

Serious systemic misconduct / corruption conduct complaint against Senior NSW Education officers including:

Paul Hopkins	Chief Procurement officer
Joanne Bailey	Chief Procurement officer
Peter Riordan	Deputy Secretary NSW Dept.of Education
Michael Waterhouse	General Counsel
Tracey Southern	ICT Director
Sarah Hargans	General Counsel
Jane Thorpe	EPAC Director (Misconduct Unit)

Other officers are alleged to be complicit / associated with this serious misconduct

These GSE Act employed senior officers are alleged to:

- a. have perpetrated an INJURIOUS FALSEHOOD**
- b. be complicit with / participated in the INJURIOUS FALSEHOOD**
- c. have perpetuated the INJURIOUS FALSEHOOD against the author**

Ref.ICAC website:

What is corrupt conduct?

Corrupt conduct, as defined in the Independent Commission Against Corruption Act 1988 ("the ICAC Act"), **is deliberate or intentional wrongdoing**, not negligence or a mistake.

It has to involve or affect a NSW public official or public sector organisation.

While it can take many forms, corrupt conduct occurs when:

a public official dishonestly exercises his or her official functions, or improperly exercises his or her official functions in a partial manner, breaches public trust or misuses information or material acquired during the course of his or her official functions

Dear Sir / Madam,
we (author / applicant) wish to draw your attention to an injustice which
a. has been
and
b. is currently being
perpetrated against myself & my business associates by senior officers both currently & formerly
employed by the NSW Dept. of Education since 2013

The actions of these senior officers is alleged to constitute serious misconduct and possibly
corrupt conduct (as defined by the ICAC website).

An **INJURIOUS FALSEHOOD** is alleged to have been constructed & perpetrated by one or
more senior officers to punish us for legitimate & sincere concerns we had about NSW
procurement activities involving both the NSW Dept of Education & the Dept. of Finance &
Services.

These procurement activities were alleged to be so blatantly flawed that they should have been
required to be immediately reviewed by those agencies and either amended or scrapped.
However, a refusal to accept these legitimate complaints (complaints which key officers would
have known to be true from NSW Procurement minutes / documentation) resulted in what can
only be described as “wilful maladministration” / “wilful breaches of NSW Procurement policy”
& “wilful nonfeasance”.

This maladministration is alleged to have been perpetrated against NSW schools by / or with
the complicity of senior officers within the NSW Dept. of Education.
Senior officers who have the obligation to act in those 2200+ NSW schools’ best interests.

This includes NSW schools in your electorate

We allege that our economic interests are being deliberately & maliciously punished by those
senior NSW Education officers for daring to speak up & act on behalf of vulnerable NSW schools .
NSW schools are too scared / reluctant to officially oppose decisions by those senior officers
in fear or retribution / sanctions which is a legitimate concern as our situation shows.

These are relevant concerns of your constituents

This submission provides substantiating evidence for our grievances

We request your urgent assistance.

Please use your authority to make a referral to any / all of the following agencies:

- ICAC icac@icac.nsw.gov.au
- NSW Ombudsman nswombo@ombo.nsw.gov.au
- Office of the DPP enquiries@odpp.nsw.gov.au
- Attorney General
- the Education Minister

Thanking you for your understanding & assistance

Regards

ISSCO

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1. Alleged Injurious Falsehood perpetrated against applicant

This submission particularises allegations of past & ongoing serious misconduct / corrupt conduct by senior DEC officers including:

Paul Hopkins	DEC Chief Procurement officer
Joanne Bailey	DEC Chief Procurement officer
Peter Riordan	Deputy Secretary DEC Corporate Services
Michael Waterhouse	DEC General Counsel
Tracey Southern	DEC ICT Director
Sarah Hargans	DEC General Counsel

These senior NSW Education officers are alleged to be instrumental / complicit / active in perpetrating & perpetuating an injurious falsehood against the author

a. ALLEGED MOTIVE FOR THE INJURIOUS FALSEHOOD: To punish & silence the author for

- i. calling out DEC participation / complicity in maladministration (the ripping of NSW schools in procurement activities such as the Workplace Supplies Tender c1006 (WST) 2010 - 2013
- ii. causing embarrassment to the agency resulting from their alleged maladministration
- iii. allegations of serious misconduct against senior DEC officers (including the above)
- iv. causing the agency a loss of revenue derived from dubious procurement activities ("sales commissions" at the expense of NSW schools, where the agency is alleged to have been complicit in allowing NSW schools to be blatantly exploited by "favoured suppliers"
- v. seeking access to relevant government information as substantiating evidence for those complaints / allegations

B. PUNISHMENT INFLICTED ON THE AUTHOR:

- i. **Hopkins** authored **DGS12/613 "Repeat Writer"** proposal against the applicant which was approved by the minister of the day (Piccoli).
 - a. **The author was never formally notified of this document by DEC**
 - b. **No opportunity to contest this proposal was ever provided to the author**

This document has the effect of blocking all legitimate complaints made by the applicant against any DEC & other agency officers and has not been reviewed since 2012

- ii. **Bailey** is alleged to have deliberately & maliciously caused the disruption of the applicant's legitimate business with NSW school customers by:
 - a. **deliberately blocking the applicant's commercial email addresses**

sales@issco.com.au	sales@isscoed.com.au
support@issco.com.au	support@isscoed.com.au

from communicating with NSW schools
 - b. **blocking NSW school customer's legitimate & unsolicited email correspondence enquiries** from being delivered to the above email addresses
 - c. **making false claims against the applicant in the Procurement Alerts & Notices List**

3. **There is a BLATANT SERIOUS ISSUE OF CONFLICT OF INTEREST IN THE ACTIONS OF HOPKINS & BAILEY AGAINST THE APPLICANT.**
- a. **Hopkins & Bailey** are alleged to be **complicit** in the **alleged maladministration** which was causing a detriment to NSW schools
 - b. **Hopkins & Bailey** were **decision makers** related to a formal **GIPA access application** made by the author seeking information related to procurement activities associated with alleged maladministration.
Both **Hopkin & Bailey refused** the author access to the required information which was **associated with their activities**
 - c. At the time, **Hopkin's & Bailey's procurement directorate** was **competing** for the **same NSW school customers** as that **of the author**.
Their directorate was making "**sales commissions**" from the procurement activities.
 - d. **Hopkins & Bailey** are alleged to **have benefitted** either indirectly or directly from their alleged blatant **conflict of interest**

Collectively:

Hopkins authoring of DGS12/613 benefits / protects both him from any legitimate complaints / allegations (even if substantiated) made against him by the author

Hopkins DGS12/613 also benefits / protects his associates from any legitimate complaints / allegations (even if substantiated) made against him by the author

c. a. INJURIOUS FALSEHOOD #1

- i. **Bailey is alleged to have deliberately blocked the applicant's commercial email addresses from being received by NSW school customers to cause a detriment to the authors financial / economic interests**
- ii. **Bailey, whose directorate has been competing for those same NSW school customers, is alleged to have deliberately disrupted the authors legitimate business activities with full knowledge of the economic damage that would be caused to the author**
- iii. According to **Bailey**, the authors email addresses (refer B.ii.a) are associated with spamming and
- iv. according to **Southern** those same email addresses are **spamming, fraudulent or phishing agents**
- v. This submission will show that these accusations by **Bailey & Southern** are either
 - a. **UNFOUNDED / FALSE** or
 - b. at least **SO TENUOUS IN FACT**

that Bailey has allegedly deliberately perpetrated an **INJURIOUS FALSEHOOD** against the author to cause an unjust punishment

- vi. This **INJURIOUS FALSEHOOD** is still being perpetrated against the applicant even though **Bailey's** alleged corrupt conduct was made in **2013**
- vii. The author alleges that this **INJURIOUS FALSEHOOD** could not have been perpetuated without the complicity / involvement / authority of **DEPUTY SECRETARY RIORDAN**

Riordan as Deputy Secretary, DEC Corporate Services

is the effective head of:

- a. Information Access Unit (FOI Unit)
 - b. Legal Services Directorate
 - c. Procurement Directorate
 - d. Employee Performance & Conduct Unit (EPAC.Misconduct Unit)
- viii. This **INJURIOUS FALSEHOOD** will be substantiated in the following pages and evidence supporting these allegations of serious misconduct / corruption will be detailed.

