

“Official Version”

The Death of the Andrews Government

*The greatest Deception and Fraud on the
Men, Women and families of Victoria*

ALL LAWS since 18th November 1975 in the State of Victoria have been invalid.

Governor

Premier

Attorney General

Chief Justice Q.C.



Linda Dessau



Dan Andrews



Jill Hennessy



Marilyn Warren

THESE FOUR FACES

HAVE NO LEGITIMATE VESTED AUTHORITY WITH ANY MANDATE IN THE STATE OF VICTORIA TO INVOKE A NEW “NATIONAL SECURITY LAW” UNDER A COMMUNIST AGENDA AGAINST VICTORIAN ELECTORS AND THEIR FAMILIES.

THIS IS NOW A CONSTITUTIONAL CRISIS; DANIEL ANDREWS MUST BE REMOVED AND GOVERNOR DESSAU HAS NO CHOICE BUT TO RESIGN.



“HONI SOIT QUI MAL Y PENSE”.

**Honi soit qui mal y pense:- is a French maxim used as the motto of the
BRITISH CHIVALRIC ORDER OF THE GARTER.**

It is translated as ***“May he be shamed who thinks badly of it” or “Shame be to him who thinks evil of it” or “Evil be to him that evil thinks”***—

although the French phrase is not gendered.

In current French usage, it may be used ironically to insinuate the presence of a
hidden agenda or a conflict of interest.

WEBSITE ADDRESS <https://youtu.be/SwJhQoWVogo> (Public website)

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This is now a gross undermining of our Democratic rights, our Human Rights and our Rights, under the Commonwealth Constitution Act 1900 (Cth). Our country, our fathers, forefathers, mothers and foremothers who fought for our freedom and our Flag built on Christian values and Love and hard work has been stolen by an illegitimate Government that has NO VESTED POWER and NO LAW under the caretaker Governor.

The new Governor was inaugurated under this foreign logo and witnessed by Marilyn Warren, (QC) a Queens Counsel who has sworn her Oath of Allegiance to the Constitutional Monarchy. This now invalidates her Governorship and both Linda Dessau & Marilyn Warren need to resign.

Marilyn Warren in her position as Chief Justice of Victoria, is now untenable and forms the basis of a Constitutional Crisis.

The Chief Justice has brought the Supreme Court into disrepute along with the President Chris Maxwell (QC) Queens Counsel, who must resign because of this Constitutional Crisis.

Chief Justice



Ann Ferguson.

President of the Supreme Court



Chris Maxwell (QC)

The Chief Justice Anne Ferguson must resign immediately due to the Question of Fact since the 13th November 1985 the Supreme Court of Victoria Incorporated does not operate within the jurisdiction the Parliament of Victoria has provided.

A Constitutional and Royally Assented law and every court case in Victoria since that date is an indictment against the people and electors of Victoria.

Jillian Hennessy MP, the Attorney General of Victoria is now conflicted and must step down on the grounds that every Lawyer, Barrister and Judge cannot comply with Oath requirements within **Section 87, 88, 90, 91 & 92 of the Imperial Acts Application Act, 1922 (Vic) which are to be used in the administration of justice within section 3 of the Victorian Constitution 1975. (Reference Page .9. of this document)**

The State of Victoria, once a colony is a creation of the Commonwealth Constitution and cannot exist without the operation of that constitution. The Supreme Court of Victoria can no longer conceal these crimes against all Victorians anymore. Supreme Court Rules 2015 fail to have been created by the Parliament and the judiciary are usurping the legislative function of the State.

The Coup d' Etat / or the illegal takeover of this state to create a Republic is now revealed and the Commonwealth Constitution, 1900 (Cth) is our foundation law and Right. This must be reinstated in the fore offices of the people mentioned above. Namely, Linda Dessau, Daniel Andrews, Jill Hennessy, & Marilyn Warren (QC) Queens Counsel, all whom have openly worked in defiance of the Commonwealth Constitution Act, 1900 (Cth).

The Commonwealth Constitution, 1900 (Cth) is binding on all the courts, judges and people of every State and every part of the Commonwealth and the breaches of this requirement have now been given as notice and knowledge to the elector both on and off line. The electors of the State of Victoria have now been informed.

Please read, research and publish the Facts of the alleged Crimes which have been committed by our Politicians and the illegal operation of the Corporatised Judicial System under the control of Foreign Banks, which you will find in this document.

Australia (Acts) Request Act, 1985 (Vic), Australia Acts (Request) Act, 1985 – All States.

This 'Notice and Knowledge' has been delivered to the Federal Attorney-General's Office, the Parliament of the Commonwealth, and to each and every State and Territory Attorney's-General Offices, that both levels of Government have circumvented and undermined the 'Constitution of the Commonwealth', reaffirmed at referendum by the Australian Electors on the 6th November 1999, under the administration of the Australian Electoral Commission.

The Federal and State Statute Laws have 'No Vested Power' and the State Statute 'Request' Laws are invalid, owing to the Question of Fact, that the Cain State Labor Government failed to pass the Australia (Acts) Request Act, 1985 (Vic). This Bill was purported to have passed into State Law on the 13th November 1985, without the Royal Seal, or The Royal Assent under the de jure monarch, which now becomes 'Null and Void' at law.

The Victorian Constitution 'Does Not Exist' at Law without The Royal Assent, which failed to be lawfully enacted. This Bill therefore, did not pass with any 'Vested Power and/or Authority', from the Victorian Electors in a State Referendum.

The Australia (Acts) Request Act, 1985 (Vic & NSW) both did not achieve a First Reading or Any Votes Recorded on the Hansards. This then nullifies and voids the 'Australia Act', 1986, which attempted and consequently failed to remove the Constitutional Monarch from all Federal and State Legislations.

Was the sovereignty of the UK parliament compromised with their entry into the European Union in 1973 so as to enact a law for the Commonwealth granting the States the full legislative powers of the United Kingdom Parliament if the UK parliament failed to possess full power after its inclusion in the EU with the Australia Act being inconsistent with European law?

The following states (purportedly) passed each Bill for the request of the Australia Act in the following form -

New South Wales: -	Under the Royal Seal
Queensland: -	Under the Royal Seal
South Australia: -	Under the Royal Seal
Western Australia: -	Under the State Seal
Tasmania: -	Under the Royal Seal
Victoria: -	Under the State Seal & Queen of Australia !!!

All passed on the 13th November 1985 under the 'Queen of Australia'. Pointing out that this was four months prior to the passing of the Australia Act, 1986 passed under the 'Queen of Australia' on the 3rd March 1986.

During this period, the then Prime Minister, Robert J.L. Hawke was a '**Dual – Citizen**' of Israel and Australia. During which he voted upon the Australia (Bill), 1986 which was awaiting the British Parliament's consideration and authorisation with the complementary Australia Act, 1986 (UK).

In following years, a Parliamentary Committee was created at the Australian Parliament Chaired by The Hon. Kevin Andrews MP Federal Member for Menzies – 'Aspects of Section 44' in reference to section 44(i), The Constitution of the Commonwealth, 1900 (Cth) (*Public Document*). In which Professor Blackstone was recorded as stating the fact that the Prime Minister was at the time, a **Dual Citizen** therefore, not qualified to remain in Parliament or vote for any laws. This fact further adds to the questions and doubts, and we state that the Australia Act, 1986 is 'disabled', arising from his home State of Victoria.

The Governess, The Hon. Linda Marion Dessau:

Former Family Law Court Judge, The Hon. Linda M. Dessau stated, at her inauguration that she was the First Jewish Governor and the first female Governor of the State of Victoria.

Linda M. Dessau sat on the bench as a Judge of the Family Court of Australia from 1995 to 2013. (*Public Document*)

Linda Marion Dessau, WAS UNLAWFULLY APPOINTED TO HER ROLE AND POSITION. Commencing with the public statement, at the inauguration, by Premier and CEO Daniel Andrews MP, who stated, from his prepared and read statement, it is quoted –

"I was proud to recommend her appointment to 'Her Majesty the Queen' and Victorians will be proud to call her their Governor". (*Public Document*)

NOTE: At the time of this document, a Freedom of Information Request was made to the Premier and Cabinet's Office, on the 4th Day of June 2020 under State Statute Law, the 'Freedom of Information Act', 1982 (Vic) for a certified copy, under and inside the Commonwealth Constitution Act, 1901 (Cth), and, the State Government Department has requested an 'extension of time', to produce a response, beyond the legislation period of 30 Days, and has been in 'Default' of the State Legislation since the 4th July, 2020 .

We clearly stated that this extension was NOT an option and as per the affidavit which expired on the 11th Day of August 2020 and there still is not a decision, response, or rebuttal.

This has placed the Premier and Cabinet's office 'In Default' of State Legislation. **And now becomes the source of the Constitutional Crisis.**

The case can be made that the Premier's Office cannot provide a 'Decision' and the allegation is made that the communication and recommendation to 'Her Majesty, The Queen' **Does Not Exist at law.**

Unless the Premier's 'Recommendation documents' can be produced, we allege that Premier of the State of Victoria (Inc.).

Daniel Andrews MP. has misled and deceived the following parties to: -

- The Electors of Victoria.
- The Hon. Linda M. Dessau Governor.
- Marilyn Warren AC QC, Chief Justice of Victoria.
- **Her Majesty Queen Elizabeth II**, Queen of the United Kingdom & Northern Ireland, and the Commonwealth, Her Heirs and Successors.
- The Hon. Anthony Howard QC, (Husband of The Hon. Linda M. Dessau – Governor of Victoria).
- All present at the Inauguration or the incoming Governor.

THE VESTED POWER & AUTHORITY:

“Almighty God” under the Commonwealth Constitution in the Research Paper – “Independence of Parliament” No.3, May 2017 at Page 15. Paragraph .3 *(Public Document)* Judicial Independence and the separation of powers: **And it is quoted: -**

“The Australian Constitution establishes the powers at the Federal level, by conferring Federal Legislative, Executive and judicial Powers in separate bodies under Chapter .3. of the (Commonwealth of Australia) Constitution (Act) (Cth), (1901). The Constitution further protects Federal Judges against arbitrary interference by the executive and the Legislature. The Constitution cannot be altered without a referendum and requires an absolute majority in both houses of Parliament or, if one house refuses to pass a constitution alteration Bill passed by the other house, the Bill may be submitted to a referendum if the first house passes the Bill a second time. (Commonwealth Constitution Act) (Cth), Section128”.

Upon Linda M. Dessau receiving this ‘Notice and Knowledge’, “The Death of the Andrews Government and Governor Dessau”, this now becomes a Question of Fact, that the Governor of the State of Victoria was inaugurated, under her own words, and it is quoted:-

“I Linda Marion Dessau do solemnly and sincerely affirm that I will well and truly serve Her Majesty Queen Elizabeth the Second and Her Majesty’s Heirs and successors in the office of Governor of the State of Victoria and will do right to all manner of people after the laws and the usages of the State without fear or favour, affection or ill will”. *(Public Speech)*

We make the allegation that the seal and or emblem in the hall and on both podiums facing the audience, and the back wall of the hall, on the day of Linda M. Dessau’s inauguration was a Freemason Symbol that replaced the only Royal Seal of the Constitutional Monarch sitting above the canopy and omitted and avoided the flag of the ‘Governor of the State of Victoria’, which was absent and concealed the image of the Royal Seal of the Constitutional Monarch on the platform or the podiums, to complement and validate the incoming Governor’s swearing in and lawful inauguration.

THE FOREIGN SEAL AT THE GOVERNOR'S INAUGURATION:

We state the plaque reads and I quote:

"HONI SOIT QUI MAL Y PENSE".

Honi soit qui mal y pense:- is a French maxim used as the motto of the British chivalric Order of the Garter.

It is translated as *"May he be shamed who thinks badly of it" or "Shame be to him who thinks evil of it" or "Evil be to him that evil thinks"—*

although the French phrase is not gendered.

In current French usage, it may be used ironically to insinuate the presence of a hidden agenda or a conflict of interest. (Public Document)

This is a foreign statement to the Victorian and Australian Electors and in contravention to the Constitution of the Commonwealth Act, 1900 (Cth), Marilyn Warren QC has breached Covering Clause 5 **"Operation of the constitution and laws"** and it is quoted.

"This Act, and all laws made by the Parliament of the Commonwealth under the constitution, shall be binding on the courts, judges, and people of every state and every part of the Commonwealth, notwithstanding anything in the laws of any state; and the laws of the Commonwealth shall be in force...." (Public Document)

This is our Nation's birthright and basis in law until Section 128 of the constitution is enacted.

THE HON. LINDA MARION DESSAU MUST NOW FOLLOW THE STEPS OF THE FORMER AUSTRALIAN GOVERNOR-GENERAL, SIR JOHN KERR AND REMOVE DANIEL ANDREWS IMMEDIATELY FROM HIS OFFICE FOR HIS NUMEROUS BREACHES OF THE STATE AND COMMONWEALTH CONSTITUTIONS. FOR THE FOLLOWING REASONS;

Daniel Andrews said in the inauguration speech (July 2015) that he had recommended Linda M. Dessau to "Her Majesty, The Queen" (this is a legal fiction and is not her title).

It is alleged, following a 'Freedom of Information Request', made to the Premier's own Office of Premier and Cabinet, and following a breach under the Freedom of Information Act 1982 Section 21 & 61X, that there may not have been any such written correspondence with Her Majesty Queen Elizabeth II nor the pretended title of Queen of Australia, nullifying and voiding the appointment of the Governor of the State of Victoria – *ab initio*.

