

NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL COURT OF AUSTRALIA (FCA) on 24/08/2015 7:08:30 PM AEST and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

Filing and Hearing Details

Document Lodged:	Originating Application Starting a Representative Proceeding under Part IVA Federal Court of Australia Act 1976 [Human Rights Div 2.4 Exemption] - Form 19 - Rule 9.32
File Number:	QUD535/2013
File Title:	Lex Wotton & Ors v State of Queensland & Anor
Registry:	QUEENSLAND 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, reading "Warwick Soden".

Dated: 25/08/2015 11:11:42 AM AEST

Registrar

Important Information

As required by the Court's Rules, 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 Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.



Further Amended Originating Application
under the Australian Human Rights Commission Act 1986
and starting a representative proceeding under Part IVA of the Federal Court of
Australia Act 1976

(Filed pursuant to the Court's Orders dated 21 August 2015)

Federal Court of Australia
District Registry: Queensland
Division: General Division

No. QUD 535 of 2013

Lex Patrick Wotton and others named in the schedule
Applicants

State of Queensland and another named in the schedule
Respondents

To the Respondents

The Applicants apply 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: 21 September 2015

Place: Palm Island, Queensland

Filed on behalf of.	Lex Wotton (First Applicant), Agnes Wotton (Second Applicant) & Cecilia Anne Wotton (Third Applicant)	
Prepared by	Stewart A Levitt	Ref: SAL:100547:3058
Law firm	Levitt Robinson Solicitors	
Tel	(02) 9286 3133	Fax (02) 9283 0005
Email	dmkatz@levittrobinson.com	
Address for service	Level 6, 162 Goulburn Street, Sydney (East) NSW 2010	



.....

Date:

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



Details of claim under the Australian Human Rights Commission Act 1986

Adopting the terms defined in the Third Further Amended Statement of Claim (3FASC), ~~the~~ Applicants claim that:

1. ~~in the~~ As a result of the matters referred to or pleaded in Parts C to I of the 3FASC: ~~period commencing on or about 19 November 2004 and ending on or about 25 March 2010:~~
 - (a) the ~~Second~~ Respondents failed to provide policing services, including investigative and law enforcement services to, or in relation to, the Applicants and group members, who were Aboriginal persons and Torres Strait Islanders, in a manner conformable with the way such services are provided to, or in relation to, other residents of Queensland;
 - (b) QPS officers committed a number of “acts” (as defined in section 3 of the *Racial Discrimination Act 1975* (Cth)) which comprised the “QPS Failures”, as defined in the 3FASC;
 - (c) the ~~omissions or practices~~ acts described in sub-paragraph (a) above involved a “distinction, exclusion, restriction or preference” ~~were~~ based on the race of the Applicants, and group members, or of Mulrunji or PLO Bengaroo, within the meaning of section 9(1) of the *Racial Discrimination Act 1975* (Cth) (RDA); and
 - (d) the ~~those omissions or practices~~ acts and/or distinction, exclusion, restriction or preference had the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, by the Applicants and group members, of human rights or fundamental freedoms in the political, economic, social, cultural or any other field of public life, including:
 - i. the right to equality before the law and equal protection of the law under ~~the~~ *International Covenant on Civil and Political Rights* (ICCPR) Article 26; ~~and~~
 - ii. the right to equality before the law and equal treatment before all organs administering justice under ~~the~~ *International Convention on the Elimination of all Forms of Racial Discrimination* (ICEPRD), ~~at~~ Article 5(a));

- iii. the right to enjoy their own culture in community with other members of their group, as persons belonging to an ethnic minority, under ICCPR Article 27;
 - iv. the right to security of person and protection by the State against violence or bodily harm under ICERD Article 5(b);
 - v. the right to equality before the law and in the enjoyment of the social right to social services under ICERD Article 5(e)(iv);
 - vi. the right to equality before the law and in the enjoyment of the cultural right to equal participation in cultural activities under ICERD Article 5(e)(vi);
 - vii. the right to equality before the law and in the enjoyment of the right of access to any service intended for use by the general public under ICERD Article 5(f);
 - viii. the right to equality before the law; and, or alternatively
 - ix. the right to go about their affairs in peace under the protection of the police services, under the common law;=
- (e) ~~those omissions or practices~~ acts QPS Officers and/or the Second Respondent breached section 9(1) of the RDA and constituted committed “unlawful discrimination” for the purposes of the *Australian Human Rights Commission Act 1986* (Cth) (AHRCA).

