;~~MR204/3-44~~

9 August 1991

Miss Salina Chan
Lot 2 Glenmore Estate
Frankford Main Road
GLENGARRY Tas 7275

Dear Miss Chan,

Frankford Main Road (B71) at Glengarry
Access to Pet Cemetery, Office, Kennels and Dwelling

The Department notes the comments contained in your letter dated 3 June 1991.

If there are no alternatives, the Department will not object to the erection of a "Watch for Entering Traffic" sign north of the existing Right-Of-Way serving your property and adjacent properties.

It is pointed out, however, that the installation of the above sign will only provide motorists using the Frankford Main Road with a warning; it will not alter the existing dangerous situation at the Right-Of-Way.

The Department has provided advice to the Municipality of Beaconsfield regarding a suitable access point where sight distance is available in both directions, which would meet the minimum requirements for safe access onto this important State Road, in accordance with the provisions of the Beaconsfield Planning Scheme 1986.

Consequently, as the question of approval or otherwise of the Glenmore Estate subdivision and associated access and your relevant developments would appear to be largely a matter for the Municipality of Beaconsfield to consider, a copy of your correspondence has been forwarded to that authority for an appropriate response.

If you wish to have the abovementioned sign installed in the meantime, contact should be made with the Department's Regional Engineer North, 287 Wellington Street, Launceston (telephone 36 2111).

Yours faithfully,

I. W. BEAUCHAMP

I W Beauchamp
for DEPUTY SECRETARY ROADS

Copy for the information of:

Mr P R Ransom
Council Clerk
Municipality of Beaconsfield
P O Box 59
BEACONSFIELD Tas 7270

Regional Engineer North

Please note that installation of sign W5-26B may proceed should you be requested to erect this sign by Miss Chan. Sight distance to the north is severely restricted with 110 m being available, while it is estimated that 250 m should be the absolute minimum.

If you have any queries, please contact Mr G Mathers on extension 6089.

I W Beauchamp
for POLICY AND ASSET MANAGER

(124

Department of

ROADS AND TRANSPORT

10 Murray Street, HOBART 7000

TO FAX NO.: (003) 362140 ..... Your Ref.: —

DATE: 21/5/92 ..... Our Ref.: MR204/9-1

TO: R-E-N

ATTENTION: BARRY QUILLERAT ..... No. of Pages

FROM: LUKE MIDDLETON ..... Following: 5

SUBJECT: CHAN ACCESS - FRANKFORD MAIN ROAD

REPLY: Yes by ..../..../....

No

Any queries concerning the transmission of this facsimile should be directed to telephone No. (002) 33 6158

Comments:

HEREWITH IS A COPY OF ANNEXURE "B" AS INDICATED IN OUR LETTER DATED 28/5/90, WHICH IS STILL THE DEPARTMENT'S POSITION.

ALSO ATTACHED IS A COPY OF THE LATEST PLANNING APPEAL BOARD DECISION IN THIS MATTER.

ANY PROPOSED ACCESS WILL NEED TO ACHIEVE A MINIMUM OF 250m SIGHT DISTANCE IN BOTH DIRECTIONS. IN MY OPINION.

PLEASE ADVISE OUTCOME OF SITE MEETING TOO.

THANKS BARRY.

LUKE

GPO Box 936J Hobart 7001 Telephone: (002) 33 8011 Fax: (002) 33 3937

ANNEXURE 'B'

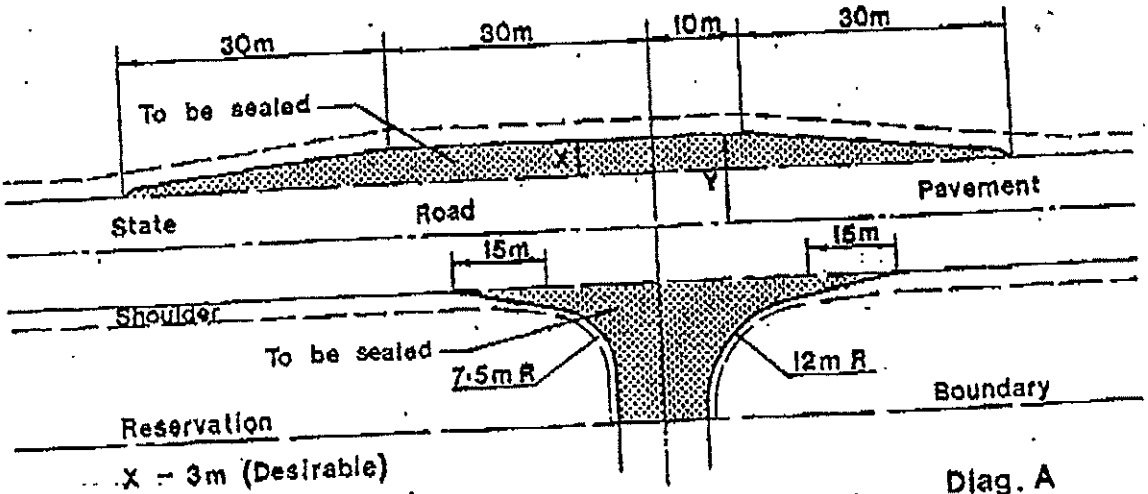
(May, 1985)

ACCESS ROAD JUNCTION BASIC REQUIREMENTS

Unless otherwise specified the following minimum requirements are to apply, as appropriate to this particular proposal, to the construction of the road junction.

1. Geometry

The road junction geometry is to be as indicated on Diagram A below. However, depending on local site and traffic conditions the passing lane as shown may not be required. The Department's District Engineer will detail specific requirements in this regard.



Diag. A

2. Approach Gradient

(a) The access road (F.S.L.) is to grade away from the State Road pavement to a point which is to be at a level 100 mm below that of the edge of the State Road pavement at a maximum of 3%.

(b) The F.S.L. of the access road at a point 10 metres from the edge of the State Road pavement is to be no more than 300 mm above or below the edge of the State Road pavement.

3. Sight Distance

The access road junction is to incorporate provisions for minimum sight distance requirements compatible with the traffic speeds on the State Road.

The sight distance required is shown in Table 1 below.

TABLE 1

85 th percentile Speed (Km/h)	40	50	60	70	80	90	100	110	120
Sight distance (m) (Rural)	70	90	115	140	175	210	250	290	330
Sight distance (m) (Urban)	60	80	105	130	165				

File No.: 90/0267 | 126

Corsp. No.: .....

54.10

Department of
ROADS and TRANSPORT

NORTHERN REGION
287 Wellington Street, Launceston 7250
PO Box 1906, Launceston 7250

Fax: (003) 36 2140
Telephone:(003) 36 2111

FACSIMILE TRANSMITTANCE SLIP

DATE: 26/05/92 No of pages following: (4)

TO: MR. L. MIDDLETON DEV. SEC. FROM: B. QUILLERAT

SUBJECT: ACCESS PERMIT - S. CHAN FRANKFORD R.

REPLY: (YES) NO by ...../...../.....

MESSAGE:

LUKE,

PLEASE ARRANGE DEV. SEC. APPROVAL / MINISTERIAL CONSENT FOR ATTACHED PROPOSAL

RECORDS
File No. MR204/91
26 MAY 1992
Action DED

(1) M.T.R.A.
O.K. to sign
L.A.
L.S.E.D.
27/5/92

Faxed on
28/5/92
KK

(2) W.P.C.
Please fax to
REN & sign
off
L.A.
L.S.E.D. 27/5/92. 33H.

Development Sect. — R'C'D 27 MAY 1992
DA5166 (Memo)

14.1.25

26 MAY '92 16:07 FROM DEPT ROADS TRANSPORT TO DRT HO PAGE.00

1217

54.9.2

PERMIT FOR STRUCTURES ETC.
UNDER CLAUSE 16 OF ROADS & JETTIES ACT, 1935

Ms S M Chan
Lot 2, Glenmore Estate
Frankford Main Road
Glengarry Tas 7275

OFFICER B Quillerat
TELEPHONE 003 362112
FILE NO 90/0267
YOUR REF:

DATE: 26 May 1992

THIS PERMIT AUTHORISES S M Chan TO CARRY OUT WORKS WITHIN THE STATE ROADS RESERVATIONS, SET OUT BELOW, SUBJECT TO THE REQUIREMENTS OF THE ROADS & JETTIES ACT 1935 AND OTHER CONDITIONS SPECIFIED ON THIS PERMIT.

ISS REQUIREMENTS

ROAD Frankford..... NO A1044..... LINK NO 05/ch7.67..

LOCATION Approx 390 metres east of Tunks Bridge

DRAINAGE PIPE R.C. ... DIA(mm) 300..... LENGTH(m) 8 - 10.....

GRAVEL 200 mm compacted

SEAL REQUIREMENTS YES CONCRETE HEADWALLS YES

DEPTH COVER(mm)

a) A sealed surface is required from the existing seal edge of the Frankford Main Road to your property boundary.

b) All back filling within the reservation is to be carried out using approved materials, compacted in layers not exceeding 150mm loose thickness, to the satisfaction of the Regional Engineer & all surface restoration is to be in accordance with his directions.

c) The works within the reservation are to be carried out such that at least one clear lane is open to traffic at all times. Adequate warning signs, barricades, traffic control & other devices or provisions as required by the Regional Engineer, must be maintained at all times.

This permit is current for six (6) months from date of issue.

Please note: The Department requires seven (7) days notice prior to any commencement of works within the state road reservation.

The permit holder will notify the Department when all works have been completed.

) The permit holder will save and keep indemnified the Minister administering the Roads & Jetties Act, 1935, against all or any costs, claims, proceedings & demands whatsoever and by whomsoever, arising out of or in respect of the approved proposal.

y queries regarding the conditions of this permit should be referred to Inspector, Reservations on (003 36 2111.

J F Lennon CPEng
REGIONAL ENGINEER (NORTH)

for and on behalf of the
Minister for Roads and Transport

57.9.1 12

1 Applicant's Name: MR. S.M. CHAN

Date: 25/05/92

2 (attach copy of application)

2 Road Name: FRANKTON MAIN RD

3 Link Chainage: 05/ CH. 7.67

4 Category: TWO 5 Side of Road: ~~Left/Right~~

6 Council Approval: ~~Still Required~~/Received: Date 25/5/92

7 Development Section Approval: ~~Not Required~~/Referred: Date 26/5/92 Received: Date.....

Site Data (See Checklist)

8 Location: 1:25 000 Map Sheet = EXETER 4842

Map Grid Reference = 896244

9 Sight distances: (see 3401-5/P4)
Right 235 metres
Left 450 metres
Rear 450 metres
Forward 235 metres

10 85th percentile speed (measured/estimated): 85 km/h. 11 Speed Limit: 100 km/h

General Comments

12 Is there a preferred location for access? (other than that chosen by applicant): ~~Yes~~/No.

Comments:

13 Has Council's opinion been obtained? Yes/~~No~~.

Comments: COUNCIL OFFICER MR. M. SLUCE WAS ON SITE FOR SELECTION OF SUITABLE ACCESS LOCATION

14 Do you have any other comments and/or recommendations?: ~~Yes~~/No.

15 Do you wish Development Section Officers to inspect the site ~~Yes~~/No?

Inspecting Office B. QUIGERAT Date 25/05/92

Head Office Use File No:.....

Development Section No.: .....

Ministerial Approval:

APPROVED
MINISTER FOR ROADS AND TRANSPORT
per: ..... SEC./D.SEC./D.M./C.M.
date: 29.5.92

336

26 MAY '92 16:09 FROM DEPT ROADS TRANSPORT TO DRT HO PAGE.02

15

4/92 J27/92

Boarding Kennels - use of existing access - sight distances inadequate

PLANNING APPEAL BOARD

S.M. Chan Appellant

AND

The Corporation of the Municipality of Beaconsfield Respondent

This is an appeal against the determination of the Corporation to refuse planning approval for the use of land off the Frankford Highway, at Glengarry for the purpose of boarding kennels with vehicular access to office building to be via the existing right of way to the house.

The appeal was heard at Riverside on the 24th March 1992. The Board being constituted in accordance with the provisions of Section 733 G(5)(b) of the Local Government Act 1962.

Miss S.M. Chan appeared for the appellant, gave evidence and called evidence from Mrs E.M. Chan.

Mr M. Sluce appeared for the Corporation and gave evidence.

Mrs G. Adams, Mrs, H. Tait, Mr M.C. Adams and Mrs R. Richter sought and were granted leave to be heard.

It was as a consequence of this concern that the Department proposed a new alternative access for the proposed boarding kennels. In the case of the pet cemetery and office, which the Board approved subject to a number of conditions, the use of the existing right of way was considered acceptable given the likely generation of not more than four vehicle movements per week. In the total usage of the access this was regarded as negligible.

The evidence for the appellant was substantially that the existing right of way access was not unsatisfactory for the proposed boarding kennels and supporting documentation in the form of a petition from residents of "Glenmore Estate" and "nearby residents using the Frankford Highway and regularly passing the access of Glenmore Estate" was tendered. The signatories to these documents saw no reason for barring Miss C. Chan the use of the said access for her house and kennels. Also tendered by the appellants were a number of photographs which showed inter alia, a recently erected Department of Roads and Transport warning sign on the Frankford Main Road forward of the existing access as well as overtaking road markings and site distances in the vicinity of the "Glenmore Estate" access.

The evidence of Mrs. G. Adams and others who were heard by the Board was substantially related to the safety aspects of the existing access to the "Glenmore Estate" and the concern that increased usage resulting from the proposed boarding kennels would substantially exacerbate the present dangers.

In the absence of any expert evidence in relation to the suitability of the existing right of way access, the Board must rely on the advice of the Department of Roads and Transport as conveyed to the Council in its letter of 28th May 1990. This advice quite clearly is opposed to the use of the existing right of way access for the proposed boarding kennels because of the inadequacy of the site distances available.

The Board accepts the advice of the Department in this regard and for the reasons inherent in that advice is of the opinion that the proposed development should not proceed.

The decision is that the appeal is dismissed and the Council's refusal of the proposal is confirmed.

Dated this 11th day of July 1992.

N.L. Lyneham
Member

505

133-7

10. MRS. GAIL ADAMS

She is the lady who spoke to both of us last week re a long-standing complaint against the Beaconsfield Council.

Attached are the papers she has sent to you. Mrs. Adams rang this afternoon with a little more information which she had not included in her papers. This is: *The Beaconsfield Council stated that Miss Chan could operate the boarding kennels once the new access road went in. That was finished on 17 June, 1992. However, two very important conditions - Nos. 3 and 8 - have not been met by Miss Chan. Another point: the actual sale of the property was not finalised by the Chans until 2 July, 1991 but approval for the buildings was given by Council on 4 June, 1990.*

Dept of Justice

[illegible]

Hobart. 7001.

2-7-1992

DEPARTMENT OF JUSTICE
M505

Dear Sir,

Please find enclosed a copy of letter to Mr Braid, I was instructed by my Member of Parliament Mr Gray, write to, seems now it is Di Madill's department. I ppose I am not about to go on another merry-go-round. erence to my c

R.H
pls have a look at this & report back 9/7 21/7

M505 RBH

DEPARTMENT OF JUSTICE

106

INTERNAL MEMORANDUM

File No.: M505-RBH:DJV Your Ref.: ..... Date: 23/7/92.....

TO: **THE SECRETARY.**

FROM: **MS. ROBYN HOPCROFT.**

DEPARTMENT OF JUSTICE

M505

THE CORPORATION OF THE MUNICIPALITY OF BEACONSFIELD - APPLICATION FOR PLANNING APPROVAL BY S.M. CHAN - OBJECTOR: MRS. GAIL ADAMS

The issue appears to be whether the Beaconsfield Corporation breached Clause 7.5 Schedule 6 of the Planning Scheme by granting approval for kennels subject to a condition that the developer construct an access road in a position approved by the Department of Roads & Transport.

Mrs. Gail Adams attempted to appeal against the Council approval (4/6/90 No.10477 Plan 8). Appeal No.70 of 1990 lodged by Mrs. Adams was invalid. Section 733B of the *Local Government Act* 1962 sets out the conditions applying to applications for planning approval.

Subsection (3) prohibits the Corporation from considering an application for planning approval unless they are furnished with "*a copy of a notice of the application*", evidence that this has been published in a local newspaper and posted in a conspicuous position on the land.

Mrs. Adams' first complaint is that the notice was not posted in a conspicuous position and the letter from Clarke & Gee (1/11/90) states that "*it appears now to be conceded by solicitors for the Municipality that not only was the notice not posted on the land, but there was no evidence at all furnished to Council that there had been any, or such, posting*".

A further requirement of S.733B(5) is that "*in determining an application for planning approval ..... the Corporation shall have regard to any representations relating to that application that were made*" within 14 days from the date that the notice of the application was published or posted. The Council has the discretion to extend this period to a further 14 days.

Mrs. Adams' Appeal No.70 of 1990 was apparently considered invalid because she did not make the representation to the Council within that period.

On 22 December 1990 Chan's licence applications for the kennels was advertised and on 18 March 1991 the licence number 00035 was granted.

There was a planning appeal on 17 April 1991 relating to the "*pet cemetery, Office, access and pollution of ground water*". During the hearing there was an alteration to the application to allow access to the pet cemetery via the existing right-of-way.

The Planning Appeal Board decision J33/91 of 23 April 1991, referred at some length to the provisions of Clause 7.5 and to Schedule 6 of the Beaconsfield Planning Scheme. It was the Board's conclusion that these provisions had the effect of prohibiting any

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development involving a new access onto the Frankford Main Road. (This new access had been a condition of the Corporation's earlier approval regarding the proposed kennels).

Section 731 imposes a duty on the Municipality within the ambit of its powers to give effect to and to observe and to enforce the observance of the requirements of a planning scheme in respect of all new works in the area affected by the scheme. At least by the date of the Board's judgment No.33 on 23 April 1991, the Corporation would have realised that its condition was in breach of the planning scheme. On 28 May 1991 the Department of Roads & Transport wrote to the Council expressing concern about the use of the existing right-of-way for the proposed development. On 29 the Council wrote to Chan advising that the existing right-of-way could only be used for the proposed pet cemetery and that a new access would be required for the kennels.

There is insufficient material on the file to trace the developments between that letter in May and Chan's application on 2 November 1991. This application was for the "*use of land for purpose of boarding kennels with vehicular access to office buildings to be via the existing right-of-way to the house*". (The proposed kennels had previously been approved by Council subject to a condition (No.11) which required the construction of a new access in a position approved by the Department of Roads).

The Council refused and S.M. Chan appealed against that refusal. The judgment (J27, 11/5/92) dismissed that application. Before the Board the only issue to be determined was the suitability of the existing right-of-way for access to the kennels. Mrs. Gail Adams and others gave evidence on the unsafe aspects of the existing right-of-way and the Board accepted the advice of the Department of Roads that the existing right-of-way was unsafe for the intended purpose. The appeal was dismissed.

Although this point was not before the Planning Appeal Board, they referred to the earlier decision (J33/91) and stated that "*given the provisions of the Council's planning scheme (see Clause 7.5 and Schedule 6) ..... it is arguable whether the Council's earlier approval of the proposed boarding kennels subject to a condition requiring the provision of a new access to the property was, in fact, a valid approval*". **This issue was not before the Board to determine.**

It appears that Mrs. Gail Adams was prohibited from bringing this matter before the Planning Appeal Board by the Corporation's inadequate posting of notice of the application on the land and by the Corporation's rigorous application of the time limit for representations to be made to the Council under S.733B.

This invalidated Mrs. Adams' first appeal (No.70 of 1990) as she had not made the representation to the Council within the time limit.

In any event the Council had certain obligations that they appeared not to have fulfilled regarding evidence of the posting of the notice under S.733B(3) and a failure to comply with the planning scheme as required under S.731. At least by 17 April 1991 and the judgment of the Board the Council would have realised that condition 11 requiring a new access was a breach of the planning scheme. This was reiterated by the Planning Appeal Board in March 1991 in judgment 27 though this was not the issue before the Board.

Nevertheless, the Council has allowed the development to proceed probably because they may have been required to compensate Chan having given prior approval for the kennels subject to a new access road condition.

The matter was never before the Planning Appeals Board and the only recourse left to Mrs. Gail Adams would be an application to the Supreme Court with all the risks entailed.

I have no doubt that had Mrs. Adams' first appeal been valid, then the decision would have been that condition No.11 for the new access road was invalid. That would have led to the use of the land for kennels being disapproved on the basis of the increased need for vehicular access and the unsuitability of the existing right-of-way. Mrs. Adams would have been partially successful but right from an early stage it was obvious that the change of use application for the land to be used for a pet cemetery would be allowed through the existing right-of-way and her objections in this area were not sustained. The Board having approved that use.

Although I do not consider that the Council's approval procedures have been adequate and it appears that they have breached certain of their obligations under the Act, nevertheless I do not consider that it is an appropriate case for making provision for Mrs. Gail Adams' costs.

ROBYN HOPCROFT.

DEPARTMENT OF ENVIRONMENT
AND LAND MANAGEMENT

Briefing Note No. BR ...
File No. PAB 4/92

BRIEFING NOTE

The Hon Ray Groom MHA
PREMIER OF TASMANIA

SUBJECT: BOARDING KENNELS AND PET CEMETERY GLENMORE, FRANKFORD MAIN ROAD, GLENGARRY

RECOMMENDATION: That you note the information contained herein.

BACKGROUND: As requested by your Senior Private Secretary, Mr.J.Jessup a Briefing Note dated 25 February 1993 was provided on this matter.

In that briefing note reference was made to the Clerk to the Commissioner for Town and Country Planning seeking advice from the Council on what action the Council proposes to take to remedy the breach.

The Clerk has now received a reply from the Council and a copy is attached for your information.

CONTACT OFFICER:
John Caulfield
Clerk to the Commissioner for Town and Country Planning
33 2860

CLEARED BY: J.A. Ramsay
Secretary

Date:

jc:tc\492bn.doc\jcdisk

AS RESIDENTS USING THE FRANKFORD HIGHWAY AND REGULARLY PASSING THE ACCESS OF "GLENMORE ESTATE" WE SEE NO REASON FOR BARRING MISS S. CHAN THE USE OF THE SAID ACCESS FOR HER HOUSE AND KENNELS.

M. Earle.

C. Ryan.

M. L. Bell

Gordon Boag

Dale H. Collins
pleases.

"Caesino

C. J. Jenkins

W. J. Bald

J. a Bald

M. Dyke

A. Domingez.

P. J. Dowsett

K. Kell

L. Donovan

J Jamieson

Judy Jamieson

Andrea T Atkinson

Cathryn Atkinson

E Ryan

P Domingez

Amanda Colman

AS RESIDENTS USING THE FRANKFORD HIGHWAY AND REGULARLY PASSING THE ACCESS OF "GLENMORE ESTATE" WE SEE NO REASON FOR BARRING MISS S. CHAN THE USE OF THE SAID ACCESS FOR HER HOUSE AND KENNELS.

PHONE 944086

SALLY WARREN [redacted]

P. Dohley BEACONSFIELD

EXETER.

OXFBR.

A Booth

S Watson

13 Spring

WE THE UNDERSIGNED WISH TO STATE THAT AS RESIDENTS OF "GLENMORE ESTATE" WE SEE NO REASON TO OBJECT TO MISS S. CHAN FROM USING THE EXISTING ROAD ACCESS TO THE HOUSE AND ASSOCIATED OFFICE FOR USE OF BOTH 'PET CEMETERY' AND 'KENNELS'.

Stephen Jones.
Brenda Hanbury.
Doug Gray

AS NEARBY RESIDENTS USING THE FRANKFORD HIGHWAY AND REGULARLY PASSING THE ACCESS OF "GLENMORE ESTATE" WE SEE NO REASON FOR BARRING MISS S. CHAN THE USE OF THE SAID ACCESS FOR HER HOUSE AND KENNELS.

P Nash Glengarry.
S. Bantick Launceston.
Frankford.
L. Lithgow Frankford.
Sidmouth.
Beauty Point
Dubbeldam Ilfracombe
B. P. Bell — Glengarry
— Launceston.
Exeter.
Exeter
EXETER.
D J Goss. Exeter Glengarry

Exeter.
Frankford
Frankford
A. Allen
Dubbeldam & Beaty

AS RESIDENTS USING THE FRANKFORD HIGHWAY AND REGULARLY PASSING THE ACCESS OF "GLENMORE ESTATE" WE SEE NO REASON FOR BARRING MISS S. CHAN THE USE OF THE SAID ACCESS FOR HER HOUSE AND KENNELS.

Karen young
Kim Apted,
Kim Sheriff

K 5232

PLANNING APPEAL BOARD

TASMANIA

LEVEL 12, TBT BUILDING
39 MURRAY STREET, HOBART
GPO BOX 510E, HOBART
AUSDOC DX 50
TELEPHONE 30 8011 FAX No. (002) 34 8730

YOUR REF:
OUR REF: 4/92
OFFICER: Mr.J.Caulfield
TEL. EXTN: (002) 33 2860

DRT RECORDS
MURRAY ST.
File No. 92/204/9-1
- 4 JUN 1993
Action DST 7/6
SD

3 June, 1993

The Secretary
Department of Transport & Works

Re: Access to Frankford Main Road

It has recently come to my notice that a new access has been constructed to the Frankford Main Road to provide access to Boarding Kennels on the property Glenmore owned by S.M. Chan, contrary to the provisions of Clause 6.3.1, 6.8 and 7.5.1 of the Beaconsfield Planning Scheme 1986.

By letter dated 8 February 1993 I sought advice as to what action, if any, the Council proposes to take to remedy the breach of the Planning Scheme and a copy of their letter of 8 April 1993 is enclosed for your information.

This matter has been the subject of advice from the Solicitor General who has indicated that it concerns him that your Department is said to have given advice upon which the new, and as he sees it illegal, access was permitted.

Before proceeding further in this matter, I would appreciate if you could advise if the assertion is correct and if so the circumstances which prompted such advice to be given.

J.J. Caulfield
Clerk To The Commissioner
For Town & Country Planning

jc:tc\tw492.doc\jcdsk1

See reply dated 11/6/93

Development Sect. — R'C'D - 6 JUN 1993
MS5166 eqc

COMMISSIONER FOR TOWN AND COUNTRY PLANNING

TASMANIA

T BUILDING
MURRAY STREET, HOBART
GPO BOX 510E, HOBART
SDOC DX 50
EPHONE 33 6011 FAX No. (002) 34 8730

YOUR REF:
OUR REF: PAB 4/92
OFFICER: Mr.J.Caulfield
TEL. EXTN: (002) 33 2860

DIRECTOR OF LOCAL GOVERNMENT
-2 JUL 1993
File No.

30 June, 1993

Director of Local Government

Re: Beaconsfield Planning Scheme 1986
Access to Frankford Main Road

I am enclosing herewith copies of correspondence relating to the construction of an access to the Frankford Main Road which would appear to be in conflict with the provisions of the Beaconsfield Planning Scheme 1986.

This matter came to my attention as a result of a complaint received by me from an appellant before the Planning Appeal Board. Also attached is a copy of the Appeal Boards decision with respect to that appeal.

It would be appreciated if you could investigate this matter and if appropriate to institute proceedings under Section 829B of the Local Government Act 1962.

The Planning Appeal Board file is available for perusal in this office.

J.J. Caulfield
Clerk To The Commissioner
For Town & Country Planning

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GOVERNMENT OF TASMANIA

RGM:AW

TELEPHONE: 30 2636

THE EXECUTIVE COUNCIL
DEPARTMENT OF THE PREMIER
AND CABINET
HOBART

MINISTER'S OFFICE
16 JUL 1993
8709

Senior Private Secretary to
MINISTER FOR LOCAL GOVERNMENT

His Excellency the Governor has forwarded for the attention of Ministers a letter of complaint dated 1 July 1993 from Mrs Gail Adams and numerous attachments concerning the former Beaconsfield Council.

The matter appears to be one which falls within your Minister's portfolio and therefor the correspondence is enclosed for his attention.

Ron Malm
SECRETARY/CLERK OF THE EXECUTIVE COUNCIL

15 July 1993

Minister,
What action do you consider appropriate.

158

Dr. Frank Madill M.H.A.

ound Floor
Cameron Street
unceston 7250
l: (003) 36 2422
x: (003) 36 2255

2nd Floor, Marine Board Building
Franklin Wharf
Hobart 7000
Tel: (002) 33 3456
Fax: (002) 23 8663

28 July 1995

Mr W D Edwards
Douglas and Collins
9-13 George Street
LAUNCESTON 7250

Dear Mr Edwards

Thank you for your letter of July 20 requesting an appointment for Mrs Gail Adams of Frankford Highway, Glengarry.

I enclose a copy of a letter from the Premier, Hon Ray Groom, MHA (dated 13 May 1993) in relation to this matter and in light of this and extensive enquiries my Executive Officer has made, I do not believe I can be of any assistance to Mrs Adams complaint.

If you still wish me to see your client please let me know but I do not think it will serve any purpose.

Kind regards,

Yours sincerely

Frank Madill.

HON DR FRANK MADILL, MHA
Member for Bass

YOUR LIBERAL MEMBER FOR BASS

N7/A/036/94

152

SUPERINTENDENT NORTHERN DISTRICT

Enquiries: 3895 ☎
SCMc:PZ

Our Ref: N-9228/94
Your Ref:

8th September 1994

Inspector T.W. Woolley
GEORGE TOWN DIVISION

RE: COMPLAINT OF HARASSMENT BY MRS GAIL ADAMS OF GLENGARRY

Please be advised that Mrs ADAMS visited my office this day to complain of harassment by the Seventh Day Adventist Church.

Mrs ADAMS has supplied me with a four page report with supporting documents. Most of her complaints are outside of the scope of this Department and have already been investigated by the Ombudsman.

RELEASED UNDER FREEDOM OF INFORMATION TASMANIA POLICE

It appears to me that it is only the claims of cruelty to animals and her claim of harassment which are of concern.

One of Mrs ADAMS complaints is that the church members meet on council property at her boundary and she believes this behaviour to be intimidatory. She claims that the West Tamar Council at one stage had the meetings stopped, they have now restarted.

I advised Mrs ADAMS that she should see a Solicitor, but she is reluctant to do so. From my observations and from my conversation with her, I believe that she has already complained to people such as; the Premier, the Ombudsman, the D.P.P. and others.

Perhaps you could investigate and advise me on whether any action is necessary. I have given Mrs ADAMS advice on restraint orders.

(S.C. MCCLYMONT)
SUPERINTENDENT NO. 420

154

GEORGE TOWN DIVISION

My Ref:

Your Ref:

Enquiries:

Inspectors Office
George Town District
GEORGE TOWN
Telephone (003)824040
Police Net 4305
Fax No. (003)824045

Superintendent
Northern Division
LAUNCESTON

14/9/94

RE: COMPLAINT OF HARASSMENT BY MRS GAIL ADAMS OF GLENGARRY

I visited Mrs. ADAMS this day and ascertained her complaint being harassed by The Members of The Jehovah Witness Faith who live in the Glengarry area.

Mrs ADAMS was unable to provide any supportive evidence to substantiate her claim apart from 6 members meeting periodically in the car park area of the Glengarry Hall which is 30-40 metres from her house. She named Mrs. CHANG as one of those members but did not know the names of the others.

FREEDOM OF INFORMATION ACT RELEASED UNDER TASMANIA POLICE

I advised Mrs. ADAMS these people were entitled to be in the vicinity of the hall as it was open to the public and is a public place. She agreed but disapproved of them saying prayers next to her property. I advised Gail I would talk with the people concerned and make a request they use the hall instead of the open area to say their prayers.

I visited Mrs. CHANG who owns a similar business to Mrs. ADAMS and she claims Mrs. ADAMS is upset because she did not buy Mrs. ADAMS' business when they moved into the area and they are now getting all the business and Mrs. ADAMS is envious and saying untrue things about her and other members of The Jehovah Witness Faith. Other words sour grapes.

Mrs. CHANG advised that she and 5 other members have been canvassing the Gospel to the people of Glengarry and they do meet in the car park in front of the hall to discuss allocation of areas to canvass, it is the most convenient and appropriate place for all and they do not interfere with Mrs. ADAMS and have no intention to do so and it is no business of hers.

After speaking with both women I am of the view Mrs. ADAMS is upset with the CHANG's because they did not buy her kennel business and then built a similar business on the other side of the road and have effectively taken most of her business. This has been hard to accept and it is possible complaints are being made to try and discredit her opposition. However this is not a Police matter and both parties have been advised to refer their concerns to their solicitors.

I return the correspondence for filing

(T W Woolley)
INSPECTOR

RELEASED UNDER
FREEDOM OF INFORMATION
TASMANIA POLICE

153

SUPERINTENDENT
NORTHERN DISTRICT

Enquiries: 3895 ☎
MJH:PZ

Our Ref: N-9228/94
Your Ref:

22nd September 1994

Deputy Commissioner of Police
HOBART

RE: COMPLAINT OF HARASSMENT BY MRS GAIL ADAMS OF GLENGARRY

The above spoke to the Superintendent of her concern (as she has listed) and as a consequence, Inspector T.W. WOOLLEY was directed to visit both her and Mrs CHANG re the matter. The report of Inspector WOOLLEY is attached.

As can be seen most of her complaints are not within the province of this Department.

Mrs ADAMS has taken her complaints to many and varied people with little success, and there is little doubt she will continue to do so.

After your perusal could the file be returned for filing please.

(M.J. Hindrum)
ACTING SUPERINTENDENT

RELEASED UNDER
FREEDOM OF INFORMATION
TASMANIA POLICE

CORR. No. A-3019.94
FILE No
23 SEP 1994
A DCOP

P.D. 101

N7/11/CC 11 1C/159

GEORGE TOWN DIVISION

My Ref: TWW:ALM
Your Ref:

Inspectors Office
George Town District
GEORGE TOWN

Telephone: (003) 82 4040
Police Net: 4305
Fax No.: (003) 82 4045

1 March 1996

A/Superintendent J. CHRISTIE-JOHNSTON
Northern District
LAUNCESTON

RE: **COMPLAINT OF HARASSMENT BY MRS GAIL ADAMS OF GLENGARRY**

On Monday the 26 February 1996 I visited Mrs. Gail ADAMS and discussed the contents of her letter of complaint. She complained that her neighbours Mr and Mrs Michael McCAUGHEY allowed their horses to damage her fences. She requested them to put an electric fence along the side of her fence to prevent this from happening.

RELEASED UNDER FREEDOM OF INFORMATION TASMANIA POLICE

The land is Crown Land adjoining her property and it is leased by Michael McCAUGHEY.

Mrs. ADAMS claimed McCAUGHEY put an electric ribbon half way along her boundary fence and did not connect it to an electric unit but laid the wire tape over her electric fence. This did not work satisfactorily and when she approached McCAUGHEY he abused her. She requested Police to assist her by talking to McCAUGHEY as Solicitors letters had been unsuccessful.

I visited Michael McCAUGHEY on behalf of Mrs. ADAMS and discussed the issue and ascertained if he was prepared to put an electric fence along her boundary fence. McCAUGHEY said he put one along the fence and Mrs ADAMS stole the electric fence unit and believes she threw it in the dam. This matter was reported to Exeter Police and Constable SHEGOG investigated the matter, searched ADAMS home and did not find the electric fence and Mrs ADAMS denied taking it and claims McCAUGHEY never had one and he is telling lies. McCAUGHEY said he did not abuse Mrs ADAMS.

Michael McCAUGHEY said, Gail ADAMS is a nut case, she is always complaining, if its not this it will be something else. She is driving us mad. It is all over the land, she is jealous that we have it, she wants it. I have put an electric fence up separating the properties and I am not putting up anymore. I am not required to by Law and when I did she stole the electric fence.

I walked along the fence line of Mrs ADAMS property and inspected the fencing. I found the fences in good condition, in fact, the electric fence was a new one and erected very professionally on her side of the fence. All fencing was in good condition and no signs of damage.

I inspected Mr McCAUGHEYS' fence separating the properties and found he had erected an electric fence as stated. He had also erected one half way along the Eastern boundary fence of ADAMS property.

On the 28 February I discussed the matter with Gail ADAMS and advised her McCAUGHEY would not put another electric fence where she wants it. He claimed the horses were not damaging her fences and all fencing was adequate.

After discussing the issue with Mrs ADAMS she thanked me for police assistance and said she had no further complaint.

I also advised Mrs ADAMS her complaint was a civil matter and police were unable to do anything legally to assist in getting Mr McCAUGHEY to put an additional electric fence on the Eastern boundary fence of her property.

Mrs ADAMS has lived at Glengarry for 21 years and has periodically written letters of complaint to VIPS's asking for help and assistance in matters of concern.

I recommend a letter be forwarded to Mrs ADAMS advising that I have investigated her complaint, spoken to Mr McCAUGHEY who has refused to comply with her request and if she wishes to persue the issue she should do it civilly through a Solicitor.

C.O. & M.O. attached, submitted by Michael McCAUGHEY.

(T W Woolley)
DIVISIONAL INSPECTOR

RELEASED UNDER FREEDOM OF INFORMATION TASMANIA POLICE

161

H-3060/96

SUPERINTENDENT
NORTHERN DISTRICT

Enquiries: 3897 ☎
JCJ:CAW

Our Ref:
Your Ref:

5 March 1996

Mr. L.R. Prins
A/Commissioner of Police (Crime & Ops)
HOBART

COMPLAINT OF HARASSMENT BY MRS. GAIL ADAMS OF GLENGARRY

Investigations carried out by Inspector T.W. WOOLLEY found the fences in question to be in good order and no signs of damage.

There is obviously conflict between neighbours namely Mrs. Gail ADAMS and Mr. and Mrs. Michael McCAUGHEY, however it would appear not to be a police matter but rather civil.

Both parties have been spoken with and McCAUGHEY will not be erecting another fence as requested by ADAMS. Mrs. ADAMS has been fully informed of the situation and investigation and she thanked Inspector WOOLLEY for his assistance and said she had no further complaint.

Recommendation

That a letter be sent to Mrs. ADAMS advising her that her complaint has been fully investigated by Inspector T.W. WOOLLEY.

That Mr. McCAUGHEY has refused to comply with her request to erect an electric fence.

That should she wish to pursue this matter further she should do so civilly through a solicitor.

A-616/96

(J. Christie-Johnston)
A/SUPERINTENDENT

Aco

357

5

118
143

Denise Swan, MHA

Liberal Member for Lyons

Ground Floor McKenzie Building
65 Cameron Street
Launceston
Tasmania 7250

Tel (003) 36 2493
Fax (003) 34 1487

FACSIMILE TRANSMISSION

Date	2 September, 1996	**Time**	11:20 PM
To	**Peter Pearce**	Dept.	
Facsimile Number	Hobart		
From	**Alison Hollingworth**		
Facsimile Number	(003) 34 1487		
Subject	West Tamar Council - legal ignorance?		
Number of Pages	5		

ACTION REQUIRED

- ☐ Ack. For Min/SPS
- ☑ Prepared Reply for Minister's Signature
- ☐ Briefing & Draft Reply
- ☐ Appropriate Action
- ☐ Prepared Reply for SPS's Signature
- ☐ Direct Reply
- ☐ For Information

letter to Council requesting advice as to what action the Council intends to take re this sign only PP.

Peter

I enclose a copy of a formal letter received from Mrs G Adams of Glengarry (Exeter). Having then spoken with her direct, I discovered Mrs Adams also runs a kennel approximately half a kilometre from the offending Mr/s Chan who have the A-framed signage at the front of their entrance on the Frankford Highway.

The history of Mr/s Chan taking the clients away from Mrs Adams has been going on for some four years, to the point where Mrs Adams has taken all steps to rectify the problem. (Simply, clients drive along looking for Mrs Adams, but come in contact firstly with the driveway of Mr/s Chan of which is marked with the A-framed sign and the clients look no further. Many do not care. In addition, Mr/s Chan reported do not indicate to the clients that they have the wrong kennel property.)

The Council are appearing ignorant of their laws by neglecting to enfore the removal of the a-framed sign of Mr/s Chan. It is suggested to be illegal under Section 64 of the Local Govt Act. It is suggested that the Council, in their entire region, do not enforce this law, but Mrs Adams is only interested in the Frankford Highway.

Peter, I ask that you check this law out for me, and whether you see if necessary to formally write to the West Tamar Council, or simply have me ring Paul Ranson based on the enclosed correspondence. Please let me know your view.

Thanks! **Alison**

SRD.

ATTORNEY GENERAL'S DEPARTMENT

MINISTERIAL CLASSIFICATION ADVICE

MIN NO. : 184459
File No. : __/_____
Locn Date: __/__/__
Curr Locn: _____

The attached correspondence is referred to you for appropriate action in accordance with the direction by the Minister's Office indicated thereon.

Author : GAIL ADAMS
Subject: REPS

Date of Corres: 11/09/98
Date Received : 15/09/98
Reply Reqd By :
Ack. By :
Reply By : APP

Action Area
Division: CSD
Branch : MWU
Officer : VAN DE BRUG

Salutation : _____
Address : _____
_____
City/Town : _____ State:___ Postcode:____

Response Text : { } NFA'd — does not seek a reply
— Govin Party, Sen Vanstone's electorate office, Fyfe
— In her previous letter — 184407 - she says, "I'll
[back to me]; I have been around 3 gove
— Main concern: officials are withholding papers fr
people she writes to + officials, rather than
she writes, are responding to her letters
— 21 folios down — Governor-General's Office, "eleased
— Last folio — to Min for Local Govt
— see also my Comments on rep 184407

(MCU)

(Tear off here)

Please complete this portion and return to:

MINISTERIAL CORRESPONDENCE UNIT
Ministerial and Parliamentary Section

MIN NO. 184459

The correspondence has been placed on File No. ___ __/_____

The nominated Action Officer is _____

Division/Branch Head: _____ Date: __/__/__

359

File No M88/1; Neil Gardner; 2164 MC 0146 (ng/gailsm.doc)

19 SEP 1996

Mr Paul Ranson
General Manager
West Tamar Council
PO Box 59
BEACONSFIELD TAS 7270

Dear Mr Ranson

I have recently received a letter from Mrs Gail Adams about the location of two A frame signs on the Frankford Highway at Glengarry. The signs relate to a Boarding Kennel which operates in competition with a similar establishment run by Mrs Evans.

Mrs Evans is of the opinion that the placement of the signs is illegal. In a letter of the 5 August 1996, she drew Council's attention to the existence of the signs. She received a response dated 26 August 1996 which advised that Council had not given any approval for the signs.

Your advice as to whether Council intends to take any action in relation to these unauthorised signs would be appreciated.

Yours sincerely

Denise Swan
MINISTER

Discussed c Graeme Hogg 9/12 re current status - R. Gilbert

Government House
Canberra ACT 2600

1 October 1996

Dear David,

This Office is in frequent receipt of correspondence and telephone calls from Mrs Gail Adams, whose address is given as PO Box 519, Exeter, Tasmania 7275. She has sought the intervention of the Governor-General in relation to legal matters.

Recently I wrote to her on 26 September; and spoke to her again on the phone on 30 September 1996.

In my letter dated 26 September I said:

> "I can appreciate from the tone of your letter and of our earlier telephone conversation the distress felt by you occasioned in connection with legal matters related to your firm Elspedito. You have sought the intervention of the Governor-General on your behalf. I must, however, confirm the advice of this Office previously conveyed to you "that there is no ground, constitutional or otherwise, for the Governor-General to take any action" in relation to your situation. I know that this will be a disappointment to you, but it *is* the case. As the matter is one within the jurisdiction of Tasmania, may I suggest that you continue your efforts to seek relief within the State's jurisdiction."

I doubt whether Mrs Adams had received this before she rang yesterday. During the course of that call I repeated that this was not a matter for the Governor-General and that she should continue to pursue her interests through the Tasmanian legal system. I said that I would bring the matter to your attention.

Yours sincerely,

Douglas Sturkey
Official Secretary
to the Governor-General

LOCAL GOVERNMENT OFFICE

Briefing No:
File No:

BRIEFING NOTE

Hon Denise Swan MHA
Minister for Local Government

SUBJECT: CORRESPONDENCE FROM MRS GAIL ADAMS CONCERNING THE CHAN FAMILY AND THEIR GLENMORE ESTATE KENNEL AT GLENGARRY

BACKGROUND:

This letter from Mrs Adams is the latest in a long and confusing sequence of correspondence about her grievance with the Chan family and the West Tamar Council.

She has written at great length to yourself and your predecessors on a number of occasions. She has also written to numerous other members of the State and Federal Parliaments, His Excellency the Governor and Her Majesty the Queen. However her letters are complicated and confusing.

Mrs Adams operates a licensed boarding kennel on the Frankford Highway at Glengarry. Some time ago the Chans also established a boarding kennel on the Frankford Highway. In the past, Mrs Adams has accused the Chans of undermining her business by placing misleading portable signs in the highway. She also claims that there were irregularities in the approval procedure for the Chan's premises which was conditional upon the creation of a new access from the property to the Frankford Highway.

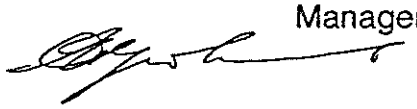
A decision of the Planning Appeal Board on 11 May 1992 stated that it was arguable whether or not this approval was valid but indicated that it was not a matter which the Board was required to determine. Council, on the other hand, had legal advice that the approval was not in contravention of its planning scheme.

On the 19 October 1993, your predecessor Mr Cleary, advised Mrs Adams that the Department of Environment and Land Management had thoroughly researched the matter, and he had also been advised by the Solicitor General that there were no avenues open to him to resolve the dispute. Mr Cleary suggested to Mrs Adams that she should seek her own legal advice if she wished to pursue the matter.

Mrs Adams' latest letter refers to a newspaper article about the Chans' establishment, which she claims shows the Chans to be in breach of the conditions of their licence. However it is not clear from the letter exactly what the breaches are. The enclosed response to Mrs Adams suggests that she should raise the matter with the West Tamar Council.

Prepared by: Neil Gardner
Senior Research Officer

Cleared by: Graeme Yeoland
Manager Policy and Research



Date: 6 May 1997

Tasmania

DEPARTMENT *of* JUSTICE

OFFICE OF THE SECRETARY

AG1775 M489 REB

APPROVED/~~NOT APPROVED~~
ATTORNEY-GENERAL
DATE: 14/5/97

9 May, 1997

ATTORNEY-GENERAL

MRS GAIL ADAMS (AG 1775)

RECOMMENDATION: **That you agree not to meet Mrs Adams.**

BACKGROUND:

Mrs Adams has requested a meeting with you to discuss three small claims matters.

I am well aware of the background to two of these matters, and advised her in July 1995 that all avenues of possible redress have been exhausted.

The third matter seems to involve a recent small claims hearing involving a motor vehicle. I am not aware of the circumstances of that matter.

Because these are judicial proceedings, it is not appropriate for you to intervene.

Mrs Adams is persistent and difficult, and I believe it would be advisable not to provide an opportunity for her to meet you.

Richard Bingham
SECRETARY

Level 9, Executive Building, 15 Murray Street, Hobart GPO Box 825H, Hobart, 7001
Telephone: (03) 6233 3201 *Facsimile:* (03) 6233 2332

(1) 121

The Hon. Ray Groom M.H.A.

TASMANIA

Attorney-General
Minister for Justice

M489

14 May 1997

Mrs Gail Adams
PO Box 519
EXETER Tasmania 7275

Dear Mrs Adams,

I am writing in relation to your letter dated 22 April, 1997 in which you requested a meeting with me to discuss small claims matters. I am sorry to advise that because these are judicial proceedings, it is not appropriate for me to intervene.

I therefore regret to inform you that I cannot be of assistance to you.

I regret the problems and worries you have experienced. RB.

Yours sincerely, AG keen to put this

Ray Groom
Attorney-General

20/5 —
As discussed with Michelle could Richard please draft letter for Minister's signature declining MTS with Mrs Adams.

A-G met with Mrs Adams 5/6/97.

F

Public Buildings, Level 1, Franklin Square, Hobart 7000 Telephone (03) 6233 6170 Fax (03) 6224 0617

A-785

E.O.I.

28

4-6-1998

Mr STURKEY, Official Secretary to the Governor- General of Australia, Government House, Canberra.

1. Concealing evidence to the Governor-General of Australia, Her Majesty's Representative.

2. A letter with documents of evidence dated 25th September,1996 was faxed to the Governor-General, attention Mr Sturkey, to receive a letter dated 26th September,1996, 24hours later, reiterrating the previous letters from that office, not directed or authorised from His Excellency. One of those previous letter's dated 27th May,1994 from Jeannie Hall, Deputy Official Secretary which stated" no useful purpose would be served in telephoning or writing to that office again". The letter not directed or authorised by His Excellency. This has resulted in Justice being perverted , denied and my democratic Rights under the Statues of the Commonwealth and Tasmania being abused.

Paul

This is further material from a woman I understand you have already dealt with - for your info / file / records etc.

Gavin Fahey. Executive Officer.

ms,
Rokeford Heights,
Tasmania, 7275.

DATE:
Ack/Rep by MJ
Ack/Rep by SA/A/DLO
Ack Rep by Dept/Copy to Min
Information Approp Action
~~Action~~
Briefing
Speech
Refer to MJU
Final within one week

DATE 15/9/98

The Hon. Peter Patmore M.H.A.

TASMANIA

Attorney-General
Minister for Justice and
Industrial Relations

1419

- 3 NOV

DEPARTMENT OF THE
PREMIER AND CABINET
68478
5 NOV 1998
No. 1419

Hon. Jim Bacon MHA
PREMIER

Mrs. GAIL ADAMS

I refer to your request for a draft response to correspondence from Mrs. Adams dated 14 October 1998.

Mrs. Adams has a number of longstanding complaints stemming originally from a dispute with her neighbour. The complaints include a debate about the outcome of a small claims matter, and various concerns about planning decisions by local government.

The matters have been reviewed extensively by a number of people, most recently the DPP, whose views are set out in my correspondence to Mrs. Adams.

My views also appear from that correspondence. A draft response is attached.

Peter

Peter Patmore
Attorney General

Postal Address: GPO Box 825H, Hobart 7001
Office Address: Public Buildings, 53 St John Street, Launceston 7250
Telephone: (03) 6336 2250 *Facsimile:* (03) 6331 1718 *E-mail:* minister@justice.tas.gov.au

9. 2. 1999

Senator Vanstone,
Federal Minister for Justice,
Canberra. A.C.T. FAX No: 02.62737098.

Dear Senator Vanstone,

Attached to this letter are the first seven pages of an 82 page Affidavit sworn on Oath at the Supreme Court in Launceston on the 14th January, 1999.

You were faxed the 13 page Statutory Declaration with other documents of evidence.

This in excess of 8 year saga which has had no Justice nor costs and compensation, which is now should only be forthcoming.

Yours Sincerely,
Gail Adams
P.O. Box 519
Exeter. 7275.
TAS.
PH: 63-961145.

Paul
@ Gail Adams call
when she was
fating this through.
She doesn't want many
people to see this.

Anna
9/2

DATE:
Ack/Rep by MJ
Ack/Rep by SA/A/DLO
Ack Rep by Dept/Copy to Min
Information Approp Action
Advise
Briefing
Speech
Refer to Dept
Final within one week
DATE 9/2/99

TOTAL = 14 pages.

Note request from Ms Adams.

130

Van de Brug, Herman

From: Van de Brug, Herman
Sent: Friday, 26 February 1999 6:32 PM
To: Griffiths, Paul
Cc: Parker, Marlene
Subject: Mrs Gail Adams

Sorry only getting back to you now, Paul. (I tried to phone you, but I understand that you have just left.)

Mrs Adams has been writing to us for years, well since 1993 anyway. She makes reference in several places of her correspondence that she has been around the three levels of government for 8 years. Sometimes she will even say in her letters that she does not need a reply.

She also states that the Governor-General and the Tas. Minister for Local Government have both 'closed her file'. She is one of those people who has pursued all available avenues, but will not accept 'no' for an answer. In fairness to her, I think that she has a mental problem, and she has implied in a couple of letters that she has/is being treated for it.

The matter she is raising is a State matter - it's a long story but suffice to say that she writes about problems with access roads, dog kennel licences, etc. In view of her phone calls, however, there would appear to be a need to inform her again to pursue the matter with the relevant State authorities - or it least try to do so, if she really wishes to pursue the matter - as the Minister for Justice is unable to intervene in State government matters, etc, which I will do in the next couple of days.

In the meantime, you may wish to assure her that we will reply to her letter of 9 February 1999 to the Minister for Justice by the end of next week (by 5 March).

(Sorry, a long story, but I need to look at her letter/epistle in more detail, before replying; otherwise I would have done so now.)

Regards.
Herman

I still will do it for George's signature.

(187460)
ORIGINAL TO MO
1/3.

129

SENT FOR SIGNATURE

- 1 MAR 1999

ATTORNEY-GENERAL'S DEPARTMENT

11542

Corporate Services Division

187460

Mr Paul Griffiths
Departmental Liaison Officer

CORRESPONDENCE FROM MS GAIL ADAMS

SUBJECT: Ms Adams writes about problems with access roads, dog kennel licences, and so on.

URGENCY: You will recall that Ms Adams has been phoning you, seeking an early reply.

RECOMMENDATION: That you sign the attached draft reply to Ms Adams.

Signed by:

George Sanderson
Acting Director
Ministerial & Parliamentary Section

/ /3/99

Originated by:

Herman van de Brug
Ministerial Writing Unit
Contact No: 6250 6744

1/3/99

Approved/Not Approved

.....
Paul Griffiths

/3/99

F.O.I.

Robert Garran Offices, National Circuit, Barton ACT 2600 • Telephone (02) 6250 6666 • Fax (02) 6250 5900

372

HEALTH SERVICES AUSTRALIA LTD
A.C.N. 078 934 791

DISABILITY SUPPORT PENSION AND SICKNESS ALLOWANCE ATTACHMENT TO MEDICAL REPORT (SA16)

CLIENT DETAILS:

Client's family name: Adams
Client's given name(s): Gail

Condition 1: Rheumatoid arthritis.

History: Ms Adams, 55, was diagnosed as suffering from rheumatoid arthritis about 3 months ago. She is affected mainly in the shoulders and knees.

When her arthritis is playing up she has difficulty using her arm and weight bearing. She was not able to be more specific about this.

Treatment: Methotrexate, prednisolone.

Examination: There was no clinical evidence of arthritis of the right knee. Abduction of the right shoulder was reduced to about 90 degrees. On passive movement, there appeared to be full passive range of movement at the gleno-humeral joint.

She presented as rather peculiar with bizarre terminology relating to poisoning by a "tiger leech" which reached "right up to my neck". She also made comments about being persecuted by a religious cult and "Chinese people".

Rating and rationale: Condition assessed as temporary. Rating 0.

Total Impairment Rating: 0. Condition assessed as temporary.

Occupational Background: For the last 23 years she has been managing boarding kennels. I understand her daughter has been assisting her in this while she has been unwell.

[redacted]

General Assessment and Justification

Unfortunately there was no TDR from her general practitioner. (The form provided by her gynaecologist relates to a medical condition which was successfully treated 5 years ago.)

I was able to contact her GP, Dr Clarke, who provided the following information:

- Her rheumatoid arthritis is a recent diagnosis. Her condition has improved greatly with treatment but is not yet stabilised. It is anticipated that this condition will be adequately controlled within 6 months.

- With respect to her mental state, Mrs Adams has a lengthy history of persecutory ideation and has employed various agencies (such as politicians and other government bodies) in her quests for reparation. However, most of her concerns have been loosely based in reality and this does not appear to represent a diagnosable medical condition.

In summary: Mr Adams is assessed as temporarily unfit for employment pending stabilisation of her rheumatoid arthritis. She should regain fitness for full-time work within the next 6 months. This would include her usual occupation of manager of boarding kennels.

Examining Medical Adviser: Dr M Henderson MB.BS. G.D.O.H. G.D.E.B.
Telephone: (03) 9285 8334

Signature: ..... 26 March 1999

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163

Ministerial No.: M00/2720
File No.: 020016

Hon. D Llewellyn MHA
Minister for Police and Public Safety
Minister for Primary Industry, Water and Environment

Frankford Main Road at Glengarry
Access to Chan Property - Approvals

I refer to the representation made to you by Mrs Gail Adams of 15 November 2000, and in particular the above matter.

The Department of Infrastructure, Energy and Resources has provided me with a copy of a letter sent by the Minister for Roads and Transport, Dr Frank Madill, to Mrs Adams on this subject in 1992. A copy is attached for your information.

I am advised that the situation outlined in the Minister's letter remains unchanged as far as the Department is aware.

As the matters that have now been raised by Mrs Adams relate to the planning approval process which is within your portfolio, it would be appropriate for you to respond to her queries.

Paul Lennon
Deputy Premier

Attach.

S:\Assetmgt\LandAsst\Roads\State\A1044\05\Development Applications\Adams re Chan_Llewellyn_mem.doc

661

West Tamar COUNCIL

Our Ref 1090.33
Your Ref

Enquiries Brett Bacon
Phone : (03) 6323 3800
Fax : (03) 6323 3810

30 July, 1999

03 AUG 1999

Mr Damon Thomas
Ombudsman
GPO Box 960C
Hobart Tas 7001

Dear Mr Thomas

Reference 2 21600 1095

Further to your letter of 23 July 1999 regarding the operation of dog boarding kennels at Lot 6 Frankford Road, Glengarrie

The following is brief summary of the administrative procedures, as determined from the records that exist:

1. 7 May 1990 - Application submitted to Council for dog boarding kennels - permit issued June 1990 approving operation of dog boarding kennels, subject to twelve conditions (copy of permit attached for information).

2. 2 January 1991 - Application submitted to Council for Pet Cemetery and Office - Council refuses application, letter dated 26 February 1991.

3. 4 March 1991 - Proponent appeals Council's decision - Planning Appeal Board finds in favour of proponent, decision 133-91, and approves pet cemetery and office subject to seven conditions.

4. 1 November 1991 - Application submitted to Council for alteration to condition of approval issued June 1990 regarding access - Council refuse application, letter dated 5 December 1991.

5. 24 December 1991 - Proponent appeals Council's decision - Planning Appeal Board finds in favour of Council.

Consequently, there has been no need for Mrs Chan to make further application to Council for use or development. Your second query, regarding possible action by Council against unauthorised use, is therefore irrelevant.

PO Box 59, West Street, Beaconsfield, Tasmania 7270
Telephone: 6383 1106 Facsimile: 6383 1540
Email: wtc@courier.tas.gov.au
www.wtc.tas.gov.au

367(A)

If you have any queries please contact the undersigned.

Yours faithfully

Brett Bacon
Municipal Planner

encls.

The Hon. Peter Patmore M.H.A.

TASMANIA

Attorney-General
Minister for Justice and
Industrial Relations

- 3 NOV 1998

DEPARTMENT OF THE
PREMIER AND CABINET
68478
5 NOV 1998
No. 1419

Hon. Jim Bacon MHA
PREMIER

Mrs. GAIL ADAMS

I refer to your request for a draft response to correspondence from Mrs. Adams dated 14 October 1998.

Mrs. Adams has a number of longstanding complaints stemming originally from a dispute with her neighbour. The complaints include a debate about the outcome of a small claims matter, and various concerns about planning decisions by local government.

The matters have been reviewed extensively by a number of people, most recently the DPP, whose views are set out in my correspondence to Mrs. Adams.

My views also appear from that correspondence. A draft response is attached.

Peter

Peter Patmore
Attorney General

Postal Address: GPO Box 825H, Hobart 7001
Office Address: Public Buildings, 53 St John Street, Launceston 7250
Telephone: (03) 6336 2250 *Facsimile:* (03) 6331 1718 *E-mail:* minister@justice.tas.gov.au

STEWART GRAHAM

M.B.B.S. (Hons) F.R.A.C.P.
Consultant Rheumatologist

4 Warneford Street
South Hobart 7000
Telephone: 62 233801
Fax: 62 241926
Provider No. 462446T

17 Brisbane Street
Launceston 7250
Phone: 0363 319833
Provider No. 462447B

SG: AS
26th March 2001

Dr. K. Wnekowski,
Health Services Australia,
GPO Box 9821
HOBART 7001

HEALTH SERVICES AUSTRALIA LTD
A.C.N. 078 934 791
09 APR 2001
HOBART
TASMANIA

Dear Krystyna,

RE: GAIL ADAMS
858 FRANKFORD HWAY, GLENGARRY 7275
DOB: 21/12/44

Thank you for requesting a report on this lady. I have seen her on two occasions that being the 22nd of June and the 26th of October 2000. As listed in your medical assessment, with which you have provided me, I found her to have an unusual philosophy. The detail in relation to the tiger leech and the rather paranoid ideation was also evident at that time in my interview.

In my assessment, she had the coincident onset of an arthropathy at the same time as the tiger leech incident. She was then put on some steroids, non steroidals and Methotrexate all quite reasonably by her general practitioner Andrew Clarke. She was allergic to sulphur, and so she obviously needs to stay away from Celebrex, VIOXX and Sulfasalazine.

At the initial time of interview, I though Andrew had done a very good job. The relevant findings were those of onychogryphosis of the toes, no evidence of significant synovitis or systemic manifestation of disease. I suggested that she remained on 15mgsof Methotrexate a week, the other drugs having largely been dispensed with, a bone density, plain films and bone scan be preformed to establish disease parameters.

It was clear that her bone scan was significantly abnormal with an inflammatory arthropathy pattern. Her x-rays were not erosive. Her bone density was at the low end of normal range and I suggested that given that she has had a hysterectomy low dose HRT was a reasonable measure for the prevention of bone loss particularly given that she has developed an arthritis.

Certainly in October she would have been considered temporarily unfit for full time work. She was fit for part time work. I have not seen her at this stage and I plan to review her at Easter. My guess would be that she is likely to be under good control provided of course she continues to take the medications. Given the history of some degree of paranoid ideation and as has been stated in the pro forma that ideation being loosely based in reality, she may choose to see the relevant medicines treating her rheumatoid as being "toxins" and therefore ignore to take them.

I would be more than happy to provide follow up reports, but as at the last interview in October, she was only fit for part time work.

I trust that is helpful to you, but I would appreciate the need for updated information.

All the best.

Yours Sincerely

STEWART GRAHAM
Consultant Rheumatologist

TASMANIA

Executive Council Secretariat

RECEIVED

09 OCT 2002

MINISTERS OFFICE

Senior Private Secretary
Minister for Justice and Industrial Relations

The Governor has transmitted for the information and appropriate action of his Ministers the enclosed correspondence dated 2 October 2002 from Ms Gail Adams.

In accordance with the Governor's request the correspondence is forwarded for the information and appropriate action of the Minister for Justice and Industrial Relations.

D. J. Colegrave

David Colegrave
Secretary/Clerk
EXECUTIVE COUNCIL

9 October 2002

Executive Building, Level 4, 15 Murray Street, Hobart 7000
Telephone: (03) 6233 3433

411

THE DEPARTMENT OF
THE PRIME MINISTER AND CABINET

TELEPHONE: (02) 6271 5111
FACSIMILE: (02) 6271 5414

3-5 NATIONAL CIRCUIT
CANBERRA, A.C.T. 2600

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

I refer to your facsimile received by the department on 10 February 2003 in which you made a request under the *Freedom of Information Act 1982* (the FOI Act) for access to:

> Complaints relating to:
>
> (a) 82 page sworn on oath affidavit Jan. 1999.
>
> (b) Letter from Buckingham Palace on behalf of Queen Oct. 1997.
>
> (c) 13 page statutory declaration of Sept. 1997.

The FOI Act specifies that in order to be a valid request, an FOI request must meet a number of criteria. In its current form, your request does not meet two of those criteria.

1. Application fee

An FOI request must be accompanied by the $30 application fee provided for in regulations under the FOI Act. You may apply to have the application fee waived. If so, you would need to provide evidence that the fee would cause you financial hardship, such as evidence that you are currently receiving a pension.

2. Scope of request

The FOI Act provides that in order to be valid, an FOI request must 'provide such information concerning the [requested] document[s] as is reasonably necessary to enable a responsible officer ... to identify it.'

In its present form, your request does not provide sufficient information to enable the department to identify the documents you seek. If you wish to send additional information, the following would be useful:

- Who made the complaints? What were the complaints about? Who were the complaints sent to?
- Who made the affidavit? What was it about?
- Who received the letter from Buckingham Palace? What was it about?
- Who made the statutory declaration? What was it about?

Until I receive further information about the above matters, I will be unable to take further action on your request.

Yours sincerely

Philip Weeks
FOI Contact Officer
11 February 2003

THE DEPARTMENT OF
THE PRIME MINISTER AND CABINET

TELEPHONE: (02) 6271 5111
FACSIMILE: (02) 6271 5414

3-5 NATIONAL CIRCUIT
CANBERRA A.C.T. 2600

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

I refer to your facsimile of 20 February 2003 in which you noted that Mr Gimson of Buckingham Palace had been directed to forward your correspondence to the Governor-General.

I have contacted the Office of the Official Secretary to the Governor-General to inquire about the matter.

The Office has advised me that, in line with usual practice, your letter of 9 October 1997 to Her Majesty The Queen was forwarded to the Governor-General. On 11 November 1997 a letter was sent to you from the Deputy Official Secretary, reiterating earlier advice to you that there are no grounds for the Governor-General to take any action in relation to your situation.

Your letter of 9 October 1997 has therefore been addressed.

The information you have provided to me indicates that you are seeking action in relation to your complaints rather than access to actual documents. This is an important distinction.

The purpose of the FOI Act is to give members of the public rights of access to official documents of the Commonwealth government and its agencies. As I noted in my letter of 14 February 2003, the FOI Act requires applicants to provide adequate details about the documents they seek. Unless you can provide more specific information about documents likely to be held by this department, I regret that your request will continue to be considered 'not valid' and no further action can be taken under the FOI Act.

In relation to the possibility of action by the Commonwealth in relation to your complaints, I have previously advised you that the issues you have raised are not the responsibility of the Commonwealth government and that they are likely to be the responsibility of the Tasmanian government. Buckingham Palace provided similar advice. In that context, there is no action that the Commonwealth can take.

I regret that there would be no useful purpose served by continuing correspondence with this department about those complaints. Consequently, further letters from you which do not raise new issues will not be responded to.

Yours sincerely

Philip Weeks
FOI Contact Officer
21 February 2003

414

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TASMANIA

OFFICE OF DIRECTOR OF PUBLIC PROSECUTIONS

INQUIRIES:
OUR REF: 1011 *(Please quote in reply)*
YOUR REF:

14 March, 2003

Ms Gail Adams
PO Box 519
EXETER Tasmania 7275

Dear Madam

FREEDOM OF INFORMATION REQUEST

I refer to your faxed request purportedly under the *Freedom of Information Act* of 6 March 2003.

Mr Bugg wrote to you on 18 August, 24 August and 4 October 1994, in response to letters you wrote to him on 12 August and 22 September 1994, which contained considerable material.

There are no other documents relative to that. I will not waste my time in furnishing you copies of documents that you have furnished to this Office, or of which you have already received from this Office.

You wrote again on 7 September 1998, again enclosing considerable documentation.

On 30 September 1998, Mr Bugg wrote to the Attorney-General by way of legal advice and enclosing a draft of the letter that the Attorney-General ultimately sent to you on 5 October 1998. Mr Bugg's letter to the Attorney-General is privileged and exempt therefore under the *Freedom of Information Act* and I do not propose to give you a copy.

You wrote to Mr Bugg on 15 October 1998 and he to you on 19 October 1998. Again, these documents are in the category of which you have already supplied or have had and I do not propose to waste further time making further copies, as such a process would be quite endless.

15 MURRAY ST, HOBART, TASMANIA 7000 TELEPHONE: (03) 6233 6649 FAX: (03) 6234 2892
G.P.O. BOX 825 AUSDOC: DX 15 EMAIL: dpp.reception@justice.tas.gov.au

You sent a fax to Mr Bugg on 19 October 1998 with 17 pages of annexures, and again I do not propose to make copies back to you.

The only documents which you have either not had or not generated, apart from the privileged document are the enclosed file notes of Mr Bugg referring to conversations on 9 and 12 October 1998.

Although like any other citizen you are entitled to make requests under the *Freedom of Information Act* and I am obliged to answer them, do you really think it is a sensible use of your time or mine? Would you not be better off leaving this matter and getting on with life?

Yours faithfully

T J Ellis SC
DIRECTOR OF PUBLIC PROSECUTIONS

Encl.

CHAPTER EIGHT.

LETTERS FROM AND TO MYSELF.

Clarke & Gee
BARRISTERS & SOLICITORS

RICHARD DOOLAN, LL.B.
TY JAMES ELLIS, LL.B.
ANDREW WELCH, LL.B.
DAVID ANTHONY SMITH, LL.B.
Consultant:
JOHN WILLIAM WILSON, LL.B.
RAYMOND FREDERICK BAILEY, LL.B.

109 CAMERON STREET,
LAUNCESTON,
TASMANIA 7250

P.O. Box 869-J, Launceston
AUSDOC - DX 70126, Launceston
FAX: (003) 34 1749
Telephone: (003) 31 4433

Our Ref.: TJE:SLW

1 November 1990

Your Ref.:

Mesdames B. Harkin & G. Adams,
C/- Post Office,
GLENGARRY, Tas. 7275

COPY

Dear Mesdames,

re: Planning Dispute

We write to advise developments in this matter and to seek your further instructions.

Section 733B(3) provides as follows:

> "An application for a planning approval to which this section applies -
>
> (a) shall not be entertained by the corporation unless the corporation is furnished with a copy of a notice of the application, in such form as may be prescribed, and with such evidence as may be prescribed that that notice has been published in a daily newspaper published in Tasmania and circulating generally in the locality in which the land to which the application relates is situated and which has been posted in a conspicuous position on the land..."

It appears now to be conceded by solicitors for the Municipality that not only was the notice not posted on the land, but there was no evidence at all furnished to Council that there had been any, or any such, posting.

However, the solicitors for the Municipality point out that neither the form of notice nor the evidence required have been "prescribed" (i.e. the subject of Regulation or by-law). They argue, therefore, that there is no requirement for Council to be furnished with any evidence of posting before determining the application.

Although this particular point has not been litigated before, we have found some authorities to support a contrary argument, i.e. so the section is to be read deleting the words "such" and "may be prescribed", and in effect requiring there to be some evidence of posting of a notice.

The case is maintainable both ways. The only way to determine it is to bring an application in the Supreme Court for the issue of a Writ of Certiorari, which if granted would in effect quash the Council's decision to give planning approval, and start the process again.

.../2

To bring such an application is quite costly. Usually, the loser pays the winner's legal costs. As an estimate only, those costs might be $10,000.00 to $15,000.00. If we are to proceed, we shall require $4,000.00 as a security for costs. We see no other way in which you could now challenge the decision to give planning approval.

Please let us have your further instructions.

Yours faithfully,
CLARKE & GEE
Per:

T.J. ELLIS

Ombudsman
and
Delegate for the Commonwealth Ombudsman

TASMANIA

23 Kirksway Place
Hobart, Tasmania 7000

Telephone 34 9200
G.P.O. Box 960K, Hobart, TAS. 7001

My Reference: S12/231 DV:JW

Your Reference: MDS:TH

COPY

19 January 1991

Mr P R Ranson
Council Clerk
Municipality of Beaconsfield
PO Box 59
BEACONSFIELD TAS 7270

Dear Mr Ranson

COMPLAINT: MRS ADAMS AND MISS HARKINS

I spoke to Mr G Stegg on 20 December 1990 about the complaints I had received relating to the procedures undertaken by the Council to advertise the application for boarding kennels at Lot 6, Frankford Highway, Glengarry.

Arising from our brief conversation with him he arranged for Mr Mike Sluce, the Council Planning Officer, to contact me. Mr Sluce and I had a very lengthy discussion which resulted in me advising both complainants that the Council had not been defective in their administrative action (a copy of my letter is attached). I have since been challenged by the complainants that the information provided by your Planning Officer is incorrect.

The points at issue are as follows:-

(a) Notice on Property

I was advised that this notice was placed on top of a gate post about 3-4 feet high at the entrance to the estate. I have spoken to two witnesses who have categorically stated that this notice was nailed on a tree (almost 6 feet from the ground to the top of the notice) in such a position that it was virtually impossible to observe it when driving into the estate.

(b) DMR Land

I have checked this aspect with the Department of Main Roads who have confirmed there is a strip of land alongside the carriageway before you reach the title boundary. This is contrary to the advice given to me that there was no DMR land at the entrance to the Glenmore Estate and would apparently support the complainants view that the tree in question is on DMR land.

(c) Licence viz-a-viz Planning Approval

I was clearly advised that the Council regulations did not specify which procedure should be adopted first, the licence or planning approval for the buildings. It appears from a legal perspective that there is no clear legal precedent to determine which aspect has to be processed first viz-a-viz the Dog Control Act or the Local Government Act. In the light of this situation, the point at issue is to determine what is the Council's normal administrative process. I have made an independent check of three dog kennels in the Municipality and this has revealed that the licences were granted before the building stage was considered. Could you please explain why in this instance the normal accepted administrative practice by the Council was not followed.

(d) Application for Licence

I was informed on Friday, 21 December 1990, that the application for the licence had not been made. However, the relevant notices appeared in the newspaper the following day, 22nd December 1990, which meant that the application must have been received by Council Officers much earlier in the month.

(e) Planning Approval - Next Stage

A notice appeared in last Saturday's Examiner about the next stage of this board kennel development. Whilst Council must process this application in accordance with its normal procedures, it does raise the issue of administrative practice relating to any licence implications (my sub-paragraph (c) above). Additionally, I understand a notice has been placed on the land bounding the Frankford Main Road, which is contrary to the reasoning in the case of the first notice - that the traffic was normally fast flowing or the land undulating.

I also understand that there has been correspondence between Council Officer(s) and Clarke & Gee (Barristers & Solicitors). Is it standard practice that legal correspondence be dealt by Council Officer(s) or submitted to the Council in the first place?

I must stress that whilst this particular issue has given rise to much reaction within the Community, the role of this Office is to investigate complaints which relate to deficient administrative action.

Yours sincerely

DAVID VICKERY
ASSISTANT OMBUDSMAN

9 & 5

Clarke & Gee
BARRISTERS & SOLICITORS

Partners:
BRUCE RICHARD DOOLAN, LL.B
TIMOTHY JAMES ELLIS, LL.B.
PHILIP ANDREW WELCH, LL.B.
DAVID ANTHONY SMITH, LL.B.

Consultant:
JOHN WILLIAM WILSON, LL.B.

109 CAMERON STREET,
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TASMANIA 7250

P.O. Box 859-J, Launceston
AUSDOC - DX 70128, Launceston
FAX : (003) 34 1749
Telephone : (003) 31 4433

Our Ref. : TJE:SLW

Your Ref. :

17 February 1992

Mrs. G.L. Adams,
P.O. Box 519,
EXETER, Tas. 7275

Dear Madam,

re: Planning Appeal

We refer to our discussion of the 14th February 1992 and, as instructed, enclose copies of Section 847 of the Local Government Act, contained in the Local Government Amendment (Planning & Development) Act No. 50 of 1990 which commenced on the 16th January 1991. In your particular matter it seems to us that Section 847(2)(c) and/or (d) are relevant.

We also enclose a copy of Section 733D(8) of the Local Government Act concerning expenses of parties before the Planning Appeals Board.

We also point out that Section 176(1)(B) of the Local Government Act 1962 requires a municipality to "cause the Queen's peace to be kept and maintained within its district". Interpretations of the phrase "Queen's peace" give it a very wide meaning and it means essentially that the law be observed. Hence there is a positive obligation imposed by the Act on the municipality to take steps to prevent breaches of the law especially within its jurisdiction, i.e. in respect of breach of planning permit conditions. Section 821 of the Act provides that a person is guilty of an offence against the Act who "being a mayor, warden, alderman, or councillor - wilfully neglects to perform any duty which by this Act he is appointed or enjoined to perform".

Yours faithfully,
CLARKE & GEE
Per:

T. J. ELLIS.

Enc.

TASMANIA

Minister for Roads and Transport

5 AUG 1992

Mrs G Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

Thank you for your letter of 22 June 1992 addressed to my colleague, the Minister for Construction regarding access to the Frankford Main Road from Lot 6 of the Glenmore Rural Estate. Your letter was referred to me for a direct reply, as the matter concerns one of my portfolio responsibilities.

I requested comments from the Secretary, Department of Roads and Transport, who has now provided a report.

In the mid-1970's the then Department of Main Roads reconstructed the Frankford Main Road in this vicinity. At the time the existing private right-of-way appears to have provided access to a single property and may have been more than adequate for the traffic conditions at that time.

The Glenmore Rural Estate was apparently developed in the late 1970's by the then landowner. It is not known whether the approval of the planning authority, the Municipality of Beaconsfield, was required at the time. Access to the estate was provided via the private right-of-way to the Frankford Main Road.

The Department of Roads and Transport recently approved the construction of the newly installed access to the Frankford Main Road, in accordance with planning approvals issued by the Municipality of Beaconsfield for developments on Lot 6 of the estate.

The new access is located so that it meets current standards of sight distance for drivers entering and leaving the property. It is superior to the private right-of-way, which does not meet modern visibility standards. For this reason, the Department recommended to Council that all the properties in the estate should use the new access and that the private right-of-way should be closed.

Although the Department can advise the Council, it has no legal power to close or relocate an access. Only the Council has the authority to approve developments requiring a new access facility.

* contradicts Senator Newman's letter. — DEPT. of ROADS IN MAY, 1992 ISSUED A PERMIT, DR-F. MADELL OVERULED THE TRIBUNAL DECISION.

2nd Floor, 1 Franklin Wharf, Hobart 7000
Telephone: (002) 33 3456 Fax: (002) 23 8663

450

would suggest that you contact the Beaconsfield Council about your concerns and ask what action the Council intends to take in regard to the access roads.

I would be quite happy for you to acquaint the Council with the contents of this letter.

Thank you very much for your interest in this matter.

Yours sincerely

Dr Frank Madill
MINISTER FOR ROADS AND TRANSPORT

42.2

Department of Justice

INQUIRIES Mr. Green
EXT 3201
OUR REF M505-JOG:mj
YOUR REF

6th August, 1992.

Mrs. Gail Adams
Post Office Box 519
EXETER **Tas.** **7275**

Dear Mrs. Adams,

I am replying to your letter and enclosures of 24th June, 1992 and your recent letter of 23rd July, 1992.

Following receipt of your letter of 24th June, I asked one of the legal officers of the Department to see whether or not you have any legal redress concerning costs and expenses you have incurred.

You should understand that it is not the policy of the Justice Department to advise citizens on their legal matters. The Department works for the Government. Nevertheless, on receiving your papers and reading them, I felt the Department should at least have a look at your situation.

As I told you on the phone on 5th August, in light of the comments given to me on the documents you forwarded, it would appear that you do not have a case in law for a claim for your expenses. It seems that the best that can be done is for you to try to persuade the Beaconsfield Council of your situation and to secure their agreement to meet some or all of the expenses you have incurred.

As discussed with you on the phone, I am prepared to refer your letters and enclosures to the Ombudsman for further attention, as it is clear that you have engaged the Ombudsman to handle this matter. I have written to the Ombudsman and enclose copy of my letter to him.

Yours sincerely,

J.O. Green
SECRETARY

Enclosure.

2-11-1992

The Premier, Personal,
Level 11,
15 Murray St,
Hobart. 7000. TAS.

Dear Mr Premier,

You will undoubtably be aware of matters between myself and Beaconsfield Council. The matter has been under investigation by various Public Servants, Senior Officers, Ministers, Members of Parliament and Mr Barton assistant Ombudsman, apparently to no avail.

I have been in touch with Mr J. Jessup, your Private Secretary to whom I have forwarded considerable correspondence and documents, in order that further investigations can be made and at the time of writing, have received no response.

Under the prevailing circumstances, I consider it my duty, to make the Leader of our Government, a person trained in the law, aware of the confusing and contradictory letters and statements which have issued from investigation allegedly made to the present. The matter is very complicated and it is considered advisable that the writer is granted an interview with yourself in order

to clasify the situation, as it would appear that a party must be given full opportunity to present his or her case and this is one of the ingrediences of natural justice, also, it is necessary to ascertain my entitlement to reimbursement of costs incurred.

