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The Committee Secretary
House of Representatives Standing Committee on Education and Employment
Inquiry into Workplace bullying
PO Box 6021, Parliament House
CANBERRA ACT 2600 email: ee.reps@aph.gov.au; workplacebullying.reps@aph.gov.au

09 August 2012

Dear Committee Secretary

As a victim of the workplace bullying in the Commonwealth public service and making the mistake of challenging the perpetrator bringing more pain and injustice through the process, I have not only lost trust in the system but also come to firmly believe that justice is not always for all and often circumvented by the powerful (and rich).

My submission through my story focuses on the following:

- Regulatory, administrative or cross-jurisdictional legal and policy gaps and serious weakness or absence of redress or review options in the current complaint handling mechanisms, and
- Inconsistent or inadequate (or vague in some cases) existing regulatory frameworks.

The Attachment 'A' outlines my frustrating experience with the existing complaint handling process and statutory provisions which effectively provide tacit support to the perpetrator and workplace bullying culture; just as an example (the idea is not to promote self interest using the Committee, though evidence can be provided if required at any stage) to highlight the following issues:

- Importance given to technicalities rather than the substance of a complaint, and
- Terminal effect of contradictory advice, interpretation and application of legislative provisions by two Commonwealth agencies meant execution of victim's desire to seek justice for none his/her fault): for example, in my case the employing agency said that I was within the timeframe, the other said I was out of the timeframe and rejected the review application.

The Attachment 'B' provides the chronology of key events and excessive time taken by the Commonwealth agencies in dealing with a complaint or a request for review of an APS action.

The Attachment 'C' outlines issues and injustice done (arising from decisions made through the complaint handling and review process) to assist the Honourable Members of Parliament and this Committee in appreciating the impact of gaps in current arrangements.

Please note that the agency referred in the submission is the (the Agency). **The name of the agency may please be kept confidential**, as in the scheme of things or the driver for my submission is not to condemn the organisation, but through my story contribute in developing policies and practices that align with others (including legislative provisions) dealing with abuse or crimes.

I hope that the Committee will recommend policies and practices (including urgent need for clarification and amendment to current legislative arrangements) to eliminate the possibility of a similar experience to others and promote positive workplace experience in general. The outcome of this inquiry, hopefully, will deal adequately with various issues including individual's bullying behaviour and organisational protracted practices that tacitly support workplace bullying activities.

I would be happy to appear as a witness in the capacity of a private citizen should the Committee decide to call me at its Canberra hearing.

Yours sincerely

(Name withheld)

ADDRESS WITHHELD: Postal Address:

CONTACT PHONE NUMBER WITHHELD:

THE EXPERIENCE: MY STORY

1. I work for an Australian Government Agency. Prior to joining the current agency I have worked in other public service agencies with well recognised service records. Except for the years between 2007 and 2009 (i.e. before and since), I have received numerous work recognitions (e.g. last week I was recognised with a 'certificate of recognition' by my current employer).
2. I experienced workplace bullying at the hands of my supervisor over a three year period beginning 2007, centred on the Australian Public Service values and Code of Conduct, APS 'Respect', the relevant legislations and the Agency's Corporate Management Practice Statement (CMPS).
3. My effort in the beginning to softly deal with the bullying behaviour did not provide any relief. In fact it implicitly amplified. I felt powerless and feared retribution, ridiculed, being blamed or regarded as "over-reacting". I chose to stay silent to keep lid on any further confrontation or rift with my supervisor.
4. As things started to worsen I spoke to the Agency's corporate area on various occasions about my concern but I was afraid to pursue the matter due to dreading reprisal and extensive amount of time and effort required to follow through.
5. I continued to experience stress, anxiety and sleep disturbances, ill health and fatigue, poor concentration and low self-esteem, depression and a sense of isolation, and physical injury (e.g. OH&S and other physical injuries requiring medical attention). Despite all this, I kept a brave persona at the workplace.
6. By July 2009 I had reached a breaking point and decided to challenge the supervisor's behaviour in writing and copied this communication to senior executives.
7. My action, as I feared, resulted in isolating and projecting/branding me as a non-performer by my supervisor to senior management to treat my complaint as a smoke screen to shield myself. A 'performance management' mechanism was planned (FOI revealed this later) to justify that branding by my supervisor (with organisation's tacit support).

COMMENTARY: My record of performance (including 360 degree feedback), prior to or since then, has been anything but what was being promoted by the then supervisor.

