

13.10.14

Dominic Middleton

Senator
Glen Lazarus
GPO box 228
Brisbane Qld
4001

21 OCT 2014

Senator

Can you please accept
this information as a submission to
your Senate inquiry into the Queensland
Government.

yours faithfully

Dominic Middleton.

13.10.14

Dominic Middleton

Commonwealth Ombudsman

GPO box 442

Canberra ACT

2601

To whom it may concern

I made a claim for unemployment benefits on or around the 28/9/14 at the Cairns City branch of Centrelink. On the 10/10/14 my funds were completely gone and I was in desperate need of financial help not only to pay rent to avoid becoming homeless but to also buy basic pain medication as I have spinal injuries that if medicated right gives me the opportunity to have a half decent life. If I don't have this then I become an unconscious vegetable. I approached Centrelink and asked 5 times for a hardship payment. They told me they will process my claim, NOT make a claim for a hardship payment. I filled out the forms they asked me too and then said they would contact me. I explained my injuries which they have known about since 2001 and pleaded for help as I know because of my pain

level that i only had accouple of hours to treat myself as i would be in trouble. The staff seemed to take delight in my distress, I returned home to wait for there call, IT never came and before long i knew i did not have much time so i call an ambulance and the next i know i was in an ambulance being stuck with needles. while i was in the emergency Dept at Cairns base hospital i recieved a call from Centrelink saying i was not able to get a payment until the end of November. they made there decision on the only letter my ex employer gave me, a letter of dismissal which was factually wrong. My ex-employer never gave me a Separation Certificate. At No time was i asked for my side of the Dismissal, I have witnesses and letters of Complainte made to the Queensland anti-Discrimination Commission, Under our law it is illegal for a company to sack someone while they have an active Complaint. My witness is my AWO Rep which is privy to the articles of the Company but Centrelink Didnt want to know this As it stands i am now homeless i have Managed to beg money from friends but this will last no more than a week. Centrelink has i believe breached my human Rights and facilitated my becoming homeless. They didnt afford me procedual

Fairness. I humbly ask that you look into this while keeping in mind that other Federal Depts may have had a hand in Centrelink's Decisions.

My Centrelink Ref no is

yours Faithfully

Dominic Middleton

Dominic Middleton

Aust. human rights Commission
GPO box 5218
Sydney NSW 2001

To whom it may concern

On or around the 28th Sept 2011
I made a claim for unemployment benefits.
It was a month after I was sacked under
strange circumstances, two weeks after my
claim was made, my funds ~~where~~ were
exhausted and I was in desperate need of
financial help to prevent me from becoming
homeless again and to pay for some
basic pain medication. I was involved
in an industrial accident in 2001 that left
me with permanent spinal injuries and
nerve damage. All of this Centrelink has
known about for 14 years. I approached
Centrelink on the 10/10/14 and ask two
different staff members at the Cairns
city branch of Centrelink five times
for a hardship payment as I was in
desperate need of pain medication and
to prevent me becoming homeless. I
was ignored and told they were processing
my claim, which meant they were processing
my claim for unemployment benefits NOT

a hardship claim. I filled out the forms that they requested and I knew they weren't for hardship. I asked the CSR person again for a hardship claim and explained my injuries. She told me someone would contact me. I was beside myself as my pain was increasing and I knew I didn't get medication within a couple of hours. I would be in big trouble. I returned home and waited. And as I knew within a couple of hours my pain had increased to a point that I knew I was in serious trouble, I just had enough time to call an ambulance before I passed out. The next thing I know I am in an ambulance with a paramedic sticking needles into me. Their treatment brought me back from a mind numbing level. While waiting to be seen by a doctor at the hospital I received a call from Centrelink saying my claim for unemployment benefits had been refused (not a hardship claim) and I won't get any help until the end of November. Their reasoning was that they relied on the letter of dismissal from my ex-employer which was actually incorrect as they made claims that were total lies with no basis in fact. My ex-employer didn't supply me with a separation certificate I had to rely on their letter of dismissal. Before I was dismissed I had

meetings with The Company with my
AWU representative present negotiating a
way round receiving a First Warning from
The Company in regards to fictitious
claims against me (this will be further
explained in my second complaint). At
no time was I asked for my side or
what happened at The Company. I had
witnesses, my AWU rep, my partner
at the time plus documents i.e. my complaint
with the Queensland anti-discrimination
Commission. Under Qld law it's illegal for
a company to dismiss someone who has
made a complaint with the Commission.
They took the companies letter as factual
and didn't want to know anything that
I had to say.