It would be appreciated because of my home circumstances and my small business if an appointment could be arranged for a Friday, within the next 2 to 3 weeks.

Yours faithfully
Mrs Gail Adams,
P.O. Box 519,
Exeter, 7275 TAS.
PH: 003-961145

135

BISHOP GUNTON RAE

BARRISTERS AND SOLICITORS

41a CAMERON STREET, LAUNCESTON, TASMANIA, AUSTRALIA 7250

PARTNERS
Andrew Clyde Rae, B.A., LL.B.
Phillip John Lebski, LL.B.
Ross Anthony Hart, LL.B.
Peter Elliot Rae, B.A., LL.B. (Hons.), AADM.
(A Commissioner of the Supreme Court)
Phillip William Smith, LL.B.

ASSOCIATES
Katrina Jane Clarke, LL.B.
Susan Tamara Hill, LL.B.
Constantyn Willem Receveur, LL.B.
Scott Ernest Chellis, B.A., LL.B.
Andrew Edwin Wilson, B.A., LL.B.
Thomas Peter Baron, LL.B.
Jan-Melissa Schramm, B.A. (Hons.), LL.B. (Hons.)

P.O. Box 1257
Ausdoc: DX 70118
Telephone: (003) 34 0644
Fax: (003) 34 1693

Our Ref: SEC:KS

Your Ref:

26th November, 1992.

Mrs. G. Adams,
P.O.
EXETER TAS. 7275

Dear Madam,

Re: CHAN FAMILY

We advise that we act on behalf of Mr. & Mrs. Frederick Chan of Glenmore Estate Kennels, P.O., Glengarry 7275. We are instructed that since our clients arrived from Sydney in March, 1990 to set up kennels in Glengarry we are instructed that you have slandered our clients' professional competence and personal values throughout the Glengarry area.

We are instructed that you advised the Minister of our clients' church by way of a complaint that Saline and Elfriede Chan had cursed and sworn at the appeal hearing wherein our clients were granted a licence and approval for kennels.

We are also instructed that you stated Vanessa Chan had behaved in a provocative manner at the appeal hearing and that you have complained to persons in the Community of Elfriede and Fred Chan making crank telephone calls at all hours of the night to you, speaking in Chinese and Dutch.

We are also advised that you have made verbal allegations throughout the Glengarry community that the Chans' Kennels were responsible for losing a Siamese cat from their care. We are advised by the Chans that there is no evidence that our clients had care and control of the cat.

Such verbal attacks on our clients, their business and their children are clearly defamatory. Unless you refrain from such behaviour our clients will have no alternative but to seek redress in the Supreme Court of Tasmania by way of damages in a monetary form from you for the damage you have caused to their professional and personal reputation throughout the Community.

Please note that this is a serious matter and any further outbursts either verbally or in writing will result in immediate action.

Yours faithfully,
BISHOP GUNTON RAE

Per:

S.E. CHELLIS

Stat. Dec. 33.2

SOLICITOR-GENERAL OF TASMANIA
15 MURRAY STREET, HOBART
TASMANIA 7000
TELEPHONE: (002) 33 3408
TELEX AA 57233
FAX (002) 34 2892

MY REF: S.137/93.1.2 WCRB:GR
YOUR REF:

21 January, 1993

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams,

I received on 20th instant your certified letter dated 15th instant containing a substantial quantity of documentation relating to actions taken by your local council.

At the outset I have to say that I am unable to provide you with legal advice, as the *Solicitor-General Act 1983* under which I am appointed prevents me from providing such advice to other than government - i.e. Ministers, Agencies and Instrumentalities of the Crown. However, I can properly inform you that the Director of Local Government has as one of his functions for government the task of over-viewing the conduct and activities of all municipal councils and to instigate appropriate action in any case where he finds that a local council is exceeding or abusing its statutory powers. I provide legal advice to the Director if he encounters legal issues in the discharge of his functions. In so far as strictly planning issues are concerned these would be referred to Mr Caulfield, Clerk to the Commissioner for Town and Country Planning, as the Reverend Armstrong's letter to you of 6th January indicates. He would refer to me any planning issues upon which he required legal advice.

I understand from the material provided by you that your principal concern relates to the Council's decision to allow the construction of a new access to Frankford Main Road. To the extent that your concern is limited to that issue I suggest that you should communicate directly with Mr Caulfield, as he has in fact sought my advice on the same issue.

The other matters which you touch upon in your letter would be more properly addressed to the Director of Local Government.

To save you substantial copying I return herewith the enclosures which accompanied your letter to me.

W C R BALE Q.C.
SOLICITOR-GENERAL

MR B. BURDEKIN, PERSONAL,
COMMISSIONER FOR HUMAN RIGHTS,
LEVEL 24, AMERICAN EXPRESS BUILDING,
388 GEORGE ST.,
SYDNEY. 2001. N.S.W.

7
16th DECEMBER, 1993.

FAX. NO.2297600. 3 pages.

Dear Mr Burdekin,

In response to a telephone call from your Secretary of 15th inst. requesting a brief resumé of my earlier correspondence, I write to advise you as follows. It has been found impossible to convey the required resumé on a single page and being that the information is urgently required, I have done my best, in the time available in order that you may receive such information by the following day. I would find it more appropriate if you could contact myself in writing to ensure the requests are coming from yourself, although I have no doubts on the propriety of your Secretary.

The Principal details of abuse of My Human Rights and Equal. Opp. are as follows:

1. Under the Constitution of the Commonwealth of Australia No. 117, Rights of residents in States (refer to my letter to Rev. Armstrong), No. 118, Recognition of laws, &c. of States., denial of my Democratic & Judicial Rights, also under the post-war agreement of the appropriate regulations of United Nations.
2. The Common Law practise under the Municipality of Beaconsfield (now Tamar) property had to be in a developers possession prior to application being granted for development. The application for a kennel licence had to be made first before building approval.
3. Since 1986 No New Access roads were to be permitted off the Frankford Highway. (Refer decision J35/91 Planning Appeal Board, 7.5.1 :6.1.1. Council's own Planning Scheme).
4. With reference to No 2, the Developers were not in possession of the property nor a resident of the State: had same application rejected by another Council July, 1990. On 4th June, 1990 Council granted the development, subject to certain conditions, which appeared to be not fulfilled, the Licence granted March, 1991 by Beaconsfield Council (Tamar).
5. Myself and others had to take the risk of permission being granted a licence and buildings, after we purchased our properties. A Mr Stevenson after acquiring his property at Rosevears, was refused permission for a Kennel licence and development towards the end 1991, and either then had to get rid of his dogs or move. He moved. Refer to No. 2 and No. 4.

6. In 1987 I was refused permission to install a neccessary second access onto the Frankford Highway from My property,as others around the State were including Mental Health Services, Mr Craven Etc.(Refer my letter to Rev. Armstrong, Mr John Cohen letter to The Ombudsman) for a new access to develop. Refer to No.2.

7. Crown Officers using their positions to conceal wrong decisions to rebutt my appeals and to cover-up for the mal-administration and wrong decisions by the Local Authority and Public Servants.

8. The appropriate Minister appears to have misunderstood my petition and informed me "What has been done,cannot be undone".He is aware that the Council has acted incorrectly but refused to rectify the matter according to the law. Furthermore,Mr R.Gray,My Member for Parliament was informed of the situation in writing and verbally and appears to have done nothing about the matter. Should it not have been his responsibility to ensure the matter is properly investigated, in view of the seriousness of the facts? Furthermore,should he not have been concerned about various officers denying me my rights?

9. The matter was referred to an Ombudsman and although he was aware of the development proceeding, he has only communicated with myself by telephone, my correspondence to him was not acknowledged. His predeccessor was a real gentleman who wrote to me and upheld my contentions.(Why was he Moved?)

10. The documents sent to Members of Parliament etc. have been misinterpreted and misunderstood. The result being, I have been held to ridicule, no one has questioned me on matters they have not properly understood,resulting in decisions being made without proper representation of myself.

11. At two Planning Appeals, the Board refused a new access off the Frankford Highway. A Q.C. on the Board at the first appeal,gave permission for the developer to use a Private-Right-O-Way Road for Commercial purposes without written approval being supplied by co-uses,took the word of the Developer at the Appeal.

12. The Developer made application to the Planning Board to use the Private-Right-of-way for the remainder of the development but was refused.At this stage the developer was aware no new accesses were permitted.The developer was operating before the second Appeal of March,1992.(refer to my letter to the Governor of the State.)

13. Somehow approval was obtained to construct a new access road near bottom of a steep hill on Frankford Highway.Somehow an officier from Dept. of Roads counted traffic coming down the steep hill and because A.P.P.M. was on strik resulted in a great reduction of heavy traffic. Approval must have been give

at it's approved location, as was presented at the second Appeal of March, 1992. (What has been done, cannot be undone.) Why?. Refer back to item No.3 ,No. 7,No.8.

14. It was required by the developer to advertise for a licence to able to operate the development which had conditions attached thereto. The advertisement contained a clause implying that only persons residing within 200metres could object, whereas it was open to all Tasmanians to object if they so desired,because one of the conditions required for the development dated 4th June,1990, required a new access off the Frankford Highway,. (See Beaconsfield Planning Scheme 1986 Sch. 7.5.1.:Two decisions of the Board April,1991, May,1992. Refer Rev. Armstrongs letter to him by myself .)

15. A letter of a threatening nature, from a solicitor;Bishop,Gunton & Rae, on behalf of the developer, has been received by myself, contradicts many of the Ministers etc. including Senator Newman,and the Clark to the Planning Board, Mr Cauldfield.

16. You will observe from correspondence in your hands,that many questions asked by myself have received no reply,nor mention,the writers having remained silent on essential issues and thereby avoided responsibility for their non-action and committment.Letters from Hons: Mr R. Gray;Mr Cleary; Dr. Madill; Mr.Braid;Mr. Premier;Mr. Bale Sol-Gen.;Ombudsman;Dept.Justice Mr. Green;Mr. Caulfield Planning Board; Mr. Pauley,assist. Sec.Cabinet; His Excell. Gov.-Gen.; His Excell. State Gov.;his Sec. Mr Pitchford and Assist. Sec. Mr., Manton; THE STAFF OF; MR Keating; Mr. Lavarch;The Private Sec. to Her Majesty. Refer to No. 1, No.5,No14 let alone the rest.

17. Letters from the above,anonymous or not,are of a contradictory nature and should be compared with those from other sources,such as from Mr Max Burr, who stated to me he was a friend of the Warden; Mr. Don Wing, Rev. Armstrong who also appear to contradict Senator Newman.

There is such a massive volume of paperwork accumulated over the last 31/2 years,that it is impossible to keep repeating the contexts,even in an abreviated format.Bearing in mind the complexities of the matter,it is considered imperative that assistance be provided to bring the matter to a satisfactory conclusion in an approved manner. It is suggested that(perhaps) I would be able to attend on yourself in Sydney, in order to personally converse on the subject matters of my complaint at the expense of the Federal Government,my own expenses being so enormous because of the ineptitude of Crown Officers,in trying to obtain my Rights and Justice.

Yours Sincerely,

G. L. Adams

Mrs Gail Adams,
P.O. Box 519, Exeter. Tas. 7275.
PH:003-961145.

Our Ref: DA 54/92, 30/240/1
Your Ref:

Enquiries: Andrew S. Watson
(003) 27 3748 (telephone)
041 950 6394 (mobile)
(003) 27 1486 (facsimile)

West Tamar Council

PO Box 59
BEACONSFIELD
TAS 7270

Council Chambers
West Street
BEACONSFIELD
TAS 7270

tel: (003) 63 11
fax: (003) 63 1

26 August, 1996

Mrs G. Adams
P.O. Box 519
Exeter Tas 7250

Dear Madam,

Re: Boarding Kennels, Frankford Highway, Glengarry.

We are in receipt of your letter of 5 August in respect of the above.

No approval has been given by Council for any portable A frame signs in respect of the Glenmore Estate Kennels.

It is not a requirement of Council that a business name be displayed in respect of the subject premises.

I trust this satisfies your query.

Yours faithfully

A. Watson

Andrew S. Watson
DEVELOPMENT SERVICES CO-ORDINATOR

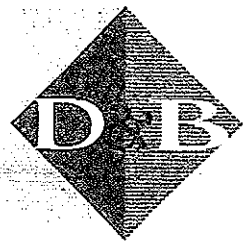
Our vision is to enhance the West Tamar as a desirable place to live and visit.

It will offer a unique blend of residential communities and rural landscapes abundant with natural features that will be promoted and maintained to provide maximum usage for our residents, enterprises and visitors alike.

A-665

Gerald A. Doolan LL.B
David W. Brothers LL.B
Associate:
Andrew Gaggin LL.B

DOOLAN
AND
BROTHERS
BARRISTERS & SOLICITORS



REC. 20/3

Our ref: GAD:MG
Your ref:

March 18, 1997

Mrs G Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams,

MISCELLANEOUS COMPLAINTS

I refer to your attendance at my office on the 13th instant and confirm:

(a) That I have read your quite voluminous file in relation to a number of matters covering a period of approximately seven (7) years.

(b) I have listened to your audio tape in which you particularise a number of complaints over a similar period.

(c) I have spent in excess of an hour discussing these matters with you in an endeavor to crystalise your complaints and your potential legal remedies.

The complaints which you wish to potentially pursue are these:

1. **PLANNING APPEAL DECISIONS, WEST TAMAR COUNCIL, MINISTER FOR LOCAL GOVERNMENT AND MR AND MRS CHAN.**

Your instructions to me indicate that in your words you want:
- "Your rights Back".
- Costs or damages.

Essentially you wish to take action against Mr Cleary in his capacity as Minister for Local Government, for effectively overruling two (2) Planning Appeal Board decisions and the West Tamar Council's decisions in relation to Mr and Mrs Chan's Kennel and Cattery. These conditions apply to the operations of the Kennel, road access to the Chan's property and signage at the Chan's property.

This would involve a perogative writ in the Supreme Court. I note that Mr Ellis, in his letter of advice to you dated the 1st of November 1990, provides you with similar advice and an estimate as to costs. I

First floor,
35 Stewart Street
Devonport 7310
Tasmania

P.O. Box 881
Devonport 7310
Tasmania
DX 70306

Phone (03) 6424 7588
Fax 03 6424 9201

confirm that in any Supreme Court action the loser normally pays, not only his own legal costs but also the successful parties costs. Your own costs may be in the vicinity of $10,000.00 - $15,000.00 and if you are unsuccessful and are compelled to pay the other parties costs, this could double. This is very much an approximation, as I haven't considered the law nor the witnesses involved. Mr Ellis quite properly points out that it is normal practice to require a deposit as to costs and his figure of $4,000.00 is not unreasonable (a copy of his letter is enclosed).

In any action in the Supreme Court, as set out above, as a matter of general principle, you have to establish:

a) That there was fault or negligence on the part of the Minister.
b) That as a result of that fault or negligence you suffered damage and that you can prove the damage by independent means.
c) That there is a causal link between the fault or negligence of the Minister and the damage you have suffered.

Whilst I do not wish in any sense to be appearing negative in relation to your claim, without a thorough investigation, you should at lease be aware of the potential costs in the event that you lose prior to commencing litigation. It is clear from information provided to me that you have had an extremely traumatic period of approximately seven years of your life in which these incidents (and others) have dominated your existence. You must also be aware from your frustrating experiences that the legal system is not perfect and like any other system we have, suffers from human error. Nevertheless, in the event that you wish to pursue your claim against the minister, I will arrange to have it fully investigated and provide you with a comprehensive opinion as to your chances of success.

2. SMALL CLAIMS TRIBUNAL HEARINGS – WELSH, VON BIBRA MOTORS AND THE NORTHWEST VETERINARY CLINIC

I note that you were the unsuccessful Respondent in the Welsh and North West Veterinary Clinic proceedings and the successful Applicant in the Von Bibra matter. In relation to the two unsuccessful matters, you can only appeal a small claims Commissioner's decision if you can establish an error of law. The time frame for an Appeal is fourteen (14) days. As that time has well and truly passed, you would need to make Application for extension of time (if you could establish an error of law) and in so doing you would have to establish why you have delayed and the fact that the delay has not caused any serious prejudice to the Applicants. All three of these tasks may prove difficult for you. The Appeal would be to a Supreme Court Judge and the costs would be in the order of a minimum of $3,000.00.

3. COMPLAINTS TO MESSRS. SHOT AND BINGHAM

Mr Bingham and Mr Shot have a discretion as to whether these matters will be pursued. The only avenue you have is to either telephone Mr Bingham or write to him and/or Mr Shot requesting that your complaints be properly investigated and answered promptly. If you are dis-satisfied with their response you can write to the Attorney General , who is the appropriate minister.

4. WEST TAMAR COUNCIL – DRAINS COMPLAINTS

You have been advised in writing on several occasions by the Health Inspector of the West Tamar Council that there are problems with your drains. Your instructions to me are that there has never been a problem with your drains. In the circumstances I suggest that you instruct an appropriately qualified person (with health inspectors qualifications) or an Engineer to inspect your drainage system and provide you with a written report. Subject to the report being satisfactory, you can provide a copy to the health inspector at the West Tamar Council and advise the Council that you do not wish to have any further complaints made against you in relation to the drains because you have had them independently inspected. I am unable to give you a quote as to the costs of an appropriate officers report. You should make your own enquiries in this regard.

Whilst there are a number of other complaints you have made, I note your instructions that the only ones you wish to pursue are the ones listed above. Once you have considered the contents of this letter carefully, I request that you provide me with written instructions as to the course of action you choose. If you wish to instruct me to consider commencing a Supreme Court action against the minister for Local Government, I would need to fully investigate the matter and obtain proofs of evidence from all the relevant witnesses. I would require a deposit as to costs in the figure suggested by Mr Ellis, of $4,000.00.

I also repeat my oral advice to you on the 13th instant to the following affect:

a) That if you choose to pursue the matter by way of litigation (subject to my advice) you should devote your attention an emotional energy in that direction.

b) If you choose not to pursue any of the matters further, you should put the entire seven year saga behind you and concentrate on your future.

Please let me have you instructions in due course. I enclose my account to date.

Yours faithfully,
DOOLAN AND BROTHERS

Per:

Mr. G.A. DOOLAN

26.5

TASMANIA

Minister for Transport

Mrs G Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

Thank you for your letter of 29 August 1996 and enclosures concerning signs displayed in the road reserve of Frankford Main Road directing motorists to boarding kennels operated by Ms S M Chan.

The access servicing the kennels was approved by the former Beaconsfield Council in June 1990 and was subsequently designed and constructed in accordance with Department of Transport requirements. It was a condition of the Council's planning approval that no advertising signs should be erected, painted or displayed without the consent of the Council.

The Secretary, Department of Transport, has informed me that no approval has been sought or given by the Department for the signs erected by Ms Chan. However, I understand that the West Tamar Council requested Ms Chan to remove the signs and that this has now been completed.

Thank you for bringing this matter to my attention.

Yours sincerely

John Cleary
Minister
24 SEP 1996

* The signs are still there 20/1/1998. G. Adams

* One A-frame sign still there at the illegal subsidy

2 Bayfield Street, Rosny Park 7018
P.O. Box 138, Rosny Park 7018

Mr Ray Groom, M.P. for Denison,
25 Cromwell St.,
Battery Point. Tas. 7004.

22-4-1997.

Dear Mr Ray Groom,

I have been advised by a Legal representative to communicate with yourself in your capacity as Attorney-General of Tasmania, the preliminary details of matters which have been communicated in writing to Senior Officers of the Justice Dept.

Referring to the photo-copies of letters {A} Cat, {B}Dog,{C}Car.

The owner of the Motor Vehicle Co sent his Finance Manager to act on his behalf in a matter before the Court. During the proceedings the Finance Manager was given permission by the Magistrate to use the telephone in the Magistrates Office, to seek advice to pay the damages. Was this an acceptable practise? Bearing in mind the same Magistrate had earlier precided over two other matters concerning myself and two other parties, and permitted the two separate matters to proceed through the Court where the summons had been made out to two Business names of which, to my knowledge, are not Registered Businesses.

I drew attention also to the Magistrate that the summons had been issued in the wrong names and I produced in Court my registration certificates which disagreed with the names on the summons. The Magistrate allowed the matters to proceed, and I have since understood that a non-exsistant Business cannot be sued.

Referring to the matter of my personal dog, I draw your attention to the fact of my inability to obtain from the Vetinary Surgeon a receipt for a depatch of a blood sample from my dog which he alledges was sent for diagnoses to a particulate diagnostic practise in Melbourne.

The Magistrate ordered the Plaintiff to produce the document relating to the despatch of the blood sample from my dog to Melbourne, I was not shown the Document but the Magistrate awarded the Plaintiff the verdict and I was unable to confirm the docket did exsist or that it was genuine, bearing in mind when I telephoned various diagnostic practices in Melbourne they had no knowledge of the matter.

I can only conclude, from the above mentioned information supported by photo-copies of letters and documentation herewith, from the mid-1990's onwards, that deliberate attempts have been made to damage my Business and my reputation. I draw your attention to the contradictions from official sources which I conclude can only be the results of attempts to mislead appropriate Ministers and the Course of Justice.

I shall be pleased to speak with yourself on the above matters and others concerning my allegations.

Yours Faithfully
G. Adams
Gail Adams,
P.O.Box 519, Exeter. 7275.
PH> 63-961145.

The Hon. Ray Groom M.H.A.

TASMANIA

Attorney-General
Minister for Justice

12 August 1997

Mrs Gail Adams
PO Box 519
EXETER Tasmania 7275

Dear Mrs Adams,

I apologise for the delay in writing to you however I did want to personally read all of the correspondence and documentation you left with me. I have now done this, however I have to say that some of the content was a little confusing.

I have arrived at the firm conclusion that there is nothing I can do to assist you in these matters. It is not my role as Attorney-General to arbitrate disputes or to seek to resolve disputes. These are matters for the courts or other bodies vested with that responsibility. There is no proper basis for me to intervene in the matters you have raised.

I do hope that you are able to resolve these issues.

Yours sincerely,

Ray Groom
Attorney-General

BUCKINGHAM PALACE

15th October, 1997.

Dear Mrs. Adams,

Thank you for writing again on 9th October, and for sending the full summary record of the difficulties which you have experienced since 1990 or thereabouts.

It would certainly appear that there have been a number of problems over the years relating to your champion miniature horse business, and to local development plans which include a kennel and pet cemetery proposal and road building. It also seems from your testimonial that this has all involved you in lengthy and expensive procedures for which you would like to receive some form of recognition and compensation. It has obviously taken quite some time and effort to document all these issues, and it was kind of you to do so, in order to give The Queen the fullest possible understanding of your position.

As I have said when I have written to you before, Her Majesty takes considerable interest in the matters raised by those who write to her, and your case is no exception. However, and owing to her constitutional position, The Queen is unable to intervene in any of this on your behalf. It would seem, from looking at the attachments to your letter, that responsibility for dealing with your concerns lies with the Tasmanian Government. In the first instance, however, I have been directed to forward your correspondence to the Governor-General. As Her Majesty's personal representative in Australia, His Excellency will decide how best to deal with your concerns insofar as The Queen's position is concerned.

Yours sincerely,

(SIMON GIMSON)

Mrs. Gail Adams.

Mr Ray Groom, M.P.,
Minister of Justice,
Attorney-General for Tasmania,
Hobart. Tasmania.
Fax No. 0362240617.

14-1-1998.

Dear Attorney-General.

The Department of Justice of Tasmania and yourself have over the years been presented enough evidence to support my matter, but nothing has been rectified.

The 13 page Statuatory Declaration dated 4th September, 1997 by myself, a legal document with approx. 80 pages of supporting documents of evidence, with a letter of complaint was sent to the Law Society of Tasmania. I received a letter from them advising myself to refer the matter to the Attorney-General.

Mr Brown of the Premier's Office has a copy of the 13 page Statuatory Declaration with a copy of the letter dated 15th October,1997 from Buckingham Palace on behalf of the Queen of Australia in reference to my matter and the 13 page Statuatory Declaration.

I now demand Justice to be done and seen to be done, as it is only too obvious of the deceitful and deliberate attempts of Justice being perverted in my matter.

Yours Faithfully,
Gail Adams.
P.O. Box 519,
Exeter, 7275. Tas.
PH/Fax. 63961145.

G. Adams

The Hon. Ray Groom M.H.A.

TASMANIA

Attorney-General
Minister for Justice

12 FEB 1998

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

I refer to your recent letter to me.

As I mentioned in my letter to you of 12 August 1997, it is not my role to arbitrate in a dispute between individuals. Quite frankly, I can see no proper basis to enable me to intervene in this matter.

Yours sincerely

Ray Groom
Attorney-General

Public Buildings Level [illegible] Hobart 7000 Telephone (03) 6233 [illegible] Fax (03) 6224 0617

1-4-1998

Senator Mr. B. Brown, Tasmania,
Canberra. A.C.T. FAX No: 02-6277 3108.

Dear Senator Mr B. Brown,

I registered to yourself by mail, many documents of evidence to support my matter. I have rang your office many times, still no response.

Your Secretary rang myself from the Senate the beginning of December 1997, to verify the documents had been received.

It appears to myself that the matter has been shoved again under the carpet, so to speak.

I am a white Australian divorced women, which appears to be quite a barrier to overcome.

Yours Sincerely,
Gail Adams.
PH: FAX: 03-63-96145.
858 Frankford Hwy,
Glengarry. 7275.
Tasmania.

(START DEC 50.12)
FILE NO
THIS file No: 24

Queen Elizabeth II,
10th June,1998
Buckingham Palace,
London.

Fax No; 0011-44-171-8395950

Attention: The Principal Private Secretary.

Your Majesty,

Attached to this letter are Statements made out by myself, on the instructions from a Solicitor who knew the names of those involved, and on advice that I could do so from a Criminal Barristor, to present them at a Police Station to press charges. I did so at Launceston Police Headquarters on Thursday 4th June, 1998. Three of the persons invovled are in the Governor-General's Office as a Conspiracey to Pervert the Course of Justice has occurred and according to the Guides on Official Conduct of Commonwealth Public Servants 8A{e} page 6 of those guidelines and others has not been applied. The Police Officer who accepted those Statements Badge No. was 1550.

I do not appreciate being informed that nothing is going to be done.

Yours Sincerely,

G. Adams

Gail Adams,
P O. Box 519,
Exeter. 7275. Tasmania.
Fax/Ph: 03-63-961145.

Total = 8 pages.

Public Buildings
53 St John Street
LAUNCESTON TAS 7250

Telephone: (03) 63 36 22 50
Fax: (03) 63 31 17 18

HOUSE OF ASSEMBLY

5 October 1998

Mrs G Adams
P O Box 519
EXETER TAS 7275

Dear Mrs Adams

Thank you for your letter of the 29th September 1998 attaching certain material relating to your complaints. I understand some of this material has already been sent to the Director of Public Prosecutions by you but, as a precaution, I have forwarded all this material on to him for his consideration.

The Director of Public Prosecutions has considered this additional material and reviewed all the existing material which you have sent to him and has advised me that it is his opinion that:

1. Your complaints concerning apparent malicious injuries to animals some year ago have appropriately considered and dealt with by the Police.

2. Your allegations of a deprivation of natural justice and other administrative criticisms of Minister of the previous Government, Executives at Government House in Canberra and Magistrate Willee are not sustained.

Mr Bugg QC has also informed me that he urged you on a number of occasions in 1994 to seek urgent legal advice about these matters so that you could be properly and independently advised of your rights.

I can only repeat that advice to you so that you have an opportunity to independently verify the correctness of the position taken by the Government's legal adviser in this matter.

I regret I cannot be of further assistance to you and suggest that you take legal advice about your claims as soon as possible as you may find that the Limitation Act 1974 will be a bar to your claims if your legal advice is to commence proceedings.

Yours faithfully

Peter Patmore MHA
Attorney General
Minister for Justice & Industrial Relations

Rec. Mon 12/10

148

FARRER & CO., SOLICITORS.
66 Lincoln Inn Fields,
London. WC-AA-31.8. Fax: 0011-44-171-8319748.
12.10.1998.

Dear Sirs/Madam,

I attach to this letter a copy of a letter received to-day dated 5th October,1998 from the Attorney-General of Tasmania to be presented to Her Majesty, The Queen of Australia.

Your Majesty.

On the 29th September, 1998 I personally handed to one of the Secretaries of the new Attorney-General of Tasmania in his office in Launceston, an envelope which contained documents and copies of the Statements left at Police Headquarters in Launceston on the 4th June, 1998, the Secretary was Helen Polley, who used to work for Senator S. Murphy in Launceston.

On Friday 2nd October, 1998 I rang and spoke to Mr Manton the Secretary to the Governor of Tasmania who informed myself that my files had left that Office and wished myself good luck.

On Wednesday 7th October, 1998 I faxed through a letter to the above Attorney-General with attached 19pages of letters relating to my issue, as prior to this Helen Polley had informed myself that the Attorney-General had requested a brief from the Public Prosecutor Mr D. Bugg, in relation to my matter and could do nothing till he received it and spoke with him.

Friday 9th October, 1998 I telephoned the Attorney-General's Office, in Launceston, and spoke with Helen Polley who informed myself they had not received the brief as the Public Prosecutor had been in Court in Hobart for the last two weeks, but had sent down my documents that I faxed through on wednesday, as above. I telephoned Mr Bugg to his Office in Hobart,who rang myself back LATE that afternoon of Friday 9th October, he apologised for the delay but had not received the paperwork that was sent down to him, as above. He stated he had finished the brief but could not discuss this with myself, he had to speak with the Attorney-General first.

I received a letter to-day 12th October, 1998,dated 5th October, 1998 posted on the envelope 9th October, 1998 from the Attorney- General Mr P. Patmore informing myself that bascially nothing was wrong and if I want to pursue this matter, to do so quickly, as bascially, time is running out, according to the law.

Many times I have stated that I have been set-up to ridicule, but the biggest farce and most dishonourable one, in my opinion, is when I see or hear " to serve "Her Majesty, The Queen of Australia." Is this the punishment I am receiving for writing and complaining to you, I have already been told by a Solicitor " How dare you go to the Governor-General and the Queen", and without any other Statues that have been illagally administrated, the developer Miss S. Chan was Not the titleowner of the property in question ,where the whole development is operating and whose name the application was in for the development and the licence which the

14.1.99.

48·13

Governor of Tasmania,
Sir G. Green,
Government House,
Hobert. 7000. Tas.

Fax. No. 62342556.

19.10.1998.

Dear Governor, Sir G Green,

Attached to this letter are copies of,

1. Minutes of the Launceston Council 30/7/1990, applicant was Mr. F. and E. Chan, development refused by that Council, but Council still allowing a development to applicants that were not the titleowners of the land in question. The only difference the applicants name, as in West Tamar, Beaconsfield Miss S. Chan.

2.Copy of the latest West Tamar Council's newsletter Oct. 1998, in which part states YOU MUST BE THE TITLEOWNER, as I believe that applies in the whole of Australia .

3. Copies of the Criminal Code Act of 1924, pages 954 to 962.

4. Copy of page 78, Council's own Planning scheme, the illegal subsidy road, never going to any Planning Appeal, nor application to Council, nor avertisement in a newspaper, in the position it is still in, as stated in letters since 1992 by myself.

5. Copy of land title P42774, note Mr T. Ellis, Aisstant Ombusman Mr Vickery's letters, they are correct as the notification of development was not posted on the land in question , in the first instance for objection. Irrespective it was put on a post on D.M.R land, where you could not see it. Is the entrance to the Pet Cemetry on the right land , as it is showing as Lot 4, belonging to a Mr Jones.? Lot 6 is what the Chan's acquired.

6. Copy out of Hansard's 8165 1/3/994, refer my two cases in Court, Citing of documents, let alone you cannot sue a Business that does not exsist.

7. A question arises, as the titleowners of lot 6 are Mr F and E Chan full ownership in 1991, if monies were aquired for the development , being borrowed through a registered banking loan, would not this be fraud , being the whole development was not in their name?. Would not the same apply if the propRty with the development was put on the market for sale?

As you have just received a copy of the Attorney-General's letter, Mr P. Patmore, and who is stated on the 13 page Statuatory Declaration, a legally binding document according to the Criminal Code Act of Tasmania, and who was left a copy by myself on the 29th September, 1998 at his office, he should be now sacked, as also according to the contents of his letter, it appears the Police knew who harmed my horses and nothing was done. Why should Mr Patmore help me now, as when in the early 1990's he was Attorney-General, I had a appointment with him and when I got to his office in Launceston, his Secretary or Minder conducted the interview, he was a slenderman about 6ft 2" tall and lived in Riverside or one of those suburbs, in the end

he told myself there was no foundation and it appeared it was only competition. I had after that spoke with Mr Patmore at his home one night , and years after , I rang down to Mr Field's office and Mrs Field answered the telephone who I spoke to what it was about. Mrs Field told myself there was a meeting going on, I could speak to Mr Patmore as he was there, and after speaking with him , he ignorned myself. It was after that meeting ,Mr John Cohen, who represented others and myself at the first Planning Appeal Tribunal; and myself met with an Assistant Ombudsman ~~called~~ NAMED Vertigan over the issues involved, and still, we were ignord. Decisions have been continually made without consultations with myself and not in my presence, Justice being denied myself and with the inconsistances and contradictions, diliberately, deceitfully and wilfully being perverted, thereby myself being set-up to ridicule, Justice not only not done, but not seen to be done.

I want now my costs and damages,

Yours Sincerely,

G. Adams

Gail Adams,
P.O. Box 519,
Exeter. Tas. 7275.

48.13

The Governor of Tasmania,
Sir G, Green,
Government House,
Hobart. 7000. Tas. Fax. No. 62342556.

26.10.1998.

Dear Governor, Sir G. Green,

Following my request for a copy of a brief prepared for the Attorney-General, Mr Patmore,by Mr Bugg The Public Prosecutor, I have received a letter [ref;123-DTB:HSS,] dated 19th October,1998 from Mr Bugg Q.C., in which he states he cannot provide a copy of the brief because of a privileged connection between Mr Patmore and his advisor Mr Bugg.

In my correspondence to Mr Patmore I had left personally and faxed to his office documents and Statuatory Declarations, properly completed and which I understand now constitute legal and binding documents which should they be untrue, give rise to Criminal proceedings for purgery.

Legal advice has been given to myself by practising Solicitors, which included Mr Pitt Q.C. of the Planning Appeal Tribunal, this being only one of the matters mentioned on the Statuatory Declarations which should have been handed to Mr Bugg Q.C. Public Prosecutor and Mr Patmore Attorney-General of Tasmania.

In Mr Bugg's letter to myself he states " it is important that you heed the advice given by the Attorney-General", this appears threatening to my family and myself.

I consider Mr Bugg's letter to myself to be similar to the threats contained in the letter from Bishop Gunton and Rae dated 26th November, 1992 ref sec:ks, on instructions from the Chan Family, copies of which should be in the hands Mr Bugg and Mr Patmore. To this day I do not know the Minister of their Church only to the events that ocurred to my family, myself and small Business, already documented and supplied and that it is the Jehovah Witness Sect. Already supplied is the copy of Senator's Newman's and others, letters that contradicts the Chan family, all referred on the Statuatory Declarations.

These complaints have been banded around for much too long and it would appear to the writer, that efforts are being made to conceal Acts of maladministration.

Attached is a copy of an advertisement placed in the Examiner Newspaper Saturday, 24th October,1998, PETS FOR SALE.

Yours Sincerely,
G. Adams
Gail Adams,
P.O.Box 519,
Exeter. Tas. 7250.

TOTAL = 4 PAGES.

MR JOHN COHEN, PLANNER, SURVEYOR, STATED TO THE PLANNING BOARD, "IT IS YOUR DUTY TO UPHOLD THE LAWS", AND QUOTED. THEY DID...

Office of the Minister for Justice and Customs

- 3 MAR 1999

187460

Ms Gail Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams

I refer to your facsimile letter of 9 February 1999 to the Minister for Justice and Customs, Senator the Hon Amanda Vanstone, in which you outline several matters of concern to you. The Minister for Justice and Customs has asked that I respond on her behalf.

I must advise that the matters you have raised fall within the jurisdiction of the Tasmanian and New South Wales Governments. The Commonwealth Minister for Justice and Customs is therefore unable to intervene. I suggest that you continue to pursue the matters with the respective State Governments. Alternatively, I suggest that you pursue the matters with your solicitor.

I regret that the Minister for Justice and Customs is unable to assist you with these matters.

Yours sincerely

Paul Griffiths
Departmental Liaison Officer

Parliament House, Canberra ACT 2600 • Telephone (02) 6277 7260 • Fax (02) 6273 7098

Human Rights and Equal Opportunity Commission

30 March 1999

Our Ref: 201434FD

Gail Adams
P.O. Box 519
Exeter 7275

Dear Ms Adams,

I refer to your correspondence received by this Commission on 17 March 1999. You raise allegations about maladministration of the council and the actions of the Australian Miniature Pony Society Inc. In addition, you appear to be complaining about a decision of the Magistrates' Court.

In your letter you state that you and your children have been discriminated against because you are 'white Australians' and because you are not Jehovah's Witnesses. You refer to the building of an access road by Miss Salina Chan off Frankford Highway to her parents' property. You claim that she did not have proper authority to build this road. You have complained to numerous people including member of the federal and Tasmanian parliaments and the Ombudsman. You also claim that you have been harassed by the council after Miss Chan allegedly made a submission to the 'Planning Appeal Board Tribunal' that your business, *Elspedito Enterprises*, effluent was 'not hygienic nor upto standard'. This harassment has allegedly led to the detriment of your business.

This Commission does not seem to be able to assist you with this matter. This Commission may investigate a complaint of discrimination to find out if it is unlawful. Discrimination is unlawful in many areas of public life. It happens when:

someone is treated less favourably than another person; and

the reason for that treatment is his or her sex, race or disability.

You should note that it is not enough that a person is unhappy with the treatment that they have received and that he or she has a disability, or is of a particular race or sex. You would need to be able to show a connection between that treatment and your race, sex or disability.

The Commission may also investigate the actions of a federal government department to find out if it has acted in a way that is a breach of the international agreements that this Commission deals with. These agreements outline a number of human rights, such as freedom of expression and the rights of children.

We have looked carefully at your letter, however you have not provided sufficient information to establish a complaint of discrimination connected to your race, sex or disability. In addition your letter does not raise issues that are covered by the international agreements about human rights that this Commission administers.

It is for these reasons that the Commission does not have the power to investigate your complaint and we will not be taking any action about it at this time.

It appears that you have complained about this matter to all of the relevant authorities in this area. I am unable to refer you to any other government department. If you have any inquiries please do not hesitate to contact me on 1300 369 711.

Yours faithfully

Grant Robertson
Complaints Information Officer

THE SENATE

CANBERRA ACT 2600

Mrs Gail Adams
PO Box 519
Exeter TAS 7275

26 May 1999

Dear Mrs Adams

Thankyou for your correspondence of 21 May 1999, faxed to the secretariat office, concerning the problems you have experienced in relation to land developments in your area.

Unfortunately, it is beyond the scope of the Legal & Constitutional Affairs References Committee to assist you in this matter, as the committee is confined to examining issues referred to it by the Senate.

In addition, since the issue seems to concern the administration of local planning law, it is a matter for the Tasmanian government, rather than the Commonwealth. It would appear therefore, that the appropriate authorities from whom to seek redress are the Tasmanian State Ombudsman or the Supreme Court of Tasmania.

I am informed that you have also raised your concerns with Tasmanian Senators Jocelyn Newman and Shane Murphy, and it is possible that they may be able to provide further assistance.

I hope you are able to resolve your difficulties in the near future.

Yours sincerely

JIM McKIERNAN
Chair
Legal & Constitutional Affairs References Committee

PARLIAMENT OF AUSTRALIA - THE SENATE
Office of
Senator the Hon Jocelyn Newman
SENATOR FOR TASMANIA

Seh.tas. 519

9 June 1999

Ms Gaii Adams
PO Box 519
EXETER 7275

Dear Ms Adams

I am writing to acknowledge receipt of your correspondence dated 21 May 1999.

As you correctly stated, the matter is the responsibility of the Tasmanian Government, and your letter has therefore been forwarded to the State Attorney-General and Minister for Justice and Industrial Relations The Hon Peter Patmore for direct response.

Thank you for bringing these matters again to Senator Newman's attention.

Yours faithfully

STEPHEN HAWKER
ADVISER

CC The Hon Peter Patmore
Attorney-General, Launceston

11 Elphin Road
LAUNCESTON TAS 7250
Telephone: (03) 63341755
Freecall: 1800 425 815 (Tasmania only)
Facsimile: (03) 63341624

57.4

OMBUDSMAN

99 Bathurst Street, Hobart 7000
GPO Box 960K, Hobart Tas 7001
Telephone: (03) 6233 6217
Toll Free: 1800 001 170
Facsimile: (03) 6233 8966
Email: ombudsman@justice.tas.gov.au

23 July, 1999

Mrs G Adams
PO Box 519
EXETER Tas 7275

Dear Mrs Adams

I refer to your complaint to my office which is a long outstanding matter previously investigated by Ombudsmen Batt and Green.

I confirm that the complaint having been previously considered and dismissed, I was not prepared to re-open the matter as a formal complaint for investigation but would certainlymake some inquiries to flesh out what had actually occurred on this occasion in respect to the creation of the new access way into Lot 6.

Notwithstanding a long campaign by you to have various persons review the actions of Council and Government in this matter, It does not appear to me that any person has previouisly undertaken an investigation of the circumstances surrounding the access way. Accordingly, following your visit I obtained the official Departmental file in respect of the Frankford Main Road and I attach in chronological order what appears to be the sequence of events in respect to the application by Mrs Chan for consent to operate a pet cemetery and a further application to operate boarding kennels.

You will see within the summary the process by which the then Department of Roads and Transport proceeded to assess over a fairly long period of time (2 years) the particular access requirements of Mrs Chan's property and the final construction of a new access with Departmentally approved site lines between May and June 1992.

You are quite correct in that the Planning Appeal Board on 11/5/1992 dismissed the appeal by Mrs Chan for the right to operate boarding kennels due principally to the access problems. Mrs Chan then almost immediately lodged an application for approval to construct the new access in a position approved by the Department and in accordance with Departmental requirements. You should also note and I have had it confirmed to me, that the Departmental approval process for the right to create an access off the main road was in no way dependent upon the Department being satisfied that all the rural planning requirements of the Planning Scheme had been

MS.

complied with by Mrs Chan. The processes of the Council as a planning authority and the processes of the Road Authority are mutually independent.

I have also confirmed that there was no legal obligation of either the Council or Mrs Chan to go back to the Planning Appeal Board after the Planning Appeal decision of 11th May 1992 to inform the Planning Appeal Board that, as a new access way had or was to be constructed, the Council now intended to approve the use of the land for the purpose of boarding kennels.

There is also no legal obligation for Council to advise any other person who was notified in the in the Planning Appeal hearing that the Council has, due to the road works being constructed, now determined to approve the boarding kennels' use. Unfortunately this, whilst not a problem legally, means that people who have a definite interest in the matter as objectors to a development will not necessarily know that the new application has been made to the Council and that the Council proposes to approve it or has indeed approved it.

I have now written to the Council asking it to provide me with information as to any application made by Mrs Chan since 11th May 1992, being the date of the Planning Appeal Board decision refusing the boarding kennels' use. I suspect that the Council will respond to me providing the date of a fresh application by Mrs Chan and a copy of the relevant Council decision.

Of course, as I said to you when we met, the Council does not have to co-operate, but I suspect it will. Once I have that further information I will get back to you.

Yours sincerely

Damon Thomas
OMBUDSMAN

37

The Hon. Peter Patmore M.H.A.

TASMANIA

Attorney-General
Minister for Justice and
Industrial Relations

Ref: 728

15 August, 2000

Ms Gail Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams,

Re: Referral from Senator Newman's Office

A letter from your self has been referred to my office asking that I reconsider previous complaints from you.

As you are aware, I have taken legal advice from the former DPP about this matter and the result was that he deemed it necessary for you to seek your own independent legal advice.

Nothing in your letter indicates that there has been any change in circumstances since my letter of 15 June 1999, nor 5 October 1998. Accordingly, there is no reason why I should re-open my investigations into this matter.

Yours faithfully

for

Peter Patmore MHA
Attorney General
Minister for Justice and Industrial Relations

Postal Address: GPO Box 8251H, Hobart 7001
Office Address: Public Buildings, 53 St John Street, Launceston 7250
Telephone: (03) 6336 2250 *Facsimile:* (03) 6331 1718 *E-mail:* minister@justice.tas.gov.au

10/8.

A 1343

Senator Jocelyn Newman, 17-8-2000.
of Tasmania,
11 Elphin Rd.,
Launceston. TAS. FAX No: 63341624.

Dear Senator J. Newman,

I attach copy of 15th August, 2000 of Attorney-General, Mr P. Patmore's response.

This is most unacceptable.

(1) Mr P. Patmore, Attorney-General is absent.
(2) Therefore has not reconsidered the matter.
(3) M/S Smith is not my elected Representative.
(4) The legal advice referred to is outdated and incorrect.
(5) There has been no change in the circumstances. The Attorney-General has failed to conduct an independent appropriate and accurate investigation. If he does so, my "bombarding" of elected Representative shall be validated.

Yours faithfully,
Gail Adams,
P.O. Box 519
Exeter. 7275.
TAS.

The Governor of Tasmania,
Sir Guy Green,
Government House,
Hobert. 7000Tas.

7th September, 2000.

Your Excellency,

Attached are copies of letters relating to the injustices, discrimination and the severe suffouring to my children, family small business and myself due to defective public administration. Copy also attached of the memorandum handed to the forum on the 13th August,2000 to Mr J, Bacon, which I had received no acknowledgement till after two telephone calls to the Premier's Office to receive a phone call from a Mr Braithwaite on the 4th September. 1990 of acknowledgement.

1. The letter obtained through F.O.I. dated 5th June,1990 to Miss Salina Chan at No 4 Blanc Ave., Panania, Sydney from the Beaconsfield Council , approval of the Boarding Kennels of the 4th June,1990, with the 12 conditions, Dept main Roads letter and map of the position of the new access road, No 11 of the conditions , and stating an appeal could be lodged from the 9th June, 1990 within 14 days, [to the 23rd june, 1990] which Miss Salina Chan never appealed against within that 14 days.
2. My then Solicitor Mr D, Jones [now a Magistrate] appealed to the Planning Appeal Board on my behalf by fax on the 22nd June, 1990 against the 4th June, 1990 approval by Council for Boarding Kennels for Miss Salina Chan..
3. Letter from Council objecting to my Appeal to the Appeal Planning Board dated 2nd July,1990 as to the 14 day period.
4. Letter to my Solicitor Mr D. Jones from the Appeal Planning Board dated 5th July, 1990 rejecting my Appeal as according to the Local Government Act I was out of the 14 day period so my appeal was invalid.
5. Miss Salina Chan objected to the conditions of the 4th June, 1990, No 11 of those conditions on the 7th March,1991 to the Dept. of Main Roads, and on the 4th March,1991 to the Commissioner of Town and Country Planning, instigating a Planning Appeal on the 24th March, 1991 and April, 1992.
6. The Beaconsfield Council and the Appeal Planning Board accepting objections out of and after the 23rd June, 1990, by Miss S. Chan ,thereby discriminating and being prejuiced against myself.
7. The Attorney-General Mr P. Patmore was left the documents of the above by myself at his Office in Launceston with a letter in which stated the documents on the 9th May, 1990, same to Hon. Mr M. Polley and same sent toHon. Mrs J Jackson.

8. The Hon. M. Polley notified myself in his letter dated 10th May,1990 he forwarded the documents to the then Attorney-General Mr. P Patmore.
9. The Hon. Mrs J Jackson notified myself in her letter dated 23rd May,1990 she forwarded the documents onto the Attorney-General Mr P. Patmore.
10, The then Hon. Rev. Lance Armstrong wrote to the Attorney-General Mr, P. Patmore and the Solicitor-General as to the seroiusness of the situation.

48.19

All the above was ignorned by the Attorney-General Mr P. Patmore.

The Office of the Governor have been lied to for years and misled.

The setting up of myself to ridicule, let alone the suffouring endured to obtain Justice has been horrendous.

I have to try and believe that the Office of the Governor would never allow under the Laws of the State of Tasmania and No. 117 of the Constitution of the Commonwealth of Australia such discrimination and prejudice.

Governor, Justice not only must be done, but seen to be done, and according to the Oaths of Office. I want now reparation without deliberate delays, in an appropriate manner, to the manners held by such persons in such high office.

Your Sincerely.
Gail Adams,

P.O. Box 519,
Exeter. 7275. Tas.

47

Tasmania

PREMIER
MINISTER FOR STATE DEVELOPMENT

27 SEP 2000

Mrs Gail Adams
Elspedito Enterprises
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

Thank you for your memorandum of 12 August 2000. I am sorry you were unable to attend the recent Community Forum to discuss your concerns.

I have had the documents and information you have provided to my office since I became Premier reviewed.

While I sympathise with the situation you and family have endured over the years I do not believe any of the most recent information provided alters the views expressed to you in my letter of 18 November 1998.

I understand from my staff that you still wish to meet with me. Given the situation I do not believe there is anything positive to be gained by you travelling to Hobart for a meeting. However, I and my Cabinet will continue to hold Community Forums through out the State and this will provide you with an opportunity for a meeting when a Forum is next held in your area.

I regret that my Government is unable to provide you with the assistance you seek on these matters.

Yours sincerely

Jim Bacon MHA
Premier

Level 11, Executive Building, 15 Murray Street, Hobart, Tasmania, 7000
Postal Address: GPO Box 123B, Hobart, Tasmania, 7001, Australia
Telephone: (03) 6233 3464 *Facsimile:* (03) 6234 1572
Email: Premier@dpac.tas.gov.au *Internet:* http://www.dpac.tas.gov.au

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ALFRED JOHN GREEN Consultant
TIMOTHY JOHN WHYTE
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TASMANIA 7250, P O BOX 184
DX 70111 LAUNCESTON
TELEPHONE 03 6331 5233
FACSIMILE 03 6331 1325
CAMPBELL TOWN
e-mail: rpag@vision.net.au

12 November, 1999

Our ref: WTM 98 1991

Mrs. G. Adams,
P.O. Box 519,
EXETER. 7275

Dear Madam,

Re: Advice

You have asked for our advice about some matters of dispute in which you are involved. You have provided a large amount of material relating to your contentions. This consists in the main of copies of correspondence and statutory declarations. The great bulk is irrelevant to the legal issues. It displays a significant degree of frustration which appears to arise from a fundamental and almost complete misunderstanding of administrative and legal processes in this State, and of the doctrine of the separation of powers.

You are the proprietor of a business trading as Elspedito Enterprises off the Frankford Highway at Glengarry. The business is concerned, amongst other things, with the accommodation of dogs and cats. The business was established about 1977.

In 1990 some people named Chan applied to the Beaconsfield Council for a permit to establish a rival pet accommodation business and a pet cemetery. On 18 March 1991 the Council granted a kennel licence to Saline Chan, subject to certain conditions.

One of the conditions was that access to the kennel development was to be provided by making a new road from the Frankford Highway. The position and design of the road was to comport with Department of Main Roads requirements.

Ms. Chan applied to the Planning Appeal Board for a review of the Council's decision to refuse to approve her application for the establishment of a pet cemetery and an associated office building. You were represented at the hearing of the appeal.

The Planning Appeal Board consisted of Messrs. Pitt, Lyneham and Deeks. By decision published 23 April 1991, it approved the establishment of the pet cemetery and associated office, again subject to conditions.

Ms. Chan appears subsequently to have applied for permission to operate boarding kennels. This matter eventually came before the Planning Appeal Board. The Board rejected the Chans' application for the use of their land for boarding kennels because of problems arising from the volume of traffic expected to be associated with the use of the land.

The Chans' response was to apply to the Department of Main Roads for permission to make a new access road from the Frankford Highway. The Minister approved the construction of the new road on 29 May 1992. It appears the construction of the new road was not in conformity with the Local Government Planning Scheme.

You have nominated three main concerns :

1. The access road should be closed;
2. You require $300,000 in damages; and
3. You are being "stalked" by members of the Jehovah's Witness sect.

You seek advice about the following :

1. The manner in which the application from Chan concerning the kennels and access road was handled by the local Council;
2. The decision by Minister John Cleary "to over-rule the Planning Appeal Board decision" to reject the kennel development because of access problems.

The request for advice requires consideration of a number of different remedies.

The first thing to observe is that not the Queen, the King James Bible, the Governor-General, the Governor of Tasmania, the *Bill of Rights*, the *Australian Constitution* nor the State *Constitution* have any relevance to the remedies available. These are potentially few in number and exist within a well recognised legal framework.

Perhaps the most straightforward issue is the requirement for $300,000 in damages arising from the decision of the Council and (or) the Minister.

Leaving to one side the question of how the damages are to be quantified, the remedy lies in proving a breach of duty. The *Limitation Act* 1974 by Section 4 provides that an action shall not be brought for damages for a breach of statutory duty later than six years from the date the cause of action arose.

There is some reason to believe that the original process of approval of the kennels by the Council did not comply with the *Local Government Act* 1962.

The most recent act of which you complain occurred in May 1992. All other acts were earlier. Whilst it is well established that the effect of the *Limitation Act* in cases such as the present is to bar the remedy rather than to extinguish the cause of action, you could be quite sure that the Crown and the Council would take the point that all events are now more than six years old. It would be futile to pursue the claim for damages.

Section 733B(3) of that Act required the Beaconsfield Council not to consider an application such as that made by Chan until it had evidence that the notice of the proposed development had been published in the prescribed form. It appears that the notice was not so published since it may not have been placed actually on the subject land itself. There is a further difficulty for the Council of an equally technical nature in as much as it may not have received evidence of publication.

The legal argument is controversial and is by no means guaranteed to succeed. The way to deal with it would be to apply to a Judge for a Writ of Certiorari. Such applications are governed by Order 72 (as amended) of the *Rules of the Supreme Court*.

Order 72 is not subject to the *Limitation Act*. It contains no formal time limits. At the same time, you are not entitled to the relief as a matter of right. The remedy is discretionary. A court would not grant the relief unless it was satisfied that it would be reasonable, that there had been no undue delay in bringing the application and that there would be a point to be served.

In this case, the alleged breaches of the *Local Government Act* were of a technical nature and in any event it is not certain they will be sufficient to invalidate the Council's decision. Mr. Ellis advised you of the existence of the remedy as long ago as November 1990. No action was taken at the time. The Chans' business has become well established over recent years. It seems to us that a Court would be reluctant to disturb the status quo in relation to such a point, especially given the delay in making the application.

All of the above notwithstanding, should you be granted a Writ of Certiorari, our advice is that the remedy is unlikely to be of much practical value. The effect of the Writ is not to obliterate what was done. Rather it quashes the original decision so that the Council and the Chans would be forced to start again. Having regard to the history of the matter, there is no reason to expect that the necessary permits would not be granted a second time.

The final issue is that of the alleged decision of the Minister to over-rule the Planning Appeals Board decision. That involves a misconception. The Board upheld the Council's decision to refuse permission for the Chans to operate boarding kennels. The reason for the refusal was because the access road was inadequate.

The Board was concerned with the application of the terms of the Council's Planning Scheme and the relationship of Chan's which adds application to it. The relevant legislation was the *Local Government Act* 1962. It is not clear that under it the Minister was bound to comply with the Scheme, or even to satisfy himself that the proposal to create a new road was in conformity with the Scheme.

It is doubtful that you have a remedy in relation to the Minister's action. An application for a remedy would be brought also by way of a prerogative writ such as that discussed above. The same considerations apply.

Having given the matter careful consideration, it is our opinion that you would be well advised not to pursue a remedy through the Courts. Were you to lose, as seems more likely than not, you would be required to pay the greater part of the other party's costs. You would also have to pay your own. The combined total of costs we would estimate to be at least $40,000.

Please let us know what you propose to do. In the meantime, we enclose a note of our costs for work to date.

We note that you wish to renew your complaints regarding bureaucratic acts and omissions with the Governor of the State. As we have indicated, this will not achieve anything. The Governor has already informed you that he is unable to assist. His actual powers are limited.

Yours faithfully,
RITCHIE & PARKER ALFRED GREEN & CO.

W.T. McMillan
Enc.

sf/adams.g

MAR 2001

2001/355

PC 5-3-2001.

The Governor-General
of Australia,
Government House,
Canberra. A.C.T.

FAX No: 0262813760

Dear Governor-General,

Are you "willing" to provide in writing the "reasons" for no action taken, in respect to the Sworn on Oath Affidavit of 14th January, 1999, in my matter, supplied with supportive documentation of evidence to yourself,

Are you "willing" to provide in writing the "reasons" for no action taken in respect to the letter of the 15th October, 1997 from Buckingham Palace on behalf of the Queen, myself being an Australian and Commonwealth citizen.

I expect a response within 7 days (seven) from the date of this faxed letter to you.

Please acknowledge receipt of this letter.

NFA

Yours Sincerely,
Gail Adams,
P.O. Box 519
Exeter, 7275. TAS.

OFFICE OF THE
05 MAR 2001
GOVERNOR - GENERAL

FOREIGN
AFFAIRS AND
TRADE

18 June 2001

Ms Gail Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams

Thank you for your letter dated 27 April 2001 to the Prime Minister concerning Australia abiding by the resolution and declaration 53/144 adopted by the UN General Assembly on the 8 March 1999 titled *Declaration on the Rights and Responsibility of Indifiduals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*. Mr Howard has asked that I reply on his behalf.

I should note up front that UN resolutions and declarations are aspirational documents which are not legally binding on UN member states. However, such instruments are reflective of the rights and principles expressed by a number of international instruments to which Australia is a party and which are legally binding domestically. In the case of the resolution and declaration mentioned by you, I refer, in particular, to the *International Covenant on Civil and Political Rights* (ICCPR) and a number of International Labour Organisation Conventions. The declaration also reflects many principles which could be considered basic in our system of representative democracy.

The Declaration sets out to have a number of aims: that Governments have proper human rights machinery in place including complaints mechanisms; that fundamental human rights and freedoms are protected; that people organise themselves to discuss, promote and gather information about human rights and criticise the Government about its performance in the area; and that the Government promotes human rights education.

The Commonwealth has legislated to protect human rights and freedoms through a number of Acts including the *Human Rights and Equal Opportunity Act* (HREOCA), the *Sex Discrimination Act* (SDA), the *Racial Discrimination Act* (RDA) and the *Disability*

R G Casey Building John McEwen Cres Barton 0221
Telephone:02 6261 1111 Facsimile:02 6261 3111

Discrimination Act (DDA). Australia is also a party all the major binding international instruments on human rights and submits regular reports to the UN on its implementation of these rights.

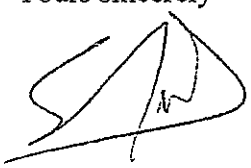
The Human Rights and Rights and Equal Opportunity Commission is responsible for investigating and conciliating complaints made under the HREOCA, SDA, RDA or DDA. In this way individuals are able to make complaints under three major international human rights instruments including the *International Covenant on Civil and Political Rights*, the *Convention on the Elimination of all Forms of Discrimination Against Women* and the *Convention on the Elimination of all Forms of Racial Discrimination.* Australia is also a party to a number of international human rights complaints procedures including under the *International Covenant on Civil and Political Rights* and the *Convention Against Torture.* There are no limits on citizens' ability to criticise the Government in relation to human rights, except those imposed on all persons through defamation laws.

As well as its complaints handling responsibilities, HREOC also carries out a great deal of work in the area of public awareness, education, provision of guidelines and standard setting. The Government has also funded the National Human Right Education Committee.

The right of persons in association with others to promote and strive for the protection and realisation of human rights is protected in the ICCPR which is appended to the *Human Rights and Equal Opportunity Act.* HREOC disseminates a great deal of information on human rights and Australia's reports under international human rights instruments are also readily available to members of the public. You may also with to write to the Human Rights and Equal Opportunity Commission to seek more detailed information on their role.Other Government information may be obtained through Freedom of Information legislation.

Thank you for bringing your views to the attention of the Government.

Yours sincerely



Eric van der Wal
Director
Human Rights and Indigenous Issues Section
International Organisations and Legal Division

Hon. Judy Jackson
Attorney-General

TASMANIA

Minister for Justice and
Industrial Relations

4 FEB 2003

Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs. Adams,

Thank you for your facsimile of 15 January 2003.

To the extent that matters about which you complain are within my Ministerial responsibilities, both myself and my predecessor, the Hon. Dr Peter Patmore MHA, have previously investigated these matters and responded to you. I also understand that the Secretary of my Department, Mr. Richard Bingham, has devoted a significant amount of time to investigating and responding to your complaints.

I do not believe that I can be of any further assistance to you in these matters. I can only suggest, as I have previously done, that you seek independent legal advice or that you raise your concerns with the relevant people.

I will not enter into further correspondence with you in relation to these matters.

Yours sincerely

Judy Jackson MHA
ATTORNEY-GENERAL

Postal Address: GPO Box 825, Hobart 7001
Office Address: Level 10, 10 Murray Street, Hobart, Tasmania 7000
Telephone: (03) 6233 4180 *Facsimile:* (03) 6233 2671 *E-mail:* judy.jackson@justice.tas.gov.au

Guy Barnett
Liberal Senator for Tasmania

22 May 2003

Ms Gail Adams
PO Box 519
Exeter Tas 7275

Dear Ms Adams

Thank you for your facsimile received in this office on 16 May 2003.

I will ensure that it is brought to the Senator's attention upon his return from Canberra.

Regards

Geoff Berry
Electorate Assistant for
Guy Barnett
Liberal Senator for Tasmania

33 George Street,
Launceston 7250
Tasmania Australia
Tel: (03) 6334 1755
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Toll Free: 1300 132 937

Email:
senator.barnett@aph.gov.au
www.guybarnett.com

Parliament House
Canberra ACT 2600
Tel: (02) 6277 3603
Fax: (02) 6277 3600

The Administrative Appeals Tribunal,
Hobart.

22.9.03

Dear Chairperson,

My 13 year case is referring to Human Rights and Equal Opportunity who were sent the documents with claim in 1993 owing to the fact that there existed no such laws in Tasmania, except the original Tasmanian Constitution of 1854 which I read and have been refused a copy of, the whole original unaltered copy of. This case involves the Constitution of the Commonwealth of Australia No. 117 which has been broken.

Being a legal citizen of Australia and the Commonwealth it is my democratic right of passage to process, and Duty of Care of those Officers of the Crown to ensure no discrimination under their Oaths of Office to defend such violations, which include race, religion, gender.

The many statements of "the responsibility of the Tasmanian Government", without the stating of why, is childish and has been for too long.

This case deserves to be not only read but defended and a case into the law books as a reference to the basic principles of democratic rights, the Australian flag, National Athem, Laws of Australia and the Commonwealth by the Commonwealth and the Federal Government of Australia, and to the process.

The Australian Citizenship Preamble and Oath very clear under God, rights, liberties, respect and to uphold and obey the laws of Australia.

I want this Commonwealth Tribunal to Act on behalf of those listed, with the best of Legals, and to assist Mr Bishop of the Anti-Discrimination Tribunal of Tasmania, Chairperson, already presented and handed upto the files, F.O.I's, Court tapes ect;

1. God
2. The Queen of Australia and the Commonwealth.
3. Mr John Cohen (deceased)
4. Mr Leslie Tuson (deceased)
5. Mr Lyneham (deceased)
6. Mental Health of Tasmania.
7. The Tasmanians denied a new and extra access to develop onto a major State Road.
8. My family.
9. My children.
10. My animals.
11. My pet caring Business.
12. Two dogs VKC148, VKC150 in-care.
13. Myself.

No one has the right to drag or thrust upon, through, the Political or Religious arena to suit their own gains, denying Justice to the process. It also now brings added to the list the High Court Judges to defend them, also, in the case of 7/9/00, Johnson v Johnson, bias, ~~Human~~ Human Rights of the U.N. and Justice not only must be done but seen to be done.

Is not the pen mightier than the sword?
Or is the words of a liar accepted without question, with full knowledge that a liar will hang you?
Do we sit like a bunch of galahs on a fence and allow the injustices as in this case, thereby do nothing, mocking the very heart of what being a legal citizen of Australia is?

I am granting full permission to copies of 6 (six) full A4 files, the index file, includes the majority of F.O.I's except the F.O.I's from the N.S.W. Government in reference to my champion Miniature ponies/horses, recently acquired, all the tapes from 4 hearings of the Discriminate Tribunals of Tasmania, Court tapes and applications with attached documents.

Would you do a murder trial

or any Trial without full evidence being studied? The D.P.P. of Tasmania altered a brief statement from "instructed" to the word "advised", and lied to the Chief Magistrate, altering a complete case to suit a Government. As was demonstrated in the Civil Courts in Launceston on 23/9/02 when as a claimant I tried to at least obtain $20,000-00 for in-care fees for the two dogs, the D.P.P. (conflict of interest) representing the Police Minister, Premier and Cabinet, were in the Courtroom reading out their defence and stating how long it was going to take 10 to 15 minutes. From their start to end was 15 minutes, The Magistrate appearing to act for them and owing to him questioning myself never read the near 200 documents presented by myself, who was without a Solicitor. When the Magistrate declared I pay plus G.S.T., 4 days later the order stated a Mr Bain from Douglas and Collins law firm represented the Government, and I was not informed of any change, and that was conflict of interest also. All on Court tape, except the announcement of Mr Bain. Four persons were at the table and I have no idea who they were. Is

this the democracy and process in a Court of Law? Is this a perfect example of the use and abuse of positions of power over a citizen, who, with documents reported cruelty and fraud and was used with the two dogs in a further case in 2002 by another Authority?

The F.O.I's obtained from the N.S.W. Government in reference to my miniature champion ponies and stud proved,

(1) In 1992 there was only the model rules of Business and Corp. Affairs of N.S.W.

(2) Mr B. Carr, the Premier ignored my valid complaints on an Affidavit with the supportive documents.

(3) My valid complaints correct and Business and Corporate Affairs knew this

(4) One man, Mr K. Blight believed, and lied about myself, who he never knew personally.

(5) Mr K. Blight, Registrar, put my name and my stallion to the whole members around Australia, to vote against us.

(6) Mr K. Blight lied to Business and Corp. Affairs as I had two mares, supreme champions, registered years prior, whose parents were "over height."

(7) The stallion referred to by Mr K. Blight, Londonvale Candy Man, was used for 10 years as my stud Stallion, only over a year ago was castrated and sold not far from home. Mr K. Blight of the Australian Miniature Pony Society Inc. caused the showing and selling of my miniature Pony Stud faltered from 1992, as the only show classes for miniature ponies in Tasmania was the A. M. P. Soc. Inc. and you had to be a member, as did the ponies had to be registered. Obviously the N.S.W. Government agreed with Mr K. Blight aware of my valid legal complaints correct.

(8) Upon trying again in 1996 to become a member, Mr K. Blight convinced the Society to refuse, without my knowledge and had printed in the Societies magazine, which only members received, my name and comments upon me. I believe this magazine not only was issued around Australia but also overseas

(9) I was never notified by Fair Trading or Business and Corp. Affairs of N.S.W that was in the F.O.I's obtained recently.

10.) My miniature ponies were winning Supremes year after year.

11) The price of miniature ponies between 1992 to at least 1997 were very valuable.

12.) I was not the only valid complaints from Tasmania to Business and Corp. Affairs of N.S.W. (documents in Lib.)

(13) The actions of the A.M.P. Society Inc., Fair Trading and Business and Corp. affairs of the N.S.W Government from 1992 and 1995 brought the ceasing of showing, selling to a stop, with the full knowledge that my valid complaint were correct to Law and were without doubt discrimination under gender definately under and against the laws of Fair Trading and equal opportunity.

(14) Never had the A.M.P. Soc. Inc. put forth a rule for voting as against myself and my stallion, to my knowledge, for anyone else.

Greyhound Matter: apart from the brief, Minister Llewellyn acquired the defective Registration papers from the owner for the two dogs in-care June 2001, which he on a personal meeting with him, insisted 2 sign, aware the owner requires $2000 to $3000 for them, and all the owners were deprived of their rights stated by the State Ombudsman. No conviction for 20 plus dead dogs, who were suppose to have been protected with Duty of Care under the Animal Welfare Act 1993 and the laws at that time, under the Dog Control Act 1987 in the hands of the Governor of Tasmania

The Ombudsman stated to the Premier of Tasmania that 4 government bodies failed in Statuatory Duties and two instructions under laws of the Animal Welfare Act 1993 14(1) which carried a penalty 14(2) on 11/11/99. 25 dogs approx. were supposed to have been sent back to their owners, including the two in-care. My financial situation, with regular updated invoices were sent to the Premier on 6.8.01 and Cabinet but were witheld by a burocrat of Minister Llewellyn Mr Ross Brown, who had been by telephone bullying me to sign the Registration papers to custody and ownership for the two dogs. 2 lost my double horse float, many personal effects and have defaults against my name and business and lost 5 miniature horses, one 2 had for 18 years a Supreme Champion. This case parrallels the "Cat Case" where Magistrate Willie in his written decision stated my Duty of Care, Tort Laws to my pet caring business. The Minister was aware of the fact and the threats on my life and the dogs, let alone I could not show any horse or if any needed a vet had no float. It is not cheap to hire one, if you can get one. The two dogs racing lives have just about ended and the rest of the dogs, suppose to have been sent home were destroyed with the permission of the Police, F.O.I's, before the case went to Court on 5th/6th December 2000.

9.

The developments on Glenmore Estate, Glengarry, re the Chan family - Beaconsfield Council now West Tamar Council

1. A development for boarding kennels was granted to a Salina Chan of No 4 Blanc Ave, Panania, Sydney, N.S.W. on 4/6/1990.

2. The property at 4 Blanc Ave, Panania was in the name of Mr Fred Chan for 10 years under Bankstown Council.

3. No registered Business called "Snobul" had been ever registered with Business and Corp. Affairs of N.S.W. by any member of the Chan family.

4. Salina, Fred or Elfriede Chan were not the titleowners of the property for the development to be constructed nor was any evidence produced, even F.O.I. from the titleowner or an architects, as Beaconsfield Planning Scheme 1986.

5. No kennel licence ever existed with Bankstown Council for Salina, Fred or Elfriede Chan for the 10 years at 4 Blanc Ave, Panania or under Snobul Kennels, the Chan having approx. 9 dogs mostly St. Bernards housed in their garage not far from the public footpath.

6. Under Bankstown Council at that time, a kennel licence had to have 3 Authorities approvals as many other Councils.

7. The Council-Beaconsfield approved the development on 4/6/1990 to Salvia Chan at 4 Blanc Ave, Panania, Sydney N.S.W with a letter stating 16 condetions, No 11 being a new access to be constructed off the Frankford Hwy, Glengarry, with a map of the location, at the bottom of a very steep hill, running along side a boundary fence. Salvia Chan in the letter dated 5-6-1990 was given 2 years to complete conditions and 14 days to object from the 9th June, 1990 which expired on 23rd June, 1990, who was not the titlowner.

8. No 11 of the conditions also stated no access to the exsisting house or Kennels shall be allowed from the exsisting right of way, (the cattle track).

9. Salvia Chan has never built the access road as shown in the position on the map and objected in March 1991, April 1992 at two Planning Appeal Tribunals, accepted by the Council, all in reference to feurther developments and the access road, which was stated they could not afford to build.

10. My Solicitor, now a Magistrate objected in June 1990, and the Council and Planning Appeal Board refused as I was 24 hours - 1 day over 14 days to object.

11. No notice was placed on the property for anyone to object, prior to 4/6/1990.

12. In 1991 - 1992 a Mr Stevenson who owned 4 Golden Retriever dogs, acquired a house at Roseveare, applied for his kennel licence, it was refused, he had a choice to rid himself of two dogs or move, he moved. He was well known in all the show rings and R.S.P.C.A.

13. I wanted an extra and new access to my property in 1987 by D.M.R.T. and Council, as many others were as it was against the law, the Beaconsfield Planning Scheme 1986. This was important as I had a registered voluntary service with Police and S.E.S. being "The Elspedito Tracking Dog and Demonstration team In with Business and Corp. Affairs, a public Club. It was closed. It had been going near 10 years. The training school as well The 4 Berth dog trailer given to the Club by the State Government was donated by the Club to the R.S.P.C.A who elected it but it went to Chief R.S.P.C.A. Inspectors G. Lewis's backyard instead.

14. The S. Chans advertising different lot numbers for developments confusing objectors.

15. On a Kennel licence for Salina Chan which had many conditions including conditions of 4/6/1990, in March 1991, the health Inspector gave the development approval for Mr Fred Chan.

16. The Planning Appeal Board granted a pet cemetry and office using the exsisting Right-O-Way road, the office only to be used for the Pet Cemetry. The Pet cemetry, a small part on someone else's land. Seven conditions to Salina Chan, not the titleowner nor documents produced from another source.

17. On 2/7/1990 Mr Fred and Elfriede Chan were refused a boarding kennel and cattery at Los Angloes Rd., Dilston by Launceston City Council. Mr Fred and Elfriede Chan purchased the property on Glenmore Estate, Lot 6, Frankford Hwy, Glengarry in the rural zone on 2/7/1991.

18. The Planning Appeal board in may, 1992 dismissed Salina Chan's appeal to use the exsisting right-O-way road for Boarding Kennels.

19. Two A frames placed at Existing-Right o-way and the illegal constructed access 1/2 way down the steep hill on 19/6/1992, in a position never advertised, never at any Planning Appeal but allowed by an Engineer for D.M.R.T. Mr Lennon, (I was informed the Racing Minister's brother), the sign stating Boarding Kennels, no name. One still exists at the illegal entrance, which is shut at the moment with a sign "closed due to road works" this happens every time I appeal to the Anti-discrimination Tribunal. My complaints on this sent to the Chairperson. No road works are going on.

20. The "Queen's Peace" existed in Law under Local Government till December 1993, being "the law be observed" set out in a letter of February 1992, my Barrister Mr J. Ellis who is the Director of Public Prosecutions of Tasmania, this law was erased by Parliament of Tasmania. This law also made the Mayor and Councellors responsible for negligence. The Director of Public Prosecutions refuses to do anything about any of this case which includes the Greyhound matter which he was responsible for.

21. I had problems obtaining F.O.I's as the Director of Public Prosecutions is also the F.O.I. officer.

22. The documents are supported by F.O.I's, this case involving members of the Jeovah Witness Sect which the Chan family belong to, being involved with harrassment, stalking upon my family, children and pet caring business. The Jeovah Witness Sect do not believe in the flag, national athem or Laws of a Country and banned in Singapore, being not good for Public Welfare and disruptive to government, article in files, Examiner newspaper.

23. In the F.O.I. Police file Mrs Elfreide Chan admitting had "effectively" taken all my business and more, police agree.

24. The "Cat Case" only witness for the claimant Mrs Elfreide Chan, the other witness, for the claimant, the Magistrate dismissed as she lied against 4 other persons Statuatory Declarations. Mr Bishop stated in the Magistrate's Court in January, 03, he read the "Cat Case" and there was criminal activities

25. The "Dog Case", the vet Dr B. Lasner only supported the Chans Businesses.

26. This case shows clearly the breakdown of every part of Elspedito Enterprises, my family, my children and myself. Bit by Bit.

27. The Common Law practise of the Council was for a decade;
    1. Must be the titleowner
    2. Apply for Licence.
    3. Only when Licence approved could plans be submitted for a development approval.

Laws also pertaining to 1, in Planning Scheme 1986

28. The Council gave a copy of my architectual plans to (1) Dog and Cat Care at Legana.
    (2) The Chans. (D.P.I.W.E. F.O.I's).

Mr Baker of Dog and Cat Care years ago came to my property with a vet, Sue Wonarski, now practising at Riverside, that the Council sent him and gave my plans to him. Dr Sue Wonarski's son bought Dog and Cat Care from Mr Baker. Mr Baker had a dog boarded for 1 week, sent the owner and dog away and to me. I was not aware he had been sent away, for when I accepted the dog, the owner, on myself turning my back to walk in front to the kennels, when we got into the area, he set the Irish Wolfhound X upon me, the jaws whole penatrating the top calf, back, of my right leg I had to ask 3 times for him to call his dog off. The man told me "to do as I was told, an to listen next time." I had a bad leg for a ye

29. The Legal Solicitor out of the Solicitor-General's Office and the Legal advice given to the Minister was wrong, as the constructed access is in the wrong place, amongst other illegal incorrect statements.

30. The Justice Dept. was fully aware that Salena Chan was out of the 14 days objection.

31. The Ombudsman was fully aware of a Minister's illegal act.

32. The Solicitor-General was well aware of the Minister's illegal actions but took no action nor reported in any of his reports to Parliament nor did the Ombudsman.

33. The amount of articles for the Chan family for their business in the Examiner Newspaper plus that papers weekly region, also on Current Affairs programme and morning T.V. Southern cross were overwhelming

34. The inciting of hatred to the Council, D.M.R.T and communities by the Chan family upon the Business and myself are documented and supported by F.O.I's and even Police.

35. It took nearly a year to obtain the Bliee file under F.O.I. and there are missing reports to 1994. At first my file did not exsist.

36. The advertisement in the telephone directory are normally finalised by October, the Chans Business for the 03 area was out in the telephone directory in January 1992, before we went to an Appeal or any contruction of any road. They were operating kennels and Cattery from January 1992. (In the file) 38.1, using the exsisting Right-O-Way road. (The cattle track).

37. Mrs Effriede Chan in the newspaper and advertisements stating she is a veterinary nurse, and has no certificate of 2 years from an Australian University passing a veterinary nurse certificate.

38. Why was it myself who reported to the Kennel Control of Tasmania the eating of over 100,000 St. Bernard puppies a year in Beijing, China when the Chan family breed them?

39. On the 14.2.1993 it clearly states the marriage between a Chinese man and Dutch Woman. Under 3!

40. Article 11.4.1997 listed are the business operating and using the exsisting Right-O-way Road, the cattle track, Tamar Lines, with false statements made. 35.1 file.

41. How can graves be dug "at least 4ft deep by hand," John's Cohen report shows, little top soil, Hard pan, clay and rock, on top of steep hill, part of which is someone else's property.

42. The accident involving Mr R. Honeychurch's son ending up unconscious in a van driven by Salvia Chan, late afternoon, who was on the road from the existing Right-O-Way Road to go to Exeter, the van used to pick-up boarding animals. Mr. R. Honeychurch was very upset as the "Watch for entering traffic sign" erected by Salvia Chan was well short of the safe warning distance, as told by D.M.R.T in a letter to Salvia Chan and Council, years prior. Mr Honeychurch was upset his son was released from hospital under 24 hours, he ended up with his Solicitor being Mr Tim Ellis and Salvia Chan was not charged. Mr R. Honeychurch was very upset because he approached Mr Fred Chan to obtain photo's of the van but Mr Fred Chan said no and that "no 18 year old is going to ruin his business". I handed the F.O.I's from D.P.I.W.E. on the illegal distance of the "Watch for entering sign" to the Honeychurch that were obtained this year. There were lies on Mr R. Honeychurch's sons on their motor bikes, it was other lads. Mr T. Ellis ensured that Mr Honeychurch's son got a like, irrespective of his knees. I believe Mr. R. Honeychu was connected to submarines. I was informed of

43. Mr Lyncham was the chairperson on the Planning Appeal of 1992 and one of the

members at the appeal 1991, chaired by Q. C. Mr Pitt, whom I believe is still with the Planning Appeal Board.

44. Mr Leslie Tuson was present at majority of Council meetings, signed letters of valid complaints in reference to the accesses and was present at the appeal of 1991. He wrote and distributed for 10 years to all Authorities "the wrong way Roads of Tasmania," printed in the diagnostic Engineers journal. Mr L. Tuson was with the Spitfires from the Battle of Briton

45. Mr John Cohen, member of Surveyors Planning, represented many at the Planning Appeal 1991, stated to the Board and proved the Chans were "utter liars."