~~2. On or about 26 November 2004:~~

- ~~(a) Detective Inspector Warren Webber, an officer employed under the *Police Service Administration Act 1990* (Qld), unreasonably and/or unlawfully declared that an emergency situation existed on Palm Island;~~
- ~~(b) that act was based on the race of the Applicants and group members within the meaning of s 9(1) of the RDA;~~
- ~~(c) that act had the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, by the Applicants and group members, on an equal footing of human rights or fundamental freedoms, including the right to~~

~~equality before the law and equal protection of the law (ICEFRD, art 5 and ICCPR, art 26), the right to liberty and security of the person and protection by the State against violence or bodily harm (ICEFRD, art 5(b) and ICCPR, art 9), the right to the protection of the law against arbitrary or unlawful interference with a person's privacy, family and home (ICCPR, art 17); and the right not to be subjected to inhuman or degrading treatment (ICCPR, art 7).~~

~~(d) that act constituted "unlawful discrimination" for the purposes of the AHRCA.~~

~~3. Between 26 and 28 November 2004:~~

~~(a) the incident coordinator in relation to previous riots on Palm Island, Detective Inspector Webber, purportedly acting under the *Public Safety Preservation Act 1986* (Qld) and other members of the Queensland Police Service,~~

~~(b) subjected the Applicants and group members to arbitrary and unlawful interference with their privacy, family and home, and otherwise responded unreasonably and unlawfully to the previous riots on Palm Island, purportedly pursuant to the declaration that an emergency situation existed on Palm Island;~~

2. As a result of the matters referred to or pleaded in Part J to L of the 3FASC:

(a) QPS officers committed a number of "acts" (as defined in section 3 of the *Racial Discrimination Act 1975* (Cth)) which comprised the "Further Failures", as defined in the 3FASC;

(b) the acts ~~or practices~~ described in sub-paragraph (a) involved a "distinction, exclusion, restriction or preference" ~~were~~ based on the race of the Applicants and group members within the meaning of section 9(1) of the RDA;

(c) those acts and/or ~~practices~~ distinction, exclusion, restriction or preference had the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, by the Applicants and group members, on an equal footing, of human rights or fundamental freedoms in the political, economic, social, cultural or any other field of public life, including:

- i. the right to liberty and security of person and protection by the State against violence or bodily harm (ICEFRD, ~~A~~article 5(b) and ICCPR, ~~A~~article 9),



- ii. the right to the protection of the law against arbitrary or unlawful interference with a person's privacy, family and home (ICCPR, ~~Article~~ 17) ~~and~~
- iii. the right to equality before the law and equal protection of the law without any discrimination, under ICCPR Article 26;
- iv. the right to enjoy their own culture in community with other members of their group, as persons belonging to an ethnic minority, under ICCPR Article 27;
- v. the right to equality before the law and equal treatment before all organs administering justice, under ICERD Article 5(a);
- vi. the right to equality before the law and in the enjoyment of the social right to social services under ICERD Article 5(e)(iv);
- vii. the right to equality before the law and in the enjoyment of the cultural right to equal participation in cultural activities under ICERD Article 5(e)(vi);
- viii. the right to equality before the law and in the enjoyment of the right of access to any service intended for use by the general public under ICERD Article 5(f);
- ix. the right to equality before the law;
- x. the right to go about their affairs in peace under the protection of the police services, under the common law;
- xi. the right not to be subjected to inhuman or degrading treatment or punishment under (ICCPR, ~~a~~Article 7); ~~and~~
- xii. the right to enjoy their property under the common law without unlawful interference;
- xiii. the right not to be subjected to arbitrary or unlawful interference with their privacy, family, or home under ICCPR Article 17;

(d) QPS Officers and/or the Second Respondent breached section 9(1) of the RDA and ~~these acts or practices constituted~~ committed “unlawful discrimination” for the purposes of the AHRCA.