My complaint is, that

Centretink has violated my human rights
by not providing me with financial assistance
to facilitate a basic level of human
dignity and pain relief that allows me
to at least be a conscious member
of society rather than one that is
unconscious with pain. They have known about
my disability since 2001.

My second complaint is in regards to Australian Security services. I made a complaint to the then Attorney General in 2005 about harassment, intimidation, stalking by Federal and State Security Services as well as American Security Services in Australia. I received a reply saying they would look into my complaint. Sometime later I received a letter from the Attorney General basically saying that they were just doing their job. In the ten or nine years since then the security services have interfered with all my employments so that I have lost 7 jobs in 9 years, it happened around this time every year, so my employment with [redacted] was no different, I had been there many times before, the only difference is the level of action taken by my employer at the time, sometimes violent sometimes

just straight out dismissal, sometimes abusive,

so when things started to go pear shape at [redacted] I quickly joined the union to at least have an independent witness. The false complaints against me, the false accusations of bullying and intimidation, I was prepared to put up with all that I was experiencing at THL

Just to maintain a half normal life.
But that wasn't enough. I know your organisation don't investigate the security agencies but if I send this letter to the attorney general I am sure I will get a letter back saying they are just doing their job. Well it's been ten years if they are doing their job they would know that I am a loyal citizen. But one that will push back if pushed. Because no one else will stick up for me. I made a decision a few years ago to not file a tax return as I would be just paying for my own abuse, I don't vote anymore as to vote is to condone. There actions has cost me so much, two relationships, limiting my relationships with my two sons, one of which is serving in the Australian Army. I cannot continue like this. There is no way I can stop their interference. So that's why I will enter the Ecuador Embassy this week to seek political asylum.

Just a side note, my email account was hacked again this week some emails were deleted. The attack came from this IP Address

Dominic Middleton

13.10.14

Dominic Middleton

Qld ombudsman
GPO box 3314
Brisbane Qld
4001

To whom it may concern

I recently made a Complaint
To The adca (Enclosed) I made the
Complaint via there web form. I filled
out the form and provided the information
they required. The Complaint was against
my employer at the time.
The Complaint was very serious as it
covered many areas, After over a week
later i was dismissed from my employment.
As i understand the law, it was illegal for
The Company to do this as i had a
Complaint Against ~~my~~ them, hence i made a
second Complaint To The Commission about
this.

More time passed and i recieved an
email asking me to contact them. I did.
The person i spoke to informed me i
needed to supply more information. which
i didnt understand as i filled out the Complaint
form with enough information. One of my
complaints was for victimisation. Account:

To their web site, even if I withdrew my complaint they would still investigate. The man I spoke to said I would have to supply more information later on so I may as well supply it now. The way he was talking just didn't sound right. As I understand it, any information I provide the Commission they would pass it on to the company I was complaining about, I didn't think this was right because it would be a one way information flow and I would rather supply the additional information when the commission started the investigation.

The man I spoke to also said when I questioned him about being sacked after lodging the complaint. I needed to prove that the company knew I had or was going to make a complaint against the company. Did not the Commission pass on my complaint to my employer?

My complaint is that the Commission has failed to investigate my complaint. I believe there is political and or security agency involvement in the Commission's non action, I believe they are doing what they were set up to investigate and fight against. That the Commission failed to put in writing their request for more information and here request for proof that the company

knew i was going to make a complaint.

As of 13/10/14 i will only be contactable via my email address.

yours Faithfully

Dominic Middleton.

Side note.

After reviewing my Termination letter, the Company would of only found out about my allegation of Racism via QADC passing on the information.

RECEIVED
19/10/14



ANTI-DISCRIMINATION
COMMISSION QUEENSLAND

COMPLAINT FORM

Before you make this complaint, please read our brochure
"Making a Complaint" or phone us on 1300 130 670 or TTY 1300 130 680.

****EVERYTHING YOU SEND US INCLUDING YOUR ADDRESS FOR SERVICE, WILL BE COPIED
AND SENT TO THE PEOPLE YOU ARE COMPLAINING ABOUT****

If you don't want your details given out, contact the Commission to discuss your options.

