



ABN 90 680 970 626

Administrative Appeals Tribunal

BRISBANE REGISTRY

Our ref: 2007/1773

18 June 2007

Mr Russell Mathews
254 Hawken Drive
ST LUCIA QLD 4067

Dear Mr Matthews

APPLICANT: RUSSELL MATHEWS
**RESPONDENT: SECRETARY, DEPARTMENT OF EMPLOYMENT
AND WORKPLACE RELATIONS**

I refer to your emails dated 4 and 26 May 2007.

In your initial email you stated that you did not have a telephone and consequently could not participate in the conferencing process by telephone. You commented on the fact that the lack of a telephone should not preclude you from pursuing this application. That is understandable and your matter was consequently listed for an in-person conference.

Notwithstanding that your advice gave the Tribunal no option other than to list your matter for in-person participation you are now making a request that the Tribunal provide you with a taxi fare. I must advise that this tribunal is not in a position to provide you with any financial assistance in that regard. If the Social Security Appeals Tribunal chose to provide you with fares assistance that was entirely a matter for that organisation and has no precedent value here.

It may be that you can access a telephone at your local Centrelink office (Toowong). Might I suggest that you contact the manager of that office to negotiate appropriate arrangements. If I hear nothing further from you the in-person conference will proceed as listed.

You have also raised the issue of having your two dogs on the premises during your conference. You have indicated that there is case law on this point. You assert that ss9(1)(f) of the *Disability Discrimination Act 1992* specifically covers the issue of potential discrimination with regard to the presence of assistance dogs accompanying a person to an event. I further note that you have provided your personal interpretation of s9 of the Act and the meaning of undefined terms such as 'trained'.

The core issue for me to consider when you participate in your conference here is one of safety for users of the building. To that end I note ss9(2) of the Act specifically addresses the issue of liability for property damage caused by a dog or other animal. In order that I can notify the building manager could you please advise me of the name of your insurer and the level of separate insurance cover

that you hold so that I can be confident that the building (and this jurisdiction) will not be potentially liable for any financial impost following your attendance here.

I also note from your correspondence that you discuss how you are best able to handle two dogs at once. As children are often present in this building (which also houses the Family Court) I advise that you will need to have both of your dogs on a leash at all times when in public areas within the building. It is a matter for you whether the dogs are carried or walk of their own accord.

Yours sincerely

Peter Stirk
DEPUTY DISTRICT REGISTRAR