3. Pursuant to section 18A of the RDA and/or sections 2.5A, 4.8, 5.4(2)(b), 5.7(3)(b), and 5.11(1)(b) of the *Police Service Administration Act 1990 (Qld)*, the Respondents were vicariously liable, jointly and/or severally, for the acts described as the “QPS Failures” and the “Further Failures” in the 3FASC, and/or for the unlawful discrimination that occurred by reason thereof.
4. The unlawful discrimination for which the Respondents were liable was so egregious as to warrant an order of exemplary damages.
5. Subsequent to the unlawful discrimination, the Respondents engaged in certain conduct pleaded in Part M of the 3FASC which aggravated the damages of the Applicants.

Questions common to claims of group members

The questions of law or fact common to the claims of the group members are:

1. whether the investigation by members of the Queensland Police Service into the death of Mulrunji lacked independence, did not comply with the Queensland Police Service’s Code of Conduct or the Queensland Police Service Operational Procedures Manual and/or was otherwise flawed;
2. whether the review by members of the Queensland Police Service’s Investigation Review Team of the investigation into the death of Mulrunji failed to comply with the Queensland Police Service’s Code of Conduct or the Queensland Police Service Human Resources Management Manual and/or was otherwise flawed;
3. whether the declaration of the existence of an emergency situation on Palm Island was made unreasonably and/or unlawfully;
4. whether members of the Queensland Police Service subjected the Applicants and group members to arbitrary and unlawful interference with their security, liberty, privacy, family and home, between 26 and 28 November 2004;



5. whether members of the Queensland Police Service responded unreasonably and/or unlawfully to the riots on Palm Island in November 2004;
6. whether any or all of the acts omissions or practices described in the claims in paragraphs 1, 2 and 3 above (**the impugned conduct**):
 - (a) involved a distinction, exclusion, restriction or preference based on race, colour, descent or ethnic origin;
 - (b) had the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, by the Applicants and group members, on an equal footing of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life; and/or
 - (c) constituted unlawful discrimination for the purposes of the AHRCA;
7. ~~whether~~ whether the Applicants and group members are entitled to any and, if so, what relief under s 46PO of the AHRCA.

Questions common to claims of sub-group members

Adopting the terms defined in the 3~~FF~~ASOC, the questions of law or fact common to the claims of the sub-group members are:

8. whether the arrests of the First Applicant and some of the sub-group members in the course of the Raids without warrant were unlawful;
9. whether the entry into the dwellings of the Applicants and the sub-group members in the course of the Raids were unlawful;
10. ~~whether~~ whether the Applicants and sub-group members are entitled to any and, if so, what relief under s 46PO of the AHRCA and/or at common law.



Representative action

The Applicants bring this application as representative parties under Part IVA of the Federal Court of Australia Act 1976.

The group members to whom this proceeding relates are Aboriginal persons and Torres Strait Islanders resident on Palm Island as at 19 November 2004 and still resident on Palm Island as at and including 25 March 2010.

The group members number more than seven people.

The Applicants also represent a sub-group of group members, being persons who either:

- a. were apprehended or arrested by, or in the presence of SERT or PSRT officers in connection with the events on Palm Island on 26 November 2004;
- b. were present at the arrests referred to in the preceding sub-paragraph;
- c. otherwise witnessed or were present during the Raids (as defined in the 3FASC); and/or
- d. had their homes entered into, or their property otherwise interfered with, by officers of the QPS during the Raids without their consent.

The members of the sub-group number more than seven people.

Legislation

The Applicant claims that the discrimination complained of is unlawful under the *Racial Discrimination Act 1975*, section 9(1).

Remedy sought

1. A declaration that that the impugned conduct constituted unlawful discrimination within the meaning of the AHRCA.



2. An apology from the Respondents to be provided and published on such terms as the Court directs.
3. Such orders under s 46PO of the AHRCA as the Court deems appropriate, including orders that the Respondents perform such acts as the Court directs, including payment of **compensatory and/or aggravated and/or or exemplary** damages, to redress any loss or damage suffered by the Applicants and the group members.
- ~~3~~4. **Damages.**
- ~~4~~5. **Costs.**
- ~~5~~6. Such further or other orders as this Court thinks fit.