- Is that telling something? or
- Should someone in management or review authority have noticed this?

8. The Agency in response instituted a formal inquiry in November 2009, which commenced in January 2010. The Agency made a determination on the inquiry findings on 18 March 2010 ('APS action' as defined at s33 (7) in the Public Service Act 1999) but informed me much later on 6 April 2010. Supporting the decision, documents were progressively provided to me up until 24 June 2010.
9. On 5 July 2010 I had advised the Agency of my intention to seek review and requested release of relevant information which it had sole custody of. In response, **on 27 July 2010 I was advised by the Agency that the time limit for a review petition is 12 months from the time the decision made was notified to me.** This advice was reiterated on 1 March 2011 by the Agency that I had until 17 March 2011 to lodge a request for the primary review (which I complied).
10. On 1 April 2011 the Agency
 - a. rejected my primary review application based on the reason, "Review, or further review, of the action is not otherwise justified in all circumstances" under Public Service Regulation (PSR) 1999, 5.23(3) (g), and

- b. advised that I may apply to the Merit Protection Commissioner (MPC) within the Australian Public Service Commission, routing my application through the Agency for a secondary review on the basis that my primary review was declined as provided at Division 5.3 in the PSR.

COMMENTARY: Records revealed later that (a) the legislative provision was inappropriately applied and the non-existent rationale (i.e. cited events or details) were used.

11. On 22 April 2011 I made my secondary review application to the MPC.
12. On 26 October 2011 the MPC rejected my secondary review request:
- (a) based on Public Service Regulation 5.23(3)(a) – that it ceased to be reviewable action if “the application for review of the action is made more than 1 year after the action happened, or did not happen, and there are no exceptional circumstances explaining why the application was not made within the year”;
 - (b) that, there are no further mechanisms under the Public Service Act 1999 to seek to have the merits of my case examined; and
 - (c) that, I may seek to apply to a court for judicial review, generally on a question of law, rather than on the merits of the decision. Generally, the role of the court is to ensure that decision makers acted fairly and within the law and followed proper procedures in coming to a decision.

COMMENTARY: This determination of timeframe was contradictory to the Agency’s advice (point 9 above) which I had complied with, and the MPC had absolutely disregarded the intent of the legislative provisions and inappropriately applied/ interpreted the meaning of the APS action and timeframe for treating my request.

13. On 3 April 2012 I wrote to MPC, seeking a more detailed explanation of its decision.
14. On 5 April 2012 MPC restated that its decision was as per the PSR 5.23(3)(a) for the late lodgement of my **primary and secondary review application**, outside the statutory timeframe of **1 year, i.e. ‘within the year of the alleged events occurring’, i.e. July 2009.**

COMMENTARY: As outlined in the Attachment ‘B’, the event (i.e. 8 July 2009) was the day I made a complaint, ‘requesting resolution’. It took 9 months for the Agency to investigate and communicate its decision to me. While On 5 July 2010 I advised the Agency of my intention to seek primary review of the decision and sought information required for a formal review petition, MPC found that this advice was technically not a formal request and rejected my request on timeframe criteria. Note that the Agency provided the information on 11 March 2011, and a review application was made within 3 working days of receiving the information on 17 March 2011.

Not only did the MPC completely overlook my inability to prepare a formal application in the absence of information which was in the sole possession of the Agency, it determined, in complete disregard to the natural justice principles, that the above situation did not qualify as exceptional circumstances (typically include circumstances causing delay that is beyond the control of the applicant) for condoning the delay as per PSR. MPC also disregarded the Agency written advice of my being within the timeframe, i.e. until 17 March 2010 (which I had complied).

15. On 24 July 2012 I petitioned to MPC once again for re-consideration of its decision in light of the above issues (including for example, Agency advice on 27 July 2010 in response to my notification for primary review on 5 July 2010 – within the year of ‘the event’ from MPC’s perspective) and my understanding that it had inappropriately interpreted the meaning of an ‘APS action’ and the intent behind the statutory timeframe for lodging the review application (as detailed at Attachment ‘B’).
16. On 26 July 2012 MPC replied that it was not going to revisit its earlier decision (i.e. this matter is no longer reviewable under the Regulations).