46. I have only brought fought a small amount to demonstrate the actions that the claims to H. R. E. O. Commission were valid, the Constitution of the Commonwealth of Australia No 117 has been broken.

I thank the Tribunal.

Yours Sincerely,
Gail Adams-Fitton,
P. O. Box 519,
Exeter. 7275. TAS.
PH=03-63-961145

259

Senator Watson,
P. O. Box 662,
Launceston. TAS. 7250.

12-10-05

Dear Senator Watson,

I am writing to request yourself to ask in the Senate two questions on my behalf for assurance and according to the Laws that,

(a) Defendants in a Civil Case are permitted in the Courtroom before the Claimant, to inform the Magistrate what is required and how long the case is going to take?

(b) the Claimant is now not notified of changes or change to the Defendants legal representative?

Attached are the documents relating to the Court plus the Court tape, verifying my questions (a) and (b), with a brief explanatory of the case, a letter to the Ombudsman and my updated invoice.

and or,

(c) It is legal to change a brief statement of a person or persons?

(d) Is it now acceptable by law on written up charges to the Court stating "a number of"?

It would be appreciated if my questions be within a decent time frame, the reply.

Thanking You,
Yours Sincerely
Gail Adams-Fitton,
P.O. Box 519,
Exeter. 7275. TAS.
PH-63-961145

PARLIAMENT OF AUSTRALIA - THE SENATE

SENATOR JOHN WATSON

Senator for Tasmania

20 October 2005

JOW:CC

Ms Gail Adams-Fitton
P O Box 519
EXETER TAS 7275

Dear Ms Adams,

Following your recent telephone calls to my office staff, I have now received the detailed letter and tape which you undertook to post to me.

I also note that you have pursued many of the avenues available to you via the Ombudsman's Office, numerous State and Federal politicians and through the court system albeit without satisfaction.

Upon reading all the papers you have sent and listening to the tape I certainly empathise with your trauma over many years. However, the matters you raise are of a legal nature and my position as a Senator does not encompass providing legal advice nor financial advice to constituents. In fact it is against the law for me to do so.

The questions you seek to have answered really need to be channelled through legal avenues for an accurate and legally sound answer.

I therefore regret that in this instance I am unable to provide assistance to you regarding this legal matter.

Yours sincerely,

John Watson

JOHN WATSON
SENATOR FOR TASMANIA

Encl. Documents and tape

Electorate Office: 46 St John Street (PO Box 662) Launceston TAS 7250
Parliament House Canberra ACT 2600

Tel: (03) 6331 4544 Fax: (03) 6331 5869
Tel: (02) 6277 3685 Fax: (02) 6277 3689

The Chief Magistrate,
Mr A. Shott,
Magistrates Court,
Launceston. TAS. 7250.

9-12-05 21

Dear Chief Magistrate,

My complaint to yourself is on advice from the Attorney-General's Office, in the procedure and process of the Anti-Discrimination Tribunal with Mr. S. Bishop, 3 sessions in the Magistrates Court the last being December 2003, in Launceston My case is now 15½ years which includes the Greyhound Matter, tibo dogs still in-case since 3/1/2000, my pet caring business being set-up with, F.O.I's, and the only ones alive out of 40 plus, F.O.I's. Case 506/93/00, case 5/6/12/2000. Twenty five approx. dogs including the two in-case were sent home to their mainland owners, Mr Geoff Stephenson stating so to you for his client Mr A. Reid.

I was informed verbally yesterday that law firm Stephenson + Assoc. were purchased over a couple of years ago by Bishops and Mr Geoff Stephenson for nearly that time is under contract to Bishops. Owing to the decision received in July 2005, with no mention of the Greyhound matter, as the two dogs have been in-case since 3/1/2000, Mr S. Bishop did not declare conflict of Interest.

The 15½ year case involved also Bishop, Hunton and Rae many times and Mr S. Bishop was fully aware I have a conspiracy to divert the course of Justice with many criminal activities. He stated so himself.

2.

The case involved 4 small claims which you were notified by the Justice Dept and myself, which featured Bishop, Gunton & Rae. The F.O.I's, show these complaints to you.

At no time did Mr S. Bishop declare conflict of interest and was handed up 6 A'4 files of documents including F.O.I's, and F.O.I's obtained from the Federal Government and the Governor-General's office and much more as the case involves the Queen and Buckingham Palace. I was following the instructions of Magistrate H. Woods decision from previous sessions with the Anti-discrimination Tribunal.

The Court tapes are opposite to the written decision with Mr S. Bishop.

It would be appreciated if you could inform myself how many is "a number of" that were the written up charges accepted by the Court in the Greyhound case, duplicated, of 15/2000.

Attached are documents, but a few, and an updated invoice. I did have 4 sessions with the Victims of Crimes Officer in Launceston before the final hearing 5/6/12/2000. I brought about the prosecution. To the F.O.I's Mr A. Reid was well known to R.S.P.C.A and the Racing Industry for cruelty since 1985. After this case of 2000 started again at Invermay and was fined $500 by Launceston City Council.

I believe I have a serious complaint to the hearings with Mr S. Bishop.

The first hearing police were in the Court room and outside. The next two

essions there were none. The Attorney-General's Office informed myself yesterday there were not suppose to be any. The Greyhound matter heavily involved the D.P.P. and Magistrate Wilson and the declaration by the D.P.P. that he has vicious moods.

The 15½ year case involved Police, Police Minister, Ombudsman, D.P.P. and Director of Public Prosecutions, West Tamar Council, Mr Beaconsfield, God and the Ten Commandments.

Mr S. Bishop was well aware my beliefs as a liar and lies, who and where I was educated by.

Thanking you,
Yours Sincerely
Gail Adams-Fitton,
P.O. Box 519,
Exeter. 7275. TAS.
PH=0363-961145.

Hon. Judy Jackson
Attorney-General

TASMANIA

Minister for Justice and
Industrial Relations

19 JAN 2006

Mrs Gail Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Mrs Adams-Fitton

I refer to your letter dated 10 January 2006.

Staff of my office have reviewed the documentation you have provided. Unfortunately, there is nothing my staff or I can do to assist you.

Yours sincerely

Judy Jackson

Judy Jackson MHA
ATTORNEY-GENERAL

Postal Address: GPO Box 825, Hobart 7001
Office Address: Level 10, 10 Murray Street, Hobart, Tasmania 7000
Telephone: (03) 6233 4180 *Facsimile:* (03) 6233 2671 *E-mail:* judy.jackson@justice.tas.gov.au

~283

OMBUDSMAN
TASMANIA
99 Bathurst Street, Hobart 7000
GPO Box 960 Hobart TAS 7001
Telephone: 1300 766 725
(03) 6233 6217
Facsimile: (03) 6233 8966
Email: ombudsman@justice.tas.gov.au
www.ombudsman.tas.gov.au

In reply please quote: 700-0102030

31 January 2006

Ms G Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Adams-Fitton

Faxed Letter Received on 30 January 2006

I refer to my response to your previous faxed letter of the 23 January 2006 and to an earlier letter to you in August 2005 from Mr Allston.

In that letter Mr Allston advised that the decision to close your file in October 2001 had been reviewed, the original decision had been confirmed and the allocation of further resources towards your complaint was not justified.

I concur with that view and do not intend to further review the matter. Any further correspondence will be placed on the file.

I regret I can not assist you further.

Yours sincerely

Richard Bingham
Acting Ombudsman

In reply please quote: 700-0102030
Contact Officer: Tim Walter

Friday, 27 January 2006

OMBUDSMAN
TASMANIA
99 Bathurst Street, Hobart 7000
GPO Box 960 Hobart TAS 7001
Telephone: 1300 766 725
(03) 6233 6217
Facsimile: (03) 6233 8966
Email: ombudsman@justice.tas.gov.au
www.ombudsman.tas.gov.au

Ms G Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Adams-Fitton

Faxed Letter Received on 23 January 2006

I refer to the above and the Ombudsman's letter dated 23 August 2005.

I note you ask:

"Given my case of 15½ years involving stalking, harming of our horses etc. well known by Government would you now like to inform myself what is in store for me, if I carry on fighting for the dogs in-care fees that I am entitled to under law ?"

The Ombudsman considers and accepts complaints in accordance with the provisions of the *Ombudsman Act* 1976. It is not the role of the Ombudsman to provide advice in respect of the matters you have raised.

I am sorry that I am unable to assist you.

Yours sincerely

Richard Bingham
Acting Ombudsman

TELEPHONE : (03) 6234 2611
FACSIMILE : (03) 6234 2556

OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE
TASMANIA 7001

February 1st 2006

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams,

I acknowledge receipt of your letter of January 29th 2006 to His Excellency the Governor and the accompanying documents.

The advice outlined in my letter to you dated October 29th 2002 remains unchanged.

I return herewith the documents you sent to His Excellency.

Yours sincerely,

J. O. Chilcott

John Chilcott
Official Secretary

Heather Butler MHA

State Labor Member for Lyons

13 February 2006

Mrs Gail Adams-Fitton,
PO Box 519,
EXETER TAS 7275

Dear Gail,

I was good to meet you briefly at Exeter last week (Friday 3rd February).

I have read your affidavit, which you graciously gave me at Exeter. While I can see that you have been through many trials in your business and personal life, I cannot see that I am able to help you to progress matters. Unfortunately, I am not a trained solicitor. It would appear that people in powerful positions well beyond my position as a backbencher have been helping you over the years.

I remember that you said that you would prefer me to be honest with you Gail, so I am returning your documents, as I believe that I am not able to help you further.

My sincere best wishes to you and your family. We need more people who believe in "do unto others what you would have them do to you".

Yours sincerely,

Heather R Butler

Heather Butler MHA

Office Address: Suites 1 & 2, 44 Cecilia Street, St Helens, 7216
Telephone (03) 6376 2770 *Facsimile:* (03) 6376 2799
E-mail: heather.butler@parliament.tas.gov.au
Parliament House, Hobart 7000 *Telephone:* (03) 6233 2192 *Facsimile:* (03) 6223 3803

Steve Fielding **Family First** Senator for Victoria

13 February 2006

Ms Gail Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Adams-Fitton,

I am writing to acknowledge your letter to Senator Fielding and to say thankyou for taking the time to write.

As the first, and only, federal representative for the Family First Party, Senator Fielding has been inundated with correspondence on many different issues.

Senator Fielding is unable to assist you in your efforts to gain legal relief as he has been elected to represent Victorian constituents at the Federal level. Your issue does not fall within the boundaries of the Federal juristriction but lies at the state level. I suggest that the Tasmanian legal process would be the appropriate forum to pursue your enquiries.

Yours sincerely,

Felicity Dargan
Chief of Staff

255 Blackburn Road
Mount Waverley VIC 3149
p: 03 9802 1922
1300 736 017 (toll free)
f: 03 9802 8236
e: senator.fielding@aph.gov.au

Parliament House
Canberra ACT 2600
p: 02 6277 3711
f: 02 6277 5713

288

www.stevefielding.com.au

Administrative
Appeals
Tribunal

ABN 90 680 970 626

AUSTRALIA

HOBART REGISTRY

Our Ref: T2006/18

28 March 2006

Ms G L Adams
P O Box 519
EXETER TAS 7275

Dear Ms Adams,

APPLICANT: GAIL LESLEY ADAMS

Pursuant to section 42A(4) of the *Administrative Appeals Tribunal Act 1975* (the Act), the Tribunal has determined that it does not have power to review the decision referred to in the application for review.

The Tribunal has the power to review some decisions made by certain Ministers, officers, authorities, and other tribunals. However, the Tribunal can only review types of decisions that an Act, regulation or other enactment gives it the power to review. The Tribunal's jurisdiction does not include the power to review the decision referred to in the application for review.

If you think the decision is wrong, you have the right to appeal against it to the Federal Court under section 44 of the AAT Act. Please note that the appeal is limited to a question of law and does not apply to errors of fact. The Federal Court will decide if the Tribunal has made an error of law in reaching its decision. An error of law is different from an error of fact but the two can be quite difficult to tell apart. If you are considering an appeal, you may wish to obtain legal advice without delay.

An appeal to the Federal Court must be lodged either:

- no later than **28 days** after you receive a copy of the Tribunal's decision; or
- if the decision was posted to you at the last address you gave us, no later than **28 days** after it was delivered to that address.

You may apply to the Court to extend the time to appeal.

If you decide to lodge an appeal, you will need to follow the Federal Court Rules.

Usually, a filing fee must be paid to lodge an appeal in the Federal Court. Other fees may be payable during the course of the appeal. However, some people do not have to pay the court fees. The Federal Court may also waive the court fees for other people if they are in financial hardship.

You need to be aware that, if your appeal is unsuccessful, you are likely to be ordered to pay the court fees and legal costs of the other party (as well as any court

fees and legal costs of your own). Legal costs include the amount that a person pays a lawyer for legal advice and representation.

For further information on applying to the Federal Court, including information about forms, court fees and costs, please see the Court's website at www.federalcourt.gov.au or contact the Federal Court Registry in your State. The address and telephone number of the Court's Registry in your State is 39-41 Davey Street, Hobart (03) 6232 1715.

Yours faithfully,

Helen Healy
Acting Snr Client Service Officer

Enc.

ADMINISTRATIVE APPEALS TRIBUNAL)
) No T2006/18
GENERAL ADMINISTRATIVE DIVISION)

Re : **GAIL LESLEY ADAMS**
Applicant

ORDER

Tribunal : The Hon R J Groom (Deputy President)

Date : 22 March 2006.

Place : Hobart

Order : The Tribunal is satisfied that the applicant has been notified in writing that the decision for which an application for review has been lodged, does not appear to be reviewable; and the applicant has not shown within the prescribed time of 14 days that the decision is reviewable by the Tribunal.

The Tribunal dismisses the application pursuant to s42A(4) of the *Administrative Appeals Tribunal Act 1975.*

.....
Deputy President

islandstate

Heritage House
172 Collins Street
Hobart Tasmania 7000
Phone 1300 659 001
islandstate.com

31 May 2006

Mrs Gail Adams-Fitton
PO Box 519
Exeter TAS 7275

Dear Mrs Adams-Fitton,

Re: Letter to the islandstate Board of Directors

The Board of Directors of Island State Credit Union Limited thank you for the information provided in your letter dated 16 May 2006.

Please note that the Board is unable to comment on any matters that have been before the courts and respectfully recommend separate legal advice is sought

Yours sincerely

Scott Lukianenko
Company Secretary

Tasmanian Collection Service.
29 Argyle Street
Hobart Tas 7001.
Ph: 0362135555

To whom it does concern;

I have been informed by the above service via a phone conversation dated on 30-11-2006 that I am required to pay ninety dollars (A$90.00) for the completion of a withdrawal form in order to remove a caveat placed on my property located at 858 Frankford Hwy Glengarry Tasmania, by Island State Credit Union.

I am advising that I (Gail Adams-Fittion) had been unaware of the existence of the aforementioned caveat, and I was also informed by Ms Jennifer Brown of Island State Credit Union that the aforementioned caveat had supposedly been removed off the title on 13-5-2002.

In order to rectify the situation, ninety dollars (A$90.00) is being paid to Tasmanian Collection Service and the completed withdrawn caveat form is to be sent to Mr. J. Kitto, Solicitor, 2 Cameron Street Launceston 7250.

Yours Sincerely,
Gail Adams-Fitton,

P.O. Box 519
Exeter Tasmania 7275.

SIGNED ON BEHALF OF GAIL ADAMS-FITTON ~~FITTON-ADAMS~~
BY GREGORY FRANK BURNHAM

BUCKINGHAM PALACE

12th June, 2006

Dear Mrs Adams,

Thank you for your letter dated 17th May 2006 in which you made reference to your rights under the terms of the Data Protection Act 1998.

If you wish to make an enquiry under data protection legislation, please complete the enclosed form and return it together with your payment of £10.00, made payable to the *Treasurer to The Queen*, and appropriate proof of identity as explained on the data protection form. Once payment and proof of identity have been received your request will be reviewed and answered within 40 calendar days, in accordance with the terms of the 1998 Data Protection Act.

Yours sincerely,

Elizabeth Lomas

ELIZABETH LOMAS
Data Protection Administrator
12/6/2006

Mrs Gail Adams
PO Box 519
Exeter 7275
Australia
Tasmania

International Customs/Sender's/Lodger's Declaration
CP 74 Insured Article

Déclaration en douane

AUSTRALIA POST

Use for international articles which you want to insure.

Delivery delays will occur if an acceptable form of identification is not presented to Australia Post at the time of lodging the article.

This article must not be lodged in a Street Posting Box.

This form is to be completed in **English**. A language acceptable to the country of destination may also be used in addition to English. It is to be used for ***Insured Articles Only***. A different form must be used for uninsured articles.

Failure to complete the form fully or clearly may result in delay, return or seizure of the item by Customs.
PLEASE SIGN THE DECLARATION.

After completion, remove the backing and affix the form to the item. If the item is small or wrapped in cloth then the form should be affixed to cardboard which is then attached the item.

Customs requirements and instructions on how to complete this form are given on the reverse side of this page.

V

CV050270986AU

Office of origin *Bureau d'origine*		Date
RIVERSIDE		03/02/06
Gross Weight *Poids brut*	Postage *Taux*	Insurance fee
976kg	$28-00	$ 7-50
Insured value		Signature of Acceptance Officer
$ 100-00 SDR		
	Post Office Date Stamp	

Sender's Copy

Retain this page for your reference if you need to make a claim or enquiry.

This item may be opened officially.

BUCKINGHAM PALACE

15th August, 2006

Dear Mrs Adams-Fitton,

Thank you for your letter making a subject access request under the Data Protection Act 1998. I am replying in my capacity as the Data Protection Administrator for the Royal Household.

Attached to this letter is the full batch of extracts gathered from electronic and paper records showing the personal data that has been identified as containing your personal information and to which you are entitled under the terms of the Data Protection Act 1998. Please note that the Royal Household does not retain all public correspondence indefinitely but rather undertakes a sampling policy in order to ensure that information will be available in the future for historical research purposes. The information attached is in no particular order.

It is not feasible to search every possible data set held by the Household for potential references and indeed the terms of the legislation make references to providing copies of "accessible" data. We have therefore conducted searches of all those areas that are most likely to hold relevant information and have duly noted those data sets that you identified within the scope of your request.

We make all applicants aware as a matter of principle that there are certain categories of personal data which are exempt from the subject access provisions of the Act on the grounds that such an exemption is required for the purposes of safeguarding national security, preventing or detecting crime, apprehending or prosecuting offenders, or disclosures required by law or in connection with any legal proceedings (sections 28, 29 and 35 of the Act). If it were to be the case that the Royal Household held any data regarding you that fell into these categories, the Act would not confer a right of access and we have taken this into account in identifying data to which you are entitled.

BUCKINGHAM PALACE

Under the Data Protection Act you have a right to complain to the Information Commissioner if you are dissatisfied with our reply. The address of the Information Commissioner is:

The Office of the Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF.

Yours sincerely,

Elizabeth Lomas

ELIZABETH LOMAS
Data Protection Administrator
15th August 2006

Mrs Gail Adams-Fitton
PO Box 519
Exeter 7275
Australia
Tasmania

Correspondence References to Gail Adams-Fitton.

Principle: Q
04/05/1993
Subject: 20/05/93
Précis: Wants to establish a pet cemetery at Glengarry. Cannot get approval. Has written to everyone including GG.

Principle: Q
20/03/1997
Subject: Condolence/Statement
Précis: Complains of previous replies which she has received from BP. Sends many photocopies of letters and correspondence. Feels that she has been denied basic human rights.

Principle: Q
09/10/1997
Subject: Condolence/Statement
Précis: Following a number of telephone calls from this correspondent, a request was made for a full background.
Mrs Adams sent a batch of documentation. On review, it appears that she has had a number of problems relating to her business and local development plans, and this has all involved her in lengthy and expensive procedures which have not produced the results she sought.

Principle: Q
16/02/1998
Subject:
Précis: Writes to say that the majority of Australians think that HM does not care for the commonwealth citizens of Australia and this is why they want to become a republic.

Principle: Q
17/03/1998
Subject:
Précis: Faxed letter with photocopy of letter to Lord Irvine. "Bill of Rights 1688"

Principle: Q
20/03/1998
Subject:
Précis: Faxed letter to Sir Robert Fellowes asking him to read the attached letter to Lord Irvine relating to the fact that women should be respected as mothers of the universe.

Principle: POW
23/03/1998
Subject: POW – Government
Précis: same as to Q. Lots of documents all ret. with comp. slip. Or 15. Only 1 letter.

Principle: Q
20/05/1998
Subject:
Précis: Repeat letter.

Principle: Q
01/06/1998
Subject:
Précis: Attaching letters from solicitors.

Principle: Q
02/09/1998
Subject:
Précis: Fax

Principle: Q
14/01/1999
Subject:
Précis: Fax with attached 82 pages – affidavits sworn under oath.

islandstate

16 November 2005

Heritage House
172 Collins Street
Hobart Tasmania 7000
Phone 1300 659 001
islandstate.com

Mrs G L Adams
PO Box 519
Exeter TAS 7275

Dear Mrs Adams

I am writing to inform you that your application for credit has not been approved.

On the basis of the information supplied your application did not meet our lending requirements.

Our decision not to approve your application was based wholly or partly on information obtained from a credit report obtained from Tasmanian Collection Service.

Under the Privacy Act 1988, you have the right to obtain access to your credit information file held by a credit reporting agency.

The address of the Tasmanian Collection Service from which you may obtain a copy of your file is 29 Argyle Street, Hobart (ph: 03 62 235599).

When writing to the credit reporting agency you should print your name and address in full to assist the credit reporting agency to properly identify you.

However, if you consider your application has not received fair and unbiased treatment you have the right of appeal in writing to the full board of Directors.

Yours faithfully

Mike Lichtendonk
Business Relationship Manager

Member Number: 58794

The Tasmanian deciduous beech (*Nothofagus gunnii*) is resilient through all seasons with radiant autumn colours that transform the landscape each year. It is unique to this island state.

islandstate
ABN 34 087 651 287

CREDIT REPORT FROM TASMANIAN COLLECTION SERVICE 22-JAN-07 15:50:40 Ref:

Report Type : Consumer + Commercial (4) for "Self" Enquiry

This report is furnished in confidence at your request and for your exclusive use. Whilst every precaution is taken as to accuracy, no responsibility can be accepted for its content.

ADAMS/GAIL LESLIE 1981001579 Birth Date:31/12/1943
========== (ADAMGL) Oldest Inf:14/11/2005 H

	Addresses	Employer
Curr:	27/11/2006 858: Frankford\Glengarry	27/11/2006 Self Employed
Prev:	14/11/2005 858:Frankford Hgwy\Gleng	
	31/05/2001 858:FRANKFORD HGWY\GLENG	

-- CONSUMER RECORD FILE ON ADAMS/GAIL LESLIE --

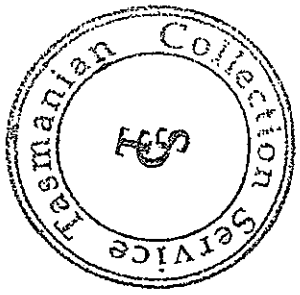
ENQUIRIES (3 on file)

Date	Name	Ref/Amt
22/12/2006	H LIBERTY FINANCial Pty Ltd	57000
27/11/2006	H "SELF" ENQUIRY	FILE DISCLOSURE
14/11/2005	L ISLAND STATE Launceston	48500

-- COMMERCIAL (INCLUDING NON-CONSUMER) FILE ON ADAMS/GAIL LESLIE -

---

No details on file for Report type selected



Tasmanian Collection Service
COLLECTION AND CREDIT REFERENCE SERVICES

ADAMS/GAIL LESLIE
Consumer, Commercial and Public Record Report
Extract Produced: 14-Nov-2005 2:58 PM, Requested by :L ISCULD

Personal Details

Name:	ADAMS/GAIL LESLIE	
Date of Birth:	31/12/1944	
Sex:	Female	
Earliest Date on File:	28/08/1985	
		First Reported
Current Address:	858 FRANKFORD HGWY GLENG	31/05/2001
Previous Address:	858 FRANKFORD HIGHWAY GL	15/06/1999
Current Employer:	ELSPECLITO KENNE	31/05/2001

Consumer Record

TCS Defaults (Current= 0 , Total= 1)

Date	Alias	Name	Amount	Result	Date	
07/12/2001		ISLAND STATE CREDIT UNION	4046	PDJ	13/05/2002	*

Enquiries (1 on file)

Date	Alias	Name	Ref/Amount	Comments
31/05/2001		PERSONAL FINANCE	MJW	

End of Report

Request ID: 758264

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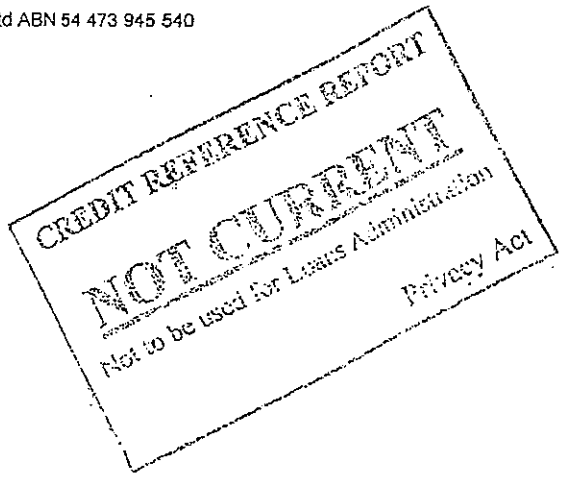

The Director of Public Pros.
of Tasmania,
Mr T. Ellis,
Hobart. TAS. 7000

21-5-07

FAX No: 62 34 2892

Dear Director of Public Prosc.,

I am writing to you in reference to the report in the Mercury dated 18-5-2007, page 3.

(1) Your statement to "Affidavits": You ignored mine and my 16 year case which the Affidavits were supported by documents and legal F.O.I's of Crown Solicitors.

(2) Officers of the Crown have placed many a blame onto the innocence of others. You blamed your own son.

(3) You do not believe in paying boarding facilities; eg. updated invoice attached for the two dogs in-care VKC148, VKC150 for 6½ years. Your son was under 18 years old and Jake was your responsibility.

(4) Yes, "it is a selective prosecution regime"; eg. remember your approval to my claim in Court, "vexatious, frivolous, oppressive, scandalous, unintelligable", to me. Re the Ombudsman's letter to MHA Booth and MHA Booth's letter to Ombudsman 11-8-2004, Ombudsman to D.P.I.W.E 2-5-01, my add in the Examiner 4-3-2006, copies to you.

(5) Cases in the Courts are normally open to Public.

(6) "Discomfort,"? you were fully aware of my life being threatened and the dogs, the deliberate "changing" or "altering" of a brief statement that altered the case, withheld statements and witnesses and then "forced" my pet caring

business and myself to pay. Re MHA Llewellyn's letter to me 28-11-2000.

(7) Why were you not charged under the Animal Welfare Act, Care and management, section 7?

(8) stated "I have gone to substantial trouble and expense"; Re my updated invoice and the letter from Buckingham Place on behalf of the Queen to my compensation in reference to my 16 year case, ignored by you, and the rest of the Crown law officers.

The Attorney-General under an Act of Parliament is fully responsible for the Director of Public Prosecution. The cruelty cases and their outcomes have been a standard disgrace, given the D.P.P had a Duty of Care to ensure the animals full rights were upheld, like any other "Victims of Crime", not plea bargained with you have not succeeded, as majority "No convictions". The laws are there, your case is a perfect example "a conviction." We all have choices. I choose the side of truth and justice, not the side of liars and fear.

Remember when you refused my F.O.I. request and I had to acquire that request through the Ombudsman. My letter to you hoped you would never get caught on the fence and that it was not a picket one, in reference to your statement to me, which was expressing compassion for you having two jobs. Look up compassion in the dictionary and then compare the definition of "vexatious, frivilous, oppressive and scandalous," to me, and to the two dogs in-care, which I have been protecting, and paying for.

Yours Sincerely

Gail Fitton (Adams),
P.O. Box 519, Exeter. EX5. 1AB.

LAWBREAKER: Cute little Jake got out and nearly caused a road accident.

Dog day for a top lawman

HOUNDED: Tim Ellis prepares for his day in court yesterday.

MARIA RAE
Law reporter

TASMANIA'S legal top dog, Tim Ellis, has been convicted and fined for letting his pure-bred pooch wander the streets.

The Director of Public Prosecutions found himself on the other side of the bar table yesterday when he pleaded guilty to failing to ensure his dog was not at large.

The eight-year-old King Charles cavalier spaniel, Jake, had escaped from his Mount Stuart home last February and was found frightened and lost at a busy city intersection.

A motorist stopped when he saw a car swerve to avoid Jake at the junction of Main Rd and Augusta Rd.

Jake, who died last Easter from heart disease, jumped into the car and was handed over to council authorities.

Ellis stood outside the Hobart Magistrates Court with colleagues yesterday as he waited for his case.

One supporter said "it's a dog of a case" while another joked that defence lawyer Peter Barker should have been representing him.

Inside the courtroom, police prosecutor Tim Graham said the council sought the maximum penalty of $500.

"The dog was found in the middle of a very busy public road," Mr Graham said.

"It was late at night but did nearly cause an accident."

Ellis said his 17-year-old son had been caring for the "well-trained, gentle pure-bred" while he was in Melbourne on business.

"The security was such that unless someone opened the gate, the dog would not get out," he said.

"My son went out. When he got back, the dog wasn't there."

His son was unable to find an out-of-hours phone number for the council, so Ellis rang it on his return and paid the due fees.

He did not pay the infringement notice within the given time, he said, because there was no evidence in it the dog had been at large.

He said it was only when he received affidavits from the prosecution that he agreed to pay the notice.

But he said the council had refused unless he also coughed up $900 in costs based on the Supreme Court scale.

"You could say the rot really set in for me there," he said.

When asked for its prosecution policy under FOI, he was told the council did not have one.

Of the 104 dog-owners who didn't pay their infringement notices, he argued, only 93 were prosecuted last financial year.

"It's a selective prosecution regime," he said.

He said the deficiencies of the prosecution were borne out in the fact he was pleading guilty to an amended charge.

Ellis said he had spent a lot of his own time working on the case and had taken leave to spend the day in court.

"I've gone to substantial trouble and expense," he said.

He also complained about the *Mercury* photographing him on his way into court.

"I have little doubt the council had alerted the press today, which has added to my discomfort," he said.

Magistrate Daynor Trigg said it was unwarranted for Ellis to get the maximum penalty.

"The King Charles spaniel is not a fearsome dog," he said.

"They are very attractive small dogs and are likely to be a danger to themselves."

He said Ellis had no prior convictions and did not appear uncaring about whether the dog was out or not.

He said the legislation gave him no choice but to record a conviction. He also fined Ellis $100.

fact that the Australian waterfront was notoriously inefficient and all of the collaborative attempts that had been made over the years to change that had failed," he said.

GREEN FINGERS: Jamie Durie is bulding a garden set for Oprah's show.

Jury out on Oprah TV deal

AUSSIE television gardener Jamie Durie has refused to confirm whether he has signed a deal to be a regular on Oprah Winfrey's show.

He will make his second guest appearance on the show today and has completely transformed her set into a striking large garden with thousands of plants.

"We are actually building a full-sized garden on the *Oprah* set," he said last night.

Durie's possible future involvement on *Oprah* remains a mystery, with Winfrey's management team now controlling the shots on what he can and cannot reveal.

When asked whether he had signed on to appear on the show for a set number of episodes, Durie said: "No comment."

But the former *Backyard Blitz* host hinted he would have an on-going partnership with Winfrey, who is considered to be one of the most powerful women in America.

The Mercury 18-5-07, page 3.

Your Majesty, Queen Elizabeth II, 13-7-2007.
and the Principal Adviser to
Her Majesty,
Buckingham Palace, London.
SW1A1AA.

Your Majesty,

I write with my own hand and attach a C.D. on which is 424 pages of my 16 year case. It is my right of passage to present the case to you when the process fails. Being set up to ridicule and the events upon us over years has been horrific.

The letter sent to me in October, 1997 on your behalf Your Majesty I want honoured, as your representative the Governor-General of Australia has never addressed my valid case, let alone read anything, as the documents on the C.D. show.

As on the balcony, set in stone, the word is justice.

Yours Sincerely,
Gail Fitton (Adams)
P.O. Box 519,
Exeter, 7275, Tasmania,
Australia.

BUCKINGHAM PALACE

Ms Gail Fitton
PO Box 519
Exeter, 7275
Tasmania
Australia

5th November 2007

Dear Ms Fitton,

Thank you for your letter of 4th October covering a CD with a copy of a letter to The Queen. I have passed this on to our Correspondence Office and they will be in touch in due course.

Yours sincerely

David Walker

Air Vice-Marshal David Walker
Master of The Queen's Household

M.H.R. Mr D. Adams,
for Lyons,
Tasmania.

26-11-07.

FAX No: 63981120.

Dear M.H.R. Mr. Adams,

I am attaching a copy of my add in the newspaper 4.3.06, I wrote to you long before that. The usual not even a reply,

(a) You refused my request for assistance to acquire an F.O.I. Federally. That blacked out line, was damaging, it showed what Labor really is.

Living where I have been for nearly 33 years I do not know you,

Please do not leave any of your messages or so called notifications in my P.O. Box.

Gail Felton,
P.O. Box 519,
Exeter. 7275. TAS.

The Prime Minister of
Australia,
Mr K. Rudd,
Canberra. A.C.T.

28-11-07.

FAX NO: 0262778495.

Dear Prime Minister, Mr K. Rudd,
Attached are self-explanatory in reference to my 16 year case;

(1) My letter to M.H.A. Mr D. Adams 26-11-07.
(2) My add in the newspaper 4-3-06.
(3) Letter to Ombudsman 1-8-2004.
(4) F.O.I. Ombudsman 18-10-2001.
(5) Letter to Premier 2-8-2007.
(6) Letter with C.D. to you at your Qld. office 29-5-2007.
(7) Letter from Buckingham Palace 15-10-1997.
(8) My letter to the Queen 13-7-2007.
(9) The letter from Buckingham Palace 5-11-2007.

and the forced position my pet caring Business and myself have been placed in since 3/1/2000.

The one thing that stands out is, the Queen did not need the legal F.O.I. documents to the events and validity of my case, of now 16 years.

Yours Sincerely,
Gail Sitton
P.O. Box 519,
Exeter. 7275. TAS.
PH- 63961145

LEGAL PROFESSION BOARD OF TASMANIA

31 August 2009

PRIVATE & CONFIDENTIAL

Ms Gail Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Fitton

COMPLAINT AGAINST MR STEVEN BISHOP
REF: 090088

I acknowledge receipt of your complaint form received by the Board on 27 August 2009.

I will be making a preliminary assessment of your complaint and will keep you informed of the progress of this matter.

Yours faithfully

Frank Ederle
EXECUTIVE OFFICER

Level 3, 147 Macquarie Street
Hobart Tasmania 7000
GPO Box 2335 Hobart 7001
Telephone 03 6226 3000
Facsimile 03 6226 6055
Email enquiry@lpbt.com.au
www.lpbt.com.au

LEGAL PROFESSION BOARD OF TASMANIA

COMPLAINT FORM

IMPORTANT INFORMATION BEFORE COMPLETING THIS FORM

- Please contact our office if you require assistance or require an interpreter to complete this form (see back page for contact details).

- As well as completing this form, please attach photocopies (not originals) of any documents you feel the Legal Profession Board of Tasmania will need in considering your complaint.

- If you wish to complain about more than one legal practitioner, please submit a separate Complaint Form about each of them.

- The Legal Profession Board of Tasmania **is required** to send a copy of your complaint to the legal practitioner or legal firm concerned unless by doing so it will or is likely to:

  1. prejudice the investigation of the complaint; or

  2. prejudice an investigation by the police or other investigatory or law enforcement body; or

  3. place you or any other person at risk of intimidation or harassment; or

  4. prejudice pending court proceedings.

  If you consider any of the above points (1-4) apply in your case, please explain on this form precisely why the lawyer should not receive a copy of your complaint form.

- Please understand this office cannot provide legal advice or legal assistance, nor influence the outcome of court proceedings.

- Please ensure you are as concise and brief as possible and as far as possible record dates in the order they occurred.

- Please ensure you sign and date the "Declaration" on the last page before submitting this form.

- Time Limit – Please note that the Board may be unable to deal with your complaint if it is made more than 3 years after the conduct is alleged to have occurred. If this may be applicable, please contact us to discuss the matter before completing this form.

1. Your details

Title: MS Given name: GAIL Surname: FITTON

Address: P.O. BOX 519,

EXETER. TAS. Postcode: 7275.

Phone: (H) 03-63961145 (W)

(M) Fax.

Email:

Date of birth (optional): ☐Male ☑Female

Main language spoken at home: ENGLISH

Are you making this complaint on behalf of another person, such as a client or relative:

☐Yes ☑No If yes, please tell us who you are making the complaint for and why?

Complainant's name:

Address:

Postcode:

Reason:

2. Details of the legal practitioner against whom you wish to complain

Practitioner's name: MR S. BISHOP

Name of firm/chambers: BISHOPS

Address: 19 PATERSON ST, CENTREWAY ARCADE

LAUNCESTON Postcode: 7250

Phone: 63314667 Fax:

3. Before you lodge a formal complaint

Have you already tried to resolve this complaint? ☑Yes ☐No

If yes, how? .....

.....

.....

.....

.....

.....

.....

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.....

.....

.....

Please attach copies of relevant correspondence.

Have you previously complained about this matter to the Legal Ombudsman, Tasmanian Law Society or other organisation? ☐Yes ☐No

If yes, approximate date of complaint:..... File reference (if available): .....

4. The legal practitioner named in question 2 (above) acted as:

☐my solicitor ☐my barrister ☐lawyer for the other side

☑other... FOR THE TASMANIAN STATE GOVERNMENT

5. The area of law that my original legal case relates to is:

☐administrative law	☐defamation	☐motor vehicle injuries
☐banking law	☐environmental law	☐motor vehicle accident
☐building law	☐equal opportunity	☐personal injury
☐civil liberties	☐family/defacto	☐planning law
☐commercial law	☐freedom of information	☐probate and estate
☐company law	☐immigration law	☐taxation law
☐constitutional law	☐industrial relations	☐trade practices
☐conveyancing	☐insolvency law	☐wills
☐crimes compensation	☐intellectual property	☐workers' compensation
☐criminal law	☐leasing	☐other – (please specify)
☐debt collection	☐mortgages	.....

6. By making this complaint to the Legal Profession Board of Tasmania, I am hoping to achieve the following outcome(s):

☐have my documents/files transferred	☐improve my communication with the lawyer
☐have the lawyer disciplined	☐improve the service provided by the lawyer
☐receive an apology	☐resolve my dispute with the lawyer
☐resolve my dispute about fees	☑receive financial compensation

☑other (please briefly list your expectations) .....

(a) In-care for 2 dogs VKC148, VKC150.

(b) Reparation and compensation for my two daughters, my pet caring business and myself for the 20 years + of what has occurred. Justice and seen to be done.

NO 5= I am not a Solicitor.

7. Please tell us about your complaint

In the space below please describe the conduct which is the subject of your complaint. It would be helpful if your were to;

- Give a brief description of events that led to your complaint (what happened, when, who was involved etc).
- State what your particular complaints are (e.g. poor communication, quality of service, behaviour, dishonesty, negligence etc).
- Include details of significant events such as dates of meetings and court hearings.

Please attach copies of relevant documents to support your complaint and a list of these documents. Do not send original documents.

If there are witnesses who could provide independent evidence that will help us deal with your complaint, please provide their names and full contact details. Please indicate why you think they could help.

attached (a)(b)(c) sheets.

8. Costs

Please only complete this section if your complaint or part of your complaint relates to costs.

I had a written agreement with the legal practitioner about costs ☐Yes ☐No

If yes, please attach a copy.

I attach a copy of my bill(s) from the legal practitioner ☐Yes ☐No

(Details of the bill must be provided)

The total amount of the bill(s) in this matter is/are:

Legal practitioner's fee $ ..... Disbursements or other legal expenses $ .....

Date(s) of bill(s): .....

My problem with the bill(s) is that:

☐I was quoted a smaller amount, namely $.....

☐I think the bill is too high for the amount of work done

☐I think the bill includes work that was not done

☐I think the legal practitioner handled the matter badly and I should not have to pay for this

☐Other (give details) .....

The legal practitioner has been paid:

☐Yes (in full) Date of payment .....

☐Yes (in part) Amount $ ..... Date of payment .....

☐No

9. Declaration

Note: If you are making this complaint on behalf of someone else (e.g. your partner or parent) please include a signed written authority from that person allowing you to complain on their behalf.

I declare that the information I have given in, and with this complaint, is true and correct.

Signed: G.L. Fitton (Adams) Date: 13/8/2009

Please send the completed form and photocopied attachments to:

Legal Profession Board of Tasmania
GPO Box 2335
HOBART TAS 7001

Phone: (03) 6226 3000
Fax: (03) 6223 6055

1. In 1987 I was denied an extra access off a major state road for growth of my existing business, as was other developments.

2. On 4.6.1990 the West Tamar Council (Beaconsfield) gave planning approval for 3 new accesses to one property only;
(a) The developer having no written permission from the titleowner.

(b) The developer not a resident in Tasmania.

(c) No licences for the development.

(d) Without appropriate planning approval for the many pet caring facilities and an office building for them.

3. The effects that followed the objections to the requested additional access, has been stressfull and humiliating.

4. Appeals to the Anti-Discrimination Tribunals, resulted in the following;
(a) Inordinate delays to make decisions.

(b) the last, inacceptable time taken ie. after 3 hearings in December 2003.

(c) the next decision took a further 18 months within the 6 year period to mid. 2005.

5. The following were all presented and handed up supporting the complaints that were all completely ignored;

(a) The evidence of statements.

(b) Affidavits, documents.

(c) Freedom of Information, including those from:

- Crown Solicitors office.
- The Justice Dept.
- The Ombudsman's office.
- A prosecution file.
- Animal cruelty.
- the letter from Buckingham Palace.

"Mr S. Bishop was on the Anti-Discrimination Tribunal acting on behalf of the State Government of Tasmania. He heard my legal matter and as a result of his written decision I make the following statements;

1. He ignored witness statements and during the hearing in relation to the effects of the granting of 3 road accesses.

2. He failed to apply the law in his written decision;
(a) Animal cruelty.

RECEIVED
27 AUG 2015
BY:

3. Provided false statements eg.;

(a) No 28. stated "her neighbour is Mrs E. Chan", my neighbour is Not Mrs E. Chan on either side of my property nor the nearest neighbour, at Glengarry, in the rural zone of West Tamar, but approx. 1Klm going to Exeter, on the opposite side to my property on the 100Klm major state road.

(b) No 52. stated "a Police Officer suggested the complaintant needs a man", the Police Officer was an Inspector from George Town sent by Launceston Police on my continual complaints upon my two school

children, our animals and myself and upon leaving stated unsympathetically "all your problems are you do not have a man around" without anything resolved. All the evidence handed up to Mrs S. Bishop were horrible and frightening. An unnecessary discriminatory statement.

40. stated,

(a) in part "However the complainant has sought, in effect, to convert them into complaints about discrimination by simply attaching them to a complaint lodgment form published by Anti-Discrimination Commission and ticking the boxes marked "marital status", "gender/sex" and others. The complaints may arise as part of a campaign perceived by the Complaintant as an appropriate search for justice."

The boxes were not simply marked a a campaign for justice and 2 was following the instructions of Magistrate H. Woods to return to Anti-Discrimination. It was my right to go to the Anti-Discrimination Commission. The case of the illegal acts, was not my problem, but under the Tasmanian Constitution 2 read, everyone was to be treated equal and the law holds on "no" new or extra access on a major state road in the rural zone. Mr S. Bishop ignored the laws and the crown legals freedom of information.

LEGAL PROFESSION BOARD OF TASMANIA

4 September 2009

PRIVATE & CONFIDENTIAL

Gail Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Fitton

FITTON V BISHOP
REF: 090088

I have now made a preliminary assessment of your complaint against Mr Bishop. In order to progress this matter further I now require you to provide, pursuant to section 429 (a) of the *Legal Profession Act* 2007, further information in relation to the complaint.

The further information I now seek is in relation to the delay between when you say the alleged conduct of the practitioner occurred and the lodging of your complaint.

I therefore draw your attention to section 428 (2) of the Act that deals with complaints made more than 3 years after the alleged conduct concerned occurred:

> "... *(2) However, a complaint cannot be dealt with (otherwise than to dismiss it) if the complaint is made more than 3 years after the conduct is alleged to have occurred, unless the Board determines that –*
>
> *(a) it is just and fair to deal with the complaint having regard to the delay and the reasons for the delay; and*
>
> *(b) the complaint involves an allegation of professional misconduct and it is in the public interest to deal with the complaint.*"

The above section of the Act may be applicable to your complaint and therefore before being able to progress this matter further, you will need to provide to the Board the reasons for the delay and satisfy the Board that it would be just and fair for it to deal with this complaint now in light of the delay and the reasons for it.

Level 3, 147 Macquarie Street
Hobart Tasmania 7000
GPO Box 2335 Hobart 7001
Telephone 03 6226 3000
Facsimile 03 6223 6055
Email enquiry@lpbt.com.au
www.lpbt.com.au

To the extent that you are alleging professional misconduct (i.e. something more serious than unsatisfactory professional conduct), you should also tell the Board why you say it is in the public interest that it should deal with the complaint.

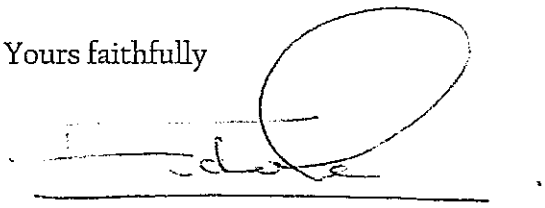
I also draw your attention to section 433 (1) (b) of the Act that states:

> "...*(1) The Board must dismiss a complaint if –*
>
> *(b) the complaint was made more than 6 years after the conduct complained of is alleged to have occurred, unless a determination is made under section 428 (Complaints made more than 3 years after the conduct concerned) in relation to the complaint;*"

I will therefore await your response in relation to the above, prior to progressing this matter further.

Please do not hesitate to contact me should you require any further clarification on any of the above.

Yours faithfully



Frank Ederle
EXECUTIVE OFFICER

The Legal Profession Board of Tasmania, 15-9-09.
The Director,
G.P.O. Box 2335,
Hobart. 7001. TAS.

Dear Director, Executive Officer Mr F. Eberle,
In response to your letter dated 4-9-09 Ref. No: 090088 I put forth the reasons to justify my complaints in my case;

(a) I should not be penalised or held accountable or responsible for the actions of the time taken, by those who had the powers, trust and the responsibility for upholding the laws in this whole case eg;
1. Animal cruelty/welfare.
2. Magistrate A. Woods approx. taking near a year to a decision.
3. Chairperson Mrs S. Bishop approx. taking 2½ years for me to receive his decision.

(b) I wrote and requested on more than one accassion for a decision over years.

(c) However I met my time requirements and was bound by Court dates set for hearings and the process and which I believe this whole case is in the public interest to all the events that have occurred.

Yours Sincerely
Gail Fitton
P.O. Box 519, Exeter. 72..
PH= 63961145.

LEGAL PROFESSION BOARD OF TASMANIA

12 November 2009

PRIVATE & CONFIDENTIAL

Ms Gail Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Fitton

FITTON V BISHOP
REF: 090088

I refer to our previous correspondence in relation to this matter.

The Board convened on 6 and 10 November 2009 and discussed your complaint against Mr Bishop and considered the written submissions in relation to it.

The Board determined that your complaint is not one that the Board has power to deal with. The Board dismissed the complaint pursuant to section 433 (1) (e) of the *Legal Profession Act* 2007. I enclose the Determination & Reasons for Determination dated 12 November 2009.

Should you have any queries in relation to the above, please do not hesitate to contact me.

Yours faithfully

Frank Ederle
EXECUTIVE OFFICER

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LEGAL PROFESSION BOARD OF TASMANIA

No. 54/2009

GAIL FITTON **Complainant**

-AND-

STEVEN BISHOP **Legal Practitioner**

DETERMINATION & REASONS FOR DETERMINATION

Determination

That the Board not having made a determination under section 428 (2) of the *Legal Profession Act* 2007 ("the Act"), the complaint is dismissed under section 433 (1) (e).

Reasons for Determination

This matter comes before the Board by way of a complaint made under section 427 of the Act and dated 13 August 2009. Mrs Fitton provided additional information to the Board in a letter dated 15 September 2009.

Mrs Fitton operates a dog boarding kennel business in Exeter. To increase her business she sought an extra access off a major State road. In 1987 this was denied by the Council. In 1990 a neighbouring developer obtained Council approval for three new accesses to one property. In light of this, Mrs Fitton appealed to the Anti-Discrimination Tribunal which made its decision in June 2005.

Mrs Fitton alleges inordinate delays on the part of the Tribunal in making its decision and that the Tribunal ignored evidence, including affidavits and other documents, that supported her case, leading to her appeal being disallowed.

The complaint against Mr Bishop is that he was a member of the Tribunal, and signed the decision, and thus was responsible for the alleged deficiencies mentioned above. Implicit in Mrs Fitton's complaint is that Mr Bishop, as a legal practitioner admitted to practice in Tasmania, should answer to the Board for his conduct in relation to the hearings of her appeal to the Tribunal.

The complaint relates to conduct which occurred more than 3 years prior to the making of the complaint. Section 428 (2) of the Act provides that the

Legal Profession Board of Tasmania
Level 3, 147 Macquarie Street
HOBART TAS 7000
Telephone: (03) 6226 3000
Facsimile: (03) 6223 6055

complaint cannot be dealt with (otherwise than to dismiss it) unless the Board determines that: -

(a) it is just and fair to deal with the complaint having regard to the delay and the reasons for the delay; and

(b) the complaint involves an allegation of professional misconduct and it is in the public interest to deal with the complaint.

In relation to the section 428 (2) issue the Board sought submissions from Mrs Fitton and, in support of her claims, she provided additional information in a letter of 15 September 2009.

The Board turns first to the issue of professional misconduct, because unless it is satisfied that there is a prima facie case in relation to such conduct i.e. a reasonable possibility on the material before the Board of such conduct being established, the Board is required, because of the length of the delay in making this complaint, to dismiss the complaint.

The conduct complained about must occur in connection with the practice of the law. In the Board's opinion, nothing which has been put to it evidences conduct of that character on Mr Bishop's part. In discharging his functions as a member of the Anti-Discrimination Tribunal Mr Bishop was not acting in his professional capacity as a lawyer but rather in his capacity as a Tribunal member. Even if he erred in the performances of his functions in that capacity (which is not a matter which the Board has jurisdiction to determine), error does not point to misconduct, much less misconduct of the type necessary to bring it within the Board's jurisdiction.

On the evidence before it the Board is not persuaded that it should make a determination under section 428 (2), because it is not satisfied that a prima facie case of professional misconduct has been made out. Its only option, therefore, is to dismiss the complaint under section 433 (1) (e). Section 433 (1) (e) requires the Board to dismiss a complaint it if it is not one that the Board has power to deal with.

Determination dated the 12th day of November 2009.

Legal Profession Board of Tasmania

Per: [signature]

Board Member

Legal Profession Board of Tasmania
Level 3, 147 Macquarie Street
HOBART TAS 7000
Telephone: (03) 6226 3000
Facsimile: (03) 6223 6055

Please note that within 21 days after the date of this determination the complainant or the legal practitioner, the subject of the complaint may apply to the Disciplinary Tribunal or Supreme Court to have this matter heard by the Disciplinary Tribunal or Supreme Court and may make an application to the Disciplinary Tribunal or Supreme Court to stay the determination pending the finalisation of such an application.

Legal Profession Board of Tasmania
Level 3, 147 Macquarie Street
HOBART TAS 7000
Telephone: (03) 6226 3000
Facsimile: (03) 6223 6055

The Legal Profession Board 16-11-09
of Tas.
The Members of the Board
and the Director,
G.P.O. Box 2335,
Hobart. 7000, TAS
FAX No: 62236055.

Dear Members of the Board and Director,
I received on 13/11/09 the requested written decision of my complaint on Mr. S. Bishop, dismissed under;
(a) Mr S. Bishop was a Tribunal member.
(b) The Board having no power.
(c) The case being over 3 years old.
My complaints to the above, to the above, given the 6(six)-members, selected by the Minister, are listed to the untrue statements and errors;
1. I am not Mrs.
2. I am stunned that my submissions were not read and comprehended correctly.
Second Paragraph.
1. Again, I am not Mrs.
2. I do not operate a boarding dog kennel in Exeter but a "pet caring facility at Glengarry and have since 1977, registered with Business and Corporate Affairs of Tasmania.
3. In 1987 it was not only the Council's refusal for an extra access entrance but also the Dept. of Main Roads, as it has been illegal since 1986 in the rural zone, the law.
4. In 1990 "No" neighbouring developer obtained Council approval for three new road accesses, next to, near or opposite my property.

Paragraph 5:

Stated 3 years for a complaint, which 2 believe in written law was 6 years.

Paragraph 8:

1. Stated "in connection with the practice of the law" given all the illegal acts not connected?
2. Mr S. Bishop was acting in his capacity as a Solicitor, not just a Tribunal member, given the three hearings in the Magistrate's Court, and those persons on that Tribunal were either Solicitors or Magistrates, as the cases heard were about the laws. They were suppose to know the laws in their professional status and to act and apply those laws. Logical.
3. Conflict of Interest 2 believe is still a law. Mr S. Bishop on "no" occassion admitted to those of us at the hearings, conflict of Interest. At no time, never, never, should Mr S. Bishop resided over this case, nor anyone connected to the Jeovah Witness Cult or Sect in any capacity for any reason.

*:

When cruelty to animals is plea bargained with, and a bullet in the brain is placed, then as you are, placed on a local tip, to save the expense of a fare home by a State Government and its Officers who have a Duty of Care for you, Only then does one realise how sick and twisted things are, and that when a State is lauched on cruelty, may never ever change, given this is the 21st Century not the 1800's.

The Board was handed up a complaint with respect to their professional status. 2 obviously never received the same.

This Board and State Government may not know that in April 2000 publically the Governor of Tasmania stated "The Rule of Law is Supreme".

I want the contents of the letter on behalf of the Queen from Buckingham Palace honoured in its full contents and statements.

Yours Sincerely,
Gail (Adams) Fitton,
P.O. Box 519,
Exeter, 7275. TAS.
PH: 63961145.

LEGAL PROFESSION BOARD OF TASMANIA

31 August 2009

PRIVATE & CONFIDENTIAL

Ms Gail Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Fitton

COMPLAINT AGAINST MR STEVEN BISHOP
REF: 090088

I acknowledge receipt of your complaint form received by the Board on 27 August 2009.

I will be making a preliminary assessment of your complaint and will keep you informed of the progress of this matter.

Yours faithfully

Frank Ederle
EXECUTIVE OFFICER

Level 3, 147 Macquarie Street
Hobart Tasmania 7000
GPO Box 2335 Hobart 7001
Telephone 03 6226 3000
Facsimile 03 6223 6055
Email enquiry@lpbt.com.au
www.lpbt.com.au

1. In 1984 I was denied an extra access off a major state road for growth of my exsisting business, as was other developments.

2. On 4.6.1990 the West Tamar Council (Beaconsfield) gave planning approval for 3 new accesses to one property only;
(a) The developer having no written permission from the titleowner.

(b) The developer not a resident in Tasmania.

(c) No licences for the development.

(d) Without appropriate planning approval for the many pet caring facilities and an office building for them.

3. The effects that followed the objections to the requested additional access, has been stressfull and humiliating.

4. Appeals to the Anti-Discrimination Tribunals, resulted in the following;
(a) Inordinate delays to make decisions.

(b) the last inacceptable time taken ie. after 3 hearings in December 2003.

(c) the next decision took a further 18 months within the 6 year period to mid. 2005.

Mr S. Bishop was on the Anti-Discrimination Tribunal acting on behalf of the State Government of Tasmania. He heard my legal matter and as a result of his written decision I make the following statements;

1. He ignored witness statements and during the hearing in relation to the effects of the granting of 3 road accesses.

2. He failed to apply the law in his written decision;
(a) Animal cruelty.

RECEIVED
27 AUG 2009
BY:

3. Provided false statements eg.;

(a) No 28. stated "her neighbour is Mrs E. Chan", my neighbour is Not Mrs E. Chan on either side of my property nor the nearest neighbour, at Glendarry, in the rural zone of West Tamar, but approx. 1Klm going to Exeter, on the opposite side to my property on the 100Klm major state road.

(b) No 52. stated "a Police Officer suggested the complaintant needs a man", the Police Officer was an Inspector from George Town sent by Launceston Police on my continual complaints upon my two school

children, our animals and myself and upon leaving stated unsympatically, "all your problems are, you do not have a man around", without anything resolved. All the evidence handed up to Mrs S. Bishop were horrible and frightening. An unnecessary discriminatory statement.

20. stated,

(a) In part "However the complaintant has sought, in effect, to convert them into complaints about discrimination by simply attaching them to a complaint lodgment form published by Anti-Discrimination Commission and ticking the boxes marked "Marital status", "Gender/Sex" and others. The complaints may arise as part of a campaign perceived by the Complaintant as an appropriate search for justice".

The boxes were not simply marked a a campaign for justice and I was following the instructions of Magistrate H. Woods to return to Anti-Discrimination. It was my right to go to the Anti-Discrimination Commission. The case of the illegal acts, was not my problem, but under the Tasmanian Constitution I read, everyone was to be treated equal and the law holds on "no" new or extra access on a major state road in the rural zone. Mr S. Bishop ignored the laws and the crown legals freedom of information.

Senator the Hon Richard Colbeck
Liberal Senator for Tasmania

Dept of Foreig www.DFAT.GOV.AU/treaties/making.

RC/dc

1 September, 2009

Ms Gail Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Fitton

Thank you for contacting my office recently with your enquiries about Australia's participation with regards to the Universal Declaration of Human Rights and the International Covenants on Human Rights.

With regard to the Universal Declaration of Human Rights, this is not a legally binding Declaration and therefore it has no signatories in the form of UN member states. Instead, the Declaration was ratified through proclamation by the UN General Assembly on December 10, 1948 with a count of 48 votes to none, with 8 abstentions. Australia, an original member of the UN General Assembly since 1945, voted in favour of the Declaration.

The International Covenants on Human Rights comprises two Covenants – the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.

Australia became a signatory to both the Covenant on Economics, Social and Cultural Rights and the Covenant on Civil and Political Rights on 18 December, 1972.

Australia has also agreed to uphold the rights outlined in the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention Against Torture, and the Convention on the Rights of Persons with Disabilities.

In Australia, human rights are promoted and protected by the independent statutory organisation Australian Human Rights Commission. The Commission is responsible for administering a number of federal laws, including the Racial Discrimination Act 1975, the Sex Discrimination Act 1984, the Disability Discrimination Act 1992 and the Age Discrimination Act 2004.

Human Rights & Equal Opp.

5-7 Best Street
DEVONPORT TAS 7310
PO Box 603
DEVONPORT TAS 7310

Phone: (03) 6424 5960
Local Call: 1300 134 495
Facsimile: (03) 6423 5244

Email:
Senator.Colbeck@aph.gov.au

Parliament House
CANBERRA ACT 2600
Phone: (02) 6277 5814
Facsimile: (02) 6277 5823

Currently, the Federal Government is also part-way through the National Human Rights Consultation which has been holding forums and taking submissions about human rights in Australia and about the processes and mechanisms which protect our human rights. The Consultation committee is due to report its finding on September 30, 2009. I look forward to viewing this report, and I will undertake to forward you a copy once it is released.

I trust the information above meets your needs. Thank you again for raising these matters with my office. If I can be of further assistance on this or any other matter, please contact me again.

Yours sincerely

Richard Colbeck

Richard Colbeck
Shadow Parliamentary Secretary for Agriculture, Fisheries and Forestry
Liberal Senator for Tasmania

LEGAL PROFESSION BOARD OF TASMANIA

4 September 2009

PRIVATE & CONFIDENTIAL

Gail Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Fitton

FITTON V BISHOP
REF: 090088

I have now made a preliminary assessment of your complaint against Mr Bishop. In order to progress this matter further I now require you to provide, pursuant to section 429 (a) of the *Legal Profession Act* 2007, further information in relation to the complaint.

The further information I now seek is in relation to the delay between when you say the alleged conduct of the practitioner occurred and the lodging of your complaint.

I therefore draw your attention to section 428 (2) of the Act that deals with complaints made more than 3 years after the alleged conduct concerned occurred:

> "... (2) *However, a complaint cannot be dealt with (otherwise than to dismiss it) if the complaint is made more than 3 years after the conduct is alleged to have occurred, unless the Board determines that –*
>
> *(a) it is just and fair to deal with the complaint having regard to the delay and the reasons for the delay; and*
>
> *(b) the complaint involves an allegation of professional misconduct and it is in the public interest to deal with the complaint.*"

The above section of the Act may be applicable to your complaint and therefore before being able to progress this matter further, you will need to provide to the Board the reasons for the delay and satisfy the Board that it would be just and fair for it to deal with this complaint now in light of the delay and the reasons for it.

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www.lpbt.com.au

To the extent that you are alleging professional misconduct (i.e. something more serious than unsatisfactory professional conduct), you should also tell the Board why you say it is in the public interest that it should deal with the complaint.

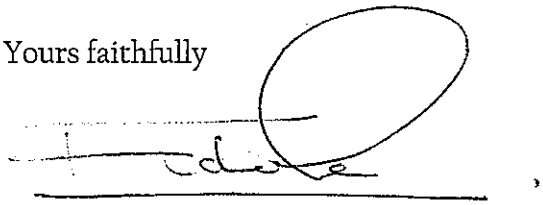
I also draw your attention to section 433 (1) (b) of the Act that states:

> "...*(1) The Board must dismiss a complaint if –*
>
> *(b) the complaint was made more than 6 years after the conduct complained of is alleged to have occurred, unless a determination is made under section 428 (Complaints made more than 3 years after the conduct concerned) in relation to the complaint;"*

I will therefore await your response in relation to the above, prior to progressing this matter further.

Please do not hesitate to contact me should you require any further clarification on any of the above.

Yours faithfully



Frank Ederle
EXECUTIVE OFFICER

The Legal Profession Board of Tasmania, 15-9-09.
The Director,
G.P.O. Box 2335,
Hobart. 7001. TAS.

Dear Director, Executive Officer Mr F. Eberle,
In response to your letter dated 4-9-09 ref. No: 090088 I set forth the reasons to justify my complaints in my case;

(a) I should not be penalised or held accountable or responsible for the actions of the time taken, by those who had the powers, trust and the responsibility for upholding the laws in this whole case eg;
1. Animal cruelty - welfare.
2. Magistrate A. Woods approx. taking near a year to a decision.
3. Chairperson Mrs S. Bishop approx. taking 2½ years for me to receive his decision.

(b) I wrote and requested on more than one accassion for a decision over years.

(c) however I met my time requirements and was bound by Court dates set for hearings and the process and which I believe this whole case is in the public interest to all the events that have occurred.

Yours Sincerely,
Gail Fitton,
P.O. Box 519, Exeter, TAS.
PH- 63961145.

LEGAL PROFESSION BOARD OF TASMANIA

RECEIVED
16 JUL 2009
BY: LPBT

COMPLAINT FORM

IMPORTANT INFORMATION BEFORE COMPLETING THIS FORM

- Please contact our office if you require assistance or require an interpreter to complete this form (see back page for contact details).

- As well as completing this form, please attach photocopies (not originals) of any documents you feel the Legal Profession Board of Tasmania will need in considering your complaint.

- If you wish to complain about more than one legal practitioner, please submit a separate Complaint Form about each of them.

- The Legal Profession Board of Tasmania **is required** to send a copy of your complaint to the legal practitioner or legal firm concerned unless by doing so it will or is likely to:

  1. prejudice the investigation of the complaint; or

  2. prejudice an investigation by the police or other investigatory or law enforcement body; or

  3. place you or any other person at risk of intimidation or harassment; or

  4. prejudice pending court proceedings.

  If you consider any of the above points (1-4) apply in your case, please explain on this form precisely why the lawyer should not receive a copy of your complaint form.

- Please understand this office cannot provide legal advice or legal assistance, nor influence the outcome of court proceedings.

- Please ensure you are as concise and brief as possible and as far as possible record dates in the order they occurred.

- Please ensure you sign and date the "Declaration" on the last page before submitting this form.

- Time Limit – Please note that the Board may be unable to deal with your complaint if it is made more than 3 years after the conduct is alleged to have occurred. If this may be applicable, please contact us to discuss the matter before completing this form.

1. Your details

Title: M/S Given name: GAIL Surname: FITTON (ADAMS)

Address: P.O. BOX 519, EXETER. TAS.

Postcode: 7275

Phone: (H) 03 6396 1145 (W)

(M) Fax.

Email:

Date of birth (optional): ☐Male ☑Female

Main language spoken at home: ENGLISH

Are you making this complaint on behalf of another person, such as a client or relative:

☐Yes ☑No · If yes, please tell us who you are making the complaint for and why?

Complainant's name:

Address:

Postcode:

Reason:

2. Details of the legal practitioner against whom you wish to complain

Practitioner's name: M/S ROBYN HOPCROFT

Name of firm/chambers: TASMANIAN STATE GOV;

Address: JUSTICE DEPT; OMBUDSMANS DEPT,

HOBART. TAS. Postcode:

Phone: Fax:

RECEIVED
16 JUL 2009
BY: LPBT

3. Before you lodge a formal complaint

Have you already tried to resolve this complaint? ☑Yes ☐No

If yes, how? .....

14(1) raised in Parliament 2008 – Beg; in Hansard's by MHA Napier who handed to Labour Government that the 14(1) could be in writing or verbal and the letter of M/S K. Hopcroft of April, 2002. Still nothing.

The two dogs, Elspedito Enterprises and myself were Victims of Crime.

Please attach copies of relevant correspondence.

Have you previously complained about this matter to the Legal Ombudsman, Tasmanian Law Society or other organisation? ☑Yes ☐No

If yes, approximate date of complaint:..... File reference (if available): .....

4. The legal practitioner named in question 2 (above) acted as:

☐my solicitor ☐my barrister ☐lawyer for the other side

☐other.....

5. The area of law that my original legal case relates to is:

- [x] administrative law
- [ ] banking law
- [ ] building law
- [ ] civil liberties
- [ ] commercial law
- [ ] company law
- [x] constitutional law
- [ ] conveyancing
- [ ] crimes compensation
- [x] criminal law
- [ ] debt collection
- [ ] defamation
- [ ] environmental law
- [x] equal opportunity
- [ ] family/defacto
- [ ] freedom of information
- [ ] immigration law
- [ ] industrial relations
- [ ] insolvency law
- [ ] intellectual property
- [ ] leasing
- [ ] mortgages
- [ ] motor vehicle injuries
- [ ] motor vehicle accident
- [ ] personal injury
- [x] planning law
- [ ] probate and estate
- [ ] taxation law
- [ ] trade practices
- [ ] wills
- [ ] workers' compensation
- [x] other – (please specify) Animal Welfare Act 1993 Dog Control Act 1987

6. By making this complaint to the Legal Profession Board of Tasmania, I am hoping to achieve the following outcome(s):

- [ ] have my documents/files transferred
- [ ] have the lawyer disciplined
- [ ] receive an apology
- [ ] resolve my dispute about fees
- [ ] improve my communication with the lawyer
- [ ] improve the service provided by the lawyer
- [ ] resolve my dispute with the lawyer
- [x] receive financial compensation
- [x] other (please briefly list your expectations)

1. MY INCARE BOARDING FEES.
2. MY EXPENSES.
3. COMPENSATION FOR 20YEARS FOR MY TWO DAUGHTERS AND MYSELF
4. REPARATION: JUSTICE NOT ONLY TO BE DONE BUT SEEN TO BE DONE.
5. THE FEMALE DOG FROM CRUELTY CASE 506/93/00 IS STILL ALIVE AND BEING CARED FOR AT ELSPEDITO ENT. GLENGARRY.
6. Rights.

7. Please tell us about your complaint

In the space below please describe the conduct which is the subject of your complaint. It would be helpful if your were to;

- Give a brief description of events that led to your complaint (what happened, when, who was involved etc).
- State what your particular complaints are (e.g. poor communication, quality of service, behaviour, dishonesty, negligence etc).
- Include details of significant events such as dates of meetings and court hearings.

Please attach copies of relevant documents to support your complaint and a list of these documents. **Do not** send original documents.

If there are witnesses who could provide independent evidence that will help us deal with your complaint, please provide their names and full contact details. Please indicate why you think they could help.

1. D.P.I.W.E.
2. LOCAL GOVERNMENT of TAS.
3. POLICE
4. POLICE MINISTER
5. D.P.P.
6. THE QUEEN IN BUCKINGHAM PALACE
7. JUSTICE DEPT.
8. OMBUDSMAN

Perverting the Course of Justice; Conspiracy; Conflict of Interest; Recklessness; forseeability; Fraudulant misrepresentation; negligent misrepresentation; deception; Tort; wrong; delay; deceit; unreasonable; misfeasance; bias; Ignorance of the Constitution of the Commonwealth of Australia No 117 and the Rule of Law; denial of Human rights equal opportunity and victim of crimes rights. Abuse of power and the process. Lack of Duty of Care.

8. Costs

Please only complete this section if your complaint or part of your complaint relates to costs.

I had a written agreement with the legal practitioner about costs ☐Yes ☐No

If yes, please attach a copy.

I attach a copy of my bill(s) from the legal practitioner ☐Yes ☐No

(Details of the bill must be provided)

The total amount of the bill(s) in this matter is/are: [redacted]

Legal practitioner's fee $ .....Disbursements or other legal expenses $ .....

Date(s) of bill(s): .....

My problem with the bill(s) is that:

☐I was quoted a smaller amount, namely $.....

☐I think the bill is too high for the amount of work done

☐I think the bill includes work that was not done

☐I think the legal practitioner handled the matter badly and I should not have to pay for this

☑Other (give details) .....

The legal practitioner has been paid:

☐Yes (in full) Date of payment .....

☐Yes (in part) Amount $..... Date of payment .....

☐No

1. My in-care Boarding fees and expenses. The female is still alive and in-care.
2. 20 years compensation for my two daughter and myself.
3. Reparation; Justice not only to be done but seen to be done.
4. The Queen's letter honoured.

ANTI-DISCRIMINATION TRIBUNAL OF TASMANIA
HELD AT LAUNCESTON

IN AN APPLICATION pursuant to section 65(2) of the *Anti-Discrimination Act 1998* to review a determination made by the Anti-Discrimination Commissioner rejecting two complaints made by **GAIL ADAMS-FITTON**

APPLICATION

Complaint No. 87/2002

1. These proceedings were originated by a Claim Form completed by Gail Adams-Fitton ("the Complainant") and dated the 13th August 2002. The complaint was accepted for investigation by letter dated 16th August 2002. By letter dated 7th October 2002 the Anti-Discrimination Commissioner ("the Commissioner") rejected the Complainant's claim and gave reasons in her letter, centering on Ss. 63 and 64 (1) of the Anti-Discrimination Act ("the Act"). The Complainant then appealed against the rejection to the Tribunal pursuant to S.72 of the Act. The Complainant appeared at several hearings and gave further information in support and in amplification of matters contained in the documents supplied to the Commission.

RESPONDENTS

2. The Complainant has named as respondents:

(1) Police. ("the Police")
(2) Police Minister. ("the Minister")
(3) Beaconsfield-West Tamar Council.("the Council")
(4) State Ombudsman. ("the Ombudsman")

Conduct Complained Of

3. In her claim form dated 13th August, 2002 Complainant alleges unlawful discrimination on the basis of the following attributes:

1. Race.
2. Gender/sex.

3. Political belief or affiliation.
4. Political activity.
5. Religious belief or affiliation.
6. Religious activity.

4. She also alleges that she has been humiliated, intimidated, insulted, ridiculed or offended due to her:

1. Gender/sex.
2. Marital status.
3. Family responsibilities.

5. She also alleges that she is making a claim of inciting hatred on the grounds of:

1. Race.
2. Religious belief or affiliation.
3. Religious activity.

6. She further claims that she has been victimised because she has complained about discrimination.

7. The areas of activity in which she claims discrimination, humiliation, incitement, and victimisation have occurred are:

1. The provision of facilities, goods and services.
2. The administration of a law of the State.

8. By letter dated 7th October, 2002, the then Commissioner, Dr Jocelynne A Scutt, rejected complaint number 87/2002 for investigation. That letter ran to some 23 pages and set out in detail the facts relied on by the Complainant and the reasons for the decision.

Complaint No. 94/2002

9. By a claim form dated 7th October, 2002 the Complainant made a claim of discrimination against the Director of Public Prosecutions, that complaint being numbered 94 of 2002. The conduct complained of was her treatment by

the Director of Public Prosecutions in the conduct of a civil case in the Magistrate's Court. The Complainant had brought proceedings against The Premier, various Ministers and the Cabinet of the government of Tasmania.

10. This complaint was also rejected for investigation by the Commissioner, on this occasion by letter dated 15th November 2002.. That letter ran to some 16 pages and set out in detail the facts relied on by the Complainant and the reasons for the decision. That decision is also the subject of an application to review.

11. This application was heard at the same time as Complaint Number 87 of 2002. There was considerable overlap in the material relied in both matters, and Complaint Number 94 of 2002 was effectively but one aspect of the story of the Complainants difficulties over a long period of time.

RELEVANT DATES

12. In this matter it is important to note that the Anti-Discrimination Act only became operative on the 10th day of December 1999. By Section 108(2) the Act applies to discrimination and prohibited conduct within the meaning of the *Sex Discrimination Act 1994* which took place after the commencement of that Act, namely September 1995. Much of the conduct complained of occurred before the operative dates of either of those Acts. The Tribunal does note that by Section 108(1), the Act "*does not apply to discrimination or prohibited conduct that took place and concluded before the commencement of*" the Act. Accordingly if discrimination or prohibited conduct occurred prior to the operative dates, and had not concluded then the Tribunal is to recognise that conduct.

BACKGROUND

13. The Complainant previously lodged a claim dated 10th July, 2000 with the Commissioner, alleging discrimination on the basis of race, marital status, family responsibilities, religious belief or affiliation, and religious activity, and alleged prohibited conduct in the area of provision of facilities, goods and

services, membership and activities of club and administration of a law of the State in a State programme. The Respondents named in that claim where the Premier of Tasmania, the Attorney General, and the Department of Justice and Industrial Relations, Consumer Affairs, and Senator Jocelyn Newman.

14. That claim was rejected for investigation and the Complainant sought a review.

15. In January 2002 that Application for a Review was dismissed. In her reasons for judgment, the Chairperson, H M Wood, referred to claims of discrimination made at the hearing of the application against the Police, the Minister, the Council, the Ombudsman, and noted that none of those persons had been named as respondents in that claim. Accordingly no decision was made in relation to the submissions made concerning those persons and it was indicated to the Complainant that it was a matter for her whether she made a fresh complaint in respect of those respondents.

16. Those matters are now the subject of the proceedings N. 87/2002, begun by the claim form dated 13th August, 2002.

DUTY OF TRIBUNAL

17. Section 72 of the Act prescribes the duty of the Tribunal on hearing an application for review of a rejection. After re examining the relevant materials the Tribunal must decide whether it is satisfied the Commissioner made a correct decision in rejecting the complaint. It does this by way of a rehearing and may substitute its own view simply because it is satisfied the original decision was wrong.

MATERIALS

18. The Tribunal has had regard to the following materials in arriving at its decision:

1. Claim forms of the Complainant dated 13th August, 2002 and 7th October, 2002.
2. The determinations and reasons of the Anti-Discrimination Commissioner dated 7th October, 2002 and 15th November 2002.
3. Document headed *'Further details relating to anti-discrimination on the matter of Beaconsfield Council'*.
4. Document headed *'Ombudsman'*.
5. Document headed *'Further details relating to anti-discrimination appeal on the matter of Tasmania Police and Police Minister'*.
6. Document headed *'Greyhound matter chronology to date'*.
7. Document headed *'To the Anti-Discrimination Tribunal 13.1.03 in response to the Anti-Discrimination's decision in part only'*.
8. Document headed *'Beaconsfield Council- now West Tamar Council'*.
9. Letter to Tribunal from Complainant dated 17.10.02, seeking review.
10. Oral submissions of the Complainant made on the days of hearing of application
11. Letter of Complainant to the Tribunal dated 24.9.04 with annexures.
12. Document entitled *'the Australian Citizenship Oath of Australia'*.
13. Extracts from St Joseph's School prayer book.
14. Citizenship Certificates.
15. Extract from *'The Age'* newspaper relating to the Chief Justice and the *'Ten Commandments'*.
16. Article concerning the rule of law.
17. Medical document and certificates relating to the Complainant.
18. Document entitled *'The Governor of Australia'*.
19. Document entitled *'The Governor General of Australia'*.
20. Document entitled *'The Federal Justice Department'*.
21. Document entitled *'The Federal Attorney-General'*.
22. Document entitled *'Enquiries Herman Vanderbrug'*.
23. Document entitled *'FOIs'*.
24. Document entitled *'Mr Pitchford'*.
25. Bundle of photographs.
26. Documents obtained from New South Wales Office of Fair Trading under the Freedom of Information Act.
27. Further documents relating to miniature ponies.
28. Document from the Complainant relating to Freedom of Information documents obtained from New South Wales government dated 14th August, 2003.
29. Document from the Complainant relating to alleged illegal access dated 20th October, 2003.
30. Document from Complainant dated 27th October, 2003 relating to Freedom of Information documents.
31. Documents forwarded from Complainant on letter dated 30th June, 2004 obtained under Freedom of Information legislation.
32. Audio tape of proceedings Elspedito against State of Tasmania, Matter No 40853/02.

19. The Complainant also had a large amount of material which she said supported her case in a number of two ring binders of documents. She was

invited on several occasions to identify the specific passages in the particular documents upon which she wished to rely. However she had great trouble in doing this.

20. She was clearly overwhelmed by the intellectual challenge of mastering such a vast amount of material, stretching back over a decade, and discriminating between those parts which supported particular claims. She was at times quite distressed in presenting her case and in a somewhat beleaguered state sought to tender the whole of the documents.

21. Eventually this unusual course was permitted by the Tribunal. No other course, in the view of the Tribunal, would permit a realistic evaluation of the materials. Without that, arduous and time consuming as it was, no credible merits based review could be undertaken. Those materials are listed hereunder.

VOLUME 1

BEACONSFIELD COUNCIL AND PLANNING APPEAL BOARD
RE LOT 6, GLENMORE ESTATE, FRANKFORD HIGHWAY, GLENGARRY

22. Complainant index in chronological order

1. **Note dated** 1987
2. **Note dated** 11/1/1990 Planning Appeal Decision
3. **Note dated**15/5/1990
4. **Note dated** 16/5/1990
5. **Note dated** 19/5/1990, including Examiner photocopy dated 19/5/90 citing an Application for Planning Approval for S M Chan to operate Boarding Kennels.
6. **Note dated** 28/5/1990 followed by letter of same date addressed to Mr P R Ransom regarding the Proposed Boarding Kennels, and also a map of the proposed access via a Right of Way.
7. **Note dated** 4/6/1990 including Minutes of the General Meeting of the Beaconsfield Municipal Council held on Monday 4/6/1990 and Planning Officer's Report for the Boarding Kennels, includes copy of the Tasmanian University Law Review Vol. 1 July, 1958 No 1.
8. **Note dated** 5/6/1990 re letter from Beaconsfield Council to Miss S Chan re planning approval.
9. **Note dated** 22/6/1990 re letter from Donald J Jones re appeal and a copy of the Notice of Appeal by Gail Leslie Adams.
10. **Note dated** 2/7/01990 re letter from Beaconsfield Council to Town & Country Planning Commission in Hobart.
11. **Note dated** 6/7/1990 re Letter from the Planning Appeal Board and including a letter from Donald J Jones, including a copy of the Constitution Amendment No 42 of 1988.
12. **Note dated** 6/7/1990 and City of Launceston Minutes of meeting 30/7/1990.
13. **Note dated** 12/9/1990 and letter form Clarke & Gee re Planning Dispute dated 2/10/1990, letter dated 12/9/1990 from Clarke & Gee to

the Council, and photocopy of the Local Government Act 1962 Section 733b - (3).