You may fill in this form with a word processor.

PART A - Your details (The Complainant)

Your family name: Middleton_____

Your given name/s: Dominic_____

Is this complaint made for someone else? (Answer yes or no) No_____

IF YES, who for? _____

Can they make this complaint for themselves? (Answer yes or no) _____

IF NO, why not? _____

Address for Service

(You must provide a residential, business or post office box address where the ADCQ and the respondent can send you mail. It does not need to be your home address.)

Telephone Home: _____
Mobile: _____
Work: _____
Fax: _____

Is it ok for us to contact you at work? (Answer yes or no) No_____

Email: _____

Would you prefer that your email address be used for the service of documents on you?
(Answer yes or no) Yes_____

PART B - Who do you think has discriminated against you, sexually harassed you or publicly vilified you because of your race, religion, gender identity or sexuality? (The Respondents)

IF YOU WANT TO COMPLAIN ABOUT A COMPANY:

The Company or Organisation:

Name: _____

Address _____

Telephone: _____

Is this the organisation you work for? (Answer yes or no) Yes _____

IF YES, please provide us with a copy of your payslip or company letterhead.

IF YOU WANT TO COMPLAIN ABOUT INDIVIDUALS:

The Person/s:

Person 1

Their Name: _____

Telephone: Home: _____

Telephone: Work: _____

Were they at work when they treated you unfairly? (Answer yes or no) Yes _____

If they were at work, who do they work for?

Their employer's name: _____

Their employer's address: _____

Their position or job title: _____

PART B - (The Respondents) - continued

Person 2

Their Name: _____

Telephone: Home: _____

Telephone: Work: _____

Were they at work when they treated you unfairly? (Answer yes or no) **Yes** _____

If they were at work, who do they work for?

Their employer's name: _____

Their employer's address: _____

Their position or job title: **Assistant Manager** _____

Person 3

Their Name: _____

Telephone: Home: _____

Telephone: Work: _____

Were they at work when they treated you unfairly? (Answer yes or no) **Yes** _____

If they were at work, who do they work for?

Their employer's name: _____

Their employer's address: _____

Their position or job title: **National Manager** _____

PART C - Type of complaint (The Grounds)

What type of treatment are you complaining of?

(Check the box or boxes which apply)

Discrimination because of your or your presumed:

- Race
(What is your race, colour, descent, nationality or ethnic origin?) _____
- Sex
(What is your sex?) _____
- Sexuality
(Are you/were you presumed to be homosexual, bisexual or heterosexual?) _____
- Gender identity
(Do you identify as a member of the opposite sex, or are of indeterminate sex and identify as a particular sex?) _____
- Lawful sexual activity as a sex worker
- Relationship status
(Are you single, married, separated, divorced, defacto or widowed?) _____
- Pregnancy
- Breastfeeding
- Parental status
(How many children do you have?) _____
- Family responsibilities
(Which relatives do you care for or support?) _____
- Age
(What is your age?) _____
- Impairment
(What is your impairment?) _____
- Religious belief or activity
(What is your religious belief, non-belief or activity?) _____
- Political belief or activity
(What is your political belief or activity?) _____
- Trade union activity
(What is your trade union activity?) _____
- You associate with someone who has any of the above attributes
(Who, and what attribute listed above do they have?) _____

PART C - Type of complaint (The Grounds) - continued

Sexual harassment:

Do you think you have been sexually harassed?

- Yes
- No

Public vilification because of your:

- Race
(What is your race, colour, descent, nationality or ethnic origin?) _____
- Religion
(What is your religion?) _____
- Sexuality
(What is your sexuality?) _____
- Gender identity
(What is your gender identity?) _____

Victimisation:

Do you think you have been victimised because you complained about discrimination, sexual harassment or public vilification?

- Yes
- No

Unnecessary Questions:

Do you think you were asked unnecessary questions about one of the grounds listed?

- Yes
- No

If YES, which ground? _____

PART D - Where the complaint happened (The Areas)

When the complaint happened, where were you?