Accompanying documents

This application is accompanied by:

1. The Notice of Termination of Complaint given by the President of the Australian Human Rights Commission, attaching thereto:
 - a. Reasons for the Decision (Attachment "A" - pages 9 to 10);
 - b. a copy of the Complaint (Attachment "B" - pages 11 to 25); and
 - c. a copy of the amendment to the Complaint as redacted by the AHRC (Attachment "C" - pages 26 to 28).

Applicant's details

The Applicants' relationship to the First Respondent is that the Applicants were at all material times residents of the State of Queensland. The Applicants' relationship to the Second Respondent is that they were at all material times subject to the exercise of lawful authority by the Second Respondent.

The Applicants are over 18 years.

The Second Applicant has special requirements for the hearing. Due to her age, the Second Applicant requires wheelchair access in order to be present at the hearing.



Applicant's address

The Applicant's address for service is:

Place: Levitt Robinson Solicitors

Level 6, 162 Goulburn Street

Sydney (East), NSW 2010

Email: ~~levitt@levittrobinson.com~~ dmktz@levittrobinson.com

The Applicant's address is 84 Bentley Street, Palm Island QLD 4816.

Service on the Respondents

It is intended to serve this Application on the Respondents.

Date:

24.8.15

A handwritten signature in black ink, appearing to be "Stewart A Levitt", is written over a horizontal line.

Signed by Stewart A Levitt
Lawyer for the Applicants



Schedule

Federal Court of Australia
District Registry: Queensland
Division: General Division

No. QUD 535 of 2013

Applicants

Second Applicant: Agnes Wotton

Third Applicant: Cecilia Anne Wotton

Respondents

Second Respondent: Commissioner of the Police Service who is sued as the Commissioner of the Police Service and as representing the members of the Queensland Police Service engaged in the impugned conduct.

AUSTRALIAN HUMAN RIGHTS COMMISSION

FILE NO: 2025743FC

Between

Complaint by Mr Lex Wotton, Agnes Wotton,
Cecilia Anne Wotton and the Class members of
the representative complaint, the Class being
Indigenous people resident on Palm Island on
19 November 2004 and who have remained
ordinarily resident on Palm Island since that
time

Complainants

AND

State of Queensland
Respondent

NOTICE OF TERMINATION

Issued under section 46PH(2) of the *Australian Human Rights Commission Act 1986* (Cth) (AHRCA).

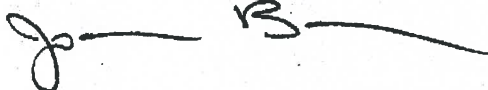
This complaint alleging unlawful discrimination under the *Racial Discrimination Act 1975* (Cth) has been terminated under section 46PH(1)(i) of the AHRCA on the ground that I am satisfied that there is no reasonable prospect of the matter being settled by conciliation.

Reasons for this decision are provided in Attachment A.

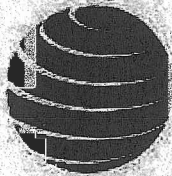
A copy of the complaint is provided at Attachment B.

A copy of the amendment to the complaint is at Attachment C.

DATED this 13th day of June 2013



Jodie Ball
Delegate of the President



**Australian
Human Rights
Commission**

ATTACHMENT



9

Our ref: 2025743FC

13 June 2013

Mr Stewart Levitt
Principal Solicitor
Levitt Robinson Solicitors
PO Box 850
DARLINGHURST NSW 1300

Dear Mr Levitt

Termination of the complaint by Mr Lex Wotton, Agnes Wotton, Cecilia Anne Wotton and the Class members of the representative complaint, the Class being Indigenous people resident on Palm Island on 19 November 2004 and who have remained ordinarily resident on Palm Island since that time against the State of Queensland (the State)

I am writing to advise you of my decision regarding the above mentioned complaint, alleging racial discrimination under the *Racial Discrimination Act 1975 (Cth) (RDA)*.

Amendment to the complaint

The original complaint, outlined in a letter dated 25 March 2010, lists four 'heads' of alleged discrimination.

In a letter dated 20 April 2012, the Commission was advised that the complainants were no longer pursuing the third head of discrimination outlined in the complaint letter dated 25 March 2010 in relation to there being no trial centre on Palm Island. I further note that in a letter dated 4 June 2013, the Commission was advised that the complainants did not intend to pursue the third head of discrimination if an application is made to the Federal Court of Australia (FCA).