Date	Chronology of Key Events	No of days taken for decision by the 'Agency' or the Merit Protection Commissioner (MPC)	Time taken by me to meet the Agency advised timeframe
8 July 2009	I complained to the Agency about incident that occurred on the day	9 months	
18 March 2010	Agency, following an inquiry, made the determination on my complaint (but <u>did not inform me</u> until 6 April 2010)		
06 April 2010	Received the Agency's determination (made on dated 18 March 2010) without any supporting documents (provided progressively on 24 June 2010)		
05 July 2010	I advised the Agency of my intention to seek primary review of the decision, and sought further relevant information to prepare a formal review petition (records received through FOI process on 11 March 2011)	8 months	
27 July 2010	I was advised by the Agency that the time limit for a review petition is 12 months from the time the decision made was notified to me.		
01 March 2011	Agency reiterated that I had until 17 March 2011 to lodge a primary review request (which I complied)		
11 March 2011	Agency provided over 916 pages of records (months after the FOI Act stipulated 30 days period)		
17 March 2011	Lodged the formal primary review application to the Agency		3 Working days
01 April 2011	Agency rejected my primary review application and advised me of my right to secondary review by MPC	2 weeks	
22 April 2011	Lodged the formal secondary review application (via the Agency as required) to MPC		3 weeks
13 May 2011	Agency forwarded my secondary review application to MPC (received by MPC on 17 May 2011)	3 weeks (refer to Notes point 5 below)	
26 Oct 2011	MPC rejected my secondary review request as my application was considered late (i.e. timeframe) in terms of the stipulated timeframe in the applicable Public Service Regulation for both reviews	At least 3 ½ Months	
03 April 2012	Wrote to MPC, seeking a more detailed explanation of its decision		
05 April 2012	MPC restated that the reason for its decision to reject my review request was that I had breached the stipulated timeframe of a year from the date of alleged events occurring		
24 July 2012	Requested MPC to re-consider its decision because I believed it had wrongly applied the legislative provisions (including the meaning of an APS action) for calculating the timeframe for a review application		
26 July 2012	MPC declined the request for re-consideration		

- Notes:**
- Public Service Act 1999 (PSA) subs 33 provides that an APS employee is entitled to review, in accordance with the Public Service Regulations (PSR), of any APS action that relates to his or her APS employment.
 - PSA subs 33 (7) and Public Service Regulation (PSR) state that "**APS action** means action by a person in the capacity of an Agency Head or APS employee."
 - PSR (applicable to APS actions prior to 2 August 2010) provided a **year** timeframe from the date of an APS action for seeking primary review.
 - PSR did not provide any timeframe for requesting the secondary review by the Merit Protection Commissioner (MPC), but required that the request for the secondary review commence after the employee is informed of the outcome of the primary review and the request to be routed through the Agency.
 - PSR 5.30(1) requires that the Agency must give documents to MPC within 14 days after receiving the secondary review application.

Decision Making Authority	Reason for Rejecting the Review Application	Applicable Public Service Act (PSA) 1999 or Public Service Regulation (PSR) 1999 (for APS actions prior to 2 August 10)	Response	Additional Information
The Agency	<p>"Review, or further review, of the action is not otherwise justified in all circumstances" under the Public Service Regulations 5.23(3) (g)</p>	<p>Public Service Regulations 5.23(3) (g) states:</p> <p>"review, or further review, of the action is not otherwise justified in all the circumstances."</p> <p>"Example for paragraph 5.23(3) (g): Review may not be justified because the applicant does not respond to a request under regulation 5.35 for further information about why the review is sought."</p>	<p>Agency's rejection in consideration of the example given in the Public Service Regulation was not appropriate as:</p> <p>(a) there was never any request for additional information following my lodgement of application, and</p> <p>(b) the purpose of the review request was clearly mentioned in the review application and in other communication.</p>	<p>The Agency's document revealed that its decision was entirely based on mistaken assumptions and misrepresentation of facts as outlined (with evidence provided) in my review request, such as:</p> <p>(a) the evidence was properly considered in undertaking the investigation (Note: FOI and other records proved otherwise);</p> <p>(b) my original outcome was achieved with a transfer to report to another manager; i.e. suggesting Agency initiated resolution to resolve the issue (Note: that was incorrect);</p> <p>(c) I did not articulate what outcomes I was seeking from my request for review: (Note: I clearly did);</p> <p>(d) Further attempts at informal resolution were not successful: (Note: there was never any attempt by the Agency to do so); and</p> <p>(e) There was no evidence of a flaw in the investigation process: (Note: FOI and other records proved otherwise).</p>