C. b. INJURIOUS FALSEHOOD #2

Hopkins DGS12/613 proposal contains false and misleading statements.

The affect of **Hopkins's** proposal seems to clearly discredit the author's allegations of maladministration and protect himself & his procurement directorate colleagues from legitimate complaints

The evidence supporting these allegations of serious misconduct / corruption will be detailed (information may be linked to the applicant's website due to time constraints)

D. CONTRADICTIONS & DEFICIENCY OF EVIDENCE

The author has made many GIPA Act access applications seeking evidence for **Bailey's / Hopkin's statements.**

- a. The more information released, the clearer it is of the alleged serious misconduct / corrupt conduct perpetrated by the above officers.
- b. "Evidence" supporting the injurious falsehood is either refused or does not exist
- c. statements have been made which are patently false
- d. GIPA applications are allegedly dogged by misconduct / lack of good faith which the tribunal refuses to address, therefore institutionalizing misconduct as a legitimate method to compromise the public's right to access government information

E. COMPLICITY & PERPETUATION OF FALSEHOOD BY RIORDAN & WATERHOUSE

As DS, Corporate Services, **Riordan** is the head of :

- Information Access Unit
- Legal Services
- Procurement
- Employee Performance And Conduct Unit (DEC Misconduct Unit)

- a. **Riordan & Waterhouse** are alleged to be complicit in the injurious falsehood being perpetrated against the author and are alleged to ensuring it's perpetuation.
- b. **Riordan & Waterhouse** are alleged to be the authorities approving the misuse / abuse of public funds (constituting maladministration) against the author
 - i. **Over \$64,000 dollars** of public funds have been used for a simple GIPA Act Sect.110 restraining order against the applicant using:
 - **External legal services from Hicksons**
 - **a Barrister from Wentworth Chambers**
 when DEC has substantial internal legal services
 - ii. **Over \$81,000 dollars** of public funds have been used by DEC for external legal services to contest the self represented aauthor's NCAT reviews of GIPA applications when DEC has substantial internal legal services
- c. **Riordan & Waterhouse** have been the decision makers for almost all of the author's access applications.
The author has made serious complaints concerning the integrity of decisions & functions exercised by these two decision makers.

The use of such funds against an applicant is anomalous in DEC's GIPA Act functions

This is alleged to be a clear breach of the government's **Model Litigant Policy** specifically against the author

F. COMPLICITY & PERPETUATION OF FALSEHOOD BY HARGANS

Hargans has known of the complaints concerning the INJURIOUS FALSEHOOD since she assumed the role of General Counsel in 2016

Hargans is complicit in the perpetration & perpetuation of the INJURIOUS FALSEHOOD
She has directly excised GIPA Act functions in:

DEC GIPA 16-292 Notice of Deemed Refusal

G. OBJECTIVITY

To an objective fair-minded lay observer informed of the background of these issues, the participation of such senior DEC officers & the public funds being spent against a self represented applicant would seem unusual & troubling.

“WHERE THERE’S SMOKE ,THERE’S FIRE” seems appropriate

The applicant relies on the documentary evidence submitted with this application.
Further documentation & allegations will be referenced in website links

2. REFERENCES TO LEGISLATED CONDUCT:

a. GOVERNMENT SECTOR EMPLOYMENT ACT 2013

SECT 7. Government sector core values

The core values for the government sector and the principles that guide their implementation are as follows:

- (a) Consider people equally without prejudice or favour.
- (b) Act professionally with honesty, consistency and impartiality.
- (c) Take responsibility for situations, showing leadership and courage.
- (d) Place the public interest over personal interest.
- (a) Appreciate difference and welcome learning from others.
- (b) Build relationships based on mutual respect.
- (c) Uphold the law, institutions of government and democratic principles.
- (d) Communicate intentions clearly and invite teamwork and collaboration.
- (e) Provide apolitical and non-partisan advice.
- (a) Provide services fairly with a focus on customer needs.
- (b) Be flexible, innovative and reliable in service delivery.
- (c) Engage with the not-for-profit and business sectors to develop and implement service solutions.
- (d) Focus on quality while maximising service delivery.
- (a) Recruit and promote employees on merit.
- (b) Take responsibility for decisions and actions.
- (c) Provide transparency to enable public scrutiny.
- (d) Observe standards for safety.
- (e) Be fiscally responsible and focus on efficient, effective and prudent use of resources.

b. Corruption:

<https://www.icac.nsw.gov.au/about-corruption/frequently-asked-questions-about-corruption>

For the purposes of the ICAC's work, corrupt conduct is defined in sections 7, 8 and 9 of the Independent Commission Against Corruption Act 1988 ("the ICAC Act"). Generally, corrupt conduct involves:

a NSW public official improperly using, or trying to improperly use, the knowledge, power or resources of his or her position for personal gain or the advantage of others

a NSW public official dishonestly exercising his or her official functions or improperly exercising his or her official functions in a partial manner, exercising his or her functions in a way that breaches public trust or misuses information or material acquired during the course of his or her official functions

3. BRIEF BACKGROUND

A more detailed background will be uploaded to:
www.INJURIOUSFALSEHOOD.com

1. The applicant is a shareholder in a Pty Ltd company, established in 1957, that specializes in the supply of scientific instruments & equipment (under ISSCO.COM.AU & ISSCOED.COM.AU) to a range of customers including NSW schools
2. In 2010 DFS/State Contract Control Board (SCCB) commenced the **Workplace Supplies Tender C1006 (WST)** which included Educational Scientific products under Lot4b. Lot4b products were primarily purchased by NSW Schools
3. Premiers Memorandum M2006/11 required NSW Schools to purchase those products off the WST contract
<https://arp.nsw.gov.au/m2006-11-nsw-procurement-reforms>
4. NSW school customers contacted ISSCO complaining that the products that they were forced to purchase off the WST were higher priced / less value for money than those products they could purchase off ISSCO & other non-contract suppliers
5. The applicant made complaints to DEC, in particular :
Paul Hopkins, Chief Procurement Officer, DEC Hopkins was:
 - a former DDG of NSW Procurement (DFS)
 - a member of the SCCB for the WST
 - the head of DEC Procurement, whose activities included DEC eCatalogue / SmartBuy / DETBuy sales of products to NSW schools (which DEC received sales commissions from)
6. The applicant made complaints concerning the tender process (it should be noted that incumbent suppliers were the only "successful" tenderers) & repeated the complaints of NSW school customers that:
 - WST prices were higher than off contract products
 - WST had created a monopoly supply in Lot 4b
7. **Hopkins** refused to acknowledge these problems, forcing the applicant to make numerous complaints across the whole of government to have the failed WST curtailed.
8. Despite reassurances which the applicant knew to be false, the applicant sought to have the failed WST tender abandoned.
The WST was clearly compromised:
 - NSW schools complained about the failure of the WST to provide the required "best prices / best value for money"
 - **no volume discounts were offered or required in the tender**
 - evidence surfaced confirming that an incumbent supplier Serrata, was a monopoly supplier as alleged (this was also confirmed by NSW school customers)**The WST WAS FAILING** its requirement to provide "best prices / best value for money"
9. What is particularly disturbing is that **Hopkins**, as a member of the SCCB had access to the documentation / minutes related to the WST which on release confirmed the NSW school complaints as well as the applicant's complaints.
Hopkins is alleged to have deliberately made misleading / false statements to deny the applicant's legitimate & correct allegations of maladministration
10. **Joanne Bailey** was **Hopkins's** assistant Chief Procurement Officer, later to succeed **Hopkins** as Chief Procurement Officer.