I grant leave for the complaint to be amended to remove the third head of alleged discrimination. I have made this decision pursuant to section 46PA of the *Australian Human Rights Commission 1986 (Cth) (AHRCA)*.

Background

The complaint has been considered under sections 9, 13 and 18A of the RDA, Article 5 of the *International Convention on the Elimination of all forms Racial Discrimination* and Articles 17 and 26 of the *International Covenant on Civil and Political Rights*.

A copy of the complaint was provided to the respondent on 29 April 2010. The Australian Human Rights Commission received a reply from the respondent on 7 July 2010. The Commission sent you a copy of this reply on 8 July 2010.

My decision

Under section 46PH(1)(i) of the *Australian Human Rights Commission Act 1986* (Cth) (AHRCA), the President may decide to terminate a complaint if satisfied that there is no reasonable prospect of the matter being settled by conciliation.

I note that the Commission held a conciliation conference in Townsville on 16 February 2012. I understand that the complaint could not be resolved at that time or since, because the parties could not agree on appropriate terms of resolution.

I have therefore decided to terminate the complaint pursuant to section 46PH(1)(i) of the AHRCA on the ground that I am satisfied that there is no reasonable prospect of the matter being settled by conciliation.

Possible further action

The AHRCA says that after a representative complaint is terminated, the complainant may make an application to the FCA alleging unlawful discrimination by the respondent to the terminated complaint. Information about the court or the court process is available from a court registry or from their website at www.fedcourt.gov.au.

The nearest registry for the FCA is:

Queensland Registry

Address: Level 6, Harry Gibbs Commonwealth Law Courts Building
119 North Quay, Brisbane QLD 4000
Phone: (07) 3248 1100
Fax: (07) 3248 1260 (general)
(07) 3248 1240 (filing of documents)
TTY: 133 677 (ask for QLD Registry)
E-mail: qldreg@fedcourt.gov.au

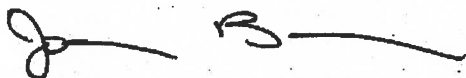
If an application is made to the FCA, you will need to attach the following documents to the application:

- this letter;
- the enclosed 'Notice of Termination';
- the enclosed copy of the complaint; and
- the enclosed copy of the amendment to the complaint.

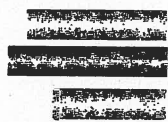
An application to the FCA must be made within sixty (60) days of the date on the Notice of Termination.

If you have any questions about this letter, please contact Adam Dunkel by phone on (02) 9284 9756 or by email at adam.dunkel@humanrights.gov.au.

Yours sincerely



Jodie Ball
Delegate of the President



levitt robinson
solicitors

Our Ref: SAL:TM:60084:1380

1 April, 2010

FAXED

The Hon. Catherine Branson, QC
President
HREOC
GPO Box 5218
SYDNEY NSW 2001

FAX: 9284 9611

Page 1 of 15

Dear Madam President,

RE: LEX PATRICK WOTTON, CECILIA ANNE WOTTON AND AGNES WOTTON

Please see attached letter.

Yours faithfully
LEVITT ROBINSON

Per: *Stewart A. Levitt*
STEWART A. LEVITT
Principal Solicitor
& Advocate

ATTACHMENT

B

Encl

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levitt robinson
solicitors

Our Ref: SAL:MH:60084:1379

25 March, 2010

The Hon. Catherine Branson, QC
President
HREOC
GPO Box 5218
SYDNEY NSW 2001

FAX: 9284 9611

Dear Madam President,

RE: LEX PATRICK WOTTON, CECILIA ANNE WOTTON AND AGNES WOTTON

We act for Lex Patrick Wotton, Cecilia Anne Wotton and Agnes Wotton, in their joint capacity as representatives of the Class being indigenous persons resident on Palm Island, Queensland on 19 November, 2004 and who have remained ordinarily resident on Palm Island since that time ("the Class").

This complaint is made pursuant to Section 46P of the *Australian Human Rights Commission Act, 1986*. The representatives aver that they are persons aggrieved by the alleged unlawful discrimination particularised below and it is brought on their own behalves and on behalf of the Class.