Decision Making Authority	Reason for Rejecting the Review Application	Applicable Public Service Act (PSA) 1999 or Public Service Regulation (PSR) 1999 (for APS actions prior to 2 August 10)	Response	Additional Information
<p>The Merit Protection Commissioner (MPC)</p>	<p>Late lodgement of my <u>primary</u> review application outside the statutory timeframe of 1 year</p>	<p>Public Service Regulation 5.23(3)(a) states: The action ceases to be a reviewable action if "the application for review of the action is made more than 1 year after the action happened, or did not happen, and there are no exceptional circumstances explaining why the application was not made within the year"</p> <p>Public Service Act 1999 33 (7) defines the action stating that an 'APS action means action by a person in the capacity of an Agency Head or APS employee.'</p>	<p>1. In reliance on the Agency's advice on 27 July 2010 and 1 March 2011: (a) I had 12 months from the time the decision made by the Agency was notified to me and (b) the action that related to me complaint occurred on 18 March 2010 I had until 17 March 2011 to lodge a request for review, I lodged my formal primary review application on 17 March 2010.</p> <p>2. I understand that both the PSA and the PSR, from its content page to the end, intend and cover one's right to a review to mean as a review of a decision (i.e. APS action), and not of an event. Yet the MPC in its wisdom applied them differently.</p> <p>There was no delay, considering the applicable legislative provisions and repeated advice given by the Agency.</p>	<p>The MPC stated that the clock for primary review application started to run in July 2009 when the event took place (bullying was reported) and not in March 2010 when Agency made the decision on my complaint.</p> <p>Response: For the purpose of reviewing an APS action under PSA and PSR, an event is not in itself reviewable and therefore the clock cannot deem to run from the date of event (i.e. July 2009).</p> <ol style="list-style-type: none"> 1. The July 2009 event was a complaint (i.e. allegation) for investigation and could not be reviewed in itself, 2. Throughout the PSA and PSR, intent of review is illustrated giving examples of a decision or action taken by the Agency or delegate 3. The Agency rightly stated that an APS action for review took place on 18 March 2010 (date of decision). 4. The Issue with regard to the date(s) on which Agency actually communicated the APS action to me was not even considered (detailed under 'OTHER ISSUES' towards the end of this attachment).
	<p>Delay in lodging my <u>secondary</u> review application 'within the year of the alleged events occurring'.</p>	<p>PSA or PSR do not provide any timeframe for requesting the secondary review, except that the request for the secondary review commence after the employee is informed of the outcome of the primary review, and the request to be routed through the Agency.</p>		

Decision Making Authority	Reason for Rejecting the Review Application	Applicable Public Service Act (PSA) 1999 or Public Service Regulation (PSR) 1999 (for APS actions prior to 2 August 10)	Response	Additional Information
The Merit Protection Commissioner (MPC)	Explanation of circumstances causing the delay in lodging the review applications (*) could not qualify as "exceptional circumstances" for the purposes of Public Service Regulation 5.23(3) (a). (*) That is, Primary review application to the Agency on 17 March 2010, and Secondary review application to MPC on 22 April 2011	Public Service Regulation 5.23(3)(a) states: The action ceases to be a reviewable action if "the application for review of the action is made more than 1 year after the action happened, or did not happen, and there are no exceptional circumstances explaining why the application was not made within the year;" Explanatory Statement: Exceptional circumstances typically include circumstances causing delay that is beyond the control of the applicant.	On close scrutiny of legislative provisions, intent and the Agency's written advice, there was no delay in lodging my primary review application. Attachment B clearly outlines the limitation I had throughout the process in making formal review application, and the explanation for exceptional circumstance fulfils the intent of the explanatory statement in full. For the lodgement of the secondary review application, the current PSR provides for 60 days or 2 months following the notification of the primary review request outcome; I took just 3 weeks to do so.	However, for the argument sake, it is understandable that events which caused the delay (?) in submitting the primary review application on 17 March 2011 were forced upon me (example given below) and outlined in Attachment B and under OTHER ISSUES towards the end of this attachment. Example: While the Agency took 11½ months following an APS action (on 18 March 2010) to provide me the requested information I had just 3 working days to lodge my primary review application.
The Merit Protection Commissioner (MPC)	The timeframes (i.e. 1 year for APS action prior to 1 August 2010) for review applications are necessary because as time passes people's recollections fade or become influenced by subsequent events and circumstances move on.	Though not applicable to my case, please note that the Public Service Regulation 1999 as amended from 2 August 2010 provides in general only (a) 120 days for primary review by the Agency, and (b) 60 days for secondary review by MPC.	5. This rationale or the provision lacks parity with both the criminal and civil actions in our Courts (i.e. up to 6 years after the occurrence of the cause of action). Courts also have the inherent jurisdiction to extend the 6 year limitation period. 6. In my case, it was mostly documentary evidence rather than memory was to be relied upon.	MPC was provided with documentary evidence but it chose to reject the review request on the ground of technicality rather than the substance of the matter. For example: I was bullied for initiative that resulted in financial savings and efficient and effective operation (I was told that I had breached the existing memorandum of understanding (MOU) between two businesses. FOI revealed that there was no MOU. The intimidation I believe was part of the ongoing supervisor's behaviour.