Dan Andrews has **breached and suspended the Victorian Elector's Constitutional Rights under the Commonwealth Constitution Act, 1900 (Cth), at section 51 ss (xxiiiA)** that any man, woman or corporation cannot impose any restrictions, conditions or **'civil conscriptions'** upon any non-consenting Victorian under Sections 5, 6 & 10 of the 'Charter of Human Rights and Responsibilities Act', 2006 (Vic). (Public Document)

The allegation is now published, that Premier Daniel Andrews and Jenny Mikakos MP, Minister for Health and Human Services have misled and deceived Victorians on the Question of Fact – Trespass, the following bills have failed to pass lawfully into law: -

1. The Health Services Amendments (Mandatory Vaccination of Health Care Workers) Act, 2020 (Vic). (Public Document)
2. The COVID-19 OMNIBUS (Emergency Measures) Act, 2020 (Vic). (Public Document)
3. The Public Health and Wellbeing Act, 2008 (Vic). (Public Document)
4. The Emergency Management Act, 1986. (Public Document)
5. The Emergency Management Act, 2013. (Public Document)

Minister for Health and Human Services



Jenny Mikakos MP

Which are impacted and disabled by the 'Question of Fact' that the 'Australia (Acts) Request Act', 1985 (Vic) was passed under the "Queen of Australia" (a trading name at ASIC) on the 13th November 1985, some four months before the Commonwealth of Australia attempted to enact the Australia Act, 1986 on the 3rd March 1986 which renders the Australia Act, 1986, **defective, deficient and disabled**.

The 'Queen of Australia' is currently, at the time of publication, registered by 'Pecker Maroo Pty. Ltd.', active from the 25th June 2000 and registered for GST on the 1st July 2000 under ABN 93 000 576 492 in the name of Directors: - Stephenie Charlton – Noosaville Queensland, Stephen John Shanks – Noosaville Queensland and Catherine Kite -Toukley NSW, confirming the Bills passed by Federal and State Parliaments, are under a corporation, of the fiction – the 'Queen of Australia'. (*Public Document*)

If Linda M. Dessau, does not compel Daniel Andrews to resign with this directive from the people and Electors of Victoria, this Statement of Fact, Truth and Law proves and confirms without any question or doubt to all Victorians that she, Linda M. Dessau has a foreign allegiance, and has misled and deceived the Victorian Electors about her Allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, as per – Section 87, 88, 90, 91 & 92 of the 'Imperial Acts Application Act', 1922 (Vic).

Commissioner of the Legal Services Board



Fiona McLeay

This was proven by Fiona McLeay, Commissioner of the Legal Services Board of Victoria, and taken to the Supreme Court of Victoria (Inc.) by Barrister Nicole Papaleo.

**A case heard by Justice Gregory Garde (QC) a Queens Council, all the while, all Victorian Laws were purportedly passed and 'assented' under the Corporation Sole: -
"Her Majesty, Queen of Australia".**

This includes the **State Attorney – General, The Hon. Jillian Hennessy MP**, who cannot refute or rebut the said letters and Affidavit from Mr. W.N. who only asked for the authority under his Constitutional Rights, that the former Attorney – General, Robert Hulls ‘unlawfully’ removed the **“Oath of Allegiance”** on September 5th 2000 only 10 months after the Australian Electoral Commission - National Referendum, on the 6th November 1999.

The **Oath of Allegiance** to Her Majesty Queen Elizabeth the Second Her Heirs and Successors today is absent and missing from the Legal Profession Uniform Act, 2014 (Vic), *(Public Document)* *In conflict with section 3 of the Victorian Constitution Act 1975 that the Imperial Acts Application Act 1922 are to be used in the Administration of Justice.*

Mr. Samuel Porter, Deputy Secretary and Chief Counsel, the Department of Justice and Community Safety, from his letter, dated 2nd July, 2020 –

“The National Referendum held in 1999 about whether Australia should become a Republic was defeated. Australia remains a Constitutional Monarchy under the Constitution of Australia. This outcome did not require former Victorian Attorney – General Robert Hulls to change our form of government” (Samuel Porter – Deputy Secretary & Chief Counsel - DOJ). *(Public Document)*



Department of Justice and Community Safety

Regulation, Legal and Integrity

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Mr W:
By email:

Dear Mr

Thank you for your email of 17 May 2020 to Anna Faithfull, Deputy Secretary, Justice Policy and Data Reform with further questions regarding legal practitioners making an oath of allegiance to the Queen. As this matter now falls within my area of responsibility, Ms Faithfull has referred your email to me.

The national referendum held in 1999 about whether Australia should become a republic was defeated. Australia remains a constitutional monarchy under the Constitution of Australia. This outcome did not require former Victorian Attorney-General Robert Hulls to change our form of government.

As the Attorney-General advised in her letter to you dated 26 March 2020, the *Legal Profession Uniform Law Application Act 2014* replaced the *Legal Practice Act 1996*. Neither the current nor former Act required an oath of allegiance to the Queen. If you wish to check that you are viewing Victorian legislation that is currently in force, please refer to <https://www.legislation.vic.gov.au>.

You have also referred to the judiciary operating ‘independently’. The doctrine of the separation of powers divides the institutions of government into three branches: legislative, executive, and judicial. The legislature makes the laws, the executive puts the laws into operation, and the judiciary interprets the laws. In interpreting and applying laws, the judiciary acts independently and without interference from the parliament or the executive.

Should you wish to discuss this matter further, please contact the Office of the General Counsel at ogc@justice.vic.gov.au. I trust this information is of assistance and thank you for taking the time to write to the department about this matter.

Yours sincerely

Samuel Porter
Deputy Secretary and Chief Counsel

02/07/2020



COURTS AND TRIBUNALS LEGISLATION (FURTHER AMENDMENT) BILL 2000

PARLIAMENT OF VICTORIA

Courts and Tribunals Legislation (Further
Amendment) Act 2000
Act No.

PART 2--LEGAL PRACTICE ACT 1996

No. 35/1996.
Reprint No. 2

3. Oath of allegiance no longer required

As at
15 August
1999. Further
amended by
No. 52/1999.

In section 6(1) of the Legal Practice
for paragraph (c) substitute--

"(c) takes an oath of office, or makes an
affirmation of office, in the
form required by the Court.".

3

541068B.I1-29/5/2000
CIRCULATION 29/5/2000

BILL LA

This admission, from the Department of Justice and Community Safety, now completely 'Nullifies, Voids and destroys any "Grant of Power" of the (purported) Andrews State Government (Inc.) to incorporate the Supreme Court of Victoria and to create the Court Services Victoria (Inc.) which has been unlawfully separated from the Parliament and people of Victoria in 2014 under Robert Clark (the former Attorney General), with full notice and knowledge of the Chief Justice of Victoria – Marilyn Warren QC, who swore her Oath under Her Majesty Queen Elizabeth the Second.

The Legal Profession Uniform Act, 2014 (Vic), in conjunction with Legal Profession Uniform Act, 2014 (NSW) were unlawfully passed under the Napthine Government in Victoria, and the O'Farrell and Baird State Governments in New South Wales, where upon the Hon. Robert Clark MP, the former State Attorney – General, did oversee the creation of the two largest Australian States, by population and economy, to unite and coordinate unlawful legal unions and processes, outside section 107 of the 'Constitution of the Commonwealth' which is followed by the Judiciary Act, 1903 (Cth) from which the High Court of Australia derives its Vested Authority.

The Constitution of the Commonwealth was avoided, outside of the authority of both States, and No Power was granted by any vote, to exclude the Federal Government, the Parliament of the Commonwealth of Australia – now rendering all Lawyers, Barristers and above, including Magistrates, Judges and Justices – Null and Void to make any judgement upon the Electors of the States of Victoria and New South Wales since the commencement of the **'Legal Professions Uniform Law Application Act', 2014.**

This now engages, the Hon Christian Porter MP, Federal Attorney General, The Commonwealth of Australia.

THE GOVERNESS, LINDA M. DESSAU – NO VESTED POWER:

Linda Marion Dessau has absolutely 'NO VESTED POWER' to perform and continue in her role as Governor, with the invalid appointment from Dan Andrews MP, who had No Vested Power and/or Authority from the Victorian Electors to operate outside the Constitution Act.

As Daniel Andrews must rely upon and depend upon the disabled 'Constitution Act', 1975 (Vic), which achieved 'The Royal Assent', from Her Majesty, Queen Elizabeth II by and with the advice of Her Privy Council, as this Constitution was only ever 'Reserved, for Her Majesty's Pleasure', and created under the illegitimate fiction of the 'Queen of Australia' allegedly with the advice of the Legislative Council & Assembly' under Governor Sir Henry Winneke – an incorporated trading name, currently registered and owned by the Queensland Corporation.

'Pecker Maroo Pty Ltd' (*Public Document*)

Any Act passed by Governor Dessau, appointed under the Constitution Act, 1975, again, which has only ever been "Reserved for Her Majesty's Pleasure" and was never signed and never received the Royal Assent, Linda M. Dessau's Affirmation of Allegiance is invalid: She said, and it is quoted: -

"I, Linda Marion Dessau do solemnly and sincerely affirm that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second and Her Majesty's Heirs and successors according to law" (*Public Document*)

Marilyn Warren AC QC, then invites Linda M. Dessau to take the Affirmation of Office and it is quoted: -

"I, Linda Marion Dessau do solemnly and sincerely affirm that I will well and truly serve Her Majesty Queen Elizabeth the Second and Her Majesty's Heirs and successors in the office of Governor of the State of Victoria and will do right to all manner of people after the laws and the usages of the State without fear or favour, affection or ill will". (Public Document)

However, ***Linda Marion Dessau gave her assent to the***

COVID-19 Omnibus (Emergency Measures) Act, 2020. under "HER MAJESTY" (a fiction) in conflict with her Oath of Allegiance.

She has deceived All Victorian and Australian Electors by signing it Only as:

"HER MAJESTY". Failing to be in the name of as required...

SHE swore her Oath of Allegiance, and her affirmation of office at her Inauguration Speech and the Signing of her 'Oath of Allegiance' and affirmation of office in July 2015 to: - Our Constitutional Monarch – 'Her Majesty Queen Elizabeth II, Queen of the United Kingdom & Northern Ireland and the Commonwealth'.

This now creates a '**Constitutional Crisis**' within and above, the State of Victoria, and only the Prime Minister, The Hon. Scott Morrison, and –

'His Excellency, General, The Honourable David John Hurley AC DSC (RETD), – Governor General of the Commonwealth of Australia, must replace both the Governor of Victoria and relieve the Premier of Victoria, who is NOT above or holds immunity, from the allegations of pending criminal investigations by the Independent Board – based Commission (IBAC) and the Ombudsman's Office – over the Somyurek 'Cash for Signatures & Votes' inquiries. It is noted that former Assistant to the Treasurer, Robin Scott MLA and former Minister Marlene Kairouz both resigned over the money laundering scandal.

Money Laundering and Corruption with the Federal and State-Australia Labor Party (Inc.).

This case must be opened & not be concealed as was done with the **Red Shirts for Rorts scandal** (Public Document), where Dan Andrews publicly announced in the Herald Sun that he would refund the Victorian Tax Payers money.

Yet, no criminal prosecutions have ever been laid proving the concealment of the money laundering and the branch stacking by Somyurek.

It seems to be a fact of life, that within the Australian Labor Party and as the article below, once again **involves Adem Somyurek and these crimes have never been procecuted. Adem Somyurek former State Minister and was a Electorate Officer for former Senator Jacinta Collins and current Federal Member for Holt - Anthony Byrne as published on the 60 minutes program.**

Herald Sun

We're for you

GREAT
FITBIT
OFFER
DETAILS P20

\$100,000 TO CATCH FUGITIVE

DAVID HURLEY

A MAN who allegedly considered his brother with a noose has been "biding his time" since the brutal attack last year, police believe.

Detectives also think someone could be helping Jonathan D'Sa go in, without realising he is wanted over the slaying of his brother. David, 36, is a Melbourne shopping centre. Victoria Police will today announce a \$100,000 reward for information leading to Mr D'Sa's capture.

The captured brother is accused when he allegedly attacked a former friend with a knife, but has continued to slip under the radar since. "It is quite likely someone is out there watching him, not fully aware of who he is," homicide squad detective senior sergeant John Haines told the Herald Sun.

"We monitored over the past 18 months as a security and we register the public's help."

PHIL SPYER, PAGE 1

EXCLUSIVE Fraud squad starts contacting 21 ALP politicians caught in red-shirts scandal

POLICE CALL IN MPs

Labor
RORTS
FOR VOTES

MATT JOHNSTON,
MONIQUE HORE
AND TOM MINEAR

POLICE have begun asking Victorian Labor MPs involved in the party's vote-for-votes scheme to come in for questioning.

The political bombshell, dropped just 36 days before the state election, follows Angus's dramatic denials made by police on former Labor campaign staff.

In the vote-for-votes scheme, revealed by the Herald Sun three years ago, 21 Labor MPs hired taxpayer-funded staff to help organise the party's 2014 election campaign by "not start" suburban door-to-door.

In the past 48 hours, fraud squad detectives have asked MPs to come in for questioning.

It is unclear how many of the 21 past and present MPs — who each have a ministerial portfolio — have been asked to provide further information to police.

A Victoria Police spokesman said the inquiry last night: "As this is an ongoing investigation, it would be inappropriate to comment further."

CONTINUED PAGE 4

THE RORTS-FOR-VOTES SCANDAL

SEPTEMBER 2, 2015

The Herald Sun reveals how Labor MPs employed casual electorate officers, part-paid by taxpayers, who were then used as political campaign organisers during the 2014 state election.

APRIL 4, 2017

The High Court dismisses the Andrews Government's effort to block the Victorian Ombudsman's investigation into the scheme after a prolonged legal battle.

MARCH 30, 2018

Victorian Ombudsman Deborah Glass releases a damning report which finds the scheme, involving 41 MPs, "crossed the line" and siphoned almost \$388,000 from taxpayers.

Premier Daniel Andrews apologises and says Labor is paying back the money.

JULY 19, JULY 25

Labor MPs face a Legislative Council privileges committee inquiry, where Angus Somers reveals he briefly raised concerns about the scheme with Premier Andrews.

JULY 26

Victoria Police confirms it will formally investigate the "red shirts" rort.

AUGUST 2

Police arrest and interview 17 former Labor campaign staffers.

SEPTEMBER 19

The cost of investigating the rorts and associated legal challenges is revealed as more than \$1.3 million.