14. **Note dated** 26/9/1990 re letter from council to Clarke & Gee and photocopy of photos of Tree. Further a letters from Clarke & Gee dated 1/11/1990 and 5/12/1990 to Harkin & Adams.
15. **Note dated** 11/1990 re Examiner Article dated 23/5/1991.
16. **Note dated** 22/12/1990 re Examiner article and quoting Dog Control laws dated 1987 and map.
17. **Note dated** 2/1/1991 which includes a Petition.
18. **Note dated** 12/1/1991 Public Notices
19. **Note dated** 19/1/1991 and letters from Ombudsman dated 12/12/90 and 19/1/91.
20. **Note dated** 20/1/1991 together with copies of titles and correspondence to the Titles Office dated 30/1/92.
21. **Note dated** 23/1/1991 and letter from Beaconsfield Council to the Ombudsman.
22. **Note dated** 29/1/1991 and letter from Beaconsfield Council dated 29/1/1991.
23. **Note dated** 20/2/1991 including Planning Report.
24. **Note dated** 25/2/1991 together with a Planning Officer Report and Examiner Newspaper article dated 5/2/1991 and several other newspaper articles.
25. **Note dated** 26/2/1991 and letter from Beaconsfield to Adams dated 26/2/1991.
26. **Note dated** 28/2/1991 and correspondence to Beaconsfield Council dated 28/2/1991.
27. **Note dated** 7/3/1991 and letter to Planning Appeal Board dated 7/3/1991.
28. **Note dated** 11/3/1991 and letter to Beaconsfield Council.
29. **Note dated** 12/3/1991 and letter from Beaconsfield Council.
30. **Note dated** 13/3/1991 and letter from Planning Appeal Board and Newspaper article from Tamar Times dated April, 4th 1991.
31. **Note dated** 18/3/1991 with sundry news articles from papers.
32. **Note dated** 20/3/1991 with letter from Beaconsfield Council.
33. **Note dated** 12/4/1991 re Planning Appeal Board dismissing appeal.
34. **Note dated** 17/4/1991 re Planning Appeal Board hearing, including correspondence.
35. **Note dated** 23/4/1991 with the Planning Appeal Board Decision, including newspaper articles.
36. **Note dated** 2/7/1991 re Mr & Mrs Chan purchasing property in Glengarry, title and Examiner article dated 22/12/1990.
37. **Note dated** 2/9/1991 includes letter from Beaconsfield Council to Rev. Lance Armstrong.
38. **Note dated** Sept/Oct 1991 with Telephone book copy of ad for Glenmore Estate Kennels.
39. **Note dated** 9/11/1991 and newspaper articles in Public Notices dated 9/11/1991 and 16/11/1991.
40. **Note dated** 11/11/1991 with petition of objection to Beaconsfield Council.

41. **Note dated** 13/11/1991 with further objections to Beaconsfield Council.
42. **Note dated** 31/12/1991 with letter from Beaconsfield Council dated 18/12/1991.
43. **Note dated** 14/1/1992 with letter from Planning Appeal Board letter dated 14/1/1992. Also letter from Clarke & Gee dated 17/2/1992 including copy of 1990 Local Government Amendment (Planning and Development No 50 Section 847 - 11.)
44. **Note dated** 24/3/1992 includes letter dated 4/3/1991 to Town & Country Planning in Hobart and letter to Appeal Planning Board dated 24/32/1992. Also includes photocopies of photos of the road access.
45. **Note dated** 11/5/1992 with Planning Appeal Board decision on access-sight distance inadequacy and petitions.
46. **Note dated** 21/5/1992 with Letter from G Adams to Beaconsfield Council.
47. **Note dated** 22/5/1992 with letter from Planning Appeal Board to Gail Adams.
48. **Note dated** 12/6/1992 with letter from Beaconsfield Council to G Adams & news clip dated 19/11/1992 re pet cemetery.
49. **Note dated** 19/6/1992 re Beaconsfield Council allowing new access road.
50. **Note dated** 22/6/1992 with letter from G Adams to Beaconsfield Council.
51. **Note dated** 15/7/1992 with letter from Beaconsfield Council to G Adams re reimbursement of expenses.
52. **Note dated** 26/11/1992 with letter from Bishop Gunton Rae to G Adams advising that they act for Chan family and copy of Examiner article dated 26/2/1995 re Jehovah's Witness movement in Singapore.
53. **Note dated** 23/12/1992 with letter from G Adams to Planning Appeal Board.
54. **Note dated** 11/1/1993with letter from Planning Appeal Board to G Adams.
55. **Note dated** 25/1/1993 with letter from G Adams to Town & Country Planning, Hobart.
56. **Note dated** 8/2/1993 with letter from Planning Appeal Board to G Adams re breach of Clause 7.5.1, and letter from G Adams to West Tamar Council dated 10.5.1995 re complaint about dogs, and response letter from West Tamar Council dated 24/5/1995.
57. **Note dated** 28/5/1996 with letters and advertisements regarding the Glenmore Estate Kennels.
58. **Note dated** 6/6/1996 with letter from West Tamar Council ("WTC") to Gail Adams re Freedom of Information and Examiner news article dated 5/7/1994.
59. **Note dated** 18/6/1996 with letter from West Tamar Council,
60. **Note dated** 24/6/1996 with letter from Gail Adams to West Tamar Council requesting information.
61. **Note dated** 8/7/1996 with letter from WTC to Gail Adams re FIO.
62. **Note dated** 5/8/1996 with letter to Beaconsfield Council from Gail Adams re A frame signs positioning.

63. **Note dated** 26/8/1996 with reply from WTC to G Adams re A frame signs.
64. **Note dated** 23/9/1996 with letter from WTC re removal of signs.
65. **Note dated** 15/5/1998 with WTC newsletter, advertisement for Glenmore Estate Kennels and news article "What's up with my cat?", letter to Governor of Tasmania, Examiner article titled "Dogs track down people in danger" dated 13/12/1980, Examiner article entitled "Rescue parties win over tough going" dated 5/11/1984 and others.
66. **Note dated** 30/7/1999 with letter from WTC.
67. **Note dated** 16/11/1999 with letter from G Adams to Mr Pitt, Q.C.
68. **Note dated** 13/12/1999 with letter from Resource Management & Planning Appeal Tribunal ("RM & PAT").
69. **Note dated** 21/7/2000 with letter from RM&PAT with Residents petition.
70. **Note dated** 25/8/2000 with letter to WTC from Gail Adams.
71. **Note dated** 9/2000 with photos of Boarding Kennel sign.
72. **Note dated** 3/11/2000 with letter from RM&PAT.
73. **Note dated** 31/12/2000 with Around the Region article about Cr Easther & copy of 2001 Telephone directory ad for Glenmore Estate Kennels.
74. **Note dated** 14/2/01 with 5 photos of property, and article from The Examiner dated 19/7/2002 titled "Development 'Stifled' by Fran Voss.

VOLUME 2
STATUTORY DECLARATION BY COMPLAINANT DATED 4/09/97

1. **Note** referring to June 1990.
2. **Note** dated 2/7/1991 together with copy certificate of title Volume 4790 Folio 21.
3. **Note** dated 1987.
4. **Note** undated re Developer S Chan.
5. **Note** referring to S. Chan's licence.
6. **Note** referring to letter of January 1991 together with letters from Ombudsman dated 12 December, 1990, 19 January, 1991, 9 January, 1991, 19 January, 1991, and various photos of trees.
7. **Note** referring to letter dated 10 January, 1991 from M Polley together with letter to M Polley dated 9 May, 1991 and letter from M Polley dated 10 May, 1991.
8. **Note** referring to letter dated 23 May, 1991 from J Jackson together with letter to Mr Patmore dated 9 May, 1991 and letter from J Jackson dated 23 May, 1991.
9. **Note dated** 14 January, 1999 together with letters from Clarke & Gee dated 2 October, 1990 with copy letter to Beaconsfield Court dated 12 September, 1990, Clarke & Gee dated 1 November, 1990, Clarke & Gee dated 6 December, 1990 and 17 February, 1992.
10. **Note** referring to end of 1991 re P Stevenson acquiring a property.
11. **Note** referring to objections and S Chan applying for right of way in to Glenmore Estate.
12. **Note** referring to private right of way to be jointly maintained by owners of individual title owners.

13. **Note** referring to decision mad 23 April, 1991 at the Planning Appeal Tribunal.
14. **Note** referring to Institute of Surveyors members together with copy letter from Cohen & Associates to The Ombudsman dated 19 April.
15. **Note** referring to the business "Elspedito Enterprises" registered in 1977.
16. **Note dated** 25 April, 1991 re abusive phone calls.
17. **Note** regarding harassment to ponies and horses.
18. **Note dated** January, 1991 re Ombudsman Mr Barton.
19. **Note** referring to meeting with Rev L Armstrong together with letter from Office of The Green Independents dated 14 June, 1991, letter from Office of The Green Independents to Peter Patmore dated 14 June, 1991, letter from Peter Patmore to Rev Lance Armstrong dated 31 July, 1991, letter from Office of the Green Independents dated 23 August, 1991, letter to Rev Lance Armstrong dated 10 December, 1992 an letter from Rev Lance Armstrong dated 6 January, 1993.
20. **Note dated** April, 1992 re Planning Appeal Board Tribunal.
21. **Note** re above appeal and S. Chan's submissions together with letter from RMPAT dated 21 July, 2000 and signed petition re use of access.
22. **Note** regarding reps of Members of Parliament together with letter from Minister for Primary Industry, Fisheries & Energy dated 9 July, 1992 and letter to Robin Gray dated 28 September, 1992.
23. **Note** referring to May, 1992 re problems with Australian Miniature Pony Society Inc.
24. **Note** re approaching Consumer Affairs re stallion.
25. **Note** referring to letter dated 5 August, 1992 together with letter from Minister for Construction dated 26 June, 1992, letter from Minister for Roads & Transport dated 5 August, 1992, letter from Douglas & Collins dated 25 July, 1995 together with copy letter from Douglas & Collins to Frank Madill dated 25 July, 1995, letter from Frank Madill to Douglas & Collins dated 28 July, 1995.
26. **Note** referring to meeting with Mr J. Cleary together with letter to the Governor of Tasmania dated 19 August, 1993, letter from Minister for Environment & Land Management dated 19 October, 1993, letter from Minister of Transport dated 2 September, 1996, letter from Minister for Transport dated 24 September, 1996, letter from Minister for Transport dated 30 September, 1996.
27. **Note** referring to correspondence sent to Mr Ray Groom together with letter to Mr Jessup dated 28 September, 1992, letter to Mr Jessup dated 28 September, 1992, letter to The Premier dated 2 November, 1992, letter to Dept of Premier and Cabinet dated 22 March, 1993 and letter from Premier dated 13 May, 1993.
28. **Note** referring to letter from Mr Burr dated 12 March, 1993 together with letter from Mr Burr dated 12 March, 1993.
29. **Note** referring to letter dated 26 November, 1993 from Bishop Gunton & Rae together with copy of letter from Bishop Gunton & Rae dated 26 November, 1992.
30. **Note** referring to letter from Senator Newman dated 29 June, 1993 together with copy of that letter, letters from Senator Newman dated

18 April, 1994, 25 July, 1994, letters from Rhana Crago dated 3 September, 1996, 24 May, 1996, 13 September, 1996, 17 October, 1996, letter from Mark Snyders dated 6 July, 1993, letter to The Ombudsman dated 7 April, 1994 and letter from the Ombudsman dated 12 March, 1994.

31. **Note** referring to letter sent to former Prime Minister P Keating together with letters from Prime Minister and Cabinet dated 9 February, 1993 and 4 March, 1993, and letter from Premier Ray Groom dated 13 May, 1993.
32. **Note** referring to letter sent to Governor-General of Australia Mr Bill Hayden together with copy letter to Governor-General dated 29 April, 1993, letter from W.G. Hoffman dated 4 May, 1993, letter from Jeannie Hall dated 27 May, 1994, letter to Governor-General dated 25 September, 1996, letter from Douglas Sturkey dated 26 September, 1996, copy article from Mercury dated 28 May, 1996, letter from Jeannie Hall dated 6 June, 1994 and Affirmation of Office of William George Hayden.
33. **Note** referring to letter to Solicitor-General of Tasmania Mr B Bale together with copy letter dated 15 January, 1993 and letter from Solicitor-General dated 21 January, 1993.
34. **Note** referring to letter to Mr Burdekin dated 16 December, 1993 together with copy letter, letters from Human Rights Commission dated 23 March, 1995, 30 March, 1999 and 21 April, 1999.
35. **Note** referring to letter to Federal Attorney-General Mr Lavarch dated 11 March, 1994 together with copy of that letter and letter from Lester Watson dated 11 March, 1994.
36. **Note** referring to letter to Commonwealth Ombudsman dated 2 June, 1994 together with copy of that letter and letter from Commonwealth Ombudsman dated 10 June, 1994.
37. **Note** referring to letter to the Director of Public Prosecutions ("DPP") Mr D Bugg together with copy letter from DPP dated 18 August, 1994, letter to Justice Department dated 12 August, 1994, letter from DPP dated 24 August, 1994, letter to DPP dated 22 September, 1994, letter from DPP dated 4 October, 1994, letter to DPP dated 16 June, 1998, letter from DPP dated 17 June, 1998, letters to DPP dated 15 October, 1998, 19 October, 1998, letter from DPP dated 19 October, 1998, letter from Peter Patmore dated 5 October, 1998 and letter to Farrer & Co Solicitors, London dated 12 October, 1998.
38. **Note** referring to letter sent to Director of Local Government R. Roodenrys together with copy of that letter dated 31 October, 1994 and letter from R Roodenrys dated 9 November, 1994.
39. **Note** referring to meeting with Superintendent of Northern Tas Police dated 7 September, 1994 together with copy letter to Superintendent dated 7 September, 1994 and copy of page of Criminal Code Act 1924.
40. **Note** regarding visit from Inspector Woolley without prior notice together with copy pamphlet left in letterbox and letter to Superintendent dated 4 June, 1998.
41. **Note** relating to credit rating.

42. **Note** relating to letter to Richard Bingham, Secretary to the Justice Dept of Tas together with copy letters from Dept of Justice dated 6 August, 1992, 26 April, 1993, 8 June, 1993, 30 March, 1995, 5 July, 1995, copy letter from Chief Magistrate Shott dated 20 July, 1995, letters from Dept of Justice dated 27 July, 1995, 17 April, 1996, 17 May, 1996 and 5 June, 1996.
43. **Note** referring to letter sent to National Crimes Authority dated 21 August, 1996 together with copy of that letter and letter from National Crime Authority dated 3 September, 1996.
44. **Note** referring to letter sent from Mrs McCaughey to solicitor Mr Edwards dated January, 1995 together with letter from Zeeman Kable & Page to Mrs McCaughey dated 21 May, 1985, letter from Zeeman Kable & Page dated 28 May, 1985, letter from Douglas & Collins to Mrs McCaughey dated 13 January, 1995, letter from Mrs McCaughey to Douglas & Collins dated 17 January, 1995, letter from Douglas & Collins to Mary Barnes dated 2 March, 1995, statement to police dated 4 June, 1998.
45. **Note** referring to mail box mail tampering in March 1995, including correspondence to the Federal Police and response to same dated 1/7/1998.
46. **Note** regarding correspondence to Federal Minister.
47. **Note** regarding letter from Legislative Council to G Adams, and further a letter to Mr Loone dated 28/6/1995; letter from Clarke & Gee dated 12/9/1990 and 17/2/1992 re planning appeal.
48. **Note** about the letter sent to the Governor General dated 29/4/1993, and Mr Pitchford dated 1/7/01993 and the acknowledgements. Further letter dated 19/8/1993 to Governor General and acknowledgement. Further letter from Minister for Environment and Land Management dated 19/10/1993. Oath to be Taken by Executive Councillors, further letters from the Governors office. Newspaper article dated 29/04/00 entitled 'Rule of law Supreme - Governor.'
    This point includes 19 different articles and letters relating to Ms. Adams correspondence to Government and the Governor General, including a letter dated 25/2/1999 asking Ms Adams not to write to them about her matter any more.
49. **Note** regarding requests for a copy of the constitution October 1854 and correspondence enclosed in that regard.
50. **Note** regarding letter to Police Commissioner dated 16/2/1996. Also correspondence to Queen Elizabeth dated 10/6/98.
51. **Note** re letter to Attorney General and reply dated 11/3/1994 and further reply dated 19/11/1996.
52. **Note** re letter dated 31/10/1996 to Mr Justice Crawford. And his reply 1/11/1996.
53. **Note** regarding membership refusal to the Australian Miniature Pony Society of NSW and the ensuing correspondence re this matter.
54. **Note** regarding injustices to G Adams family and correspondence in that regard.

55. **Note** regarding advice given by Mr Doolan (solicitor) and a presentation to the Minister for Justice, Mr Ray Groom. Mr Groom saying he will not get involved.
56. **Note** re consultation with the Minister.
57. **Note** regarding Adams injustices. Includes letter from Clarke & Gee dated 1/11/1990, 17/02/1992, Hansard Report dated 1/3/1994, letter from Ombudsman dated 23/7/1999 and other material.
58. Certificate of Registration of Business Name.
59. Notice of Hearing in the Magistrates Court small claims division for 29/01/1993.
60. **Note** regarding the Magistrates Court.
61. **Notice** of Order in the Magistrates Court dated 19/02/1993 and copy of ad placed in paper for missing 'Molly' the cat.
62. **Note** regarding the credentials of Mrs E Chan.
63. **Note** regarding derogatory statements about her business, includes laws about crimes of false witness and statements. Includes sworn statement regarding 'Molly' by Miranda Jane Leedham dated 13/11/1992 and other statements regarding her credibility and 'Molly', the missing cat.
64. **Note** regarding the cat being found.
65. **Nothing** (numbering error)
66. **Note** and letter from the Solicitor-General of Tasmania dated 21/01/1993.
67. **Note** regarding pedigree Siamese Cat and Mrs E Chan's lack of credibility.
68. **Note** and summons to appear to a plaint, and letter from Zeeman, Kable & page dated 13/9/1994 to Adams.
69. **Note** regarding the services provided to dog 'Candy' and a dispute in that regard.
70. **Note** about complaint to Consumer Affairs re the missing information about services provided to 'Candy'.
71. **Note** re letter to Minister for Consumer Affairs and copy of letter dated 25/5/1994.
72. **Note** re court attendance of 'unknown vet'.
73. **Note** re court proceedings and lack of documentation.
74. **Note** regarding Stat Decs re Candy deemed "suspicious" by Magistrate.
75. **Note** saying that the Magistrate was satisfied with the documents and freight docket produced.
76. **Note** regarding the denial of documents to Ms Adams.
77. **Note** regarding 'a conspiracy' about the cat, dog and new access road.
78. **Note** re copy of letter from Attorney-General and Minister for Justice of Queensland dated 16/8/1996 regarding the Bill of Rights dated 1688.

VOLUME 3

SECTION ONE - A DIARY OF EVENTS FROM 4/9/1997 TO 10/12/1999

1. **Letter** from Hon. Denise Swan dated 15/10/1996 re A framed signs on Frankfort Highway belonging to Mrs Chan.
2. **Letter** Buckingham Palace dated 15/10/1997, and copy of Constitution of Australia v States.
3. **Letter** to Senator B Brown dated 16/10/1997 (enclosing documentation)

4. **Letter** to Premier of Tasmania dated 10/11/1997 enclosing a Stat Dec.
5. **Letter** from Deputy Official Secretary to Government House re inability to advise Ms Adams dated 11/11/1997.
6. Illegible letter (due to fading).
7. **Letter** from Deputy Official Secretary to Government House re forwarding documents dated 8/12/1997.
8. **Letter** from Law Society dated 19/12/1997 re no jurisdiction.
9. **Letter** to Ray Groom, Minister of Justice, Attorney-General for Tasmania dated 14/1/1998 demanding justice.
10. **Letter** from Elspedito Enterprises to J Bacon as Leader of the Opposition.
11. **Letter** from Ray Groom dated 2/2/1998 regarding inability to act.
12. **Letter** to Governor of Tasmania, Sir Guy Green asking for help.
13. **Letter** from Jim Bacon as State Labour Leader dated 11/2/1998 saying he is unable to intervene.
14. **Letter** to Ray Groom dated 19/2/1998 saying that she cannot afford a solicitor as was advised and will request Diplomatic Intervention to be taken to have the matter settled.
15. **Nothing listed**
16. **Letter** from Ray Groom dated 9/3/1998 saying he cannot be involved.
17. **Letter** from Catherine Murphy, Prime Minster's Office dated 10/3/1998 saying the Prime Minister is unable to assist.
18. **Letter** from Elspedito Enterprises dated 25/3/1998 to the Speaker of House of Parliament.
19. **Letter** to Senator Bob Brown dated 1/4/1998 asking for a response.
20. **Nothing** (numbering error)
21. **Letter** to Mr Ray Groom dated 8/4/1998 saying that justice has been perverted and advising that articles have been sent to the Examiner and a reply to the Lord Chancellor of the House of Lords in London.
22. **Notice** to Speaker of House of Assembly in Tasmania dated 15/5/1998.
23. **Letter** to Christine Milne dated 20/5/1998.
24. **Letter** to Queen Elizabeth dated 14/1/1999.
25. **Letter** to Director of Public Prosecutions dated 16/6/1998.
26. **Letter** to Director of Public Prosecutions dated 19/6/1998.
27. **Notice** of Hearing in Court of Petty Sessions between G L Adams and Von Bibra Motors for Hearing dated 29/6/1994 (requesting payment of $380.00). Includes payment voucher dated 27/2/1995 for $474.80.
28. **Nothing** (numbering error).
29. **Letter** from Adams to Mr J Bacon dated 23/6/1998 re Pet Cemetery.
30. **Letter** from Adams to Mrs C Milne dated 14/7/1998 re her petition being read aloud in Parliament.
31. **Letter** to Jim Bacon dated 18/7/1998 and further request for copy of the Tasmanian Constitution signed by Queen Victoria 1854.
32. **Nothing** listed.
33. **Letter** from The Prime Ministers office dated 23/7/1998 saying they cannot become involved.
34. **Letter** from The Treasury dated 29/7/1998 referring queries to Hon Denise Swan.
35. **Letter** from Denise Swan, Minister for Local Government dated 4/9/1998 saying the matter is to be closed.

36. **Letter** to Mr Bugg, director for Public Prosecutions dated 7/9/1998 re questions asked at Public Question time 18/3/1991.
37. **Letter** to P Patmore, Attorney-General of Tasmania dated 29/9/1998 re D Swan.
38. **Letter** from Office of Senator the Hon Jocelyn Newman dated 1/10/1998 acknowledging fax received.
39. **Letter** from Peter Patmore dated 5/10/1998 asking Ms Adams to seek legal advice.
40. **Letter** to P Patmore dated 7/10/1998 together with 20 pages of documentation.
41. **Letter** to Farrer & Co, Solicitors in London dated 12/10/1998.
42. **Letter** to Governor G Green dated 14/10/1998.
43. **Letter** to Director of Public Prosecutions dated 15/10/1998 requesting a copy of brief in full.
44. **Letter** from Director of Public Prosecutions dated 19/10/1998 saying he is not in a position to provide copies of briefs.
45. **Letter** to Jim Bacon dated 26/10/1998 asking for a reply for her letters.
46. **Letter** to Jim Bacon dated 28/10/1998 asking to speak with him personally.
47. **Letter** from Peter Manton from the Office of the Governor.
48. **Letter** to Premier Jim Bacon dated 9/11/1998 requesting compensation.
49. **Letter** of response from Jim Bacon regretting inability to assist.
50. **Letter** from Elspedito to G Green as Governor with copies of the letters sent previously to Queen etc, and asking for compensation of costs.
51. **Copy** of Section 95 of the Criminal Code Act of 1924 regarding oaths.
52. **Letter** to B Carr, Premier of NSW dated 3/2/1999.
53. **Letter** to the Law Society of Tasmania dated 18/2/1999 regarding the 82 page Affidavit and seeking assistance.
54. **Letter** received from The Cabinet Office of NSW dated 22/2/1999 saying that the matter would be looked at by the Attorney General.
55. **Letter** to Sir Guy Green dated 22/2/1999 with copies of many letters in the matter and questions about her matter.
56. **Letter** from Peter Manton saying they will not be writing to her again and that His Excellency would not intervene in her matter.
57. **Copy** of a Restraint Order against June Welch dated 25/2/1999.
58. **Letter** from Office of the Minister for Justice and Customs saying the matter is outside their jurisdiction.
59. **Letter** dated 13/4/1999 to Parliament House asking for documents to be handed to Jim Bacon.
60. **Letter** from Parliament House of Assembly dated 13/4/1999 acknowledging receipt of letter.
61. **Letter** to Premier of Tasmania dated 28/4/1994 expressing frustration about her personal life being questioned when it had nothing to do with the matter.
62. **Letter** to Mr Bacon dated 28/4/1999 attaching 9 letters regarding her matter.
63. **Letter** from the Premier dated (supposedly 27/4/1999) advising her to take legal advice.
64. **Letter** from The Senate dated 26/5/1999 saying it is beyond their scope and should be directed to the Tasmania government.

65. **Letter** to Ombudsman dated 4/6/1999 seeking compensation and justice.
66. **Letter** from Jocelyn Newman, Senator for Tasmania dated 9/6/1999 who advised that she would forward the matter of the State Attorney General and Peter Patmore.
67. **Letter** from Peter Patmore dated 15/6/1999 saying he will not alter his position and advising her to get legal advice.
68. **Letter** to Sir Guy Green dated 18/6/1999 requesting compensation.
69. **Letter** to Peter Patmore dated 22/6/1999 asking for a copy of a letter sent between Senator Newman and Peter.
70. **Letter** from Ombudsman dated 25/6/1999 advising her that her matter was "out of time".
71. **Letter** to Ombudsman dated 30/6/1999 with further documentation.
72. **Letter** to Ombudsman dated 5/7/1999 asking him to review the circumstances and continue the investigations.
73. **Letter** to Ombudsman dated 12/7/1992 including a few documents, and asking for compensation for costs.
74. **Letter** to Ombudsman dated 19/7/1999 from Andrea Dalton of Newnham regarding the legality of the access road and right of way.
75. **Letter** from Ombudsman dated 23/7/1999 saying that they will look into the matter further for her and get back to her. Ombudsman includes a chronology of events regarding Mrs Chan's application for a Pet Cemetery and her subsequent application for an access road.
76. **Letter** from Ombudsman dated 30/9/1999 saying that the matter has been investigated and completed and returned her material.
Includes letter from West Tamar Council to Ombudsman.
77. **Letter** to Mr Pitt, Queen's Council dated 16/11/1999 enclosing documents.
78. **Letter** to Sir Guy Green dated 30/11/1999 attaching copies of the letters to the Ombudsman citing the incident of the 'accident' in the driveway of Mr & Mrs Chan's business.

SECTION 2 - A DIARY OF EVENTS FROM 10/12/1999 TO CURRENT

1. **Letter** from Resource Management and Planning Appeal Tribunal dated 13/12/1999 saying the matter is outside their jurisdiction.
2. **Letter** from Official Secretary to the Governor-General dated 3/3/2000 acknowledging her faxes.
3. **Letter** to the Legal Ombudsman, Ms J Paxton dated 7/3/2000 complaining about the unprofessional behaviour of State Officers of the Crown, Senior Servants and the Law Society of Tasmania.
4. **Letter** from Legal Ombudsman dated 15/3/2000 explaining her limited role and that she is unable to assist.
5. **Note** from the Senator Jocelyn Newman dated 16/3/2000 referring her to the State Attorney General, Mr Patmore.
6. **Letter** of acknowledgment from Martin Bonsey, Official Secretary to the Governor-General dated 17/3/2000.
7. **Letter** to the Public Prosecutor of Tasmania dated 23/3/2000 with copies of letters.
8. **Letter** to Michael Polley, Member for Lyons dated 27/3/2000 attaching Public Notices and seeking compensation.

9. **Article** 'Examiner' dated 29/4/2000 titled "Rule of Law Supreme - Governor.
10. **Letter** from Advisor Gerald Jones to the Minister for Police and Public Safety dated 4/5/2000 who has referred the matter to the Commission of Police.
11. **Letter** from Commissioner McCreadie of the Tasmania Police dated 10/5/2000 referring her correspondence to Superintendent in charge of the Northern District for inquiry.
12. **Letter** to Commissioner's Office dated 19/5/2000 regarding fraud.
13. **Letter** from the Minister for Police and Public Safety dated 24/5/2000 stating that he has asked Inspector Hortle of the George Town Division to assist.
14. **Letter** from Commissioner of Police dated 29/5/2000 updating the investigations and noting that Ms Adams had cancelled her appointment with Detective Constable N McLarty.
15. **Letter** to The Police Commissioner dated 16/6/2000 consisting of 33 pages of information reiterating the serious nature of the matter.
16. **Letter** from Deputy Commissioner of Police of the Tasmania Police dated 22/6/2000 confirming that Ms Adams is dealing with Detective Constable N McLarty.
17. **Letter** to The Police Commissioner dated 29/6/2000 together with more documents.
18. **Letter** to Ombudsman of Tasmania dated 10/7/2000 asking for an update on her matter.
19. **Letter** from Jocelynne A Scutt (Dr) of the Anti-Discrimination Commission dated 10/7/2000 acknowledging her Claim Lodgment Form. Claim form also attached (7 pages) together with Statement re Discrimination of 5 pages.
20. **Letter** to Minister for Police and Public Safety dated 12/7/2000 enclosing letters and documentation regarding the Governor.
21. **Letter** from the Ombudsman dated 23/7/1999 with chronology of events (see item 75 above).
    Also letter from Ombudsman dated 17/7/2000 re Complaint against the West Tamar Council.
22. **Letter** from Gerald Jones Adviser to the Minister for Police and Public Safety dated 18/7/2000 re mistreatment of Greyhounds saying that Det McLarty will follow up complaint.
23. **Letter** to the Ombudsman dated 20/7/2000 saying she is not happy with his response.
24. **Letter** from the Ombudsman dated 20/7/2000 saying the matter is not closed and that she would have to further her own legal advice.
    Copy of letter from Ombudsman dated 23/7/1999 and also a letter from West Tamar Council dated 30/7/1999 summarising the admin procedures.
25. **Letter** to State Ombudsman, Mr D Thomas (no date on document) asking for a progress report.
26. **Letter** from Resource Management and Planning Appeal Tribunal dated 21/7/2000 re decision under the Freedom of Information Act 1991 and a petition of residents that see no reason to bar Ms Chan access.

27. **Letter** to the State Ombudsman of Tasmania dated 4/8/2000 asking for the file to be reopened due to new further evidence.
28. **Letter** from Ombudsman dated 7/8/2000 reiterating that the matter is closed and will not be reopened.
29. **Letter** to the Governor of Tasmania dated 8/8/2000 asking for advice on the status of her matter.
30. **Letter** from the Office of the Governor dated 8/8/2000 advising that the Governor is overseas and they would get back to her.
31. **Letter** to Senator Newman dated 9/8/2000 requesting him to approach P Patmore to reconsider the complaint.
32. **Letter** to Deputy of Justice dated 9/8/2000 advising him that she had received no response to the complaint to the Commissioner of Police.
33. **Letter** from Martin Bonsey at Government House dated 10/8/2000 saying the status of the matter is the same as it was before...no grounds to take action.
34. **Letter** to the State Ombudsman dated 10/8/2000 saying that their response is not acceptable.
35. **Memorandum** from Gail Adams re meeting with Premier Bacon on Sunday 13/8/2000.
36. **Letter** from Australia Post dated 14/8/2000 regarding a complaint re tampering of articles.
37. **Letter** from Peter Patmore dated 15/8/2000 saying he will not be reopening the file.
38. **Letter** to Senator Jocelyn Newman dated 17/8/2000 saying she will not accept the Attorney Generals decision.
39. **Letter** to West Tamar council dated 25/8/2000 re A Frame Signs, and letter from the Minister for Transport dated 24/9/1996 stating that "no signs are to be erected"; further letter from West Tamar Council dated 26/8/1996 saying that no approval has been given re A frame signs; Minutes of a meeting with point 10 being "no advertising sign shall be erected.....without consent..."; Letter from West Tamar Council dated 23/9/1996 advising that the signs have been removed; letter dated 26/8/1996 from West Tamar Council saying that no approval was given for the signs.
40. **Letter** from Anti-Discrimination Commission dated 1/9/2000 rejecting Ms Adams claim.
41. **Letter** from Tasmania Police dated 6/9/2000 advising that they would let her know soon.
42. **Letter** to Governor of Tasmania dated 7/9/2000 asking for action.
43. **Letter** from Office of the Governor asking her not to write any more.
44. **Letter** to the Police Commissioner dated 9/9/2000 asking for a response.
45. **Letter** from West Tamar Council dated 12/9/2000 re Kennel Licence asking for renewal of licence within 7 days.
46. **Letter** to Anti-Discrimination Tribunal dated 19/9/2000 asking for a review on decision.
47. **Letter** from Premier, Minister for State Development dated 27/9/2000 saying they are not able to assist.
48. **Letter** from Anti-Discrimination Tribunal (ADT) dated 29/9/2000 to Dr Jocelynne A Scutt asking for a reason for the rejection of the complaint.
49. **Letter** to Premier dated 3/10/2000 asking when the next forum will be.

50. **Letter** to Resource Management & Planning Appeal Tribunal (RM&PAT) dated 13/10/2000 asking for copy of the submission to the Planning Board by Mr John Cohen.
51. **Letter** from RM&PAT dated 3/11/2000 forwarding documents requested in No. 50. Also provided conditions of granting the proposal.
52. **Letter** from P K Sergeant, Inspector of the Tasmania Police saying he does not have the RSPCA file and they are not obliged under the FOI act to give it to her.
53. **Letter** to the ADT re the Tribunal hearing on 18/1/2001 asking for another date for the hearing later in January.
54. **Note** dated 14/2/2001 re Photos taken on the Frankford Hwy indicating telephone lines down causing a hazard and lost business.
55. **Letter** from Deputy Commissioner of Police, J Johnston, re Animal Welfare Act 1993, referring Ms Adams to the Commander in charge of the Northern Police District for inquiry.
56. **Letter** from Premier's Office dated 28/2/2001 acknowldging Ms Adams lettered of 19/2/2001.
57. **Letter** from S B Bonde, Acting Commander of the Southern District Police dated 28/2/2001 advising of the law regarding Dog Control Act of 1987 and referring her to John Maxwell of Hobart Division before lodging a protest.
58. **Letter** to Tasmania Police dated 2/3/2001 requesting copies under FOI of correspondence.
59. **Letter** from ADT dated 2/3/2001 confirming hearing for 2/4/2001.
60. **Letter** to Minister for Police and Public Safety dated 5/3/2001 asking for reasons to be given for not taking action in her matter.
61. **Letter** to Governor-General dated 5/3/2001 asking for reasons no action has been taken in her matter.
62. **Letter** to Governor of Tasmania dated 5/3/2001 asking for reasons no action has been taken in her matter.
63. **Letter** to Mr Polley, Member for Lyons dated 5/3/2001.
64. **Letter** to Attorney-General of Tasmania dated 5/3/2001.
65. **Letter** to Premier of Tasmania dated 5/3/2001.
66. **Letter** to Police Commission dated 5/3/2001.
67. **Letter** to Premier of NSW dated 5/3/2001.
68. **Letter** to Farrer & Co, Solicitors in London dated 5/3/2001 - asking for a letter to be sent to the Queen.
69. **Letter** to Queen Elizabeth 11 dated 5/3/2001 with copies of past correspondence.
70. **Letter** from RSPCA Australia dated 5/3/2001 saying Ms Ayling of the RSPCA Southern Division is investigating the matter and will be contacting her with the results.
71. **Letter** from Christopher Beattie, Acting Official Secretary to the Governor dated 5/3/2001 saying the once again...the Governor cannot assist.
72. **Letter** from Tas Police dated 6/3/2001 enclosing requested information, but not the correspondence from the RSPCA.
73. **Letter** to Governor of Tasmania dated 7/3/2001 seeking a response.
74. **Letter** to RSPCA Australia dated 7/3/2001 advising that the Queen has been advised of the matter by fax.
75. **Letter** to Senator Newman dated 7/3/2001 requesting action to be taken.

76. **Letter** to Tas Police dated 7/3/2001 listing details of the 'greyhound' matter.
77. **Letter** to Tas Police dated 9/3/2001 acknowledging receipt of the FOI information and complaining that they are not giving her a fair go.
78. **Letter** to Tas Police dated 9/3/2001 asking for more FOI information from RSPCA re advice given to her re her greyhounds.
79. **Letter** to Minister for Police and Public Safety dated 9/3/2001 complaining of unfair treatment.
80. **Letter** from Tas Police dated 13/3/2001 saying they do not have the information she has requested.
81. **Letter** from West Tamar Council dated 13/3/2001 demanding payment of rates arrears.
82. **Letter** from Tas Police dated 14/3/2001 saying the complaint about the greyhounds is not a 'police matter', and that the file is closed.
83. **Record** of telephone conversation dated 16/3/2001 between Commissioner Ivan Dean and herself re greyhounds.
84. **Letter** to Tas Police dated 16/3/2001 going over the facts regarding the greyhounds.
85. **Letter** to Solicitor-General of Tasmania dated 15/3/2001 asking for assistance with the greyhound complaint.
86. **Letter** from Peter Patmore, Attorney-General dated 19/3/2001 asking her to get legal advice.
87. **Letter** to Solicitor-General of Tasmania dated 20/3/2001 asking for a 'yes' or 'no' answer to the question "Are you Willing".
88. **Letter** from Solicitor-General dated 23/3/2001 asking her to go through the correct channels of State Government, who will then in turn seek his advice - not her.
89. **Letter** from Crown Law Office dated 6/6/2001 advising that it is not appropriate to become involved in her matter.
90. **Letter** to The Governor dated 30/7/2001 requesting a meeting with him.
91. **Nothing** (numbering error).
92. **Letter** to Governor dated 31/8/2001 attaching letter to the ADT.
93. **Letter** from ADT dated 4/9/2001 acknowledging receipt of information.
94. **Letter** to Solicitor-General of Tas dated 4/9/2001 re greyhound matter. Also copy of letter from the Solicitor-General dated 6/9/2001 reiterating that the office of the Solicitor-General will not get involved in the matter.
95. **Letter** from office of the Premier dated 7/9/2001 acknowledging receipt of letter of dated 23/8/2001.
96. **Letter** to Legislative Council dated 19/9/2001 asking for the outcome with the Ombudsman.
97. **Letter** to Premier of Tasmania dated 22/9/2001 saying "there is nothing worse than a liar...."
98. **Letter** to Minister of Police and Public Safety, D Llewellyn dated 22/9/2001 re the dogs in her care and how the truth of her matter has been misrepresented.
99. **Letter** from Office of the Premier dated 3/10/2001 acknowledging a copy of a letter received addressed to David Llewellyn of 22/9/2001.
100. **Letter** to Premier of Tas dated 4/10/2001 asking if her and her dogs "have to put up and shut up".

101. **Letter** to the Law Society of Tasmania dated 4/10/01 asking for a reply to her correspondence and includes a final summary.
102. **Letter** to Senator B Brown dated 24/10/01 re the comments from Rev L Armstrong on 14/6/1991. Includes letter to Senator Nick Sherry re his letter to her dated 16/8/2001 re greyhound dogs.
103. **Letter** to Richard Bingham, Justice Department dated 11/11/2001 complaining about the Justice Department of Tasmania regarding the failure of Minister Llewellyn and RSPCA to act regarding the greyhound matter.
104. **Letter** to Solicitor-General dated 25/11/2001 re greyhounds still in her care and that no one has come to check the facts.
105. **Letter** from the Solicitor-General dated 26/11/2001 reiterating they cannot be involved in this matter.
106. **Letter** to Justice Department in Hobart dated 28/11/2001 lodging a complaint against the Justice Department re the greyhound matter.
107. **Letter** to the Premier dated 2/12/2001 re the greyhound matter asking him to resolve the case.
108. **Letter** to ADT dated 4/12/2001 with copies of letters to the Premier, saying the Ombudsman is ignoring the 'facts' and that her daughter was nearly hit by a car driven by Salina Chan when she was walking to the shop.
109. **Letter** from Department of Justice, Peter Hoult dated 6/12/2001 saying that they don't feel any action should or can be taken by them.
110. **Letter** from ADT dated 17/12/2001 saying they will advise her in due course and that she should write to the Anti-Discrimination commission re incident with daughter.
111. **Letter** to Senator Shayne Murphy dated 19/12/2001 re greyhound matter enclosing a fax from Senator Sherry to herself.
112. **Letter** from Senator Nick Sherry dated 20/12/2001 asking her to correspond directly with the State authorities and government ministers - not him.
113. **Letter** to Jim Bacon as Premier of Tas dated 2/1/2001 asking for "in-care fees" of $23,000.00 and paperwork to register the dogs.
114. **Copy** of page from 'Butterworths Australian Legal Dictionary' with the words "Breach of Duty of Care", "Negligence" and "Proximity" in reference to the two dogs in-care-animal welfare of the greyhound matter.
115. **Letter** to Governor of Tasmania dated 7/1/2002 re greyhounds asking for her name to be restored, fees paid for two dogs and registration papers corrected.
116. **Letter** to Attorney-General of Tasmania dated 23/1/2002 referring the Fair Trading Act and asking for an amendment to the Act.
117. **Letter** to Prime Minister of Australia, John Howard dated 24/6/2002 saying she is the victim of a "process of defective administration and misrepresentation", and encloses all the relevant documents for his information.
118. **Nothing** (numbering error).
119. **Copy** of Petitioner Detail of G Adams.
Copy of **letter** addressed to David (?) dated 1/10/1996 from Government House, Douglas Sturkey, bringing the matter of Mrs Adams to his attention as he was unable to deal with it himself.
Letter from Buckingham Palace signed by Simon Gimson dated 15/10/1997 saying that the Queen is unable to intervene in any of this on her behalf,

referring her to Tasmanian Government and in particular to the Governor-General as the Queen's representative.
Copy of **letter** to Government House re FOI dating 6/6/02 asking for copies of all records in her matter.

120. **Note** re telephone conversation on 12/7/2002 with Elfriede Chan from Glenmore Kennels, and G Adams told the person that anything she had to say must be put in writing and hung up.
121. **Note** of an incident on 12/7/2002 when Mrs Chan came to the door of Ms Adams house and was asked to leave.
122. **Letter** to Senator Murphy dated 7/2/2002 re greyhound matter and attaching reports and previous letters from Mr Bacon as Premier.
123. **Letter** to Senator Murphy dated 15/2/2002 listing meetings, invoices and complaints against the Premier for inaction.
124. **Nothing** (numbering error).
125. **Letter** to ADT dated 7/5/2001 regarding her appeal for the ADC rejection of claim, itemising that she has been victimised for religion, political beliefs and feelings of discrimination, enclosing written evidence from the Tas Police and Beaconsfield Council. She also has claims against the Ombudsman, the Attorney-General, Justice Department, Premier of Tasmania and Governor of Tasmania.
126. **Nothing** (numbering error).
127. **Letter** from Department of Primary Industries, Water and Environment dated 6/5/2002 advising Mr Adams that a Caveat has been lodged against her land by Island State Credit Union
128. **Nothing** (numbering error).
129. **Letter** from Tasmanian Collection Services dated 13/5/2002 stating that the caveat has been withdrawn.
130. **Letter** from Australian Banking Industry Ombudsman Ltd dated 22/5/2001 registering her complaint against the bank for not re-financing.
131. **Letter** to Governor General dated 4/7/2002 asking why no action has been taken in her matter.
132. **Photocopies** of meanings of "duty of care to animals" and the Power of Officers and an Examiner article re her business.
2 pages of brief statement by RSPCA to DPP regarding the greyhounds.

VOLUME 4
DIARY OF EVENTS RELATING TO GREYHOUND CASE

1. Contact **list** for Animal Welfare in Tasmania.
2. **Oath** Taken by David Edward Llewellyn dated 18/9/98.
3. **Letter** from Public Health & Animal Welfare to Freedom of Information Officer re Mrs Burkhalter dated 8/11/01 as a reference only.

Part A

4. **Letter** from Chairman of Stewards of Tasmania Greyhound Racing Council (TGRC) dated 26/11/99 to Arthur Reid regarding "Warned off person", together with Minutes of Meeting 24/2/00 and 8/5/00.
5. **Letter** from Chief Executive of TGRC dated 15/12/00 to G Adams re invoice.

6. **Letter** from Minister for Racing dated 19/1/01 to G Adams advising her that her complaint is a civil matter.
7. **Letter** from Deputy Premier dated 45/6/01 to G Adams re dispute with A Reid.
8. **Letter** from A Reid to TGRC asking to be able to resume training of greyhounds.
9. **Letter** from TGRC to A Reid dated 17/9/01 regarding being a "warned off" person, includes Minutes of TGRC Minutes of Meeting held on 5/11/01.
10. **Press Release** from Racing Services Tasmania dated 6/11/01 re warning off trainer A Reid.
11. **Newspaper** article from the Mercury, the Advocate and the Examiner dated 8/11/01 re A Reid being banned.
12. **Letter** from TGRC dated 7/11/01 to A Reid.
13. **Memo** from Michael Stiles to Suzanne Byron of Racing Services Tasmania dated 8/11/01 re A Reid press releases.
14. **Memo** dated 15/11/01 re Grounds for Appeal.
15. **Minutes** of Meeting for TGRC on 7/12/01 discussing A Reid.
16. **Appeal** decision of Tasmanian Racing Appeal Board dated 26/3/02 with Reasons for Decision listed in the matter of A Reid, allowing three years ban instead of 10.
17. **Letter** from G Adams dated 4/9/01 to Greg Richardson, Solicitor seeking assistance.
18. **Letter** from Greg Richardson, Solicitor dated 11/10/01 to G Adams returning documents.
19. **Letter** from Temple-Smith Barclay dated 27/11/01 returning documents.

PART B

20. **Letter** to A Reid dated 2/2/99 regarding inspection of structures and conditions in relation to dogs kept at Glebe Farm.
21. **Licence** Renewal Form for Kennel Licence to A Reid from Launceston City Council (LCC) 25/6/99.
22. Animal **Enquiry** Form dated 11/2/99.
23. **Letter** to A Reid dated 11/11/99 from LCC, Animal Control Officer re Notice to Intention to Seize all unregistered dogs on 49 Boland, Launceston.
24. **Letter** to A Reid dated 12/11/99 from LCC re issue of Kennel Licence No 146.
25. **Letter** to A Reid dated 7/2/00 from LCC regarding cancellation of Kennel Licence 143.
26. **Letter** to A Reid dated 22/2/00 re cancellation of Kennel Licence.
27. **Letter** to Clerk of Petty Sessions, Magistrates Court dated 22/2/00 revoking the cancellation of the licence to A Reid.
28. **Notice** of Appeal under Section 81 of Act dated 21/2/00.
29. **Letter** to G Adams dated 10/1/01 from LCC re dogs at 3 Boland Street, providing a history of events re the keeping of the dogs.
30. **Letter** to G Adams dated 14/8/02 from LCC forwarding documents under FOI.

31. **Fax** to Ombudsman from LCC dated 13/9/02 re Examiner using the word 'ordered' in their article on an incident.
32. **Letter** from Ombudsman to G Adams dated 18/7/02 re FOI information from LCC.

PART C

33. **Information** from Director of Public Prosecutions (DPP) regarding the Role of the Office of the DPP.
34. **Fax** from Office of Ombudsman dated 31/1/03 to D Burkhalter re FOI requests.
35. **Letter** from Office of DPP to Ms Burkhalter dated 17/2/03 asking her not to waste time, as FOI is exempt.
36. Copy of Mercury **article** dated 20/2/03 re J Scutt re legal action against Acting Ombudsman Jan O'Grady.
37. **Statement** of events from Walter Michael Tusyn re two greyhounds in A Reid's care, one of which needed to be put down.
38. Police **Report** dated 24/11/99 re A Reid, charged with cruelty to animals.
39. **Report** on Greyhound pens by Paul Swiatkowski dated 15/1/00 re dogs kept at Racecourse Crescent, Launceston.
40. **Letter** to Frank Neasey from RSPCA dated 22/3/00 re raid on 3 Boland Street.
41. **Email** from Donna McIndoe to Kate Brown dated 3/5/00 re message from Constable N McLarty at Launceston Police Department.
42. Copy of **complaint** against A Reid dated 9/5/00.
43. **Email** from Sandra Upton to Kate Brown re A Reid dated 11/5/00.
44. **Email** from Lisa Saville to Kate Brown dated 11/5/00 re A Reid and cruelty to greyhounds.
45. **Email** from Maree Clark to Kate Brown dated 11/5/00 re greyhounds.
46. **Email** from Lani Salter to Kate Brown dated 11/5/00.
47. **Complaint** against A Reid by Graeme Roy Lewis dated 9/5/00.
48. **Letter** from Office of DPP to Geoff Stephenson re A Reid dated 3/11/00.
49. **Memo** from Dept Justice, John Ranson to Peter Sherriff re A Reid, dated 4/12/00.
50. Crown **statement of facts** re A Reid
51. **Email** from Frank Neasey to Peter Sherriff dated 3/11/00 re A Reid.
52. Office Diary **Note** dated 1/12/00 to Geoff Stephenson.
53. **Brief** regarding the events re greyhounds incident on 9/11/99.
54. **Letter** from Office of DPP dated 8/12/00 to RSPCA re complaint against A Reid.
55. **Order** from Magistrates Court dated 23/9/02 dismissing claim.
56. **Claim** by G Adams for $20,000.00 dated 6/3/00.
57. **Defence** in Magistrates Court, dated 11/9/02-denying claim.
58. **Application** by Defendants to Magistrates Court dated 11/9/02 re Gl Adams.
59. **Affidavit** to Magistrates Court dated 11/9/02 by Sarah Kate Perring of DPP office refuting claim.
60. Brief **Statement** from G Adams (7 pages), undated.

61. **Reasons** for Judgment and Order by Magistrate R Willee re Claim 354/92 re Molly the cat.
62. **Newspaper** article dated 14/2/93 re Chan Family and their business.
63. **Stat Declaration** dated 9/8/02 from Robyn Lorraine Perry (4 pages).
64. **Letter** from Clarke & Gee dated 19/4/93 to G Adams re animal boarding.
65. **Letter** from Crown Law DPP to G Adams dated 15/10/02 saying that they do not investigate "official complaints".
66. **Letter** to DPP by G Adams dated 24/1/03 re complaints.
67. **Letter** from DPP to Montgomery & Co dated 15/10/02 re Anita May Bransden v State of Tasmania & Anor.
68. **Letter** to DPP dated 10/10/02 by G Adams, lodging a complaint.
69. **Letter** to G Adams from Perillo, Adami & Frank dated 14/3/00 re greyhounds, acting on behalf of J Borg.
70. **Correspondence** from G Adams with Briefing Note from Tas Police dated May 00.
71. **Fax** message from Deputy Commission's Office to George Town Police dated 19/5/00.
72. **Letter** to Police Commissioner, Hobart from G Adams dated 29/6/00 together with Statements with documents of 4 pages re greyhounds.
73. **Letter** from Tas Police to G Adams dated 22/6/00 advising that she is to deal with Detective Cont. N McLarty.
74. **Letter** from Minister for Police to G Adams dated 18/7/00.
75. **Facsimile** message to Superintendent Northern District from Deputy Commission re G Adams dated 20/7/00.
76. **Facsimile** message to Superintendent Northern District from Deputy Commission re G Adams dated 10/8/00.
77. **Memo** note from Tas Police to CIB dated 28/8/00 re G Adams dispute with A Reid.
78. **Letter** from Tas Police dated 6/9/00 to G Adams re complaint.
79. Briefing **note** from Dept of Police to Minister for Police re correspondence from G Adams dated Nov 00.
80. Draft **letter** to Ms Adams from Minister for Police & Public Safety (PPS) re charges of cruelty against A Reid.
81. **Letter** from Minister for PPS dated 15/11/00 to G Adams.
82. Briefing **note** from Dept of PPS re correspondence from G Adams dated Nov 00.
83. **Letter** of to G Adams dated 15/11/00 from PPS.
84. **Invoice** from Elspedito Enterprises dated 15/11/00 to Police Minister.
85. **Facsimile** from Deputy Commissioner to Commander Northern dated 17/11/00 re correspondence received from G Adams.
86. Police file **note** from Det. Constable McLarty dated 17/11/00 saying that A Reid and his dogs were no longer at Boland Street.
87. Ministerial **note** dated 20/11/00 re reply to G Adams letter.
88. **Facsimile** message from Deputy Commissioner's Office re correspondence from G Adams dated 27/11/00.
89. **Letter** from PPS dated 28/11/00 to G Adams.
90. **Letter** to Police Commissioner from G Adams dated 11/12/00 requesting an urgent meeting.

91. **Statement** from G Adams dated 7/1/02 to Police Headquarters complaining about the fact that her complaints have been ignored.
92. **Letter** to Tas Police dated 16/1/01 from G Adams on a point of order.
93. **Letter** from G Adams dated 5/2/01 to PPS re failure of duty of care.
94. Briefing **note** dated Feb 01 from PPS re G Adams.
95. Inter **office note** dated 15/2/01 from the Deputy Commissioner of Police to Commander Southern re G Adams correspondence.
96. Briefing **note** dated Feb 01 from PPS re correspondence from G Adams.
97. **Facsimile** dated 19/2/01 from Deputy Commissioner's Office to Superintendent Northern re G Adams correspondence.
98. Ministerial **note** from Tas Police to Northern Prosecutions dated 20/2/01 re complaint by G Adams re greyhounds.
99. **Letter** from Northern District Commander dated 20/2/01 to Deputy Commissioner re complaints from G Adams.
100. **Letter** from Tas Police to G Adams re FIO dated 6/3/01.
101. **Letter** from G Adams dated 5/2/01 to Minister for PPS regarding inaction re complaints.
102. **Letter** from G Adams dated 16/2/01 to Tas Police re complaints.
103. **Facsimile** from Deputy Commissioner to Superintendent Northern District dated 19/2/01 re G Adams.
104. **Letter** from Tas Police to G Adams dated 13/3/01 re FOI.
105. **Letter** from Acting Dep. Commissioner of Police dated 14/3/01 to G Adams saying the matter is not for the Police.

PART D

106. **Brochure** and information re the Ombudsman of Tasmania.
107. **Letter** from Ombudsman dated 2/5/01 to Secretary of Primary Industries, Water & Environment (PIWE) re complaint.
108. **Letter** dated 22/5/01 from PIWE to Acting Director of Investigations re complaints by G Adams.
109. **Letter** from G Adams dated 31/5/01 to Acting Director of Investigations re invoice.
110. **Letter** from Ombudsman dated 8/8/01 to G Adams re complaint about PIWE.
111. **Incoming call register** listing calls between G Adams and Robyn Hopcroft dated 23/10/01 and 24/12/01.
112. **Report** from RSPCA Inspection Investigation 11/11/99.
113. **File Notes** dated 2/5/01,8/8/01 and 13/8/01 re G Adams signed by R Hopcroft.
114. **Email** from Karen Adams to R Hopcroft dated 30/8/01 regarding emails from LCC to R Hopcroft and the proposed register of dogs as a permit condition of a kennel licence.
115. **Email** from Fiona Irwin to Garry Maynard dated 5/9/01 re a call from G Adams to the Premier re greyhounds.
116. **Incoming call register** dated 4/4/02, 23/10/01 and 24/12/01 listing calls as above.
117. **Letter** from Ombudsman dated 7/9/01 to LCC re G Adams complaint re dogs.

118. **Letter** from Ombudsman to RSPCA dated 7/9/01 re G Adams complaint re dogs.
119. **Letter** from PIWE dated 19/9/01 to Office of Ombudsman re Draft Report on G Adams.
120. **Letter** from Ombudsman dated 10/10/01 re complaint by G Adams and PIWE.
121. **Letter** from Ombudsman dated 18/10/01 to G Adams re PIWE.
122. **Letter** from RSPCA to Ombudsman with report on G Adams re complaint re dogs.
123. **Letter** from Ombudsman dated 4/4/02 re G Adams complaint.
124. **Letter** from G Adams dated 22/4/02 to Ombudsman and FOI.

PART E

125. **Instrument of Appointment** from David Llewellyn of PIWE dated 18/5/99.
126. **Letter** from PIWE to FIO Officer dated 8/11/01 re Mrs Burkhalter.
127. **Letter** from PIWE to G Adams undated re 2 greyhounds.
128. **Briefing Note** from PIWE undated re G Adams claims for costs re greyhounds.
129. **Constituent Form** undated from PIWE re greyhounds.
130. **Letter** from PIWE to General Manager of Food, Agriculture dated 7/5/01 re Scottsdale Community Forum.
131. Ministerial **Briefing note** request dated 11/5/01 re G Adams and greyhounds.
132. Draft **reply request** dated 16/5/01 re G Adams & greyhounds.
133. **Notice** from G Adams to PIWE with invoice dated 28/5/01.
134. **Letter** from PIWE to G Adams undated re correspondence dated 30/5/01.
135. **Memorandum** from David Morris to Secretary DPAC dated 5/6/01.
136. **Memorandum** from PIWE to Minister re G Adams dated 30/5/01.
137. **Letter** from PIWE to Joe Borg dated 22/6/01 re G Adams compensation for greyhounds.
138. **Letter** from PIWE to G Adams dated 1/8/01 re RSPCA Service Agreement.
139. **Letter** from PIWE to G Adams dated 8/11/01 re greyhounds in her care.
140. **Letter** from G Adams dated 14/11/01 to PIWE in response to their letter to her.
141. **Invoice** from G Adams dated 15/11/01 requesting $22,240.70.
142. **Letter** from PIWE to G Adams dated 12/12/01 re FOI requested.
143. **Letter** from PIWE dated 6/2/02 to G Adams re FOI.
144. **Letter** from Elspedito Enterprises dated 22/3/02 to FOI Officer re greyhounds.
145. **Letter** from PIWE dated 25/3/02 to G Adams re FOI.
146. **Letter** from PIWE to G Adams dated 26/2/03 re FOI.
147. **Letter** from PIWE to G Adams dated 27/2/03 re FOI decision.
148. **Letter** from PIWE dated 22/6/01 to Mr Borg.
149. **Letter** from PIWE dated 27/3/02 to FOI Office re G Adams.

PART F

150. **Letter** from Dept of Justice & Industrial Relations (JIR) to G Adams dated 29/5/02 re FOI request.
151. **Minute** to the Premier dated 8/11/01 re G Adams and greyhounds.
152. **Letter** from JIR to Acting Ombudsman dated 21/11/01-forwarding information re G Adams.
153. **Letter** from Ombudsman dated 20/11/01 to G Adams re complaints.
154. **Letter** from G Adams to Attorney General dated 6/12/01 complaining about the Ombudsman.
155. **Letter** from JIR to Ombudsman forwarding correspondence dated 18/12/01.
156. **Letter** from G Adams dated 2/1/02 to Premier re FOI.
157. **Letter** from G Adams to Attorney General re complaint on the Ombudsman dated 8/1/02.
158. **Phone attendance note** dated 15/1/02 from Sharon Stevenson re G Adams.
159. **Email** from Richard Bingham to Karen Adams dated 21/1/02 closing file.
160. **Memo** from Office of the Premier dated 18/6/02 to Scott Gadd re G Adams.
161. **Letter** from JIR dated 6/2/03 to Ms Adams re FOI.
162. **Letter** from G Adams to Governor dated 25/9/02 re queries regarding representation.
163. **Letter** from Office of Governor dated 1/10/02 to G Adams re court room proceedings.
164. **Letter** to Governor dated 2/10/02 from G Adams re complaints.
165. **Letter** from the Executive Council Secretariat dated 9/10/02 to Minister of JIR re G Adams complaints.
166. **Letter** to G Adams dated 23/10/02 from Attorney General re court appearances.
167. **Letter** from Office of Secretary, Justice Department, to G Adams dated 17/11/02 re fax received by them.

PART G

168. Examiner **newspaper article** re Premier being shocked by dogs.
169. Examiner **newspaper article** dated 22/4/89 re dog charges.
170. Mercury **newspaper article** dated 23/4/89 re tougher laws needed re dogs.
171. Advocate **newspaper article** dated 22/4/89 re animal abuse.
172. Examiner **newspaper article** dated 22/4/89 re raids on dogs.
173. **Newspaper articles** (several) re cruelty to dogs dated 22,23,25/4/89.
174. Examiner **newspaper article** dated 23/11/91 picturing G Adams and Brigitte with foal.
175. **Photographs** of Notice of Unwanted Cats at the Devonport City Council Works Depot.
176. Advocate **newspaper article** dated 6/10/98 re theft of portable pound.
177. **Letter** from Devonport City Council dated 2/12/98 re treatment of animals.
178. **Letter** from Stoney Rise Government Centre to District Veterinary Office in New Town dated 5/12/94 re disposal of unwanted cats.

179. Several **newspaper articles** dated 1995 re sick cats.
180. Sundry **newspaper articles** undated re RSPCA raid on cats.
181. **Newspaper article** undated re cat breeder being fined for cruelty.
182. **Veterinary Report** dated 10/12/95 re cattery at 21 Collins Street, Evandale.
183. **List of complaints** and record of proceedings in the Court of Petty Sessions dated August and September 1996.
184. **Letter** from PIWE dated 22/5/00 to Mrs Burkhalter re recent correspondence of incompetency of RSPCA Inspectorate.
185. **Letter** from PIWE to Mrs Burkhalter dated 31/5/00.
186. **Letter** from PIWE to Mrs Burkhalter dated 19/6/00.
187. **Letter** from PIWE to Glen Appleyard dated 22/9/00 re Langley court case.
188. **Letter** from Tas Police, Northern District Support to Mrs Burkhalter dated 13/11/01 re charges against Mr Langley being dropped.
189. **List of Disputed Facts** in the case of Mr Langley dated 24/12/01.
190. **Newspaper article** dated (approx. 2002) re Dog breeder John Norton.
191. Advocate **newspaper article** dated 31/5/01 re RSPCA seizing 31 dogs from a home.
192. **Powers of Officers** in Animal Welfare 1993.
193. **Criminal Code Act** of 1924 Chapter XXVIII.
194. **Oath Taken** by Executive Councillor dated 18/9/98.
195. Mercury **newspaper article** dated 27/11/00 re media leak.
196. Examiner **newspaper article** dated 29/4/00 re Rule of law supreme - Governor.
197. Examiner **newspaper article** dated 12/11/99 re eight dogs being destroyed.
198. Two **photos** of greyhounds dated February 2001.
199. Four **photos** taken of injuries to dogs mid 2000.
200. **Schedule of Events** in the greyhound matter beginning 26/3/97 through to 8/7/02.
201. **Notes** on the central issues in the greyhound matter written in Dec, 2000.
202. **Letter** from Panorama Park dated 29/3/97 to A Reid.
203. Statement made by Walter M Tusyn dated 11/12/00 re dogs.
204. **Invoice** from Elspedito dated 20/2/00 totalling $1036.50.
205. **Letter** from National Coursing Association of Victoria Inc to G Adams dated 2/3/00 re two greyhounds.
206. **Letter** from G Adams to National Courses Association dated 2/3/00 re two greyhounds.
207. **Letter** from G Adams to National Courses Association dated 7/3/00, together with a copy of letter to Mr Borg demanding costs.
208. **Letter** from Perillo, Adami & Frank, Solicitors to G Adams, dated 14/3/00 who act for Mr Borg.
209. **Letter** from A Reid (undated) in statement format "to whom it may concern" stating that he has no agreement with Mr Borg.
210. **Letter** to Perillo, Adami & Frank dated 20/3/00 from G Adams re agency matter.

211. **Letter** from G Adams to National Courses Association (NCA) dated 20/3/00 re forwarding three letters re two greyhounds.
212. **Letter** from Greyhound Racing of Victoria to G Adams dated 22/3/00 re Mr Borg attaching his history as a Trainer.
213. **Letter** from G Adams to NCA dated 22/3/00 re Mr Borg's licence.
214. **Letter** from TGRC to G Adams dated 22/3/00 stating that Mr Borg had a licence to train 31/7/99.
215. **Letter** to TGRC dated 22/3/00 from G Adams re licence of A Reid.
216. **Note** from G Adams dated 22/3/00 re a threat on her life.
217. **Letter** from G Adams to Perillo, Adami & Frank dated 23/3/00- forwarding correspondence.
218. **Letter** from G Adams dated 24/3/00 to NCA re no lease agreement.
219. **Letter** from G Adams dated 24/3/00 to NCA enclosing correspondence from Greyhound Racing of Tasmania.
220. **Letter** from National Coursing Association of Victoria Inc dated 24/3/00 to G Adams stating that there are no registered lease agreements in Victoria for the two greyhounds in question.
221. **Letter** to TGRC dated 24/3/00 from G Adams re the lease agreement for the two greyhounds.
222. **Letter** to NCA of Victoria Inc dated 28/3/00 from G Adams re unprofessional conduct of Mr Borg.
223. **Invoice** from Elspedito Enterprises dated 28/3/00 re boarding fees of two greyhounds.
224. **Letter** to Perillo, Adami & Frank dated 28/3/00 from G Adams re Mr Borg.
225. **Letter** from Perillo, Adami & Frank dated 29/3/00 to G Adams saying that A Reid is unable to pay the Boarding Kennel fees.
226. **Letter** to Perillo, Adami & Frank dated 29/3/00 from G Adams re no lease arrangement.
227. Telephone **note** end of March 00 re call from dog trainer.
228. **Letter** to Minister for Racing of Victoria dated 3/4/00 from G Adams re Mr Borg.
229. **Letter** from G Adams to TGRC dated 26/4/00 forwarding correspondence.
230. **Letter** from Minister for Racing dated 28/47/00 to G Adams re Mr Borg.
231. **Letter** to Major Fraud Squad dated 2/5/00 from G Adams.
232. Criminal Code Act 1924 Sections 248 -253.
233. **Letter** from G Adams to Police Minister dated 2/5/00 re two greyhounds.
234. **Letter** from Minister for Police and Public Safety to G Adams dated 4/5/00 noting her complaints.
235. **Letter** from Greyhound Racing dated 4/5/00 to Ross Kennedy re complaints made against Mr Borg.
236. **Letter** to Minister for Racing dated 8/5/00 from G Adams.
237. **Letter** from Tas Police dated 10/5/00 to G Adams referring her to the RSPCA.
238. **Letter** to Minister of Police dated 16/5/00 from G Adams re two greyhounds.

239. **Letter** from Minister for Racing dated 17/5/00 to G Adams re Mr Borg's greyhounds, confirming that her matter was civil.
240. **Letter** from Minister for Police dated 24/5/00 to G Adams re complaint.
241. **Letter** from G Adams dated 25/5/00 to Police Commissioner re greyhounds.
242. **Letter** from Tas Police to G Adams dated 29/5/00 re matter of fraud.
243. **Letter** from G Adams to Minister for Police dated 29/5/00 re two greyhounds.
244. **Letter** to Commissioner of Police dated 1/6/00 from G Adams seeking an investigation.
245. **Statement** with documents dated 2/6/00 to Det. McLarty.
246. **Letter** to Commissioner of Police dated 6/6/00 from G Adams re urgent attention to be given to her matter.
247. **Letter** to PIWE from G Adams dated 8/6/00 lodging a complaint against RSPCA Inspector.
248. **Letter** from PIWE to G Adams dated 21/6/00 saying they are happy with the handling of the matter.
249. **Letter** from Tasmania Police dated 22/6/00 to G Adams acknowledging correspondence.
250. **Letter** to Det. McLarty dated 22/6/00 from G Adams together with photos and a video of the two greyhounds in her care.
251. **Letter** from Tas Police dated 22/6/00 to G Adams.
252. **Letter** to PIWE dated 26/6/00 from G Adams seeking clarification on which dogs relate to the charges being laid.
253. **Letter** from PIWE to G Adams dated 28/6/00 asking her to address her queries to the RSPCA.
254. **Letter** to Police Commissioner dated 29/6/00 from G Adams with supporting affidavit and documents.
255. **Letter** to Minister for Police dated 3/7/00 from G Adams re documentation sent.
256. **Letter** from Minister for Police & Public Safety dated 18/7/00 to G Adams advising to contact Det. McLarty direct.
257. **Letter** from Tas Police to G Adams dated 6/9/00 re upcoming matter in court.
258. **Letter** to Tas Police from G Adams dated 30/10/00 asking for confirmation that they received the video.
259. **Letter** to Minister for Police from G Adams dated 15/11/00 seeking answers to questions.
260. **Invoice** to Minister for Police from G Adams for $6,446.00 re boarding fees for two greyhounds.
261. **Letter** from Minister for Police to G Adams dated 15/11/00 acknowledging letter and will revert shortly.
262. **Letter** to Commissioner of Police dated 16/11/00 from G Adams enclosing invoice and copies of letters.
263. **Invoice** to TGRC dated 20/11/00 for $6,446.00.
264. **Letter** to Commissioner of Police dated 20/11/00 from G Adams advising that the invoice has been sent to TGRC.
265. **Letter** to Minister for Police dated 27/11/00 from G Adams seeking confirmation in writing of recent telephone discussion.

266. **Letter** to Police Commissioner dated 27/11/00 from G Adams asking them to advise her of the status of her complaint.
267. **Letter** from Minister for Police to G Adams dated 28/11/00 stating that the matter is before the court on 5/12/00.
268. **Letter** to Launceston Police dated 30/11/00 from G Adams attaching copies of letters.
269. **Letter** to Minister for Police dated 30/11/00 from G Adams attaching copies of letters sent previously.
270. **Note** to the Victims of Crime Officer (VOC) dated 1/12/00 attaching the Animal Welfare Act.
271. **Letter** to the VOC dated 6/12/00 from G Adams about her treatment over the years.
272. **Letter** from Victims of Crime Service dated 6/12/00 to G Adams advising her to get legal counsel.
273. **Letter** to Police Minister dated 6/12/00 from G Adams.
274. **Letter** to VOC dated 7/12/00 from G Adams confirming the court decision in this matter.
275. **Letter** to Police of Tasmania dated 14/12/00 from G Adams seeking a decision.
276. **Letter** to Minister of Police dated 14/12/00 from G Adams with 16 faxed pages of a chronology of events in her matter of the greyhounds.
277. **Letter** from TGRC dated 15/12/00 to G Adams advising that they have no obligation to settle invoice.
278. **Letter** to Tas Police dated 15/12/00 from G Adams re FOI requests.
279. **Letter** to Minister of Police dated 18/12/00 from G Adams with fax copy of the Animal Welfare Act.
280. **Letter** to Northern Police dated 18/12/00 from G Adams with fax of part of the Animal Welfare Act.
281. **Letter** from Tas Police dated 18/12/00 to G Adams re FOI request stating that the information she needs is with Animal Welfare Officer.
282. **Letter** to Attorney-General dated 21/12/00 from G Adams including fax copy of a Chronology of Events in the greyhound matter.
283. **Letter** to PIWE dated 22/12/00 from G Adams seeking clarification on charges laid.
284. **Letter** to RSPCA dated 22/12/00 from G Adams attaching copies of letters re A Reid.
285. **Letter** to the President of RSPCA dated 31/12/00 from G Adams complaining about the inspectors, together with documents.
286. **Letter** to President of RSPCA dated 5/1/01 from G Adams regarding the tape and file.
287. **Letter** to the Ombudsman dated 7/1/01 from G Adams asking questions on failure to perform duties.
288. **Letter** from Ombudsman dated 9/1/01 to G Adams saying she must complain to the RSPCA direct.
289. **Letter** from RSPCA dated 10/1/01 to G Adams assuring her that the matters will be investigated.
290. **Letter** from LCC to G Adams dated 10/1/01 re FOI for Dogs at 3 Boland Street.

291. **Letter** to President of RSPCA dated 10/1/01 from G Adams making further complaints.
292. **Letter** to Governor of Tasmania (in his capacity as patron of RSPCA) dated 12/1/01 from G Adams.
293. **Letter** from Governor General dated 12/1/01 to G Adams stating no action can be taken by him in this matter as Patron.
294. **Letter** from PIWE dated 12/1/01 to G Adams re charges laid on 5/12/00.
295. **Letter** from PIWE undated but received on 15/1/01 to G Adams saying to contact the RSPCA.
296. **Letter** to PIWE dated 15/1/01 from G Adams seeking answers to questions.
297. **Letter** to PIWE dated 16/1/01from G Adams complaining about the RSPCA officers.
298. **Letter** to Minister for Police dated 16/1/01 from G Adams attaching copies of letter, schedules, statements and documents in this matter.
299. **Letter** from Minister for Racing dated 19/1/01 to G Adams saying this is a civil matter.
300. **Letter** from RSPCA State President dated 23/1/01 saying that they are satisfied with the matter and will go no further.
301. **Letter** from PIWE undated but received on 23/1/01 to G Adams re Reid Case, asking her to address he queries to the RSPCA.
302. **Letter** from House of Assembly, Standing Committee of Public Accounts dated 25/1/01 to G Adams advising her to take action in Small Claims Division against A Reid re dogs in question.
303. **Letter** to Minister for Police dated 29/1/01 from G Adams forwarding documentation in the matter of dogs.
304. **Letter** from Dept of Police dated 30/1/01 to G Adams acknowledging receipt of correspondence and advising that any interpretation of any Act of Parliament rests with the Judiciary.
305. Copy of **Operational Costs** for Animal Welfare Act 1993 and Sections 7 & 17 of the Animal Welfare Act of 1993.
306. **Letter** from G Adams to Minister for Police dated 5/2/01-listing complaints.
307. **Copy** of the Administrative Arrangement Act No 4 of 1990.
308. **Letter** to Solicitor-General dated 7/2/01 from G Adams attaching correspondence and seeking assistance.
309. **Letter** from Solicitor-General dated 8/2/01 to G Adams saying he provides advice to Ministers.
310. **Letter** to Solicitor-General dated 9/2/01 from G Adams.
311. **Letter** to Solicitor-General dated 15/2/01 from G Adams.
312. **Letter** to Tas Police dated 16/2/01 from G Adams wanting charges to be made against the Minister.
313. **Letter** to Governor of Tasmania dated 16/2/01from G Adams wanting to lay charges against Police Minister.
314. **Letter** to Premier of Tasmania dated 19/2/01 from G Adams attaching copies of newspaper articles and letters stating discrimination.
315. **Letter** to Solicitor-General dated 20/2/01from G Adams attaching copies of letters.

316. **Letter** to State Ombudsman dated 20/2/01 from G Adams re complaint.
317. **Letter** of acknowledgement from the Office of Governor dated 21/2/01 to G Adams.
318. **Letter** from Tas Police dated 28/2/01 to G Adams re Dog Control Act 1987.
319. **Letter** to Australian President of RSPCA dated 27/2/01 from G Adams forwarding documents.
320. **Letter** of acknowledgement from the Office of the Premier dated 28/2/01 to G Adams.
321. **Letter** to Tas Police dated 2/3/01 from G Adams requesting fees to be waived re FOI.
322. **Letter** to Minister for Police dated 5/3/01 from G Adams asking for willingness to provide reasons for inaction.
323. **Letter** to Police Commissioner dated 5/3/01 from G Adams asking for willingness to provide reasons for inaction.
324. **Letter** from RSPCA Australia dated 5/3/01 to G Adams reassuring her that the matter has been investigated.
325. **Letter** from Office of Governor dated 5/3/01 saying there is no action he can take.
326. **Letter** to Tas Police dated 7/3/01 from G Adams re confusion in her matter.
327. **Letter** to Tas Police dated 9/3/01 from G Adams re FOI received.
328. **Letter** to Tas Police dated 9/3/01 requesting FOI and costs to be waived.
329. **Letter** from Tas Police dated 14/3/01 to G Adams reiterating that this is not a police matter.
330. Telephone attendance **note** re call made between Commission Ivan Dean and G Adams on 16/3/01.
331. **Letter** to Tas Police dated 16/3/01 from G Adams verifying the telephone conversation.
332. **Letter** to Tas Police dated 19/3/01 from G Adams attaching FOI copies of letters and documents.
333. **Letter** to DPP dated 19/3/01 from G Adams re FOI.
334. **Letter** to Minister of Police dated 3/4/01 from G Adams re animal welfare issues.
335. **Letter** to Ombudsman dated 1/5/01 from G Adams re complaints.
336. **Letter** from PIWE dated 1/6/01 to G Adams re Mr Borg's indication that the he is prepared to transfer the dogs to her.
337. **Letter** from Ombudsman dated 6/6/01 to G Adams re complaints.
338. **Letter** from G Adams dated 3/7/01 to Justice Department forwarding documents re dogs in her care.
339. **Letter** from Dept of Justice dated 5/7/01 to G Adams saying they are unable to assist.
340. **Letter** from Dept of Justice dated 13/7/01 to G Adams reiterating previous correspondence.
341. **Letter** to Cabinet of Tas dated 6/8/01 by G Adams forwarding copies of newspaper articles and letters.
342. **Letter** from Ombudsman dated 8/8/01 to G Adams re complaint.

343. **Letter** from Senator Nick Sherry dated 16/8/01 to G Adams addressing complaint and debt.
344. **Letter** from Ombudsman to Martin Reynolds at LCC dated 23/8/01 re complaint by G Adams.
345. **Letter** from PIWE dated 27/8/01 to Mrs Burkhalter re case of cruelty to animals.
346. **Letter** from Ombudsman dated 16/9/02 to G Adams re FOI review.
347. **Letter** from Ombudsman dated 10/10/01 to G Adams re complaint.
348. **Letter** from Elspedito dated 15/10/01 to Ombudsman.
349. **Invoice** from Elspedito dated 15/10/01 to Minister Llewellyn for $21380.70.
350. **Letter** from Ombudsman dated 26/10/01to G Adams re complaint acknowledgment.
351. **Letter** from PIWE dated 6/11/01 to G Adams re registration of two greyhounds.
352. **Letter** from Ombudsman dated 7/11/01 to G Adams re not liable for costs.
353. **Letter** from office of the Premier dated 15/11/01 to G Adams advising her to seek her own legal advice.
354. **Letter** from Ombudsman dated 20/11/01 to G Adams saying the complaint will not be further investigated.
355. **Letter** from Ombudsman to G Adams dated 22/11/01 reiterating that no further investigation is warranted.
356. **Letter** from Ombudsman dated 28/11/01 to G Adams reiterating that they would not pursue the complaints further.
357. Examiner newspaper **notice** dated 1/12/01 under 'Pets Wanted and For Sale'.
358. **Letter** from Attorney-General dated 13/12/01 to G Adams re her complaint against the Ombudsman.
359. **Letter** from Senator Nick Sherry dated 16/12/01 to Elspedito Enterprises re superannuation petition.
360. **Note** regarding faxes of statements to Police dated 7/1/02.
361. Statement to Police Headquarters dated 7/1/02 by G Adams.
362. **Letter** from Office of DPP dated 24/1/02 to G Adams responding to previous statement forward to them.
363. **Letter** from PIWE to Member for Lyons dated 4/2/02 re two greyhound dogs.
364. **Fax** message dated 7/2/02 to G Adams from Sue Szoka re complaints to Minister for PIWE including reply from G Adams.
365. **Invoice** from Elspedito Enterprises dated 15/1/02 for $24,302.70 to Police.
366. **Letter** from PIWE dated 14/2/02 to G Adams saying that no record of telephone conversation exists.
367. **Letter** from PIWE dated 18/2/02 to G Adams saying that the investigation has concluded.
368. **Letter** from Elspedito Enterprises dated 12/3/02 to Leader of Opposition re two greyhounds in her care.
369. **Letter** from Ombudsman dated 4/4/02 to G Adams re complaint.