Both of these senior officers clearly had a real & significant conflict of interest in the alleged injurious falsehood that they have perpetrated against the applicant

4. **INJURIOUS FALSEHOOD #2 REFER DGS12/613 DOCS**

This **INJURIOUS FALSEHOOD** will be briefly touched on here

Full details will be uploaded to;

www.INJURIOUSFALSEHOOD.com

- a. **Hopkins** is a principal officer in the applicant's complaints concerning DEC's complicity / activities concerning maladministration
- b. **PG 2 Hopkins** is the author of the DGS12/613 Repeat Writer proposal
- c. **Hopkins** has a clear conflict of interest in the authoring of this proposal
 - he is implicitly related to the alleged ripping of NSW schools by the WST AND DEC procurement activities
 - his directorate took "sales commissions" from DEC tendering & related sales to NSW schools from SmartBuy / DETBuy / tender activities
 - he has specific knowledge of the minutes / documents related to WST as a member of the State Contracts Control Board
- d. **PG 1 DGS12/613 Briefing for the Minister**
 In DGS12/613 dated April 18,2012 Hopkins has stated:
 "Mr Peter Zonneville lodged an application under the GIPA Act on 13 Oct.2010 seeking information regarding the award of SCCB contract 1006 Workplace Supplies-Lot4b Education Scientific **to both this dept. and DFS.**
 His application was ultimately refused due to his non-payment of legislated administration processing fees in accordance with the Act

PG 3-4,31 Emails from applicant re DEC GIPA 10-143 Nov.12,2010 / Nov.19,2010
 Complaints were raised concerning the processing fees & application processing which Hopkins was aware of

- e. **PG 8 GIPA 12-021**
Response to email dated Apr.6,2012- Amended application
 - i. **Hopkins** is confirmed as a search officer for this application
 - ii. the application sought documents related to DEC procurement activities including:
 - tender DETPR-35/11 which the applicant was successful in having abandoned due to blatant irregularities (alleged fixing of tenders) breaching "fair to all interested suppliers"
 - This tender's products were compiled by the WST incumbent Lot4b supplier SERRATA and included over 400+ SERRATA branded items
 - feedback from NSW schools concerning Hopkins's procurement activities
 - documents related to the WST
 - iii. **PG 5-6 GIPA 12-021 Notice of Decision April 16,2012**
 Application refused by Hopkins

THIS IS A BLATANT CONFLICT OF INTEREST

Complaints made about this conflict of interest to DEC were ignored

- iii. An internal review was requested by the applicant.
 It was reviewed by:
 Joane Bailey,Assistant Chief Procurement Officer

THIS IS ALSO BLATANT CONFLICT OF INTEREST

Bailey is a party to the maladministration complaints & subordinate to Hopkins

Complaints made about this conflict of interest to DEC were ignored.

**HOPKINS CLEARLY NARRATED A DOCUMENT TO SUIT HIS SPECIFIC AIMS:
 TO ENSURE THAT THE APPLICANT WAS EFFECTIVELY SILENCED & LEGITIMATE
 COMPLAINTS PERTAINING TO HIM & HIS ACTIVITIES WERE UNDERMINED**

e. **PG 14-19** A1012/18217/ **FA#13****DFS Notice of Decision**

Aug.10,2012

Documents sought relating to Workplace Supplies Tender

i. **PG 15****“Processing of your application**

I note that receipt of your **amended application of 13,april 2012** which was sent by email...”

This is **INCONSISTENT** with Hopkins’s statement

“Mr Peter Zonneville lodged an application under the GIPA Act on 13 Oct.2010 seeking information **to both this dept. and DFS.**

.. his application was ultimately refused due to his non-payment...”

ii. This Notice of Decision was never received by the applicant in 2012 (nor 2013)

This Notice of Decision was only received after the 2014 NCAT review of a related access application

iii. This Notice of Decision was found to have been made **OUT OF TIME REQUIRING NO PAYMENT (GIPA Act.Sect.63)**

Despite repeated requests for the status of this application,DFS refused to uphold their statutory obligations under the Act & release the documents to the applicant.

This was confirmed in:

Zonneville v NSW Department of Finance & Services [2015] NSWCATAD 175

iv. the documents sought in 2012 were only released in 2014 after a NCAT review

v. DFS spent considerable public funds defending NSWCATAD 175 by engaging external legal service (whilst having considerable legal service within DFS)

To a fair-minded lay observer informed of these details,it would appear that Hopkins has deliberately made statements to mislead the minister.

f. **Hopkins** further states:

“..The successful suppliers were selected by the DFS for the board on the basis that they provided the best value to the government and it’s agencies including NSW government schools”

As SSCB member of WST **Hopkins** knew:

i. that there was **no probity reports** for the performance of Lot4b during the life of WSTii. that SERRATA was the *monopoly supplier* for Lot4biii. that WST Lot4b **failed to provide volume discounts** for those listed items (which would generally be purchased in quantities rather than one-offs)iv. that **none of the Lot4b items had been assessed by either DEC or DFS**

Any person with any sort of common sense knows that **best prices** are more likely when **purchasing in bulk / quantity.**

The applicant’s complaints are verified / substantiated by the following documents:

- PG 20-21,23** Workplace Supplies Tender Serrata monopoly supplier confirmation
- PG 23** Workplace Supplies Tender Project closure report Lot4b failure confirmation
- PG 24** Workplace Supplies Tender **Director General Coutts-Trotter** confirmation of maladministration
- PG 7** JULY 14,2011 ICAC REPORT CORRUPTION RIFE IN NSW PROCEUREMENT
- PG 28** FORMAL COMPLAINT CONCERNING WST BY ANOTHER INDEPENDENT SUPPLIER
- PG 30** TABLE OF COMMISSIONS GOUGED FROM WST CONTRACT

g. **Hopkins** further states:

“Mr Zonneville’s allegations were investigate both internally & externally by ICAC and declared unsubstantiated. ICAC advised that they would not be further pursuing the complaint and Mr Zonneville was duly advised of the findings of the Dept.s internal investigation and assured of the probity of the process however he wa not willing to either accept the dept.s declarations or the veracity of the substantiating information the dept. provided”

ICAC are understood only to have briefly looked at the complaint of “irregular tendering” made by the applicant.

The applicant maintains that the tendering was “irregular” (not fair & equitable)

PG 26 NSW Tenders listing of WST

“An example of the Lots covered in the RFT are listed below:...

Lot4-Educational Supplies (e.g.Arts & crafts,music,games,globes,learniNG tools)”

This description hardly informs prospective suppliers that Education Scientific products are included even if the tender is “openly advertised”

NOTE: WST Lot4b successful suppliers were all **INCUMBENT** suppliers who are are alleged to have had “heads up” advantage over other non-incumbent suppliers

Hopkins is alleged to have deliberately misled the minister

h. **PG 28-29 Complaint to the Premier by competitor to the applicant**

This independent complaint supports the applicant’s complaints

i. **PG 30 DFS#13-#17 document release**

NSW Procurement Contract 1006 Workplace Supplies

Spend & Management Fee by Suppliers

Period Dec 2009 - March 2012

“Sales commissions” taken by DFS

There is a clear motive for **Hopkins’s** former employer DFS to refuse to abandon the WST **DFS skimmed over \$5,000,000 in sales commissions from the WST.**

This is a waste of taxpayer funds as extra fees / commissions lead to higher prices

That the NSW schools were paying **higher prices** for their required purchases meant **higher “sales commisions”** for **Hopkins’s** DFS mates

The **GONSKI report** identified NSW schools disadvantaged by having a shortage of funds. It should be clear that **DFS & Hopkins** put their interests before that of NSW schools

This equates to maladministrationj. Similarly for **Hopkins’s** Procurement Directorate supply activities.

That the NSW schools were paying higher prices for their required purchases meant higher “sales commisions” for **Hopkins** & his directorate.