A central figure in the rorts-for-votes scheme, John Leenders, at home yesterday.



Police call in MPs in vote rort probe

FROM PAGE 1

After investigating the rorts for votes scheme, Ombudsman Deborah Glass concluded in March it was an "artificial" set-up by the party, and "wrong".

Premier Daniel Andrews asked the ALP to repay about \$388,000.

Police are considering if charges of making and using a false document, false accounting, conspiracy to cheat and defraud, or misconduct in public office could be laid.

The six ministers at the centre of the police investigation — Special Minister of State Gavin Jennings, Attorney-General Martin Pakula, Youth Affairs Minister Jenny Mikakos, Corrections Minister Gabe Tormey, Energy Minister Lily D'Ambrosio and Sports Minister John Ewen — declined to comment. Instead, a government spokesman said: "As this matter is ongoing, it's not appropriate to comment."

Former Labor treasurer John Leenders, once retired, whom Mr Glass identified as the architect of the scheme, told the Herald Sun to "go away" when approached over the investigation last night.

"I do not want to talk to you. You are trespassing on my property. Please leave," he said. It is understood the fraud squad has been examining documents, including time sheets, issued during the electorate officers' employment.

More than 30 police were involved in Angus's "dawn raids", which were labelled "completely unnecessary" by Labor party state secretary Samuel Ray.

In interviews after those arrests, the electorate officers were questioned about their job applications and any correspondence during recruitment.

Earlier this month, Chief Commissioner Graham Adams dismissed reports the MPs would be interviewed in questionnaires. And he said the timing of the election would not influence the investigation.

When the Herald Sun broke the story in 2015, a dismissive Premier asserted that "the rules have been followed".

It was not until Mr Glass' report in March that he openly agreed the scheme had been "gone for the 10 years, but he was fast to stand down the ministers once police began investigating in July.

He also repeatedly denied having had any knowledge of the scheme, despite Labor MP Adam Bonynack's evidence to a Legislative Council privileges committee inquiry in July that before the 2014 election he had "sort of raised" the matter, probably for his own comfort and reassurance.

Defending the scheme to the committee, Mr Leenders said he had "scrubbed" it with the Department of Parliamentary Services, though, he admitted he did not detail exactly what the electorate officers were employed to do.

He said he assumed the scheme was within the rules, because Parliamentary Services had paid the bill.

"You've got to try it on, and if they pay, you know it's not their ultimate loss," he said. With somewhat more confidence, John Leenders said: "I'm not a politician, I'm a businessman."

Red shirts, grey skies

Clouds set to hang over Labor post-election

THIS is shaping to be a nightmare scenario for Daniel Andrews.

With 38 days until the state election, and less than four weeks until early voting begins, police have started to call in his MPs for a chat about a 2014 campaign rort.

I suppose the timing could technically be worse.

Most people won't really focus on the state political gaffe at the moment, which works in the government's favour.

It has been desperately trying to focus on state issues — schools and roads and



MATT JOHNSTON

hospitals — and not itself, as the Opposition campaign.

A disappointing peace between most Labor factions is holding like an impenetrable house of cards, and MPs are

mainly keeping their heads down.

But the police probe of the rorts-for-votes saga, which has effectively dragged on for three years because of the government's own actions, is an unpredictable beast.

In August, former ALP staff were subjected to "dawn raids" over their parts in the financial swindle, leading to criticism of investigations by some quarters of the party.

It appears there won't be any dawn raids on state MPs,

although it's unclear whether criticism of those raids led to any change of tactics.

Police have instead issued public requests for interviews to the distinguished men and women of the state parliament.

Neither the police, nor the MPs, are saying much about this latest significant development in the now-becoming affair.

Last night, the government would only say: "As this matter is ongoing, it is

not appropriate to comment."

Surely there won't be any refunds to co-opted, given MPs could face arrest.

More likely, the "matter is ongoing" line is designed to allow the Premier and others to avoid engaging in any meaningful way about the party's 2014 campaign, in which parliamentary budgets were systematically raided to pay for ALP staff who were red-shirts while campaigning in marginal seats.

The party will try to stay its

course towards re-election, which includes staff — paid by the ALP this time — wearing red shirts while campaigning in marginal seats.

State MPs embroiled in the 2014 campaign deny any wrongdoing, certainly at a criminal level anyway, and hope nothing comes of it in the next few weeks.

But a significant problem for Andrews is that even if he brushes off this scandal, and his government is re-elected at the ballot box, he begins a second term with a cloud hanging over him.

With the police probe ongoing, the

If any member of the public stole money or goods to the value of almost \$400,000, they would be arrested, investigated, convicted and jailed by the Director of Public Prosecutions.

Kerry Judd (QC) Queens Council who decided not to prosecute the crimes against Dan Andrews, the Victorian Labor Party, Adem Somyurek, Marlene Kairouz and Robin Scott who were responsible, complicit and accepted the responsibility and avoided criminal prosecution for breaches of the Crimes Act 1958.

The crime was committed and NO justice was served on Dan Andrews and the perpetrators.

Director of Public Prosecutions (DPP) Kerry Judd (QC) who took her Oath of Allegiance to Her Majesty Queen Elizabeth the Second is appointed under the Constitution Act, 1975 Victoria, under the Queen of Australia currently registered to Pecker Maroo Pty Ltd in Noosville QLD.

Director of the Department of Public Prosecutions



Kerry Judd (QC)

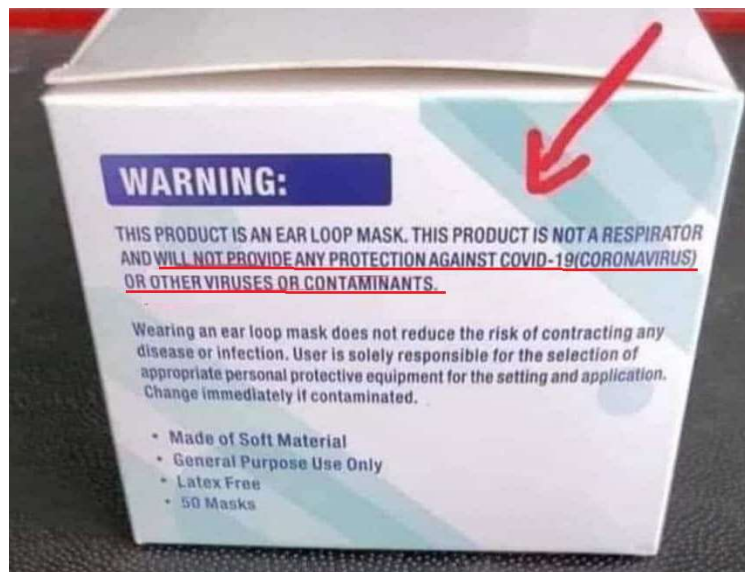
Adem Somyurek seems to be behind the criminal activity of the Labor Party, but never brought to justice for his crimes.

It appears that the Director of Public Prosecutions (DPP) Kerry Judd (QC) choses to turn a blind eye to the greatest crimes against the electors, mums, dads and the children in the State of Victoria.

This is a disgrace to Victorians and now ALL Victorians are victims of Crimes by the Andrews Government and the DPP.

Year 2020

The Facial Mask - No Laws – No Protection – Unfounded Claims.



The Public Health and Well Being Act, 2008 (Vic) ***Did Not Pass into Law and Does Not Exist!***

A “Freedom of Information Request” was sent to both the Federal and State offices regarding the mandatory wearing of face masks/coverings which relies upon the ‘**Public Health and Well Being Act**’, 2008 (Vic), a Bill which did not receive ALL Three Readings and the necessary votes from both houses of the Parliament of Victoria to be Proclaimed and Gazetted into Law, with ‘The Royal Assent’.

A request for the “Override Declaration” was sent to the Parliament of Victoria and the Parliament of the Commonwealth on the 21st July 2020 which complies with ‘Section 51 ss (xxiii A)’, the ‘Constitution Act 1901’ and the ‘Charter of Human Right and Responsibilities Act’, 2006 (Vic) at Sections 5,6 & 10.

Our Natural rights to our free environmental resources.

Fifteen years ago, we were manipulated to purchase clean water, a clear contravention of section 100, the Commonwealth Constitution Act, 1901 (Cth)
(Public Document)

July 23rd, 2020 we are again being manipulated from our right to clean air, by mandatory masks wearing, punishable by crippling fines which is against section 10, of the ‘Charter of Human Rights and Responsibilities Act’, 2006.
(Public Document)

These items are our living man & woman’s natural rights, under the United Nation’s –

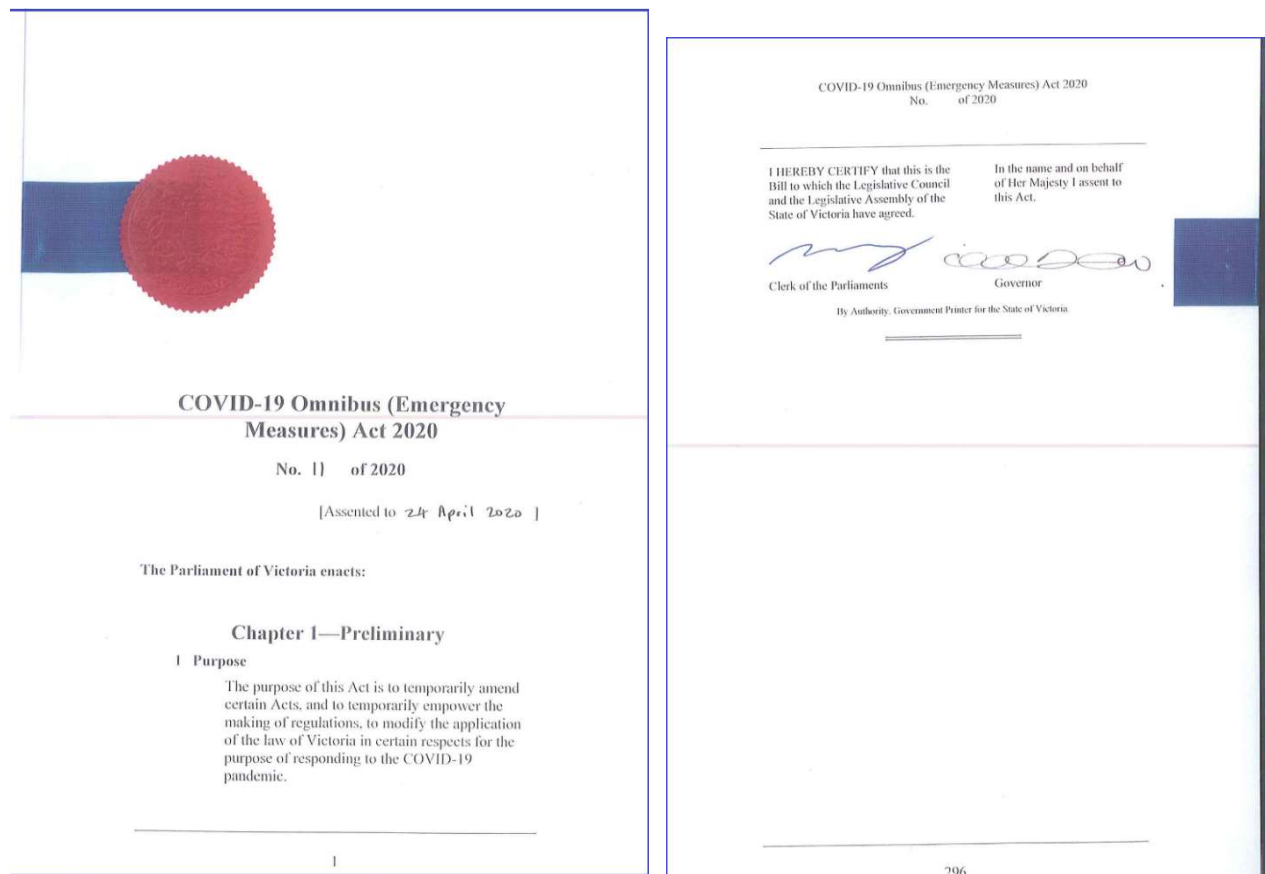
‘**International Covenant on Civil and Political Rights**’, 13th August 1980.
(Public Document)

There are NO Masks which can filter out 'Nano Particles' from the air we breathe.

Enforcing the wearing of face masks or coverings is in breach of human rights;

- 'Constitution of the Commonwealth' Act, 1900 (Cth) at Section 51 ss (xxiii A).
- The International Covenant on Civil and Political Rights. (ICCPR) – Now Engaged. *(Public Document)*
- The 'Charter of Human Rights & Responsibilities Act', 2006, at sections 5, 6 & 10. *(Public Document)*
- The 'Civil Procedures Act' 2010 (Vic) at section 6. *(Public Document)*
- The 'Public Health and Well Being Act', 2008 (Vic) – DOES NOT EXIST AT LAW!
- The 'COVID-19 Omnibus (Emergency Measures) Act', 2020 (VIC) DOES NOT EXIST AT LAW!
- The 'Health Service Amendments (Mandatory Vaccination of Healthcare Workers) Act', 2020 (Vic) DOES NOT EXIST AT LAW!

As per the below document of the Defective and Disabled COVID-19 Omnibus (Emergency Measures) Act 2020.



The following ERRORS Prove that this document is Not Valid.

1. Who is Her Majesty? It fails to be in the name of anyone.
(This is not Her Majesty Queen Elizabeth the Second Her Heirs and Successors)
2. No Names under the signatures.

The Omnibus (Emergency Measures) Act, 2020 contains the following Acts which are now Disabled and Deficient and Defective as the **COVID-19 Omnibus (Emergency Measures) Act, 2020** did not receive or have any recorded votes or legitimate Royal assent in the State Parliament according to the published website as per above. *(Public Document)*

Year 2020

Former Governor of the City of Hong Kong, Lord Christopher Patten, was quoted as saying that –

‘If we cannot trust China on Hong Kong, then what can we trust China on?’