370. **Letter** from Bob Cheek as Tasmanian Liberal Leader dated 6/5/02 to G Adams saying that Tas taxpayers cannot pay for the costs of the care of the dogs.
371. **Letter** from PIWE to Mrs Burkhalter dated 28/6/02 saying the complaint is now closed.
372. **Letter** from TGRC to G Adams dated 3/7/02 saying that the Council is not subject to the FOI Act of 1991.
373. **Letter** from David Llewellyn to G Adams dated July 02 seeking support for re-election.
374. **Letter** from PIWE to G Adams dated 15/7/02 saying they no longer wish to consider the matter.
375. **Letter** from Attorney-General dated 6/9/02 to G Adams saying they no longer intend to take any further action.
376. **Letter** from Minister for Justice dated 12/9/02 to G Adams telling her to seek legal advice.
377. **Letter** from Office of the Governor dated 1/10/02 to G Adams saying that he is unable to assist.
378. **Letter** from Department of Justice dated 3/10/02 to G Adams re recent court appearance and inability to intervene in this case.
379. **Letter** from Ombudsman dated 22/10/02 to G Adams advising that the file is now closed.
380. **Letter** of acknowledgment from Office of the Governor dated 23/10/02 to G Adams.
381. **Letter** from Ombudsman dated 12/11/02 to G Adams affirming her decision not to investigate re the greyhound issues.
382. **Letter** from Ombudsman dated 22/11/02 to G Adams re-affirming decision to close the file.
383. **Letter** from Senator Nick Sherry dated 16/12/02 to Elspedito Enterprises re superannuation.
384. **Letter** from Ombudsman dated 14/1/03 to G Adams reaffirming that the file is now closed.
385. **Letter** from Ombudsman dated 29/1/03 to G Adams re review of decision.
386. **Letter** from Ombudsman dated 29/1/03 to G Adams saying the file is now closed.
387. **Letter** from Minister for Justice dated 4/2/03 to G Adams saying that they will not enter into further correspondence in relation to these matters.

VOLUME 5
FOI RE DEVELOPMENT LOT 6/LOT 2 GLENMORE ESTATE
Part 1

1. **Case Study** of High Court of Australia, Johnson v Johnson (2000) HCA 48 (7 September 2000). Specific reference cited in Paragraph 12 "...justice must be done, and be seen to be done...", and Paragraphs 36 to 42, citing equality and entitlements for fair and public hearing.
2. **Case Study** of House of Lords, Judgments of Regina v East Sussex County Council on 28/2/02.

Part 2

3. **Newspaper** article from 'The Mercury' dated Monday, November 27, 2000.
4. **Pamphlet** from Jehovah's Witness dropped in letterboxes in 1996.
5. **Notes** regarding the meanings of words from Universal Dictionary of the English Language.
6. **Notes** regarding the duty of care of animals.
7. **Meanings** of legal terms.
8. **Letter** from Superintendent Northern District dated 8/9/94 to Inspector Woolley re complaint of harassment by the Seventh Day Adventist Church.
9. **Letter** from George Town Police to Superintendent Northern Division re harassment complaint by Mrs Gail Adams dated 14/9/94.
10. **Letter** from Superintendent Northern District dated 22/9/94 to Deputy Commissioner of Police re complaint of harassment.
11. **Letter** from the Police Commissioner's Office dated 26/9/94 to Superintendent of Police Northern District.
12. **Letter** from Commissioner of Police dated 20/2/96 to Superintendent of Police Northern District re Harassment.
13. **Letter** from George Town Police dated 1/3/96 to Superintendent of Police Northern District re Harassment.
14. **Letter** from Superintendent of Police Northern District dated 5/3/96 re Harassment.
15. **Letter** from Assistant Commissioner of Police to Gail Adams dated 11/3/96 advising that the Police cannot be involved in civil disputes.
16. **Note** dated May 2000 to Minister for Police and Public Safety re Treatment of Greyhounds.
17. **Note** from Deputy Commissioner of Police to George Town Police dated 19/5/00 re allegation of fraud, together with letter from G Adams re right of way road access.
18. **Letter** from Tasmania Police to Ms Adams dated 22/6/00 noting that Detective Constable N McLarty is dealing with her matter.
19. **Sworn** affidavit by Gail Adams regarding events of 1992.
20. **Letter** to Gail Adams dated 15/11/00 from Hon David Llewellyn.
21. **Letter** from Northern District Commander to Deputy Commissioner of Police dated 20/11/00.
22. **Letter** from Acting Deputy Commissioner of Police dated 14/3/01 reiterating that the Police cannot be involved in these matters.
23. **Letter** from Ombudsman dated 28/0/03 to G Adams regarding a review of the FOI information received from Tasmania Police.
24. **Decision** by the Ombudsman dated 13/2/03 in support of the decision made by the Tasmania Police and the reasons.
25. **Letter** from Clarke & Gee dated 1/11/90 to Ms Adams re planning dispute.
26. **Sundry** newspaper articles from Examiner dated 23/5/91, 26/2/95, and 23/5/91.
27. **Letter** from Clarke & Gee dated 17/2/92 to Gail Adams re Planning Appeal.
28. **Newspaper** ad re Siamese cat "Molly" dated 26/8/92.
29. **Newspaper** ad in Tamar Times re "Molly" dated 23/7/92.
30. **Letter** from Ms Adams dated 9/10/92 to Channel Nine re Stallion registration.

31. **Letter** to the Premier dated 2/11/92.
32. **Letter** to the Queen dated 24/5/00 from Ms Adams.

Part 3

33. **Photos** (4) showing the Boarding Kennel sign on the road.
34. **Letter** from Office of the Attorney General dated 15/3/84 to the Minister for Industry and Small Business.
35. **Website** pages from Justice Tasmania Crown Law information.
36. **Newspaper** article from Solicitor-General dated 4/11/94.
37. **Letter** from Senior Assistant Crown Solicitor dated 27/6/95 regarding Public Liability Risks for Members of Parliament.
38. **Newspaper** article from Examiner dated 2/4/93 re planning laws.
39. **Newspaper** article from Examiner dated 25/1/03 re John Cleary.
40. **Newspaper** article from Examiner dated 25/1/03 re Meander Dam.
41. **Newspaper** article from Examiner dated Feb 03 re Meander Dam.
42. **Letter** from Clarke & Gee dated 17/2/92 re Planning Appeal with Local Government Act of 1962.

Part 4

43. **Correspondence** from Ms Adams to Office of Ombudsman dated 1/3/01.

Part 5

44. **Letter** to Anti-Discrimination Tribunal dated 31/8/01 from G Adams.
45. **Letter** from Department of Premier and Cabinet dated 5/2/03 to Ms Adams re FOI request re Planning Appeal.
46. **Schedule** of Documents (FOI) (3 pages) re Lot 6 Glenmore Estate.
47. **Plan** P42774 of Frankfort Highway.
48. **Minutes** of General Meeting of the Beaconsfield Municipal Council dated 4/6/90.
49. **Application** from S M Chan re access location.
50. **Beaconsfield** Planning Scheme 1986.
51. **Letter** from Municipality of Beaconsfield to miss Chan re planning approval for the Dog Boarding Kennels.
52. **Letter** from Deputy Secretary of Roads to Beaconsfield Council dated 4/2/91.
53. **Letter** to Miss S M Chan from Town & Planning, Hobart dated 4/3/91.
54. **Letter** from Beaconsfield Council to Ms Salina Chan dated 9/8/91.
55. Briefing **Note** from Department of Environment & Land Management re Boarding Kennels and Pet Cemetery.
56. **Letter** from Municipality of West Tamar dated 8/4/93 to Clerk of Town & Country Planning re S M Chan.
57. **Letter** from Town & Country Planning to Department of Works re Access to Frankford Main Road dated 3/6/93.
58. **Letter** from Minister for Environment and Planning dated 20/8/92 to Minister for Primary Industry, Fisheries & Energy re the Establishment of Kennels and Cemetery in Beaconsfield.
59. Briefing **Note** from Town & Country Planning to Minister of Environment and Land Management.
60. Local Government Amendment (Development and Building) 1985 No 91 Section 38.

61. **Letter** to Gail Adams dated 24/9/92 from Robin Gray.
62. **Letter** from Commissioner for Town & Country Planning dated 30/6/93 to Director of Local Government re Access Road to Frankford Main Road.
63. **Letter** from Department of the Premier & Cabinet to Minister for Local Government dated 15/7/93.
64. **Letter** from Dr Frank Madill to Mr Edwards dated 28/7/95 saying unable to help in Adams matter.
65. **Letter** from Gail Adams dated 26/6/96 to Department of the Premier & Cabinet requesting documents under FOI.
66. **Letter** from Gail Adams to Mrs Swan dated 29/8/96 re unlawful advertising signs.
67. **Letter** to Peter Pearce from Denise Swan re signage of Mrs Chan dated 2/9/96.
68. **Letter** from Denise Swan dated 19/9/96 to Paul Ranson at West Tamar Council re legality of the sign.
69. **Letter** from Minister of Transport dated 24/9/96 to Gail Adams.
70. **Letter** from Minister for Local Government dated 6/5/97 to Gail Adams re the Glenmore Estate Kennels.
71. Briefing **Note** by Minister for Local Government dated 6/5/97 re the matter between G Adams and the Chan family.
72. **Letter** from Jim Bacon as Premier (undated) to G Adams, noting Mrs Adams complaints.
73. **Letter** from Attorney General to Gail Adams dated 3/11/98.
74. **Letter** from G Adams to Anti-Discrimination Tribunal dated 31/8/01.
75. **Letter** from West Tamar Council to Gail Adams dated Jan 03 re plans for development.

Part 6

76. **Letter** from Department of Justice and Industrial Relations dated 26/2/03 to Gail Adams re access to FIO material.
77. **Memo** from Robyn Hopcroft at Department of Justice to the Secretary re planning approval.
78. Local Government Act 1962 Section 733b.
79. **Letter** from Mr Green to Gail Adams dated 6/8/92.
80. **Letter** to Ron Green as Acting Ombudsman from J O Green dated 6/8/92 re Gail Adams - Beaconsfield Council re costs as recompense.
81. **Letters and notes** (9) regarding Small Claim in the Magistrates Court No 208 of 1994.
82. **Letter** from Gail Adams to Ray Groom dated 22/4/97 regarding {A} Cat, {B} Dog, {c} Car.
83. **Letter** to Gail Adams from Attorney General dated 7/5/97 acknowledging previous correspondence.
84. **Note** from Department of Justice dated 9/5/97 by way of background.
85. Public **Notice** from Examiner dated 1/8/98 addressed 'To the Tasmanian Government and Opposition Parties'.
86. **Letter** from Attorney General to Ms Adams dated 1/3/01 asking her to seek legal advice in the matter.
87. **Letter** from Gail Adams to Jim Bacon dated 5/3/01seeking reasons for inaction.

88. **Article** from Examiner dated 29/4/00 re rule of law supreme - Governor.
89. **Note** from Department of Premier and Cabinet dated 5/3/01 re Correspondence from Gail Adams.
90. **Email** from Anita Smith to Michelle Lowe dated 13/3/01 re advising Ms Adams to seek her own legal advice.
91. **Letter** from Anita Smith dated 5/4/01 to Sally Shepherd re correspondence from G Adams.
92. **Note** from Department of Premier and Cabinet dated 5/9/01.
93. **Letter** from Attorney General dated 5/10/98 to Gail Adams regretting the inability to further assist Gail Adams and that she was to seek her own independent legal advice.
94. **Letter** to Farrer & Co Solicitors in London, from Gail Adams dated 12/10/98.
95. **Letter** from Jim Bacon not dated to Gail Adams noting her complaints.
96. **Letter** from Gail Adams dated 14/10/98 to Jim Bacon as Premier.
97. **Note** from Department of Premier and Cabinet dated 14/10/98.
98. **Memo** from Attorney General to Jim Bacon re Gail Adams dated 27/10/98.
99. **Memo** from Attorney General to Jim Bacon re Gail Adams dated 5/1/98.
100. **Letter** to Gail Adams from Jim Bacon dated 18/11/98.

Part 7

101. **Letter** from Salina Chan dated 19/4/90 to Department of Town Planning.
102. **Letter** from Beaconsfield Council dated 15/5/90 to Dept of Roads and Transport seeking a response on Salina Chan's application for Boarding Kennels at Lot 6 Frankford Main Road, Glengarry.
103. **Letter** from Deputy Secretary for Roads dated 28/5/90 to Beaconsfield Council providing details of statistics regarding sight distances and traffic.
104. **Letter** from Beaconsfield Council to Ms Chan re her application dated 5/6/90.
105. **Letter** from Ms Chan to the Beaconsfield Council dated 23/1/91-providing clarification regarding her business in view of the petition by G Adams.
106. **Letter** and report from Beaconsfield Council to Ms Chan dated 26/2/91, refusing the permit for the proposed pet cemetery and office.
107. **Notice** of Appeal from Salina Chan to the Planning Appeal Board dated 2/3/91.
108. File **note** dated 15/6/92 re complaint received about new access to Chan's property.
109. **Fax** transmission slip from B Quillerat of Dept of Roads and Transport dated 26/5/92 asking Luke Middleton to arrange approval for access permit for Ms Chan.
110. **Letter** from Beaconsfield Council dated 29/5/91 to S Chan re access road, anc conditions of the permit.
111. **Letter** from Planning Appeal Board dated 3/6/93 to Dept of Transport & Works re access to Frankford Main Road to the boarding kennels.
112. **Letter** from Salina Chan to Roads & Transport dated 3/6/91re proposals for access.
113. **Memo** from Peter Davis to Roads & Transport Department in Hobart dated 5/6/91 re Ms Chan's access road proposal.
114. **Memo** from Gordon Mathers dated 26/6/91, requesting a "Watch for entering Traffic Warning Signs".
115. **Letter** from G Adams dated 22/6/92 to Minister for Roads re access road.

116. **Memo** from the office of the Minister for Roads dated 30/6/92 instructing for a response to G Adams letter.
117. **Letter** from L T Middleton to S Chan dated 9/8/91 re the erection of the "Watch for Entering Traffic" signpost.
118. **Notice** in the Examiner dated 21/12/91 re refusal of S Chan's application.
119. **Fax** note from Roads & Transport dated 21/5/92 to B Quillerat re access road.
120. **Letter** from West Tamar Council to Town & Country Planning dated 8/4/93 re access road.
121. **Letter** from L T Henry-Middleton dated 11/6/93 to Town & Country Planning re access of S Chan.
122. Ministerial **note** undated to Hon D Llewellyn re Access to Chan Property.
123. **Letter** from Dept of Infrastructure, Energy & Resources to G Adams dated 6/3/03 re costs of FOI information requested.

While the matter was reserved for judgment the Complainant forwarded further materials, including a letter from Complainant dated 24th September 2004

By letter of this date the Complainant attached copies of:-

(a) A letter to the Ombudsman dated the 11th August 2004 from Kim Booth MHA. The letter contains queries as to the basis of the Ombudsman's decision and as to why alleged misrepresentations were made, and as to why charges were not laid against certain persons. It contains nothing tending to suggest discrimination on a prohibited ground against the Complainant.

(b) An invoice for the care of two dogs by the Complainant's firm, Elspedito Enterprises to various Ministers, the Director of Public Prosecutions, the Speaker of the House of Representatives and others. It contains nothing suggesting prohibited discrimination.

(c) An extract from the Advocate newspaper. This contains nothing suggesting discrimination against the Complainant.

DECISION

23. At the request of the Complainant the Tribunal has examined material concerning events prior to the 10th December, 1999 to see if it suggests discrimination on the ground of sex or gender, which although occurring before 10th December, 1999 (and after September 1995) which may have been continuing discrimination. However, Section *63* of the Act provides:

> "(1) A complaint is to be made within twelve months after the alleged discrimination or prohibited conduct took place.

(2) The Commissioner may accept the complaint made after the twelve month time limitation has expired if satisfied that it is reasonable to do so."

24. In her determination and reasons the Commissioner repeatedly rejected claims for investigation on the basis that they occurred more than twelve months prior to the date of the complaint. As the complaints are dated 13th August, 2002 and 7th October 2002, the relevant dates for the purpose of applying the twelve month limit are 13th August, 2001 and 7th October 2001.

25. Although materials have been looked at concerning events occurring prior to that date, in order to qualify for investigation the facts alleged must:

(a) adequately suggest discrimination;
(b) be based on the prescribed attribute;
(c) be within the prescribed area of activity;
(d) either: -
    (i) occur after 13th August, 2001 and 7th October 2001; or
    (ii) occur after September 1995 on the grounds of sex gender or after 10th December, 1999 on other prescribed grounds
(e) that are continuing on or after 13th August, 2001 or 7th October 2001.

26. The determination of the Commissioner rejecting the complaint has been reviewed, and compared with the materials supplied, and for the reasons given below the Tribunal, is satisfied that that Commissioner made a correct decision in rejecting the complaint for investigation.

REASONS FOR DECISION

Submissions at Initial Hearing

27. If true the matters related by the Complainant might suggest the breach of some legislation, some refusals to accept what the Complainant has said, some bullying of the Complainant, some adverse decisions which were no doubt upsetting for the Complainant, and an acceptance of the Complainant's neighbours version of events rather than the Complainant's. However nothing that she said in her submissions suggested any of the conduct complained of. For ease of reference I shall refer to the claims under heading "Conduct

Complained Of" above compendiously as "discrimination" noting of course that that are indeed other forms of prohibited conduct subsumed within the expression including humiliation, incitement and victimisation.

28. She referred to various issues, including a roadway used by her neighbour, Mrs. E. Chan. She complained that the roadway was very dangerous, that numerous people in authority knew it to be illegal, and that there was substantial bureaucratic inaction in relation to it. However no fact that she put forward suggested discrimination.

29. When she was pressed for reasons for bring her application in this Tribunal, she said that she believed she was being discriminated against because virtually all decisions that she had sought had been against her. When asked what attribute she thought caused this perceived discrimination, she indicated her belief that it was because of her race.

30. She pointed out that her neighbours, being of Asian race, had received decisions in their favour; the Complainant stated: *"As my case is complex over years I have condensed"* and then listed numerous documents and files and bundles of documents and tapes. She stated that she had *"tried to condense as plain and as clear as I am able to"*. In relation to the Council she related actions of the Council and her neighbour Mrs E Chan. Nothing in her statement suggests discrimination. Her statements are to the effect that *"a development was granted"*, *"a new access road was constructed"*, *"an illegal licence was granted"*, and *"Mrs E. Chan has taken in animals for boarding"*. In all other respects it was left to the Commissioner to glean from supporting materials precisely what words or actions were complained of as suggesting prohibited discrimination. Those materials are extremely voluminous and many parts of them were irrelevant because they concerned acts and circumstances so long ago as not to be within the jurisdiction of the Tribunal or clearly were not suggestive of discrimination.

31. However in all the materials that have been examined, and in all of the submissions that were put, no words uttered by any person and no fact suggested, could give rise to a suggestion of prohibited discrimination.

32. The Anti-Discrimination Commissioner set out in paragraphs 14, 15, 16, 17, 18 and 23 examples of the Complainants contention *"that over a period of time from September 1994 and in 2001Tasmania Police...breached the Anti-Discrimination Act1998 on the grounds of sex/gender, political belief and political activity"*.

33. Both in the determination and the other materials there are complaints of Police inaction.

34. However there is nothing suggesting discrimination that would bring it within the scope of the Act. In order for a complaint to be investigated it must at least claim, either on its face that or by reasonable inference that it relates to discrimination.

35. However it is untenable to maintain that merely because a complaint is uninvestigated discrimination has occurred. There are many *possible* reasons for the claimed inaction; it *may* have been a genuine belief that the complaints were trivial or lacking in substance; it *may* have been overwork, laziness, procrastination, fear of other persons, unwillingness to travel or to take risks. It *may* have been to further a conspiracy against the Complainant. It *may* have been dislike of the Complainant because of perceptions of her personality or habits or it *may* have been because of her gender or matrimonial status

36. I do not for a moment suggest any of these *were in fact* motivators for the police *if* the claimed inaction occurred. I merely highlight that the Complainant has failed to claim any facts that indicate directly or indirectly (i.e. by reasonable inference) prohibited discrimination or indeed any reason for the claimed inaction. As a result it was clearly not possible for the

Commissioner to find any suggestion of prohibited discrimination to investigate. The Commissioner cannot investigate conduct merely because the Complainant alleges that the conduct resulted from discrimination or because conduct *may* have resulted from discrimination: she may only investigate a complaint "about" (Section 60(1)) discrimination. If there is no fact or inference suggestive of discrimination she must reject the complaint, as she has done.

37. I am satisfied the Commissioner "*made a correct decision*" (Section 72) in rejecting the complaint. My reason generally is that the information is insufficient to suggest a nexus with prohibited discrimination. There is no reason arising from the circumstances that would justify the drawing of an inference that the facts complained of occurred *because of* a prescribed attribute. There is no fact claimed which is logically probative of prohibited discrimination. It was properly rejected under Section 64 (a) because it is "vexatious", it is "misconceived" and it is also "lacking in substance". It was properly rejected under paragraph (b) of Section 64 because it "does not relate to discrimination'.

38. In all of the very extensive material which has been supplied for consideration there are no facts claimed which suggest that the various and multifarious shortcomings of the respondents alleged by the Complainant constitute discrimination on the basis of a prescribed attribute.

39. The complaints are most accurately characterised as a litany of complaints of inaction or misconduct by public officers and associated professionals.

40. Nothing in these complaints suggests discrimination. However the Complainant has sought, in effect, to convert them into complaints about discrimination by simply attaching them to a complaint lodgment form published by the Anti Discrimination Commission and ticking the boxes marked "Marital status", "Gender/sex", and others. The complaints may arise as part of a campaign

perceived by the Complainant as an appropriate search for justice. However they do not imply, suggest or otherwise indicate discrimination.

41. In future I will refer to this reason simply as "insufficient material to suggest discrimination", by which expression I will convey all of the preceding paragraphs as my reason for decision.

42. One can glean from the materials provided by the Complainant a belief that all of the conduct of which she complains derives from unlawful discrimination. However, without some tangible suggestion of action or inaction based on a prescribed attribute, it is simply not possible to find that the information provided is sufficient to suggest she may have been treated differently because of that attribute.

43. The Complainant should rest assured that all material which she has provided has been carefully considered, whether or not specific reference is made to it in the lists above. However in the allegations referred to above she has not even used words suggesting action based on or caused by an attribute. She has simply supplied a narrative in which the many protagonists either make decisions against her, or fail to act in the way in which the she wants them to.

44. The Complainant has submitted information - many hundreds of pages of it - in an apparently genuine belief that all of it, consistently with the allegation above, palpably demonstrates discrimination. In her appeal materials she did not respond meaningfully to the cogent reasons given by the Commissioner. She did attend the hearings of the matter and the depth of her feeling about the way in which she had been treated was quite apparent.

45. It was clearly an effort for her and she was very brave to put herself through the stress of those hearings. She has supplied further materials to the Tribunal on several occasions. However the fact is that when invited to point to specific facts to justify her belief that she had been discriminated against she was unable to do so. Instead she asked the Tribunal to read the whole of the

evidence she had collated in her folders and invited it to conclude that on the whole of the evidence she had been discriminated against on the ground of a prescribed attribute.

46. The Tribunal has taken the time to do that and read the materials carefully and thoroughly. However it is bound to identify specific facts which sufficiently suggest prohibited discrimination to warrant investigation. There are facts which raise issues of whether her complaints have been handled adequately or properly. However there was nothing in the information supplied to suggest that the Complainant was treated less favourably because of a prescribed attribute or other prohibited conduct. Authorities may have been slow to respond; they may even have failed to respond correctly; but that is not the issue for determination by this Tribunal.

47. There must be some material to ground the suggestion of prohibited conduct or discrimination because of the Complainant's sex or gender, and when the facts are subjected to critical analysis I find that there is none.

48. Merely asserting adverse decisions, even in the genuine belief that she is the victim of a discriminatory conspiracy, does not meet the threshold test referred to above either directly or indirectly.

49. It is not enough that the Complainant is mistreated and is a woman. There must be a causal link between the two before there can arise a suggestion of discrimination which has a real possibility of success. The material does not set out details of the alleged discrimination, or identify the person discriminating. There is nothing to raise a prima facie case.

50. It certainly reflects the view of the Complainant that adverse decisions occurred because she is a woman, a view she seems to hold very sincerely. But there remains nothing but a bare assertion. There are no facts suggesting discrimination or from which discrimination could be inferred. Certainly if all the facts alleged were proved, which is the basis on which I deal with the

matter, in the absence of answering material it would be open to find *prima facie* that she may have suffered injustice. However without more by way of surrounding circumstances the tribunal cannot draw an inference that discrimination has occurred simply because of her gender or marital status or race any more than it could draw an inference that it happened because of her age, sexual orientation or any other prescribed attribute.

51. The allegations raise the question "why is it so?", but they do not answer it. Merely *saying* it is so because of gender or race does not provide information tending to show discrimination. It merely states an opinion of the Complainant. Here no gender biased words or treatment is alleged. The mere fact that a bizarre saga of injustice is alleged involving a woman does not suggest that it occurred *because she is a woman.* The mere fact that a person of Asian race received a favourable decision while the Complainant did not does not suggest that it was given because the Complainant is Caucasian. The conclusion simply does not follow, any more than it would follow, had the successful person been male, or pregnant or of a particular sexual orientation.

52. The only relevant words in the material supplied that could in the slightest suggest the possibility of discrimination based on a prescribed attribute are ones wherein a police Officer suggested that the Complainant "*needs a man*". However these words were uttered in the context of a sympathetic remark commenting upon the state of the fencing at the Complainant's property which was in need of repair. (In any event they occurred prior to the operation of the Act).

53. While in some situations circumstantial evidence may be enough from which to draw an inference of discrimination on the basis of a prescribed attribute, I find those of the facts alleged which are claimed to have occurred after the operation of the Act insufficient to raise such an inference. They do not point to gender or marital status or race as the reason for their occurrence either adequately or at all. Conscious that the Complainants' case must be looked at

in its best light for the purpose of determining whether its rejection was correct or not, even if they happened as alleged, syllogistically it does not follow that such conduct was a result of a prescribed attribute.

54. The decisions complained of could result from the mental condition of the protagonists generally; they could result from a grievance about the use to which the Complainant put her property; they could result from an antipathy against the Complainant, not because of gender or marital status but because of her personality, her prior conduct, her disposition, habits or any one or more of a myriad of reasons.

55. The prescribed attribute must be *"at the bottom of"* or *"connected with"* or *"causing or partly causing"* the conduct complained of. However the Complainant's material does not allege any fact which could be the connection or nexus between a prescribed attribute and the conduct complained of.

56. In the materials there are expressions of dislike for the personality or the conduct of the Complainant. There were clearly things about her demeanour or conduct (such as her persistence and her unwillingness to accept adverse decisions) that have lead to confrontation and refusals to entertain further correspondence. This is not of itself redolent of discrimination on the basis of a prescribed attribute.

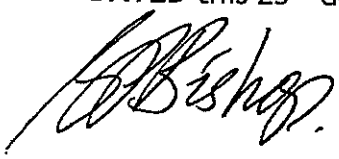
57. In order to qualify as prohibited conduct under Section 17 there is the same necessity for insult, ridicule or humiliation to be on the basis of one of the prescribed attributes in that section.

58. The same applies to inciting hatred. There is simply insufficient relevant information given to construct a prima facie case of discrimination, prohibited conduct, inciting hatred or victimisation.

59. In my judgment this is an instance where the Complainant has formed the view that she has been treated unfairly and come to the conclusion that the reason must be a prohibited attribute. That conclusion simply does not follow as a matter of course. Evidentially it is legally possible for it to arise as a matter of inference from sufficient circumstances, but in my view there is nothing in these circumstances to adequately raise the suggestion that the conduct complained of was based on a prescribed attribute. Both on the whole of the evidence, and applying the relevant time limits, I am satisfied the Commissioner made a correct decision in rejecting both the complaints because of insufficient information to suggest the required nexus with a prescribed attribute.

60. For these reasons the Tribunal is satisfied the Commissioner made a correct decision in both matters and the complaints will now lapse.

DATED this 23rd day of June, 2005.



S BISHOP
TRIBUNAL MEMBER

M. L. C. Member Mr L. Finch,
1 Civic Square,
Launceston. 7250 TAS.

6-11-09

FAX NO: 63311606.

Dear Mr L. Finch M. L. C.,

I have been trying to achieve in writing the result from the Legal Profession Board of Tasmania on Mr S. Bishop.

(a) a copy of my letter faxed to the Board 6-11-09.

(b) a copy of the Board's letter to myself dated 18-9-09.

(c) a copy from Archives of Tasmania on the agency details of the above Board and 2 deliede the six members.

(d) Mr S. Bishop was appointed by the State Government who resided in my near 20 year case, and never declared Conflict of Interest to the State Government, who were very well aware of his law firms part in the case. It was also the actions of Mr S. Bishop. Could you please assist to receiving in writing the Board's decision.

Yours Sincerely,
Gail Fitton,
P. O. Box 519
Exeter, 7275. TAS.
PH= 63961145

4 pages faxed.

Date: 2 - 10 - 10

Victims Support Services
Victims Assistance Unit,
G. P.O. BOX 825
Hobart. 7001. TAS.

YOUR REF: 153/2010.

Dear Commissioner,
I am attaching an F.O.I. received September 2010 from the Ombudsman which, I believe should be part of and will be added on the C.D. P.D.F. Also I was stunned on the Integrity Commission Board, who the Board Members were and attach a letter 50.3 from file 2 that was handed up. Integrity?

Yours Sincerely
Gail Fitton, (Adams)
P.O. Box 579,
Exeter. 7275. TAS.
PH=0363961145.

Integrity Commission

About us
Chief Commissioner
Chief Executive Officer
The Board
David Hudson
Luppo Prins
Elizabeth Gillam
Iain Frawley
Mike Blake
Simon Allston
How to lodge a complaint
Who are public officers?
Presentations/Speeches
FAQ's
Media
Links
Site map

Integrity Commission Board

The Integrity Commission Board provides oversight and guidance to the Chief Executive Officer and staff of the Commission, promotes good practice and systems, and monitors and reports on the operation and effectiveness of the *Integrity Commission Act* 2009.

The Integrity Commission Board is chaired by the Chief Commissioner.

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Simon Allston, Ombudsman — The Ombudsman

Iain Frawley, Acting State Service Commissioner

Appointed Board Members

David Hudson

Elizabeth Gillam

Luppo Prins, APM ← former Deputy Police Commissioner in my case.

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Department of Premier and Cabinet

Executive Building, 15 Murray Street, Hobart TAS
GPO Box 123, Hobart, TAS 7001 Australia
Ph 1300 135 513 Fax (03) 6233 2769
Web www.dpac.tas.gov.au

Tasmania

Ms Gail Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Fitton

I refer to your facsimile of 30 July 2010 regarding the exempt information of the 1993 Briefing Note to the then Hon John Cleary MHA, Minister for Environment and Land Management.

I note that you applied for this information last year and were advised that after an exhaustive searches within the Department of Premier and Cabinet that the original briefing note could not be located. I enclose the correspondence you received last year regarding this matter. I advise that there is no further action I am able to take.

However, I should point out that even if the full copy of the briefing note was located I would not be inclined to release the information that is covered by the legal professional privilege exemption.

Certain communications between lawyer and client are privileged and neither the client nor the lawyer can be compelled to disclose details of the communication. The rationale for this privilege, as identified by the High Court in 1976 in *Grant v Downs*, is that:

> "it promotes the public interest because it assists and enhances the administration of justice by facilitating the representation of clients by legal advisers, the law being a complex and complicated discipline. This it does by keeping secret their communications, thereby inducing the client to retain the solicitor and seek his advice, and encouraging the client to make a full and frank disclosure of the relevant circumstances to the solicitor. The existence of the privilege reflects, to the extent to which it is accorded, the paramountcy of this public interest over a more general public interest, that which requires that in the interests of a fair trial litigation should be conducted on the footing that all relevant documentary evidence is available. As a head of privilege legal professional privilege is so firmly entrenched in the law that it is not to be exercised by judicial decision."

It would appear from other the references in the briefing note that the Clerk to the Town and Country Planning Commissioner sought and received legal advice from the Solicitor-General's Office about a planning matter that was the subject of legal proceedings. Clearly, any legal advice would be covered by the legal professional privilege and therefore exempt from release.

The Department of Premier and Cabinet is unable to assist you further in this request.

Yours sincerely

Catherine Vickers
Right to Information Officer

3 August 2010

The Ombudsman of Tas,
Mr Simon Alston,
G.P.O Box 960K,
Hobart. 7000. TAS.

17-8-2010

Dear Ombudsman Mr Simon Alston,

Under the F.O.I. Act and my recent request again for the two paragraphs omitted from the original request years ago, I believe, as you yourself gave the advice, would be in the archives of the Solicitor-General's Office, or in my file which the previous Ombudsman Jan O'Grady denied the two paragraphs wanted by myself.

Attached:

(1) Two pages of the briefing note.
(2) Letters to me from the F.O.I. Officer dated 3/8/2010, 2/6/2009, 30/6/2009, which I believe was not in accordance with F.O.I. process, especially if the two pages are with the Justice Dept.

Yours Sincerely,
Gail Fitton (Adams)
P.O. Box 519,
Exeter. 7275. TAS.
Ph: 63961145.

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BRIEFING NOTE

The Hon John Cleary MHA
Minister for Environment and Land Management

SUBJECT: Boarding Kennels and Pet Cemetery
Glenmore, Frankford Main Road, Glengarry

RECOMMENDATION: That you note the information contained herein.

BACKGROUND: As advised in the Departmental Minute to you dated 30 June 1993, the then Clerk to the Commissioner referred this matter to the Director for Local Government with a request that he investigate the matter and, if appropriate, institute legal proceedings against the Council under section 829B of the Local Government Act 1962 in respect of a supposed offence against section 847(2)(a).

On Mr Riley contacting the current Clerk to the Commissioner on 6 September 1993, enquiries were made of the Director's office, at which time the question of time limits imposed by the Local Government Act 1962 in respect of prosecutions was raised.

The Clerk to the Commissioner has discussed the matter with Mr Simon Allston of the Solicitor-General's Office,

Exempt information
removed
s29 FOI Act 1991

As noted above, it had previously been suggested that action be taken against Council under section 829B of the Act. Section 829A provides however that a complaint for an offence against the Act to be prosecuted summarily shall be made not later than 6 months after the discovery of the offence.

The letter in which Mrs Adams raised the matter of the illegal access with the Planning Appeal Board was dated 23 December 1992, and date stamped as having been received in the Planning Division on 4 January 1993. The six months within which to bring the complaint would therefore appear to have expired on 4 July 1993.

Exempt information
removed
s29 FOI Act 1991

There is also the fact that the new access was approved on 29 May 1992 by the Hon. F L Madill, Minister for Roads and Transport (as per advice forwarded with Departmental Minute dated 30 June 1993). Although the Hon. Minister could not require compliance with the municipal planning scheme, but merely satisfy himself that the access was acceptable from a safety point of view, the fact remains that if action were now to be taken for a breach of the scheme, an agency of the Crown would be prosecuting for an action already sanctioned by a Minister of the Crown.

There is authority under section 16(3) of the Roads and Jetties Act 1935 for the Minister for Roads and Transport to withdraw his consent to the access. The result of such a withdrawal is that the person who constructed the access would be required to remove it at their own cost. If the Minister for Roads and Transport were to withdraw his approval (which was granted at the behest of the Council, and presumably without the knowledge that the provision of the access contravened the provisions of the planning scheme), the Chans would be obliged to remove the access.

This however would be counter-productive in terms of safety in that the new access is better. Perhaps Council could be persuaded that it would be preferable to relocate all accesses via the new access road (as suggested in paragraph (a) of the Transport and Works letter dated 11 June 1993 addressed to the then Clerk to the Commissioner, a copy of which was forwarded with the Departmental Minute to you dated 30 June 1993). The old access could then be closed.

In conclusion, it would appear that, the 6 month time limit having now elapsed, there is no way in which a prosecution could be instituted in respect of the establishment of the illegal access. (In any event prosecution, if successful, would have only resulted in a fine, not the removal of the access).There is no power under the Local Government Act 1962 to have the access removed.There would appear to be no other avenues open to the Minister for Environment and Land Management to resolve the problem.

CONTACT OFFICER

Clerk to the Commissioner
for Town and Country Planning
33 2860

CLEARED BY:
J A Ramsay
SECRETARY

OMBUDSMAN
TASMANIA

In reply please quote: **O1008-355**
Contact Officer:

Ms Gail Fitton (Adams)
PO Box 519
EXETER TAS 7275

Dear Ms Fitton

Freedom of Information Act – Department of Premier and Cabinet (DPAC)

I refer to your letter of 17 August 2010.

On my understanding, in 2003 DPAC provided you with a copy of a Briefing Note under the *Freedom of Information Act* 1991, but deleted 2 paragraphs of information under s 29 (the exemption for information affecting legal proceedings) of the Act. You say that the *"previous Ombudsman denied the two paragraphs wanted by (your) self".*

On 11 May 2009 you requested that DPAC release the deleted information under the FOI Act. In response, DPAC informed you that it could not locate the briefing note. DPAC suggested that a copy of the note might be held by the Department of Justice.

The FOI Act ceased to operate on 30 June 2010.

By *"facsimile of 30 July 2010"* you again asked that DPAC supply you with the information. It is not clear on what basis you asked that DPAC do so. However, I understand that you did not apply to DPAC under the *Right to Information Act* 2009, which commenced operation on 1 July 2010. In response, Catherine Vickers, Right to Information Officer, by letter dated 2 June 2010 stated –

I note that you applied for this information last year and were advised that after an exhaustive searches (sic) within the Department of Premier and Cabinet that the original briefing note could not be located. I enclose the correspondence you received last year regarding this matter. I advise that there is no further action I am able to take.

Ms Vickers further stated –

...even if the full copy of the briefing note was located (she) would not be inclined to release the information that is covered by the legal professional privilege exemption.

Postal Address
GPO Box 960
Hobart, Tas 7001

Hobart Office
Ground Floor,
99 Bathurst Street
Hobart, Tas 7000
Fax: (03) 6233 8966

Launceston Office
111 Cameron Street,
Launceston,
Tas 7250
Fax. (03) 62 6336 2585

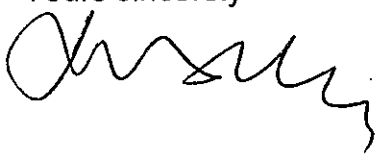
Office of the Ombudsman
1800 001 170
ombudsman@ombudsman.tas.gov.au

Without expressing any final view I note that once it is established that legal privilege extends to a confidential professional communication between an agency and its legal advisor, the privilege does not cease to exist by a lapse of time.

Whether you wish to continue to attempt to obtain the information under the *Right to Information Act* from the Department of Justice or another agency or Minister who you believe has the information, is a matter for you. If you do, you will need to make an application for assessed disclosure under the *Right to Information Act*.

I now propose to close this file.

Yours sincerely



Simon Allston
Ombudsman

13 September 2010

Office of the Commissioner
Victim of Crime Assistance Act 1976,
G.P.O. Box 825
Hobart. 7001. TAS.

Ref No: 153/2010

Dear Commissioner Casey,
I received a letter dated 18-10-2010 in respect of an Application for extension of time signed by S.R. Casey who I assume was the Commissioner I met with in Launceston as I was not introduced to.

1. As handed to yourself the letter from the Victims of Crimes Officer and informed yourself of the two in person meetings with and one over the telephone. The letter clearly states this Officer went to see the Police Victims of Crimes Officer and present was Detective McLeay who the Police Commissioner Mc Creadie selected for myself to follow. All before the Court Case!

2. As I stated to you, it is not my problem that Public Servants of any position, including those outside Government, fail to do their job placing their liability upon my small business, and myself.

3. I attach a copy from the net to what constitutes a Victim of Crime and the Rights and Protection, which backs up the Ombudsman's

why not one man was charged. as in the big cruelty cases before and after Mr A. Reid, who had been known since 1985 for cruelty, no government person in the Labor arena showed any remorse or assistance for the case.

4. The Director of Prosecution Mr J. Ellis has, I assume still has, a criminal conviction against him, to the treatment of his own dog Jake and who was flaming his own son, who was at that time 17 years old. How obscene.

5. Maybe the Director of Public Prosecutions who if it still applies under an Act of Parliament, the Attorney-General is responsible for, would like to read the recent book published "Without Hope", by Barbara Naughton, and may learn something.

6. Could you please return my two white files and C.D. P.D.F. called "The Process to Liars, Thieves and the Truth" as to your letter, you appear to have no need for.

It would be appreciated a response within 14 days to this letter.

Yours Sincerely,
Gail Fitton,
P.O. Box 519,
Exeter. 7275. TAS.
PH: 0363961145.

Username: Password Login

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Victims of Crime

In This Topic Other Topics

Send your questions to LawMail.

Can't find the information you are looking for? You can send a question to **LawMail** and an answer can be sent to you in 5 days

Go To LawMail

Who is a victim?

You are a victim of crime if you have:

- suffered harm (whether it be physical, emotional, financial or psychological harm) because of a crime;
- suffered harm while helping a police officer who is trying to arrest someone or who is trying to stop a crime;
- witnessed a crime where a person has suffered harm; or
- if you are dependent on someone (for example a parent) who has been injured or who has died as a result of a crime.

Crimes with victims include things like physical assault, mugging, armed hold-up, theft, domestic violence, sexual assault, harassment, child abuse and criminal road accidents.

They may also include identity theft, financial crime, threats and stalking.

Even though there are many reactions to crime, every person is unique and so everyone's experience will be different. Some effects of crime may be felt immediately but others might take longer to notice. It's important to get help and support to deal with these effects. This will assist your recovery. See Victims of Crime WA for useful information and links.

What rights and protections do I have as a victim?

You are entitled to protection under the *Victims of Crime Act 1994* (WA).

If you are a victim, you should be treated:

- in a sympathetic, constructive and reassuring manner
- with regard to your personal situation, rights and dignity

Where it is practical and appropriate, you should be told about:

- the progress of police investigations (although police may have to keep some things confidential);
- be informed of any bail the defendant has entered into and the conditions of that bail;
- any charges laid against the accused;
- information about the trial/court process;
- the outcome of the trial.

You have a right to privacy and protection:

- your personal details, such as your address, should be kept private, unless a court orders otherwise.
- if you feel you need protection from an offender, you should inform a police officer.
- You should be informed if the offender will be released from custody if you have expressed a concern about the need for protection from that offender.
- You should be protected from unnecessary contact with the accused or any defence witnesses during the course of the trial.

If you have any enquiries about your rights as a victim of crime please contact the Victims Support Service on (08) **9425 2850** or free call **1800 818 988**.

Office of the Commissioner

Victims of Crime Assistance Act 1976

Decision in respect of an Application for Extension of time:-

Gail Lesley FITTON (Ref. No. 153/2010)
by Commissioner Carey
18 October 2010

Application

This is an application brought by Ms Gail Fitton in relation to array of circumstances that have occurred following the prosecution of a Mr A Reid in 2000 for offences involving cruelty to animals. I have been provided with a vast amount of material which I have perused. This material outlines a continued battle between the applicant and various public and private authorities and individuals over many years, all in some way related to her care of two greyhounds on behalf of Mr Reid.

As presently drafted, this application does not relate to criminal conduct as defined by the Act. Awards for compensation can only be made in relation to injuries suffered as a result of an act of another person that constitutes an offence. An offence is defined in Section 2 of the Act as;

> *"……..an offence that involves violence by one person against another……."*

For the purpose of this application to extend time there must at the very least be a prima facie indication of the suffering of an injury as a result of criminal conduct as defined in the Act. That is not so in this case and therefore the application for an extension of time in respect of the application made by the applicant is dismissed.

S. R. Carey
COMMISSIONER

Received in mail 5/10/10

Concluding comments re Gail Adams matter

It is appreciated that this information is long and its technical and legal parts not easy to follow. Such is the complexity of the case it has not been possible to summarise or leave out parts of it without making it difficult to follow. The aim has been to index/outline the case history to enable anyone to grasp the essentials then seek further information, as required, from the mass of file documents or from other sources as may be required.

The account has intermittently increased over the years. Events which have followed some of the original errors and incompetence, most of which are documented, are in many ways even more disturbing than the original events They include, but are not limited to, defamation, harassment [police & others] and possible criminal offences which include namely trespass, fraud, perjury and conspiracy to deceive.

It is accepted that we all win some, lose some, yet as has been shown, Mrs Adams has lost every single decision, court action and petition in the last 9 years. She has complained to, and sought assistance from elected representatives as named on index including Ministers and Premier; and Governor of this State. Other avenues established for review including the office of Ombudsman have been approached. All to no avail.

Has it been a case of 'anything that could go wrong, did go wrong' because of sheer bad luck? The odds are against giving bad luck as an explanation. Indeed, as a rule, most will come to the only logical explanation for all that has happened - a deliberate, coordinated, orchestrated campaign to ensure Mrs Adams is not successful in obtaining an appropriate outcome [a win]. There is sufficient evidence to support this conclusion by examination of events outlined in the documents.

As a victim, Mrs Adams, can be excused for being cynical when told that 'Fair Go' is part of what being Australian means. Yet she, an Australian citizen and an honest, committed hardworking Australian [Tasmanian] business person, has had life destroyed whilst the wrongdoers, despite all misdeeds, have continued to enjoy a rich lifestyle, often at the expense of the taxpayers.

It is a much repeated claim of Mrs Adams that allegations of injustice, crime, conspiracy and corruption have not been adequately investigated - as clearly they must be; as indeed must the whole mess of this case.

Still, Mrs Adams is as determined as she was ~~8~~ 18 years ago to seek her rights. She has the courage of her convictions, and the determination to carry them through, at whatever cost. As this submission is prepared she faces the strong possibility of losing her business and property - all she has left.

It is hoped that by raising the matter in the anti-discrimination forum, there will be sufficient people of honour, real Australians, for whom 'Fair Go' means more than words and who will act to right the miscarriage of justice that the victim has suffered, and in so doing, perhaps go towards ensuring it *never* happens again.

The Financial Ombudsman,
G.P.O. Box 3,
Melbourne. VIC. 3001.

6-4-10.

case No: 202387. "(caveat)."

Dear Financial Ombudsman,

Attached is a listed documented letters to my complaint which my State would have been aware, as they stated they were pulling my file from their archieves.

1. Island State Credit Union were aware before the situation occured, I was owed at that time over $18,000-00 and who owed it to me and my small business.
2. Those involved including the Credit Union knew I sold my double horse float, under its full value by $3,000-00, my miniature horse float, many personal effects, leaving only the A.N.Z bank and the mortgage with Island State Credit Union, which I was paying my ex-husban half as well, as he refused to pay since 1996.
3. I tried to refinance many, many times, the offers from Lion Finance, only logical, did I go from bank to bank, and other financial places.
4. I pay Lion Finance to-day $50 per month.
5. I cannot find the letter but either 2004 or 05 I filled in an application form, met with a female manager in Launceston of Island State Credit Union with a Letter from Lion Finance for $5000-00, the debt would be wiped, I was refused by the credit union. They would have all this in their files.

6. I believe someone was wilfully and deliberately trying to bankrupt me.

7. The debt to-day to my business, "unpaid" is over $100,000-00.

8. I complained to the Banking Ombudsman but they did handle credit unions.

9. Another reason I tried to refinance was the interest rate. I was paying high interest and that time, "the interest rate was low, at the time.

10. Only for Finance Brokers of Tasmania in Launceston I went to, who informed myself of the caveat, I still would not be aware of the caveat

11. The pain and soulsearching has been enormous, to the point, my mother died, and I could not afford to bury her. No one would lend me these.

12. I refuse My State's offer as a lot more is involved and they are well aware of it. The incompetence and buck passing has to stop. The Solicitors were professional persons as with others involved, in the caveat.

If the Mr and Mrs Citizen get it wrong, they are made to pay or are jailed.

My State has to show and offer with integrity and the professional attitude for Island State Credit Union, what is truely due to me, as listed.

Thanking You,
Yours Sincerely,
Gail Fitton,
P.O. Box 514
Exeter. 7275. TAS. PH: 63961145.
03.

The Financial Ombudsman Service,
G.P.O. Box 3,
Melbourne. VIC. 3001.

25.5.11.

Case No: 202387.

Dear Financial Ombudsman,
I am responding to a report I received yesterday dated 17/5/11 from case officer Teresa Willemsen.

No. 17. Wrong, misquoted, to the evidence supplied.

No 13. Wrong misquoted to the evidence supplied. I was consolidating the debts, borrowing and the property and small business, as has been done, all in my name and ownership.

No 16. Wrong, to the evidence supplied. Lion was not an agent for A.N.Z. Lion acquired the debt for 10 cents in the dollar.
A N Z broke my agreement to them.

No 33. Evidence shows Island State Credit Union employed the professional services of Solicitors Page Seager in Hobart, and Tasmanian Collection Services, Hobart and this being, they offered services to the laws and its knowledge, refer your No 38. Logic the responsibilities and liabilities was on the Island State Credit Union

52. Contradicts your No: 38.

54. I have provided over whelming evidence and again No38 applies, the law, my evidence in this 17/5/2011 from the Financial Ombudsman has been misrepresented, misread, misquoted.

55. Given the response by myself in No54 everything has been done to place the responsibility and liability on me, and shows too much favour to the professional employed services by Island State Credit Union & their gross errors and negligence by excuses.

I was asked by My State what I wanted, I replied twice. I am very surprised a C.E.O. could not handle this matter. It is an insult to the sorrowing humiliation, degradation that has been placed on my small business and myself, to be almost forced to accept the offer from My State of $9,145-54, how disgusting.

Now I will state the reasons why I never went to the Supreme Court.

(a) Island State Credit Union – Manhatten Chase
(b) A.N.Z. – Manhatten Chase.
(c) My State – Manhatten Chase.
(d) Are the Solicitors Page Seager in anyway connected to Manhatten Chase?

I am aware who Manhatten Chase is, and because of an incident years ago in Launceston, a woman who apparently, according to the newspaper

who employed them. I did not employed these services.

35. What a shame the debt owed to myself and small business by the Labor State Government of Tasmania well over $100,000-00 could not be acquired by this service, the reason for what has occurred in this case. Is the Financial Ombudsman employed and wages paid by the Federal State Labor government?

36. Why was two amounts of monies removed from my then cheque account, the account in question, without my knowledge or consent, never addressed, a criminal act allowed by Island' State Credit Union, one amount on a Sunday? My State aware of the documentation. I was screaming, so to speak.

40.) Refer to No 38. "THE LAW", stated by you.
39.)

43. I have shown plenty of evidence to protect my property, especially, I had threats on my life. Refer No 38 as well.

41. Refer No. 38 and my response No 33.

42. I had no idea the Finiancial Ombudsman would excuse to errors, in such a serious situation, and excuse those as also in No 36 of my response, to the laws, Duty of Care and place the responsibility

and liability back on myself.

43. I had no knowledge about a caveat given to this point, I had a AAA credit rating..

46). Island State Credit Union was fully
47). aware of what was occurring to myself, including the C.E.O in Hobart at that time.

50. The Financial Ombudsman cannot assume what financial services providers will do, given I live on an Island. Logical if someone offers to cease a debt of $12,000-00 for $2,900-00 you are going to buy everywhere, LOGICAL.

51. As soon as the caveat was lifted, I had the option of two banks. All a financial provider has to do is on the computer with the dept. of Recorder of Titles is look up with name and address to see if any holdings on a property eg. caveat. It cost me $20-00 for Mr J. Kitto, my solicitor to do so, instantly. It is on his bill and I was informed by that Dept. certain people have access to check up on when people apply for financial borrowing. They certainly were not concerned with A N Z and the cheque account.

52. Your view? It is the law and over whelming evidence of negligence by professional services employed by Island State Credit Union.

and T.V. was placing phamplets in letterboxes, which the Jewish Community was upset over. I have no idea what was on the phamplet. The woman was taken to the Supreme Court and was silenced by Court Order. The representative for the Jewish Community at that time, Dr Felix Goldsmied, Kings Meadows, Launceston,

The "Truth" would never be heard and given now my evidence fals y represented the true facts I intend to add this to my book.

My request and want stands to My State.

Yours Sincerely,
Gail Fitton,
P.O. Box 519,
Exeter. TAS. 7275.

The Premier of Tasmania,
15 Murray St.,
Hobart. TAS. 7000.

26-7-11.

Dear Premier
2 attach' 5 pages listed:
(a) 1. Central issues in the greyhound matter.
(b) 2. Letter from myself to Ombudsman 1-5-01.
(c) 3. House of Assembly Questions/Answers 18-6-03.
(d) 4. Ombudsmans rely 4-4-02 in respect that a "formal" instructions 44(1) was given.
(e) 5. Letter from MHA Jacksons 4-2-03.

The central issues are self-explanatory unless you cannot read or write or comprehend.
The owner of the two dogs via his solicitor was requesting $2000-$3000 for his two dogs. I was loaning them. The Government of Tasmania had no right to "force" myself or my small business to ownership given we brought about a prosecution and got a conviction.
The letter in reference to the defective registration papers for the two dogs in-care to save their lives refer No 2, 1-5-2001 as I was to learn the remaining dogs that these two dogs were proven to be part of the 25 dogs remaining waiting collection on legal lawful instructions by their owners, that the Labor State Government of Tasmania had the

8

Stage Summary Thursday, 18 October 2001 11:27 ***Duration:*** 6 Minutes

That the RSPCA, the Launceston City Council and the DPIW&E failed in their respective statutory duties to take adequateaction to ensure the welfare of greyhounds in the kennels of Mr Reid. As a consequence Ms Adams was left with two greyhounds, boarded with her by Mr Reid, for a considerable period of time without payment and without adequate explanation as to the status of the animals.

Action Taken: Investigated and sought responses from the RSPCA, the Launceston City Council and the DPIW&E. Accepted that although the complaint was in part substantiated, that the retention of the two greyhounds was a decision of the complainants and not an action for which the state ought make and ex gratia payment.

Closure Summary Thursday, 18 October 2001 11:33 ***Duration:***

The complaint was substantiated in part in that there were statutory actions which ought to have been taken that were not taken. The RSPCA officers should have issued an instruction under s.14(1) of the Animal Welfare Act 1993 directing that the dogs in the control of the kennel owner be returned to their owners. An informal instruction was given. The Council should have proceeded with their action against the holder of the kennel permit for breach of a condition of a permit. Once the permit lapsed the Council officers with the dog control officers should have checked to establish whether the kennel was illegally operating without a permit and ascertained the number, registration status and welfare of dogs in the kennels. A better explanation of the prosecution process should have been given by the RSPCA, DPIWE and police to the complainant. However the Crown was not responsible for the costs of the two greyhounds boarded with the complainant and subsequently retained by her even though better information ought to have been given about the status of these animals and whether or not they formed part of the prosecution case.

From: Robyn Hopcroft ***To:*** Ms Gail Adams

Outgoing Correspondence Thursday, 18 October 2001 1:45 ***Duration:*** 1 Minutes

...ter of acknowledgement

Total Duration: 1 Days, 23 Hours, 8 Minutes

√ Sent to Jim Bacon, Premier not Gail Adams

Department of Justice
OFFICE OF THE SECRETARY

Level 14, Trafalgar Building, 110 Collins Street, Hobart
GPO Box 825, Hobart Tas 7001
Phone 03 6233 6241 Fax 03 6233 2332
Email secretary@justice.tas.gov.au Web www.justice.tas.gov.au

Tasmania

14 July 2008

Ms Gail Fitton
PO Box 519
Exeter TAS 7275

Dear Ms Fitton

Thank you for your correspondence of 19 June 2008 regarding your recent complaint to the Ombudsman.

The Ombudsman does have a statutory role to investigate administrative actions, but as Mr Connock has pointed out, the Ombudsman has no power to question the merits of a decision made by a Minister.

It is not unusual for people to have differing views about whether a government decision was 'good or bad'. Very often citizens will seek to lobby a particular Minister about these matters and it appears that you have already pursued this option. The remaining traditional form of redress for those who disagree with Government decisions is through the exercise of their vote at parliamentary elections.

As to other legal issues you may have, neither I, nor this Department, can provide you with any form of legal advice.

Yours sincerely

Lisa Hutton
Secretary

The Dept. of Justice,
of Tasmania,
The Secretary, Lisa Hutton,
G.P.O. Box 825,
Hobart. TAS. 7001. FAX No: 62332332

17-7-08.

Dear Secretary, Lisa Hutton,

I received your letter dated 14-7-08 on 16-7-08 in response to my many complaints of my 18 year case which included the two dogs in-care VKC148, VKC150 from cruelty case 506/93/00.

It is paragraph three that I write to you;

(a) The "creativity" it obviously has taken to seek a solution to the Minister's situation, and the Labor governments.

(b) Voting is "compulsory", therefore removing the persons "free will", which the use of "force" and the use of "fear" as a tool, to the denial of such, and the fines imposed for refusing to.

Yours Sincerely,
Gail Fitton (Adams)
P.O. Box 519
Exeter. TAS. 7275.
PH-03-63961145.

The Examiner Thurs 24/3/83

654

Exeter Show attracts top horsemen

The State's best axemen and equestrians promise to make the Exeter Show on Saturday one of the best staged.

The show will be opened by the Minister for Local Government, Mr Braid, at 1.30 pm.

The show president, Cr T. W. Roach, said that the show would be centred on family entertainment.

A pavilion has been built for the goats and sheep and the ground has been improved since the last show.

It is the last autumn show on the calender and equestrians will be keen to win the ribbons before the show season ends.

Although the show society has spent $5000 on a new arena for the equestrians, the drought has stopped the turf being sown and consolidated. Therefore, the major events will be on the football ground.

A class for fat lambs suitable for the local trade has been sponsored by Robert Midson and ICI.

It will the first fat lamb competition at Exeter.

The show society secretary, Mrs Joan Miles, said classes had been added for school students.

As usual, there will be a large display of home arts and crafts and photography.

The skills of craft workers in the Tamar region are well known and patrons should not be disappointed.

Although the fruit industry has declined, remaining orchards are determined their support for the show will continue.

In the chopping arena, Barry Youd, who was the outstanding axeman at Evandale last Saturday, will be keen to add to his laurels.

But local axemen Fred Phillips and Tony Beams and Alan and Algie Sherriff, of George Town, will want to keep some of the prize money in the area.

The chopping arena will supply entertainment from 10.30 am to 4 pm.

In a paddock adjoining the showgrounds, some of the State's best sheep dogs and their owners will vie for honors.

Peter and Kim Lawrence, of Riverside, will display a range of veteran internal combustion engines and water pumps.

The Beaconsfield Municipal Band will provide marshal music and sideshows will give a variety of entertainment.

The Glengarry-based Elspedito Dog Tracking and Demonstration Club will be to the fore at the show.

The club's team of highly-trained and obedient dogs — mainly german shepherds — has been in constant demand at shows and festivals.

The club's secretary, Edith Kerr, said 10 handlers would put their dogs through basic obedience and an agility course.

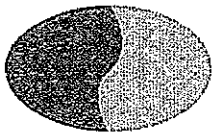
As well as displaying their skills in the show arena, the dogs and their handlers are also skilled in tracking persons or animals.

They have been called in the help police find missing persons and took part in the emergency rescue trials on Ben Lomond.

The club meets at Glengarry each Saturday for routine training.

CHAPTER NINE

THE BREAKING DOWN of MY MINIATURE HORSE/PONY STUD.



OFFICE OF **FAIR TRADING**
NSW Consumer Protection Agency
Department of Commerce

File number: FOI 02-03/73 03/31787

Description of documents identified:	**Access determination**
1. Handwritten record of telephone conversation between Office and Society 9/09/92	Full access.
2. Copy of letter to Society 18/09/92	Full access.
3. Extract from Committee Meeting 28/06/92 mentioning "Registry report G Adams, registration of pony"	Full access.
4. Handwritten record of telephone conversation between Office and Ms Adams 6/10/92	Full access.
5. Two page House File note headed, "Complaint over activities of Committee members, Australian Miniature Pony Society Incorporated" 7/10/92	Full access. (Deleted information does not relate to Ms Adams' complaint - deemed to fall outside scope of application.)
6. Facsimile transmission from Office to Society 8/10/92	Full access
7. Eight page facsimile from Society to Office in response to letter 9/10/92. Note: Letter refers to telephone conversation between author and an officer 8/10/92. No filenote relating to that conversation located.	Partial access. Access to identity of third parties claimed under Clause 6 Documents affecting personal affairs. (Deleted information on page 2 does not relate to Ms Adams' complaint - deemed to fall outside scope of application.)
8. Handwritten filenote re review of file 28/09/92	Full access.
9. Office facsimile to Society 21/10/92 re outcome of AGM held 18/10/92	Full access.
10. Handwritten filenote of telephone conversation between Office and Society 21/10/92	Full access. (Deleted information in last paragraph does not relate to Ms Adams' complaint - deemed to fall outside scope of application.)
11. Office facsimile to Society 21/10/92 re copy of minutes	Full access.
12. Fax received from Society of their letter to Ms Adams 20/10/92.	Full access.

13. Office letter to Ms Adams 28/10/92. Second page contains handwritten record of telephone conversation between Ms Adams and Office.	Full access.
14.Three page letter from Ms Adams to Office 2/11/92. Third page contains handwritten record of conversation between Ms Adams and Office.	Full access.
15. Briefing on Ms Adams complaint.	Full access. (Four paragraphs have been deleted as the information contained in them does not relate to Ms Adams' complaint – deemed to fall outside scope of application.)
16. Internal memo 3/11/92 from Manager, Administration to Assistant Director, Business Registration recommending legal advice be sought. Also contains handwritten notation referring matter to Assistant Director, Legal, on 16//11/92 for legal advice.	Full access.
17. Three page legal advice to Business Registration dated 24/11/92	Access refused under clause 10 – Documents subject to legal professional privilege.
18. Letter to Ms Adams from Office acknowledging receipt of her correspondence to the Premier. Contains handwritten record of telephone conversation between Ms Adams and the Office on 24/11/92.	Full access.
19. Briefing to Minister 7/12/92	Full access. (One paragraph has been deleted because the information does not relate to Ms Adams' complaint - deemed to fall outside scope of application.)
20. Briefing to Minister 10/12/96 – in response to further letter of complaint received from Ms Adams.	Full access.
21. Two page briefing to Minister 9/05/97 accompanied by five pages of attachments: copy of new rules specifying maximum height as 87cms lodged 6/05/92; copy of documents lodged amending rules of Society altering height of ponies under certain circumstances to 86cm; and copy of Minister Chikarovski's letter to Ms Adams 15/12/92.	Full access.

rec. 9/7/03 by mail.

DOCUMENT 2

The Secretary
Australian Miniature Pony Society Inc
70 Alton Road,
COORANBONG NSW 2265

Y4440-48

S Jackson

(02) 8950914

(02) 2641541

18/9/92

Dear Sir

The Department of Consumer Affairs recently received a representation from a Mrs G Adams of P O Box 519 Exeter Tasmania, concerning her recent application to register a pony with the "Australian Miniature Pony Society Incorporated".

Mrs Adams subsequently received a letter from the association dated 2 July, 1992 which stated that her application had been rejected due to the height of the pony. Although she paid an $80 amount for registration she apparantly received only a $70 refund. (copy enclosed).

Upon examining the rules of the association lodged with the Department it is noted that a Form 6 (Notice of Alteration of Objects) was lodged on 6 May, 1992. Special Resolution 5(g) states in part that a $10 handling fee is applicable where an application to register a pony is incomplete. This information has been conveyed to Mrs Adams.

(X) With regard to the height of the pony I note that Special Resolution 7 states that a pony should not exceed 87cms in height. However your letter to Mrs Adams refers to a height of 86cms and over.

It is in this matter that I seek some clarification. If there has been an alteration to Special Resolution 7 in relation to the accepted height of a pony, then the Department would need to be notified so that this information can be placed on the public register..

The Department has written to Mrs Adams and has advised her that the matter appears to be one concerning the internal affairs of the association and that it is not a role nor the intention of the Department to intervene in the internal runnings of an associaton.

All members of an association, whether they are ordinary or committee members are bound by the rules and by-laws of the association as well as the Associations Incorporation Act, 1984. All members must function within this framework and internal problems should be addressed according to the association's rules.

.../2

F.O.I. N.S.W.
A.M.P Soc Inv.
Australian Miniature
Pony Club Inc

The recent amendments to the Associations Incorporation Act, 1984 provide that the rules of an incorporated association are to include a mechanism for the resolution of internal disputes between members and between members and the association. Associations are free to develop their own internal dispute mechanism, but where this is not done, then the Model Rules will apply.

For your information, Item 9A of the Model Rules states: "Disputes between members(in their capacity as members) of the association, and disputes between members and the association are to be referred to a community justice centre for mediation in accordance with the Community Justice Centres Act 1983."

I would appreciate your comments in this matter by no later than 12 October, 1992.

Yours faithfully

for Commissioner

Mrs. G.L.Adams,
"Elspedito"
P.O. Box 519
Exeter,
Tasmania, 7275.
9-10-92

FAX 4391461
T.C.N.Channel Nine Pty. Ltd.
P.O. Box 27
Willoughby,
N.S.W. 2068

ATT. Susan York, Researcher.

Dear Susan York,

Please find the result of my again returning, for the third time, the registration for my stallion, and the result, from the A.M.P. Soc. letter, dated 1-10-92. Purely amazing. I rang a few times 7-10-92 and spoke to Miss Cosier, and Mr Egan, at Consumer Affairs in Sydney, though they are waiting for a reply, they know I've received one. Mr Egan suggested I go to the Supreme Court.

The "Model Rules" for the Incorp. of Assoc. of N.S.W. Business & Consumer Affairs, Registered by our club, and comes under an ACT of Parliament, ie, the Association Act of 1984, No. 143 in Regulations 73-1A schedule 1. In my case, I pointed that out to Mr Egan and Consumer & Business Affairs should act, and according to the Model Rules, in my case, it appears Part IV Special Resolution, Sect. 30, Part A&B, Part 5 Section 36 Alterations of Objects & Rules Part 6, Section 46, Notification of Proposed Alteration of Rules to have been illegally broken.

No answer either, from Mr Clifford of Consumer Affairs in Hobart, he is the Sec. to the Minister, Mr Cornish. I have made (5) five phone calls, and left my name and phone number. I have also notified, on 7-10-92, Mrs Chikaroisky, Secretary, the Minister of N.S.W., Mr B. Carr, leader of the Opposition, also received everything, and his secretary verified on 6-10-92.

So far, no results, no phone calls, absolutely nothing. The only things that are changing is my expenses, due to, phone calls, loss of lion fees, postage, photo copying, and faxes.

I have never received any more correspondance from Consumer Affairs, other than from Mr Jackson, letter dated 18-9-92, nor from Consumer Affairs in Hobart.

HELP

Thanking You,
G.L.Adams.
PH. 003-961145

AUSTRALIAN MINIATURE PONY SOCIETY INCORPORATED 1

ISSUE:

Complaint over activities of committee members.

SUGGESTED RESPONSE:

* THE AUSTRALIAN MINIATURE PONY SOCIETY INCORPORATED WAS INCORPORATED UNDER THE ASSOCIATIONS INCORPORATION ACT, 1984 ON 12 AUGUST, 1988. THE SOCIETY HAS MEMBERS THROUGHOUT AUSTRALIA.

* I AM AWARE THAT A NUMBER OF COMPLAINTS HAVE BEEN LODGED WITH THE DEPARTMENT OF CONSUMER AFFAIRS BY MEMBERS OF THE SOCIETY.

* WITH REGARD TO THE LATEST COMPLAINT BY MRS ADAMS FROM TASMANIA, MRS ADAMS HAS EXPRESSED HER DISSATISFACTION WITH THE FAILURE OF THE COMMITTEE TO REGISTER HER HORSE DUE TO APPARENT CONCERNS OVER THE HORSE'S HEIGHT. MY DEPARTMENT IS PRESENTLY WAITING FOR ADVICE FROM THE SOCIETY ON THE ISSUES RAISED.

* UPON RECEIPT OF THIS INFORMATION I WILL BE ABLE TO FULLY INFORM THE HOUSE ON THIS ISSUE.

BACKGROUND:

* The Australian Miniature Pony Society Incorporated was incorporated under the Associations Incorporation Act, 1984 on 12 August, 1988.

* The Society is one of two "registered" groups within Australia which hold themselves out to represent the interests of the owner of miniature horses. There appears to be significant financial advantages to owners who have their horses certified by these associations.

*

* Mrs G Adams of Tasmania lodged a complaint with the Department in August, 1992. Whilst covering several aspects the matter primarily concerns the committee's refusal to register a stallion she owns. The committee has indicated a concern over possible further growth of the stallion and is presently seeking to alter its rules to cover such instances.

* Mrs Adams is also understood to have contacted the Minister's Office concerning this matter.

* Following receipt of Mrs Adams' complaint a response was forwarded to her on 18 September, 1992 and she was also advised that the comments of the society were being sought.

* On 18 September, 1992 a letter was also sent to the Society seeking its comments by 12 October, 1992.

CURRENT POSITION:

* The Department has not yet received a reply from the Society to its letter of 18 September, 1992.

* Upon receipt of a reply the matter will be reviewed and a determination made if further action is warranted. Mrs Adams will be advised of the outcome.

KNOWN OPPOSITION VIEWS:

Unknown.

AFFECTED ELECTORATE/S:

State-wide issue.

FIRST ISSUED: 07/10/92
LAST AMENDED:

CONTACT: Stephen Eggins
BRANCH: Business Registration
PHONE: 89 59062

DOCUMENT 2

The Secretary
Australian Miniature Pony Society Inc
70 Alton Road,
COORANBONG NSW 2265

Y4440-48

S Jackson

(02) 8950914

(02) 2641541

18/9/92

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Upon examining the rules of the association lodged with the Department it is noted that a Form 6 (Notice of Alteration of Objects) was lodged on 6 May, 1992. Special Resolution 5(g) states in part that a $10 handling fee is applicable where an application to register a pony is incomplete. This information has been conveyed to Mrs Adams.

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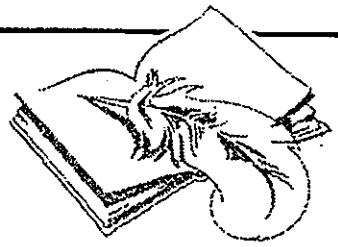
Yours faithfully

for Commissioner

Minutes and Reports.....



MINUTES OF COMMITTEE MEETING, HELD 16 JUNE 1996 AT VICARY'S WINERY

THE MEETING WAS DECLARED OPEN AT 11.30 AM.

Apologies: A. Currie, B. Moffitt.

Present: H. McBroom, E. McBroom, B. Rowe, G. Duggan, J. Chalker, P. Werren, G. Andrews, K. Blight, R. White (SA Delegate). Membrs: D. Crompton, J. Crompton, B. Curtin, P. Walsh, T. Walsh, W. Blight, R. Blight, C. Copeland, J. Elliott.

The President welcomed the South Australian Delegate, Mr Roger White.

The Secretary was then asked to read the Minutes of the Committee Meeting of 14 April. Moved B. Rowe, seconded E. McBroom that the minutes as read be taken as a correct record. Carried.

Business arising:

1. Promotional Brochure: The final proof of the Promotional Brochure, which has been produced by J. Kelly, P. Quigley and A. Currie had been circulated to the committee. Moved E. McBroom, seconded B. Rowe that P. Quigley be authorised to have 10,000 colour brochures printed and 10,000 black and white brochures printed with a few modifications to the text, e.g. Society's Secretary instead of National Secretary, Society Publications instead of Handbook and State Contact instead of State Secretary. Carried.

2. Farm Sunday: The letters from The Miniature Horse and Pony Enthusiasts Group, the New South Wales Promotional Group and RAS were read. After a long debate it was moved B. Rowe, seconded E. McBroom that discussion be terminated and the incident be explained as a misunderstanding to the RAS. Carried.

3. Hobart Royal Meeting: A copy of the Minutes of this meeting was provided, indicating that P. McPherson had attended as a private person, not representing the Australian Miniature Pony Society as previously reported.

4. Judges' Training Course: A number of relevant documents are expected from suitably qualified people which will be used in the course.

Registrar's Correspondence:

1. Name changes are not acceptable – clause C9.2 applies.

2. C. Bowhay advised regarding incorrect brand.

3. J. Klaproth – registrar to reply in detail.

4. Service Certificate required.

5. The colour of the pony is described as black.

6. F/R age – the Foal Recording classification expires at four years and the pony is then regarded as an unrecorded/unregistered pony. A fee of $40 or $70 applies.

Ponies which have been Foal Recorded and are still eligible for Adult Registration **must be Adult Registered between the ages of two and four years AND BEFORE BEING BRED FROM.**

This ruling is to be advised in the Post Out of Ballot Papers for the AGM and also in Small Talk, that as from 1 August this ruling be adopted. A period of three months grace will be allowed, and the penalty will apply from 1 November, 1996.

7. Height measurement variations. B. Curtin spoke on conditions under which Country based Measurers are sometimes required to measure ponies which may give rise to seemingly large variations in consecutive measurements of ponies. The owner of the pony to be requested to have it re-measured. The owner of Meadowglen Toby to be advised that the original four year height is to stand.

8. Duplicated brands: owners of duplicated brands to be advised.

9. Min World Jean's Delight – DNA to be suggested.

10. Bankstream Juliette – Foal Recording to be cancelled under C9.4.

Moved E. McBroom, seconded G. Andrews that all actions taken by the Registrar be confirmed.

Correspondence:

1. The NSW Promotional Group High Point Awards to be presented during the lunch break at the AGM.

2. Whittle case – Moved B. Rowe, seconded P. Werren that the Society's solicitor be consulted regarding offer and a copy of the Certificate referred to in his letter of 4 June be requested. Carried.

3. The letter to the secretary from S. Smith and the Secretary's reply were read to the meeting. The South Australian Delegate stated that there had been no necessity for any of this correspondence which had resulted from a reply to a letter he had requested be presented to the committee.

The Delegate requested that his letter be read and the points raised in his letter were answered as follows:

a. Talk to the Animals Expo to be discussed at Delegate's meeting in September;

b. Moved K. Blight seconded J. Chalker that the question of funding for the SA Championship Show be deferred to the Delegate's meeting.

c. D. Smith's enquiry regarding the attendance of E. McBroom at the Feature Show in WA. The SA Delegate was advised that it had been a commitee decision that Mrs McBroom attend (as a committee member), one committee member against the decision. It was pointed out to Mr White that is normal practice for two representatives of the committee to attend meetings when required to travel to other states.

The fact that the Interstate Juge requested by WA was also a Committee Member was a bonus. The cost of the accommodation of the President and Treasurer was not borne by the Society.

4. C. Copeland's letter, re the High Point Awards was passed to the NSW Promotional Committee for determination.

5. Minutes of Victorian Meeting and Tasmanian Meeting. Moved B. Rowe, seconded P. Werren that the minutes be accepted. Carried.

6. WA Delegate's request for a Judge for Albany Show and the WA Feature Show – to be discussed at Delegate's Meeting.

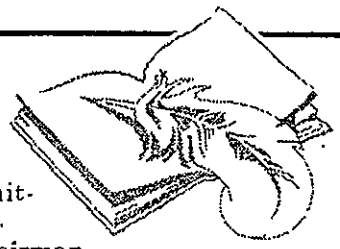
7. C. Nott – re showing. C. Nott to be advised that Rule 12.1(d) applies.

New Members:

An application for membership has

4.26

Minutes and Reports.....



been received from Gail Adams, Tasmania. Correspondence from Mrs Adams was read to the Committee. K. Blight gave further background details. Moved H. McBroom, seconded P. Werren that the Application for Membership received from Mrs Adams not be accepted. Membership fee to be refunded. Carried.

Moved B. Rowe, seconded E. McBroom that the remaining Applications for Membership be accepted, subject to State Delegate approval. Carried.

Treasurer's report: Moved G. Andrews, seconded J. Chalker that the Treasurer's reports for April and May as circulated be approved and telephone accounts $102.55 (president) and $152.74 (registrar and secretary) be paid. Carried.

The treasurer then reported to the meeting on the feasibility of part time paid work for the secretary/registry assistant. The Treasurer was authorised to make further enquiries from the society's accountant.

Secretary's report: The Secretary reported that there was some concern being expressed by some members as to the legality of the Registrar and Secretary supplying Registry information to members. Members have always been advised to check on details of ponies they were interested in buying or had some other valid interest in, however in the current climate, a committee direction on this matter was necessary. Moved J. Chalker, seconded E. McBroom that relevant Registry information may be given to legitimate enquiries. Carried.

Handbook: The final draft of the Handbook had been circulated to all Committee Members and State Delegates for approval. The Secretary was now directed to obtain quotes for printing of same.

Magazine Editor: The Magazine Editor had requested approval for a new name for the Stud and Stallion Directory as this name would attract extra Sales Tax. Moved G. Andrews, seconded J. Chalker that approval be given for the new name of "Australian Miniature Pony Society Annual Showcase". Carried.

GENERAL BUSINESS: Mr Blight requested that the correspondence regarding his State Delegate Report be read to the meeting and supplied the original copy of his Statutory Declaration.

The meeting was declared closed at 5.00pm. The next committee meeting will be held on:

Date: Sunday 30 June
Time: Commencing at 11.00am
Venue: Whittingham Hall, Range Rd, Whittingham.

Chairman.

These Minutes are subject to confirmation.

E&OE.

STATEMENT MAY 1996

Balance C/T			$17491.41
Income:	Joining Fees	$ 105.00	
	Annual Fees	$ 242.00	
	Prefix	$ 70.00	
	Registrations	$1475.00	
	Transfers	$1245.00	
	Handling Fees	$ 50.00	
	Service Certificates	$ 5.75	
	Stud Directory	$ 540.00	
	Small Talk	$1183.00	
	Overpayments	$ 14.00	$ 4929.75
			$22421.60
Expenditure:	Phone & Fax	$ 260.89	
	Postage	$ 731.40	
	Refunds	$ 84.00	
	Stationery	$ 104.20	
	Printing	$2908.10	
	Advertising	$ 120.00	
	Clerical Assistant	$ 327.10	
	Petty Cash	$ 650.00	
	Assemble Measuring Sticks	$ 300.00	
	Courier (Vic)	$ 74.00	
	Costs Tas. AGM	$ 75.00	
	Airfares (delegates)	$1834.00	$ 9469.09
			$14952.07
	Less Government Tax		$ 13.06
			$14939.01
Bank Balance			$15273.01
Less Cheques not cashed			$ 334.00
			$14939.01

STATEMENT APRIL 1996

Balance C/T			$16333.58
Income:	Joining Fees	$ 185.00	
	Annual Fees	$ 275.00	
	Prefix	$ 90.00	
	Registrations	$2610.00	
	Transfers	$ 785.00	
	Handling Fees	$ 60.00	
	Service Certificates	$ 68.25	
	Complaint Fee	$ 25.00	
	Stud Directory	$ 490.00	
	Overpayment	$ 10.00	$ 4598.25
			$20931.83
Expenditure:	Phone & Fax	$ 169.94	
	Postage	$ 655.32	
	Refunds	$ 40.00	
	Hall Hire	$ 40.00	
	Printing	$1034.00	
	Repair Photocopier	$ 400.00	
	Parts – Measuring Sticks	$ 119.00	
	Assemble " "	$ 740.00	
	Costs – Tasmania	$ 224.00	$ 3422.26
			$17509.57
	Less Government Tax		$ 18.16
			$17491.41
Bank Balance:			$17881.00
Less Cheques not Cashed:			$ 389.59
			$17491.41

427

19

17

Maurice Ward & Associates

ACCOUNTANTS & TAXATION CONSULTANTS

TELEPHONE: (046) 55 9247
(046) 55 8215
FACSIMILE: (046) 55 3238

134 ARGYLE STREET,
CAMDEN 2570
POSTAL ADDRESS:
P.O. BOX 260
CAMDEN 2570

24th October, 1991

The Treasurer,
Australian Miniature Pony
Society, Incorporated.

Dear Mrs. Blight,

Attached please find revised Operating Statement and Balance Sheet for the financial year ended 30th June, 1991.

