

NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged:	Originating Application Under the Australian Human Rights Commission Act 1986 - Form 116 - Rule 34.163(1)
Court of Filing:	FEDERAL COURT OF AUSTRALIA (FCA)
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File Number:	VID163/2025
File Title:	PAULA KAYE HOBLEY v RASIER PACIFIC PTY LTD
Registry:	VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised



A handwritten signature in blue ink that reads "Sia Lagos".

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 116
Rule 34.163(1)

Originating application under the Australian Human Rights Commission Act 1986

No. of 20

Federal Court of Australia

District Registry: Victoria

Division: Administrative and Constitutional Law and Human Rights

PAULA KAYE HOBLEY

Applicant

RASIER PACIFIC PTY LTD (ABN 27 622 365 833)

Respondent

To the Respondent

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

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

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

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

Place: [address of Court]

Date:

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

Filed on behalf of (name & role of party) Paula Kaye Hobley, Applicant

Prepared by (name of person/lawyer) Ellen Tilbury

Law firm (if applicable) Justice and Equity Centre (JEC)

Tel 0481 113 034 Fax (02) 8898 6555

Email eturnermanners@jec.org.au

Address for service c/o Erin Turner Manners, Level 5, 175 Liverpool Street, Sydney NSW 2000
(include state and postcode)

[Form approved 01/08/2011]



Details of claim under the Australian Human Rights Commission Act 1986

On the grounds stated in the Concise Statement, the Applicant claims that:

1. Between 11 March 2021 and 10 November 2022, the Respondent unlawfully discriminated against the Applicant on the basis of her disability, by refusing to provide, or in the manner in which it provided, goods, services and facilities, within the definition of discrimination provided by s 5 of the *Disability Discrimination Act 1992* (Cth) (**DDA**), and in contravention of s 24 of the DDA.

Legislation

The Applicant claims that the discrimination complained of is unlawful under ss 5 and 24 of the *Disability Discrimination Act 1992* (Cth) (**DDA**).

Remedy sought

The Applicant asks the Court for:

1. a declaration, pursuant to s 46PO(4)(a) of the *Australian Human Rights Commission Act 1986* (Cth) (**AHRC Act**), that the Respondent committed unlawful discrimination against the Applicant contrary to s 24 of the DDA.
2. an order, pursuant to s 46PO(4)(a) of the AHRC Act, directing the Respondent not to repeat or continue the unlawful discrimination, by requiring the Respondent implement appropriate and effective measures to prevent ongoing unlawful discrimination.
3. an order, pursuant to s 46PO(4)(b) of the AHRC Act, requiring the Respondent to take reasonable steps to redress the loss and damage suffered by the Applicant by engaging in a process of co-design with representatives of the disability community to develop, trial and implement measures within the Respondent's operations and service provision to prevent systemic and/or future discrimination by the Respondent and its employees or agents.
4. an order, pursuant to s 46PO(4)(d) of the AHRC Act, requiring the Respondent to pay the Applicant damages by way of compensation for economic loss, being for out-of-pocket expenses incurred because of the Respondent's conduct.
5. an order, pursuant to s 46PO(4)(d) of the AHRC Act, requiring the Respondent to pay the Applicant damages in the sum of \$200,000.00 for:



- a. non-economic loss, being for hurt, psychological harm, and distress suffered by the Applicant because of the Respondent's conduct; and
 - b. aggravated damages for the repeated refusals to provide the Applicant a service and the Respondent's failure to adequately and appropriately address her reports thereby permitting the unlawful discrimination to continue.
6. an order directing the Respondent to pay interest on judgment for any damages awarded to the Applicant.
 7. an order directing the Respondent to pay the Applicant's costs of this proceeding, in accordance with s 46PSA of the AHRC Act.
 8. such further and other orders as the Court considers fit.

Accompanying documents

This application must be accompanied by:

1. A copy of the original complaint to the Australian Human Rights Commission; and
2. The notice of termination of complaint given by the President of the Australian Human Rights Commission.

Applicant's details

The Applicant's relationship to the Respondent is customer.

The Applicant is over 18 years.

The Applicant has special requirements for the hearing. At any time the Applicant is asked to attend court, she will need her dog guide to be present with her and cared for by a person trusted by the Applicant. The Applicant's dog guide will require a place to toilet, access to water, and space where she can be active in a non-disruptive way. As the Applicant experiences chronic pain and exhaustion, she will require regular breaks, particularly if she is required to stand or sit in one place for an extended period. Any materials provided to the Applicant will need to be in a format accessible to screen readers; noting, in particular, that tables and graphics will not generally be accessible to her.

Applicant's address

The Applicant's address for service is:

Place: Justice and Equity Centre, Level 5, 175 Liverpool Street, Sydney NSW 2000



Email: eturnermanners@jec.org.au

The Applicant's address is: Level 5, 175 Liverpool Street, Sydney NSW 2000.

Service on the Respondent

It is intended to serve this application on the Respondent.

Date: 13 February 2025

A handwritten signature in black ink, which appears to read "E. Tilbury", is written over a horizontal dotted line.

Signed by Ellen Tilbury
Lawyer for the Applicant. –