Lord Patten signed a treaty and agreement with the People’s Republic of China, in 1997, that the independence and self – autonomy of the City of Hong Kong was to continue for 50 Years expiring in 2047.

The National Security Law, from the People’s Communist Party, China, imposed this law upon Hong Kong, 23 years into the agreement signed with Great Britain.

The University of Queensland has been shown to favour the Chinese Government, by seeking to expel the outspoken Drew Pavlou, who protested against Chinese influence of Australian Universities. The Australian Media has reaffirmed this on countless occasions.

Daniel Andrews, Premier of Victoria, was published in the State’s Daily News to have discreetly signed agreements with the People’s Republic of China, for the ‘Belt and Road Initiative’ (BRI), in defiance and contravention of The Commonwealth Constitution Act, 1900 (Cth), Legislative Affairs of the Parliament (of Australia) section 51, subsection (xxix) ‘External Affairs’, are the sole responsibility of the Commonwealth of Australia, under the Prime Minister of Australia, The Hon. Scott Morrison MP, and the Senator the Hon Marise Payne - Australian Minister for Foreign Affairs.

We are witnessing China flexing its muscle and ready to challenge Australian Sovereignty and the world. As at July 2020, we argue that Dan Andrews is imposing his own brand of ‘National Security Law’ (aka martial law) by the PRC upon Victorians to conceal the extreme corruption, yet to be investigated, within his own Ministry and Political Party known as the Australian Labor Party. These connections with China date back to former disgraced Prime Minister – Gough Whitlam.

The International Agreements with the Peoples Republic of China for the ‘Belt and Road Initiative’ (BRI) are all defective and invalid as Dan Andrews has ‘No Mandated or Vested Authority’ from the last State election or under any State Constitution Acts to deal with any foreign power in trade or commerce.

The Executive Government of the State of Victoria, led by Dan Andrews, has NO MANDATE to sell Victoria to any foreign power, including (and most importantly) to PR of China.

The Executive Government of the State of Victoria, led by Dan Andrews, has NO MANDATE to abrogate the Rights of Victorians under the **‘Charter of Human Rights and Responsibilities Act’, 2006 (Vic).**

THE TREASURY CORPORATION OF VICTORIA:

Dan Andrews, is the Chief Executive Officer of the State of Victoria Inc., which is a registered trading corporation at the United States Securities and Exchange Commission - **CIK 0000898608**, known as the -**‘Treasury Corporation of Victoria’**, registered at 1 Collins Street, Melbourne, 3000, **NOT** at Parliament House, Spring Street, East Melbourne 3002.


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U.S. Securities and Exchange Commission
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Form POS AM - Post-Effective amendments for registration statement:

SEC Accession No. 0000950123-04-003397

Filing Date

2004-03-17

Accepted

2004-03-16 19:51:47

Documents

1

Document Format Files

Seq	Description	Document	Type	Size
1	POST-EFFECTIVE AMENDMENT NUMBER	y95276posam.htm	POS AM	11517
2	Complete submission text file	0000950123-04-003397.txt		12842

TREASURY CORP OF VICTORIA (Filer) CIK:
0000898608 (see all company filings)

Fiscal Year End: 0630

Type: POS AM | Act: 33 | File No.: 033-59232 | Film No.: 04673966

 SIC: 8888 Foreign Governments
 Office of International Corp Fin

Business Address Mailing Address

 1 COLLINS STREET
 MELBOURNE

VICTORIA

AUSTRALIA C3 00000

61396514800

(Public Document)

THE DISABLED AND DEFECTIVE AUSTRALIA (ACTS) REQUEST ACT, 1985 (VIC):

Dan Andrews, as the Chief Executive Officer of the Treasury Corporation of Victoria Inc., is not now and has never been, lawfully elected as the Premier of Victoria, in the absence of –

‘Her Majesty, Queen Elizabeth II, Queen of the United Kingdom and Northern Ireland and of the Commonwealth’, since the disabled, defective, and deficient Australia (Acts).

Australia (Acts) Request Act, 1985 (Vic) under the Cain State Labor Government failed to complete a First Reading with ‘Any Votes Recorded’ at the Legislative Assembly, rendering the Bill as ‘Non – Existent at Law’, and this Nullified and Voided the ‘Australia Act, 1986’, and the ‘Australia Act, 1986 (UK)’ ‘a nullity at law’, at the Houses of Commons and Lords, at Westminster, which was a Full Member of the European Union, which DID NOT PROVIDE APPROVAL for the UK to pass such a law.

Through the ‘Financial Management Act’, and the ‘Appropriations Acts’, since 2015, Dan Andrews has manipulated and amended the now disabled, defective, and deficient - ‘Constitution Act’, 1975 (Vic), as nugatory and negated at Law, which never received ‘The Royal Assent’, from Her Majesty, Queen Elizabeth II.

Dan Andrews relies and depends upon the defective Victorian remuneration tribunal report, instructed by special minister of State – Gavin Jennings MP, for his and his Minister's 12% increased salaries dependent and reliant on the disabled and defective Victorian Constitution Act 1975 (*Public Document*) which does not exist at law.

Dan Andrew's has utilised the unlawful amendments of the Constitution Act, 1975 (Vic), of the fact that section 65, ss 5, the Legislative Council is 'no longer required' to vote on any Act of Appropriations irrespective if the Premier has the numbers in the Upper House (The Council) at the Parliament of Victoria, rendering Victoria to the status of a 'Territory', and trespassing upon the Constitution of the Commonwealth Act, 1901 (Cth). (*Public Document*)

This now becomes a fraud against the Victorian Elector and has created a 'Constitutional Crisis', and the Governor now must act, according to her Oath of Allegiance to Her Majesty, Queen Elizabeth II and follow the former Governor – General, and 'Remove' Dan Andrews from the Office of Premier.

CONSTITUTIONAL CRISIS IN VICTORIA:

This place the State of Victoria (Inc.) in the same Constitutional Crisis as the Whitlam Government in 1973 -1975 and in which the Whitlam Government was 'sacked' under the Constitutional Issue; that being the inability to enact the 'Supply' and the 'Appropriations Bill'. These were blocked in the Parliament of the Commonwealth and the Senate by the opposition leader Malcom Fraser.

The Legislative Council in Victoria, we argue, has been 'neutered and castrated' from the vote on the Appropriations Bills in the Parliament of Victoria since before the electoral victory of Dan Andrews, on November, 2014. This trespasses upon the Constitution of the Commonwealth Act, 1900 (Cth) in breach of section 128, of the same Act. (*Public Document*)

The State of Queensland unlawfully elects 12 Senators to Federal Parliament, when Queensland is equal to the Northern Territory and the Australian Capital Territory (only operating under a Legislative Assembly) and is lawfully restricted to TWO Senators, according to law. Therefore, the State of Queensland (Inc.) does not have a functioning Legislative Council since 1922.

The 'State of Victoria (Inc.) and the 'State of Queensland (Inc.) (aka Queensland Territory) trespasses upon the Constitution of the Commonwealth Act, 1901 (Cth), in breach of section 128, of the same Act.

This diminishes the 'Territory of Queensland' to the status equivalent to the Northern Territory and the Australian Capital Territory (ACT) into questionable disrepute. Both Queensland and Victoria avoid their Legislative Councils as mandated by the Laws at Westminster, and at Covering Clauses 2 & 5 of the Commonwealth Constitution Act, 1900 (Cth). Both Parliaments are unable to pass any further Appropriations Bills until this Constitutional Crisis is consistent with the Commonwealth and the Laws of the Westminster Parliament, as entrenched, at sections 14 and 15, the Supreme Court Act, 1958 (Vic), and the Supreme Court Act, 1867 (Qld), to comply with the Constitution Act, 1900 (Cth).

TERRITORY OF QUEENSLAND ELECTIONS – OCTOBER, 2020:

This Question of Fact now engages the Bill of Rights, 1688 (Imp) into this Constitutional Crisis, in Victoria and Queensland, as the Territory of Queensland - The 2020 Queensland state election is scheduled to be held on Saturday 31 October 2020 to elect the 57th Parliament of Queensland.

THE WESTMINSTER SYSTEM IN AUSTRALIA:

The basis of the Westminster System of Government requires a State Legislative Assembly (Lower House) and a State Legislative Council (Upper House), and a House of Representatives (Lower Federal House) and the Senate (the Upper House of Review). These are to meet the requirements of the Westminster System, for all Laws to be Royally Assented, according to the Australian National Referendum, held 6th November, 1999, where the 'Republic' was defeated, and Australian Electors in each of the six States voted in the overwhelming majority to retain the Constitutional Monarchy. **Reference Exhibit page 8.**

The Upper House (The Legislative Council for a State or the Senate in the Commonwealth Parliament) was deliberately designed to provide the necessary Checks and Balances under the Westminster system to pass money supply Bills with oversight from their respective Upper Houses.

This is why Daniel Andrews and Anna Palaszczyk are both operating their jurisdictions as 'Chief Executive Officer's (as CEO) of their respective Incorporated entities, outside of the AEC National Referendum, November, 1999. Both ALP Labor leaders are 'deliberately acting outside' of the current and valid Commonwealth Constitution Act, 1900 (Cth).

NO VALID LAWS IN VICTORIA, INCLUDING THE FINES REFORM ACT, SINCE 2014:

The Fines Reform ACT 2014 is 'nullified and voided' at law, because this Bill '**Did Not Achieve**' the necessary votes required in the Legislative Council on Thursday 26th June 2014 as recorded on Hansard - votes NOES-18 to AYES-14.

Adem Somyurek, member of the Legislative Council, Robin Scott and Marlene Kairouz members of the Legislative Assembly for these votes and the failure of this Bill to pass. Adem Somyurek who has 'Criminal Charges Pending', it is alleged, all criminal offences must be heard before civil offences are issued, for the Electors of Victoria, and ALL INFRINGEMENTS are invalid 'Civil Offences' and the Victorian Electors to accept this failed law to be valid. Every infringement since the passing of this failed Bill **MUST BE REIMBURSED!**

VICTORIA POLICE (Inc.) v Mr. S. MAROTTA Case No. J11067481:

The 'Summary Offence Act', 1966 (Vic) Section 60AA, 'Power to Serve an Infringement Notice', only **a Department of the State** can use this section and the Defendant invoked Case No. J11067481 Victorian Police v Marotta, 27th August 2019, where upon the Defendant did enter into the Magistrates Court (Inc.), at Schedule 2, the 'Ombudsman's Act', 1973 (Vic), *(Public Document)* a Constitutionally enacted law, under The Royal Assent' – 'Exempt Persons and Bodies' Schedule 2, Item 1. Police **Personnel (Police are NOT a Department of the State of Victoria).**

Victoria Police (Inc.) is a registered trading corporation, as of the 1st November 1999, *(Public Document)* which has been noted was registered five days prior to the –

AEC 'National Referendum', held on the 6th November 1999. *(Public Document)*

As confirmed by **Samuel Porter (Deputy Secretary and Chief Council of Department of Justice and Community Safety)** that in a document on the 2nd July 2020, that "We **(Australia), are still a 'Constitutional Monarchy' under the Constitution of Australia**". *(Public Document)*

Fines Victoria, an NON registered entity purportedly of the Department of Justice and Community Safety, Victoria, has Director Craig Howard, as the head of the unconstitutional, unlawful, and unregistered State of Victoria (Inc.) corporate entity.

Mr. Samuel Porter, Deputy Secretary and Chief Counsel, the Department of Justice and Community Safety, wrote, on the 2nd July 2020, and it is quoted –

"Thank you for your email 17th May 2020, to Anna Faithful, Deputy Secretary Justice Policy and Data Reform with further questions regarding legal practitioners making an Oath of Allegiance to the Queen. As this matter now falls within my area of responsibility, Ms. Faithfull has referred your email to me.

The National Referendum held in (Nov) 1999 about whether Australia should become a republic was defeated. Australia remains a constitutional monarchy under the Constitution of Australia. This outcome did not require former Victorian Attorney – General Robert Hulls to change our form of Government." *(Public Document)*

THE DEPARTMENT OF JUSTICE & COMMUNITY SAFETY:

‘Department of Justice and Community Safety’, states –

----- Forwarded message -----

From: DJCS-IMES-RS Email Response (DJCS) <Your.Email.Response@justice.vic.gov.au>

Date: Tue, Jun 23, 2020 at 9:37 AM

Subject: Email Response

To: w-----1@gmail.com

Dear Mr N-----

Thank you for correspondence addressed to Fines Victoria.

I can confirm that the current Director of Fines Victoria is Mr Craig Howard.

The Director, Fines Victoria deals with the processing and enforcement of unpaid fines. Enforcement warrants can be issued for unpaid infringement fines or unpaid court fines.

Where a person or company can pay, but fails to do so, the Director, Fines Victoria can apply sanctions to hold people to account.

I trust this information is of assistance to you.