Attached also is an amended copy of the Balance Sheet for the previous financial year. This had to be amended as Cash at Bank showing as per the bank statement on 30th June, 1990 was transferred to the Balance Sheet without deducting the outstanding cheques amounting to $240.70. The new figure of $8,199.89 resulted in a change in the Members Funds from $28,474.94 to $28,234.24.

The Operating Statement previously prepared by myself has been altered to incorporate interest received on investments, not previously taken into account. You will note that the investments in the Balance Sheet for this current year are $19,837.84 being the $16,000 previously shown plus the accumulated interest. You will also note the insertion of depreciation in the expenditure. This also had not been previously taken into account. The amount of "unappropriated income" has been reduced by $314.93, which represents interest received from Custom Credit. The amount of $1,462.01 has resulted from improper records kept during the first half of the 1990-1991 financial year, making it impossible to accurately determine the source of this income. Due to this problem, the stock figure shown in the Balance Sheet as $3,100 is only an estimate, as it is impossible to determine how much, if any of the "unappropriated income" was from the sale of stock. A stocktake by yourself at the end of the 1991-1992 financial year will allow this problem to be corrected.

If I can be of any further assistance, please don't hesitate to phone.

Yours faithfully,
MAURICE WARD & ASSOC.

V Garner.

VAL GARNER
(for M. WARD)

New South Wales

The Hon. Faye Lo Po' MP

Minister for Fair Trading
Minister for Women

31 DEC 96

RML 96/3891
File No. 91/14567

Ms Gail Adams
PO Box 519
Exeter TAS 7275

Dear Ms Adams

I refer to your recent correspondence to Senator Shayne Murphy in Launceston, Tasmania regarding the Australian Miniature Pony Society Incorporated. Senator Murphy referred your correspondence to the Hon R J Carr, Premier of New South Wales. As the matter falls within the portfolio of Fair Trading, the Premier brought the matter to my attention.

The Department of Fair Trading has investigated your complaint against the Australian Miniature Pony Society Incorporated, which is registered in New South Wales under the Associations Incorporation Act 1984. I understand that you made a similar complaint in 1992 to Mr John Fahey, who was Premier of New South Wales at the time, and the Department, regarding the refusal of the Australian Miniature Pony Society Incorporated (the "Society") to accept your application for membership. It appears your application was declined and that you were advised to wait until the stallion was 4 years of age, when an official measurement could be taken.

The Department fully investigated your complaint in 1992, including obtaining advice from Legal Officers within the Department. The result of the investigation was that there had been no evidence of a breach of the Associations Incorporation Act 1984. The Department was therefore unable to provide you with any assistance in this regard.

A search of the Department's records does not show any evidence that Mr Fahey was a committee member of the Society up until 30 June 1992. The Department ceased to require incorporated associations to lodge changes to the committee on 1 July 1992.

The recent rejection of your re-application for membership of the Society is also based on a decision made by the Society, resulting from the interpretation of its rules. The operation of the rules of an incorporated association is an internal matter for the association.

/2

Level 24, 207 Kent St, Sydney 2000 GPO Box 5070, Sydney 2001 Telephone (02) 241 1503 Fax (02) 252 2760

It is essential that you understand the Department's role in this respect. Under the Associations Incorporation Act 1984, the Department provides the administrative framework for non-profit organisations to create a legal entity. It provides a public register of certain documents relating to incorporated associations, including applications to incorporate, constitutions, financial accounts and public officers.

The Department informs me that the Associations Incorporation Act 1984 does not provide a mechanism for the Department to intervene in the decisions made by the committee, or by the association as a whole, even if the constitution of the association is broken. The constitution of each incorporated association must include rules about membership qualifications, and dispute resolution in the event of an internal conflict. If there is no rule regarding internal disputes, the association is advised to take the dispute to a Community Justice Centre.

Although you are not a member of the Society, you still have the option of seeking third party mediation through an appropriate agency to attempt to settle your dispute. Failing mediation, I suggest you to seek private legal advice regarding your position in this matter.

There currently appears to be no legislative provision for involvement in this matter by the Department of Fair Trading or myself. I trust this closes the matter.

Yours sincerely

Faye Lo Po' MP
Minister for Fair Trading
Minister for Women

CHAPTER 10

THE TWO DOGS
VKC148, VKC150
FROM CRUELTY CASE
506/93/00,
EXPEDITO ~~ENT~~ PAT being
the only boarding
facility to have dogs
from this case
Why?

96

ANIMAL WELFARE IN TASMANIA

The Animal Welfare Act 1993 replaces the 70 year old Cruelty to Animals Prevention Act. The new Act imposes a "duty of care" for the welfare of animals on animal keepers. It enables a managerial method "reasonably likely" to result in cruelty to be brought to the courts without waiting for the cruelty to occur.

Authorised officers under the Act have extensive powers including power of entry and inspection, powers to issue instructions and to take possession.

The Act remains flexible enabling alignment with changing community standards. Provision is made for the approval of Animal Welfare Standards to be followed in the care and management of animals and for the education and guidance of those involved. The Standards may also be used as guidance for the judiciary. Animal Welfare Standards will encompass the accepted Codes of Practice developed in consultation with industry and animal interest groups.

The administering agency in Tasmania is the Department of Primary Industry and Fisheries, through its Animal Health Field Branch and, more specifically, Public Health and Animal Welfare Section.

POINTS OF CONTACT

RSPCA

All Inspectors are officers under the Animal Welfare Act.

Hobart	Launceston	Devonport	Burnie
Ph: (002) 44 3033	Ph: (003) 26 6333	Ph: (004) 27 2566	Ph: (004) 31 3561

Police

All Police Officers are also officers under the Animal Welfare Act.

Department of Primary Industries and Fisheries

Hobart	Launceston	Devonport	New Town
Ph: (002) 33 8011	Ph: (003) 36 5444	Ph: (004) 21 7601	Ph: (002) 33 6833

Public Health & Animal Welfare Section

Ph: (002) 33 6875

UPTO AND AS AT 2006 All R.S.P.C.A Inspectors are under Service Contract to the Crown under D.P.I.W.E. and are selected and appointed by the Minister of that Portfolio D.P.I.W.E. in Tasmania

On 11/11/99 Mr A. Reid was "instructed" under 14(1) (a) To clean up the Pens
(b) To send remaining dogs (25) back to their respective owners.
given a "Formal Instruction" by R.S.P.C.A Inspectors.

PART 3 – POWERS OF OFFICERS

Officers

13. The Minister may appoint persons to be officers for the purposes of this Act on such terms and for such periods as the Minister determines.

Instructions by officers

14. (1) An officer may give such instructions to any person in control of an animal as may be necessary to assess or ensure the welfare of the animal.

a penalty

(2) A person who fails to comply with an instruction given under subsection (1) is guilty of an offence and is liable on summary conviction to a fine not exceeding 10 penalty units.

Power to arrest without warrant

15. (1) A police officer may arrest, without warrant, a person the police officer reasonably believes is committing or has committed an offence under this Act.

(2) If a police officer has reasonable grounds for believing that a person is committing or has committed an offence under this Act, the police officer may require that person to give the person's name, address and date of birth.

(3) If a police officer has requested a person to give the person's name, address and date of birth, the police officer may arrest, without warrant, that person if –

* All Police Officers are Officers under the Animal Welfare Act.

469.

S.P.C.A Officers are appointed by the Minister, and

CITY OF LAUNCESTON
RELEASED UNDER F.O.I.

Reference No: 05.15.01.004
DOCUMENT2
GC

2 February 1999

Mr Arthur Reid
Glebe Farm
Boland Street
LAUNCESTON TAS 7250

Dear Arthur

INSPECTION OF STRUCTURES AND CONDITIONS IN RELATION TO DOGS KEPT AT GLEBE FARM

In relation to the visit made by the City Inspector, Peter Guest, and myself at 4.30pm on Monday, the 1st February, 1999, concerning Greyhounds being kept on your property please complete the following instructions as requested.

1. Remove Greyhounds immediately from the tin shed with wooden flooring. This structure is not to be used again for the housing of dogs. DONE

2. Provide adequate ventilation to the enclosed pens in the building immediately behind your house. IN HAND MATERIALS BEING PURCHASED.

3. Provide adequate and suitable drainage for the pens located in the large open garage area on the northern side of your house. IN HAND. SOON DRAIN COMPLETED. WORK BEING DONE ON FRENCH DRAIN

4. Register all dogs and greyhounds located on your property by Friday, the 5th February, 1999. SIX (6/2/99)

5. Apply for a Kennel Licence with the Launceston City Council (if it is still your intention to keep more than two dogs on the property). NEXT WEEK.

I will again inspect you property on Monday, the 8th February, 1999, when the above list of instructions will be checked. If any offences are detected on this visit then prosecution will follow.

Yours sincerely

INSPECTED 11/2/99

G.F. CAUSON
ANIMAL CONTROL OFFICER

Launceston City Council

Town Hall, St John Street, Launceston, Tasmania 7250
PO Box 396 AusDoc DX 70127 Launceston
ABN 73 149 070 625

Phone (03) 6323 3000
Fax (03) 6323 3001
Email: council@launceston.tas.gov.au

28 Windsay St
63 330430

licence not to be sent

CITY OF LAUNCESTON
RELEASED UNDER F.O.I.

Job No: 1-12-2760-18203-0
Renewal Fee: $20.00

KENNEL LICENCE RENEWAL

Section 79 (1), Dog Control Act 1987

Licence Number: 146
First Issued on the: 25th June 1999

Registered Owner(s)

Name 1. Arthur Reid
2.
Address 3 Boland St, Launceston 7250

This licence entitles the above registered owner(s) to keep not more than 12 dogs, namely 12 Greyhounds, in the premises situated at 3 Boland St until the 30th day of June 2001, subject to the provisions of the Dog Control Act 1987 and the Regulations under that Act.

Special conditions to which this licence is subject: To comply with Section 78 (9) & 79 (2) of the Dog Control Act 1987.

Please present this licence with payment to the Cashiers at the Customer Service Counter before the 31st August 2000. ***Please note,*** *your dogs' registration must be paid before your Kennel Licence Renewal can be granted.*

If payment is not received before the 31st August 2000, your licence will be cancelled.

If you no longer require a Kennel Licence please sign below and return this letter to the Town Hall before the 31st August 2000. If you have any queries please phone Karen Pinner on 63 233 129.

REGISTRAR OF DOGS

I no longer require a Kennel Licence. Signed: _____

CITY OF LAUNCESTON
RELEASED UNDER F.O.I.
DW 23172

Reference No: ~~18748~~ ~~05.15.01.004~~
REID
GC/ES

11 November 1999

Mr Arthur Reid
49 Boland Street,
LAUNCESTON TAS 7250

Dear Mr Reid,

NOTICE OF INTENTION - SEIZURE OF ALL UNREGISTERED DOGS ON PROPERTY AT 49 BOLAND STREET, LAUNCESTON

After the inspection of your property at 49 Boland Street, Launceston, on the 11th November, 1999, by Council Dog Control officers and RSPCA Inspectors it was found that you have numerous unregistered greyhounds kept there.

I am now giving you seven (7) days notice of my intention to re-inspect your property. This inspection will take place at 10.00am on Thursday, the 18th November, 1999, and any unregistered dogs and/or dogs that exceed the amount of twelve (12) greyhounds as specified on your Kennel Licence No. 146, will be seized and impounded.

I must also inform you that I am taking steps to have your Kennel Licence cancelled due to the inadequate provisions for the health and welfare of the greyhounds on your property. I will serve a copy of this notice on you in the near future.

If you need to speak with me further I can be contacted on 63 233130 during normal office hours.

Yours sincerely

G.F. CAUSON
ANIMAL CONTROL OFFICER

CITY OF LAUNCESTON
RELEASED UNDER F.O.I.

18746-49 Boland St

Reference No: ~~05.15.01.004~~
REID2 AR/ES

DW.8828)

12 November 1999

Mr Arthur Reid,
49 Boland Street,
LAUNCESTON TAS 7250

Dear Mr Reid,

RE ; KENNEL LICENCE NO.146 ISSUED TO ARTHUR REID.

Following an inspection of the property at 49 Boland Street, Launceston, on the 11th November, 1999, by Council Dog Control officers, it was found that serious breaches of your Kennel Licence requirements had occurred. These breaches consisted of the following;

(1) You are licenced to have twelve (12) registered greyhounds on your land and a total of forty-one (41) greyhounds were detected.

(2) None of the 41 greyhounds are registered as required by the Dog Control Act 1987.

(3) Numerous substandard enclosures were found which were not constructed in such a way as to provide effective methods of cleaning and disinfection.

(4) Enclosures were located which did not have provisions for adequate ventilation and insulation and which had no adequate supply of fresh air.

(5) Excessive build-up of dog excreta was noticed in some enclosures.

I am satisfied that the premises do not comply with the standards prescribed by the regulations referred to in section 78(9) of the Dog Control Regulations, 1988, and that the conditions referred to in that section have not been complied with.

It is my intention to cancel the Kennel Licence issued to you due to the described breaches and as required by section 80 (2) of the Dog Control Act, 1987, I am now giving you one months notice for you to show cause, if you so desire, why your Kennel Licence should not be cancelled.

If you feel that you need to discuss this matter further I can be contacted on 63233203 during normal office hours.

Yours sincerely

A. ROSEVEAR
REGISTRAR OF DOGS

Our Ref: WK:LP

26th November 1999

TASMANIAN GREYHOUND RACING COUNCIL

Mr Arthur J Reid
3 Boland Street
LAUNCESTON TAS 7250

Dear Sir

The Tasmanian Greyhound Racing Council at their meeting on Monday 15th November, discussed many aspects in relation to your involvement with greyhound racing. It is their decision that you respond within 14 days in writing to me, as to the reasons why you should not be declared a "warned off person" under the Greyhound Racing Rules.

"Warned off person" means a decision by the Directorate or the Board, in this case the Tasmanian Greyhound Racing Council, to prohibit a person from entering a race course or registered trial track or from remaining on a race course or registered trial track. In making this request of you, the Council has taken into consideration -

1. The publicity surrounding the RSPCA raid on your property on Thursday 11th November which featured on the front page of the Launceston Examiner Newspaper on Friday 12th November.

2. The Launceston City Council have issued a kennel permit to you for 12 dogs and you exceeded this permit by at least three times the quota.

3. The greyhound Bradlee when taken from your property and inspected by Dr GR Baxter, veterinary surgeon with the North Hobart Veterinary Hospital, Mr Graeme Lewis and Mr Andrew Cook of the RSPCA of Tasmania was in such condition that the greyhound had to be euthanased by Dr. Baxter. We have a copy of Dr. Baxter's report.

4. The greyhound Stock Remover recently sold by you was in such poor condition that it was required to be destroyed.

5. You have been contacting mainland owners and trainers, when an unlicensed person, with the view of training greyhounds for them. It is alleged that these actions may be fraudulent, improper or negligent in connection with greyhound racing.

If you wish to reply to this letter you have fourteen days in which to do so. However, the Greyhound Racing Council will discuss what action, if any, should be taken after receiving a further report from me.

Yours faithfully

Wayne Kirby
Chairman of Stewards

Spoke to Police Constables Quarrington Lesley
Victim 14-12-99

53 St John Street
PO Box 1329
Launceston
Tasmania 7250

Phone (03) 6336 2450

Fax: General Enquiries (03) 6336 2966 Executive & Finance (03) 6334 2347

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(a)

CASE FILE No= 506/93/2000

Exact wording extracted from the Prosecutors Court File on the 3rd January,2001 at Launceston Magistrates Court, in reference to Mr A Reid, Greyhounds, 5th Dec.,2000 and conviction 6th December,2000.

Annexure A

1. That between on or about 9/11/99 and on or about 11/11/99 at Glebe Farm at Launceston in Tasmania, the defendent A.Reid being at all material times a person who had the care or charge of animals, namely a number of greyhounds,and therefore having a duty within the meaning of Section 6 of the Animal Welfare Act 1993 to take all reasonable measures of the said aminals, which was reasonably likely to result in unreasonable and unjustifiable pain or suffouring to the said animals, in that the said animals were confined in inappropriate and insufficient ventilation, were unclean, contained rubbish and were in disrepair contrary to Section 7 of the said Act.

2. That between on or about 9/11/99 and on or about 11/11/99 at Glebe Farm at Launceston in Tasmania, the defendent A Reid being at all material times a person who had the care or charge of animals, namely a number of greyhounds, and therefore having a duty within the meaning of Section 6 of the Animal Welfare Act 1993 to take all reasonable measures of the said animals,omitted to do the said duty, which caused or was likely to cause unreasonable and unjustiable pain or suffouring to the said animals,in that the said animals were confined in inappropriate and insufficient shelters which smelt of ammonia and contained faeces,lacked adeqate ventilation, were unclean , contained rubbish and were in disrepair, contrary to Section 8(1) of the said Act.

9/5/2000

G. Lewis
Complainant.

Signature of a Justice of the Peace.

Stamped COURT of PETTY SESSION 11th May,2000.

OFFICE DIARY NOTE

Date 1/12/00

Client ..... re .....

....

..... 3.05.

TELEPHONE INCOMING/OUTGOING	Hrs.....Mins	DRAWING	Hrs.....Mins
ATTENDANCE IN OFFICE	Hrs.....Mins	PERUSAL	Hrs.....Mins
ATTENDANCE OUT OF OFFICE	Hrs.....Mins	INVESTIGATION – LAW	Hrs.....Mins
ATTENDANCE IN COURT, BARRISTER	Hrs.....Mins	INVESTIGATION – FACT	Hrs.....Mins
ATTENDANCE IN COURT, SOLICITOR	Hrs.....Mins	TRAVELLING	Hrs.....Mins

ATTENDING: GEOFF STEPHENSON

Y/S: CONTENT C SO FAR EXCEPT WILL WANT TO SAY S DOES WERE NOT PUT DOWN B/C OF POOR CONDITION.

I/S: SO WHY WERE THEY PUT DOWN @ ALL.

Y/S: B/C THEY BELONGED TO REID & COULDN'T LOOK AFTER THEM.

By .....

OS-K 2904 Government Printer, Tasmania

From: Prosecution file

Sherriff, Peter

From: Neasey, Frank
Sent: Friday, 3 November 2000 11:10
To: Sherriff, Peter
Subject: RE: Arthur John REID

From: Neasey, Frank
Sent: Friday, 3 November 2000 11:07
To: Sherriff, Peter
Subject: RE: Arthur John REID

If he is going to plead to the Section 7, I think we should accept, but I would let the instructing people know (DPIWE, RSPCA?)

I don't think he would get any higher penalty on the Section 8, despite the higher maximum, unless it was Wilson in a particularly vicious mood and he had lots of relevant priors.

As to Section 9, perhaps you are right but its a bit late now.

F. C. Neaseyey
For Director of Public Prosecutions

From: Sherriff, Peter
Sent: Friday, 3 November 2000 11:03
To: Neasey, Frank
Subject: Arthur John REID

<<File: Kb000186.out>>
Frank,
The last time we spoke about this matter we were discussing the possiblity of accepting a plead to one of the two charges and withdrawing the other, but I recall you mentioning the possibility of one having a greater penalty than the other.
That seems to be the case here with ss7 & 8 of the *Animal Welfare* Act.
Section 7 provides for a penaly not exceeding 20 penalty units or imprisonment not exceeding 6 mths or both.
Section 8 provides for a penaly not exceeding 50 penalty units or imprisonment not exceeding 12 mths or both.
However the difference in the particulars (included above) is that for the charge against s 7 we allege Reid used an inappropriate method of management, which resulted in the animals suffering, whereas
against s 8 we allege Reid omitted to do his duty which resulted in the same thing.
Obviously the defendant will plead to the s 7 charge b/c of the lower penalty. So why did we bother with the s 8?
The other problem is that apparently 8 greyhounds were put down after the RSPCA went to the property. This was done at the request of Reid. Would not a breach of s 9 been the most approriate charge?
What are your thoughts?
Sherriffy

1ST illegal act was under Dog Control Act 1987 under the Complete Control/Liability of the Governor & 1ST illegal act - Launceston City Council
2ND illegal act — 14(1) on 11/11/99.
D.P.I.W.E. 381.

DPP
HOBART (Att. Kate Brown)

Re: Arthur John REID

This defendant appeared in the Launceston Court of Petty Sessions on the 7/9/00 and pleaded NOT guilty. He was bailed to appear on the 26/10/00 at 9.45 am for Hearing. He is represented by Mr. Geoff STEPHENSON.

Forwarded for your attention.

Peter RIGGALL
Const. 1866 Prosecution Launceston
8/9/00

03 6336 2900

Dept. of Public Prosecution.

BRIEF of R.S.P.C.A.

Following the removal of one greyhound on Tuesday 9th November 1999 from 3 Boland Street, Launceston by Mr. Wally Tusyn, a Hobart based greyhound trainer, one animal was subsequently put to sleep due to poor condition.
A complaint was made about dogs on that property.

On Thursday 11th November 1999, at approximately 10.40am, RSPCA Animal Welfare Officers Graeme Lewis, Paul Wyld and Andrew Cook, attended a property at 3 Boland Street, Launceston. The residence of Arthur Reid a greyhound trainer. They were there in relation to the welfare of greyhounds held on the property.

On arrival, there was nobody present on the property.
Mr. Lewis, Mr. Wyld and Mr. Cook started to view a number of greyhounds housed inside pens. Several minutes later Mr. Reid walked on to the property. Mr. Lewis identified himself, Mr. Wyld and Mr. Cook. Mr. Lewis showed Mr. Reid a search warrant and explained to him that a search and inspection of the property would be conducted.

During the search still photographs and a video were taken by Mr. Lewis and Mr. Wyld.
Mr. Cook drew a map of each kennels location and a description of the dog housed in the kennels.
After inspecting a number of greyhounds, Mr. Lewis asked Mr. Reid if there were any other dogs on the property. Mr. Reid said "no".
Mr. Wyld advised Mr. Lewis that he had heard noises from 2 other sheds on the property.
Upon inspection both sheds were found to contain more greyhounds, in small filthy pens.
More video and photographs were then taken.

Mr. Wyld contacted Dr. Paul Swiatowski, Launceston veteranarian, to attend the property and examine the dogs and their housing conditions.
Several minutes later Dr. Swiatowski arrived at the property.

Mr. Wyld then rang Mr. Gary Causon and Mrs. Louise Dabner, Launceston City Council Animal Control Officers.
Mr. Wyld advised Mr. Causon that a total of 41 greyhounds had been discovered on the property and asked for his assistance in relocating a number of them to the RSPCA animal shelter in Remount Road, Mowbray.

Mr. Reid advised Mr. Lewis that 8 of the greyhounds that were to be seized were his own and wanted them put down. Mr. Lewis offered to put them down for him and Mr. Reid agreed.
Mr. Reid told the officers that the remainder of greyhounds belonged to other persons on the mainland and that he was just the trainer.
A total of 8 greyhounds were then destroyed.

A further 8 greyhounds were then transported to the RSPCA animal shelter at Mowbray by Mr. Causon and Mrs. Dabner and the carcasses disposed of by Mr. Wyld.
Mr. Reid was then instructed to clean up the sheds and send the remainder of the dogs back to their respective owners.

At approximately 3.30pm Mr. Lewis, Mr. Cook and Mr. Wyld returned to Mr. Reids' property and transported him to Launceston Police Headquarters.
Mr. Lewis and Mr. Wyld then conducted a video taped interview.
Interview commenced 3.40pm and concluded at 4.00pm.
During the interview Mr. Reid admitted to having full responsibility and care for the greyhounds.
Mr. Lewis then told Mr. Reid he would be charged with animal cruelty.
Mr. Wyld then transported Mr. Reid back to his property.

Page 2

ON R.S.P.C.A. Inspector P. Wyld's report to the Ombudsman, the Ombudsman declared the "instructions" were given under 14(1) of the A.W. Act 1993, in writing April 2002. which carries a penalty 14(2).

CROWN STATEMENT OF FACTS Arthur John Reid

On Tuesday 9th November, 1999, Mr. Walter Tusyn, a greyhound trainer, collected two greyhounds from the defendant's property in Boland Street, Launceston, where the dogs had been housed for the previous three months.

The two dogs were found to be in poor condition, one of which was examined by a veterinarian and viewed by R.S.P.C.A. officers. The veterinarian euthanased the greyhound as a result of its poor condition.

At approximately 10.40 am on Thursday 11th November, 1999, R.S.P.C.A. Animal Welfare Officers, Graeme Lewis, Paul Wyld and Andrew Cook attended the defendant's property at 3 Boland Street, Launceston, armed with a warrant to search the property.

Upon arrival the defendant was not at his residence but arrived moments later. The R.S.P.C.A. officers identified themselves and the defendant was shown the search warrant and the fact that a search and inspection of the property would be conducted, was explained to him.

The property was then searched, during which video footage and photographs of the property were taken by Messrs Wyld and Lewis. After inspecting a number of greyhounds, the defendant was asked whether there were any other dogs on the property, to which he replied, "No". However, because noises had been heard coming from two sheds on the property, further investigations revealed more greyhounds being housed in pens within the two sheds.

A Launceston veterinarian, Dr. Swiatowski was asked to attend the residence to examine the dogs and their housing conditions. Dr. Swiatowski's recorded his findings in a report dated 15th January, 2000. (*Refer to and tender report.*)

A total of forty one greyhounds were found on the property, eight of which were euthanased at the request of the defendant. Mr. Reid informed the officers that the remaining dogs belonged to other people who lived interstate and that he was the dogs' trainer. A further eight dogs were transported to the R.S.P.C.A. animal shelter at Mowbray, while Mr. Reid was advised to return the remaining dogs to their respective owners.

The defendant participated in a video recorded interview during which he admitted to having full responsibility for the care of the greyhounds and agreed that the condition in which they were housed was below a suitable standard.
(*Refer to and tender photographs.*)

No Prior convictions.

Brown, Kate

From: McIndoe, Donna
Sent: Wednesday, 3 May 2000 10:17
To: Brown, Kate
Subject: phone message

I took a phone call from Const. N. McLarty Launceston Police.

He received documentation to do with an RSPCA matter you are dealing with in Launceston. He wants you to call him to chat about it.

phone 3913 or mobile 0408311539

thank you

Donna McIndoe
Senior Clerk
DPP ph 6233 2148
fax 62342892

TA Neil McCarty 19 May 2000.

left message on answering machine asking him to ~~call~~ forward the documentations about need matter or to call me if necessary

Brown, Kate

11

From: Clark, Maree
Sent: Thursday, 11 May 2000 15:51
To: Brown, Kate
Subject: Mrs Adams

She called about 3 pm about greyhounds on 63-961145

And before her Mrs Burkhalter of Beaconsfield (she did not leave a no.) but was only interested to know if the culrit is going to be charged because she believes it is a very serious matter.

I told her that a complaint had been issued and the matter will be dealt with.

PERILLO, ADAMI & FRANK

BARRISTERS & SOLICITORS

V. ADAMI
E. C. FRANK, LL.B.

MECHANICS INSTITUTE
209 NICHOLSON STREET
FOOTSCRAY, 3011
Entrance Napier Street
AUSDOC: DX 81105
FAX: (03) 9689 5358
TEL: (03) 9687 3384

Our Ref: N. Critchley:dt

Your Ref:

Please reply to Footscray

14 March 2000

Ms. Gail Adams
Elspedito Enterprises
P. O. Box 519
EXETER TAS. 7275

"Without Prejudice"

RELEASED UNDER
FREEDOM OF INFORMATION
TASMANIA ACT 1991

Dear Madam,

Re: 2 Greyhound dogs: VKC Nos.148 & 150

We advise that we act on behalf of Mr. J. Borg, the registered owner of the above dogs and we have to hand your letter of 7 March 2000, and copy of your bill to Mr. A. Reid dated 20 February 2000.

We are instructed that in about June 1999 our client entered into a lease agreement with Mr. Arthur Reid in relation to the 2 dogs. Pursuant to this agreement, Mr. Reid was to train the dogs and be responsible for all associated costs. It is clear that Mr. Reid is responsible for payment of your fees.

However, our client recognises your predicament and we are instructed to put you the following offer of settlement:

> You act as agent for our client and sell the 2 dogs, with the profits to be divided equally between yourself and our client (we are instructed the dogs are valued at $1,000.00 - $1,500.00 each). ~~You further agree~~ not to pursue our client any further in relation to your outstanding and continuing boarding kennel fees.

Please advise of your response to the above proposals within 7 days.

Yours faithfully,
PERILLO, ADAMI & FRANK

National Coursing Association of Victoria Inc.

Established 1873

President:
Mr. R. Nestor

Chief Executive:
Dr. B. Williams

24 March 2000

Ms Gail Adams
P.O. Box 519
EXETER TASMANIA 7275

Re: Greyhounds Earbranded VKC 148 and VKC 150
(Un-named)

Dear Ms Adams,

Following receipt of your letter today, I am writing to confirm that there are no registered lease arrangements in Victoria for the above-mentioned greyhounds.

Yours sincerely,

Brian Williams
Chief Executive

Minister for Racing

55 St Andrews Place
Melbourne, Victoria 3002
GPO Box 4356QQ
Victoria 3001, Australia
Telephone: (03) 9651 0333
Facsimile: (03) 9651 0556

28 APR 2000

Our Ref: 37074

Ms Gail Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams

GREYHOUNDS OWNED BY J BORG

Thank you for your letter of 3 April 2000 regarding greyhounds owned by Mr J Borg of Bulla, Victoria.

I am seeking a report from the Victorian Greyhound Racing Control Board on the matter and will advise you of the outcome as soon as possible.

Yours sincerely

ROB HULLS MP
Minister for Racing

COMMISSIONER'S OFFICE
47 Liverpool Street Hobart
(GPO Box 308C)
HOBART TAS 7001
Phone (03) 6230 2111
Fax (03) 6230 2117

Our Ref: A-1955/00 S2/80
Your Ref:
Enquiries: JJ:CLR

Tasmania POLICE

10 May 2000

Ms Gail Adams
PO Box 519
EXETER 7275

Dear Ms Adams

Thank you for your correspondence dated 2 May 2000, forwarded through the Office of the Minister for Police and Public Safety, in which you refer documentation indicating cruelty to animals involving a number of greyhounds and a debt incurred in relation to the boarding of a number of greyhounds which is still outstanding.

Your correspondence was referred to the Superintendent in charge of the Northern District for inquiry.

I have been advised that the allegations relating to the treatment of the greyhounds has been the subject of investigation by officers from the Royal Society for the Prevention of Cruelty to Animals and that charges have been laid and are currently lodged with the Court of Petty Sessions.

With regard to the monies owed to you, I can advise that this is a civil debt for which you have a civil remedy.

Thank you once again for writing and allowing me to have your matters of concern addressed.

Yours sincerely

R McCREADIE
Commissioner of Police

A-758

207

1.

Upton, Sandra

From: Upton, Sandra
Sent: Thursday, 11 May 2000 9:44
To: Brown, Kate
Subject: Arthur Reid

Please phone Rick Puccinilli on 63318264 or 0418134451.

SJU

TA Rick Puccinilli : 4pm 11/5/00

- Advised proceedings had been instituted.
- pls put any info. in writing to us - Attn Kate Brown.

COMMISSIONER'S OFFICE
47 Liverpool Street Hobart
[GPO Box 308C]
HOBART TAS 7001
Phone (03) 6230 2111
Fax (03) 6230 2117

Our Ref: A-1955/00 S2/80
Your Ref:
Enquiries: JJ:CLR

Tasmania POLICE

29 May 2000

Ms Gail Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams

Thank you for your correspondence dated 19 May 2000 and 29 May 2000, in which you raised the matter of fraud as a consequence of my letter dated 10 May 2000.

I have been advised that on Wednesday 24 May 2000, Inspector S Hortle of George Town Division telephoned and advised you that the documents available were with Ms Kate Brown of the Director of Public Prosecutions Office in Hobart and that advice received from her by Detective Constable N McLarty of Launceston Criminal Investigation Branch indicated that fraud charges would not be presented against any person connected with this investigation.

On Thursday 25 May 2000 Inspector Hortle and Sergeant P G McMahon of Beaconsfield Police Station attended your home and discussed this matter with you. As a result of that visit and the fact that a witness was not present at the time, you indicated to the officers that you would be contacting Detective Constable McLarty with other information at a later date.

I am now in receipt of your facsimile of 29 May 2000 in which you state you have cancelled your appointment with Detective Constable N McLarty. Should you reconsider your decision and your further information prove to assist the initial investigation, the matter will be referred back to the Director of Public Prosecutions for further assessment.

Thank you once again for writing and allowing me to have your matters of concern addressed.

Yours sincerely

R McCREADIE
Commissioner of Police

A-758

"GREYHOUND MATTER"

SOME NOTES ON THE CENTRAL ISSUES IN THIS MATTER.

1. If the 25 dogs were retained on the site "pending collection by their owners" why was it that two lots of two dogs were removed from the site into private boarding kennels - while 'awaiting collection by their owners'.

2. Who was responsible for advising owners that their dogs were to be collected? How were the owners advised that there dogs were awaiting collection?

3. The proposition put by the National Coursing Association of Victoria that ***The role of the NCAV is to register greyhounds, not to settle civil disputes or determine questions of legal ownership*** would appear to be farcical as every dog has to be owned by someone and the purpose of registration is to provide legal proof of ownership and responsibility. The mere act of registration is meant to preclude civil disputes or anyone having to determine questions of legal ownership.

4. The situation at present is that Mr Borg has the registration papers and Mrs Adams has the greyhounds, while she has been advised by many to simply put the greyhounds down Mrs Adams would not only not be able to this ethically; she also feels that it is not her legal right to put down someone else's greyhounds.

5. Mrs Adams says that she feels that the two greyhounds fall into the category of either "evidence" in the case against Mr Reid or they are "wards or property of the state" as the state has said that the greyhounds were "awaiting collection by their owners"...

6. As far as the costs of the greyhounds' lodgings are concerned it would appear that the state, namely the Department of Primary Industry and Water and Environment, would have become liable as they placed the greyhounds in the category of being animals "waiting collection by their owners" and the Department is required to ensure the effective collection of the animals and not allowed them to escape into private boarding kennels.

This was written December 2000, before complaint to Ombudsman, given to Government with the documents and Greyhound Chronology, Dec, 2000.

DEPARTMENT *of* POLICE *and* PUBLIC SAFETY

Commissioner's Office
47 Liverpool Street, Hobart
GPO Box 308C
Hobart, Tas. 7001
Phone (03) 6230 2111
Fax (03) 6230 2117

Our Ref: A-1955/00 S2/80

Your Ref:

Enquiries:

Tasmania

JJ:CLR

BRIEFING NOTE

MINISTER FOR POLICE AND PUBLIC SAFETY

SUBJECT: CORRESPONDENCE FROM MS G ADAMS, EXETER

- A number of items of correspondence have been received since April 2000 from Ms Gail Adams of Exeter.
- These contacts have been made to Launceston Police Headquarters, the Office of the Minister for Police and Public Safety, and to the Office of the Commissioner for Police.
- The concerns raised by Ms Adams have been inquired into and replies forwarded to her resulting in further correspondence being received alleging the commission of a crime, namely fraud.
- On Thursday 25 May 2000, Inspector S Hortle and Sergeant P McMahon of the Beaconsfield Police Station called on Ms Adams personally and discussed the allegation with her.
- An initial investigation has been carried out with regard to the allegation made by Ms Adams, with the Director of Public Prosecutions advising that no fraud charges would be preferred as a result of the investigation.
- A witness identified by Ms Adams as being able to give additional evidence to further this matter was unavailable on the attendance of police. Ms Adams undertook to contact police at a later time to arrange for the additional evidence to be provided.
- On 29 May 2000, Ms Adams contacted my office by facsimile advising that she had cancelled her appointment with Detective Constable N McLarty.
- A copy of my reply to Ms Adams is attached for your information.

RELEASED UNDER FREEDOM OF INFORMATION TASMANIA PUBLIC

R McCREADIE
Commissioner of Police

May 00

Sherriff, Peter

From: Neasey, Frank
Sent: Friday, 3 November 2000 11:10
To: Sherriff, Peter
Subject: RE: Arthur John REID

From: Neasey, Frank
Sent: Friday, 3 November 2000 11:07
To: Sherriff, Peter
Subject: RE: Arthur John REID

If he is going to plead to the Section 7, I think we should accept, but I would let the instructing people know (DPIWE, RSPCA?)

I don't think he would get any higher penalty on the Section 8, despite the higher maximum, unless it was Wilson in a particularly vicious mood and he had lots of relevant priors.

As to Section 9, perhaps you are right but its a bit late now.

F. C. Neaseyey
For Director of Public Prosecutions

From: Sherriff, Peter
Sent: Friday, 3 November 2000 11:03
To: Neasey, Frank
Subject: Arthur John REID

<<File: Kb000186.out>>
Frank,
The last time we spoke about this matter we were discussing the possiblity of accepting a plead to one of the two charges and withdrawing the other, but I recall you mentioning the possibility of one having a greater penalty than the other.
That seems to be the case here with ss7 & 8 of the *Animal Welfare* Act.
Section 7 provides for a penaly not exceeding 20 penalty units or imprisonment not exceeding 6 mths or both.
Section 8 provides for a penaly not exceeding 50 penalty units or imprisonment not exceeding 12 mths or both.
However the difference in the particulars (included above) is that for the charge against s 7 we allege Reid used an inapproriate method of management, which resulted in the animals suffering, whereas
against s 8 we allege Reid omitted to do his duty which resulted in the same thing.
Obviously the defendant will plead to the s 7 charge b/c of the lower penalty. So why did we bother with the s 8?
The other problem is that apparently 8 greyhounds were put down after the RSPCA went to the property. This was done at the request of Reid. Would not a breach of s 9 been the most approriate charge?
What are your thoughts?
Sherriffy

P.D. No. 45

TASMANIA POLICE

FILE NUMBER

N
L ..... / .....

District	Division	Station	Date
N	Launceston	Launceston	17 November 2000

Officer in Charge
CIB
LAUNCESTON

MINSTERIAL - MS GAIL ADAMS

Following on from my report dated 25th July, 2000, the premises at 3 Boland Street, Launceston formerly occupied by Arthur REID, and operating as a greyhound kennel (but unlicensed), were visited again by the RSPCA officer, Paul WILD, the RSPCA vet, Paul SWIATOWSKI, and council animal ranger, Gary CAUSON. These premises were found to have no dogs left there, the date being the 15th September, 2000.

The property has since been leased to Joe PINTERICH and REID has nothing further to do with the property. The dogs that had been there prior to the 15th September, were all destroyed at the request of REID to the veterinary officer, SWIATOWSKI.

The prosecution of REID for cruelty offences under the Animal Welfare Act, which were made by the RSPCA, are currently going through court at Launceston via the DPP office. The next court date being 5th December, 2000 for mention.

(N W McLARTY)
Det Const 743

RELEASED UNDER FREEDOM OF INFORMATION TASMANIA POLICE

N 10472/00

To: INSP. M. OLLEY
C.I.B. LAUNCESTON
FORWARDED FOR INFORMATION AND
☑ ATTENTION PLEASE E-MAIL
☐ INQUIRY RESPONSE TO ME
☑ REPORT BY COB THURSDAY
☐ NOTATION 23. NOV. 2000.
☐ RETENTION
☐ RECOMMENDED / APPROVED
SERGEANT: ADMIN
DISTRICT SUPPORT 17.11.00

DEPUTY COMMISSIONER'S OFFICE

FACSIMILE TRANSMISSION

PHONE (03) 6230 2420

FOR INFORMATION A
☑ ATTENTION
☐ INQUIRY
☑ REPORT
☐ NOTATION
☐ RETENTION
☐ RECOMMENDED/APPROVED
INSPECTOR
C.I.S. DIVISION
NORTHERN DISTRICT

TO:	Commander Northern District
Organisation	Tasmania Police
Fax No:	3887

FROM:	Deputy Commissioner J Johnston
Fax No:	(03) 6230 2117
No of Pages: Including this page	7
Date:	17 November, 2000

RELEASED UNDER FREEDOM OF INFORMATION TASMANIA POLICE

MESSAGE

MINISTERIAL- Ms GAIL ADAMS

The attached correspondence under the hand of Ms Gail Adams is forwarded for your information. Please have the concerns raised inquired into and have the investigating officer provide a draft reply under the Ministers hand to Ms Adams. Detective Constable N McLarty previously had carriage of this matter.

The draft response should reach this office by COB Friday 24 November 2000.

J JOHNSTON
Deputy Commissioner of Police

The information, the subject of this transmission, is confidential and privileged against disclosure to and for the use of the addressee for the purposes of Tasmania Police and law enforcement. If you are not the addressee, please ensure that this confidentiality and privilege is maintained by not disclosing or using the information in any manner.

8

NORTHERN DISTRICT COMMANDER

Enquiries: 3897 ☎

JMBJ
Our ref:

Commander's Office
LAUNCESTON

20 November 2000

Deputy Commissioner of Police
HOBART

MINISTERIAL - Ms GAIL ADAMS.

Please find attached draft reply under the Minister's hand as requested in the attached report.

An e-mailed copy has been sent to Mrs Ruth Darcey as required.

RELEASED
FREEDOM OF INFORMATION
TASMANIA POLICE

I N DEAN
COMMANDER

Commissioner of Police
CORR. No. A-5870/00
FILE No S2/80
22 NOV 2000
ACTION Dcop

The Victims Of Crime Service

The Launceston Community Legal Centre

6 December 2000

Dear Mrs Adams

I write in response to your abruptly terminated phone call yesterday and the subsequent phone call and facsimile received this morning regarding the issue of greyhound dogs previously in the custody of Mr Arthur Reid.

As previously indicated and with your knowledge, I made an appointment to meet with the Police Victims of Crime Officer on Friday morning, 1 December, 2000. Also present was Detective Neil McLarty.

This meeting was an informal arrangement at which no procedural notes were taken.

My position is as a Victims of Crime support worker and does not involve legal representation. For this you would require the services of a legal practitioner.

Yours sincerely

Service Provider

4a George Street
P. O. Box 1582
Launceston Tas 7250

Telephone: (03) 6334 1577
Facsimile: (03) 6331 5237
TTY: (03) 6334 1949
Free Call: (1800) 066 019

4-5870/CC
83
Sa/80

The Police Commissioner
Mr McCreadie,
Hobart. 7000.

11-12-2000.

FAX No: 62302117

Dear Mr McCreadie,

I request an urgent meeting with yourself. I would appreciate date and time in writing.

Yours Sincerely,
Gail Adams
P.O. Box 519,
Exeter. 7275.
TAS.

NOTED
DEPUTY COMMISSIONER
15/12/00

Commander Dean advised for 11/12/2000 and will attend to and advise accordingly

RELEASED UNDER FREEDOM OF INFORMATION TASMANIA POLICE

RSPCA®

For all creatures great and small.

The Royal Society
for the Prevention
of Cruelty to Animals
Tasmania Inc.

Hobart
PO Box 441
Rosny Park TAS 7018
Phone (03) 6244 3033
Fax (03) 6244 5550
Email
rspca@southcom.com.au

Other Centres
- Launceston
- Devonport
- Burnie

10 January 2001

Ms Gail Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams

Thank you for your fax of 31 December 2000 in which you raise a number of issues related to greyhounds kept by Mr Arthur Reid of Launceston.

Your correspondence raises a number of questions related to:

1. animal welfare matters associated with the case;
2. the role and actions of the RSPCA;
3. your involvement in terms of the housing of two greyhounds; the associated costs and future outcome for the dogs;
4. the legality of Mr Reid's kennel operations; and
5. the location and use of the dog trailer as donated by Elespedito Dog Tracking and Demonstration Club

With regard to points 1 & 2 I will be formally corresponding with Mr Rod Gobbey of the Department of Primary Industries, Water and Environment to seek clarification on a number of issues.

With regard to point 3 may I suggest that you formally write to Ms Heather Thurstons, Secretary of the Joint House Public Accounts Committee, Parliament House, Hobart 7000. This Committee may well be able to determine who should be liable for the costs and ongoing care of the dogs. I suggest that you provide Ms Thurstons with a brief outline of what has occurred and the subsequent costs you have experienced. I understand that the Joint House Public Accounts Committee will be meeting in approximately a fortnight.

With regard to point 4 you may wish to consider referring the matter to the Federal Police for assessment.

In terms of the dog trailer, I will follow up with the RSPCA Tas Inc. State Council as a matter of urgency and notify you of the outcome in due course.

I sincerely thank you for bringing this matter to my attention and assure you that the matters you raise that fall within my jurisdiction will be investigated.

Yours sincerely

Angela Ayling
President
RSPCA Tas Inc. Southern Division

The Society was founded in Tasmania in 1878

It is an independent, non-government, community based charity providing animal care and protection services.

Your help will live on in an RSPCA Bequest

LAUNCESTON CITY COUNCIL

A Leader in Community & Government

LAUNCESTON CITY COUNCIL

File No: SF3055
Your Ref:

10 January 2001

Ms Gail Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams

FOI Application – Dogs at 3 Boland Street

I refer to your letter of 11 December 2000 requesting information under the provisions of the FOI Act re the keeping of dogs at 3 Boland Street, by Mr Arthur Reid.

The matter of your queries has been discussed with Council's Animal Control Officer (referred to as ACO), and answers provided as follows:

1. 25th June 1999 – kennel licence number 146 first issued.
   7th February 2000 – letter sent Mr Reid indicating Council's intention to cancel his kennel licence, due to breaches of the Dog Control Act 1987.
   21st February 2000 – Mr Reid submitted a notice of appeal with the Court.
   22nd February 2000 – Mr Reid advised by letter that in view of his appeal the notice to cancel his kennel licence had been revoked.
   30th June 2000 – kennel licence number 146 expired. It has not been renewed.

1(a) The Diocese of Tasmania, 155 St John Street Launceston.

1(b) No knowledge. It was not a matter relevant to Council for the issuing of a kennel licence.

1(c) No knowledge. See 1(b).

2. Council first became involved with Mr Reid when the Chief Steward of the Tas Greyhound Racing Authority, Mr Kerry Kirby, contacted Council's City Inspector and requested him to inspect the property re dog matters. This occurred in January 1999.
   1st February 1999, Council's City Inspector and ACO inspected Mr Reid's facilities. The enclosures housing Mr Reid's greyhound dogs were substandard and a notice was served on Mr Reid to rectify the problems.
   11th November 1999 – The ACO was requested by Inspector Paul Wyld of the RSPCA to conduct a joint inspection of Mr Reid's premises. The ACO has no other knowledge of any joint inspections with the Police or Tasmanian Greyhound Racing Council.

Town Hall
St. John Street
Launceston
Tasmania 7250
PO Box 396
AusDoc DX70127
Launceston
Phone (03) 6323 3000
Fax (03) 6323 3001
Email:
ouncil@launceston.tas.gov.au

3. 11th November 1999 – Council first became aware that Mr Reid was keeping more than 12 dogs at his premises.

4. Council has no list of ear tattoos in respect of Mr Reid's dogs.

5. Following the inspection of premises on 1st February 1999, a notice was served on Mr Reid to attend to the problems. I am not prepared to release the details of the notice until at least Mr Reid has had an opportunity to so cause why the information should not be released.

6. After 11th November 1999, Mr Reid had a reducing number of greyhound dogs on his premises. Visits were made by Council's ACO and the RSPCA inspectors. The dogs were kennelled correctly. Council's ACO cannot recall the date when Mr Reid finally moved from the property.

In view of advice received from Centrelink in relation to your financial position, the fee of $25.00 for this information has been waived.

Yours sincerely

Martin Reynolds
Corporate Secretary

Telephone: **6323 3121**
E-mail: Martin.Reynolds@launceston.tas.gov.au

Cc: Gary Causon, Animal Control Officer.

TELEPHONE : (03) 6234 2611
FACSIMILE : (03) 6234 2556

OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE
TASMANIA 7001

mistake

12 January 2000 ¥(1)

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams,

His Excellency the Governor has asked me to respond to your letter of 12 January 2001 about the difficulties you have found in seeking cost compensation and also the release of two greyhound dogs.

I advise that there is no action that the Governor can take as the Patron of the RSPCA.

Yours sincerely

Captain Christopher Beattie
Aide-de-Camp

164

Minister for Racing

55 St Andrews Place
Melbourne, Victoria 3002
GPO Box 4356QQ
Victoria 3001, Australia
Telephone: (03) 9651 0333
Facsimile: (03) 9651 0556

Ms Gail Adams
PO Box 519
EXETER TAS 7275

19 JAN 2001

Dear Ms Adams

I refer to your letter of 21 December 2000 regarding greyhounds in your care.

As I have stated in my previous correspondence this appears to be essentially a civil matter between you and the owner(s) of the greyhounds in question.

I can only suggest you continue to seek advice and assistance from the relevant authorities in Tasmania as to what remedies may be available to you.

Yours sincerely

Rob Hulls

ROB HULLS MP
Minister for Racing

RSPCA®

For all creatures great and small.

The Royal Society
for the Prevention
of Cruelty to Animals
Tasmania Inc

23 January 2001

Ms Gail Adams
Po Box 519
EXETER Tas 7275

Dear Ms Adams

I refer to your letter to Southern Division President of 31 December 2000
I have investigated your complaints and find that the Inspectors acted accordingly
I am entirely satisfied with the handling of this case as already indicated by the department of DPIWE and also have no intention of taking the matter further.

Yours sincerely

Mick Mc Queen
State President
RSPCA Tas Inc

rec 26/2/01 gh.

State Secretariat
PO Box 749
Kings Meadows TAS 7249

Your help will live on
in an RSPCA Bequest

Please address all
correspondence to:
Public Accounts Committee
Parliament House
Hobart Tas 7000

Tel: (03) 6233 2288
Fax: (03) 6223 3803
Email: committees@parliament.tas.gov.au

HOUSE OF ASSEMBLY

Parliamentary Standing Committee
of Public Accounts
Hobart

25 January 2001

Mrs. Gail Adams
PO Box 519
EXETER TAS 7275

Thank you for letter of the 17 January last together with your enclosures.

We understand that the matter you referred to the Public Accounts Committee was: -

> *'Your involvement in terms of the housing of two greyhounds; the associated costs and the future outcome of the dogs'*

The Committee considered the matter and also referred it for a legal opinion.

We endorse the opinion received that such a referral does not fall within the guidelines for an inquiry by the Public Accounts Committee.

We therefore suggest that you consult your solicitor, or on the documents before us consider taking action in the Small Claims Division against Mr. Arthur Reid for the costs involved in caring for the dogs in question.

Yours sincerely

Tony Fletcher
CHAIRMAN

The updated invoice was over $10,000-00. Small claims is well under the amount.

#2

Minister for Police and Public Safety,
Mr D. Llewellyn,
Hobart. 7000. Fax No: 62240617.

5-2-2001

Dear Minister D. Llewellyn,

All requests having failed with no action taken I list below my complaint against yourself, as M.H.A portfolio's Police, D.P.I.W.E, as overseer and as appointed Minister:

(1) Failure in "Duty of Care" for incomplete hand-up brief to Public Prosecutor as stated it would be.

(2) Failure in "Duty of Care" in respect to R.S.P.C.A Inspectors under Service Contract to the Crown through D.P.I.W.E.

(3) Failure in "Duty of Care" in respect to two greyhounds still in Care at Elpedito Est, Glengarry, as part of case 506/93 now 3 years old in April 2001, Registered, never raced or trained, arriving in Tasmania June 1999.

(4) Failure in "Duty of Care" ignoring documents of evedence supplied to you, in respect of 1, 2, 3.

(5) Failure in "Duty of Care" allowing your Senior Advisor, to order a Detective to telephone myself, who stated had no knowledge of the case, where I stood and the situation, thereby interfering with a Police Officer and acting for the Judiciary, a Police Officer being a "Gatherer of the facts" among many other Police Duties.

I expect very quick action Minister,

Yours Sincerely,
Gail Adams,
P.O. Box 519, Evandale.
7212, TAS.

90

NORTHERN DISTRICT COMMANDER

Enquiries: 3897 ☎

IND:SB
Our ref: N10472/00 (T3)

Commander's Office
LAUNCESTON

20 February 2001

A-733/01
C2/91

DCOP

Deputy Commissioner J JOHNSTON
HOBART

MINISTERIAL - GAIL ADAMS

I return this document for your information and the further attention as necessary.

The detail you now require is contained in the attached report from the Office of the Director of Public Prosecution and the OIC Northern Prosecution Services, Sergeant J O'SULLIVAN.

Just prior to Christmas 2000, Ms Gail Adams made an appointment to discuss some of these issues with me. However, on the appointed day a representative of Ms Adams attended on her behalf. The greyhound case wasn't touched other than to hand me a short letter purporting to have been signed by Ms Adams. Other issues were discussed.

As I understand the particulars of this case it is not a police matter and Ms Adams has been told this by me. However, she elects to ignore this position.

I N DEAN
COMMANDER

RELEASED UNDER FREEDOM OF INFORMATION TASMANIA POLICE

MAR 2001

2001/355

PC 5-3-2001.

The Governor-General
of Australia,
Government House,
Canberra. A.C.T.

FAX No: 0262813760

Dear Governor-General,

Are you "willing" to provide in writing the "reasons" for no action taken, in respect to the Sworn on Oath Affidavit of 14th January, 1999, in my matter, supplied with supportive documentation of evidence to yourself,

Are you "willing" to provide in writing the "reasons" for no action taken in respect to the letter of the 15th October, 1997 from Buckingham Palace on behalf of the Queen, myself being an Australian and Commonwealth citizen.

I expect a response within 7 days (seven) from the date of this faxed letter to you.

Please acknowledge receipt of this letter.

NFA

Yours Sincerely,
Gail Adams,
P.O. Box 519
Exeter, 7275. TAS.

OFFICE OF THE
05 MAR 2001
GOVERNOR - GENERAL

9a 3

151

Lowe, Michelle

From: Smith, Anita
Sent: Tuesday, 13 March 2001 13:54
To: Lowe, Michelle
Subject: Gail Adams

Hi Michelle,

Gail Adams has written to the AG again. She asks for reasons why he has taken no action in relation to a sworn affidavit dated 14 January 1999.

I am preparing a response which refers her to seek her own independent legal advice (which has been our consistent advice since 1998) but I have no copy of any affidavit on file.

Could you please check whether there is a departmental file for the AG (I am sure the DPP has a file, but I am not sure that's relevant) where we have received it, otherwise maybe I should state that we have no copy. I am a bit confused.

Anita.

IC 481

IC 334

Information ... Pages ... 131 +/-

acquired under F.O.I. Law
Attorney General Dept. Tasmania, Australia.

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Tasmania
POLICE

COMMISSIONER'S OFFICE
47 Liverpool Street Hobart
[GPO Box 308C]
HOBART TAS 7001
Phone (03) 6230 2111
Fax (03) 6230 2117

Our Ref: A-1105/01 C2/91
Your Ref:
Enquiries: FL:DFB

14 March 2001

Ms G Adams
PO Box 519
EXETER Tas 7275

Dear Ms Adams

Thank you for your correspondence dated 5 and 9 March 2001, which related to an affidavit of 14 January 1999, a letter of 19 June 2000 and a letter of 5 February 2001, provided to police by you. I note there has been considerable correspondence between yourself and this department, dating back to 1996.

On 26 February 2001, the Deputy Commissioner of Police, Mr J Johnston, wrote to you explaining that issues surrounding the boarding of the two greyhound dogs at your establishment are not a police matter. I understand that you were given advice by Mr P Wyld of Launceston RSPCA to seek restitution through civil action.

I again reiterate that this file is closed, as the matters you raise are not police matters. If you have further concerns, I suggest you contact Commander Ivan Dean directly on 03 6336 3897.

Thank you for your letter.

Yours sincerely

B J BENNETT
Acting Deputy Commissioner of Police

MC 1284 179

MB010561 due 23-5-01 166

7 May 2001

General Manager
FOOD, AGRICULTURE AND FISHERIES

MS GAIL ADAMS
SCOTTSDALE COMMUNITY FORUM

The Minister and I met with Ms Adams at the Scottsdale forum on Sunday 29 April. I attach a copy of David Morris' meeting notes and an acknowledgment letter to Ms Adams.

I am uncertain as to who has carriage on this matter, ie DPIWE or Dept of Justice or Police. Could you please discuss with David Morris and clarify his expectations.

Regards

Kim Evans
SECRETARY

Department of Primary Industries, Water and Environment
Tasmania
Released under the *Freedom of Information Act 1991*

RECEIVED
17 MAY 2001
BY:

Tasmania

DEPARTMENT OF PREMIER AND CABINET

Level 7, 15 Murray Street, Hobart 7000

File No: 1419/98393
Officer: S Shepherd
Telephone: 2568
Date: 17 May 2001

DEPARTMENT OF PRIMARY INDUSTRIES, WATER AND ENVIRONMENT
17 MAY 2001
File:

URGENT

TO: The Senior Private Secretary to the MINISTER FOR PRIMARY INDUSTRIES, WATER AND ENVIRONMENT

CORRESPONDENCE FROM: Ms Gail Adams

DATE: 16 May 2001

SUBJECT: Greyhounds

The Premier would appreciate

- ☐ ~~an acknowledgement for the Premier's Office~~
- ☑ a draft reply for the Premier's consideration by 28/5/01.
- ☐ a draft reply for inclusion in the Premier's response by [date] regarding [issues]
- ☐ a direct reply from your Minister and a copy of that reply to be forwarded for information to the Department of Premier and Cabinet
- ☐ your Minister's comments
- ☐ notation of the attached/for information
- ☐ appropriate action
- ☐

COMMENTS: The correspondence has also been forwarded to the Director Local Government Division for a draft reply for inclusion in the Premier's response.

Department of Primary Industries, Water and Environment
Tasmania
Released under the Freedom of Information Act 1991

Sally Shepherd
Manager
COMMUNICATIONS UNIT
for SECRETARY

240

The correspondence has/~~has not~~ been acknowledged.

Tasmania

DEPUTY PREMIER

MINISTER *for*
INFRASTRUCTURE, ENERGY *and* RESOURCES

MINISTER *for* RACING *and* GAMING

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

- 5 JUN 2001

Dear Mrs Adams

I refer to the documents you have recently faxed and your telephone calls to this office regarding your dispute with Mr Arthur Reid over your greyhounds.

I understand Mr Ross Brown from the office of the Hon David Llewellyn has been dealing with the matter and has contacted you on a number of occasions to discuss your concerns.

I regret that on this occasion Mr Lennon cannot assist you, as your grievance is a civil matter.

Yours sincerely

Michael Gard
Senior Adviser
Racing and Gaming
Office of the Deputy Premier

Level 10, Executive Building, 15 Murray Street, Hobart 7000, Tasmania, Australia
Telephone: (03) 6233 2965 *Facsimile:* (03) 6233 2806

Tasmania

DEPARTMENT *of*
PRIMARY INDUSTRIES,
WATER *and* ENVIRONMENT

Inquiries: M Middleton
Phone: 62 336882
Fax: 62 781875
Email: mick.middleton@dpiwe.tas.gov.au
Reference:

21 June 2000

Ms Gail Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams

I refer to your letter of 8 June 2000 in which you lodge a formal complaint against RSPCA Inspector Paul Wyld, in relation to the RSPCA handling of an incident involving greyhounds.

I have made inquiries in regard to this matter.

The investigation of this incident involved three RSPCA Inspectors, including the Senior Inspector. The Launceston City Council and the Tasmanian Greyhound Racing Council were also involved in the investigation. The dogs were kept in different sheds and runs on the property. Some were kept under very poor conditions, others under satisfactory conditions.

Eight dogs were euthanased on veterinary advice. Eight others, which were in satisfactory condition and health but housed in very poor conditions, were seized under the Animal Welfare Act. Charges were laid under the Animal Welfare Act in respect of these dogs.

Twenty five dogs, which were in good health and housed under satisfactory conditions, were left on the property pending collection by their owners.

Since the initial investigation, RSPCA Inspectors have been regularly visiting the property and are closely monitoring the health and living conditions of the greyhounds currently housed there. The occupier of the premises is so far complying with the basic animal welfare requirements. The number of dogs being kept is currently within the capacity of the occupier to satisfactorily house and care for them.

GENERAL ENQUIRIES (statewide): *Telephone*: 1300 368 550
Internet: http://www.dpiwe.tas.gov.au
☐ HOBART GPO Box 44A, Hobart, Tasmania, Australia ☐ DEVONPORT PO Box 303, Devonport, Tasmania, 7310 ☐ LAUNCESTON PO Box 46, Launceston South, Tasmania, 7249

DPIWE is entirely satisfied with the handling of this case by the RSPCA Inspectors and has no intention of taking any action in this matter.

I trust this information is of assistance.

Yours sincerely

Glenn Appleyard
ACTING GENERAL MANAGER
FOOD, AGRICULTURE AND FISHERIES

Tasmania

PRIMARY INDUSTRIES,
WATER *and* ENVIRONMENT

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MC: 1704

22 JUN 2001

Mr Joe Borg

This copy is not a complete copy of the original record

Dear Mr Borg

I understand that Ross Brown from office has been in touch with you regarding Gail Adams and her ongoing attempts to be compensated for the care of the two greyhounds placed with her by Mr Reid.

I am aware of the letter sent by your solicitor to Mrs Adams in March last year. Despite being advised by your solicitor and also by myself and others that this is a matter that should be pursued with Mr Reid by legal means, Mrs Adams persists in trying to seek payment from other sources.

Her latest attempt to gain publicity for her cause is to demonstrate with one of the greyhounds outside Parliament House in Hobart. I have enclosed a newspaper cutting that I'm sure will be of interest to you.

I understand that you have indicated to Ross that you would be prepared to arrange for the transfer of ownership of the two greyhounds to Mrs Adams. Hopefully this may go a long way to bringing this matter to a conclusion.

I do recognise that you have lost your two greyhounds as a consequence of being caught up in this predicament and I am very grateful for your cooperation. Your altruistic gesture to bring this matter to an end is appreciated. Unfortunately things do not always go to plan and I do hope you have better luck if you race other greyhounds in the future.

Please do not hesitate to contact Ross Brown if we can be of any assistance in finalising the transfer documentation.

Yours sincerely

Department of Primary Industries, Water and Environment
Tasmania
Released under the *Freedom of Information Act 1991*

David Llewellyn MHA
MINISTER

First Floor Franklin Square Offices, Hobart 7000
Telephone: (03) 6233 6454 *Facsimile:* (03) 6233 2272 *Internet:* http://www.dpiwe.tas.gov.au

Printed on recycled paper

From: Robyn Hopcroft *To:* Ms Gail Adams

Outgoing Correspondence Wednesday, 8 August 2001 1:02 *Duration:* 2 Minutes

Copies to Ray Bailey MLC Mr Evans DPIWE and Martin Reynolds LCC

Action Officer: Robyn Hopcroft

From: Ms Gail Adams *To:* Robyn Hopcroft

Incoming Correspondence Thursday, 23 August 2001 10:38 *Duration:* 1 Minutes

Fax's 14th and 16th August 2001. Requesting time to respond.

Action Officer: Robyn Hopcroft

From: Robyn Hopcroft *To:* Martin Reynolds

Outgoing Correspondence Thursday, 23 August 2001 11:09 *Duration:* 1 Minutes

Regarding feasilbility of placing a condition on a kennel licence requiring a register of owners.

Action Officer: Robyn Hopcroft

From: Martin Reynolds LCC *To:* Robyn Hopcroft

Incoming Correspondence Wednesday, 5 September 2001 4:01 *Duration:* 16 Hours, 3 Minutes

email dated 30th August from Martin Reynolds Launceston City Council re feasibility of register.

Action Officer: Robyn Hopcroft

From: Ms Fiona Irwin *To:* Robyn Hopcroft

Incoming Correspondence Wednesday, 5 September 2001 4:06 *Duration:* 2 Minutes

Requesting information as to time frame for completion of complaint.

Action Officer: Robyn Hopcroft

From: Robyn Hopcroft *To:* Ms Fiona Irwin

Outgoing Correspondence Wednesday, 5 September 2001 4:15 *Duration:* 1 Minutes

Premiers office time frame enquiry.

Action Officer: Robyn Hopcroft

Case Report Friday, 7 September 2001 2:00 *Duration:* 1 Minutes

Failure of RSPCA under Service Agreement with the Crown (DPIW&E) to adequately fulfil responsibilities under the Animal Welfare Act.

Action Taken: Investigation.

Action Officer: Robyn Hopcroft

From: Robyn Hopcroft *To:* Agency

Outgoing Correspondence Friday, 7 September 2001 2:10 *Duration:* 14 Hours, 11 Minutes

Letter inviting representations to preliminary report and advising status.

Action Officer: Robyn Hopcroft

F.O.I.

14

RSPCA Inspection Investigation 11/11/1999

8 dogs S 17(1) AWA 1998 possession + detention

Graeme Lewis (RSPCA Inspectors AWO) charged s. 7 (P6) s 8(1) (dismissed)
Paul Wyld
Andrew Cook
heard 5/12/2000

Search warrant Dr Paul Swiatowski (Lit. Vet) inspected
Wyld & Cawsons (25 dogs satisfactory)
41 dogs on property. Gary Cawson, Mrs Louise Dabner Liton CC (Animal control officer
Assistance required to relocate a number to the RSPCA animal shelter. (F to be seized 'bail to Reid' – neg. dest

* Tas. GK Racing Board - licence expired euthanased at request of the owner (not never).
Chief Steward, Mr Kerry Kirby (Jun 99)

Lit Council DOG CONTROL ACT 1987 - Keeping more dogs than
Licence No 146 allowed "advised to return remaining 25 dogs to their owners"
expired 30/6/2000. ↓
issued 25/5/99 volunteered by RSPCA - not instruction v s. 14(1) AWA
12 dogs < 11/11/99 Lcc animal/court action (FST) *

powers S. 17(1) discretionary. sim. s. 17(2)(b)

" establishment ownership of animals, especially those in respect of, with no offence has been or is being committed, is not a matter for officers authorised under the AWA "
- on duty of care

transfer registration (National Coursing Assoc. / Victoria)
- Parillo, Adami + Frank BAS (Footscray Victoria (Reg. owner)
Reid resp. boarded 2 yr.

- DPP on behalf of RSPCA. / DPIWS (Public Health + Animal Welfare Section
- A.W. standards + accepted Codes of Practice to be developed in consultation with industry + animal interest groups.

6A (1) What evidence 8 not 43 (subj. charges). tape. core (60)

DPP brief - 8 destroyed on property
- 8 taken away
- 41 in all on property.

s7 AWA particulars (S7)

"Mr Reid was then instructed to clean up the sheds and send the remainder of the dogs back to their respective owners" (S6)

video interview 3.40 pm Police HQ Liton. Charge Cruelty to animals AWA 1993 s7 + s(2)(b)

omission: D/C. N. McLarty adv. 6A of current status of INV. CN 00570693
complaint CPS 1/9/2000. referred to "a number of greyhounds. (F5)
S. 8(1) AWA.

(F55) "No File relates to a total of 41 greyhounds being housed on the property in unhygienic and filthy conditions"
Wyld) RSPCA ⇒ DPP (Nease neg. pros. Total of 8 seized + impounded / another 8 destroyed at Mr R's request.

F.O.I. Ombudsman

F.O.I.

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3 Service Objectives 3.1.3 (5) prevent a recurrence.
3.2 Secondary monitor/inspect/prevent 4.1.2.
4.7 procedures/competency/uniformity

Adams ⇒ Bingham (77)
- Police
-

F.O.I. Ombudsman

OMBUDSMAN

99 Bathurst Street, Hobart 7000

GPO Box 960 Hobart TAS 7001
Telephone: (03) 6233 6217
Toll Free 1800 001 170
Facsimile: (03) 6233 8966
Email: ombudsman@justice.tas.gov.au

In reply please quote: 0102030

23 August, 2001

Mr Martin Reynolds
Corporate Secretary
Launceston City Council
PO Box 396
Launceston TAS 7250

Dear Mr Reynolds

Complaint: Ms G Adams - PO Box 519, EXETER

I refer to our discussions which arose from the complaint of Mrs Adams which is a complaint against the Department of Primary Industries Water and Environment concerning the circumstances in which the RSPCA with the Council took various actions against Mr Reid, a kennel licensee and a registered greyhound trainer.

Having investigated this matter, I have formed a preliminary view that the owners of dogs boarded with Mr Reid were not advised of the prosecution against him and were thereby deprived of the opportunity of exercising their choice to remove their animals from his care. Similar persons, of whom Mrs Adams is one, had dogs placed in their kennels by Mr Reid without knowledge of who were the dog's owners and following the actions against Mr Reid were left uncertain as to the status of the dogs and what arrangements needed to be made in respect of the animals in their care.

I accept that the initial placement arose out of private contractual arrangements between kennel licensees and in circumstances where there has neither been a breach of a kennel licence nor a breach of animal welfare, then these private sector arrangements are between the parties and other industry bodies. However, it appears that a condition of a kennel licence that a register be kept of all the dogs under the licensee's control, and contact details of the dog's owners, then this would facilitate both the RSPCA and the Council addressing their respective responsibilities.

For example in Mr Reid's case some 41 dogs were on site on the 11th November 1999 whereas the licence I understand was for 12 dogs. Other dogs under his control were boarded with Mrs Reid and possibly other kennel licensees and a few days earlier a dog had been removed from Mr Reid's kennel and destroyed due to its poor condition.

I would appreciate the Council's view on the feasibility of conditions on a kennel licence. I also appreciate that this involves a balance between not over regulating an activity and

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having sufficient regulation to facilitate actions of the Council and RSPCA when and if breaches occur. My direct number should your officers wish to discuss this further is 6233 8954.

Yours sincerely

Robyn Hopcroft
Director of Investigations (Acting)

DEPARTMENT OF PRIMARY INDUSTRIES
WATER AND ENVIRONMENT

Minute No.:
File No.:
Mc No.:

BRIEFING NOTE

The Hon David Llewellyn, MHA
Minister for Primary Industries Water and Environment

SUBJECT: MRS GAIL ADAMS – CLAIMS FOR COSTS RE TWO GREYHOUNDS

PRESENT POSITION:

- Mrs Adams, who operates a commercial boarding kennels, has two greyhounds in her care, in respect of which she claims she is owed about 16 months worth of boarding fees. She is requesting the Government pay these fees, and is seeking custody of the dogs following this payment. No powers were invoked; or actions taken, under the Animal Welfare Act 1993 in respect of these two dogs. This would appear to create difficulties for Mrs Adams in sustaining a claim against any authorities empowered under this Act.

- Mrs Adams is seeking custody of these dogs, by virtue of transfer of registration. This is a matter between Adams and the registered owner.

- Mrs Adams has requested information on the restructuring of RSPCA Tasmania. This process is being undertaken internally by RSPCA Tasmania, in conjunction with RSPCA Australia. DPIWE has no involvement this process, and has no information to provide.

Department of Primary Industries, Water and Environment
Tasmania
Released under the *Freedom of Information Act 1991*

BACKGROUND:

- This briefing was requested by Ministerial staff, following the Minister's meeting with Mrs Adams at Scottsdale Community Forum.

- Mrs Adams claims to be owed a considerable sum of money in respect of two greyhounds placed in her boarding kennels by Mr Arthur Reid, a former greyhound trainer in December 1999. The dogs, which are un-raced, are registered to a Victorian owner – Mr Joseph Borg.

- RSPCA inspected Reid's operation in November 1999, in response to a compliant. RSPCA charged Reid under the Animal Welfare Act, in relation to a number of greyhounds. Reid subsequently pleaded guilty.

- Adams' claim that the charges against Reid related to the 2 dogs currently in her keeping is incorrect. No charges were laid in respect of the two greyhounds in

question, which remained on Reid's property, and in Reid's care until he placed them in Adams' kennels.

- At the time of the inspection, the RSPCA seized 8 greyhounds by virtue of the squalid nature of their housing and became legally responsible for the welfare of the seized dogs, under the "duty of care" provisions of the Animal Welfare Act.

- The two greyhounds in question were amongst many dogs deemed to be satisfactorily housed and cared for, and not seized by RSPCA. Consequently RSPCA at no time assumed legal responsibility for their welfare under the "duty of care" provisions of the Animal Welfare Act. This duty of care rested with Reid, the person in charge, and was transferred to Adams when she accepted them as boarders.

- This is a civil dispute, for which there is a civil solution. Mrs Adams has been repeatedly advised that DPIWE has no role in this matter. Police have provided similar advice. The Minister terminated correspondence with Adams on this matter in January 2001.

- Adams took up the matter with the Ombudsman, whose Acting Director of Investigations has formed a preliminary view, and conveyed this to Kim Evans in a letter dated 2 May 2001. DPIWE is currently considering its response.

- Draft advice to Adams is attached.

Department of Primary Industries, Water and Environment
Tasmania
Released under the *Freedom of Information Act 1991*

OMBUDSMAN
99 Bathurst Street, Hobart 7000
GPO Box 960K, Hobart TAS 7001
Telephone: (03) 6233 6217
Toll Free 1800 001 170
Facsimile: (03) 6233 8966
Email: ombudsman@justice.tas.gov.au

Please quote: 0102030

2 May, 2001

Mr K Evans
Secretary
Primary Industries, Water & Environment
GPO Box 44A
HOBART TAS 7001

Dear Mr Evans

Complaint: Ms G Adams - PO Box 519, EXETER

I refer to the complaint of the above named, relating to the actions of the RSPCA Tas Inc in relation to actions taken in relation to Mr Reid's kennel operations. I have considered the letter to the complainant from Mr Middleton, dated the 21st June 2000, Schedule 1 of the Contracted Services between the Department and the RSPCA, and various other documents and representations made by Ms Adams. I am aware that this has been an ongoing complaint for some time, and also that Ms Adams has made recent representations to the Minister. I would appreciate a report within 14 days addressing a preliminary view I have formed on the material provided to me.

It appears that in late December 1999 Ms Adams entered into a private commercial agreement with Mr Reid to board the two dogs currently in her care. While she was critical of the condition and welfare of these dogs, I accept that she was unaware of the January 1999 inspection by the RSPCA Animal Control Officer and Launceston City Council or of the notice served on Mr Reid on the 1st February 1999.

On becoming aware of the condition of other dogs at Mr Reid's kennels, Ms Adams apparently made a complaint to the RSPCA and made the RSPCA aware that the 2 dogs in her care had been placed their from Mr Reid's kennel operations. The issue is what action ought to have been taken by the RSPCA in respect of these 2 dogs, given the RSPCA contracted service with the Department and the statutory powers and responsibilities on the Department and the Animal Control Officer.

It would seem that the two dogs in Ms Adams possession were clearly part of those that were part of Mr Reid's kennel operations, and in prosecuting Mr Reid under the *Animal Welfare Act* and taking other actions, the RSPCA officer would have had a responsibility under s.17(2)(b) *to detain or cause the animal to be detained at such place and in such circumstances as the officer considers appropriate.* There was a power under s.21 for the court to order costs in relation to any animal detained, and under s.22 for an order that the

...mals be sold or disposed of and an application would generally need to have been ...made for such orders.

Ms Adams alleges that insufficient action was taken to properly identify, by photographs, ear tags and records, ownership of the 25 dogs left on the property pending collection by their owners, and in addition, the 2 dogs in her care. It appears that any private agreement Ms Adams might have entered into relating to the 2 dogs in her possession terminated by exercise of the statutory powers and the prosecution. It seems that the RSPCA ought to have notified the registered owners of the requirement that dogs, including the 2 dogs with Ms Adams, be collected.

If the owners did not collect the dogs, the RSPCA had power to take action including the power under s.17(2)(b) to detain the animals at an appropriate place. It seems that the 2 dogs with Ms Adams ought to have been regarded as being detained at her place by the Animal Control Officer pending any other authorised action with any allowable expenses being met. If the dogs were deemed to be abandoned by the registered owner, or the owner gave consent, then there would appear to be no impediment to the ownership and the registration papers being assigned to Ms Adams. Given the actions under the *Animal Welfare Act* I would not regard this as a private matter between the registered owner, Mr Reid and Ms Adams, but a matter within the jurisdiction of the Department and the organisation it has contracted to provide services.

Should the 2 dogs be transferred into Ms Adam's ownership, any ongoing costs would be her responsibility. I would appreciate your report within 14 days.

Yours sincerely

Robyn Hopcroft
Director of Investigations (Acting)

[illegible] ownership), to be or become a nuisance is guilty of an offence and is liable on summary conviction to a penalty not exceeding 4 penalty units.

HON DAVID LLEWELLYN

MINISTER *for*
PRIMARY INDUSTRIES,
WATER *and* ENVIRONMENT

Tasmania

01 JUN 2001

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

I refer to the issue you raised with me at the government forum at Scottsdale on the 29 April 2001.

I appreciate that a significant debt has been accrued in relation to the two greyhounds currently being boarded in your kennels. I sympathise with your predicament and I do recognise that this has placed you in a difficult position in terms of recovering this debt.

The Department of Primary Industries, Water and Environment (DPIWE) has advised me that no powers were invoked, or actions taken, under the *Animal Welfare Act 1993* in respect of these two dogs. This would appear to create difficulties for you in sustaining a claim against any authorities empowered under this Act.

I am aware that you have referred this matter to the Ombudsman whose views have been considered by DPIWE. It is now with the Ombudsman to respond further to the information provided by DPIWE. When an outcome has been finalised I will contact you again.

In the meantime I can confirm that my office has been in touch with the owner of the greyhounds in Victoria, Mr Joe Borg who has indicated that he is prepared to transfer the ownership of the dogs to you. I expect to hear further from him shortly and my office will then contact you to expedite this matter.

I trust this will be of some benefit to you in achieving a better outcome to this drawn out affair.

Yours sincerely

David Llewellyn MHA
MINISTER

SENATOR NICK SHERRY
Labor Senator for Tasmania

16 August 2001

Ref: NS/G Adams

Ms Gail Adams
PO Box 519
EXETER 7275

Dear Ms Adams,

I am writing in response to our recent conversation and correspondence on the outstanding fees owed on the boarding of two greyhounds by yourself.

My understanding and checking of the facts are that Mr Arthur Reid, was allowed to continue keeping 25 dogs but advised, not ordered by the RSPCA to return them to their owners.

In the case of the two dogs in your possession Mr Reid entered into a private agreement to board them with you. If he fails to pay you that is a private matter and nothing to do with the RSPCA or the State government.

One possible option is for you to seek direct payment from the owner of the two dogs other than payment through Mr Reid. I also understand there is a proposal to transfer ownership of the two dogs to yourself; this may cover the outstanding fees owed.

Thank you for your enquiry.

Kind regards,

Senator Nick Sherry

DEVONPORT OFFICE
23 Stewart Street (PO Box 858)
Devonport TAS 7310
Tel (03) 6424 8241
Fax (03) 6424 8555

CANBERRA OFFICE
Parliament House
Canberra ACT 2600
Tel (02) 6277 3128
Fax (02) 6277 3479

Maynard, Garry

From: Fiona Irwin[SMTP:Fiona.Irwin@dpac.tas.gov.au]
Sent: Wednesday, 5 September 2001 12:47
To: Maynard, Garry
Subject: Call to the Premier from Ms Gail Adams

Hi Garry

I understand that the Ombudsman is carrying out an investigation on behalf of Ms Adams who has raised concerns with respect to 2 greyhounds.

Ms Adams, who has also written to the Premier on this matter has phoned to request that we enquire on her behalf as to whether the investigation will be completed by 20 or 21 September 2001. Furthermore, Ms Adams asked me to convey that she is under severe financial pressure from her bank, and has been given a deadline of 26 September to settle her financial affairs.

She has asked that I give her a call to let her know what is happening. I informed her that it might be best if the Ombudsman's office gave her a call. However, she maintained that I find out and call her.

Accordingly, advice would be appreciated as likely time frame for conclusion of the investigation.