This is a waste of taxpayer funds as **extra fees / commissions lead to higher prices**

The **GONSKI Report** identified NSW schools disadvantaged by having a shortage of funds. It should be clear that Hopkins & his colleagues put their interests before that of NSW schools

This equates to maladministration

k. **Dates of documents:****PG 8-11** GIPA 12-021Response to email dated **Apr.6,2012**- Amended application**PG 5-6** GIPA 12-021 **Notice of Decision**

April 16,2012

Application refused by Hopkins

PG 14-19 **A1012/18217/FA#13****DFS Notice of Decision** Aug.10,2012

Documents sought relating to Workplace Supplies Tender

PG 15**“Processing of your application**I note that receipt of your **amended application of 13,april 2012** ...**PG 1-2** **DGS12/613**

April 18,2012

From the

- dates of the submitted documents and
- the related subject matter and
- **Hopkins’s** statements in DGS12/613

it should be clear that **Hopkins** sought to mislead the minister for his own advantage**Is it a coincidence that DGS12/613 is proposed several days after the validation of the applicant’s access application seeking WST documents????****FROM HOPKINS’S FORMER AGENCY where he was a Deputy Director General????**

This is highly unlikely

l. **DGS12/613 ISSUE**

Hopkins writes:

“Formal identification of Mr Peter Zonneville as a regular writer and that no further correspondence will be undertaken by the Dept. for complaints or information not lodged through a formal request for information under the GIPA Act”

a. The GIPA Act is specifically for requesting access to government documents

b. “Complaints” concerning a dept. cannot be lodged under the GIPA Act

It is clear to the applicant (and should be to an informed, fair-minded lay observer) that **Hopkins** has allegedly :

- c. deliberately misled the minister
- d. made misleading / false statements for his own personal benefit
- e. abused his position of trust & authority
- d. sought improper means to silence the applicant’s legitimate complaints concerning him & his colleagues

HOPKINS CLEARLY NARRATED A DOCUMENT TO SUIT HIS SPECIFIC AIMS:**TO ENSURE THAT THE APPLICANT WAS EFFECTIVELY SILENCED & LEGITIMATE COMPLAINTS PERTAINING TO HIM & HIS ACTIVITIES WERE UNDERMINED**

j. Further issues related to DGS12/613

i. EVIDENCE OF ABUSE OF THE COMPLAINANTS GIPA ACT RIGHTS & ALLEGED COVERUP OF MALADMINISTRATION:

PG 14-19 A1012/18217/FA#13

DFS Notice of Decision Aug.10,2012

Documents sought relating to Workplace Supplies Tender

NSW CASELAW:

Zonneville v NSW Dep.of Finance & Services* [2016] NSWCATAD 47

[22] I note however that the delay in providing the material that was requested in GIPA (FA)#13 and which was ultimately provided to the Applicant gives the agency serious cause for concern in terms of how it handled the matter and suggests that effort needs to be made to ensure that a similar situation does not arise in the future.

As noted above, information that was requested in 2012 was not released to the Applicant until December 2014.

Clearly this delay is unacceptable and it fails to accord with the object of the GIPA Act.

It is difficult to understand how it could be explained in terms of 'honest ineptitude' or how it could be seen as demonstrating an 'honest and conscientious' approach to the functions conferred under the GIPA Act.

II. Paul Hopkins Deputy Director General, Procurement,at NSW Department of Commerce and Deputy Chair, State Contracts Control Board (SCCB)

is following **CONVICTED DRUG DEALER Michael Coutts-Trotter**,the man who appointed him to his role at Commerce, to a strategic procurement role at the NSW Department of Education and Training.

III. History of NSW Dept.of Commerce:

https://guides.sl.nsw.gov.au/government_legislation_and_publications_nsw/past_names_of_government_departments

2003-2009	Department of Commerce
*2009-2011	Department of Services, Technology and Administration
*2011-2014	Department of Finance and Services
2014-2015	Office of Finance and Services
2015-	Department of Finance, Services and Innovation

The alleged corrupt Hopkins,as former Dep.dir.general of NSW Commerce clearly has the a conflict of interest in the documents sought access to under GIPA FA#13

- the WST was developed under his watch at the Dept.of Commerce & SCCB
- the maladministration of the WST affected NSW state schools whilst he was the convicted drug dealer Coutts-Trotters Chief Procurement Officer

The alleged corrupt Hopkins also clearly has the influence within DSTA / DFS & SCCB to ensure that the complainants access to the WST maladministration evidence was obstructed / impeded.

To any fair minder lay observer,the issue of the alleged corrupt Hopkins authoring the DGS12/163 proposal stinks and has implications of corrupt conduct.

- iv. The applicant was never notified of DGS12/613
- v. The applicant was not given any procedural fairness to contest Hopkins's statements / alleged "facts"
- vi. DGS12/613 is still in effect to this day.
There has been no withdrawal or superseding notice
- vii. No probity or review processes have been made available to the applicant
- viii. Riordan / Waterhouse / Hargans are alleged to be ensuring the perpetuation of this injustice ad infinitum
- ix. The applicant states that DGS12/613 has had a substantive effect on the applicant's GIPA access applications in at least one circumstance and highly likely to have affected a matter which has come before the tribunal **File 2018/00333885 (APPEALED)**

The applicant has been "sentenced" for a non-fixed, NON-ENDING duration.

WHERE IS THE JUSTICE IN THESE MATTERS??

- vii. **AS A RESULT OF HOPKINS MISLEADING OF THE ED MINISTER, HAS THE MINISTER, PICCOLI UNLAWFULLY MISLED OTHER MINISTERS ABOUT THIS MATTER??**

5. INJURIOUS FALSEHOOD #1

REFER **INJURIOUS FALSEHOOD DOCS**

- a. **PG 3 at [22]** According to **Bailey**, the applicant's commercial email addresses:

SALES@ISSCO.COM.AU
SUPPORT@ISSCO.COM.AU

SALES@ISSCOED.COM.AU
SUPPORT@ISSCOED.COM.AU

are associated with spamming and have therefore been blocked on the Education Dept. servers (meaning that **all legitimate communication** between those above email addresses & NSW school customers are blocked **WITHOUT** notification to either sender or receiver)

This is alleged to be a deliberate false statement by **Bailey** and is the foundation upon which **Bailey** constructed the **INJURIOUS FALSEHOOD**

NOTE: This **INJURIOUS FALSEHOOD** is currently being perpetrated against the applicant having been **authorized by Bailey in 2013**

Bailey's decision causing the **INJURIOUS FALSEHOOD** has not since been reviewed.

This **INJURIOUS FALSEHOOD** is alleged to be deliberately perpetrated against the applicant by Riordan to cause the applicant an ongoing economic detriment

Emails between NSW school customers & supplier's commercial email addresses are the primary method of communication between suppliers & customers. Disrupting these communications logically causes a supplier a disruption which affects legitimate business dealings with those NSW school customers

- i. **PG 1-4** **Statement of Joanne Bailey** **Sept.1,2014**
Zonneville v DEC Files 1410331, 1410330, 1410329

PG 3 at [22]

"On May 10, 2013 to ensure that avenues remained open for legitimate business with the Dept. I caused **any email correspondence from any know email address associated with spamming from Mr Zonneville to be blocked effective immediately** and to remove the original block that deleted all emails with the name Zonneville in the body.