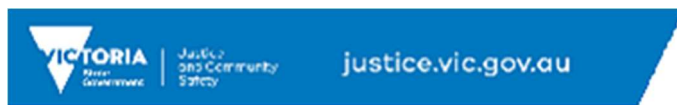
Yours sincerely

S McGarry

Customer Response and Coordination Officer

Fines and Enforcement Services

Department of Justice and Community Safety



We acknowledge the traditional Aboriginal owners of country throughout Victoria

and pay our respects to them, their culture, and their Elders, past, present and future. (Public Document)

The record on ASIC Search reveals the true and correct owner of Fines Victoria and Fines Vic is:-

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For:

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View Details 

Business Names [Hide all details](#)

FINES VICTORIA ABN 79 112 991 054

Business Name Summary 

Business name: FINES VICTORIA
Status: Registered
Registration date: 29/04/2020
Renewal date: 29/04/2023
Cancelled date:
Cancellation under review:

Address for service of documents: 2 Blue Rock Rd . Willow Grove VIC 3825
Principal place of business: 2 Blue Rock Rd . Willow Grove VIC 3825
Holder(s) details: **Holder Name:** [2XS MOTORCYCLES PTY LTD](#)
Holder Type: Body Corporate
ABN: [79 112 991 054](#)

Debtor representative(s): not applicable
Notified successor(s): not applicable
Regulator: Australian Securities and Investments Commission

Former State/Territory registration details
Former identifier:
Former State/Territory:

 [View Summary \(PDF\)](#)

Information for purchase 

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For more information about ASIC search products, please [visit our website.](#)

[https://connectonline.asic.gov.au/...ces/landing/bySearchId.jsp?searchId=640601243&searchIdType=BUSN&_adf.ctrl-state=sl8n5s5ko_4\[10/08/2020 10:52:46 PM\]](https://connectonline.asic.gov.au/...ces/landing/bySearchId.jsp?searchId=640601243&searchIdType=BUSN&_adf.ctrl-state=sl8n5s5ko_4[10/08/2020 10:52:46 PM])

THE HEALTH SERVICES AMENDMENT (MANDATORY VACCINATION OF HEALTHCARE WORKERS) ACT, 2020

The Health Services Amendment (Mandatory Vaccination of Health Care Workers) Act, 2020, which '**Does Not Exist at Law**', as it has not achieved the necessary Readings with sufficient votes, to pass into Law, with – '**The Royal Assent**' from the Vested Power –

Her Majesty, Queen Elizabeth II, Queen of the United Kingdom.

AEC NATIONAL REFERENDUM – REPUBLIC v CONSTITUTIONAL MONARCHY:

The Australian Electors voted in the affirmative, at the Australian Electoral Commission's National Referendum, held on the 6th November 1999, under section 128, the Constitution of the Commonwealth, 1900 (Cth), as confirmed by Mr. Samuel Porter, Deputy Secretary and Chief Counsel, Department of Justice and Community Safety, Victoria, No Law exists in the absence of 'The Royal Assent', under the Constitutional Monarch, Her Majesty, Queen Elizabeth II, and this includes –

The Magistrates Court Act, 1989 (Vic),
The Local Government Act, 1989 (Vic),
The Subordinate Legislation Act, 1994, (Vic),
The Fines Reform Act, 2014 (Vic),
The Infringements Act, 2006 (Vic) and
The Police Act, 2013, (Vic).

The Department of Justice and Community Safety is a registered corporation, under the Australian Securities and Investments Commission (ASIC)-

Entity name: DEPARTMENT OF JUSTICE AND COMMUNITY SAFETY
ABN 32 790 228 959
ABN status: Active from 01 Nov 1999
Entity type: State Government Entity

Main business location: VIC 3000

Business name(s)

Business name From
EMV External site 24 Nov 2017

Trading name(s)

	<u>From</u>
DEPARTMENT OF JUSTICE	19 Sep 2002
IMES	02 Sep 2010
Infringement Management & Enforcement Services	02 Sep 2010
Sheriff's Office Victoria	02 Sep 2010
Residential Tenancies Bond Authority	21 Dec 2009
RTBA	21 Dec 2009
Coroners Court of Victoria	01 Nov 2009
Office of the Special Investigations Monitor	01 Nov 2009
Victorian Government Solicitor's Office	21 Nov 2007
Registrar of Births Deaths & Marriages Victoria	21 Dec 2006
Registry of Births Deaths & Marriages	21 Dec 2006
OESC	16 Aug 2006
Office of Emergency Services Commissioner	16 Aug 2006

CAV	02 Aug 2006
Consumer Affairs Victoria	02 Aug 2006
Enforcement Management	31 Jul 2006
Major Procurement Program Office	04 Jul 2006
MPPO	04 Jul 2006
Professional Standards Council	05 Jun 2006
BEST	08 May 2006
Bureau of Emergency Services Telecommunications	08 May 2006
VCAT	16 Feb 2006
Dispute Settlement Centre	19 Dec 2005
Road Safety Enforcement Technology	08 Sep 2005
Victim Support Agency	09 Aug 2005
Corrections Victoria	08 Mar 2005
Sentencing Advisory Council	22 Sep 2004
JUDICIAL COLLEGE OF VICTORIA	27 May 2003
BOOKMAKER & BOOKMAKERS CLERK'S REGISTRATION COMMITTEE	01 May 2003
GAMBLING RESEARCH PANEL	01 May 2003
LIQUOR LICENSING VICTORIA	01 May 2003
RACING APPEALS TRIBUNAL	01 May 2003
TRADE MEASUREMENT VICTORIA	01 May 2003
THE OFFICE OF PUBLIC PROSECUTIONS	24 Jul 2002
PRIVACY VICTORIA	12 Jun 2002
OFFICE OF THE VICTORIAN PRIVACY COMMISSIONER	20 Apr 2002
VICTORIAN LAW REFORM COMMISSION	10 Jul 2001
ADULT PAROLE BOARD VICTORIA	24 Mar 2000
ASSET CONFISCATION OFFICE	24 Mar 2000
BUSINESS LICENSING AUTHORITY	24 Mar 2000
CONSUMER CREDIT FUND	24 Mar 2000
COUNCIL AGAINST VIOLENCE	24 Mar 2000
COUNTY COURT OF VICTORIA	24 Mar 2000
DONOR TISSUE BANK OF VICTORIA	24 Mar 2000
ESTATE AGENTS COUNCIL	24 Mar 2000
MAGISTRATES COURT VICTORIA	24 Mar 2000
MOTOR CAR TRADERS GUARANTEE FUND CLAIMS COMMITTEE	24 Mar 2000
OFFICE OF THE PUBLIC ADVOCATE	24 Mar 2000
PROSTITUTION CONTROL ACT MINISTERIAL ADVISORY COMMITTEE	24 Mar 2000
SUPREME COURT OF VICTORIA	24 Mar 2000
VICTORIA STATE EMERGENCY SERVICE	24 Mar 2000
VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL	24 Mar 2000
VICTORIAN COMMUNITY COUNCIL AGAINST VIOLENCE	24 Mar 2000
VICTORIAN GOVERNMENT SOLICITOR	24 Mar 2000
VICTORIAN INSTITUTE OF FORENSIC MEDICINE	24 Mar 2000

(Public Document)

Deductible gift recipient status - Not currently entitled to receive tax deductible gifts

ABN last updated: 24 Jan 2020 Record extracted: 09 Jul 2020

NOTE: 'Fines Victoria' and 'Fines Vic' are not listed or registered entities on the ASIC Australian Business Register of incorporated entities and their trading names therefore, 'Fines Victoria' and 'Fines Vic' are operating in defiance of and in contravention of, the '**Corporations Act**', 2001, the Federal Legislation for all registered incorporated entities.

However, the 'Office of Governor' *(Public Document)* of Victoria is an Incorporated entity, registered on 1st November 1999, five days prior to the unsuccessful National Referendum for a 'Republic', in which the Victorian and Australian Electors, across the country, irrefutably confirmed by a majority in each State, for the retention of the – 'Constitutional Monarchy'.

This now presents a Constitutional Crisis that Linda M. Dessau is not Constitutional acting as a Governor for Victorians, under Her Majesty, Queen Elizabeth II.

This can no longer be a Constitutional position, as her office is dependent upon the Constitution Act, 1975 (Vic) which has not passed into law with the Royal Assent.

The Governor is now conflicted of assuming leadership in the State of Victoria as Constitutional head of a non - de jure, Incorporated entity called the 'State of Victoria (Inc.)' and this includes – Treasure Corporation of Victoria (Inc.)

'Treasury Corporation of Victoria (Inc.)' is a registered incorporated entity at the Australian Securities and Investments Commission (ASIC), while relying on her appointment under the disabled and incomplete 'Constitution Act' 1975, (Vic), which has never received the Royal Assent and, this Bill has only ever been **'RESERVED'** for "Her Majesty's Pleasure" which held as its Monarch –

THE QUEEN OF AUSTRALIA – A FICTITIOUS INCORPORATED NON – ENTITY:

(now owned by Pecker Maroo Pty. Ltd. in Noosaville, Queensland).

The Office of Governor (Vic) is a Corporation registered for Goods and Services Tax at the ATO and is registered as a trading corporation, under ASIC, the Corporate regulator ABN No. 39 481 796 354 and her office, we assert, must comply with the –

Corporations Act, 2001, and the –

ASIC Act, 2001, both Acts under the administration of the Australian Securities Investments Commission (ASIC).

Victorians and Queenslanders are witnessing the greatest fraud and deception, in Australia's history by the –

Victorian – Andrew's State of Victoria (Inc.) and the –

Queensland – Palaszczyk State of Queensland (Inc), which must have 'commercial agreements and licences', from the Directors of Pecker Maroo Pty Ltd to continue trading in Commerce, and comply with the Corporations Act, 2001.

And it will be alleged that these two Chief Executives of the Australian Labor Party, have openly yet discreetly deceived and defrauded the Victorian and Queensland Electors,

Both CEO's are no longer operating under the Westminster system, nor are they operating under the –

Commonwealth Constitution Act, 1900 (Cth).

Daniel Andrews furnished himself and all of his Executive Ministers with a 12% increase under the *defective* 'Constitution Act', 1975 (Vic) in late 2019.

THIS IS CONSTITUTIONAL FRAUD AND A FRAUD AGAINST ALL VICTORIAN ELECTORS.

Year 2020

Dan Andrews, since his succession to Premier in late 2014 has ‘No Vested Powers’, as the Office of the Premier of the State of Victoria (Inc) since 1985, has not and cannot pass any Legislation since the –

‘Australia (Acts) Request Act’, 1985 (Vic).

unlawfully and defectively sent through the Parliament of Victoria, by the Cain Labor Government and did not achieve any votes for the first reading and the ‘Royal Assent’, required for a Bill to become Legislation and, relied upon the State Royal Seal and passed the Bill under the ‘Queen of Australia’, on the 13th November, 1985, to be sent to the Federal Parliament, to be passed, under the ‘Queen of Australia’, in Canberra, December 1985, rendering the Victorian State Bill – DISABLED, DEFECTIVE, NULL & VOID, before its communication to Canberra, and to the –

Hawke Federal Labor Government.

The Royal Assent can only be provided by The Governor of the State, acting on behalf of and representing –

Her Majesty Queen Elizabeth II, due to the Question of Fact (Trespass against the Victorian Elector) that there were,

NO VOTES RECORDED FOR THE ‘AUSTRALIA (ACTS) REQUEST ACT’, 1985 (VIC), on the first Reading,

Which it was not observed, the ONLY State Bill, NOT passed under the Royal Seal of the Constitutional Monarchy, under Her Majesty, Queen Elizabeth II.

After the first reading to change the laws of this country and State from a Constitutional Monarchy and into a Republic. Each Law and legislation made after this Bill, is now

Null & Void at Law.

TERRITORY OF QUEENSLAND NULL & VOID OPERATING WITHOUT A LEGISLATIVE COUNCIL AND OUTSIDE THE CONSTITUTION OF THE COMMONWEALTH ACT, 1900 (Cth)

The Territory of Queensland cannot enact any State Laws, confirmed by the fact of NO current legislation exists since the

‘Australia Acts (Request) Act’, 1985 (Qld),

could be effected, without a Legislative Council, which has been dormant since 1922, is unlawful and defective, as the Request Act, sent through the Parliament of Queensland, by the (QLD Premier) Labor Government, did not achieve any votes for the first, second or third reading, in the Legislative Assembly or the non – existent Legislative Council, and could not achieve ‘The Royal Assent’.

The Territory of Queensland incorporated the 'Queensland Police Service', as per ASIC, the ABN Lookup website –

Entity name: QUEENSLAND POLICE SERVICE
ABN 29 409 225 509
ABN status: Active from 01 Nov 1999
Entity type: State Government Entity
Goods & Services Tax (GST): Registered from 01 Jul 2000
Main business location: QLD 4000

this Question of Fact contravenes the Fact that Queenslanders voted along the same lines as the other five States of Australia, and voted to retain the –

'Commonwealth Constitution Act', 1901 (Cth), and the Constitutional Monarchy, and the earlier Bill, the 'Australia Acts (Request) Act', 1985 (QLD) never passed, as there was no 'Vested Power', by only a Legislative Assembly, and No Vested Power to recommend and appoint a 'Governor of Queensland', where Her Majesty, Queen Elizabeth II has been 'absent' for the whole duration of her reign.

A heavily altered and modified State Constitution, which cannot exist where No Governor exists, to give 'The Royal Assent' and legitimise the Queensland State Constitution in 2001.

Both States passed disabled and defective Bills, to be counted, in haste and urgency, by the Federal Hawke Labor Government, to be counted at the Parliament of the Commonwealth of Australia, to formulate the Australia Act, 1986 –

TO UNLAWFULLY REMOVE THE CONSTITUTIONAL MONARCH,

That R.J.L. Hawke, was the primary reason for the 'nullification' and invalidity of the 'Australia Act', 1986, as he was proven to be a Dual – and Honorary Citizen of Israel, which breaches section 44(i), the Commonwealth Constitution Act, 1901 (Cth), the same section where upon Members and Senators of both sides of Parliament were forced to vacate their seats, from 2018 and 2019, to make application to the High Court of Australia, revoke their secondary passports, and recontest for their seats at fresh bi – elections. This reconfirms the power and force of this section of the Constitution Act 1900 (Cth).

Some Twelve Members were forced out of the Parliament, in 2018 and 2019, for breaching the Commonwealth Constitution Act, 1900 (Cth), and it must be noted, the media were complicit to conceal the 'Question of Fact' that section 44 was NEVER connected with the Commonwealth Constitution Act, 1900 (Cth).

There have been no further questions in any referendum since this day, the 6th November 1999, to retain our Constitutional ties to the Monarchy, which enshrines our –

Estate in Fee Simple property rights, which Parliaments across Australia have dissolved and destroyed from the Australian Electors have sold each State's Land Title Offices to the banks.

Malcom Turnbull and Bob Hawke lead the 'Yes' vote for a Republic, and discreetly deceived the Australian Electors that the '**Australia Act**', **1986**, the Australian Bill, was valid, which again, could never be passed, following the elementary defects from the Victorian and Queensland State Governments, as Victoria's Bill was defective and disabled at the First Reading, by the Cain Labor Government, not having passed a First Reading, with

WITHOUT VOTES RECORDED!