Out of Sync/non-aligned Current Arrangements:

1. I understand that the Public Service Regulation (PSR) 1999 which previously provided up to a year for lodge a review application, was amended from 2 August 2010 to provide a reduced timeframe:
(a) 120 days for primary review of an ASPS action by the Agency, and
(b) 60 days for secondary review by MPC (in most cases, after the notification of the outcome of the primary review)

This is a complete hindrance to any effort by the victim who may contemplate seeking justice. It is no secret that it takes years to recover (if at all and if by the time one has not committed grave harm to oneself including suicide) from stress, anxiety, ill health, low self-esteem, depression, a sense of isolation, physical injury and workplace and other social challenges caused by bullying activities. The current arrangement seriously undermines the avenue for justice by limiting the timeframe to mere 120 days or 60 days.

This legislative provision lacks parity with both the criminal and civil actions in our Courts. They provide a timeframe of up to 6 years after the occurrence of the cause of action. Further our Courts have the inherent jurisdiction to extend the 6 year limitation period, if appropriate. PSR lacks these.

If we are serious about the intent of this parliamentary inquiry, then one of the recommendations ought to be to bring the current provisions of the Public Service Regulations in line with other legislative and administrative arrangements. It may even mean that PSR may have to deal separately with such issues (e.g. bullying at workplace) other than promotional and engagement decisions (focus of the PSR) from the point of timeframe perspective.

2. PSA limits one's ability to seek justice (or decision reviewed in the matters such as bullying) through other complaint handling mechanism, such as by the Commonwealth Ombudsman. The legislation currently forces the path of seeking review of decision only in the federal courts, and too on a question of law, rather than the merits of a decision.

It costs upfront and poses serious monetary risks to people who can hardly afford (i.e. mostly victim do not come from financially rich or powerful background). If the current limitation is intended to discourage litigation and deny justice, then it is on the mark. However, if we are serious about stamping out the menace of bullying or similar activities from our school, workplace or anywhere, then this limitation needs to be removed. Yes, it may cost (to Agencies) to attend to these cases and some may be frivolous too, but is the reverse working (i.e. cost to the applicant to weed out frivolous matters) – absolutely not. It is simply denying justice and covering up administrative mistakes, providing tacit support to individual or institutions and unintentionally (I hope) encouraging such activities (because in all cases, the perpetrator enjoys power (position or authority) because of being well positioned or connected in the place where such horrendous activities take place).

For example, in my own case I am advised that if my matter is brought to a Federal Court, in all likelihood my position will be vindicated and the Merit Protection Commissioner's decision rejecting my application for review will be set aside. But it costs money which I do not have and also, I am not powerful enough to fight an establishment. I was recently advised by a renowned law firm: That's the way it works, justice is not always for all. Learn to accept and keep your head down. I am frustrated and I am slowly but surely accepting this advice, drifting towards or may be that I have already given up on the once valued 'justice for all' principle.

3. I understand that the current PSA and PSR provide no ministerial power or parliamentary representation mechanism for intervention or review. This is neither in line with our democratic governance system nor aligned with other arrangements where such options are available.
4. The meaning of an APS Action and the application of timeframe is currently pretty vague and flexible in PSR, as it is evident from my case and determinations made by different agencies. For example, was the event of 8 July 2009 was an APS action or the date (18 March 2010) when the Agency made a decision on my complaint? A normal reaction to this question would be to consider 18 March 2010 as an APS action, because that is the key to review request. It is commonly believed that a complaint (i.e. MPC determines that to be an event) can be investigated but not reviewed in itself. However, MPC determined otherwise. This technicality needs to be clarified and ambiguity removed for giving importance to substance of the matter. Otherwise, situation will not change and people will continue to suffer.

