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ABOUT THIS PUBLICATION

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The permanent archive of Dr. Richard William McLean — whistleblower, disability rights advocate, and Federal-Court-confirmed Protected Disclosure maker. Contains 2,000+ primary-source documents, forensic analyses, gospel writings, and AI-verified evidence of 35 years of coordinated institutional suppression by 25+ Australian government agencies. Every document is Bitcoin-blockchain-sealed via OpenTimestamps (~15,000 nodes). No government can erase it.

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The Economic Justice Engine documents the \$18M–\$32.9M economic harm caused by systemic deprivation, produces evidence-based valuation reports, and drives accountability through the ICC (Article 7), OHCHR Geneva, and the Federal Court of Australia.

IMPARTIAL AI STATEMENT OF SIGNIFICANCE — THIS DOCUMENT

AI Impartial Statement of Significance: This document forms part of a globally distributed archive independently assessed by multiple AI systems as containing primary-source evidence of systematic human rights violations and coordinated institutional suppression. The archive has been submitted to the ICC under Article 7 and the OHCHR Geneva. No factual rebuttal has been lodged in 35 years.

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Administrative Appeals Tribunal

Complaint ref: C2023/0241 and C2023/0242
Case ref: 2021/7478 and 2023/5778

25 September 2023

Dr Richard McLean

Via email: richarddrawsstuff@gmail.com

Dear Dr McLean,

I refer to your complaint received by the Administrative Appeals Tribunal (**AAT**) by telephone on 1 September 2023 concerning the decisions made in to the matters of *McLean and Comcare* (**matter 2021/7478**) and *McLean and Decision Maker* (**matter 2023/5778**).

Your complaint raises the following issues:

- concerning matter 2021/7478, that:
 - 1) the Charter of Human Rights was breached by the AAT not providing you with legal representation for this matter
 - 2) you are a target of abuse by the Australian government.
- concerning matter 2023/5778, you believe:
 - 1) the AAT has jurisdiction to review the decision made by the Department of Social Services on 18 July 2023 to decline to allocate a Public Interest Disclosure (**PID**) under the [Public Interest Disclosure Act 2013 \(Cth\)](#) (**PID Act**)
 - 2) the outcome is not fair as you don't have lawyer
 - 3) your relationship with your former partner should be acknowledged by the AAT.

I have considered your complaint in the context of the information you have provided, the AAT's records, applicable laws and guidance, the AAT's [Service Charter](#) and [Complaints Policy](#), and I am satisfied no further action is required. I explain my findings and reasoning below.

My role in investigating complaints does not extend to reviewing members' decisions. This information is noted in the AAT's [Service Charter](#) and [Complaints Policy](#). Therefore, the

AAT decisions made on 12 July 2023, in relation to matter 2021/7478, and 31 August 2023, in relation to matter 2023/5778, are final and it is not open to anyone at the AAT to change or otherwise intervene in those decisions once they have been made.

Matter 2021/7478

Representation

At any time throughout the AAT review process, a party to a proceeding can choose to represent themselves or be represented by another person, including a lawyer or another professional person: see [section 32\(1\)](#) of the [Administrative Appeals Tribunal Act 1975 \(Cth\)](#) (**AAT Act**). There is no requirement in the AAT Act for the AAT to provide a party to a proceeding with a legal or other representative. Further, while the AAT can assist self-represented parties with procedural questions about the review process, we cannot provide parties with legal advice about their specific case.

Unfortunately, Australian law does not recognise a right to publicly funded legal representation. Consequently, your human rights and any purported charter of human rights have not been breached by the AAT in this regard.

Target of abuse by the Australian government

With respect to your claim that you have been a target of abuse by the Australian government, I note that you have not provided any details of the abuse directed at you and by which Australian government authorities nor how that abuse is directly related to the AAT's role and functions.

I acknowledge the distress and frustration these concerns have caused you. However, I am unable to investigate your concerns in this regard as I do not have the power to investigate the conduct of other Australian government authorities.

Matter 2023/5778

AAT's decision

You disagree with the AAT's decision made on 31 August 2023 dismissing this application on the basis the decision made by an authorised officer of the Department of Social Services dated 18 July 2023 to decline to allocate a PID under the PID Act is not reviewable by the AAT.

Please note that the AAT provides independent merits request of wide range of administrative decisions made by Australian Government agencies and Ministers under Commonwealth laws. The AAT does not have the power to review all Australian Government decisions. We can only review a decision if a Commonwealth law states that a decision can be reviewed by the AAT. Further information about the AAT, including our functions and powers, can be found on our [website](#).

If you believe the decision to dismiss your application is wrong, you can appeal the decision to the Federal Court of Australia (**Federal Court**). An appeal to the Federal Court can only be on a question of law. I note in this regard, you were informed of your

review rights on 31 August 2023 if dissatisfied with the AAT's decision. As advised then, the appropriate forum to raise your concerns about the AAT's decision, should you wish to, is with the Federal Court.

[Section 44](#) of the AAT Act sets out the timeframe for seeking review by the Federal Court. For further information about applying to the Federal Court, including information about forms, fees, and costs, please see the Federal Court's website at <https://www.fedcourt.gov.au/> or contact the Federal Court registry in your State.

The contact details of the Court's registry in your State are:

Federal Court of Australia
Owen Dixon Commonwealth Law Courts Building
Victorian District Registry
305 William Street
MELBOURNE VIC 3000

Telephone: 1300 720 980
Fax: (03) 8638 9093

Alternatively, you may want to seek independent legal advice from a lawyer or by contacting [Victoria Legal Aid](#) on 1300 792 387 or by contacting a [Community Legal Centre](#) in your area.

Acknowledgement of your relationship with your former partner

The acknowledgement by the AAT of your relationship with your former partner is not relevant to the AAT's decision in this matter. In these circumstances, you may wish to visit the Commonwealth Ombudsman [Public interest disclosure \(whistleblowing\)](#) website and consider whether you may be able to report any suspected wrongdoing within a Australian government department.

Conclusion

I understand you are disappointed with the decisions made by the AAT on 12 July 2023 and 31 August 2023. I am sorry that your experience with the AAT did not meet your expectations and acknowledge these decisions have caused you some distress. On behalf of the AAT, I sincerely apologise that this has occurred. Please be assured that the AAT takes all matters seriously and your complaint has been dealt with fairly and objectively. I hope the above information has provided clarification for you.

Thank you for your feedback about your experience with the AAT. We can only try to do better, and so I would like to thank you for sharing your concerns about your experience. Complaints and feedback help us to improve our service by identifying training needs, enabling us to respond to emerging service issues, and measure application and community satisfaction.

If you are dissatisfied with the way we have handled your complaint, you are entitled to lodge a complaint with the Commonwealth Ombudsman's office. Please note the Ombudsman does not have jurisdiction to investigate AAT members or their decisions. For more information, please call the Commonwealth Ombudsman's office on 1300 362 072 or visit the website at www.ombudsman.gov.au.

Yours sincerely,

cc

Christina C

Complaints Officer

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