AND

The Queensland Government did not record any votes, for any of the three readings, in the Legislative Assembly, and No Readings and No Votes were taken from the Legislative Council, which lies 'dormant', undermining any attempt to make a defence for the validity of the Australia Act, 1986 from Queensland.

The Westminster System of Government is clearly contained within the Australian People's – **Commonwealth Constitution Act, 1900 (Cth)**.

The Hon. Kevin Andrews MP, Federal Member for Menzies (Vic) was the Chair of the Parliamentary Committee and published – 'Aspects of Section 44', which unconditionally confirmed that the Australia Act, 1986 - DOES NOT EXIST AT LAW.

Year 2020

The four State Acts hurriedly passed by the Parliament of Victoria since the Emergency Powers were declared for the

- 1. COVID 19 (Emergency Measures) Act, 2020, Restrictions and Lockdowns –**
 - 2. the 'Local Government Act', 2020 (Vic),**
 - 3. the Health Services Amendments (Mandatory Vaccination for Healthcare Workers) Act, 2020,**
 - 4. the 'Appropriations Act' 2015, 2016, 2017, 2018, 2019 & 2020,**
- are ALL 'Invalid and Unlawful',**

and have 'No Vested Power and or Authority' from –

Her Majesty, Queen Elizabeth II', under the 'disabled'

Constitution Act, 1975 (Vic) and are all

'NULL & VOID' as they breach the –

'Charter of Human Rights and Responsibilities Act', 2006 (Vic) at Section 5, 6 and 10.

NO LAWFUL SUPPLY OR APPROPRIATIONS BILLS UNDER ANDREWS GOVERNMENT WITHOUT THE VOTES FROM THE LEGISLATIVE COUNCIL NULLIFIED BY SECTION 65 (5) OF THE CONSTITUTION ACT, 1975 (VIC). *(Public Document)*

THE ANDREWS GOVERNMENT HAVE NOT LAWFULLY ACHIEVED LAWFUL ‘SUPPLY’ to OPERATE THE STATE OF VICTORIA (Inc.), FROM THE FACT THE LEGISLATIVE COUNCIL HAS BEEN NEUTERED, THE APPROPRIATIONS BILLS HAVE NOT PASSED THROUGH PARLIAMENT, SINCE IT WAS FIRST ELECTED IN 2014, AS DID THE WHITLAM GOVERNMENT IN 1975 COULD NOT ACHIEVE A SUPPLY BILL THROUGH THE SENATE.

THE LEGISLATIVE ASSEMBLY IN VICTORIA REMOVED AND CASTRATED:

In Victoria, the Constitutional requirement ‘SHOULD and MUST’ include the Legislative Council, the ‘House of Review’, to be engaged in passing the State’s Appropriations Bills, which has been ‘removed and castrated’ from the Democratic process, deceptively concealed from the Victorian Electors, in the ‘disabled, defunct and defective’ –

‘Constitution Act’, 1975 (Vic), at section 65, ss(5), *(Public Document)*

Thereby nullifying the Legislative Council, and removing it by stealth and deception, and without notice and knowledge of the Victorian Electors, that the Andrews Government is operating, like its northern partners – Queensland, with only a Legislative Assembly – the Lower House.

THE WHITLAM GOVERNMENT AND BLOCKAGE OF SUPPLY *(Public Document)*

The Whitlam Government was ‘blocked’ in the Senate with its last ‘Supply Bill’, which sparked the Constitutional Crisis, which ultimately lead to the Governor – General, Sir John Kerr, to write his now famous letters to Her Majesty, Queen Elizabeth II, in the Kerr Letters, challenged by Professor Jenny Hocking, Historian, Monash University, at the High Court of Australia, confirming Whitlam could not pass the laws for Supply, and the

Governor - General had no other option than to write his ‘sacking’ of the Whitlam Government, with full Notice and Knowledge of Her Majesty’s Office, and into Australian History, a process of his own creation and undoing, in which Whitlam had failed to lead his Government.

(At the time of writing this historical summary, the High Court of Australia had granted ‘special leave’, for the letters between the Governor General and Her Majesty, Queen Elizabeth II to be released by the National Archives.)

Constitutional Crisis in Victoria – now revealed: *(Public Document)*

This same fact has now repeated in the State of Victoria and now engages the Office of the Governor of the State of Victoria, and engages Linda M. Dessau to follow the steps of Sir John Kerr – as she stated publicly –

“I, Linda Marion Dessau do solemnly and sincerely affirm that I will well and truly serve Her Majesty Queen Elizabeth II and Her Majesty’s Heirs and successors in the office of Governor of the State of Victoria and will do right to all manner of people after the laws and the usages of the State without fear or favour, affection or ill will”.

Governor Linda M. Dessau cannot lawfully pass into law, any Acts, including the Appropriations Acts, 2015, 2016, 2017, 2018, 2019 & 2020, while the disabled, defective, and deficient –

‘Australia (Acts) Request Act, 1985 (Vic) Does Not Exist at Law. There was No First Reading with Any Votes Recorded, to pass both at the Legislative Assembly under the Royal Seal as each other State had done.

THE COVID 19 OMNIBUS BILL – DISABLED AND DEFECTIVE:

COVID-1 Omnibus (Emergency Measures) Act 2020 DID NOT PASS INTO LAW.

This Act includes all of the below Acts and any Act after 1985 is disabled: -

Amendment of Bail Act 1977

Amendment of Children, Youth and Families Act 2005

Amendment of Corrections Act 1986

Amendment of County Court Act 1958

Amendment of Court Security Act 1980

Amendment of Crimes (Mental Impairment & Unfitness to be Tried) Act 1997

Amendment of Criminal Procedure Act 2009

Amendment of Evidence (Miscellaneous Provisions) Act 1958

Amendment of Family Violence Protection Act 2008

Amendment of Fines Reform Act 2014

Amendment of Magistrates’ Court Act 1989

Amendment of Oaths and Affirmations Amendment of Education and Training Reform Act 2006

Amendment of Open Courts Act 2013

Amendment of Personal Safety Intervention Orders Act 2010

Amendment of Sentencing Act 1991

Amendment of Supreme Court Act 1986

Amendment of Victorian Civil and Administrative Tribunal Act 1998

Amendment of Residential Tenancies Act 1997

Amendments brought forward from Residential Tenancies Amendment Act 2018

Amendment of Residential Tenancies Amendment Act 2018

Amendment of Environment Protection Amendment Act 2018

Amendment or Local Government Act 2020

Amendment of Parliamentary Committees Act 2003

Amendment of Planning Environment Act 1987

Amendment of Safe Patient Car (Nurse to Patient & Midwife to Patient Ratios) Act 2015

Amendment of Workplace Injury Rehabilitation and Compensation Act 2013

The Accident Compensation Act 1985

Amendment of Workplace Injury Rehabilitation and Compensation Act 2013

Amendment of Accident Compensation Act 1985

(Public Document)

THE DISABLED LOCAL GOVERNMENT ACT, 1989 – DOES NOT EXIST AT LAW, UNDER THE QUEEN’S BENCH AT WESTMINSTER:

Year 2020

Local Government Act, 1989 (Vic) was proven without doubt, in the words of County Court Judge Cosgrave on 31st January 2020, at the first and only Directions Hearing, he did state to the applicant, after hearing arguments as to the validity of Local Government in Victoria –

“Are you saying Ms. Williamson the Local Government Act, 1989 does not exist?”

The Plaintiff replied, ***“No your Honor, that responsibility belongs to the Parliament of Victoria.” (the court heard that there was ‘No Third Reading and Votes for this Bill’).***

And with this Statement of Fact, Judge Cosgrave did not permit a second hearing date, and later, requested a final affidavit from the Plaintiff / Applicant, for submission on the 25th February 2020, and this second affidavit was submitted on the same date, with four legal counsels required to respond in 48 hours, by the close of the courts, 27th February 2020.

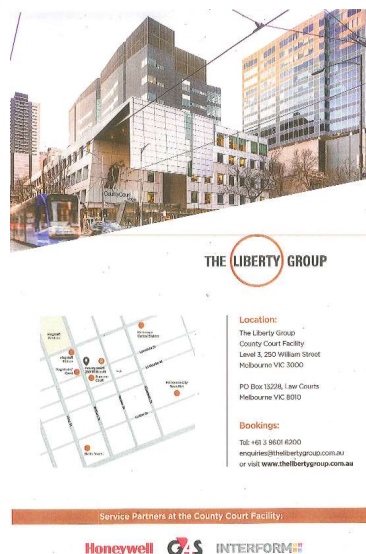
The second Williamson Affidavit requested the jurisdiction of the court engage section 15, the ‘Supreme Court Act’, 1958 (Vic), and, the request for a second date, under a Chapter III court, from section 15, the Supreme Court Act, 1958 (Vic), that the court MUST only proceed under a Chapter III Constitutional Court, as the jurisdiction will be requested by the Applicant to be the jurisdiction of the –

‘Queen’s Bench for Common Pleas at Exchequer at Westminster’,

COUNTY COURT AN INCORPORATED ENTITY:

This Local Government Act was proven, in the corporation – owned County Court of Victoria (Inc.), managed by the ‘Liberty Group’, a 100% subsidiary of the ‘Challenger Financial Corporation’, an Australian Stock – market listed corporation, which is 75% majority owned and controlled by shares, from –

1. Hong Kong Shanghai Banking Corporation.
2. Citigroup Banking Corporation.
3. JP Morgan Chase Banking Corporation.
4. BNP Paribas Banking Corporation.



The only reference in the building to the Commonwealth Constitution Act 1900 and Her Majesty Queen Elizabeth II, which proves that the County Court of Victoria Incorporated is a 100% trading Corporation.

This is managed by the Liberty Group which proves the separation of the County Court, which contravenes and operates outside of Section 14 and 15 of the Supreme Court Act 1958 (Vic).

This privately owned court does not comply or operate under the Department of Justice directive as per exhibit at page 8 of this document on the 2nd July 2020 by Samuel Porter.

“The Republic Vote in 1999 was defeated and Australia is under the Constitutional Monarchy”.

All Court Cases held in the County Court Inc are Null and Void because the Imperial Crown is in a State of distress and this is an open and defiant declaration of war against Her Majesty Queen Elizabeth II Her Heirs and Successors and the electors of Victoria.

The County Court of Victoria has hijacked and stolen the intellectual property rights of Her Majesty the Queen.

The Royal Seal of Her Majesty Queen Elizabeth II is used on Court Orders and Court Documents which is the Corporation acting in fraud, that there is a direct authorised agreement with Her Majesty Queen Elizabeth II which requires a Commercial Contract.

This is a Crime under Section 81, 82 & 83A of the Crimes Act 1958 (Vic) and the Corporations Act 2001 and the ASIC Act 2001.

The Bill of Rights 1688 (Imp) is now activated on Chief Justice Peter Kidd every Judge and Judicial Registrar of the County Court Incorporated for acting like a judge, which Fiona McLeay must prosecute under Section **87, 88, 90, 91 & 92** of the Imperial Acts Application Act 1922, supported by Samuel Porter the Deputy Secretary and Chief Council of the Department of Justice and Community Safety of Victoria, and DPP Kerry Judd (QC)

THE FOREIGN INVESTMENTS REVIEW BOARD AND THE CONFLICT OF INTEREST:

Proving beyond all and any doubt that the successive State Governments and the ‘Federal Investments Review Board’ (FIRB) have permitted the secession of the Victorian judicial and court system to be owned and controlled by foreign banking corporations. This is consistent with the transfer of the Land Titles Office of Victoria, also called Victorian Land Registry Services, and it is quoted from the ABC News “Treasurer Tim Pallas said the state had granted a concession to Victorian Land Registry Services to run the office for four decades. The new company is owned entirely by First State Superannuation, An Australian-owned fund that has already invested in the NSW land titles office”.

Australia’s Superannuation funds are managed and controlled by NAB, ANZ, CBA and Deutsche Bank which are majority owned by the SAME FOUR FOREIGN BANKS listed earlier.

This is a major conflict which has been deliberately concealed from superannuation members and mortgage customers of Australian Banks. Each Australia bank mentioned above is majority owned by shares – 1. HSBC, 2. Citi Group, 3. JP Morgan and 4. BNP – All Foreign Banks!

Why have these facts not been investigated by the Australian Securities and Investments Commission (ASIC) the Australian Prudential Regulation Authority (APRA) and the Australian Competition and Consumer Commission (ACCC) and the Foreign Investment Review Board (FIRB)

The confirmation at the Happy Homes Building Group P/L Vs The Registrar Land Titles Office Victoria that the Local Government Act, 1989 (Vic) does not exist at law directly affects the validity of the Local Government Act, 2020 (Vic). These Acts are both joined meaning councils were formed in 1989 as a body corporate operating with a common seal and can sue or be sued in their corporate name, as written in section 5 of the now disabled Local Government Act, 1989 (Vic) in which Tim Jeffery Barrister acting of two Australian Banks, opposed the continuation of the court case on the 25th February, 2020. The Local Government Act, 2020, is also, disabled and defective, as there can be No Royal Assent from Governor Dessau, as her appointment has not been made under any lawful Constitution Act and this Act is now disabled from the Governor of the State of Victoria.

Bill of Rights 1688 (Imp)

Any Justice or Judge or Queens Counsel (QC) that has used a Corporation logo, that does not comply with the following sections and has hijacked the Queen Elizabeth II Coat of Arms in the Supreme Court using the –

The Supreme Court Act, 1958 Section 14 and Section 76

has breached the 'Bill of Rights' 1688 (Imp)

must rescind his/her title and be forced to leave the bench as a disgraced Justice or Judge.