The following email addresses were blocked:

isscosyd@bigpond.com
iind1791@bigpond.net.au
admin@nswgovernment.net.au
complaints @nswgovernment.net.au
SALES@ISSCO.COM.AU
SALES@ISSCOED.COM.AU
SUPPORT@ISSCO.COM.AU
SUPPORT@ISSCOED.COM.AU
complaints@nswgovernment.com

Page 4 at 27

SALES@ISSCO.COM.AU	7 messages have been blocked
SALES@ISSCOED.COM.AU	7 messages have been blocked
SUPPORT@ISSCO.COM.AU	5 messages have been blocked
SUPPORT@ISSCOED.COM.AU	4 messages have been blocked
complaints@nswgovernment.com	no messages have been blocked

COMPLAINTS:

1. The applicant did not receive any notice of the commercial email addresses being blocked. This was only revealed in the statement of Bailey in File 1410331 / 1410330 / 1410329
- 2.. **CONFLICT OF INTEREST**
 - Bailey is associated with the WST maladministration
 - Bailey's DEC Procurement directorate is competing for the same NSW school customers
 - DEC procurement was making "sales commissions" through their Procurement activities with NSW school
3. The applicant disputes the numbers of emails sent from the applicant's other email addresses as these were not verified independently. Bailey clearly has an agenda to punish the applicant for legitimate complaints made against her, her directorate & colleagues
4. Bailey has knowingly & corruptly made a false statement.
there is no evidence provided to date that any email correspondence from the email addresses below are definitively associated with spamming from Mr Zonneville

SALES@ISSCO.COM.AU	SALES@ISSCOED.COM.AU
SUPPORT@ISSCO.COM.AU	SUPPORT@ISSCOED.COM.AU

 - a. these email addresses are on a completely different server to those of the applicants other email addresses
 - b. the applicant has sought evidence of "spamming" from those email addresses held by the dept.
NO EVIDENCE HAS BEEN PROVIDED

PG 5-15 DEC GIPA 16-292 Notice of Decision, Riordan Jun.20,2017
PG 10 Item 3.

"The Information Technology Directorate has declared that no records are held because no actual message content is saved"

The alleged corrupt Bailey referred to those emails in her statement before the tribunal
Failure to provide EVIDENCE of spamming from the content of those emails, used by the alleged corrupt Bailey justify the blatant INJURIOUS FALSEHOOD is alleged to constitute BLATANT CORRUPT CONDUCT

5. Bailey knows that emails between NSW school customers & supplier's commercial email addresses are the primary method of communication between the two. Disrupting the legitimate communications between the applicant & those NSW school customers deliberately causes the applicant an economic detriment.
This is the very reason Bailey used to justify the email blocking:
"to ensure that avenues remained open for legitimate business with the Dept"
The applicant has a legitimate right to do business with those NSW school customers & NSW State School customers have the legitimate right to send unsolicited enquiries to the applicant
6. NSW school customers sending unsolicited enquiries to the applicant's commercial email addresses are not informed by the servers that their email being sent has been blocked.
7. Despite Bailey submitting an affidavit in the NCAT proceedings, the applicant **was not given procedural fairness** to cross examine Bailey at the hearing

UNLESS DEC PROVIDES SUBSTANTIATING EVIDENCE THAT THESE COMMERCIAL EMAIL ADDRESSES ARE ASSOCIATED WITH SPAMMING THEN IT IS CLEAR THAT AN INJURIOUS FALSEHOOD IS BEING PERPETRATED & PERPETUATED AGAINST THE APPLICANT BY SENIOR DEC OFFICERS.

8. **PG 73-86** COPIES OF EMAILS BLOCKED BY DEC released in DEC GIPA 15-265
NO EVIDENCE OF SPAM EMAILS!!

The applicant has sought evidence used by

- a. the alleged corrupt Bailey
- b. the alleged corrupt Riordan / Southern / Hargans / Waterhouse & other senior officers to justify the perpetration & perpetuation of the INJURIOUS FALSEHOOD through numerous GIPA applications including

DEC GIPA 13-252 (Riordan)	DEC GIPA 14-046 (Johnson)	DEC GIPA 14-107
DEC GIPA 15-265 (Waterhouse)	DEC GIPA 18-328	DEC GIPA 18-249
DEC GIPA 16-292 (Hargans & Riordan)		

and more recent applications.

TO DATE THE AGENCY HAS NOT PROVIDED ANY SUBSTANTIATING EVIDENCE THE BLOCKING OF THOSE EMAIL ADDRESSES AS STATED BY THE ALLEGE CORRUPT BAILEY

ii. **PG 17-24** GIPA 19 235 Released records
 DEC Alerts & Notice List

PG 18,21,24

“The ISSCOED email address has been blocked since 7 March 2013 due to excessive email activity.

Any DOE sites wishing to engage with ISSCOED will not be able to receive emails from them and will need to ask them to phone or fax instead”

COMPLAINT:

1. **PG 3 at [22]** Statement of Joanne Bailey Sept.1,2014
 Zonneville v DEC Files 1410331,1410330,1410329

a. the alleged corrupt Bailey stated that the emails were blocked because of spamming

PG 4 at [27]

SALES@ISSCO.COM.AU	7 messages have been blocked
SALES@ISSCOED.COM.AU	7 messages have been blocked
SUPPORT@ISSCO.COM.AU	5 messages have been blocked
SUPPORT@ISSCOED.COM.AU	4 messages have been blocked
complaints@nswgovernment.com	no messages have been blocked

b. This CONTRADICTS the “excessive email activity” statement

2. **PG 5-15** DEC GIPA 16-292 Notice of Decision,Riordan Jun.20,2017
PG 10 Item 3.

“The Information Technology Directorate has declared that no records are held because no actual message content is saved”

NO EVIDENCE OF SPAMMING

3. In **PG 17-24** there is no mention of **ISSCO email addresses being blocked**

4. There is **no mention that DEC is also blocking any unsoicited emails sent by NSW school customers to ISSCO & ISSOED email addresses**
 (that is those enquiries were not being delivered to the applicant’s company)

This conduct is alleged to have been **deliberately formulated** to compromise the applicant’s **legitimate business dealings** with NSW school customers.

This conduct is alleged to have been **deliberately formulated** to cause the applicant an economic detriment as punishment for holding **Bailey** and her colleagues to account for **alleged maladminstration** associated with WST & other DEC activities.

Bailey's directorate **competed directly for those same NSW school customers** as does the applicant

Bailey's directorate made **"sales commissions"** from those NSW school customers.

There is a clear conflict of interest IN BLOCKING THE APPLICANTS WORKPLACE EMAILS

iii. **PG 25** Emails Brett Kyle, Emma Malcolm, Joanne Bailey
DEC Alerts & Notice List May 9 / 10, 2013

"These addresses are known as he has cc'd them in at least one occasion to the department – this email is attached, for your reference.

sales@issco.com.au sales@isscoed.com.au
support@isscoed.com.au support@issco.com.au"

COMPLAINT:

1. **This statement blatantly contradicts Bailey's statement:**

PG 1-4 **Statement of Joanne Bailey** **Sept.1, 2014**
Zonneville v DEC Files 1410331, 1410330, 1410329

PG 3

"On May 10, 2013 to ensure that avenues remained open for legitimate business with the Dept. I caused **any email correspondence from any know email address associated with spamming from Mr Zonneville to be blocked effective immediately** and to remove the original block that deleted all emails

2. **This statement blatantly contradicts the message stated in the dept.s:**

PG 17-24 **GIPA 19 235 Released records**
DEC Alerts & Notice List

PG 18,21,24

"The ISSCOED email address has been blocked since 7 March 2013 due to excessive email activity.

Any DOE sites wishing to engage with ISSCOED will not be able to receive emails from them and will need to ask them to phone or fax instead"

Neither of the above provides any substantiating evidence of excessive emails / s spamming from any of the ISSCO or ISSCOED email addresses.

No evidence has even been provided to show that any of the ISSCO or ISSCOED email addresses were CC'd with any alleged spam emails.

THE ALLEGED CORRUPT BAILEY HAS CLEARLY MADE FALSE STATEMENTS & SOUGHT TO USE ANY FEEBLE EXCUSE TO DELIBERATELY PUNISH THE APPLICANT.

THE ALLEGED CORRUPT BAILEY'S STATEMENT TO THE TRIBUNAL BREACHES SECT.71 & DEFAMES THE APPLICANT'S LEGITIMATE COMMERCIAL INTERESTS

THE ALLEGED CORRUPT BAILEY IS CLEARLY DETERMINED TO CAUSE THE APPLICANT A DELIBERATE ECONOMIC DETRIMENT

Riordan was the decision maker for GIPA 13-252 wher the applicant sought access to those unsolicited emails sent by NSW school customers to the applicant's commercial email addresses.