Kind regards

Fiona Irwin
A/Executive Officer
Office of the Premier
Phone: 6233 6068
Fax: 6234 1572
Email: Fiona.Irwin@dpac.tas.gov.au

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OMBUDSMAN

99 Bathurst Street, Hobart 7000

GPO Box 960 Hobart TAS 7001
Telephone: (03) 6233 6217
Toll Free 1800 001 170
Facsimile: (03) 6233 8966
Email: ombudsman@justice.tas.gov.au

In reply please quote: 0102030

7 September, 2001

1. GMSIP
2. GMFAF

Mr K Evans
Secretary
Primary Industries, Water & Environment
GPO Box 44A
HOBART TAS 7001

Dear Mr Evans

Complaint: Ms G Adams - PO Box 519, EXETER

I refer to the complaint of Ms Adams and enclose a draft report. Having considered the Service Agreement, the circumstances surrounding the prosecution and Ms Adams attempts with various agencies, including DPIWE, my preliminary view is that some aspects of her complaint are substantiated.

The status of the report is a preliminary inquiry under s.23(2) of the *Ombudsman Act* 1978 and is not a formal investigation. You are invited to make any further representations in relation to this matter within 14 days including any representations as to the recommendations made.

Yours sincerely

Department of Primary Industries, Water and Environment
Tasmania
Released under the *Freedom of Information Act 1991*

Robyn Hopcroft
Director of Investigations (Acting)

Do we want to further
[illegible] accept his
recommendations. Please

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03627818?5 P.02
03627818?5 007 DPIF ANIMAL INDUSTRIES

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Tasmania

OFFICE *of the* PREMIER

Ms G Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams

The Premier (Jim Bacon MHA) has asked me to thank you for forwarding to him a copy of your letter of 23 August 2001 to the Chairperson of the Anti-Discrimination Tribunal.

Yours sincerely

Fiona Irwin
A/EXECUTIVE OFFICER

7 September 2001

Level 11, Executive Building, 15 Murray Street, Hobart, Tasmania, 7000
Postal Address: GPO Box 123B, Hobart, Tasmania, 7001, Australia
Telephone: (03) 6233 3464 *Facsimile:* (03) 6234 1572
Email: Premier@dpac.tas.gov.au *Internet:* http://www.dpac.tas.gov.au

31-8-01

The Anti-Discrimination Tribunal,
The Chairperson,
C/- Magistrate Courts,
29 Liverpool St,
Hobart Tas, 7001.

Fax No: 62 332020.

Dear Chairperson,

1. I request the reasons for the road being closed "Due to road work" Not taking place, for months, at lot 6 Glenmore Estate, Glengarry, and those businesses being operated by the Chan family using the Existing Private-Right-O-Way road (Cattle track).

2. As many persons believed Elspedito Ent, was upon a steep hill, and animals booked in at my Boarding facilities, arrived at lot 6 (by genuine mistake), the Chan family boarded the dogs with knowledge they were not their clients, but mine.

Due to the Greyhound Matter still with the state Ombudsman's Office, Robyn Hopcroft, and the financial burden that has been placed upon myself, the facts are, I have been forced to:

(a) Place my Property and Business for sale with an agent.

(b) The disposal of, 3 at a time, of my valuable miniature horses has been arranged,

and the above, also due to the unresolved situations caused by the State Government's withholding essential legal information to my detriment.

I have received no response from yourself to the further details requested, from the writer, received by you on 8th May, 2001.

Yours Sincerely,
G.Adams,
G. Adams.
P.O. Box 519, Exeter,
Tas 7275.

I was forced to dispose of my double horse float and many personal effects. Australian Debt Insolvencies can verify above. G. Adams-Tilton.

Maynard, Garry

From: Fiona Irwin[SMTP:Fiona.Irwin@dpac.tas.gov.au]
Sent: Wednesday, 5 September 2001 12:47
To: Maynard, Garry
Subject: Call to the Premier from Ms Gail Adams

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Office of the Premier
Phone: 6233 6068
Fax: 6234 1572
Email: Fiona.Irwin@dpac.tas.gov.au

3. (f)

17th September 2001

Mr Arthur John Reid
127A Invermay Road
Launceston Tasmania 7248

Dear Mr Reid

The Tasmanian Greyhound Racing Council at their meeting on 7th August 2001, discussed many aspects in relation to your involvement with greyhound racing. It is their decision that you respond within 14 days in writing to me, as to the reasons why you should not be declared a "warned off person" under the Greyhound Racing Rules.

"Warned off person" means a decision by the Directorate or the Board, in this case the Tasmanian Greyhound Racing Council, to prohibit a person from entering a race course or registered trial track or from remaining on a race course or registered trial track. In making this request of you, the Council has taken into consideration.

1. The publicity surrounding the RSPCA raid on your property on Thursday 11th November 1999 which featured on the front page of the Launceston Examiner Newspaper on Friday 12th November,

2. The greyhound Bradlee when taken from your property and inspected by Dr G.R. Baxter, veterinary surgeon with North Hobart Veterinary Hospital, Mr Graeme Lewis and Mr Andrew Cook of the RSPCA of Tasmania was in such condition that the greyhound had to be euthanised by Dr Baxter. We have a copy of DR. Baxter's report.

3. The greyhound Stock Remover when you sold it was in such poor condition that it was required to be destroyed.

4. On Monday 15th November, 1999 a letter was sent to you dated 26th November 1999 asking you to show cause within 14 days why you should not be warned off. You responded by letter on 9th December 1999 saying you should not be warned off and requesting the opportunity to discuss your reasons more fully. You were to attend a Council meeting on 24th February 2000, however you failed to attend.

5. Approximately 3 months ago at a house in Lindsay Street Launceston you were found to have 4 greyhounds in your possession and were subsequently fined $500 by the Council. We have been advised that the owner of three of the greyhounds, Mr Warwick Tremain advised that he had sent the greyhounds on the understanding that you would train them or sell them if you could.

It would appear that you are continuing to train greyhounds after being told by Stewards that you are not permitted to do so. You do not have a licence and are consistently flouting City Council regulations regarding the number of dogs permitted.

If you wish to reply to this letter you have fourteen days in which to do so. The Tasmanian Greyhound Council will then convene a meeting for the purpose of affording you an opportunity to be heard.

Yours faithfully,

Suzanne Byron
Executive Officer.

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Incoming Phone Call Wednesday, 10 October 2001 3:45 PM *Duration:* 1 Minutes

3rd October 2001 on behalf of Mrs Adams seeking progress report. Advised.

Action Officer: Robyn Hopcroft

From: Robyn Hopcroft *To:* Ms Gail Adams

Outgoing Correspondence Wednesday, 10 October 2001 4:31 PM *Duration:* 1 Minutes

Reasons for making no recommendation for ex gratia payment and for conclusions reached based on the representations made by DPIWE. Full DPIWE letter with attachments sent.

Action Officer: Robyn Hopcroft

From: Robyn Hopcroft *To:* Mr Paul Wyld

Outgoing Correspondence Wednesday, 10 October 2001 4:32 PM *Duration:* 1 Minutes

RSPCA giving until 18th October to make s.23 representations.

Action Officer: Robyn Hopcroft

From: Ms Gail Adams *To:* Robyn Hopcroft

Incoming Correspondence Thursday, 18 October 2001 11:24 AM *Duration:* 2 Minutes

Dated the 15th of October. Disappointed with the outcome, the time taken for the investigation and the cost to her of providing FOI material to refute inaccurate DPIWE contentions. Analysis of findings. Indicates that to send matter to Mr Bailey (MLC).

Action Officer: Robyn Hopcroft

Stage Summary Thursday, 18 October 2001 11:27 AM *Duration:* 6 Minutes

That the RSPCA, the Launceston City Council and the DPIW&E failed in their respective statutory duties to take adequateaction to ensure the welfare of greyhounds in the kennels of Mr Reid. As a consequence Ms Adams was left with two greyhounds, boarded with her by Mr Reid, for a considerable period of time without payment and without adequate explanation as to the status of the animals.

Action Taken: Investigated and sought responses from the RSPCA, the Launceston City Council and the DPIW&E. Accepted that although the complaint was in part substantiated, that the retention of the two greyhounds was a decision of the complainants and not an action for which the state ought make and ex gratia payment.

Action Officer: Robyn Hopcroft

Closure Summary Thursday, 18 October 2001 11:33 AM *Duration:*

The complaint was substantiated in part in that there were statutory actions which ought to have been taken that were not taken. The RSPCA officers should have issued an instruction under s.14(1) of the Animal Welfare Act 1993 directing that the dogs in the control of the kennel owner be returned to their owners. An informal instruction was given. The Council should have proceeded with their action against the holder of the kennel permit for breach of a condition of a permit. Once the permit lapsed the Council officers with the dog control officers should have checked to establish whether the kennel was illegally operating without a permit and ascertained the number, registration status and welfare of dogs in the kennels. A better explanation of the prosecution process should have been given by the RSPCA, DPIWE and police to the complainant. However the Crown was not responsible for the costs of the two greyhounds boarded with the complainant and subsequently retained by her even though better information ought to have been given about the status of these animals and whether or not they formed part of the prosecution case.

Action Officer: Robyn Hopcroft

From: Robyn Hopcroft *To:* Ms Gail Adams

Scott Gadd :- See attached note.
No action required.

22/10.

- Anna agrees that 1. - T phone
Mick Middleton
2. wait for additional info from Anna -
then 3. Draw suitable reply with GY+MS

She does own a boarding kennel.
Is look 2 but area with Gail.
But is was de-registered.
He did pay some board
We got an offer to give her the
greyhounds.

Time would intend to suspend.

Howard. Welfare Act
Some powers
Other was time to get
rid of them. Cannot
Get them.

Minutes of Meeting of the

TASMANIAN GREYHOUND RACING COUNCIL

Held at the Norman Lindsay Room
Launceston Country Club Casino
Monday 05 November, 2001 – Meeting Commenced 11:15a.m.

(a) Mr. Arthur Reid

WK outlined all details surrounding the Arthur Reid case and protocol required in dealing with AR.

AR joined the meeting at 2.15pm. The Chairman welcomed AR and advised that WK would be assisting Council with the inquiry, but would not be part of the decision made by Council.

WK stepped AR through all circumstances dating back to the year 1999, leading up to the enquiry of November 5, 2001;

- illedged improper treatment and care of greyhounds,
- illedged leases in place without approval,
- illedged training of greyhounds without a Licence
- Exceeding Launceston Council kennel requirements on at least two occasions.

Council members asked AR several questions pertaining to the illedged charges and AR responded to all questions. At the conclusion AR and WK adjourned to await Council's decision.

Council deliberated on the issues raised and comments received. It was unanimously agreed by Council that Arthur Reid had acted improperly and negligently in the training and care of greyhounds (in his care), and as a result, should be warned off all Australian Racecourses for a period of 10 years from midnight 5th November, 2001 until midnight 4th November, 2011 - under Rule 202 AA.

WK and AR were recalled to the meeting to hear Council's decision.

The Chairman advised AR that acting under Rule 202 AA, the decision of Council, was made to warn him off personally for a period of 10 years effective midnight 5th November, 2001. The decision by Council was being made due to his improper activities in relation to Greyhound Racing; in that he acted improperly in the care of greyhounds intrusted to him, was negligent in the welfare of the greyhound named 'Bradley', that he twice breached Launceston City Council's Kennel Regulations, that the arrangements he entered into with mainland trainers regarding verbal leases and the unsatisfactory and improper arrangements made with Gail Adams regarding greyhounds. That he had not been in contact with GA for over six months and had no idea of the location or welfare of the dogs intrusted to his care. The Chairman advised AR that he had the right of appeal within 14 days from 5th November to be lodged with a $200 bond, with the Tasmanian Racing Appeals Tribunal.

Mr. Reid advised Council, prior to leaving the meeting, that he would appeal the decision.

The discussion continued regarding AR after his departure. WK advised Council that all documentation and back up material would be required for an appeal to provide support for Council's decision. It was determined that the Press Release from Council would be prepared by WK and released from Racing Services.

Tasmania

DEPARTMENT of INFRASTRUCTURE, ENERGY and RESOURCES

RACING SERVICES TASMANIA

8(a)

Press Release

For immediate release
Date of issue 6 November 2001

TRAINER WARNED OFF

The Tasmanian Greyhound Racing Council met Launceston Trainer Mr Arthur John Reid on Monday 5th November 2001 to inquire into a number of matters, which included:

1. The circumstances surrounding the RSPCA's inspection of his Boland Street residence in November 1999 and the removal of a number of greyhounds from that property.
2. Breaches of the Launceston City Council kennel regulations on at least two occasions.
3. Leasing, training, selling and agisting of several mainland owned greyhounds.
4. The euthanasing of the greyhounds Bradlee and Stock Remover.

At the conclusion of this meeting the Greyhound Racing Council believed that Arthur Reid had acted improperly and negligently and as a result have warned him off all racecourses for ten (10) years from midnight 5th November 2001 until midnight 4th November 2011.

- ends -

For further information
Contact:
Wayne Kirby
(03) 6336 2815

DEPARTMENT OF PREMIER
AND CABINET

MINUTE TO THE PREMIER

CRITICAL DATE:

File No: 1419/102509;1144(1419)/102966
1419(1144)/103031, 1419/102565
Minute No: 4051

Ref: Adams-greyhounds-MIN.doc

SUBJECT: MRS GAIL ADAMS AND GREYHOUNDS

PREMIER'S DECISION/NOTATION:

Approved 15.11.'01

RECOMMENDATION:

That you sign the attached letter to Ms Adams.

RELEASED UNDER FREEDOM OF INFORMATION ACT 1991

BACKGROUND:

- Ms Adams has written numerous letters to yourself, the Minister for Primary Industries, Water and Environment as well as other government bodies concerning problems with greyhounds.
- In November 1999 the RSPCA undertook an investigation of a Mr Reid's boarding kennels in the North of the State. It was found that eight greyhounds were living in squalid conditions and were removed from his property and humanely put down.
- A number of other dogs were left with Mr Reid as they were deemed to be in a satisfactory condition.
- In December 1999 Mr Reid entered into a private commercial agreement with Mrs Adams to board two of the greyhounds at her boarding kennels, even though he was not the registered owner of the dogs.

15 NOV 2001 - letter signed

- Ms Adams lodged an official complaint with the Ombudsman's Office. Her basic complaint was that the RSPCA, the Launceston City Council and the Department of Primary Industries, Water and Environment failed in their duties to take adequate action to ensure the welfare of the greyhounds in Mr Reid's kennels.

- As a consequence Ms Adams believes that she was left with two greyhounds, which had been boarded with her by Mr Reid, for a considerable period of time without payment and without adequate explanation of the status of the animals.

- Mrs Adams has written to the Government requesting that it pay the boarding fees and other expenses she has incurred as a result of boarding of two of the greyhounds at her kennel. Her latest invoice was for $21 380.70.

- Mr Reid has apparently admitted to the greyhound owner's lawyer that he has responsibility for paying the boarding kennel fees but is experiencing financial problems.

- The Ombudsman's Office has determined that the Government is not responsible for the costs of the two greyhounds boarded with Ms Adams. Furthermore, the Acting Ombudsman has advised that she has perused Ms Adams' file and cannot see that there was any deficient administration in the greyhound case. (The Officer who investigated the case is away on sick leave and so it was not possible to further discuss the case.)

- Ms Adams wants the ownership of the greyhounds transferred to her so that she can take full responsibility for them. The Minister for Primary Industries, Water and Environment's Office has been liaising with the owner and has advised that the registration papers will be transferred to Ms Adams shortly.

Sally Shepherd
MANAGER
COMMUNICATIONS UNIT

8 November 2001

From Fi[illegible]el via DJIR requesting appropriate action on correspondence from Mrs Adams.

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Action Officer: Robyn Hopcroft

From: Robyn Hopcroft *To:* Ms Gail Adams

Outgoing Correspondence Thursday, 22 November 2001 12:58 PM *Duration:* 1 Minutes

Decline signed Ombudsman. Copies of letter to DJIR and Premier with copy of my letter to Ms Adams dated 20th November.

Action Officer: Robyn Hopcroft

From: Ms Gail Adams *To:* Jan O'Grady

Incoming Correspondence Monday, 26 November 2001 3:17 PM *Duration:* 1 Minutes

Referring to her complaint of 7 November 2001 against "unsatisfactory investigations over an unacceptable period of time".

Action Officer: Karen Adams

From: Jan O'Grady *To:* Ms Gail Adams

Outgoing Correspondence Wednesday, 28 November 2001 3:19 PM *Duration:* 1 Minutes

Confirming that the matter would not be pursued and the file would remain closed.

Action Officer: Karen Adams

From: Robyn Hopcroft *To:* Ms Gail Adams

Outgoing Correspondence Wednesday, 3 April 2002 10:27 AM *Duration:*

FOI

Action Officer: Robyn Hopcroft

Total Duration: 1 Days, 23 Hours, 17 Minutes

Closure information:

Recommendation:	
Reason for Closure	Partly Substantiated
	Not Rectified
OutCome One:	Explanation Given
OutCome Two:	
OutCome Three:	

(4) 6

The Hon. Dr Peter Patmore M.H.A.

M001531

TASMANIA

Attorney-General
Minister for Justice and
Industrial Relations

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

I acknowledge receipt of your letter of 6 December 2001. As I understand it you are complaining about the Ombudsman in relation to two matters:

1. "..the noticeable lack of consideration that has been given to the facts of the matter about which (you) complained"; and
2. the Ombudsman has refused to investigate your complaint that "false and/or misleading" information had been given to the Ombudsman's Office by DPIWE and by RSPCA Tas (inc)

In respect of the first matter I am satisfied that a full and thorough investigation of your complaint has been undertaken; that all the relevant facts have been considered and that in a letter dated 10 October 2001 you were given reasons for the decision not to recommend that you receive an *ex gratia* payment for the board and keep of the two greyhounds.

In respect of the second matter, on 20 November 2001 the Acting Director of Investigations wrote to you providing you with a detailed explanation as to why the Ombudsman's Office would not pursue your further complaint that false and/or misleading information had been provided to an officer of the Ombudsman's Office. The main reason given was that it dealt with "..evidentiary issues and matters which (had) already been the subject of the complaint investigated". You were advised at that stage that your complaint file had been closed and two

Postal Address: GPO Box 825H, Hobart 7001
Office Address: Public Buildings, 53 St John Street, Launceston 7250
Telephone: (03) 6336 2250 *Facsimile:* (03) 6331 1718 *E-mail:* minister@justice.tas.gov.au

A 343

further letters from the Ombudsman's Office dated 22 and 28 November confirmed this decision.

I note your requirement that I conduct :..an inquiry into the inability of the Ombudsman's Office to function appropriately under the Ombudsman's Act..". As I have already indicated I believe that the Ombudsman's Office has acted appropriately and I do not intend to take the matter further. If you wish to pursue the matter of compensation I suggest that legal action may be the only avenue of redress available to you.

Yours sincerely

Peter Patmore
Attorney-General
Minister for Justice and Industrial Relations

1140

067

Tasmania

MINISTER *for*
PRIMARY INDUSTRIES,
WATER *and* ENVIRONMENT

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

06 NOV 2001

Dear Mrs Adams

I refer to your letter of 18 October 2001, concerning the registration papers for the two greyhounds in your care.

The registration papers were forwarded to you by Joe Borg, the owner of the greyhounds, at the request of my office. You will note that Mr Borg has already signed the transfer of ownership section.

All that is required is for you to add your name and signature and return the completed forms to Greyhound Racing, Victoria, and you will be the lawful, registered owners of the two greyhounds.

The reference to *'purchaser'* is only the terminology used and does not mean that any payment is required.

I trust that this clarifies the position and wish you well for the future with your two greyhounds.

Yours sincerely

Tasmania

DEPARTMENT *of* JUSTICE
and INDUSTRIAL RELATIONS

OFFICE OF THE SECRETARY

PH

6 December, 2001

Ms Gail Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams

I note your correspondence and attachments dated 28 November, 2001 which were addressed to the Secretary of the Department of Justice and Industrial Relations (DJIR). Mr Bingham has asked me to reply on his behalf.

As these matters have been referred to the appropriate agencies and authorities including the Ombudsman and the Department of Primary Industries, Water and Environment I do not feel that there is any action that can, or should, be taken by the DJIR.

Yours sincerely

Peter Hoult
DEPUTY SECRETARY

Level 6, Executive Building, 15 Murray St, Hobart 7000 GPO Box 825, Hobart, Tas, 7001
Telephone: (03) 6233 2366 *Facsimile:* (03) 6233 2332 E-*mail:* peter.hoult@justice.tas.gov.au

Tasmania

DEPARTMENT *of*
PRIMARY INDUSTRIES,
WATER *and* ENVIRONMENT

Inquires: Fionna Bourne
Phone: (03) 6233 6848
Fax: (03) 6234 1040
Email: Fionna.Bourne@dpiwe.tas.gov.au
Our Ref: 07-57-37
Your Ref:

12 December 2001

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

I refer to our telephone conversation of 11 December 2001 and your letter of 12 December 2001 confirming that the information you were seeking under the *Freedom of Information Act 1991*, by your letter of 20 November 2001, was where did Mr O. Hedberg receive the information that an "informal instruction" was given to Mr A Reid on 11 November 1999, in his report to the Office of the Ombudsman.

The *Freedom of Information Act 1991* (the Act) provides that pursuant to section 7, individuals have a legally enforceable right to be provided, in accordance with the Act, information contained in records in the possession of an agency or a Minister unless the information is exempt information. A record is defined in section 5 of the Act as follows:

(a) anything on which words, figures, letters or symbols are marked and includes a map, plan, graph, drawing, painting or photograph; and

(b) anything in which information is embodied so as to be capable of being reproduced.

As your request is for where did Mr O. Hedberg receive the information that an "informal instruction" was given to Mr A Reid on 11 November 1999, and not for the information itself, I have decided that your request falls outside the provisions of the Act. As such I will address your question outside the provisions of the Act.

In the letter to the Ombudsman dated 19 September 2001, Mr O. Hedberg on behalf of Mr Kim Evans, Secretary of the Department, was referring to information contained in the Statement of Crown Facts provided by the Office of the Director of Public

Prosecution, and used in the hearing of the complaint against Mr A Reid in the Launceston Magistrates Court on 5 December 2000. In writing to the Ombudsman, the information in the Statement of Crown Facts, was paraphrased, and referred to as an informal instruction.

I hope this clarifies the situation for you.

Yours sincerely

Fionna Bourne
Policy Analyst

JC000069

(15) 47

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Bingham, Richard

From: Bingham, Richard
Sent: Monday, 21 January 2002 9:23 AM
To: Adams, Karen
Subject: RE: Mrs Gail Adams

Thanks Jan. I continue to receive representations from her, so I'll reinforce the fact that your Office's involvement is at an end.

-----Original Message-----
From: Adams, Karen
Sent: Friday, 18 January 2002 5:10 PM
To: Bingham, Richard
Subject: Mrs Gail Adams

Dear Richard,
With referenence to your memo of 18 January 2002 which has been forwarded to me for appropriate action, I do not intend to take any action. Mrs Adams has been advised that her file is closed and has been given ample explanation.
Jan O'Grady.

5.202

Tasmania

MINISTER *for*
PRIMARY INDUSTRIES,
WATER *and* ENVIRONMENT

4 - FEB 2002

Hon Denise Swan MHA
Member for Lyons
4th Floor, Henty House
One Civic Square
LAUNCESTON TAS 7250

Dear Mrs Swan

I refer to your letter of the 17th December 2001 in which you advise you have been contacted by Mrs Gail Adams regarding the issue of two greyhounds.

I advise that I have met with Mrs Adams on a number of occasions and staff of my office has spent countless hours trying to assist Mrs Adams. Firstly you need to be aware that the arrangement entered into between Mrs Adams and Mr Reid was a private matter.

Mrs Adams has been so advised by my office, the Ombudsman, the Premier and by the Solicitors representing the owner of the greyhounds. Clearly the Government has no liability in relation to the costs incurred for the boarding of the two dogs.

My office did assist Mrs Adams by contacting the owner of the greyhounds and seeking the transfer of the ownership to her. The owner, in my view, made a generous decision and agreed to that request at no cost to Mrs Adams.

Mrs Adams initially indicated to my office that she was delighted with this outcome, but now appears to be putting obstacles in the way of the transfer of the ownership.

All that is required for Mrs Adams to gain legal ownership of the greyhounds is for her to simply sign the registration papers and forward them to the Victorian greyhound authorities.

Mrs Adams has been given the above information on numerous occasions, the last time being just last week.

First Floor Franklin Square Offices, Hobart 7000
Telephone: (03) 6233 6454 *Facsimile:* (03) 6233 2272 *Internet:* http://www.dpiwe.tas.gov.au

Printed on recycled paper

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I trust the above information outlines the steps that my office has taken to try and assist Mrs Adams.

Yours sincerely

David Llewellyn MHA
Minister

Tasmania

DEPARTMENT *of*
PRIMARY INDUSTRIES,
WATER *and* ENVIRONMENT

Inquires: Fionna Bourne
Phone: (03) 6233 6848
Fax: (03) 6234 1040
Email: Fionna.Bourne@dpiwe.tas.g
Our Ref: 07-57-37
Your Ref:

6 February 2002

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

I refer to your letter of 27 December 2001 seeking information under the *Freedom of Information Act 1991*, and apologise for the delay in response. The information you are seeking is the source of the information that was contained in a letter from Mr G Appleyard to Ms Robyn Hopcroft of the Ombudsman's Office dated 22 May 2001 that, "this advice was volunteered by RSPCA Inspectors – it was not given in the form of a legal instruction under s14(1) of the *Animal Welfare Act 1993*".

The *Freedom of Information Act 1991* (the Act) provides that pursuant to section 7, individuals have a legally enforceable right to be provided, in accordance with the Act, information contained in records in the possession of an agency or a Minister unless the information is exempt information. A record is defined in section 5 of the Act as follows:

(a) - anything on which words, figures, letters or symbols are marked and includes a map, plan, graph, drawing, painting or photograph; and

(b) anything in which information is embodied so as to be capable of being reproduced.

As your request is for the source of the information contained in the letter from Mr G Appleyard to Ms Robyn Hopcroft of the Ombudsman's Office dated 22 May 2001, and not for the information itself, I have decided that your request falls outside the provisions of the Act. As such I will address your question outside the provisions of the Act.

The information that Mr Reid was advised to return the remaining 25 dogs to their owners, and that "this advice was volunteered by RSPCA Inspectors – it was not

given in the form of a legal instruction under s14(1) of the *Animal Welfare Act 1993*" was obtained by the Department during a telephone conversation with the RSPCA Inspectorate.

Yours sincerely

Fionna Bourne
Policy Analyst

DEPARTMENT *of*
PRIMARY INDUSTRIES,
WATER *and* ENVIRONMENT

Tasmania

PUBLIC HEALTH & ANIMAL WELFARE
13 St Johns Avenue
New Town
TASMANIA 7008

Phone: 0362 33 6875
Fax: 0362 78 1875
E-mail: Mick.Middleton@dpiwe.tas.gov.au

27 March 2002

Mark Johnson
Freedom of Information Officer
HOBART

c.c Rod Gobbey, Director Agriculture.

Department of Primary Industries, Water and Environment
Tasmania
Released under the *Freedom of Information Act 1991*

FOI 321- Mrs Gail Adams

Mrs Adams has requested the name of the person who "informed the Minister" that no powers were invoked, and no actions were taken, under the *Animal Welfare Act 1993* in respect of the two greyhounds then boarding in her kennels, as outlined in the Minister's letter to her dated 1 June 2001. Mrs Adams has also requested copies of letters, correspondence and notes of telephone conversations in relation to the above.

The specific information referred to was provided by the Department to the Minister in a briefing note, (MC1284 of 2001).

There is no document on file identifying the Departmental officer who provided the specific information referred to. The briefing note does not contain any statement or record advising authorship. The cover sheet is signed by the General Manager, acknowledging Divisional responsibility for the advice, in accordance with standard Departmental protocols. The cover sheet has an 'inquiries' and a 'contact' line with officer's names following, and the briefing note gives a name as Contact Officer, but these do not necessarily indicate or imply authorship.

The only document on file which may meet Mrs Adams' requirement for relevant "letters, notes of telephone conversations and correspondence" is a copy of the abovementioned Briefing Note, which is enclosed, together with a copy of the draft prepared within the then Food Quality and Safety Branch as a working document. There are no other documents on file which either provide the above advice to the Minister or identify a particular person as being the source or author of that advice.

There have been several recent attempts made under FOI to obtain the name of the Officer providing original advice upon which the Minister has acted. I believe that it is totally inappropriate, not in the public interest and unfair to the Officer concerned to release this information in any shape or form. Individual Officers do not provide the Minister with personal advice - The Department provides the Minister with Departmental advice.

Correspondence and advice, in the form of draft working documents, is prepared for the Minister by an Officer in one of the Departmental Branches. The advice which ultimately reaches the Minister has been cleared at the Branch Manager and General Manager (and sometimes Secretary) levels, and may be altered at any of these levels. The original author has no responsibility for decisions made by those above. The responsibility for the accuracy of the information and the wisdom and probity of the advice rests with the Department – ultimately with the Secretary – not with the author of a draft working document.

The Minister, on signing, takes responsibility for, and therefore should be regarded as the author of, correspondence arising from Departmental advice. Releasing the name of the person who drafted the correspondence would set a dangerous precedent in that it would create a "power behind the throne" situation, trivialising the Office of the Minister.

Under the standard Ministerial procedure, the name of a Departmental contact for inquiries from the Minister's Office is provided (as it in the case of MC 1284). This name is not provided for inquiries from the Minister's constituents.

I would argue that information containing the name of the originating Departmental Officer, if it is deemed to exist in a form meeting the general requirements for release under FOI, be exempted under section 27 (1) of the FOI Act, in that releasing the names of those drafting this advice (internal working documents) is not in the public interest, for reasons given above. I believe this should be the standard Departmental response to similar FOI requests.

Could you please advise me of your decision in regard to this FOI request and provide me with a copy of the information released.

Department of Primary Industries, Water and Environment
Tasmania
Released under the *Freedom of Information Act 1991*

Mick Middleton
Leader
Public Health & Animal Welfare

OMBUDSMAN
99 Bathurst Street, Hobart 7000
GPO Box 960 Hobart TAS 7001
Telephone: (03) 6233 6217
Toll Free 1800 001 170
Facsimile: (03) 6233 8966
Email: ombudsman@justice.tas.gov.au

In reply please quote: 700-0102030

4 April, 2002

Ms Gail Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams

Complaint: Primary Industries, Water & Environment

I refer to your request to the Ombudsman for access to documents under the *Freedom of Information Act* 1991 and apologise for the delay in providing these documents. Your file was misplaced during various changes that occurred while I was on Long Service Leave.

Your letter of the 22nd of March concerns the statement by the DPIWE in their letter of the 21st of September 2001 regarding the "informal" instruction issued by the RSPCA. (See paragraph 2 page 3). This information was communicated to you on the 10th of October 2001. There was an earlier letter from Mr Evans dated the 22nd of May 2001 that has already been released to you under F.O.I.

After writing to you on the 10th of October 2001, I received a response from the RSPCA dated the 16th of October 2001. While this letter is not strictly part of your F.O.I. request as it came after I had sent you a copy of the Department's letter, it is relevant to the issue that is the subject of your inquiry.

The letter of the 16th of October 2001 indicates that the RSPCA consider that an instruction under s.14(1) of the *Animal Welfare Act* 1993 can be verbal and need not be in writing. Having considered this response it would appear that from the RSPCA perspective the instruction to Mr Reid was a formal instruction. I accept that. An instruction in writing has a degree of formality and in the circumstances I believe that it should have been in writing however this does not alter the substance of my report.

Yours sincerely

Robyn Hopcroft
Director of Investigations/ Acting

ELSPEDITO ENTERPRISES

PO BOX 519
EXETER Tas 7275
Phone/fax 6396 1145

APRIL
22 ~~March~~ 2002

Mrs Jan O'Grady,
Ombudsman
GPO Box 960,
HOBART Tas 7000

Dear Ombudsman,

re **Freedom of Information Request: Ms R Hopcroft**

Further to my 27 December 2001 request for all records *(not limited to correspondence)* which relate to Ms. Hopcroft's 24/10/01 record 923 stating:

1) **"An informal instruction" was given on 11/11/99 to Mr A Reid, and**

2) **There had not been an "instruction" (issued) under S.14(1) of the *Animal Welfare Act* 1993.**

On 5 February 2002 you acknowledged my request and, on 7 February 2002 you advised that *"Ms Hopcroft will contact you re your matters when she returns from leave late in February"*.

That has not happened.

The gravity of this matter needs no further explanation. You are well informed on the urgency for a resolution to this matter. The two greyhounds are ***still*** in my care and I am continuing to be forced to fund the boarding costs. My costs are now in excess of $25,000.

Could you please inform me by **return fax,** a date by which I can expect to receive the required documents.

Yours sincerely,

G. Adams.

GAIL ADAMS (Mrs)

House of Assembly
Parliament House
Hobart Tas. 7000

Phone: (03) 6233 2634
Fax: (03) 6233 2823
Website: www.taslib.net
Email: bob.cheek@parliament.tas.gov.au

The Hon Bob Cheek MHA
Tasmanian Liberal Leader
Member for Denison

- 6 MAY 2002

Ms Gail Adams
PO Box 519
Exeter Tas. 7275

Dear Ms Adams

Thank you for your letter of 28 March regarding the two greyhounds in your care.

I have telephoned both the Office of the Minister for Primary Industries and the State Ombudsman on this matter in an endeavour to assist you.

The Ombudsman's office has informed me that as far as that office is concerned, your complaints have been fully investigated and the case is now closed. You have the opportunity for redress by taking civil action.

The Minister's office informs me that, on your behalf, they contacted the owner of the greyhounds in Victoria and obtained agreement to transfer the ownership of the dogs to you. I am advised that you were initially happy with this outcome, but have since changed your mind.

I don't believe Tasmanian taxpayers should foot the bill for the care of these dogs; I believe it is up to you to pursue a satisfactory outcome in the courts.

Thank you again for writing.

Yours sincerely

Bob Cheek, MHA
Leader of the Opposition

Tasmanian Collection Service
COLLECTION AND CREDIT REFERENCE SERVICES

Saveloss Nominees Pty Ltd ACN 009 521 706
29 Argyle Street, Hobart 7000
GPO Box 814H, Hobart 7001
Ph: (03) 6223 5599 Fax: (03) 6234 2988

ADAMS: GAIL LESLEY
"ELSPEDITO"
858 Frankford Rd
GLENGARRY TAS 7275

Please quote our Reference : ADAMGL 02 13/05/02

Due to ISLAND STATE CREDIT UNION

Due $ 0.00

S4

Dear Madam,

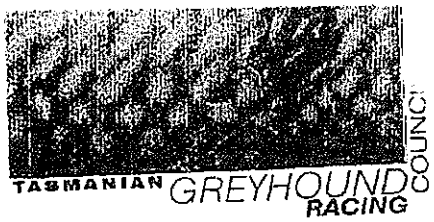
We refer to the above matter which has now been settled.

Please find enclosed a copy of the withdrawl of caveat.

Should you have any queries please contact this office direct.

Yours faithfully,

Kimbra Menzie
Account Manager



3rd July, 2002

Mrs G Adams
P O Box 519
Exeter Tas 7275

Dear Mrs Adams,

I refer to your letters dated 24th March, 2002, 4th June, 2002 and 28th June, 2002 regarding a Freedom Of Information request regarding two greyhounds of Mr Arthur Reid and a Tasmanian Greyhound Racing Council complaint to the Launceston City Council.

We have been advised by the Solicitor General that the Tasmanian Greyhound Racing Council is not subject to the Freedom Of Information Act 1991 and the Council advises that no information on the matters sought will be provided.

Yours faithfully

Peter J Wesley
Office Manager

PO Box 1852
53 St John Street
~~PO Box 1852~~
Launceston
Tasmania 7250

Phone - (03) 6336 2464 Fax (03) 6336 2484

~~Phone (03) 6336 2464 Fax (03) 6336 2484~~

Fax: General Enquiries (03) 6336 2566 Executive & Finance (03) 6336 2484

TASMANIA

MAGISTRATES COURT (CIVIL DIVISION)

FORM 27

AFFIDAVIT - GENERAL FORM

MAGISTRATES COURT ACTION No.L40853/02
Address: 73 Charles Street, Launceston
Phone No: 63362611 Fax No: 63311538

CLAIMANT : ELSPEDITO ENTERPRISES - GAIL LESLEY ADAMS

DEFENDANTS : PREMIER OF THE STATE OF TASMANIA
PREMIER AND CABINET
MINISTER LLEWELLYN

I, Sarah Kate Perring, Legal Officer, of 15 Murray Street in Hobart

make oath and say :

1. I am an officer of the Office of the Director of Public Prosecutions and have carriage of this matter on behalf of the Defendants in this action.

2. This is an affidavit in support of the attached application.

3. The Defendants apply for the orders sought on the basis that:

   a) the claim is unintelligible and as such is frivolous, vexatious, oppressive or otherwise an abuse of the process of the Court;

   b) the claim contains allegations of serious misconduct without presenting an intelligible claim making it impossible to determine whether the allegations are essential to any matter that might be in issue, and as such is scandalous;

   c) it is impossible to determine what the issues are;

   d) is impossible to determine what the relevant facts might be.

I know the facts herein and declare them to be true and correct.

DATED this 11th day of September 2002.

DMC

Filed by or on behalf of the Defendants whose address for the service of documents is:
Level 8, 15 Murray Street, HOBART 7000.
Phone: 6233 6649
Fax: 6234 2892
DX: 15

229

SIGNED:

SWORN before me
at Hobart this 11th day of Sept 2002.

D R Rodoe 2338
.....
JUSTICE OF THE PEACE
(Each page is to be dated and signed by the person making the Affidavit and the witness)

TASMANIA

MAGISTRATES COURT (CIVIL DIVISION)

FORM 4

DEFENCE

MAGISTRATES COURT
Address: 73 Charles Street, Launceston
Phone No: 63362611 Fax No: 63311538

ACTION No. L40853/02

CLAIMANT ELSPEDITO ENTERPRISES - GAIL LESLEY ADAMS

DEFENDANTS PREMIER OF THE STATE OF TASMANIA
PREMIER AND CABINET
MINISTER LLEWELLYN
C/O 15 Murray Street, HOBART

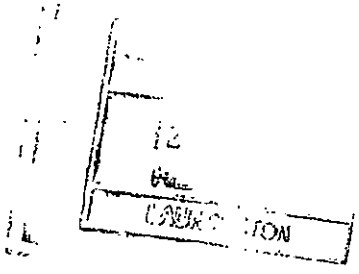
SOLICITORS FOR DEFENDANT OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS
Address 15 Murray Street, HOBART
Phone No. 62336649 Fax No. 62342892 DX No. 15

PARTICULARS OF DEFENCE - State any part of the claimant's claim which is admitted or denied and briefly state any defence. If you admit the claim in full, say so.

In so far as the particulars of claim allege material facts the particulars of claim are denied.

The Defendant [or his or her solicitor] must sign and date each page.

SIGNED: ..... DATE: 11th September 2002



Filed by or on behalf of the Defendants whose address for the service of documents is:
The Office of the Director of Public Prosecutions, 15 Murray Street, Hobart.
Phone: 6233 6649
Fax: 6234 2892
DX: 15
Contact: Sarah Perring 15727

TASMANIA

MAGISTRATES COURT (CIVIL DIVISION)

FORM 1
(COURT COPY)

CLAIM **(Liquidated Claim)**

MAGISTRATES COURT **ACTION No.**.....

At:.....
Address:.....
Telephone:.....Fax:.....

CLAIMANT(S): ELSPEDITO ENTERPRISES - GAIL, LESLEY ADAMS
(full names and addresses) ① 858 FRANKFORD HWY. GLENGARRY. OR P.O. BOX 519, EXETER. TAS, 7275,

DEFENDANT(S): PREMIER of STATE of TASMANIA, LEVEL 11,
(LOCAL GOVERNMENT) *(full names and addresses)* EXECUTIVE BUILDING,
15 MURRAY ST, HOBART, TAS.

TYPE OF CLAIM (tick): ② PREMIER & CABINET. (DOG CONTROL ACT) 7000.
③ MINISTER LLEWELLYN, - CABINET MEMBER)

Debt☐ Building Dispute☐ Contract☐ Motor Vehicle Property ☐
Tenancy☐ Personal Injury☐
Other☐ (Specify).....

PARTICULARS OF CLAIM: (Briefly state the date, place and circumstances from which the claim arose)

① ATTACHED SHEET 2 PAGES.

③ TWO DOGS AND GAIL ADAMS VICTIMS of CRIME.
④ Unproffessional behaviour upon a citizen following instructions.
⑤ The Chief Magistrate lied to in case D.P.P 506/93/00 the two dogs part of.

$20,000-00 Amount of claim
$.....Court fee on filing
$.....Service and other fee
$.....Solicitors costs
$.....**TOTAL AMOUNT CLAIMED**

Dated:.....Signed.....(Claimant or Agent)

Filed by or on behalf of .....whose address for the service of documents is:.....
Phone:
Fax:
DX:
Contact:

Brief Statement on the two dogs in-care in respect to their Boarding fees and expenses to Elspedito Enterprises registered Business name in the State of Tasmania since 1994.

Attached with listed documentation to the Magistrate of the Court in Launceston and a copy of same to the Department of Public Prosecution of the State of Tasmania.

(a) The chronology of the Greyhound matter, 41 (Forty-one) pages.

(b) The Prosecution File of case No 506/93/00 of Dept. of Public Prosecution, missing vetinary report of Hobart, no one can find. (forty) 40 pages.

(c) Letters from Authorities, F.O.I. documents from Launceston City Council out of two A four files on Greyhound matter. 87 (eighty-seven) pages.

(d) The written decision of the magistrate in case No: 354/1992 of the cat case, letter to the Solicitor's Law firm and reply. 7 (seven) pages.

(e) Respone to the D.P.P.'s application and affidavit for the defence dated 11/9/02, faxed to myself upon my request

Brief Statement.

) The case in parallel to the two dogs in-care who are evidence and part of the 40 plus dogs in cruelty case D.P.P. 506/93/00, is the Cat Case No 354/1992 in the Small Claims Court upon Expedito Cattery, irrespective of suspicious circumstances of events and witnesses from the claimant, the Magistrate very clearly outlined in his written decision the cat was not in her cage and could not be handed back to the owner, even though the cat was being fed, could be seen under my home and refused to come out even to the owner. The Magistrate's decision was to me as an operator of a business of boarding animals, the burden upon myself, that I took appropriate care, Duty of Care to keep safe and secure animals boarding, and can be equally framed in Tort or breach of Contract if I did not, decision 19/2/1993. Payment was ordered by the Magistrate and I paid the claimant. My engaged solicitor had not advised myself to the statues of Law. Copy of letters attached.

Launceston City Council received a complaint from Chief Steward Kirby January, 1999 to operations of kennels, dogs, conditions by Mr A. Reid, 3 Bolland St, Launceston who did not possess by law a Kennel Licence nor permission, upon F.O.I. 232 documents from

the titleowner the St. Johns Anglican Church. There was a notice served on Mr A. Reid with no evidence produced to follow up inspections with Council issuing a kennel licence June, 1999 for 12 dogs, and the list of conditions on the notice in February 1999 ignored by Mr A. Reid resulting in a raid on 11th November, 1999 from a member of the Tasmanian Racing Council or Industry to conditions and dogs at 3 Balland St, Launceston, one dog so bad having to be destroyed. Front page of the Examiner newspaper 12/11/99 "Sickening," with Mr A. Reids name and address omitted. The two dogs in-care arrived to Mr A. Reid June, 1999 from Mr G. Borg in Victoria a member of 20 years bout, of the Greyhound industry in Victoria. No lease arrangements for the two dogs registered with the Greyhound Racing in other State. The two dogs in-care turned years old in April 2002, never raced or trained.

) No F.O.I's have been granted to myself from Tasmanian Greyhound Racing Council even on appeal, as upto June, 1999 Mr A. Reid was registered. The Chief Steward Kirby rang myself to ensure the two dogs were still with myself late 2001 as they were evidence to have Mr A. Reid banned from the Racing Track for 10 years. This on T.V. and

v

) My four page statement with witnesses with a meeting at Launceston Police Headquarters with Det. N. McLarty, Saturday 1:00p.m 2/6/00 following on aggreement with the instructions of the Police Commissioner Mr McCreadie. I had prior in April, 00 presented documentation to Launceston Police Headquarters to Fraud and complaint and same to Melbourne Fraud squad.

) As a citizen who alerted Authorities from 21/2/00 to two dogs in-care and conditions and dogs at 3 Bolland St, Launceston, no one informed myself of the events from January 1999 nor the raid at the property 11/11/99 and only due to the pressure and regular contact with the then Police Minister's advisor Mr G. Jones was Mr A. Reid charged on the last day, by law, 11/5/2000, with duplicated charges, stating a "number of greyhounds", no charges on dead dogs,

) The R.S.P.C.A. Inspectorate appointed by the Minister under Service Contract to the Crown, D.P.I.W.E. acting as agent for the Crown, their statement to D.P.P. altered by the D.P.P. from two instructions given to Mr. A. Reid to being advised

to the Judiciary, who was also informed all the dogs were returned to their owners which had not, this on 5/12/00, 6/12/00. A lot of dogs were not off the property till end September 2000, many destroyed.

4) No matter what Authority I put forth my complaints to, who had from January 1999 the Powers of Law, whether that be the Attorney-General and Racing Minister R. Hull and the letters 6/9/02, 12/9/02 from Attorney-General J. Jackson, to the following of instructions, my small Business and myself were locked in a situation by Law by Authorities who placed their responsibities and Duty of Care upon us, and as the Dept of Public Prosecution File documents show more concern for Mr A. Reid and his nephew. No one, even when offered to view or advise myself to the two dogs, Police requesting photo's and a video which was done and delivered to Det. N. McLarty in Launceston, but as my four page statement not handed up to the Magistrate as the Minister stated would be.

) Sessions with Victim of Crimes Officer at Community centre in Launceston, 2 personally,

(L) In October 2001 the Police Minister's adviser Mr G. Jones, as all the dogs were removed from 3 Balland St, Launceston, as prior was Mr A. Reid, Mr G. Jones instructed myself to present my invoice to D.P.I.W.E. for only the two dogs and their expenses as that Department had to pay their costs. He also informed myself my expenses would have to wait till the case was over, Detective N. McLarty stated same in respect to myself and that Mr. A. Reid would be lucky to own a dog.

(M) Updated invoices were sent over time to the Minister as I received no payment from D.P.I.W.E, as to the Premier.

(N) The Premier was complained to of this disgraceful situation upon myself and the two dogs and in September 2001 notified to the forced position financially, I had been placed in, and my small Business.

(O)

12 MAY 2003

The Hon. **Joe Hockey** MP
Minister for Small Business & Tourism

Parliament House
Canberra ACT 2600
Australia
Telephone (61 2) 6277 7450
Facsimile (61 2) 6273 9394
www.joehockey.com
joe@joehockey.com

Ms Gail Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams

UNPAID GREYHOUND BOARDING FEES

Thank you for your letter of 31 March 2003 to the Minister for Small Business and Tourism, the Hon Joe Hockey MP, concerning unpaid costs of housing greyhounds. The Minister has asked me to reply on his behalf.

I am concerned that you have had to endure this lengthy and stressful process and I sympathise with you.

I note that you have been offered a settlement for part of the boarding fees through the sale of two of the dogs in question. As these legal proceedings have occurred, it would be inappropriate for the Minister to get involved at this stage. In addition, the matter has already been substantially dealt with by relevant State Government authorities and agencies which is the most appropriate avenue.

I suggest that you continue to deal with those parties. I hope that an acceptable outcome will be achieved for you in the near future.

Thank you for bringing your concerns to the Minister's attention.

Yours sincerely

Paul Gaha
Adviser Small Business
Hon Joe Hockey MP

Parliament House
Hobart Tasmania 7000
Telephone (03) 6233 2373
Facsimile (03) 6233 6266

First Floor, Public Buildings
53 St John Street
Launceston Tasmania 7250
Telephone (03) 6336 2269
Facsimile (03) 6334 0246
Mobile 0418 125 234
Email m.polley@parliament.tas.gov.au

SPEAKER OF THE HOUSE OF ASSEMBLY

The Hon Michael Polley, MHA

18 June 2003

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams,

The Clerk of the House has handed to me your fax dated 18th June.

Please find enclosed copies of Answers to Questions relating to animal welfare offences and the RSPCA which were tabled in the House of Assembly today by my colleague, the Minister for Primary Industries Water and Environment, the Hon. Bryan Green MHA.

Yours sincerely,

Michael Polley MHA
Speaker
Member for Lyons

Enc:

HOUSE OF ASSEMBLY
18 JUN 2003
TASMANIA

House of Assembly Questions

Question 22 Mr Booth

In relation to the administration of the Animal Welfare Act-

(1) Did the Royal Society for the Prevention of Cruelty to Animals conduct a raid in November 1999 at premises owned by a Mr Arthur Reid on the grounds of animal cruelty in relation to the condition of greyhounds?

(2) If so, did the abovementioned raid result in -
   (a) seizure of any greyhounds, and if so, how many;
   (b) relocation of any greyhounds, and if so, how many and to whom;
   (c) the matter being referred to the Director of Public Prosecutions and, if so, what was the outcome;
   (d) any review of the proprietors' kennel licence, and if so, what were the findings; and
   (e) duty of care being transferred to a party other than the owner, and if so, to whom?

(3) What procedures, if any are 'authorised officers' obliged to follow where animals are seized as a result of complaints of animal cruelty?

(4) What procedures, if any are followed to monitor the activities of 'authorised officers'?

(5) Who is the legal owner of the two greyhounds referred to as VKC 148 and VKC 150 which have been in care at Elspedite Enterprises at Glengarry since 3 January 2000? (21 May 2003)

answer on 18/6/03 to Q No 5 from Minister Green D.P.I.W.E.

(11) DPIWE is aware that Mrs Adams has received correspondence from the Solicitors for the owner of the dogs that he is willing to transfer ownership of the greyhounds to Mrs Adams. Mrs Adams stated in correspondence to my predecessor, Minister Llewellyn, that she wants to keep the greyhounds. The legal ownership of the greyhounds is not a matter for DPIWE nor is it a matter ~~for this~~ Government.

Office of the Premier
Memorandum

Tasmania

TO: Scott Gadd

FROM: Sally Shepherd

DATE: 18 June 2002

SUBJECT: Gail Adams

DEPARTMENT OF [illegible]
WATER AND ENVIRONMENT
-8 OCT 2003
[illegible]

Scott

I had a phone call from Gail the other day (6396 1145) about a letter she had written to 'the Cabinet' on 6 August 2001 – copy attached. It was unclear exactly what she wanted in her letter and at the time a copy was forwarded to both the Min P&PS and Min PIWE for appropriate action.

Basically from all the corro she has written in it would appear that her bottom line is that she wants the Government to pay for the costs she has incurred in looking after 2 greyhounds in her care. She claims it is in the vicinity of $20 000- Llewellyn has rejected this claim.

When she phoned she advised that she specifically wanted a response from 'the Cabinet' to her letter of 6 August.

I checked with Ross Brown in Min PIWE's Office and he advised that nothing had been done with her letter of 6 August. He did however fax across a letter (dated 21 January) that was handed to Gail in January. It is stated in the letter that neither Llewellyn nor the Premier would respond to any further claims in relation to this matter. However the status of this letter is unclear as Gail handed it back to the Minister.

The last time the Premier wrote to Gail was on 15 November 2001. He indicated that there was little point in continuing to 'exchange information beyond this point' in light of the action that has been taken to date.

Do you want
1 a response drafted from the Premier/ Steve Kons on behalf of Cabinet advising that the Government will not be responding further on this matter – in line with the Premier's letter of 15 November and Llewellyn's letter of 21 January;
2 No further action
3 Or another course of action – if so please advise

Thanks, Sally

* I was never handed any letter on a meeting with the Minister on 16/1/2002. He told me he had been good to me and I had to sign the papers. I told him I refuse to.

House of Assembly Questions

Question 21 Mr Booth

(1) Is it a fact that the Department of Primary Industries, Water and Environment wrote to Mrs Diane Burkhalter on 22 May 2000 and 19 June 2000 regarding appropriate action, or otherwise, taken in relation to animal welfare considerations?

(2) If so, who provided the advice to the Department of Primary Industries Water and Environment cited by Mr Rod Gobbey of the Department of Primary Industries Water and Environment in the two letters in regard to the Langley Cat Cruelty case of 1996, quoted below:

"I am advised that the RSPCA took possession of some of the cats involved in this case under Section 17 of the Act. After the hearing, the cats were returned to Mr Langley at the direction of the court, since he was not charged and no order was made in respect of him under Section 43." (Mr R. Gobbey, 19 June 2000) and

"Mr Langley could not be charged since one of the key elements of a case for prosecution is establishing who has custody, hence who has abrogated their legal duty of care." (Mr R. Gobbey, 22 May 2000).

(3) Was this advice received verbally or in a written form?

(4) If this advice was received by the Department of Primary Industries Water and Environment from the Royal Society for the Prevention of Cruelty to Animals Inspectorate, which inspector provided that advice?

Did the Department of Primary Industries, Water and Environment seek further information or a second opinion on receiving this advice? (21 May 2003)

Answered by: Bryan Green
Minister for Primary Industries, Water and Environment

The Department of Primary Industries, Water and Environment has advised that:

(1) Question on notice 21 relates to longstanding and incessant complaints to my Department by Mrs Diane Burkhalter. Mrs Burkhalter's complaints are against the actions of the Royal Society for the Prevention of Cruelty to Animals (RSPCA) and officers of the Department of Primary Industries, Water and Environment (DPIWE).

Department of Primary Industries, Water and Environment

House of Assembly Questions

Question 22 Mr Booth

In relation to the administration of the Animal Welfare Act-

(1) Did the Royal Society for the Prevention of Cruelty to Animals conduct a raid in November 1999 at premises owned by a Mr Arthur Reid on the grounds of animal cruelty in relation to the condition of greyhounds?

(2) If so, did the abovementioned raid result in -
   (a) seizure of any greyhounds, and if so, how many;
   (b) relocation of any greyhounds, and if so, how many and to whom;
   (c) the matter being referred to the Director of Public Prosecutions and, if so, what was the outcome;
   (d) any review of the proprietors' kennel licence, and if so, what were the findings; and
   (e) duty of care being transferred to a party other than the owner, and if so, to whom?

(3) What procedures, if any are 'authorised officers' obliged to follow where animals are seized as a result of complaints of animal cruelty?

(4) What procedures, if any are followed to monitor the activities of 'authorised officers'?

(5) Who is the legal owner of the two greyhounds referred to as VKC 148 and VKC 150 which have been in care at Elspedite Enterprises at Glengarry since 3 January 2000? (21 May 2003)

Answered by: Bryan Green
Minister for Primary Industries, Water and Environment

The Department of Primary Industries, Water and Environment has advised that:

(1) The points raised in question 22 are, again, related to a longstanding issue that involve persistent and repetitive claims against my Department and Inspectors of the Royal Society for the Prevention of Cruelty to Animals (RSPCA). Considerable time, effort and resources have been applied in attempting to resolve these issues and, in fact, this matter has been the subject of a determination by the Ombudsman.

(2) On 11 November 1999, RSPCA Inspectors attended the Reid property in northern Tasmania and took possession of and detained several greyhound

(2) It is extremely surprising that the Greens would seek to perpetuate this matter under the guise of Parliamentary Privilege. Initially Mrs Burkhalter was concerned on animal welfare grounds. Her complaints, however, have progressed into incessant and vexatious persecution of RSPCA and DPIWE officers.

(3) The issues raised by question 21 relate back to a prosecution against Mr and Mrs Langley in 1996 for animal welfare offences. Whilst Mrs Langley was found guilty of animal welfare offences and banned from having custody of more than two (2) animals for 6 years, the charges against Mr Langley were dismissed. Mr Langley was, however, convicted of an assault relating to the animal welfare violations.

(4) As Mr Langley had not been convicted of animal welfare offences he was able to have custody of animals despite those animals being present in a residence shared with a disqualified person.

(5) The case against the Langleys exposed a loophole in the *Animal Welfare Act 1993*. This loophole was closed with the enactment of section 43(8) on 25 June 2002. Section 43(8) deems a person to have custody of an animal "if the animal is normally kept on premises owned or occupied by the person, whether or not the person has any care or charge of the animal."

(6) DPIWE has discussed a multitude of issues raised by Mrs Burkhalter connected with the Langley matter. Whilst initially some advice given to Mrs Burkhalter with regard to the conduct of the Langley case was erroneous, upon realising the errors DPIWE corrected them and has apologised to Mrs Burkhalter for the misinformation.

(7) Mrs Burkhalter has refused to accept the advice of DPIWE. Mrs Burkhalter has lodged 26 Freedom of Information requests and has received a detailed report into the Langley matter. The Ombudsman has also ruled in favour of DPIWE in relation to the handling of Mrs Burkhalter's complaints.

(8) DPIWE has gone to great lengths to assist Mrs Burkhalter in her inquiries and has provided Mrs Burkhalter with all of the information on files concerning the Langley matter.

(9) Mrs Burkhalter is pursuing a personal vendetta against an RSPCA officer and officers of my Department. In time alone this pursuit would have cost around $100,000 in processing Freedom of Information Requests, providing reports, and responding to correspondence from Mrs Burkhalter.

(10) Mrs Burkhalter has not provided DPIWE with any valid reason for pursuing this line of questioning. Further pursuit of this matter is a waste of taxpayer's money. DPIWE has refused to provide the names of the RSPCA officer who initially advised on the Langley matter. DPIWE has also refused to provide the names of public officers who were involved in advising senior management of these issues. The names of these officers are irrelevant and I refuse to name in Parliament, under the guise of Parliamentary privilege, officers and RSPCA Inspectors who have done their job and whose actions have led to successful prosecutions for serious animal welfare violations.

Please address all
correspondence to:
Public Accounts Committee
Parliament House
Hobart Tas 7000

Tel: (03) 6233 2288
Fax: (03) 6223 3803
Email: pac@parliament.tas.gov.au

HOUSE OF ASSEMBLY

Parliamentary Standing Committee
of Public Accounts
Hobart

14 April 2003

Mrs Gail Adams
PO Box 519
EXETER TAS 7275

Dear Mrs Adams

In-Care fees of two dogs

Your letter and related documentation received today regarding the in-care fees of two greyhound dogs is acknowledged.

The matters you raise will be placed on the agenda for the Public Accounts Committee to consider as soon as possible and you will be notified of their considerations.

Yours sincerely

Heather Thurstans
SECRETARY

In reply please quote: 700-0307002

OMBUDSMAN
99 Bathurst Street, Hobart 7000
GPO Box 960 Hobart TAS 7001
Telephone: (03) 6233 6217
Toll Free 1800 001 170
Facsimile: (03) 6233 8966
Email: ombudsman@justice.tas.gov.au

5 August, 2003

Ms G Adams
PO Box 519
EXETER TAS 7275

Dear Ms Adams

Complaint: Department of Primary Industries, Water & Environment

I acknowledge receipt of your letters dated 30 June and 28 July 2003.

As advised the file in relation to the greyhound issue has been closed. The above letters will be included on the file.

Yours sincerely

J. O'Grady

J. O'Grady
Ombudsman

Tasmania

MINISTER *for*
PRIMARY INDUSTRIES,
WATER *and* ENVIRONMENT

RECEIVED
- 8 DEC 2003

- 5 DEC 2003

Kim Booth MHA
Tasmanian Greens Member for Bass
Level 1 Henty House
1 Civic Square
LAUNCESTON TAS 7250

Dear Mr ~~Booth~~ Kim

Thank you for your recent letter seeking clarification of details and legal aspects of RSPCA procedures involving animal cruelty cases.

RSPCA provide an Animal Welfare Inspectorate service to Government. The RSPCA Inspectorate receives and acts upon public reports of alleged animal cruelty and neglect. RSPCA Inspectors have the powers of officers under the *Animal Welfare Act 1993* (the Act), as do appropriate Department of Primary Industries, Water and Environment (DPIWE) staff and all Police Officers. Where the initial assessment of the RSPCA Inspector, or other officer, is that animal welfare has been compromised, the first action is usually to take steps to remedy the situation, ie. to secure the welfare of the animal(s).

What steps are taken will depend on the officer's assessment of the nature and severity of the problem, and of the willingness and ability of the person with the care or charge of an animal to take remedial action. Options open to the officer include giving advice and seeking voluntary compliance, or taking one or more of a variety of actions under the Act, including giving instructions under section 14, taking possession under section 17 or killing under section 24.

In taking possession of an animal, the RSPCA Inspector, or other officer, assumes the care or charge of the animal, and pursuant to section 6 of the Act, has a duty to take all reasonable measures to ensure the welfare of the animal. Animals taken into the possession of the RSPCA are then under the care or charge of the RSPCA who must then take all reasonable measures to ensure the welfare of the animals. Depending on the circumstances, RSPCA may seek alternative homes for these "seized" animals, such as animal shelters, specialist facilities, or agistment. Such alternative accommodation may be provided on a voluntary or a commercial basis. The care or charge of the animals, in these cases would generally be transferred to the operators of these facilities or services, unless there is a legal agreement to the contrary.

80B Wilson Street
Burnie Tasmania 7320
Tel: (03) 6434 6252
Fax: (03) 6434 6352

Postal Address:
GPO Box 44
Hobart Tasmania 7001

Level 5, Marine Board Building
1 Franklin Wharf
Hobart Tasmania 7000
Tel: (03) 6233 4038
Fax: (03) 6233 8013

Email: Minister@dpiwe.tas.gov.au *Internet:* http://www.dpiwe.tas.gov.au

Printed on recycled paper

Costs associated with taking possession of animals and keeping them are borne in the first instance by the organisation employing the officer. Organisations such as RSPCA are free to seek reimbursement of such costs. Reimbursement mechanisms include mutual agreement, selling of legally surrendered animals or seeking the awarding of costs through the Courts.

Section 24 of the Act allows an officer or veterinarian to kill an animal if in their opinion the animal is injured or diseased or is otherwise suffering, and they reasonably believe that the injury, disease or other suffering will cause the animal continued and excessive pain and suffering. Depending on the circumstances, cases involving the owner's inability to feed animals may lead the officer to reasonably believe the suffering (in this case starvation) will cause the animal continued and excessive pain and suffering, hence may justify the officer taking action under this section.

Costs associated with killing animals would normally be borne by the organisation employing the officer, but may be recouped through the Courts.

I trust this information is of assistance.

Yours sincerely

Bryan Green MHA
MINISTER

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Tasmania

DEPARTMENT *of*
PRIMARY INDUSTRIES,
WATER *and* ENVIRONMENT

30 March 2004

Inquiries Mark Johnson
Phone (03) 6233 3546
Fax (03) 6236 9744
Email Mark.Johnson@dpiwe.tas.gov.au
Our ref 101565 (FOI Case 442)
Your ref

Mrs Gail Adams-Fitton
PO Box 519
EXETER 7275

Freedom of Information – Decision

Dear Mrs Adams-Fitton

I refer to your freedom of information request dated 1 March 2004 and received by the Department on 13 March 2004. Your request is for copies of any records of payment to Mr Joe Borg in Victoria, or his solicitor, for the two dogs (VKC 148 and VKC 150), in particular, the amount and date of payment for their registration papers.

As discussed, the Department undertook a comprehensive search of its records in relation to these two dogs in 2002 in response to an earlier freedom of information request from yourself (FOI Case 328). I have reviewed this material and there is no information relating to any payment made to Mr Borg or his solicitor. I have also contacted the officers in the Department and in the Minister's Office who were dealing with this matter in 2002. Neither of these officers are aware of any payment made to Mr Borg or his solicitor. Finally, I requested our Finance Branch to conduct a search of the electronic financial system. They conducted a search over the four financial years 2000-01 to 2003-04 and concluded that there is no record of payment to either Mr Borg or his solicitor.

Accordingly, I find that the Department is not in possession of any records of payment to Mr Joe Borg in Victoria, or his solicitor.

You have the right under Section 47 of the *Freedom of Information Act 1991* to apply for a review of this decision. To apply for a review you must write a letter to the Secretary of this Agency, Mr Kim Evans, within 28 days of receiving this notice. This notice is deemed to have been given to you on the 5th day after it was posted.

If you have any queries in relation to the above, please contact me on 6233 3546 and quote FOI number 442.

Yours sincerely

Mark Johnson
FREEDOM OF INFORMATION OFFICER

Tasmania

MINISTER *for* FINANCE
MINISTER *for* EMPLOYMENT
MINISTER *for* RACING
MINISTER *for* SPORT *and* RECREATION
MINISTER ASSISTING *the* PREMIER
on LOCAL GOVERNMENT

31 MAR 2004

Mrs Gail Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Mrs Adams-Fitton

Thank you for your letter of 5 February 2004 concerning the two greyhounds kept at your establishment since 1999.

I am advised that the dogs in question were not subject to any action taken under the *Dog Control Act 1987*, and that the two dogs came to your premises under private arrangement between you and the trainer of the greyhounds.

I am aware that you have taken up this issue in the past with my colleagues Jim Bacon, David Llewellyn, and Bryan Green.

I can confirm the previous responses from the Government that you do not have a claim against the State. Under the circumstances it is not appropriate for me to respond to any further claims in relation to this matter.

Yours sincerely

Jim Cox
Minister Assisting the Premier on Local Government

Addresses: Public Buildings, 53 St John Street, Launceston, Tasmania 7250
9th Floor Executive Building, 15 Murray Street, Hobart, Tasmania 7000
Launceston - *Telephone:* (03) 6336 2250 *Facsimile:* (03) 6331 1718
Hobart - *Telephone:* (03) 6233 8938 *Facsimile:* (03) 6223 7610

Parliament House
Hobart Tas. 7000
Phone: (03) 6233 2634
Fax: (03) 6233 2823
Email: rene.hidding@parliament.tas.gov.au

4th Floor, 1 Civic Square
Launceston Tas. 7250
Phone: (03) 6336 2686
Fax: (03) 6334 1487
Website: www.taslib.net

Hon M. T. (Rene) Hidding MHA
Leader of the State Opposition
Member for Lyons

28 APR 2004

Ms Gail Adams
PO Box 519
Exeter Tas. 7275

Dear Ms Adams

Thank you for sending me a copy of your letter to Mr Cox.

While I wish you every success in having this matter reviewed by Mr Cox, I do understand that this issue has already been fully investigated by the State Ombudsman and the case now closed.

Again, thank you for writing.

Yours sincerely

Rene Hidding, MHA
Leader of the Opposition

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Tasmanian Greens

Parliament of Tasmania, Hobart, Australia.

Electoral Office of Kim Booth MHA
Level 1, Henty House, 1 Civic Sq
LAUNCESTON 7250
Ph: 6336 2294
Fax: 6336 2522
Email: greensnorth@parliament.tas.gov.au

Ms Jan O Grady
Ombudsman
GPO Box 960
HOBART 7001

August 4 2004

Our ref KBJB484

Dear Ms O Grady

I am writing to you in reference to correspondence that was entered into by your predecessor Ms Robyn Hopcroft and a constituent Ms Gail Adams (your reference 0102030) re, in-care fees and expenses owing on two greyhounds in the care of Ms Adams since January 3 2000.

There appear to be serious discrepancies, revealed through Freedom of Information searches undertaken by Ms Adams, between information Ms Hopcroft supplied to the then Premier Jim Bacon and information contained in subsequent letters sent to Ms Adams.

Ms Adams has suffered enormous emotional strain and financial hardship whilst seeking justice in relation to her case and in all dealings between my office and Ms Adams it has been apparent that her primary concern at all times has been the welfare of the two dogs in question.

You will also note from the enclosed invoice that Ms Adams is out of pocket to the tune of tens of thousands of dollars for the care of animals who have, effectively, been left in limbo due to the failure of responsible bodies to adequately deal with their duty of care.

As a result of further FOI searches Ms Adams has received copies of minutes taken by the Ombudsman re her contact and correspondence with Premier Bacon's office.

In the attached documentation you will find a closure summary dated Thursday Oct 18 2001 in which Ms Hopcroft details the fact that:

"The RSPCA officers should have issued an instruction under s.14(1) of the Animal Welfare Act 1993 directing that the dogs in the control of the kennel owner be returned to their owners. An informal instruction was given"

This is in conflict with the report from RSPCA Inspector Paul Wyld dated 16 October 2001 and requested by the Ombudsman in which he clearly states that:

"A verbal instruction was given to Mr Reid to...send the remainder of the dogs back to their respective owners....The verbal instruction given to Mr Reid was a formal instruction as stated under Section 14 (1) of the Animal Welfare Act 1993. An instruction from an authorized person may either be made as a verbal instruction or written"

The instruction under s 14(1) by the RSPCA to send the dogs back to their respective owners that was given on the November 11, 1999, was issued prior to the two dogs in question being sent by Mr Reid to Ms Adams facility, Elspedito Enterprises.

Further, in the stage summary of Thursday Oct 10, under *Action Taken:* Ms Hopcroft states that:

> *"Accepted that although the complaint was in part substantiated, that the retention of the two greyhounds was a decision of the complainants and not an action for which the state ought make an ex gratia payment."*

On what proof, statements or other evidence did the Ombudsman base her assessment that Ms Adams had taken a decision to retain the two greyhounds?

Why was the information of an instruction under law s.14(1) being issued on November 11 1999, as contained in the report of Mr Paul Wyld of the RSPCA, misrepresented in the information supplied to the Premier?

Why were no charges under s.14(2) laid against Mr Reid for failure to comply with a legal instruction?

Please find enclosed pertinent excerpts from the *Animal Welfare Act 1993* for your reference.

As previously mentioned it is impossible to underestimate the enormous emotional trauma that Ms Adams has suffered in her protracted battle for justice and recognition for her case.

A thorough response to each of the points raised in this letter, completed at your earliest convenience would be very much appreciated

Yours sincerely

Kim Booth MHA

cc Nick McKim

PARLIAMENT OF AUSTRALIA • THE SENATE

SENATOR THE HON. PAUL CALVERT
PRESIDENT OF THE SENATE
SENATOR FOR TASMANIA

13 AUG 2004

Mrs Gail Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Mrs Adams-Fitton

Thank you for your letter of 19 July 2004 and I apologise for the delay in this reply.

It would seem to me, on reading the correspondence attached to your letter, that your grievance is with Mr Reid, who entered into an agreement with you to board his two dogs with you. If he has failed to pay you, there are legal remedies available for you to attempt to recover the money owed.

I suggest you contact the local Legal Aid Commission Office (I assume the closest would be in Launceston, and the office there is at 64 Cameron Street and the telephone number is 6336 2050). They should be able to help you, at least at the first instance.

Yours sincerely

Paul Calvert

PAUL CALVERT
Senator for Tasmania

Suite 10, 2 Bayfield Street, ROSNY PARK TAS 7018
PO Box 429, ROSNY PARK TAS 7018
Telephone: (03) 6244 8533
Toll Free: 1300 134 468
Facsimile: (03) 6244 8521
E-mail: Senator.Calvert@aph.gov.au

Parliament House
CANBERRA ACT 2600
Telephone: (02) 6277 3300
Facsimile: (02) 6277 3108

280

OMBUDSMAN
99 Bathurst Street, Hobart 7000
GPO Box 960 Hobart TAS 7001
Telephone: (03) 6233 6217
Toll Free 1800 001 170
Facsimile: (03) 6233 8966
Email: ombudsman@justice.tas.gov.au

In reply please quote ref no: 0102030

4 October 2004

COPY

Mr Kim Booth MHA
Level 1 Henty House
1 Civic Square
Launceston TAS 7250

Dear Mr Booth

Re: Ms Gail Adams – your ref: KBJB484

Please refer to the letter from my Executive Assistant dated 3 September 2004, which was in response to your letter of 11 August 2004 making representations on behalf of Ms Gail Adams. I sincerely apologise for the delay in replying.

The first point I would wish to make is that Ms Adams' concern for the welfare of the two dogs has never been questioned. However, I also need to point out that Ms Adams' complaint was the subject of a very comprehensive investigation by my office. The file was closed in October 2001. The decision to close was reviewed at Ms Adams' request and was upheld. It has subsequently been the subject of Ministerial enquiries and of a Freedom of Information application from Ms Adams. Ms Adams was given full access to her file and she would be aware that each of the matters she has raised with you have been previously addressed and are documented on file.

In response to your request for comment on specific matters I provide the following:

Why were no charges under s.14(2) laid against Mr Reid for failure to comply with a legal instruction?

The exercise of prosecutorial discretion in relation to charges is a matter for Police and the Director of Public Prosecutions, not the Ombudsman. Having said that, as you know on 11 November 1999, Mr Reid's property was inspected by the RSPCA in conjunction with an officer from the Council due to concerns about the condition of the dogs and he was in fact subsequently charged and convicted. Evidently Ms Adams holds the view that had Mr Reid been compelled to comply at that time with an instruction from the RSPCA to return various dogs to their owners, then she would not have taken the two dogs into care. This is not a sustainable argument. Apart from the fact that there is some doubt as to whether Mr Reid could have been compelled to comply, it is a matter of fact that in December 1999, Ms Adams evidently entered into a private contractual agreement with Mr Reid to board the two greyhounds.

Why was the information of an instruction under law s.14(1) being issued on November 11 1999 as contained in the report of Mr Paul Wyld of the RSPCA, misrepresented in the information supplied to the Premier?

There was no question of a deliberate misrepresentation to the Premier. Initially, the legislation was interpreted by my office as implying that the verbal instruction given by Mr Wyld did not have the force of a 'formal' instruction. This was subsequently clarified by Mr Wyld who drew to our attention that an instruction from an authorised person could be either verbal or written.

On what proof, statements or other evidence did the Ombudsman base her assessment that Ms Adams had taken a decision to retain the two greyhounds?

Ms Adams provided a document entitled 'Schedule of Events'. Various references, including correspondence between Ms Adams and lawyers acting for the dogs' owners in Victoria, make it clear that Ms Adams was given options to mitigate her financial losses, including selling the dogs and sharing the proceeds with the owners. She chose to retain the dogs.

I am of course aware that Ms Adams' primary concern is that she believes she is entitled to an *ex gratia* payment to cover the costs she has incurred in boarding the dogs. We looked into this issue in depth as part of the investigation and could find no basis for believing that the Crown was liable for Ms Adams' costs.

I am sorry that I am unable to provide a more positive response, but I am sure you will appreciate that the only time I would consider re-opening a closed investigation file would be if I were presented with compelling new evidence that an injustice had occurred. I do not consider this to be the case in respect of Ms Adams' complaint.

Thank you for your interest.

Yours sincerely,

Jan O'Grady

Jan O'Grady
Ombudsman.

Tasmanian Greens
Parliament of Tasmania, Hobart, Australia.

Electoral Office of Kim Booth MHA
Level 1, Henty House, 1 Civic Sq
LAUNCESTON 7250
Ph: 6336 2294
Fax: 6336 2522
Email: greensnorth@parliament.tas.gov.au

Jan O'Grady
Ombudsman
GPO Box 960
HOBART
TAS 7001

COPY

4 February 2005

Our ref KBJB425

Dear Ms O'Grady

Thank you for your letter of the 4th of October (ref 0102030) re the ongoing issue of the Department of Primary Industry having an original Duty of Care over the two greyhounds which continue to be at Ms Adams Elspedito Enterprises.

Your response was comprehensive however there appears to be a fundamental error on the first page where you state,

"Apart from the fact that there is some doubt as to whether Mr Reid could have been compelled to comply, it is a matter of fact that in December 1999, Ms Adams evidently entered into a private contractual agreement with Mr Reid to board two greyhounds"

It is correct that Ms Adams boarded two greyhounds of Mr Reid's in Dec 1999 however they are not the two dogs in question.

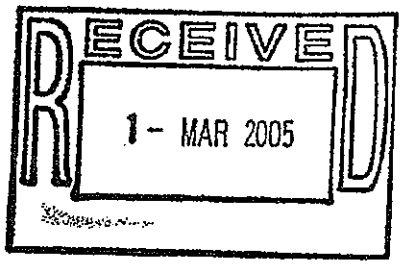
The two dogs in question were boarded from 3 January 2000 and so it would appear that your entire response has been formulated around an error of fact and this calls into question the entire refutation and response to our letter of the 11th of August.

Please reformulate a response to our original correspondence of the 11th of August basing your reply on the two greyhounds which are actually the subject of Ms Adams complaint.

Yours sincerely
Jeremy ball for Kim Booth MHA

In reply please quote ref no 0102030

25 February 2005



Mr Jeremy Ball
Electoral Office of Kim Booth MHA
Level 1, Henty House
1 Civic Square
Launceston TAS 7250

COPY

Dear Mr Ball

Re: Ms Gail Adams [your ref KBJB425]

I refer to your letter of 4 February 2005 and apologise for the delay in my response.

I note your comment that there were more than two dogs involved. The fact remains, however, that all matters between Mr Reid and Ms Adams were the subject of a private contractual arrangement for agistment. On that basis the only claim that Ms Adams has is against Mr Reid.

I regret that I am unable to assist you further.

Yours sincerely,

J. O'Grady

Jan O'Grady
Ombudsman.

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TASMANIA

SOLICITOR-GENERAL OF TASMANIA
GPO BOX 825, HOBART 7001
TELEPHONE: (03) 6233 3408
FAX: (03) 6233 2510
EMAIL: solicitor.general@justice.tas.gov.au

MY REF: 22166 WCRB:LF
YOUR REF:

10 March 2005

Ms Gail Adams-Fitton
PO Box 519
EXETER Tas 7275

Dear Ms Adams-Fitton

I acknowledge receipt of your letter of 9th instant reference once again the issue of the two dogs about which you have previously written on many occasions.

My position in relation to your correspondence remains exactly the same. That is to say, my statutory function is to provide legal advice to ministers, agencies and instrumentalities of the Crown, and I am no able to provide advice to the private sector. If and when I receive a request to advise such a body about the issues upon which you have written I will provide that advice to the best of my capacity and as quickly as I am able.

Yours faithfully

WCR BALE QC
SOLICITOR-GENERAL

Any advice contained in this correspondence is based on instructions received in relation to, and is provided to the addressee in connection with, the matter mentioned above. Responsibility is not accepted for reliance upon it by any other person or for any other purpose.

Tasmania

MINISTER *for*
PRIMARY INDUSTRIES *and* WATER

25 MAY 2005

Mrs Gail Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Mrs Adams-Fitton

I refer to your correspondence of 26 April 2005 to myself and the Premier in relation to greyhounds VKC148 and VKC150. I note this included an invoice from Elspedito Enterprises for the payment of $55,618.70, being accumulated boarding fees and sundry charges in respect of these dogs.

I reiterate previous Departmental and Ministerial advice given to you in regard to this matter. As these two dogs were placed in your boarding kennels on a private, commercial basis, I do not believe responsibility for payment for boarding fees rests with the Government. I understand the Ombudsman supports this view.

I note your correspondence includes a formal request from one of my Parliamentary colleagues for additional involvement of the Ombudsman, and will await the decision of the Ombudsman in this regard.

Yours sincerely

Steven Kons LLB MHA
MINISTER

64 Wilson Street
Burnie Tasmania 7320
Tel: (03) 6434 6307
Fax: (03) 6434 6221

Postal Address:
GPO Box 44
Hobart Tasmania 7001

Level 5, Marine Board Building
1 Franklin Wharf
Hobart Tasmania 7000
Tel: (03) 6233 8807
Fax: (03) 6233 8013

Email: steven.kons@dpiwe.tas.gov.au *Internet:* http://www.dpiwe.tas.gov.au

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Printed on recycled paper

Tasmania

DEPARTMENT *of*
PRIMARY INDUSTRIES,
WATER *and* ENVIRONMENT

6 July 2005

Inquiries Mark Johnson
Phone (03) 6233 3546
Fax (03) 6236 9744
Email Mark.Johnson@dpiwe.tas.gov.au
Our ref 104134 (FOI Case 578)
Your ref

Mrs Gail Adams-Fitton
PO Box 519
EXETER 7275

Freedom of Information – Decision

Dear Mrs Adams-Fitton

I refer to your freedom of information request dated and received by the Department on 14 June 2005. Your request is for the name of the person who gave Mr Ross Brown instructions to phone yourself at home, "more than once, bullying and pressurising me to sign defective registration papers of the two dogs in care VKC 148, VKC 150 to ownership, given that MHA Llewellyn on a DPIWE letterhead had acquired them from the owner Mr J Borg in Victoria?"