Hijacking of the Royal Coat of Arms

The Supreme Court of Victoria (Inc.) has 'hijacked' the Constitutional Monarchy and the Royal Coat of Arms, by using a Corporate logo using the modified Royal Coat of Arms in contravention of the specific description of the stamp as described in section 14, the Supreme Court Act, 1958 (Vic). This is a felony Offence, mandated within this section, a maximum term of Ten years 'hard – labour'.

The Supreme Court Act, 1958 Section 15, Royally Assented and it is quoted:

“Section 15. (1) The Court shall have cognisance of all pleas civil, criminal or mixed, and (subject to any enactment now in force to the contrary) shall have jurisdiction in all cases whatsoever as fully and amply to all intents and purposes in Victoria and its dependencies as the Courts of Queen's Bench Common Pleas and Exchequer at Westminster or any of them had by the common law in England at or previously to the commencement of the Act No. 502;^(ff)” (Public Document)

THE ROYAL COAT OF ARMS AT THE SUPREME COURT of VICTORIA (Inc.):

The allegation is made that Hon. Chris Maxwell (QC) A Queens Counsel to Her Majesty, Queen Elizabeth II, and President of the Supreme Court (Inc.) and Chief Justice Ann Ferguson. Both having Full 'Notice and Knowledge' of the inferior corporate Supreme Court Stamps, and the continuing use and acceptance of their positions on the Bench at the 'Pell Supreme Court Appeal' were sitting under the 'Royal Coat of Arms' affirming the conflict of interest within the Supreme Court of Victoria (Inc.).

The disdain for the Constitution by any self-representing litigant/advocate, that no recognition of the Constitutional Monarchy, or constitutional rights will be heard inside any Victorian courtroom. The 'Pell Case' at the Supreme Court of Victoria was held under a Chapter III Court where the Full Bench sat under the Queen's Royal Seal to present the image to the greater public that we are under a constitutional court. This is deceptive as it was disproved by the Chief Justice of Victoria Marilyn Warren QC who inaugurated and witnessed the Governor of Victoria, Oath of Allegiance under a foreign corporate logo.

The Supreme Court of Victoria (Inc.) was formerly under private ownership of 'Ilford Pty Ltd' until mid - 2015, about the time of the disabled and defective inauguration of the new Governor of the State of Victoria – Linda Marion Dessau.

Year 2017

The **"Independence of Parliament"** Research Paper No3, May 2017 (*Page 15*). (*Public Document*) States the reliance of the 'Parliament of Victoria' upon the Australian (Commonwealth) Constitution and the State Constitution (the disabled Constitution Act, 1975) and de Jure Constitution Act, 1855 (Imp)), the only lawful and valid State Constitution in Victoria, created and enacted in Westminster, for the 'Colony of Victoria'.

Year 2016

HHealth Complaints Act, 2016 (Vic) – 'Does Not Exist at Law', as the Bill created by Russell Kennedy Lawyers Incorporated ABN:85 660 479 736 – that Principal, Michael Gorton, who has been accredited to being the author of this 'Disabled and Defective' Bill, which has been argued as defective and disabled from section 95 of the same Act, and clashes and conflicts with the **'Charter of Human Rights and Responsibilities Act', 2006** (Vic), and the former Act has **No Royal Assent**. Michael Gorton is the Unconstitutional Chair of the Victorian State - created & now National body –



Jill Hennessy

Karen Cusack

Michael Gorton

The ‘Australian Health Practitioners Regulation Authority’, ABN 78 685 433 429 –

an Unconstitutional National Body, created from the States and based and registered in Victoria in contravention of section 51, subsection (xxiiiA), the Constitution of the Commonwealth, 1900 (Cth). *(Public Document)*

Year 2015

Governor Linda M. Dessau - inaugurated on the 1st July 2015 by the Andrews State Government, the most important and highest appointment by the Premier. Linda M. Dessau as the first female and first Jewish Governor of Victoria, she was affirmed by The Hon. Marilyn Warren QC (Queen’s Counsel), the highest Constitutional Honor in the Legal Profession, the Chief Justice of Victoria, and Lieutenant Governor of Victoria.

Linda Marion Dessau is married to Anthony Howard AM QC, (Queen’s Counsel) a former County Court Judge. They were married in 1982. Both the Governor and her husband have sworn their ‘Oath of Allegiance’, at section **87, 88, 90, 91 & 92**, the ‘Imperial Acts Application Act’, 1922 (Vic) at the Supreme Court of Victoria, to Her Majesty, Queen Elizabeth II. Anthony Howard under section **87, 88, 90, 91 & 92** the ‘Imperial Acts Application Act’, 1922 (Vic) and the Governor, at her inauguration, witnessed by The Hon. Marilyn Warren QC, which affirms the continuation of the Commonwealth Constitution Act, 1900 (Cth).

Whilst the Supreme Court continues to operate, it is under duress across Victoria, as it is only used as the occasion requires by the Andrews Government such as formal matters to inaugurate a Governor or a high-profile case like the ‘Pell Case’. NOT available or accessible for ordinary Victorians seeking justice in the non – de jure, non – constitutional, corporatized and incorporated foreign owned and controlled courts, currently under ‘Court Services Victoria’ (Inc.) – See following.

Entity name:	COURT SERVICES VICTORIA
ABN	63 392 984 660
ABN status:	Active from 21 Feb 2014 (per Robert Clark fmr Atty-Gen)
Entity type:	State Government Statutory Authority
Goods & Services Tax (GST):	Registered from 01 Jul 2014
Main business location:	VIC 3000 <i>(Public Document)</i>

Marilyn Warren QC was appointed a QC in 25th November 1997 and Chief Justice of the Supreme Court (thus becoming Chief Justice of Victoria) on the 25th November 2003 – Six years later. Marilyn Warren QC retired on the 1st October 2017 from the Supreme Court and retained her title of the Chief Justice of Victoria. The Chief Justice was appointed by Robert Hulls. During this time, the Victorian courts were all sold and became Court Services Incorporated with her full notice and knowledge.

Year 2015

Ilford Pty. Ltd. -Supreme Court of Victoria can be documented from ASIC as the private owner of the 'Supreme Court of Victoria (Incorporated)' and the Land Titles Office Incorporated. These two integral entities for Victorian Electors and property owners, have been separated and incorporated from the 'Parliament of Victoria' and the former entity no longer forms the essential third tier of Government, breaching the essential 'Three Arms of Government', as dictated under the Commonwealth Constitution Act, 1900 (Cth).

Ilford Pty. Ltd trading as –			
The Supreme Court of Victoria			
https://abr.business.gov.au/AbnHistory/View?id=77145510925			
Entity name	From	To	
Entity:	ILFORD VIC PTY LTD	30 Jul 2010	(current)
ABN Status	From	To	
Cancelled		19 Oct 2015	(current)
Active		30 Jul 2010	19 Oct 2015
ABN		77 145 510 925	
Entity type		Australian Private Company	
Goods & Services Tax (GST)	From	To	
Cancelled		20 Oct 2015	(current)
Registered		30 Jul 2010	19 Oct 2015
Main business location	From	To	
		QLD 4215	30 Jul 2010 (current)
Business name(s)			
Business name	From	To	
Supreme Court of Victoria External site		07 Jul 2014	19 Oct 2015
Land Titles Office Victoria External site		04 Jul 2014	19 Oct 2015
the Registrar of Titles External site		02 Jul 2014	19 Oct 2015
ASIC registration - ACN or ARBN 145 510 925 View record on the ASIC website External site			
Deductible gift recipient status		Not entitled to receive tax deductible gifts	
ABN last updated: 22 Oct 2015			
Record extracted: 09 Feb 2020			

(Public Document)

Year 2014

'Court Services Victoria' (Inc.) ABN 63 392 984 660 was separated and incorporated on 21st February 2014 under former State Attorney – General, The Hon. Robert Clark MP. The 'Court Services Act', 2014 (Vic) came into effect 21st July 2014. This Act does not carry 'The Royal Assent' and is 'invalid' as Robert Clarke had 'No Vested Power or Authority' to separate the Victorian Courts from the Parliament of Victoria and did not obtain any mandate from the Victorian Electors.

Legal Professions Uniform Law Applications Act, 2014 (Vic), agreed between Victoria and NSW is now and has always been **NULL AND VOID** as these two Acts **do not have any Vested Power, and this is alleged, a direct contravention to the Judiciary Act, 1903 (Cth)**. These two State Bills do not and cannot ever have, 'The Royal Assent' following the disabled and defective **Australia (Acts) Request Act, 1985 (Vic)**, **Australia Acts (Request) Act, 1985 (NSW)**. Both States did not pass their respective State Statute Laws with 'Any Votes Recorded', for each reading, to pass into an Act, and becomes the basis for the Federal – 'Australia Act', 1986.

November 2014 - Dan Andrews, Leader of the ALP wins the Victorian State Election and becomes the Premier of the 'State of Victoria (Inc.)'

Entity name: STATE OF VICTORIA - PARLIAMENT OF VICTORIA
ABN 57 505 521 939
ABN status: Active from 01 Nov 1999
Entity type: State Government Entity
Goods & Services Tax (GST): Registered from 01 Jul 2000
Main business location: VIC 3002 (*Public Document*)

Year 2006

25th July 2006, the '**Charter of Human Rights and Responsibilities Act**', 2006 (Vic) is passed. The Statute Law was completed on the 25-07-2006 and came into effect on the 01-01-2008 under the Bracks Labor Government and at Section 5 of this Act gives the Victorian Electors Human Rights and also gives entrenched access to the **Constitution of the Commonwealth, 1900 (Cth)**, the common law and International Law (the **International Covenant On Civil and Political Rights**). (*Public Document*)

The Ormiston Speech, at the Victorian Bar Association and the ramifications of the separation of the Victorian Court as a Corporation known as '**Business Unit 19**', by the Parliament of Victoria (Inc.) was recorded in the Victorian Bar News, News and Views by retiring Justice Ormiston.

Important Notice

**Please read the: - Farewell Speech of the (late)
Honourable Mr Justice William Frederick Ormiston
in its entirety which is attached at the end of this document.
This is the TRUTH about our Court System.** (*Public Document*)

Year 2005

12-12-2005 the commencement of the Legal Services Board (LSBC) was put into play to regulate every Lawyer in the State of Victoria (Inc.) in which this office and the Commissioner relies upon the confirmed and current **'Imperial Acts Application Act', 1922 (Vic)** (*Public Document*) to summons Victorians into Court for purportedly 'Acting like a Lawyer'.

Year 2004

Her Majesty, Queen Elizabeth II - Deleted and replaced by the 'State of Western Australia (Inc.)', by the State Attorney – General, James McGinty and Governor Sanderson, in direct contradiction to any Vote in Western Australia, by the AEC National Referendum in which a majority of Western Australians voted to retain the Constitutional Monarchy, on the 6th November, 1999.

Year 2002

'International Criminal Court Act', 2002, (*Public Document*) this Federal Statute Law represented the foundation status of Australia to the creation of an Independent War Crimes Tribunal, which is recognised by the United Nations New York by Agreement.

In 2018, an Australian Bank was taken to the International Criminal Court, in a Lawsuit, and the Queensland Farming Family were successful to 'expunging' a Farm Debt, and Property Titles were returned, as this Bank sought to 'avoid' the ICC.

Year 2001

Corporations Act, 2001: - 'No Votes Recorded', this Bill did not receive a Second Reading in the House of Representatives, and did not enter the Senate, for a First Reading, and did not achieve 'Any Votes Recorded' in the Senate.

This was confirmed by Former High Court Justice Kirby, in the Case of Deputy Commissioner of Taxation v Howard Racing, Broadbeach Properties Limited and Neutral Bay Pty. Ltd., at the High Court of Australia, Brisbane, 2008. (*Public Document*)

The Corporations Act, 2001, Second Reading was requested by Justice Kirby and the Queen's Counsel for the Deputy Commissioner for Taxation could not provide same, establishing at the highest court, the – Corporations Act, 2001- **DOES NOT EXIST AT LAW.**

This now renders all ABN registered entities as Null and Void following the first reading speech by the Minister for Financial Services, The Hon. Joe Hockey MP, and a motion seconded by The Hon. Joel Fitzgibbon MP, Federal Member for Hunter, NSW.

By default, and without any legal basis this **Question of Fact** that the,

CORPORATIONS ACT, 2001 DID NOT ACHIEVE THE SECOND READING IN either house, **Nullifies and Voids the Australian Taxation Office**, which is not a department of the Australian Government, it is a registered Corporation ABN. 51824753556 at Post Code 2640 in the Australian Capital Territory registered from the 1st of November 1999 (only 5 days prior to the National Referendum) and registered for Goods and Services Tax 1st July 2000.

Year 2000

On 5th September, 2000 the then **State Attorney – General - Robert Hulls** repealed the **‘Oath of Allegiance’ for all Lawyers from the ‘Legal Practices Act’, 1996 (Vic)**. He did so without a referendum from the Victorian and/or the Australian Electors. This was a fraud on all Victorian electors and has rendered all Lawyers, Solicitors and Barristers, Queen’s Counsel, Magistrates, Judges and Justices, registered since the 5th September 2000, NULL and VOID. They are not qualified to practice law under the Westminster system as per the Supreme Court Act, 1958 (Vic) at Sections 14 & 15 which requires another National Referendum as required by Section 128 to become valid.

Year 1999

23rd June 1999, the High Court Case – ‘Sue Vs Hill’ [1999] HCA30-CLR462

The High Court found that, at least for the purposes of section 44 (i) of the Constitution, the United Kingdom is a ‘foreign power to Australia’.

According to Sue Vs Hill, the State of Victoria Incorporated, and the registered name the **‘Treasury Corporation of Victoria, Incorporated**, and located at 1 Collins Street, Melbourne, 3000 must also be considered a **‘Foreign Corporation’**. Five months later, the AEC holds its National Referendum, in accordance with section 128 of the Commonwealth Constitution Act, 1900 (Cth) rendering the –

‘Treasury Corporation of Victoria (Inc.) – A Foreign Power in place of the State Government of Victoria!