This application was reviewed by NCAT

Zonneville v Department of Education and Communities [2015] NSWCATAD 10

a. **PG 118**

Access refused to names of some staff members

"The information captured by your application contains the names of a large number of staff members.The names of the senior officers who made various decisions about blocking or filtering emailaddresses mentioed as point 4 of your application are released under this decision.

However I have decided to refuse access to the names of other staff members who were not involved in those decisions"

The names of those NSW state school staff sending unsolicited enquiries to the applicant would also be redacted in accordance with Riordan's statement (as they were not involved with "those decisions").

This is a deliberate abuse of authority by the alleged corrupt Riordan to cause the applicant an economic detriment.

Those worth of those unsolicted enquiries would be further compromised should the applicant not have the name & contact details in order to respond

Those enquiries are already compromised by the unjust blocking by the alleged corrupt Bailey

b. **PG 114**

"If you have any questions about this notice or require further information on your rights of review,please contact me by telephone on 9561 8151 or via email iaunit@det.nsw.edu.au"

**PG 122 Fax to Riordan from applicant
Notice of Decision Re GIPA 13-252 DEC (valid application)
Clarification requested**

No response was ever received from the alleged corrupt Riordan

c. **PG 119**

"I am aware that Mr Peter Zonneville has made many complaints over a two year period about alleged corrupt conduct by senior officers of the dept.,in particular,officers working in the Procurement Solutions Directorate..."

i. **Riordan** reviewed the information sought including those blocked emails.

ii. **Riordan** has admitted full knowledge of all the applicant's complaints against the DEC

The alleged corrupt **Riordan** is alleged to be clearly complicit if not active in the perpetrating & perpetuating of the **INJURIOUS FALSEHOOD** initiated by the alleged corrupt **Bailey** to punish the applicant for legitimate & substantiated complaints against DEC senior officer misconduct

d. **The alleged corrupt Riordan was both the alleged corrupt Hopkins's & Bailey's boss.**
The alleged corrupt Riordan is fully aware of legitimacy of the applicants complaints.

e. **PG 121 Processing charges**

“Due to the large volume of information that Mr Peter Zonneville has sent to the dept.,the time actually taken by PSD to search **through hundreds of emails & faxes** in electronic records system (TRIM) has taken an extra 10 hours work.Procurement had to examine,extract & copy pages relating to your access application from 1431 record items”

PG 1-4 Statement of Bailey

The alleged corrupt Riordans statement appears to **CONTRADICT** the alleged corrupt Baileys “thousands of emails” statement

PG 121 Processing charges

“It has taken an extra seven hours to review & redact over 1300 names and contact details from the records..”

This is an admission of serious misconduct by the alleged corrupt Riordan.

There is absolutely no utility in redacting names & contact details from documents sent by the applicant to the agency.

This is a further deliberate abuse of authority by the alleged corrupt Riordan to cause the applicant an economic detriment.

The integrity of the application & processing charges are clearly compromised by the alleged corrupt conduct of officers such as the alleged corrupt Riordan

f. Of grave concern to the applicant is that both **Michael Waterhouse,General Counsel,DEC Head of legal as referred to by Bailey in the above email**

Peter Riordan,DS DEC Corporate Services

Head of: - EPAC (DEC Misconduct unit) - IA Unit
- Legal services - Procurement directorate

are the **decision makers** for almost all of the applicant’s GIPA access applications:

DEC GIPA 13-252	Decision maker	Riordan	Jan 28,2014
DEC GIPA 18-106	Decision maker	Riordan	Aug.1,2018
DEC GIPA 19-062	Decision maker	Riordan	Mar 25,2019
DEC GIPA 19-125	Decision maker	Riordan	Jul 11,2019
DEC GIPA 19-235	Decision maker	Riordan	Aug 14,2019
DEC GIPA 20-013	Decision maker	Riordan	Jul.8,2020
DEC GIPA 15-265	Decision maker	Waterhouse	Jun 24,2016
DEC GIPA 16-023	Decision maker	Waterhouse	Aug 24,2016
DEC GIPA 17-350	Decision maker	Waterhouse	Mar.20,2018
DEC GIPA 18-429	Decision maker	Waterhouse	Feb 22,2019

- COMPLAINT:**
- Both **Waterhouse & Riordan** are aware of the applicant’s complaints against **the alleged corrupt Bailey** (and **Hopkins & DEC Procurement & WST**)
 - Waterhouse** is alleged to be directly implicated in **Bailey’s** activities to cause the applicant a deliberate economic detriment
 - Both **Waterhouse & Riordan** are alleged to have made false statements, abused their authority.exercised functions with a lack of good faith & / or possible offences under the Act in their decisions
 - Both **Waterhouse & Riordan** have reviewed the blocked unsolicited, legitimate emails sent by NSW school customers to the applicant & the resulting detriment caused to the applicant’s commercial interests

The applicant understands from NCAT member **Montgomery** that the tribunal would **NEVER CONSIDER** the cross examination of decision makers that are senior officers like **Riordan or Waterhouse** in the course of reviewing an access application.

This appears to be **Riordan & Waterhouse** allegedly gaming the system

- g. Of further grave concern to the applicant is that both

Michael Waterhouse, General Counsel, DEC
Head of legal as referred to by Bailey at PG 25

Peter Riordan, DS DEC Corporate Services

Head of: - EPAC - IA Unit
 - Legal services - Procurement directorate

have allegedly deliberately misused public funds to attempt to cover up Bailey's serious misconduct and / or their own complicity / involvement in those alleged corrupt activities

- i. **PG 47** **DEC NCAT Costs 2014 2017**
Public funds used for external legal services against Zonneville
Over \$80,000 dollars spent contesting the applicant's reviews

- ii. **PG 48-72** **Costs DEC v Zonneville Sect.110**
Public funds used for external legal services for GIPA Act Sect.110
restraining order against Zonneville
NCAT file 2018 / 00322532

Over \$64,000 dollars spent on a single, simple Sect.110 action which includes:
Barrister from Wentworth Chambers
Hicksons Lawyers

From these documents it appears that there are further public funds used for external legal services against the applicant

- COMPLAINT:**
- a. Both **Waterhouse & Riordan** are aware of the applicant's complaints against **the alleged corrupt Bailey** (and **Hopkins & DEC Procurement & WST**)
 - b. Both parties would allegedly be complicit in the alleged abuse of public funds to contest the NCAT reviews by the applicant using external legal services **DESPITE** the fact that
 - i. DEC has substantial legal services
 - ii. the applicant is self represented
 - iii. DEC typically uses their own legal services against applicants
 - c. the applicant understands that no other DEC applicant has had so much public funds used against them
 - d. **The alleged corrupt Waterhouse** is alleged to be directly implicated in **the alleged corrupt Bailey's** activities to cause the applicant a deliberate economic detriment
 - e. Both **the alleged corrupt Waterhouse & Riordan** are alleged to have made false statements, abused their authority, exercised functions with a lack of good faith & / or possible offences under the Act in their decisions

- h. **PG 26-28** **Statement of Tracy Southern,**
Director Information Technology Directorate
 NCAT File 1510696 Sept.16,2016

PG 27 at [6]

“The website & email addresses captured by this application have been found to be spam, fraudulent or phishing agents”

PG 28 INCLUDES:

“ sales@issco.com.au sales@isscoed.com.au
 support@issco.com.au support@isscoed.com.au”

THERE IS NO EVIDENCE OF THE APPLICANTS ISSCO.COM.AU NOR ISSCOED.COM.AU ARE ASSOCIATED WITH SPAM,FRAUDULENT OR PHISHING AGENTS

COMPLAINT:

This statement blatantly contradicts the message stated in the dept.s:

PG 25 **Emails Brett Kyle,Emma Malcolm,Joanne Bailey**
DEC Alerts & Notice List

“These addresses are known as he has cc’d them in at least one occasion to the department – this email is attached, for your reference.

sales@issco.com.au sales@isscoed.com.au
 support@isscoed.com.au support@issco.com.au”

The above does not provide any substantiating evidence of excessive emails / spamming from any of the ISSCO or ISSCOED email addresses.

