

FINAL DRAFT: Response to Equal Opportunity Commission - Good Cause Submission

To: Dr John Byrne, Commissioner for Equal Opportunity

From: Stephen Michael Orazi

Date: 16 November 2025

Subject: Submission to Show Good Cause - Complaint EOC/1236/2025

Stephen Michael Orazi

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Dr John Byrne

Commissioner for Equal Opportunity

Albert Facey House

469 Wellington Street, Perth, WA 6000

Via Email: eoc@eoc.wa.gov.au

Attention: Amilee Myson, Conciliation and Case Management

RE: COMPLAINT EOC/1236/2025 - SUBMISSION TO SHOW GOOD CAUSE

Dear Dr Byrne,

I refer to your letter dated 14 November 2025 regarding the above complaint. I write to show good cause as to why the time for lodging my complaint of discrimination against the Public Trustee of Western Australia (the Public Trustee) should be extended to cover all matters from 31 July 2024.

The delay in lodging this complaint was not due to a lack of diligence, but was a direct and unavoidable consequence of the discriminatory conduct I seek to have investigated. The administration order, as executed by the Public Trustee, created a

systemic impediment that made it practically impossible for me to seek timely legal redress.

I submit that good cause exists for the following reasons.

1. Reasons for the Delay

a) Systemic Impediment and Financial Strangulation by the Respondent

The primary reason for the delay was the **total loss of financial autonomy** imposed upon me by the Public Trustee. This was not merely an inconvenience; it was a systemic barrier that actively prevented me from accessing my rights.

- **Immediate Freezing of All Assets:** From 31 July 2024, all my personal and business bank accounts were frozen. I was left with no access to my own funds.
- **Creation of a False Deficit:** I was informed by the Public Trustee that I was **\$6,000 in debt** to them, a claim made despite my accounts holding over \$16,000 in credit at the time of their appointment. This created a situation of extreme financial duress.
- **Inability to Secure Legal Advice:** Without access to funds, I was unable to retain a lawyer to advise me on my rights under the *Equal Opportunity Act 1984* or to assist in preparing a formal complaint. The very entity I needed to complain about held the resources I required to do so.

This constitutes a classic “catch-22” scenario, where the respondent’s control was the direct cause of the delay. It is a foundational principle of justice that a party should not be able to benefit from its own conduct that prevents another party from seeking a remedy.

b) Overwhelming Burden of Self-Representation in Parallel, Urgent Proceedings

Simultaneously, I was forced to self-represent in a complex and high-stakes appeal against the SAT order itself (GAA 4059/2024). This was not a choice, but a necessity imposed by my inability to afford legal counsel.

- **Volume and Complexity:** The appeal process involved navigating intricate legal procedures and responding to numerous information requests from the Tribunal (over 19 separate requests are documented in the case file).

- **Cognitive and Resource Drain:** As a self-represented litigant with a disability, the cognitive and emotional burden of managing this appeal consumed all my time and energy. It was not a matter of choosing one legal avenue over another, but of fighting for my fundamental rights on the primary front with zero resources.

c) Severe Personal Trauma and Duress

The period in question was marked by profound personal trauma, directly exacerbated by the actions of the Public Trustee.

- **Death of my Wife:** Most grievously, the Public Trustee's refusal to allow me to send funds to my wife in Indonesia for urgent medical care directly contributed to her death on 7 July 2024. The profound grief and trauma resulting from this event, which I hold the Public Trustee responsible for, severely impacted my capacity to undertake any further complex legal action.

2. Prejudice and the Interests of Justice

Accepting the complaint in its entirety is overwhelmingly in the interests of justice.

a) The Complaint Concerns a Continuing State of Affairs

The discrimination I have suffered is not a series of discrete, isolated incidents. It is a **continuous and unbroken pattern of conduct** that began on 31 July 2024 and continues to this day. The initial acts of financial mismanagement and control are inextricably linked to the ongoing harm. To sever the foundational events from the later ones would be to fundamentally misunderstand the nature of the complaint and render it incoherent.

b) No Prejudice to the Respondent

The Public Trustee will suffer no prejudice if the complaint is accepted in full. As the administrator of my estate, they are in possession of all relevant financial records and correspondence. They are the party with complete information and control; they cannot claim to be disadvantaged by a review of their own actions.

c) Significant Prejudice to the Complainant

Conversely, I will suffer extreme prejudice if the out-of-time matters are excluded. The events from July 2024 to October 2024 are the very foundation of my claim. They establish the pattern of discrimination and are the root cause of the subsequent financial ruin and personal tragedy. Excluding this period would gut the complaint of its most critical context and evidence, making a just outcome impossible.

Conclusion

I was delayed in lodging my complaint because the respondent's own actions placed me in a position of extreme financial hardship, legal isolation, and personal trauma. The interests of justice demand that the Commission exercise its discretion to accept the complaint in its entirety.

To deny this extension would be to reward the Public Trustee for the very effectiveness of its discriminatory control and to deny me a meaningful path to justice.

I trust that, on the basis of this submission, you will find that good cause has been shown to accept my complaint in full, from 31 July 2024 onwards.

I have attached supporting documents for your review and am prepared to provide any further information required.

Yours sincerely,

Stephen Michael Orazi

Schedule of Supporting Documents to be Provided:

1. **SAT Order GAA 1566/2024:** Evidence of the commencement of the administration.
2. **Public Trustee Statement (to 16.01.2025):** Evidence of financial control and alleged debt.
3. **Witness Statement of Stephen Orazi:** Details the personal and professional impact, including the circumstances surrounding my wife's death.
4. **SAT Appeal File Index (GAA 4059/2024):** Evidence of the extensive and burdensome nature of the parallel legal proceedings.