(Tick the box or boxes which apply)

- at work, applying for a job, doing work experience or volunteer work
- obtaining goods or services (eg. at a shop, café, pub, bank, doctor, taxi or car yard)
- accessing premises or facilities
- obtaining State Government or Local Council services
- at school, TAFE college, university or other place of education
- renting or getting accommodation
- applying for insurance or superannuation
- buying real estate
- joining or as a member of a club (not for profit clubs are not covered)
- a member of a local government

other, explain _____

PART E - Additional details

1. Has the discrimination, sexual harassment, public vilification or victimisation included in this complaint occurred **WITHIN THE LAST 12 MONTHS?** (Answer yes or no) **Yes** _____
Dates: **Nov 2013** _____
2. Has the discrimination, sexual harassment, public vilification or victimisation included in this complaint occurred **MORE THAN 12 MONTHS AGO?** (Answer yes or no) **No** _____
Dates: _____
3. Have you made a complaint to the Australian Human Rights Commission (AHRC) about anything included in this complaint? (Answer yes or no) **No** _____
If YES, attach a copy of your complaint to AHRC.
4. Do you have a case in the Queensland Industrial Relations Commission (QIRC), Fair Work Australia or any court or tribunal about anything included in this complaint? (Answer yes or no) **No** _____
If YES, attach a copy of all documents concerning this action.
5. Is there already an agreement about anything included in this complaint?
(Answer yes or no) **No** _____
If YES, attach a copy of the agreement and all relevant documents. _____

PART F – Details of your complaint

Starting with the first event and then the second etc, please tell us:-

PLEASE GIVE DATES (as exact as possible)

- , What happened and what was said? Who said it?
- , Who did it – their name and job?
- , Where did it happen?
- , Were others in the same situation treated the same better or worse and why was this?

DATE
DETAILS AND PLACE

From Nov2013__ The Manager, assistant manager and at least Three members of staff are German and when they interact they only speak German excluding all non german speaking staff from involvement in the discussion which is work related. If they are speaking english they will change to German if they start speaking about non German staff or to exclude non German speakers from the rest of the conversation. I have explained to the Manager and assistant manager on two occasions that by doing that they make other non German speaking staff feel excuded, devalued and not worthy of the same respect given to German employees. While they agreed to my observation and said they would change there ways this has not occurred and infact the situation has got worse to the point that they will only speak German when they interact with each other. The only exception is when _____ is involved, a New Zealand national married to the assistant manager _____ This behaviour has the effect of making me feel a second class citizen in my own country, a second class employee, not due the respect given to German speaking staff or _____. I feel hurt, depressed, and devalued. The Company _____ does not have any process for receiving complaints about Discrimination, vilification or victimisation. The only way I could express my concerns to the company was through an employee survey which I knew would go to the companys head office. I filled out the survey in about June 2014, The only reponses I have became aware of was a print out of rodents of Nth queensland being put on the front office staff notice board. When I seen and started to read the document, sniggering and laughting brought me aware of _____ looking and laughting at me. It made me feel like crap. Since the survey _____ I have not received any notification of meetings, ie Health and safety meetings which I am suppose to be a member of the commity in Cairns, I am also suppose to be a _____ But have been excluded from any company meetings involving _____. In fact the assistant manager _____ deliberately gives me wrong or false information about customers or _____ processes so I unknowly follow the wrong process. I am suppose to receive _____ training from _____ but to date the only training I have received from her is acouple of sentences, "This is how you set up the linen." _____ vehicles just need to be clean.". The companys national manager _____ attended the branch early August 2014 to speak to staff. I was only informed an hour before the branch meeting. While the rest of the branch was aware a week before. I had no time to adjust my schedule to attend the meeting. Once again being excluded from meetings that I should be apart of. I sent an Email to _____ apologising for my absence from the meeting and mentioned the lack of communication but to date have not received a reply. So can only assume from this, that _____ is complicit in _____