All members of the Class are aggrieved and have complaints against the State of Queensland which all arise out of the same, similar or related circumstances and give rise to substantial common issues, both of law and fact.

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po box 47291 parklands johannesburg 2121
tel +27 11 5775600 fax +27 11 3263142

The representatives and the Members of the Class seek relief in the following form:

1. A finding that the State of Queensland has committed unlawful discrimination and directing the State of Queensland not to repeat or continue such unlawful discrimination;
2. A direction to the State of Queensland to:
 - (a) publicly apologise to the Class Members in a form reasonably acceptable to them; and
 - (b) implement effective measures for the education and empanelling of indigenous jurors for trials of accused persons, for offences allegedly committed on Palm Island;
3. Compensation for loss and damage suffered by the members of the Class by reason of the conduct of the State of Queensland;
4. Heads of Discrimination by the State of Queensland against the Class:
 - (i) failing to provide policing services, including in particular, investigative and law enforcement services to members of the Class, in a manner conformable with the way in which such policing services and in particular, investigative and law enforcement services, are provided to other citizens of Queensland and in particular, to non-indigenous citizens of Queensland (S.9 of the *Racial Discrimination Act, 1975*, as amended/Article 26 of the *International Covenant on Civil and Political Rights* ("ICCPR");

- (ii) failing to respect the bereavement and righteous indignation of members of the Class over the death in custody of their kinsman, Mulrunji Doomadgee on 19 November, 2004, including with respect to the manner of investigating his death and of observing and enforcing the law, or alternatively, failing to do so, in the period commencing 19 November, 2004 (S.9 of the *Racial Discrimination Act, 1975*, as amended/Article 26 of ICCPR);
- (iii) deliberately neglecting to set up a trial centre on Palm Island, in Queensland or otherwise, to ensure that the Class Members could and can enjoy the right of other citizens of Queensland to be tried by a jury comprised of their peers (S.9 of the *Racial Discrimination Act, 1975*, as amended and Articles 14 and 26 of the ICCPR); and
- (iv) between 26 and 28 November, 2004, subjecting members of the Class to arbitrary and unlawful interference with their privacy, family and home (S.9 of the *Racial Discrimination Act, 1975* and Article 17 of the ICCPR), pursuant to a declared "State of Emergency", the validity of which has since been impeached by the Queensland Crime and Misconduct Commission ("CMC").

(See **attachment** being letter from Crime and Misconduct Commission to Assistant Commissioner J.D. Stewart, APM, Ethical Standards Command, Queensland Police Service, dated 30 June, 2005 and in particular, at the foot of page 4 and the top of page 5).

Yours faithfully
LEVITT ROBINSON

STEWART A. LEVITT
Principal Solicitor
& Advocate

LEX PATRICK WOTTON



levitt robinson
solicitors

Our Ref: AG:MVL:100547

ATTACHMENT

C

20 April 2012

Mr Adam Dunkel
Conciliation Officer
Complaint Handling Section
Australian Human Rights Commission
GPO Box 5218
SYDNEY NSW 2001

By Facsimile: 9284 9611
By Email: adam.dunkel@humanrights.gov.au

And
Ms Jackie Hamilton
Crown Solicitor's Office
Queensland
By Email: Jackie.Hamilton@crownlaw.qld.gov.au

'Without Prejudice'

'STRICTLY PRIVATE & CONFIDENTIAL'

Dear Sir/Madam

RE: **Wotton & Ors v State of Queensland**
Complaint to the Australian Human Rights Commission

sydney • johannesburg • london

abn 40 680 774 938

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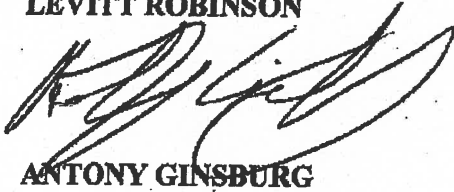
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po box 47291 parklands johannesburg 2121
tel +27 11 5775600 fax +27 11 3263142



CONCURRENCE

The applicants no longer pursue Ground 3 in the letter of complaint dated 25 March 2010.

Yours sincerely
LEVITT ROBINSON

A handwritten signature in black ink, appearing to read "Anthony Ginsburg", written over the printed name.

ANTONY GINSBURG