- i. **PG 29-42** **Bailey / Southern Correspondence**
 GIPA 16-265 document release Aug.26,2014 - Sept.1,2014

PG 30

“ Hi Jo,
 the following messages were sent by identified accounts.These were all blocked at our gateway...

sales@issco.com.au	7 blocked since 13/08/13
sales@isscoed.com.au	7 blocked since 04/09/13
support@issco.com.au	5 blocked since 13/08/13
support@isscoed.com.au	4 blocked since 09/08/13

- I. As senior Manager.Messaging & Directories,**Southern** has been associate with the searches for the NSW school customers blocked emails sent to the applicant’s commercial email addresses.
- II. **Southern’s** statement submitted to the tribunal is alleged to be blatantly false and a breach of CAT Act Sect.71 False statements

The alleged corrupt Southern is alleged to be clearly complicit in **the alleged corrupt Bailey’s INJURIOUS FALSEHOOD** and has deliberately defamed the applicant’s commercial interests in her blatant false statement

- j. **PG 5-15** **DEC GIPA 16-292** **Notice of Decision, Riordan** **Jun.20,2017**
PG 10 **Item 3.**

“The Information Technology Directorate has declared that no records are held because no actual message content is saved”

The alleged corrupt Southern had knowledge as director ITD that those blocked emails at **PG 30** had no content saved.

Her **PG 26-28** statement is alleged to be a further abuse of authority to protect her alleged corrupt “mate” the alleged corrupt Bailey and clearly implicates the alleged corrupt Southern as an accomplice in the INJURIOUS FALSEHOOD being perpetrated & perpetuated against the applicant

Failure to provide EVIDENCE of spamming from the content of those emails, used by the alleged corrupt Bailey justify the blatant INJURIOUS FALSEHOOD is alleged to constitute BLATANT CORRUPT CONDUCT

- k. **PG 43-44** **Letter from Rob Easton, EPAC**
 Investigation into Bailey misconduct **June 27,2016**

“The EPAC directorate has considered all the available information, including that provided by you. It has been determined that there is no evidence to support your allegations that Bailey and / or staff at the PSD engaged in misconduct, corrupt conduct or any other form of inappropriate conduct.”

“In relation to your concerns I note the dept.s records outline that there is no trading restriction in place against you or your company..”

COMPLAINT:

- i. **These blatant false statement CONTRADICTS the unjust blocking of commercial email addresses constructed by the alleged corrupt Bailey**
- ii. **I raised concerns with the EPAC director, Thorpe that Easton had not sought any further information from me**

“.....your email accounts had been suspended due to the Dept. receiving voluminous SPAM material originating from your accounts”

COMPLAINT:

- iii. **This statement AGAIN CONTRADICTS the message stated in the dept.s:**

PG 25 **Emails Brett Kyle, Emma Malcolm, Joanne Bailey**
PG 17-24 **DEC Alerts & Notice List**

“These addresses are known as he has cc’d them in at least one occasion to the department – this email is attached, for your reference.

sales@issco.com.au sales@isscoed.com.au
support@isscoed.com.au support@issco.com.au”

- iv. **Easton** did not properly or reasonably investigate the complaints against **the alleged corrupt Bailey** (or with any credibility)
- v. **PG 46** The applicant raised concerns about Eastons activities related to the complaint
- vi. **PG 87-113** The applicant contacted EPAC **multiple times** requesting evidence be provided for the spamming associated with :
sales@issco.com.au sales@isscoed.com.au
support@isscoed.com.au support@issco.com.au

No response NOR evidence has been forthcoming

PG 45 THE ALLEGED CORRUPT RIORDAN WAS HEAD OF EPAC AT THE TIME

- k. **PG 43-44** Letter from Rob Easton,EPAC
Investigation into Bailey misconduct June 27,2016
- PG 87-113** Correspondence with Jane Thorpe,EPAC Director
- PG 123** Jane Thorpe,EPAC Director (Misconduct Unit) advising RML-SO
to have the complainant put on the “regular writers list”

COMPLAINT:

- i. **The alleged corrupt Thorpe** knows that the alleged corrupt Easton did not undertake a proper or adequate investigation into the complaint against the alleged corrupt Bailey
- ii. **The alleged corrupt Thorpe** refused to respond to those legitimate & reasonable queries raised in the complainants correspondence to EPAC
- iii. On Nov.12,2019 **the alleged corrupt GSE Act employed Thorpe** required the complainant to be put on the agency’s “regular writer list” despite knowing that those complaints from the complainant were legitimate and were substantiated by evidence

The alleged corrupt Thorpes actions lack any credible probity

- iv. No copy of that proposal (DGL19/761?) was ever provided to the complainant
- v. **The alleged corrupt Riordan** was the alleged corrupt Thorpes’s boss
- vi. **The alleged corrupt Hargans** was the general counsel

This is evidence of systemic alleged corrupt conduct.

A fair-minded lay observer could reasonable form the opinion that the agency under the alleged corrupt Riordan,the alleged corrupt Hargans & the alleged corrupt Thorpe has characteristics of an alleged criminal organization where systemic abuse of authority is given oversight by those very alleged corrupt officers perpetrating the alleged corrupt conduct.

The actions of :

the alleged corrupt Riordan

the alleged corrupt Hargans

the alleged corrupt Thorpe

and their colleague accomplices

blatantly,deliberately & maliciously breach their

LEGISLATED GSE ACT CONDUCT

OBLIGATIONS.

The complainant is clearly the victim of alleged corrupt abuse of authority by these alleged corrupt officers

I. The applicant has provided the tribunal with evidence of:

Jenni Pendergast, Solicitor IA Unit
Elisse Stathis, Manager IA Unit
Peter Riordan, DS, Decision maker

perpetrating:

- False / misleading statements in GIPA notices
- False / misleading statements in GIPA decisions
- Functions exercised with a lack of good faith
- Breaches of statutory obligations of the GIPA Act
- Breaches of statutory conduct obligations
- alleged misconduct
- abuse of authority

during NCAT reviews.

Yet the tribunal turns a blind eye to these issues.

Documentary evidence will be uploaded to **www.INJURIOUSFALSEHOOD.com**

6. Impact of Bailey's alleged corrupt conduct:

For the READER's edification

- a. The applicant's legitimate business with NSW school customers has been severely compromised as a result of the **INJURIOUS FALSEHOOD** being perpetrated against the applicant.
- b. **Emails are the primary method of communication with NSW school customers. Disruption of those "innocent" email addresses has an adverse affect on the applicant's legitimate business activities.**
- c. **Bailey's reasons for the disruption of those legitimate "innocent" email addresses are UNFOUNDED & PATENTLY FALSE**
- d. The applicant has **SPENT THOUSANDS OF DOLLARS ON THE ADVERTISING OF THOSE LEGITIMATE "INNOCENT" EMAIL ADDRESSES DISRUPTED BY BAILEY**

This branding investment has been damaged by Bailey's alleged corrupt conduct

- e. The applicant has **thousands of products sold to NSW school customers** with either: **sales@issco.com.au** or **sales@isscoed.com.au** branded on them.

This branding investment has been damaged by Bailey's alleged corrupt conduct

- f. The applicant has **invested in thousands of expensive product labels** with either: **sales@issco.com.au** or **sales@isscoed.com.au** branded on them.