allegation about my performance and behaviour. It became apparent that the company was victimising me. In their letter, the company listed a series of allegations some in which involved other more senior staff members that were present at the incident yet they have not be called to account. Once again I am being singled out. Also in the letter the Company complained that I do not show respect to the branch manager and assistant manager. This is extremely galling, as respect is earned not a given. How can I give respect when it's not returned or the management team are discriminating against me. I am also of the belief that I am the only staff member in Australia that is a member of a union. The company has just started the process to renew an out dated work place agreement, I have asked my union to represent me in this process. I am of the belief that if the company is successful in bullying and forcing me out of the company via a process of victimisation and discrimination they will be in a better position financially via a new workplace agreement that has no union involvement. I am also of the belief that I have suffered vilification. On one occasion the manager, assistant manager, [redacted] a temporary German worker) and [redacted] a company driver stood at the end of the reception desk and laught and made fun of me for using Australian colloquial language, ie Mate, No worries. For the rest of the day they used those terms whenever they could, either in conversations with me or where I was close enough to hear them making fun of me. On other occasions I had to listen to the managers complaining to each other how stupid, lazy and unprofessional other Australian managers are. They seemed to gain pleasure in having these conversations in English near me so I could hear. Once again I felt like a second class citizen in my own country, I felt hurt, confused and isolated. I couldn't reconcile what they were saying with reality as we all deal with these people on a day to day level via phone and email and Australia has offered them a home and work. I don't understand. Since I have received the letter of complaint from my Employer, the managers have been bullying and harassing me with petty complaints. For the last two mornings at work I have been receiving emails with complaints that are designed to put pressure on me and make the work place intolerable. The complaints are of no substance, one was in regards to the front door of the office, which has been broken for at least three months, the contract cleaners have been complaining about it for that long as they cant lock it, they don't like working there at night because of it. Yet all of a sudden its my fault, I have been accused of braking it. Once again I don't understand as the manager is aware of it, the cleaners are aware of it, other staff are aware of it yet they accuse and blame me, I point out the facts yet they ignore this and still accuse me of this. These Email are very emotive with colourful language that have no reflection in reality. Another email from [redacted] sets out new terms for end of day, which states that no staff are to leave until everyone has finished there work. Yet this doesn't apply to anyone else. The day I received this email, [redacted] left an hour before anyone else. I believe this is another example of discrimination, as she is trying to add a term to the work place agreement that only applies to Cairns staff and even then only the front office staff consisting of three people. I don't believe [redacted] has the authority to add clause to the workplace agreement that discriminates against three staff members Australia wide.

Send this complaint form to the nearest office of:

Anti-Discrimination Commission Queensland

<u>South Queensland:</u>	<u>Central Queensland:</u>	<u>North Queensland:</u>	<u>Far North Queensland:</u>
Level 17 53 Albert Street Brisbane (at the corner of Albert and Margaret Streets)	Level 1 James Larcombe Place 209 Bolsover Street ROCKHAMPTON Q 4700	Level 2 St James Place 155-157 Denham St TOWNSVILLE Q 4810	Level 1 McLeod Chambers 78 Spence Street CAIRNS Q 4870
Postal Address: City East Post Shop PO Box 15565 City East Q 4002	Postal Address: PO Box 1390 ROCKHAMPTON Q 4700	Postal Address: PO Box 1566 TOWNSVILLE Q 4810	Postal Address: PO Box 4699 CAIRNS Q 4870
Tel: 1300 130 670	Tel: 1300 130 670 or 4938 4466	Tel: 1300 130 670 or 4799 7020	Tel: 1300 130 670 or 4039 8600
TTY: 1300 130 680	TTY: 1300 130 680	TTY: 1300 130 680	TTY: 1300 130 680
Fax: 3247 0960	Fax: 4938 4459	Fax: 4799 7021	Fax: 4039 8609

Your signature: _____

Date: _____

18-8-14

Informed us of where best to make our first stop over and rang the park to enquire about availability

Cairns

We thought there were no vehicles available but she rang around and found us one for the 14 days we needed.

Cairns

He was very friendly, helpful and patient.

Cairns

Has understood our complain about the fuel and proposed refund.

Cairns

She was very helpful and patient.

Cairns

Very helpful, you could tell he wanted to make sure we enjoyed our holiday. Nothing was too much trouble.

Unknown, young man with accen Cairns

Clear instructions and really helpful

Cairns

Very friendly and very good instruction and demonstration of the vehicle.

Cairns

Explained how to put extra credit in Our travelsin account, after we lost Our booklett.

Cairns

Fast, efficient and above all, friendly

Cairns

Liaison with parties and myself after diesel leak in motorhome required repair

Cairns

He was friendly, helpful and welcoming.

Cairns

was very helpful and we get our campervan at 8 am.

Cairns