As you are aware, the Department undertook a comprehensive search of its records in relation to these two dogs in 2002 in response to a freedom of information request from yourself (FOI Case 328). I have reviewed this material and there is no information relating to who gave Mr Ross Brown instructions to contact you.

I have also contacted Mr Ross Brown regarding who gave him instructions to make contact with yourself. Mr Brown advised that he made contact with yourself on his own initiative, that is, he was not instructed to phone yourself at home.

Accordingly, I find that neither the Department nor the relevant Ministerial office is in possession of any records relating to name of the person who gave Mr Ross Brown instructions to phone yourself at home.

You have the right under Section 47 of the *Freedom of Information Act 1991* to apply for a review of this decision. To apply for a review you must write a letter to the Secretary of this Agency, Mr Kim Evans, within 28 days of receiving this notice. This notice is deemed to have been given to you on the 5th day after it was posted.

If you have any queries in relation to the above, please contact me on 6233 3546 and quote FOI number 578.

Yours sincerely

Mark Johnson
FREEDOM OF INFORMATION OFFICER

In reply please quote: 700-0102030 GS

OMBUDSMAN

99 Bathurst Street, Hobart 7000

GPO Box 960 Hobart TAS 7001
Telephone: 1300 766 725
(03) 6233 6217
Facsimile: (03) 6233 8966
Email: ombudsman@justice.tas.gov.au

23 August 2005

Ms G Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Adams-Fitton

Complaint: Department of Primary Industries, Water & Environment

I refer to your letter faxed to this office on the 8 August 2005, seeking responses to questions you consider arise from the Ombudsman's response to Kim Booth, MHA of the 25 February 2005.

I wish to point out that your matters have been the subject of a very comprehensive investigation and the file was closed in October 2001. The issue of Crown responsibility for costs in agisting the dogs was examined in depth as part of that investigation and no basis was found for believing that the Crown was liable for the costs.

The decision to close your file was subsequently reviewed at your request and the original decision was confirmed. I am of the view that significant resources have been applied to your complaint, and further pursuit of the matter is not justified.

I do not intend to review or re-open the file in relation to your complaint.

Yours sincerely

Simon Allston
Ombudsman

ELSPEDITO ENT.

Elspedito Enterprises
P.O. Box 519,
Exeter. 7275. TAS.

ELSPEDITO ENT. ELSPEDITO ENT. ELSPEDITO ENT.

TAX INVOICE
ABN 22 592 265 318

Progress invoice as at 31st December, 2005 cwfd from 30th September, 2005.
for 2 dogs in-care VKC148, VKC150, from Cruelty case 506/93/00 since 3/1/2000. $60,252-70

add: Boarding fees @ $10 per day or part of per dog, which is less than 0.50 cents per hour without deductions: 92 days $ 1840-00

+10% $ 184-00

: Sundries @ $5 per week, 13 weeks $ 65-00

: Bathing @ 1 per month @ $20 per dog $ 120-00

: extra administration @ $10 per week — 13 weeks $ 130-00

TOTAL : $62,591-70

(a) TWO LEGAL INSTRUCTIONS GIVEN UNDER 14(1) of the ANIMAL WELFARE ACT 1993 WHICH CARRIES A PENALTY 14(2), by R.S.P.C.A. on 11/11/1999.

ELSPEDITO ENT.

TAX INVOICE
ABN 22 592 265 318

(b) INSTRUCTIONS GIVEN UNDER DOG CONTROL ACT 1987 BY LAUNCESTON CITY COUNCIL, ON 11/11/1999.

ELSPEDITO ENT.

THE ABOVE INVOICE SENT TO:
D.P.I.W.E : PREMIER : ATTORNEY-GENERAL.

ELSPEDITO ENT ELSPEDITO ENT. ELSPEDITO ENT.

M. H-A. Booth of the
Greens,
Launceston.

8-7-05

FAX NO: 63362522.

Dear M. H. A. Booth,

One question to the Ombudsman in respect to the report to the Premier of 18/10/01, attached; the retention of the two greyhounds was a decision of the complaintant;

1/ What would Gail Adams gain or benefit from taking custody or possession of the two dogs in-care to such a heavy financial burden?

2/ Were not the officers of the Crown aware of 8(2)(E) & (G) for the welfare of the dogs under the Animal Welfare Act?

Yours Sincerely,
Gail Adams-Fitton,
P. O. Box 519,
Exeter. 7275. TAS
PH 63-961145

LAUNCESTON CITY COUNCIL

A Leader in Community & Government

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LAUNCESTON CITY COUNCIL

File No: SF3416 / SF3055 / SF3943
MR/mg

Your Ref:

16 December 2005

Mrs Gail Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Mrs Adams-Fitton

Correspondence – Agistment of Two Greyhound Dogs – Arthur Reid Prosecution 11/11/1999

Thank you for your letter of 29 September 2005, together will all the copies of correspondence and newspaper articles from early to mid 1980's.

I do apologise for the delay in replying, but it did take me sometime to go through all the material that you sent. I did appreciate reading the newspaper articles because, if anything, it has given me a better understanding and perspective of you as an individual.

Clearly, you were highly regarded as a dog trainer and a successful business person in the past.

However, there are aspects of your situation which are still not clear to me:

1. Whether Mr Reid placed the dogs with you under a commercial arrangement, which was not honoured; or
2. Whether you were requested to hold the dogs by a State Government Department pending resolution of the charges laid by officers of DPIWE using the provisions of the Animal Welfare Act.
3. How Council can assist your claim for compensation from the State, when it is clear from the documents that you provided, you commenced civil action through the Magistrates Court in 2002 for compensation from the State, which was dismissed – Action Number L40853 of 2002.

With the greatest of respect, I believe:

- that your personal crusade for compensation that you have waged over the last 5 years is doomed to be unsuccessful.

Town Hall
St. John Street
Launceston
Tasmania 7250
PO Box 396
AusDoc DX 70127
Launceston
Phone (03) 6323 3000
TTY (03) 6323 3003
Fax (03) 6323 3001
E-mail
council@launceston.tas.gov.au

- it would be in your best long term interest to cut your losses, and put the past behind you and if possible concentrate on what it appears to me you do best.....training animals.

Yours sincerely

Martin Reynolds
CORPORATE SECRETARY

Telephone: 6323 3121
Email: martin.reynolds@launceston.tas.gov.au

4-3-06

++

Pets Wanted and For Sale

"Two dogs in-care since January 3, 2000, from a cruelty case, 40 plus dogs, majority destroyed, Legal instructions given under 14 (1) of Animal Welfare Act 1993 to be returned to owners, who were deprived of rights. Raid was 11/11 1999, charges laid 11/5 2000, last day, no conviction. Owner of two dogs via a Solicitor required $2000 to $3000. I refused to sign defective papers to ownership to Authority who paid no monies to owner, F.O.I. check, nor in-care fees under the Act. A few days before Christmas 2005 in writing to me, Authority, in part, stated "it would be in my best long term interest to cut your losses and put the past behind you," etc. Persecution for five years for reporting crime from Authority.'

— Gail Fitton, Elspedito Ent. PO Box 519, Exeter 7275.

20.3.06

The Law Society of
Tasmania,
G.P.O. Box 1133,
Hobart. 7001. FAX No: 62231406

Dear Executive Director and Council,

I thank you for your letter dated 9.3.06, Ref No: D10:mH/VMC.

There are a few more very worrying law procedures I would like verified, as no one in the Tasmanian State Government can answer, over years now.

(1) How many is a [redacted] and can charges be written up to state so?

(2) Can a brief statement handed up be changed, example from "[redacted]" "instructed" to "advised", that instructed was two under 14(1) of the Animal Welfare Act 1993, which carried a penalty 14(2)?

(3) When statements and witnesses are not handed up, withheld, stated would be by a Minister of the Crown, it this alright by Law?

(4) [redacted] the 1st illegal act still stands, as in this case "The Dog Control Act 1987," Mr Reid never had a Kennel Licence in January 1999, the second illegal

act or actions 2/11/11/99?

Are all these actions committed now normal law procedures?

I would appreciate not legal advice but where do I go, if the law Society cannot answer.

In 2002 I went to the Civil Courts but they were in the Court room before I was, the complaintant, telling the Magistrate how long it was going to take and what they wanted. Court tape. The Magistrate acted for them. I could not afford a Solicitor.

Thanking you,
for your kindness,

Gail Adams-Fitton,
P.O. Box 519,
Exeter. 7275. TAS.
PH= 63-961145

Tasmania

OFFICE *of the* PREMIER

30 JUN 2006

Mrs Gail Adams-Fitton
PO Box 519
EXETER TAS 7275

Dear Ms Adams-Fitton

The Premier, Paul Lennon MHA, has asked me to acknowledge receipt of your letter of 14 June 2006 and the attached bound documents related thereto.

Yours sincerely

Beth Ackerley

Beth Ackerley
Executive Officer

Level 11, Executive Building, 15 Murray Street, Hobart Tasmania, 7000
Postal Address: GPO Box 123, Hobart, Tasmania, 7001, Australia
Telephone: (03) 6233 3464 *Facsimile:* (03) 6234 1572
Email: Premier@dpac.tas.gov.au *Internet:* http://www.dpac.tas.gov.au

Tasmania

COPY

11/8/06

PREMIER

10 AUG 2006

Mr Peter Gutwein MHA
Liberal Member for Bass
4th Floor, Henty House
One Civic Square
LAUNCESTON TAS 7250

Dear Mr Gutwein

Thank you for your letter of 18 July 2006 in relation to the claims for expenses made by Mrs Gail Adams-Fitton.

Mrs Adams-Fitton claims were investigated some years ago by the Ombudsman's Office, which concluded, as part of its findings, that an *ex gratia* payment in relation to boarding costs of the greyhounds concerned was not justified.

I enclose, for your information, a copy of my letter of 23 May 2006 to Mrs Adams-Fitton confirming that she does not have a valid claim against the State and that the Government is unable to assist her any further in this matter.

Yours sincerely

Paul Lennon
Premier

Level 11, Executive Building, 15 Murray Street, Hobart, Tasmania, 7000
Postal Address: GPO Box 123, Hobart, Tasmania, 7001, Australia
Telephone: (03) 6233 3464 *Facsimile:* (03) 6234 1572
Email: Premier@dpac.tas.gov.au *Internet:* http://www.dpac.tas.gov.au

Minister Llewellyn,
Minister for Police and
D.P.I.W.E,
Hobart. TAS.

2-5-2004

FAX No: 62332272

Dear Minister Llewellyn,

As you are fully aware of the 16 year case and the two dogs in-care, attached copy of the letter to the Premier, self-explanatory.

Yours Sincerely,
Gail (Adams) Fitton,
P.O. Box 519
Exeter. TAS. 7275.

ELSPEDITO ENT.
TAX INVOICE
ABN 22 592 283 318

Elspedito Enterprises.
P.O. Box 519,
Exeter. TAS. 7275.

ELSPEDITO ENT.
TAX INVOICE
ABN 22 592 283 318

ELSPEDITO ENT.

Progress invoice as at 31st March 2007, c/fwd from 31st December, 2006 for the in-care fees for the two dogs in-care VKC148, VKC150 since 3/1/2000 from cruelty case D.P.P. 506/93/00.

$71,765-70

add: Boarding Fees @ $12 per day or part of per dog; 2 dogs VKC148, VKC150 90 days $2,160-00

: Sundries @ $5 per week, 12 weeks $60-00

: Bathing @ 2 per month Summer $160-00

: extra administration @ $10 per week — 12 weeks $120-00

TOTAL: $74,265-70

Invoice to:
(1) Premier.
(2) Minister D.P.I.W.E.

ELSPEDITO ENT.
TAX INVOICE
ABN 22 592 283 318

ELSPEDITO ENT.

attached to invoice 3 documents.
(A) letter to Ombudsman 11/8/04; (B) Add in Examiner Newspaper 4-3-06, p.100; (C) Explanatory Brief to case.

Premier and Cabinet,
15 Murray St.,
Hobart. 7001. TAS.

29-5-2007.

FAX No: 62341572

Dear Premier and Cabinet,

Attached is my letter faxed to the Director of Public Prosecutions dated 21-5-2007.

The Labor Government who not only does not speak out on cruelty, approves of it.

Gail Sitton
P.O. Box 519
Exeter. 7275. TAS.

Dear M.H.A Cox,

Your letter to myself that the 40 plus dogs were not under Dog Control Act 1987, You are a liar. Attached copy of 12/11/99 Launceston City Council.

2. 8. 2007

The Premier,
15 Murray St.,
Hobart. 7000. TAS.

FAX No: 62341572

Dear Premier,

Attached is the updated invoice for the in-care fees for two dogs VKC148, VKC150, who you are fully aware of, with the documentation to you and to the Premier and Cabinet.

Yours Sincerely,
Gail Sitton (Adams)
P.O. Box 519,
Exeter. 7275. TAS.
PH= 63961145.

ELSPEDITO ENT.

Elspedito Enterprises
P.O. Box 519
Exeter. 7275. TAS

ELSPEDITO ENT.
ELSPEDITO ENT.
ELSPEDITO ENT.

TAX INVOICE
ABN 22 592 283 818

Progress invoice cuvfd from 30/9/2007 to 31st December, 2007 for the in-care fees for two dogs VKC148 VKC150 since 3/1/2000 from cruelty case 506/93/00,

add: Boarding Fees @ $12 per day or part of per dog from 1/10/07 TO 31/12/07 92 days		$ 79,097-00
		$ 2,208-00
: Sundries @ $5 per week 12 weeks		$ 60-00
: extra administration @ $10 per week 12 weeks		$ 120-00
: Bathing — 1 per month per dog @ $20 per dog 6 baths in total		$ 120-00
TOTAL:		$ 81,605-00

ELSPEDITO ENT.
ELSPEDITO ENT.

Invoice TO:
(a) Premier of Tas: FAX NO: 62341572.
(b) Minister of D.P.I.W.E. FAX No: 62332272
Copy of the letter from Ombudsman 4-4-2002 to GAIL ADAMS that an "instruction" in (2) under the Animal Welfare Act 1993 was issued.

ELSPEDITO ENT. TAX INVOICE ABN 22 592 283 818
TAX INVOICE ABN 22 592 283 818 ELSPEDITO ENT.

Department of Primary Industries and Water
STRATEGIC POLICY

Hobart GPO Box 44, Hobart TAS 7001
Launceston PO Box 46, Kings Meadows TAS 7249
Devonport PO Box 303, Devonport TAS 7310
Ph 1300 368 550
Web www.dpiw.tas.gov.au

Tasmania

Enquiries: Mark Johnson
Phone: (03) 6233 3546
Fax: (03) 6236 9744
Email: Mark.Johnson@dpiw.tas.gov.au
Our ref: FOI Case 739 (M173038)
Your ref:

11 January 2008

Ms Gail Fitton
PO Box 519
EXETER 7275

FREEDOM OF INFORMATION REQUEST – ACKNOWLEDGMENT

Dear Ms Fitton

I refer to your freedom of information request dated 19 October 2007. The Department received this request via the Ombudsman's Office on 18 December 2007. I also refer to our telephone conversation of 10 January 2008 during which you indicated you were happy for the Department to deal with your request.

Your request is for copies of all documentation relating to the invoices presented, unpaid, to the Department and/or the Minister for the two dogs in your care (VKC148 and VKC 150) from cruelty case 506/93/2000.

Please note that under the Department's *Freedom of Information Charging Policy*, the first two requests made by an applicant during a financial year are free from charges. A third and any subsequent requests will be subject to the charges outlined in the *Freedom of Information Act 1991*. As this is your first request this financial year it will be free from charges.

Your request is receiving attention and you will be notified of a decision in due course. In accordance with section 16 of the *Freedom of Information Act 1991*, an agency shall take all reasonable steps to enable an applicant to be notified of a decision on a request for information as soon as practicable but

in any case not later than 30 days after the request has been received by or on behalf of the agency.

Should you have any questions in relation to this matter, please contact me on 6233 3546 and quote FOI Case 739.

Yours sincerely

Mark Johnson
FREEDOM OF INFORMATION OFFICER

cc. Ombudsman

14-1-2008

The Governor of Tasmania, and
The Governor in Council of
Tasmania,
Government House,
Hobart. 7000. Tas.

The Freedom of Information
Officer. FAX No: 62342556.

Dear F.O.I. Officer,

In relation to my case of 16 years, complaints to illegal acts and actions to the Governor of Tasmania from 29/4/1993, and including the two dogs in-care since 3/1/2000 VKC148, VKC150 from cruelty case 506/93/00, and [redacted] all documents, instructions, E-mails, memos, material etc. are requested to be supplied to me. & request to waive the cost.

Yours Sincerely,
Gail Fitton, (Adams)
P.O. Box 519,
Exeter. 7275. TAS.
PH= 63961145.

Department of Primary Industries, Parks, Water and Environment
BIOSECURITY AND PRODUCT INTEGRITY

Hobart GPO Box 44, Hobart TAS 7001
Launceston PO Box 46, Kings Meadows TAS 7249
Devonport PO Box 303, Devonport TAS 7310
Ph 1300 368 550
Web www.dpipwe.tas.gov.au

Tasmanian Government

4 October 2013

The Manager
Elspedito Enterprises
858 Frankford Hwy
GLENGARRY TAS 7275

Dear Sir/Madam

Comment is invited on proposed welfare standards for the care and management of dogs in Tasmania. The Animal Welfare Advisory Committee (AWAC) has developed the standards with a view to recommending their enforcement under the *Animal Welfare Act*. These standards will impact directly on dog boarding kennels.

Two sets of standards and guidelines are proposed. The first set would apply only to 'domestic animal businesses' which are defined in the standards as:

- A dog breeding enterprise which has three or more fertile females other than working dogs or hunting dogs (as defined in the *Dog Control Act 2000*) and sells dogs (whether a profit is made or not); or
- an animal shelter, pound or pet shop; or
- a dog rearing, training or boarding enterprise that is run for profit and accommodates dogs overnight.

A second set of standards and guidelines is proposed to apply to all dogs that are not in the care or charge of a domestic animal business (so-called 'private' dogs).

The standards and guidelines cover all aspects the care and management, including food and water, shelter, exercise, health care and breeding. It is proposed that they apply to all dogs, not just dogs involved in breeding.

To assist you in providing feedback, the AWAC has prepared a discussion paper that outlines the proposed standards and guidelines and poses some discussion questions. The discussion paper is available online at www.dpipwe.tas.gov.au/dogs. A submission template can also be downloaded should you wish to use it.

All submissions will be treated as public documents and may be made available on the Department's website, unless a specific request is made in writing to treat a submission as confidential, either in whole or in part. No personal details other than the name of individual submitters will be disclosed. All other personal contact details will be kept private and held by DPIPWE solely for the purposes of the development of the proposed legislation.

Comments must be received no later than 5pm **22 November 2013.**

Submissions may be made by email or post to:

Executive Officer, AWAC

Email: AnimalWelfare.Enquiries@dpipwe.tas.gov.au

Post: Department of Primary Industries, Parks, Water and Environment
13 St Johns Avenue
New Town TAS 7008

If you require further information or would like to receive a copy of the discussion paper by email or post, please contact me by phone on 03 6233 6882 or email at Mary.Bennett@dpipwe.tas.gov.au.

Yours sincerely

Mary Bennett
Executive Officer
Animal Welfare Advisory Committee

28-10-13
8, 11, 13

D.P.I.W.E.
Animal Welfare Advisory Committee,
G.P.O. Box 44,
Hobart. TAS. 7001.

Dear Executive Officer, Mary Bennett,
Elspedito Enterprises received a letter dated 4-10-13 from D.P.I.W.E and sent a copy of the discussion paper-on proposed new Animal Welfare Standards for dogs. I submit the following with statements and examples;

1.
Tasmania has I believe under 500,000 citizens and the highest unemployment in Australia.

2.
The Tasmanian State Government, proven with evidence handed up, are anti-development, discriminate against small businesses.

3.
All Pet Businesses cannot be lumped into one standard under law. That is ridiculous.

4. It is not upto small businesses to keep Council records and to these standards, costs would definately increase.

5.
Are all Council pounds in compliance and who is going to ensure so, Officers of the Crown? The standards does not state who monitors the fostering; eg. Guide dogs, Greyhounds etc?

1. Responsibilities and Skills of Staff:

1.3 To my knowledge of operating a pet caring business since 1977 and never, never had infection or kennel cough in the facility, including the cattery. I blame Council's for allowing anyone to run

any pet caring business.

Example:

From Glengarry to Legana, approx 10 minutes by car, there are 4 pet boarding facilities. One is illegal, documentation of evidence handed up in the Court and Tribunals. How many operators in the above are trained?

2. Quality Management Systems.

2.1(a) It is not upto any pet boarding business to keep Council records, ie. microchipping and registration, costly in time and equipment.

(b) It is not any business to the pet's destination, or the name of the person who assumes care, or charge after the pet has left the facility. Again, is this against the Privacy Act?

2.2 Records kept for 5 years are for the Taxation Offiel. Does this also interfere with the Privacy Act and Federal Law?

Why does the Minister and the State Government request to check all business Incomes at anytime? on whose request are the records to be produced to, and by whom? what has this got to do with Animal Welfare for dogs?

Example:

The evidence handed up in the Courts, Tribunals over years to illegal acts and actions, which included stalking by members of the Jovah witnesses who included Adina and Elfriede Chan of Glenmore Estate pet caring business up the road from Elspolito Enterprises at Glengarry. Through many

enquiries over years it is believed many work throughout the State Government. Maybe a person who requests the records of any business under the standards, would be for the knowledge of their members of the Jeobah Witness Cult/Sect, given the acts and actions occurred on Elspedito Enterprises and myself.

9. Animal Health – Veterinary Case.

9.6 "must have a documented health plan developed consultation with a veterinary surgeon"
The choice should be with the business in question. This sets a dangerous precedent for persecution and discrimination, with also use and abuse of positions of power.

Example;

Dr. H. Cooper (T.V. fame) told persons not to board their pets with Elspedito Ent, to my knowledge has never stepped foot onto the premises where the business operates. Another vet whose son operates a pet boarding business at Legana, not to put their pets with Elspedito Entprises as I did not believe in vaccinations, a lie. Another vet outer Launceston and a good friend of the vet, that I was cruel, so the Tracking Dog and Demonstration Club Inc. with S.E.S. and Police for 10 years was closed down and the training school of Elspedito was also shut down, all earning monies for charities and

draw card for Agfest the first two years. Both were costly to run. The 4 berth dog trailer was given to R.S.P.C.A. Launceston which ended up for his personal use and in Graham Lewis's back yard. The Hobart Obedience Club was given approx. $3000-00 of equipment, taken off Elspedito Enterprises by one of their members Gail Townsend. No one ever took our place in both fields. Graham Lewis was an R.S.P.C.A. Inspector.

10. Animal Health - Euthanasia.

These standards would not fit into the actions for Officers of the Crown, remembering the dogs received a single bullet to the brain, young, registered and protected, suppose to have been, under two legal instructions 14(1) of the Animal Welfare Act 1993 that carried a penalty 14(2) to be returned to their owners. The only two, to survive was the two at Elspedito Ent. approx 14 months old, one lived to 11½ years old, (two) the female was 14 years old, their in-care fees never paid, or any other costs. The above proven by the State Ombudsman who notified the Premier who informed myself of the opposite who was informed, as was Magistrate Helen Woods, of the financial burden, the loss of my double horse float, personal assests, threats on my life as well as the two dogs. No other pet boarding facility had dogs from this cruelty case of 40 plus, only Elspedito Enterprises, proven.

I have submitted objections what I believe to be major flaws with regards to Businesses in the submissions paper. The Dog Control Act 2000, was the Dog Control Bill 1987 which was in total control and liability of the Governor of Tasmania in which were Kennel Licences. Majority of Governors in Tasmania were and are now Supreme Court Judges. The 1st illegal act in respect of the case of Mr A. Reid, front page of the Examiner newspaper 12/11/99, "sickening", was a known cruelty offender since 1985. Mr A. Reid fined $500-00 by Launceston City Council April 2002, as he started up again at Invermay. He had a ban as well. The Dog Control Act 2000 now the liability and responsibility of the Premier, Premier and Cabinet. My case from 1990 involving Salina Chan of Glenmore Estate, Glengarry who also did not have a kennel licence, the 1st illegal act. I will publish this letter and the letter of 4-10-13 sent to Elspedito Enterprises by Mary Bennett of D.P.I.W.E, who I thank. The book is with the publisher and called "The Process to liars, thieves and the truth".

My experiences:

(a) 38 years operating a pet boarding business.
(b) 10 years S.E.S & Police Tracking dogs.
(c) 10 years demonstration teams of dogs with (b)
(d) 20 years a private training school, dogs reaching C.D., C.D.X., U.D. in other states as well
(e) 30 years breeding, showing, training the German Shepherd dog and owning imported dogs, supplying Police a few in N.Z. and the Air Force on the mainland.
(f) 10 years breeding, showing and obedience training, many Champions of Belgian Shepherds.

(g) 15 years showing, breeding the Siamese cats, breeding a perfect Lilac point of Lilac colour.
(h) 25 years showing, breeding the Miniature pony/horse to many, many Supremes.

I would appreciate the definition in law of the Animal Welfare Act 1993, "custody" "possession", that is used in the discussion paper.

Yours Sincerely
Elspedito Enterprises
Gail Fitton, manager,
P.O. Box 519,
Exeter, TAS, 7275.
PH=03 6396 1145.

sent registered mail
No: 508 7/24022013 – 8-11-13. – Riverside P.O.

sent Email - 8-11-13
from Strata Tas
@ 10:34 AM. Email 0811.Pdf.

Letters should be 150 words or less. Short letters will be given priority. Send letters to The Examiner, PO Box 99, or email editor@examiner.com.au. You can text us on 04274 FORUM

You are responsible for an animal's rights

ANIMAL cruelty is an abhorrent crime.

Media coverage of an animal abuse case reliably attracts a swarm of outraged commenters.

That outrage is often backed up with a call for retaliation: we'll do it to them, see how they like it.

Except in most animal cruelty prosecutions, the accused person didn't do anything.

They are prosecuted for inaction.

Failure to provide appropriate care, such as veterinary treatment, is the most common rider the RSPCA attaches to the charge sheet.

Some might complain a mere lack of care doesn't justify a conviction for animal cruelty.

The accused might not have known any better, or maybe couldn't afford veterinary treatment and was waiting for their next pay cheque.

We all know vet care is expensive.

You knew that before you got a pet.

This week, magistrate Robert Pearce found a St Leonards man guilty of cruelty.

Jason Hope, 38, and his partner had bought two miniature piglets to add to their hobby farm.

They were animal lovers, and already had a veritable menagerie on their small acreage. But they hadn't had pigs before.

The piglets died in the car on the way home from the farm from which they had been bought.

Suffocated, Mr Pearce found, from the feed sacks the farmers advised they be put in for transit.

Mr Pearce said that Mr Hope had not intended to cause the animals harm, and had acted under what he considered to be expert advice.

But they were in his care and he did not take all reasonable steps to secure their well-being.

It was enough to make him legally liable.

The Animal Welfare Act is quite clear.

"A person must not do any act, or omit to do any duty, which causes or is likely to cause unreasonable and unjustifiable pain or suffering to an animal."

Mr Hope accepted his conviction with good grace.

His is an extreme case of the best intentions coming second to a naivety about animal welfare.

But most accused of animal cruelty did not intend to harm the animal.

Most did not think their behaviour would cause unreasonable or unjustifiable pain and suffering.

Many just didn't think.

There's a global push to get animal rights recognised by the United Nations.

The World Society for the Protection of Animals is spearheading an international campaign for a Universal Declaration on Animal Welfare.

Like the Universal Declaration of Human Rights, the fins-and-fur rights charter would encourage countries to bring their own animal welfare legislation into line and encourage industries to put animal welfare considerations at the centre of their practice.

Some groups take it further and call for an International Charter of Animal Rights.

There are a dozens of petitions circling the internet, racking up tens of thousands of signatures.

Most don't demand the whole world go vegan.

But they do demand an end to undue suffering to those sentient creatures who didn't come out top of the primordial soup.

In choosing to own an animal you accept responsibility for its basic care and welfare.

And because that responsibility is a choice, there's no excuse to shirk it.

If you are not sure you can handle up to 20 years' of vet bills, food bills, destroyed furniture and clogged washing-machine filters, then get a pet rock.

An animal deserves better.

TOMORROW

MY VISION FOR TASMANIA

We can't afford to maintain our old attitudes, wasteful duplication of services and infrastructure all bound by the "rabbit proof fence" that divides us.

With a population of 510,000 people, Tasmania cannot afford to support 29 local councils. Tasmania has more politicians per head of population than almost any jurisdiction on the planet.

My Vision for Tasmani — in The Examiner on Saturday.

islandstate

16 November 2005

Heritage House
172 Collins Street
Hobart Tasmania 7000
Phone 1300 659 001
islandstate.com

Mrs G L Adams
PO Box 519
Exeter TAS 7275

Dear Mrs Adams

I am writing to inform you that your application for credit has not been approved.

On the basis of the information supplied your application did not meet our lending requirements.

Our decision not to approve your application was based wholly or partly on information obtained from a credit report obtained from Tasmanian Collection Service.

Under the Privacy Act 1988, you have the right to obtain access to your credit information file held by a credit reporting agency.

The address of the Tasmanian Collection Service from which you may obtain a copy of your file is 29 Argyle Street, Hobart (ph: 03 62 235599).

When writing to the credit reporting agency you should print your name and address in full to assist the credit reporting agency to properly identify you.

However, if you consider your application has not received fair and unbiased treatment you have the right of appeal in writing to the full board of Directors.

Yours faithfully,

Mike Lichtendonk
Business Relationship Manager

Member Number: 58794

The Tasmanian deciduous beech (*Nothofagus gunnii*) is resilient through all seasons with radiant autumn colours that transform the landscape each year. It is unique to this island state.

islandstate
ABN 34 087 651 287

islandstate

31 May 2006

Heritage House
172 Collins Street
Hobart Tasmania 7000
Phone 1300 659 001
islandstate.com

Mrs Gail Adams-Fitton
PO Box 519
Exeter TAS 7275

Dear Mrs Adams-Fitton,

Re: Letter to the islandstate Board of Directors

The Board of Directors of Island State Credit Union Limited thank you for the information provided in your letter dated 16 May 2006.

Please note that the Board is unable to comment on any matters that have been before the courts and respectfully recommend separate legal advice is sought

Yours sincerely

Scott Lukianenko
Company Secretary

Tasmanian Collection Service
COLLECTION AND CREDIT REFERENCE SERVICES

ADAMS/GAIL LESLIE
Consumer, Commercial and Public Record Report
Extract Produced: 14-Nov-2005 2:58 PM, Requested by :L ISCULD

Personal Details

Name:	ADAMS/GAIL LESLIE	
Date of Birth:	31/12/1944	
Sex:	Female	
Earliest Date on File:	28/08/1985	
		First Reported
Current Address:	858 FRANKFORD HGWY GLENG	31/05/2001
Previous Address:	858 FRANKFORD HIGHWAY GL	15/06/1999
Current Employer:	ELSPECLITO KENNE	31/05/2001

Consumer Record

TCS Defaults (Current= 0 , Total= 1)

Date	Alias	Name	Amount	Result	Date
07/12/2001		ISLAND STATE CREDIT UNION	4046	PDJ	13/05/2002

Enquiries (1 on file)

Date	Alias	Name	Ref/Amount	Comments
31/05/2001		PERSONAL FINANCE	MJW	

End of Report

Request ID: 758264

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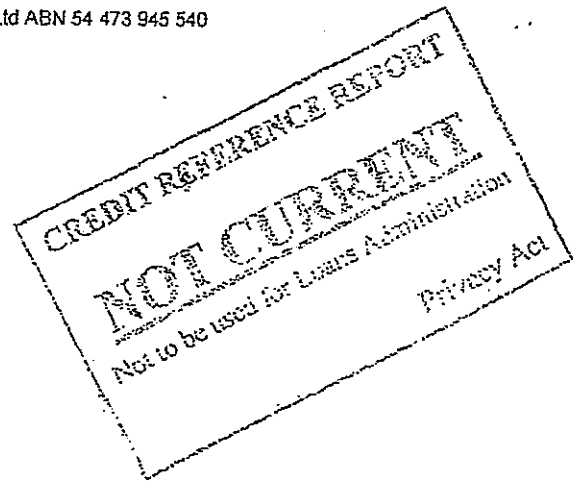

CREDIT REPORT FROM TASMANIAN COLLECTION SERVICE 22-JAN-07 15:50:40 Ref:

Report Type : Consumer + Commercial (4) for "Self" Enquiry

This report is furnished in confidence at your request and for your exclusive use. Whilst every precaution is taken as to accuracy, no responsibility can be accepted for its content.

ADAMS/GAIL LESLIE 1981001579 Birth Date:31/12/1943
(ADAMGL) Oldest Inf:14/11/2005 H

	Addresses	Employer
Curr:	27/11/2006 858: Frankford\Glengarry	27/11/2006 Self Employed
Prev:	14/11/2005 858:Frankford Hgwy\Gleng	
	31/05/2001 858:FRANKFORD HGWY\GLENG	

-- CONSUMER RECORD FILE ON ADAMS/GAIL LESLIE --

ENQUIRIES (3 on file)

Date	Name	Ref/Amt
22/12/2006	H LIBERTY FINANCial Pty Ltd	57000
27/11/2006	H "SELF" ENQUIRY	FILE DISCLOSURE
14/11/2005	L ISLAND STATE Launceston	48500

-- COMMERCIAL (INCLUDING NON-CONSUMER) FILE ON ADAMS/GAIL LESLIE -

No details on file for Report type selected

5-11-09

My State Financial
The Securities Dept.,
G.P.O. Box 1274,
Hobart. TAS.

The Board of My State and the Securities Dept.
My complaint 2 list below;

1. My mortgage was with Island State C/Union for years.
2. I wrote to the Board and the manager at that time to what was the situation.
3. My cheque account got into arrears because of the events at that time, my member No 58794.
4. Two lumpsums of monies were removed from my cheque account at that time without my knowledge or permission, never rectified.
5. A default was place upon myself over the chequeaccwhich I paid completely and closed, still having the mortgage,
6. A "forbidden" caveat was placed on the property for approximately a couple of months and in writing to me had been removed at the Beginning of May, 2002.
7. The "forbidden" caveat had "not" been "removed.

8. After no one, when I tried to defiance, inform, myself of the caveat left on.

9. The caveat No C362146 placed on by Island State's credit manager, and their Solicitors Page/Seager, who employed the Tasmanian Collection Service.

10. I was informed by a Finance Broker of the caveat, and through a Solicitor, two payments were made to remove it in December 2006.

11. At no time did Island State Credit Union, Page Seager Solicitors or the Tasmanian Collection Service inform myself of my rights or for the compensation for what was endured due to their mistake. I could not refinance and interest rates were low.

12. At no time was I ever informed of being able to go to the Financial Ombudsman.

13. It is not my problem or was it to be made to pay for their mistakes.

14. A complaint is before the Legal Profession Board of Tas, and before I approach Ot place my complaint to the Ombudsman refer No 12, your response would be appreciated, in writing.

Yours Sincerely
Gail Fitton (Adams)
P.O. Box 519, Exeter,
TAS

attached 5 copies on caveat.

Tasmanian Collection Service
COLLECTION AND CREDIT REFERENCE SERVICES
Saveloss Nominees Pty Ltd ACN 009 521 706
29 Argyle Street, Hobart 7000
GPO Box 814H, Hobart 7001
Ph: (03) 6223 5599 Fax: (03) 6234 2988

ADAMS: GAIL LESLEY

Please quote our Reference : ADAMGL 02 13/05/02

Due to ISLAND STATE CREDIT UNION

Due $ 0.00

S4

Dear Madam,

We refer to the above matter which has now been settled.

Please find enclosed a copy of the withdrawl of caveat.

Should you have any queries please contact this office direct.

Yours faithfully,

Kimbra Menzie
Account Manager

7. The Defendant is now justly and truly indebted to the Plaintiff in the sum of $12,369.26 for principal, interest and charges as at 7 May 2002, pursuant to the Agreement.

8. In addition to the claim, the Plaintiff claims interest pursuant to Section 58 of the *Supreme Court Act 1986* at the rate of 11.5% per annum on the outstanding principal sum of $11,065.04, accruing at the daily rate of $3.49, from the day after the date specified in paragraph 7 of this claim and continuing until payment or judgment.

HOW MUCH MONEY (IF ANY) ARE YOU CLAIMING?

A. $11,736.26

B. Interest pursuant to statute

C. Costs.

Dated: 7-5-02

Jones King Lawyers
as Town Agents for CH Legal
Solicitors for the Plaintiff

FORM 9A
NOTICE OF DEFENCE

IN THE MAGISTRATES COURT
OF VICTORIA
AT MELBOURNE

Court Number: Q0100891/6
Date of Filing: 09 05 02

BETWEEN

AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (ACN 005 357 522)

Plaintiff

AND

GAIL LESLEY ADAMS-ELSPEDITO

Defendant

Filed on behalf of :
Prepared by:

Solicitor Code:
Ref:

NATURE OF COMPLAINT: Credit Card Debt Account Numbered 4564673030804201

TO THE PLAINTIFF
AND
TO THE REGISTRAR OF THE MAGISTRATES COURT AT MELBOURNE

TAKE NOTICE that the Defendant intends to defend this Complaint.

AND TAKE NOTICE that the Defendant **defence is as follows:**

FILED:

*Defendant
*Defendant's Solicitor

1 This Notice was filed for the Defendant by

2 The address for the Defendant is

3 The address for service of the Defendant is

4 The date of service of this Complaint was

FORM 9A
NOTICE OF DEFENCE

Court Number: Q0100896
Date of Filing: 09.05.02

IN THE MAGISTRATES COURT
OF VICTORIA
AT MELBOURNE

BETWEEN

AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (ACN 005 357 522)
Plaintiff

AND

GAIL LESLEY ADAMS-ELSPEDITO
Defendant

Filed on behalf of :
Prepared by:

Solicitor Code:
Ref:

NATURE OF COMPLAINT: Credit Card Debt Account Numbered 4564673030804201

TO THE PLAINTIFF
AND
TO THE REGISTRAR OF THE MAGISTRATES COURT AT MELBOURNE

TAKE NOTICE that the Defendant intends to defend this Complaint.

AND TAKE NOTICE that the Defendant defence is as follows:

FILED:

*Defendant
*Defendant's Solicitor

1 This Notice was filed for the Defendant by

2 The address for the Defendant is

3 The address for service of the Defendant is

4 The date of service of this Complaint was

FORM 1

Section 16
Service and Execution of Process Act 1992

NOTICE TO DEFENDANT

PLEASE READ THIS NOTICE AND THE ATTACHED DOCUMENT VERY CAREFULLY

Attached to this notice is a Complaint issued out of the Magistrates Court at **MELBOURNE, VICTORIA.**

Service of the attached process outside the State of Victoria is authorised by the Service and Execution of Process Act 1992.

YOUR RIGHTS

If a court of a State of Territory other than the State of Victoria is the appropriate court to determine the Complaint against you set out in the attached process, you may be able to have the proceeding stayed by applying to the Magistrates Court at **MELBOURNE, VICTORIA.**

CONTESTING THIS COMPLAINT

If you want to contest this complaint, you must take any action set out in the attached process as being necessary to contest the complaint.

If you want to contest this complaint, you must also file a **Notice of Defence** in the Magistrates Court at **MELBOURNE, VICTORIA.** You have only **21 DAYS** after receiving the attached process to do so.

The **Notice of Defence** must contain:

An address in Australia where document can be left for you or sent to you.

FORM 5A

(Rule 5.11)

AFFIDAVIT / DECLARATION OF SERVICE

IN THE MAGISTRATES COURT
OF VICTORIA
AT MELBOURNE

Court Number: Q01008914
Date of Filing: 09.05.02

BETWEEN

AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (ACN 005 357 522)

Plaintiff

AND

GAIL LESLEY ADAMS-ELSPEDITO

Defendant

I,
Of
Make oath and say that on day of , 2002 at am/pm, I served **GAIL LESLEY ADAMS-ELSPEDITO** with a copy of the Complaint Number filed in the Magistrates Court of Victoria at Melbourne (together with a Form 1 Section 16 Notice to Defendant) by:

(a) delivering it to the Defendant personally at:

I identified the person I served by the following conversation:
I asked, "
The Defendant replied "
I then showed the Defendant the (together with a Form 1 Section 16 Notice to Defendant) and asked, "
The Defendant replied, "
I then handed the Defendant the (together with a Form 1 Section 16 Notice to Defendant) .

(b) by leaving a copy of the (together with a Form 1 Section 16 Notice to Defendant) for the Defendant at the Defendant's place of residence at:

with a person apparently over the age of 17 years who undertook to hand the (together with a Form 1 Section 16 Notice to Defendant) to the Defendant as the Defendant could not be reasonably found.
I identified the person I served by the following conversation:
I asked, "
The person replied "

(c) by leaving a copy for the Defendant at the Defendant's place of business with a person apparently in charge of the Defendant's place of business at the time of service who undertook to hand the (together with a Form 1 Section 16 Notice to Defendant) to the Defendant as the Defendant could not be reasonably found.
I identified the person I served by the following conversation:
I asked, "
The person replied "

(d) By leaving a copy thereof at/by posting a copy thereof by prepaid post addressed to the registered office of the Defendant (together with a Form 1 Section 16 Notice to Defendant) .

at:

(e) If served other than above, set forth means of service:

And that I necessarily made trips and travelled kilometres in all, for the purpose of effecting such service.

***SWORN/DECLARED** at
in the State of Victoria
on
Before me
*authorised under section 107A(1) of the Evidence Act 1958 to witness the signing of a statutory declaration
*authorised under section 123c(1) of the Evidence Act 1958 to take an affidavit *[Name and address in legible writing, typing or stamp]* delete if not applicable

AUSTRALIAN DEBT COUNSELLORS
(A Division of Granville Securities Pty. Ltd. A.B.N. 62 082 233 663)

25th June, 2002.

Lion Finance,
GPO Box 3275,
BRISBANE QLD 4001.

Dear Sir/Madam,

Re: *Gail Adams*
ANZ A/c No: 4564 6730 3080 4201

We refer to your advice dated 17th June, 2002 in relation to this account.

In reply you are advised that this account has been the subject of an arrangement under which our client has been paying the ANZ Bank. We enclose a copy of the latest receipt for $100 dated 21st June, 2002. It is our client's intention to maintain the payments previously agreed to by the ANZ Banking Group.

If you should have any queries in this matter please do not hesitate to contact this office.

Yours faithfully,

Helen Bartley
Consultant

Enc.
CC:client

ANZ BANK 7842 6010
TIME 12:36 DATE 21/05/02 ID 02
VISA NUMBER 4564673030004201

CASH	DEPOSITED	100.00
CHEQUES	DEPOSITED	0.00
TOTAL	DEPOSIT AUD	100.00

PLEASE RETAIN FOR STATEMENT VERIFICATION

AUSTRALIAN DEBT COUNSELLORS
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Yours faithfully,

Helen Bartley
Consultant

Enc.
CC:client

AUSTRALIAN DEBT COUNSELLORS
(A Division of Granville Securities Pty. Ltd. A.B.N. 62 082 233 663)

25th June, 2002.

Mrs Gail Adams,

7275.

Dear Gail,

Re: *ANZ Banking Group*
ANZ A/c No: 4564 6730 3080 4201

Please find enclosed a copy of correspondence sent to Lion Finance in relation to the above account.

If you should have any queries in this matter please do not hesitate to contact this office.

Yours faithfully,

Helen Bartley
Consultant

Enc.
CC:client

Registered Office: 15B BRISBANE STREET, LAUNCESTON, TASMANIA 7250.
P.O. BOX 778. Telephone: 03 6334 3277 Facsimile: 03 6331 1901

lionfinance pty ltd

FRI REC 2/8/02 IN MAIL

30/07/02

Gail Lesley Adams-Elspedito
PO Box 519
Exeter, TAS 7275
Australia

Dear Sir/Madam

Lion Finance Pty Limited
FORMER: ANZ ACCOUNT: 4564673030804201
AMOUNT DUE: $ 12,169.26

We confirm that an amount of $ 12,169.26 ("the debt") is now due and payable by you to Lion Finance Pty Limited

We note you have offered to repay the Debt by instalments.

Without prejudice to the rights of Lion Finance Pty Limited under its Agreement with you, we accept your offer to repay the Debt, subject to and conditional upon the following terms:

1. The repayment of the Debt in terms of this letter constitutes your acknowledgement of indebtedness to Lion Finance Pty Limited for the full amount of the debt.

2. **You agree to repay the Debt by consecutive Monthly instalments of $ 50.00 , the first of such instalments to be made on 31/07/02 and thereafter Monthly , on the same day, continuing until the whole of the Debt has been repaid in full.**

3. Lion Finance Pty Limited reserves the right to review this repayment arrangement every three (3) months from the date hereof, with a view to finalising payment of the Debt as quickly as possible.

4. Should there be any default whatsoever in the punctual payment of any instalment, then Lion Finance Pty Limited, will be at liberty to take legal action against you, immediately and without further notice, to recover the balance of the Debt together with all other moneys, charges, interest and legal costs which have been or will be incurred under your Agreement with Lion Finance Pty Limited.

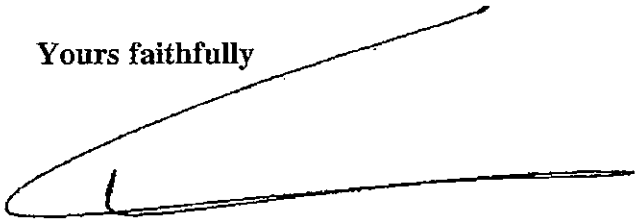
5. This indulgence to allow you to repay the Debt at the times and in the manner set out above, is given without prejudice to Lion Finance Pty Limited's rights to recover the whole of the moneys owing by you under Agreement with Lion Finance Pty Limited, and it is expressly agreed that these arrangements are not and do not compromise our rights in any way whatsoever.

PLEASE NOTE that all instalments are to be made payable to Lion Finance Pty Limited and made utilising one of the payment options listed on the following page. If there is any risk of an instalment being late, you must contact our office prior to the payment date.

Nothing contained in this letter is intended to reduce your obligations to Lion Finance Pty Limited under this account, unless and until you strictly comply with the without prejudice arrangements, at the times and manner specified above.

If you require any clarification on you arrangement please call our office on 07 3292 0494.

Yours faithfully



Lion Finance Pty Limited

Our Ref: 4600 2614 251
LAA

See over for payment options.

lionfinance pty ltd

24/09/02

Gail Lesley Adams-Elspedito
PO Box 519
Exeter, TAS 7275

REDUCED SETTLEMENT OFFER

Dear Sir/Madam

Lion Finance Pty Ltd
FORMER: ANZ ACCOUNT: 4564673030804201
AMOUNT DUE: $ 12,069.26

Without prejudice to the rights of Lion Finance Pty Ltd under its Agreement with you, we are willing to accept a reduced amount of 35% of the debt, namely of $ 4,224.24, as full and final satisfaction of your debt liability on this account, subject to and conditional upon the following terms:

1. This letter constitutes your acknowledgement of indebtedness to Lion Finance Pty Ltd for the full amount of this debt.

2. Payment of the amount of $ 4,224.24 **must** be received by Lion Finance Pty Ltd as **cleared funds, no later than the close of business on 04/10/02.**

PLEASE NOTE the sum of $ 4,224.24 is to be paid by bank cheque, money order or other means of cleared funds, to Lion Finance Pty Ltd, to be received by us not later than the close of business on 04/10/02.

If payment of $ 4,224.24 is received in cleared funds by the 04/10/02 , it will be accepted in full and final satisfaction of your indebtedness in respect of the above account. Payment of this outstanding account may assist you to maintain or restore your credit rating.

If payment is not received in accordance with this letter, you remain indebted to us for the full outstanding amount due and payable under this account.

Yours faithfully

Lion Finance Pty Ltd
Our Ref: 4600 2614 251
L35

See over for payment options.

lionfinance pty ltd

22/10/02

Gail Lesley Adams-Elspedito
PO Box 519
Exeter, TAS 7275

REDUCED SETTLEMENT OFFER

Dear Sir/Madam

Lion Finance Pty Ltd
FORMER: ANZ ACCOUNT: 4564673030804201
AMOUNT DUE: $ 12,069.26

Without prejudice to the rights of Lion Finance Pty Ltd under its Agreement with you, we are willing to accept a reduced amount of 25% of the debt, namely of $ 3,017.32, as full and final satisfaction of your debt liability on this account, subject to and conditional upon the following terms:

1. This letter constitutes your acknowledgement of indebtedness to Lion Finance Pty Ltd for the full amount of this debt.

2. Payment of the amount of $ 3,017.32 **must** be received by Lion Finance Pty Ltd as **cleared funds, no later than the close of business on 01/11/02.**

PLEASE NOTE the sum of $ 3,017.32 is to be paid by bank cheque, money order or other means of cleared funds, to Lion Finance Pty Ltd, to be received by us not later than the close of business on 01/11/02.

If payment of $ 3,017.32 is received in cleared funds by the 01/11/02 , it will be accepted in full and final satisfaction of your indebtedness in respect of the above account. Payment of this outstanding account may assist you to maintain or restore your credit rating.

If payment is not received in accordance with this letter, you remain indebted to us for the full outstanding amount due and payable under this account.

Yours faithfully

Lion Finance Pty Ltd
Our Ref: 4600 2614 251
L25

See over for payment options.

lionfinance pty ltd

02/05/03

Gail Lesley Adams-Elspedito
PO Box 519
Exeter, TAS 7275

REDUCED SETTLEMENT OFFER

Dear Sir/Madam

Lion Finance Pty Ltd
FORMER: ANZ ACCOUNT: 4564673030804201
AMOUNT DUE: $ 11,769.26

Without prejudice to the rights of Lion Finance Pty Ltd under its Agreement with you, we are willing to accept a reduced amount of 35% of the debt, namely of $ 4,119.24, as full and final satisfaction of your debt liability on this account, subject to and conditional upon the following terms:

1. This letter constitutes your acknowledgement of indebtedness to Lion Finance Pty Ltd for the full amount of this debt.

2. Payment of the amount of $ 4,119.24 **must** be received by Lion Finance Pty Ltd as **cleared funds, no later than the close of business on 23/05/03.**

PLEASE NOTE the sum of $ 4,119.24 is to be paid by bank cheque, money order or other means of cleared funds, to Lion Finance Pty Ltd, to be received by us not later than the close of business on 23/05/03.

If payment of $ 4,119.24 is received in cleared funds by the 23/05/03 , it will be accepted in full and final satisfaction of your indebtedness in respect of the above account. Payment of this outstanding account may assist you to maintain or restore your credit rating.

If payment is not received in accordance with this letter, you remain indebted to us for the full outstanding amount due and payable under this account.

Yours faithfully

Lion Finance Pty Ltd
Our Ref: 4600 2614 251
L35

See over for payment options.

lionfinance pty ltd

04/06/03

GAIL LESLEY ADAMS-ELSPEDITO
PO BOX 519
EXETER, TAS 7275

REDUCED SETTLEMENT OFFER

Dear Sir/Madam

Lion Finance Pty Ltd
FORMER: ANZ ACCOUNT: 4564673030804201
AMOUNT DUE: $ 11,719.26

Without prejudice to the rights of Lion Finance Pty Ltd under its Agreement with you, we are willing to accept a reduced amount of 25% of the debt, namely of $ 2,929.82, as full and final satisfaction of your debt liability on this account, subject to and conditional upon the following terms:

1. This letter constitutes your acknowledgement of indebtedness to Lion Finance Pty Ltd for the full amount of this debt.

2. Payment of the amount of $ 2,929.82 **must** be received by Lion Finance Pty Ltd as **cleared funds, no later than the close of business on 25/06/03.**

PLEASE NOTE the sum of $ 2,929.82 is to be paid by bank cheque, money order or other means of cleared funds, to Lion Finance Pty Ltd, to be received by us not later than the close of business on 25/06/03.

If payment of $ 2,929.82 is received in cleared funds by the 25/06/03 , it will be accepted in full and final satisfaction of your indebtedness in respect of the above account. Payment of this outstanding account may assist you to maintain or restore your credit rating.

If payment is not received in accordance with this letter, you remain indebted to us for the full outstanding amount due and payable under this account.

Yours faithfully

Lion Finance Pty Ltd
Our Ref: 4600 2614 251
L25

See over for payment options.

The Financial Ombudsman Service,
G.P.O. Box 3,
Melbourne. VIC. 3001.

25.5.11.

Case No: 202387.

Dear Financial Ombudsman
I am responding to a report I received yesterday dated 17/5/11 from case officer Teresa Willemsen.

No. 17. Wrong, misquoted, to the evidence supplied.

No 13. Wrong misquoted to the evidence supplied. I was consolidating the debts, borrowing and the property and small business as has been done, all in my name and ownership.

No 16. Wrong, to the evidence supplied. Lion was not an agent for A.N.Z. Lion acquired the debt for 10 cents in the dollar.
A N Z broke my agreement to them

No 33. Evidence shows Island State Credit Union employed the professional services of Solicitors Page Seager in Hobart, and Tasmanian Collection Services, Hobart and this being, they offered services to the laws and its knowledge, refer your No 38. Logic the responsibilities and liabilities was on the Island State Credit Union

who employed them. I did not employed these services.

35. What a shame the debt owed to myself and small business by the Labor State Government of Tasmania, well over $100,000-00 could not be acquired by this service, the reason for what has occurred in this case. Is the Financial Ombudsman employed and wages paid by the Federal State Labor Government?

36. Why was two amounts of monies removed from my then cheque account, the account in question, without my knowledge or consent, never addressed, a criminal act allowed by Island State Credit Union, one amount on a Sunday? My State aware of the documentation. I was screaming, so to speak.

40.) Refer to No 38. "THE LAW," stated by you.
39.)

43. I have shown plenty of evidence to protect my property, especially, I had threats on my life? Refer No 38 as well.

41. Refer No. 38 and my response No 33.

42. I had no idea the Finiancial Ombudsman would excuse to errors, in such a serious situation, and excuse those as also in No 36 of my response, to the laws, Duty of Care and place the responsibility

and liability back on myself.

#3. I had no knowledge about a caveat given to this point, I had a AAA credit rating..

#6). Island State Credit Union was fully
#7). aware of what was occurring to myself, including the C.E.O in Hobart at that time.

50. The Financial Ombudsman cannot assume what financial services providers will do, given I live on an Island. Logical if someone offers to cease a debt of $12,000-00 for $2,900-00 you are going to try everywhere, LOGICAL.

51. As soon as the caveat was lifted, I had the option of two banks. All a financial provider has to do is on the computer with the dept. of Recorder of Titles is look up, with name and address to see if any holdings on a property eg. caveat. It cost me $20-00 for Mr J. Kitto, my solicitor to do so, instantly. It is on his bill and I was informed by that Dept. certain people have access to check up on when people apply for financial borrowing. They certainly were not concerned with A N Z and the cheque account.

52. Your view? It is the law and over whelming evidence of negligence by professional services employed by Island State Credit Union.

52. Contradicts your No: 38.

54. I have provided over whelming evidence and again No38 applies, the law, my evidence in this 17/5/2011 from the Financial Ombudsman has been misrepresented, misread, misquoted.

55. Given the response by myself in No54 everything has been done to place the responsibility and liability on me, and shows too much favour to the professional employed services by Island State Credit Union to their gross errors and negligence by excuses.

I was asked by My State what I wanted, I replied twice. I am very surprised a C.E.O. could not handle this matter. It is an insult to the continuing humiliation degradation that has been placed on my small business and myself, to be almost forced to accept the offer from My State of $9,45-54, how disgusting.

Now I will state the reasons why I never went to the Supreme Court.

(a) Island State Credit Union – Manhatten Chase.
(b) A.N.Z. — Manhatten Chase.
(c) My State — Manhatten Chase.
(d) Are the Solicitors Page Seager in anyway connected to Manhatten Chase?

I am aware who Manhatten Chase is and because of an incident years ago in Launceston, a woman who apparently, according to the newspaper

and T.V. was placing phamplets in letterboxes which the Jewish Community was upset over. I have no idea what I was on the phamplet. The woman was taken to the Supreme Court and was silenced by Court Order. The representative for the Jewish Community, at that time, Dr Felix Goldsmied, Launceston.

The "Truth" would never be heard and quiet now my evidence falsely represented the true facts I intend to add this to my book.

My request and want stands to My State.

Yours Sincerely,
Gail Fitton
P.O. Box 519
Exeter. TAS. 7275.

13, 3, 2015

The Governor of Tasmania
and The Governor in Council
of Tasmania.
Government House,
Hobart, Tas. 7000.
FAX NO: 62342556.
Attention: Mr David Owen.

I attach a copy of my request in 14. 1. 2008, no reply at all.

I had a right in this whole case, which has been since 1990 and the two dogs I was set-up with, to go to the Governor as neither Salina Chan or Mr. A. Reid had a kennel licence the first illegal act. This Act was under the Dog Control Act of 1987 fully the Governor, and in 2002 due to me, it was taken from the Governor and made the Dog Control Bill under control of Premier, Premier and Cabinet.

Above, I am not taking anymore. Animal Australia is now fully aware of threats on my life etc. etc. those trying to cover up and being forced, my small business suffering and the personal losses. I went to the Queen. I have the whole case with a publisher.

I request my F.O.I's and the documents.

Thanking You
Gail Fitton (Adams)
P.O. Box 519
Exeter 7275 TAS.
Ph: 63961145

Animals Quest,
37 O'Connell St,
North Melbourne, VIC
3051.

24-3-2015.

Dear Animals Quest,

I have spoken with you on the greyhounds attached is 2 C.D.S (1) the whole disclosure including (2) the two dogs from 25 dogs remaining out of 40 pets.

The abuse and of those abusing their powers over my pet boarding business which has been registered since 1977, my family and myself. No other pet boarding business had dogs from this cruelty case, which included a ban, and two years later Mr A. Reid was at it again. He had been known for cruelty since 1985. The 2 inspectors for R.S.P.C.A Tasmania are selected and appointed, paid (by D.P.I.W.E) by the Minister.

I was told to go to a Solicitor who did pro-bono work, I did and presented a letter with some documents, he had it for 6 weeks, I received a letter from him, he could not help, I rang the office twice in that time, he was busy. When I received the F.O.I.'s from the racing industry he was acting for Mr A. Reid. I complained to Law Society nothing is wrong. This Solicitor trains and races greyhounds. Another Solicitor near him, could not help me and returned all within 48 hours. I have the letters.

There is so much to this case, including, the Federal government

and Solicitors I paid.

An example:

My two daughters were 8 and 12 years old, when Inspector Woolley came to my home from George Town, well out of the area of detention of Glengarry it was because my two daughters were being intimidated and stalked off the school bus 3-4 days a week approx 200m from home to the local shop where the bus pulled up. They were also having the same thing but with verbal abuse feeding their horses on our property by a Mrs McCaughey, a neighbour at the far rear of our property. The person above was Vernon Chan who was well known by Police for stealing, at Revesby Police in Sydney. No one came to their aid. The younger one used to cling to the back of the older one, if I had a client and could not get there. Ten years on the youngest the last day of College, she was near 18 years old, came into the boarding facility to tell me "we are alright now I got us a man, Inspector Woolley a mormon told us "All your problems are you do not have a man around." "You cannot make people like you." I have been divorced since 1989. My father died when I was 15 ten years old and I became a bread-winner, there was 4 of us. I cried when she said the above as I watched the suffocating of my mother.

When I went to see Mr A. Reid Beg. Feb. 2000 because of fees, not alone into the property, the smell, let alone what I was seeing. No one, not any of the owners or owners of the two dogs in-care, who arrived on the property at Boland St[illegible] were informed & a raid on 7/11/99, Mr A. Reid's name and address omitted on the front page of the Examiner newspaper 12/11/99 "sickening". Minister Llewellyn trying to obtain defective registration papers from the owner making me out as the culprit, in a letter to Mr Borg.

Superintendant Dean, I was suppose to meet with, I got sick and Mrs D. Burkhalter delivering the documentation was told "go to the Ombeudsman", nothing to do with Police!! Two legal instructions under 14(1) of the Animal Welfare Act which carries a penalty 14(2) "send remaining dogs back to owners" the two in-care part of the 25 dogs remaining, 23 shot in head with single bullet F.O.I's.

The photos and video of the two dogs in-care were, with permission, done by students from Launceston College, which included my youngest daughter and delivered to the Detective who requested such, who was appointed by the Police Commissioner. As the Minister Llewellyn stated in writing statements etc would be handed up, and we were also following the instructions of Mr Gerald Jones the Ministers Police adviser, all were withheld to the Judiciary. What does anyone think this did to 18 year olds who believed they were doing the right thing!!

4.

I had a caveat placed on my property, lost my double horse float and miniature horse float many personal items etc. and the D.P.P. actions upon me including the Director Mr Tim Ellis to the whole case. The majority of the dogs were 6 months to 12 months old.

Deanne Burkhalter for 15 years trying to present to the State Government of Tasmania on the Animal Welfare Act, (cat lady) of mistakes ect. The way they treat this lady is disgusting. Her phone number . I had her permission.

I have been a member of WSPA for years, when I sell I will do the same for Animals Australia.

The C.D.'s I hope help with the affidavits on. I am trying to sell and leave Tasmania.

Yours Sincerely,
Gail Fitton
P.O. Box 519
Exeter. 7275. TAS.
PH: 0363961145.

P.S. A Senator's wife once told me, knowing this whole case "it is not what you know Gail, but who you know!" He was 12 years a Senator she placed his dog in my pet boarding facility, for the his duration when in Canberra.

The Theocratic War Doctrine: Why Jehovah's Witnesses Lie in Court

December 18, 1995
By Jerry Bergman, Ph.D.

The Jehovah's Witnesses are one of the fastest growing religions in the world today. Their ruling body, the Watchtower Society, now claims that almost twelve-million persons are now involved with the church and, according to their Dunn's report, their American income in 1992 alone was over $1,250,000,000. Founded in 1879, they are most well known for their conflicts with nations over flag salute and government requirements.

Theocratic War Doctrine

Among their unique doctrines includes a prohibition against blood transfusions and a teaching called **theocratic war strategy** that justifies lying in court and elsewhere. Only the Aryan Brotherhood, a white supremacist group which teaches it is appropriate to lie in order to further its interests, shares the latter teaching in common with the Wathctower. The doctrine is complex, but essentially the Watchtower teaches that it is appropriate to withhold the truth from "people who are not entitled to it" if it will further the Watchtower's interest (Reed, 1992, also per the court's definition, not telling "the whole truth and nothing but the truth" which means the court requires the *whole* story, not half-truths. Although the Watchtower claims to condemn lying, they define it as "saying something false to a person *who is entitled* to know the truth and doing so with the intent to deceive or to injure him or another person" (Franz, Vol. 2, 1988:244). They then add:

While malicious lying is definitely condemned in the Bible, this does not mean that a person is under obligation to divulge truthful information to people who are not entitled to it. ...Jesus on certain occasions refrained from giving full information or direct answers to certain questions when doing so could have brought unnecessary harm (Mt 15:1-6; 21:23-27; Joh 7:3-10). Evidently the course of Abraham, Isaac, Rahab, and Elisha in misdirecting or in withholding full facts from nonworshipers of Jehovah must be viewed in the same light-Ge 12:10-19; chap 20; 26:1-10; Jos 2:16; Jas 2:25; 2Ki 6:11-23 (p. 245).

The Watchtower does not admit to reaching lying, but that lying to "God's enemies" is not really lying but "war strategy" and that,

God's Word commands: "Speak truth each of you wish his neighbor." (Eph. 4:25). This command, however, does not mean that we should tell everyone who asks us all he wants to know. We must tell the truth to one who is entitled to know, but if one is not so entitled we may be evasive (*The Watchtower* Je 1, 1960:351-352).

They then state "we may not tell a falsehood," but this refers to their definition of a falsehood. The May 1, 1957 *Watchtower* adds that,

Lies are untruths told for selfish reasons and which work injury to others. Satan told a lie to Eve that worked great harm to her and all the human race. Ananias and Sapphira told lies for selfish reasons. But hiding the truth, which he is not entitled to know, from an enemy does not harm him, especially when he would use such information to harm others who are innocent... So in time of spiritual warfare it is proper to misdirect the enemy by hiding the truth. It is done unselfishly; it does not harm anyone; on the contrary; it does much good (p. 284-285).

That they are specifically teaching lying as the word is normally used in English is illustrated by

The Moscow group had been fighting for survival since 1998, when proceedings were first launched to shut it down. In 2001, a local court threw out prosecutors' attempts to ban the group, but another court later revived the case. The second trial, which ended in the ban, began in 2002.

An elderly woman who attended the hearing and identified herself only as Olga applauded the ban, saying that now "other souls won't die." Five years ago, she said, her daughter joined the Jehovah's Witnesses, which she derisively referred to as a "sect."

Russia's 1997 religion law enshrines Orthodox Christianity as the country's predominant religion and pledges respect for Buddhism, Islam and Judaism ---- called traditional religions ---- but places restrictions on other groups.

Wednesday's ruling came a day after a museum manager went on trial on charges of inciting religious hatred with an exhibit that angered the Russian Orthodox Church.

Defense lawyer Galina Krylova said that although Wednesday's decision was final, the case was already being considered by the European Court of Human Rights.

Svetlana Genelova, a 47-year-old who became a Jehovah's Witness seven years ago, said members will continue worshipping despite the ban, gathering at followers' apartments. "Nobody can forbid us to read and live by the Bible," she said.

Wednesday's ruling came a day after a museum manager went on trial on charges of inciting religious hatred with an exhibit that angered the Russian Orthodox Church. The court sent that case back to prosecutors, saying the indictment was flawed. The court gave the state five days to fix the problem.

To see more documents/articles regarding this group/organization/subject click here.

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(1

Salina Chan — G.W's

Tassie towns

In good spirits in Glengarry

International shipping problems almost ruined Glengarry, but then two vessels inadvertently brought new life to the town. GILL VOWLES reports.

GLENGARRY locals like 74-year-old Iris Garwood still vividly remember the days when the West Tamar town's farms were full of trees laden with apples and pears.

However, the four-day war between Egypt and Israel in 1967 resulted in the blocking of the Suez Canal and thousands of tonnes of fruit rotted on trapped vessels.

These shipping problems, combined with the devaluation of the UK currency and rising costs, led the Federal Government to introduce a tree-pull scheme which all but spelled the end of Glengarry's fruit production.

Ironically the town's strategic location – on the direct route from Launceston to the *Spirit of Tasmania* terminal in Devonport – has ensured its survival.

Today the town, which is still unfamiliar to many Tasmanians, is home to two boarding kennels and a tourist attraction, The Glengarry Bush Maze and Tearooms, that all benefit from passengers on the two ships.

Chris Stackhouse, who owns The Glengarry Bush Maze and Tearooms, said the town's relative isolation was no drawback. Twenty-four years ago Chris and her husband Lou turned a family-owned 20-acre block into the maze and tearooms, and she says tourists have no difficulty finding them.

"It can be a bit quiet in winter, but in summer both our car parks are generally full of visitors' vehicles," Chris said.

"They do tend to comment that we are off the beaten track or say they were lucky to find us in the middle of nowhere, but that seems to add to the experience."

Chris said the decision to build the maze had been the result of "momentary madness".

"After building a home we wanted to do something with the land and one afternoon we thought 'why don't we plant a maze'," she said.

"We had no idea if it would grow or even survive in these conditions, but it has and we had no idea if people would come, but they did."

Chris said her business's reliance on *Spirit* passengers was clearly evident in her visitor patterns.

"The majority of our visitors come either early in the morning or late in the day, so it is clear they are through traffic from the *Spirits*."

Freda Chan, who operates Glenmore Estate Kennels and Cattery with her daughter Salina, said Glengarry was the ideal place for an animal boarding business.

"You can't operate this type of business in town because of noise restrictions. Here we have the space we need, yet we are perfectly located on the route Launceston people take to or from the *Spirit of Tasmania*," she said.

"That means they can drop their animals off on the way to the terminal and pick them up on the way home without making a detour or a special trip."

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V Elfride Chan - J.W/S

CANINE COMPANIONS: Freda Chan and daughter Salina, who operate Glenmore Estate Kennels and Cattery, with four of their British bulldogs. Picture: CHRIS KIDD

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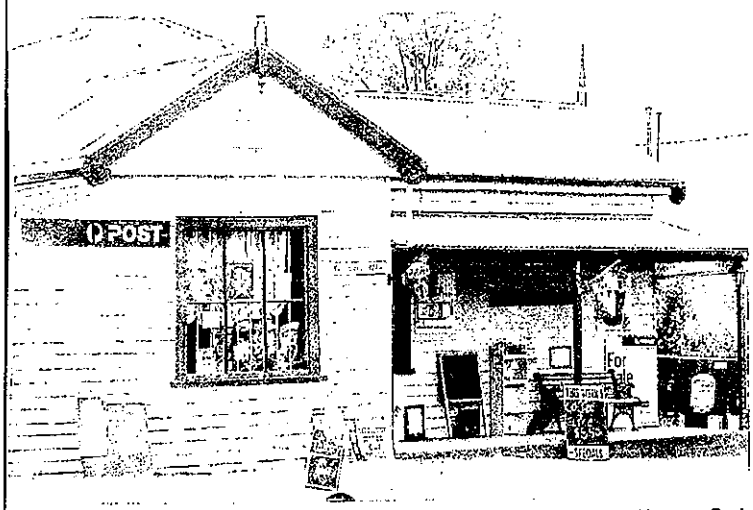


ONE-STOP SHOP: The Glengarry general store; right, Chris Stackhouse, owner of The Glengarry Bush Maze and Tearooms

Chris said although Glengarry was once renowned as an apple growing area, these days it was predominantly a feeder town for Exeter and Launceston.

"During the depression a lot of people walked off the land, but we still have many of the original families living here because people don't seem to move on once they find Glengarry."

Chris said although the town's people relied on the services at Exeter, a five-minute drive away, there were still plenty of facilities in Glengarry.

"We have two churches, the local store and post office, a fire brigade, two boarding kennels, a pet cemetery and the pony club is very strong."

Chris said along with the general store, the school bus stop was the town's main meeting place.

"Glengarry is the kind of town where mums take their kids to the school bus stop at 8.30am and are still there chatting at 10 am.

"It is a town where you go to the local post office and general store and run into half the community."

The post office and general store are presided over by Helen Wood and her husband Glenn, who left Launceston two years ago in search of a lifestyle change.

"Glenn wanted out of night shift and we were looking for somewhere we could work and live," Helen said.

"Buying the business is the best decision we have ever made and there is no way we would go back to a big town or a city now," she said.

"Here it is just so peaceful and we don't have any neighbours.

"It is a lovely, quiet place to live and there are some really good people out this way."

Sales representative Jane Gibbons moved to Glengarry six years ago and at the time was a reluctant new resident.

"I'd been a city girl all my life and I was terrified of moving to the country," Jane said.

"But I feel more safe here than I ever did in the city and I just love the beauty and serenity of the place.

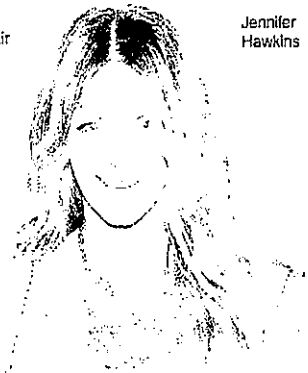
"The wildlife is just phenomenal – we have a platypus in our dam and I love the way the frogs stick to the window when it has been raining.

"It is a real wind-down town and we have a totally different lifestyle, even though we are only 30km from Launceston.

"I love the fact that people here keep to themselves and I don't mind at all that many Tasmanians have no idea where Glengarry is."

quiz

1 Who was the first Australian woman appointed attorney-general?
2 What was NSW Governor Bligh's first name?
3 Who carried his bat in the second cricket Test against New Zealand?
4 What is the true name of Ayers Rock?
5 Donald Bradman retired from cricket in which year?
6 Who plays Mary Poppins in the Australian musical production?
7 What is the name of Hugh Jackman's new stage show in New York?
8 Who is Australia's top-ranked male tennis player?
9 What does a milliner make?
10 Who played the lead role in the movie *The Wizard of Oz*?
11 Magnesium sulphate is better known as what?
12 Who hosts Channel Nine's *Today* show?
13 Which eastern Australian spider builds a tubular lair?
14 Who is the Speaker of the Australian House of Representatives?
15 English rugby union star Johnny Wilkinson played which position?
16 What top beauty title did model Jennifer Hawkins win?
17 What colour is associated with a duck's egg?
18 Who was known as Ol' Blue Eyes?
19 Is Mother's Day the first or second Sunday in May?
20 Who is Australia's Governor-General?
21 Norfolk Island is in which ocean?
22 George W Bush became president of the US in what year?
23 Were pterodactyls ground or air reptiles?
24 Who won a Best Supporting Actress Oscar for the movie *A Beautiful Mind*?
25 What is a shih tzu?
26 What are known as the ships of the desert?
27 Skate is a type of seafood from which fish?
28 Boxer Solomon Haumono scored how many KOs in 13 fights?
29 Edgar Rice Burroughs created which famous character?
30 What is a langouste?



Jennifer Hawkins

ers: 1 Nicola Roxon 2 William 3 Dave Warner 4 Uluru 5 1949 6 Verity Hunt-Ballard 7 *Hugh Jackman Back on Broadway* 8 Bernard Tomic 9 Hats 10 Judy Garland 11 Epsom salts 12 Lisa Wilkinson and Karl Stefanovic 13 Funnel-web ider Slipper 15 Five-eighth 16 Miss Universe 17 Blue 18 Frank Sinatra 19 Second 20 Quentin Bryce 21 Pacific 22 2000 23 Air 24 Jennifer Connelly 25 Dog 26 Camels 27 Stingray 28 13 29 Tarzan 30 Lobster

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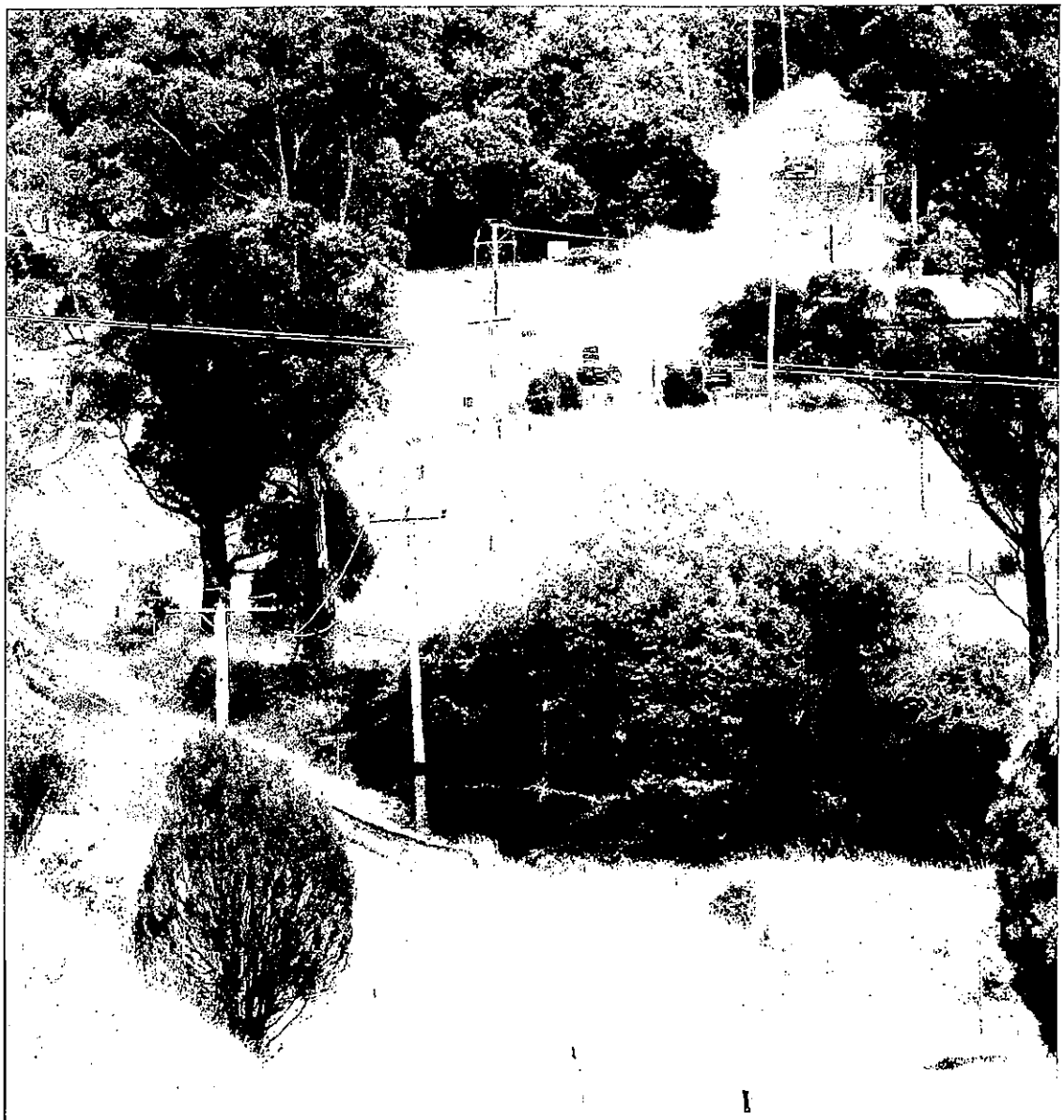
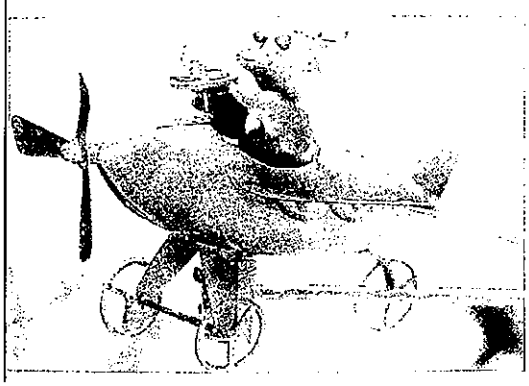


SLEEPY VILLAGE: Above, the road into Glengarry. Below left, a bird hitches a ride in a plane. Below right, the Presbyterian church. Pictures: CHRIS KIDD



LONG-TIME LOCAL: Glengarry's Iris Garwood.

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However, finding that perfect location 21 years ago was a lucky accident.

"We were living in Sydney and Salina and I had just finished studying a range of animal care courses," Freda said.

"On the night my husband Fred retired he asked us if we wanted to do something with our learning and we told him we wanted to move to Tasmania to open boarding kennels."

Salina flew down to inspect an established business for sale in Hobart, but instead fell in love with a house and land at Glengarry after seeing a newspaper advertisement.

"As part of our courses Mum and I had to design animal enclosures so we already had plans and weren't put off by establishing the kennels from scratch," Salina said.

In the past two decades both Freda and Salina have decided Glengarry is also the perfect place to live.

"It is lovely and quiet and you know everyone," Freda said.

"In Sydney you get lost in the system and feel like you are just a number – here you are a person and when you go to the shop you meet your neighbours and your customers and people are always asking me for advice on pet care, which I think is lovely.

"For me Glengarry is just the most wonderful place to live and I think I should have moved here years before I did."

Although life is sometimes on the quiet side for Salina, she says she now just does things in reverse.

"When we lived in Sydney I didn't travel much. Now I find I make more trips to Melbourne to go to the theatre and things and then enjoy the peace here, where I've got my own vegie garden, a couple of four-footed lawnmowers and our 13 British bulldogs."

Chris Stackhouse, who previously lived in Devonport and Launceston, said she had also fallen in love with Glengarry from the minute she arrived.

"In the cities we hardly knew our neighbours – here we know everyone and most of them are in our age group."

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