This branding investment has been damaged by Bailey's alleged corrupt conduct

- g. it is an accepted practice with most companies to have the standard & easy to remember generic email addresses:

sales@(company domain name)	i.e. sales@issco.com.au
	sales@isscoed.com.au
Similarly for:	support@issco.com.au
	support@isscoed.com.au

This branding investment has been damaged by Bailey's alleged corrupt conduct

- h. GIPA applications are forced onto the applicant in order to access legitimate unsolicited enquiries made by NSW school customers.
 - i. The applicant has to "Pay" to receive those legitimate enquiries from DEC (clearly constituting a punishment or penalty)
 - ii. **it takes months to access the blocked emails with significant reputational damage occuring to the applicant** due to the delays

- i. Further incidental damages to the applicant:
NOTE: NSW schools **DO NOT** receive any notification that their emails have been blocked by Bailey / DEC Procurement
- i. Reputational damage results from NSW school customers receiving no replies to their product enquiries
BECAUSE THE APPLICANT DOES NOT RECEIVE THOSE EMAILED ENQUIRIES
- ii. Potential sales are lost as the applicant does not receive the NSW school customers emailed orders
BECAUSE THE APPLICANT DOES NOT RECEIVE THOSE EMAILED ORDERS
- iii. Reputational damage results from NSW school customers sending a product support or service request which goes unanswered
BECAUSE THE APPLICANT DOES NOT RECEIVE THOSE EMAILED REQUESTS
- iv. **THE APPLICANT HAS WASTED THOUSANDS OF HOURS FIGHTING THIS BLATANT INJUSTICE PERPETRATED BY SENIOR DEC OFFICERS**
- v. **THE APPLICANT SUFFERED SIGNIFICANT STRESS & HEALTH PROBLEMS AS A DIRECT RESULT OF THE ALLEGED BLATANT CORRUPT CONDUCT BY THOSE SENIOR DEC OFFICERS**
- j. It should also be noted also that **Bailey's INJURIOUS FALSEHOOD** is a contradiction to the DEC Procurement policy

DEC website:

<https://education.nsw.gov.au/about-us/supplying-to-us/selling-directly>

“Regardless of the source, achieving the best value for money remains paramount for all purchases”

Bailey's INJURIOUS FALSEHOOD compromises the applicant's ability to fulfill those objectives with NSW school customers

- k. **GIPA applications** made on those blocked emails from NSW school customers have provided **no evidence** of spamming from those “INNOCENT” email addresses.
- l. Unnecessary & unjustified costs & waste of resources have been forced onto the applicant
- m. **The applicant's company has been in operation since 1957.**
 We **do not SPAM** our customers and it would make no commercial sense to do so. This is alleged to be deliberate misconduct by **Bailey,Riordan,Waterhouse & Southern Bailey** was running a “commercial enterprise” in DEC.
Bailey has full knowledge of the damage she has deliberately caused the applicant
- n. If the **READER** had his / her primary method of communication with customers blocked ,the **READER** may understand the oppressive nature injustice experienced by the applicant **WHICH IS ONGOING HARASSMENT ALLEGEDLY ACREDITED TO RIORDAN & WATERHOUSE**

7. Riordan perpetrating an Offence under the GIPA Act.

Sect.116 Offence of acting unlawfully

An officer of an agency must not make a reviewable decision in relation to an access application that the officer knows to be contrary to the requirements of this Act.

Sect.120 Offence of concealing or destroying government information

A person who destroys, conceals or alters any record of government information for the purpose of preventing the disclosure of the information as authorised or required by or under this Act is guilty of an offence.

Maximum penalty: 100 penalty units.

- a. **PG 47** **DEC GIPA 19-062**
 DEC NCAT Costs 2014 2017
 Public funds used for external legal services against Zonneville

Subject	NCAT Ref.	Cost
Sect.110 GIPA Act Proceedings	2018/00322532	No cost to the dept. \$0

DEC GIPA 19-062 Application received by DEC: **Feb.25,2019**

DEC GIPA 19-062	Decision maker	Riordan	Mar 25,2019

- b. **PG 48-72** **DEC GIPA 19-235**
Costs DEC v Zonneville Sect.110
 Public funds used for external legal services for GIPA Act Sect.110
 restraining order against Zonneville
 NCAT file 2018 / 00322532

- | | | |
|------|--|---------------------------|
| i. | Tax Invoice 182715
Aug 31,2018 | MISSING FROM PG 47 |
| ii. | Tax Invoice 182937
Sept.27,2019 | MISSING FROM PG 47 |
| iii. | Tax Invoice 184064
Oct.31,2019 | MISSING FROM PG 47 |
| iv. | Tax Invoice 185964
Jan 31,2019 | MISSING FROM PG 47 |
| v. | Tax Invoice No.00000925
Issue date 14-02-2019 | MISSING FROM PG 47 |

As head of Legal Services,IA Unit,Procurement Riordan has full knowledge of the funds being used for external legal advise for actions against the applicant Zonneville

- COMPLAINT:**
- a. Riordan is alleged to have deliberately withheld this information from the applicant
 This appears to constitute a PRIMA FACIE GIPA Act 120 OFFENCE
- b. Riordan is complicit in the alleged abuse of public funds to contest the NCAT reviews by the applicant using external legal services **DESPITE** the fact that
- DEC has substantial legal services
 - the applicant is self represented
 - the GSE Act **MANDATORY** obligations requires those officers to:

(e) **Be fiscally responsible and focus on efficient, effective and prudent use of resources.**
- c. this information was required by the complainant to use at the NCAT File No. 18/00322532 April 11,2019 hearing.The documents show that the agency took **MONTHS** to prepare for the Sect.110 application where the self represented non-legal professional,time poor, resource poor respondent was provide approx.**4 WEEKS.**
THIS BREACHES THE GOVERNMENTS MODEL LITIGANT POLICY
- d. The alleged corrupt Riordan has a clear **CONFLICT OF INTEREST** as decision maker for applications concerning the complainant

8. Conclusions / Facts

- a. The alleged corrupt Bailey deliberately & blatantly constructed an **INJURIOUS FALSEHOOD** against the applicant & his employer
- b. There is **NO EVIDENCE** to substantiate that the applicants commercial email addresses:

sales@issco.com.au	sales@isscoed.com.au
support@issco.com.au	support@isscoed.com.au

 are associated with spamming activities.
- c. There is **NO EVIDENCE** to substantiate that the applicants commercial email addresses:

sales@issco.com.au	sales@isscoed.com.au
support@issco.com.au	support@isscoed.com.au

 are associated with fraudulent or phishing activities
- d. There is **NO EVIDENCE** to justify the applicants commercial email addresses

sales@issco.com.au	sales@isscoed.com.au
support@issco.com.au	support@isscoed.com.au

 are required to be blocked on DEC servers.
- e. There is **clear & unambiguous evidence** that the alleged corrupt Bailey abused her authority to deliberately & maliciously abuse her authority to cause the applicant & his employer a deliberate & malicious economic detriment
- f. There is **clear & unambiguous evidence** that the alleged corrupt Bailey breached her
 - i. **LEGISLATED GSE Act Sect.MANDATORY conduct obligations**
 - ii. agency codes of conduct
 - iii. Code of conduct & ethics for public sector executives and other conduct obligations
- g. There is **clear & unambiguous evidence** that **INJURIOUS FALSEHOOD** deliberately & maliciously constructed by the alleged corrupt Bailey could only be perpetrated with the alleged complicity of senior agency officers such as the alleged corrupt Riordan
- h. There is **clear & unambiguous evidence** that **INJURIOUS FALSEHOOD** deliberately & maliciously constructed by the alleged corrupt Bailey has been perpetuated with the alleged complicity of the alleged corrupt Riordan
- i. There is **clear & unambiguous evidence** that **INJURIOUS FALSEHOOD** deliberately & maliciously constructed by the alleged corrupt Bailey has been perpetuated with complicity of senior agency officers allegedly including:
 - i the alleged corrupt Riordan
 - ii the alleged corrupt Waterhouse
 - iii the alleged corrupt Hargans
 - iv the alleged corrupt Southern
 - v the alleged corrupt Stathis
 - vi. the alleged corrupt Pendergast
 who have blatantly breached their GST Act MANDATORY conduct obligations, agency codes of conduct, Code of conduct & ethics for public sector executives and other conduct guidelines.
 Other senior agency officers are also complicit if not co-conspirators of the alleged corrupt Bailey
- j. Those alleged corrupt officers including Riordan / Waterhouse / Bailey / Hopkins / Hargans / Southern have blatantly breached their **LEGISLATED GSE ACT MANDATORY CONDUCT OBLIGATIONS**