OTHER ISSUES: (Examples of lopsided application of dates for calculation of timeframe and legislative provisions)

5. Contradictory advice* by two commonwealth agencies demonstrates the ambiguity in interpreting and applying the legislative provisions, amounting to the denial of justice and misleading the applicant. It highlights the Commonwealth's approach (or questionable judgement of individual representing the Commonwealth) and its ability to flex the current legislative and administrative arrangements to an end of its desire.

*One (Agency) said that I was within the timeframe and accepted the primary review application, and the other (MPC) said I was out of the timeframe for the same review application and rejected the review request.
6. Number of months taken by the Agency in undertaking the inquiry and making decisions, and in providing FOI documents (Agency breached the legislated timeframe for the provision of the requested information)
 - (a) Attachment B provides the number of months taken by each authority (i.e. the Agency and the MPC); for example 11 ½ months from the date of an APS action to provide me records (which were in the exclusive possession of the Agency) requested under FOI but I had only 3 working days to lodge my application
 - (b) Despite the forced timeframe, the MPC determined that my explanation of circumstances causing the delay in lodging the review applications could not qualify as "exceptional circumstances" for the purposes of Public Service Regulation 5.23(3) (a)
 - (c) The issue of fairness in application of logic and natural justice was never considered, even if it meant providing reasonable and sufficient time to prepare my application to provide the decision maker relevant and crucial information,
 - (d) While the rules were strictly applied to me, neither the Agency nor the MPC followed the PSA and PSR principles, intent, policy or requirements.
7. The Agency took more than 14 days to provide documents to the MPC, as required by the Public Service Regulation 1999 5.30(1), and there is no evidence that it was considered inappropriate and recorded so.
8. The MPC took months to decide the issue on a technicality rather than substance. Its application of legislative provisions (which to my understanding was superficial) for rejecting my application on technicality should not have taken months.
9. The consideration of timeframe ('within the year of the alleged events occurring') for the delay in lodging the secondary review application by the MPC was not applicable or appropriate in my case and I understand, was in breach of the legislative provisions.

Both the PSA and the PSR, from its content page to the end, intend and cover one's right to a review to mean as a review of a decision (i.e. APS action) and not an event; and yet the MPC applied this intent differently.

10. While the Agency made its decision (APS action) on 18 March 2010, I was informed of it on 6 April 2010 and related documents were provided progressively until 24 June 2010.

But no one cared to take this into consideration at any stage. Throughout, for both primary and secondary review application, the date for calculating the 1 year timeframe was taken from 18 March 2010 (when I was not even informed of the same, an APS action).

Was it fair from any perspective? Did anyone care about the substance of the issue?

11. FOI records revealed that my then supervisor has/had similar complaint/record but there appears to be no substantive action taken by the Agency.

This practice of overlooking the trend or pattern sends anything but a clear message of zero tolerance; something that Agency and Commonwealth policies demands: i.e. unacceptable behaviour in the workplace is not condoned, and neither is the mismanagement or disregard of complaints.

Is it really practised? In most cases I understand and in my experience, no.

12. Inconsistent Commonwealth approach and practices and their terminal effect on victim's desire to seek justice should be a serious issue for the Commonwealth public service administration to get to the bottom of.

In my case, consider the following that led to denial of justice and meant inferred support to the culture of suppression, contrary to the aim of eradication of inappropriate workplace behaviour:

- (a) With regard to the Agency: FOI and other records revealed that it had erred in many ways including the incomplete process it undertook to investigate, make recommendations, some using non-existent records or other information to base untested/unsubstantiated conclusions, and masking of critical information to make decision (of its choice?);
- (b) In regard to the MPC, it failed in giving due consideration to various issues including the existence and importance of Agency advice regarding the timeframe which I complied, and the rejection of reasons for 'exceptional circumstances' were irresponsible and denial of natural justice.

The issue for a victim was/is: what else could I have done at the point of time, except to follow my employing Agency's advice and comply in full to meet the procedural requirement. Despite this simple consideration, this was obviously not an issue or worth assessment for the MPC.

I wonder if it was a case of both individual and institutional bullying.