6th November 1999 - AEC National Referendum to vote on a ‘Republic’ or, retain the ‘Constitutional Monarchy’, the People of Australia voted in an overwhelming majority to retain the Constitutional Monarch – Her Majesty, Queen of the United Kingdom, and the Commonwealth (Including Australia).

From 1901 to the 3rd March, 1986, Australia had a reigning Constitutional Monarch, over and above the Federal Commonwealth Government, which is suppressed and concealed from the Australian Elector, since the disabled and defective ‘Australia Act (Requests) Act’, 1985 (Vic) Nullified and Voided Victoria’s request for the Australia Act, 1986.

On the 1st November 1999, ALL Government Institutions and Services and Utilities were corporatized for the preparation of a Republic takeover.

On the 6th November 1999 The ‘Republic’ forces LOST and the Constitutional Monarch won by a large majority.

On the 7th November 1999 the Corporatized Government DID NOT revert back to a Constitutional Monarchy but chose to keep the Governments and Departmental Authorities as a Corporations. (Please visit ‘ABN Lookup’ and type in any EX-Government entity).

Year 1996

Legal Practices Act, 1996 (Vic) - Invalid – Did Not Achieve ‘The Royal Assent’ and was not enacted into a Victorian Constitutional Law, as this Act follows the ‘Australia (Acts) Request Act’, 1985 (Vic), which did not pass and did not achieve the First reading with ‘Any Votes Recorded’, Nullifying and Voiding the ‘Legal Practices Act’, 1996 (Vic).

Year 1995

Criminal Code Act, 1995 (Fed) The Andrews Government are breaching this Federal Government Act at - Division 134 ‘Obtaining property or a financial advantage by deception’, to allowing the Unconstitutional Sheriff’s Office, under the ‘Department of Justice and Community Safety’, which does not follow and adhere to the law, as a **Sergeant of the Department of Justice – Matt Whyte** has demonstrated to a victim of Banking Fraud, in November 2019, that he personally has never seen an ‘Execution Warrant’, as required under section 57, the Magistrates Court Act, 1989 (Vic). **John Nerurker CEO Mills Oakley Lawyers (Inc.)** instructed by **Steve Johnston, Suncorp Metway Bank** to the Sergeant and nineteen (corporate) deputies forcibly stole a property in Narre Warren, removed a family without one legitimate Supreme Court Writ in accordance with section 14 & 15, The Supreme Court Act, 1958 (VIC) or a Warrant under Section 57 of the Magistrates Court Act, 1989 (Vic).

The Magistrates Court Act, 1989 (Vic) is also an ‘invalid’ Statute Law, following the disabled ‘Australia (Acts) Request Act’, 1985 (Vic).

Regarding Matt Whyte Sergeant of the Department of Justice Sheriffs Office (while wearing a removable label and his car no longer carries the Imperial Crown of Her Majesty, Queen Elizabeth II) did confirm he has not seen or witnessed an execution Warrant for the repossession of a property in more than 14 years. Based on his testimony at the Pakenham office, he has confirmed every property has been forcibly stolen by his office since 2005, has breached section 81 of the Crimes Act, 1958 (Vic) obtaining of property by deception. This contradicts the requirement and confirmation given by the Deputy Secretary and Chief Counsel, the Department of Justice and Community Safety – Mr. Samuel Porter (See attached exhibit).

The Sheriff’s Office, a trading name of the Department of Justice, has no lawful Act, does not require of itself to comply with the Deputy Secretary and Chief Counsel, the Department of Justice, and continues to steal properties, while the State of Victoria is in ‘Lockdown’, and while the courts are closed to any and all public hearings. This is also a crime under the Crimes Act, 1958 (Vic) at section 82, ‘Obtaining financial gain by deception’ in which both of these sections (81 and 82) may incur a maximum ten-year imprisonment term for each respective breach.

Year 1993

The Local Government Act, 1993 (NSW) also does **not exist at law as all three readings ‘Did Not Record the Votes Required to pass into law, and this Act is also Nullified because of the ‘Australia Act (Request) Act’, 1985 (NSW), which depends upon the passing of the ‘Australia (Acts) Request Act’, 1985 (Vic) not achieving a first reading and the necessary votes to be officially ‘Proclaimed’ and ‘Gazetted’ and ‘Royally Assented’.**

Year 1989

The Local Government Act, 1989 (Vic) did not record the required votes and also does not exist at law as all three readings did not record any votes to pass into law and this Act is also Nullified because of the Australia (Acts) Request Act, 1985 (Vic).

This was confirmed in the County Court of Victoria (Inc.) without question or rebuttal in a County Court Case “Happy Homes Building Group Pty. Ltd. vs The Registrar, Land Titles Office”, Victoria on the 31st January 2020.

Judge Cosgrave made a statement at the end of the first directions hearing, he did ask of the applicant, “Are you saying Ms Williamson the Local Government Act, 1989 does not exist” Williamson the applicant replied “No Your Honor, that responsibility belongs to the Parliament of Victoria”. (Public Document)

Judge Cosgrave then rose from the Bench, without declaring a date for a second hearing, requested by the Applicant and exited from the room, without an Australian Flag and without any photo image of Her Majesty, Queen Elizabeth II, meaning the Court Room was a – ‘Ship in Dry – Dock’ and separated from the State of Victoria (Inc.).

The reason came from the Statement of Fact entered by the applicant that the Chief Executive Officer, Bass Coast Shire Corporation (ABN) 81 071 510 240 Registered 1st July 2000 cannot and could not ever comply with –

Section 1, the Local Government Act, 1989, which refers to reliance upon Section 74A of the Constitution Act, 1975 “democratically elected Councils”, in which the Constitution Act, 1975 (Vic) NEVER received the Royal Assent from Her Majesty, Queen Elizabeth II, the Bill was only ever ‘Reserved for Her Majesty’s Pleasure’ as Governor Winneke oversaw this Bill under the Fictitious ‘Queen of Australia’, and,

The ‘Local Government Act’, 1989 (Vic) DOES NOT EXIST AT LAW!

Year 1985

From November 1985 starting with the Cain Labour Government,

THE AUSTRALIA (ACTS) REQUEST ACT 1985 VICTORIA

DID NOT ACHIEVE ANY VOTES AT THE FIRST READING.

THIS AUTOMATICALLY NULLIFIES THE AUSTRALIA ACT 1985 AT THE PARLIAMENT OF AUSTRALIA, CANBERRA - AB INITIO.

Year 1980

13/08/1980 the Commonwealth of Australian Government Ratified the –

‘International Covenant on Civil and Political Rights’, (ICCPR), with the Freedom of Information Request obtained that –

‘No Australian Law interferes or interrupts the UN Treaties & ICCPR’



FOI

December 2015

Dear

Freedom of Information Request no. FOI

The purpose of this letter is to give you a decision about access to documents that you requested under the *Freedom of Information Act 1982* (FOI Act).

Summary

I, Susan Robertson, Assistant Secretary, am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.

On 11 November 2015 you requested access to documents relating to the Vienna Convention on the Law of Treaties and the International Covenant on Civil and Political Rights. Specifically you sought access to:

1. *An Instrument, document, statute or reservation that exempts the Australian Government, the State Governments, the Crown, local government, or any of their agents, delegates or subordinates from strict compliance with The Vienna Convention on the Law of Treaties 1969, to which they are bound by, Entered into force for Australia on 27 January 1980, (AUSTRALIAN TREATY SERIES) regarding any private or public law, whether State or Federal Commonwealth.*
2. *An Instrument, document, statute or reservation that exempts the Australian Government, the State Governments, the Crown, local government, or any of their agents, delegates or subordinates from strict compliance with The International Covenant on Civil and Political Rights 1966, to which they are bound by, Entered into force for Australia 13 November 1980, (AUSTRALIAN TREATY SERIES) regarding any private or public law, whether State or Federal Commonwealth.*
3. *An Instrument, document, statute or reservation that creates a lawful right for a public authority employed or appointed by the Australian government, the State Governments, the Crown, local government or any of their agents, delegates or subordinates, considering any private or public law, whether State or Federal Commonwealth with regards to the rights of Australians to act in a way that is incompatible with a human right or, in making a decision, to fail to give proper consideration to any relevant human right of Australians found within*

I have identified that the Attorney-General's Department has no documents that fall within the scope of your request. I did this by taking all reasonable steps to find the documents, including arranging for a search of the department's electronic documents management systems and making inquiries of staff who may have been able to identify documents within the scope of your request, I am satisfied that the department does not have any relevant documents.

I have accordingly decided to refuse your request for access to the documents. More information, including my reasons for my decision, is set out below.

Decision and reasons for decision

With regard to the documents requested in your application, I have found that:

- the documents you requested about the exemption of government agencies from strict compliance with international treaties signed by Australia, or which create lawful rights for government agencies to act in a way incompatible with human rights, or to fail to properly consider human rights, do not exist (section 24A(1)(b)(ii)) – information about why they do not exist is given below.

Material taken into account

I have taken the following material into account in making my decision:

- the content of the documents that would fall within the scope of your request
- the FOI Act (specifically section 24A(1)(b)(ii))
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act

My reasons for refusing access are given below.

Documents non-existent (s 24A(1)(b)(ii))

Under section 24A(1) of the FOI Act, an agency may refuse a request for access to documents if:

- (a) *all reasonable steps have been taken to find the document; and*
- (b) *the agency or Minister is satisfied that the documents:*
 - (i) *are in the agency's or Minister's possession but cannot be found; or*
 - (ii) *do not exist*

After taking all reasonable steps to find documents within the scope of your request, I am satisfied that the department does not have any documents relating to your request.

Your application refers to the protection of human rights in Australia. Australia is founded on the rule of law and has a strong tradition of respect for the rights and freedoms of every individual. Australia is a party to seven core international human rights treaties, providing an agreed set of human rights standards and establishing mechanisms to monitor the way that a treaty is

implemented. Under Australian law, a treaty only becomes a direct source of individual rights and obligations when it is directly incorporated into domestic law. Human rights are recognised and protected across Australia through a range of laws at the federal and state and territory levels, the Australian Constitution, and the common law. Further information about the ways in which human rights are protected in Australia is available on the Department's website:
<http://www.ag.gov.au/RightsAndProtections/HumanRights/Pages/default.aspx>

Your review rights

If you are dissatisfied with my decision, you may apply for internal review or Information Commissioner review of the decision. We encourage you to seek internal review as a first step as it may provide a more rapid resolution of your concerns.

Internal review

Under section 54 of the FOI Act, you may apply in writing to the Attorney-General's Department for an internal review of my decision. The internal review application must be made within 30 days of the date of this letter, and be lodged in one of the following ways:

email: foi@ag.gov.au
post: Freedom of Information and Privacy Section
 Office of Corporate Counsel,
 Attorney-General's Department,
 3-5 National Circuit
 Barton, ACT 2600

Where possible please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by another officer within 30 days.

Information Commissioner review

Under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

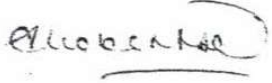
online: <https://forms.business.gov.au/aba/oaic/foi-review/>
email: enquiries@oaic.gov.au
post: GPO Box 2999, Canberra ACT 2601
in person: Level 3, 175 Pitt Street, Sydney NSW

More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to
<http://www.oaic.gov.au/freedom-of-information/foi-reviews>.

Questions about this decision

If you wish to discuss this decision, please contact Siobhan, the Freedom of Information case manager, by phone on (02) 6141 6666 or by email foi@ag.gov.au.

Yours sincerely



Susan Robertson
Assistant Secretary

Freedom of information request FOI 15/220
4 of 4

(Public Document)

Year 1975

Constitution Act, 1975 (Vic) DOES NOT CARRY 'The Royal Assent', from our 'Constitutional Monarch', as this Bill was only ever –

“RESERVED” FOR HER MAJESTY’S PLEASURE,

As the Document was made under the ‘**Queen of Australia**’. This confirms by default the Constitution Act, 1855 (Imp), an Imperial Act passed through the House of Commons is the Stand-alone de-jure Constitution Act in Victoria, and can NEVER be amended or modified, being a Law of Westminster. This Act is ‘Enshrined’.

Year 1974

5-12-1972 to 11-11-1975 - Whitlam Government was ‘sacked’ by the Governor – General, on the basis of the Constitutional Crisis, when the Senate blocked Supply to the Australian Government.

Year 1973

The Commonwealth Constitution was duplicated under the Whitlam Government to create the amended – ‘Australian Constitution’ in 1975, which was never voted upon by the Australian Electors.

Year 1958

Supreme Court Act, 1958 (Vic) did receive ‘The Royal Assent’, and Sections 14 & 15 of this Act directly asserts the jurisdiction of ‘**the Queen’s Bench and the Common Pleas and Exchequer at Westminster**’, this allows Australians to engage the –

‘**B**ill of Rights’, 1688 (Imp) (Our right to Sack a sitting Judge / Justice) and the

‘**A**ct of Settlement’ 1700 (Imp) *(Public Documents)*

Crimes Act, 1958 (Vic) did receive 'The Royal Assent', and was passed in accordance with Constitutional Law, however, The Victoria Police ABN: 63 446 481 493, an incorporated entity, CANNOT RELY UPON THIS ACT, following the Victoria Police vs Sam Marotta case, Case: J11067481, at the Magistrates Court, 27th August, 2019, in which it was proven, the Victoria Police DO NOT STAND under the IMPERIAL CROWN, worn on their corporate Badges, and NO COSTS or COURT ORDERS WERE MADE against the Defendant.

Year 1942

From Chief Justice Latham of the High Court of Australia, 1942: -

“A pretended Law made in excess power is not and never has been a law. Anybody in this country is entitled to disregard it.” (Public Document) This applies to the Andrews Government since 2015.

Year 1922

Imperial Acts Application Act, 1922 (Vic) passes into law under the Constitutional Monarch, King George VI and affirms the Westminster System of Government in Victoria to this day. (Public Document)

This Act is a current Constitutional Act of the Parliament of Victoria. **Section 87, 88, 90, 91 & 92** of this Act is the central most important section of the Act as Relied upon by The Commissioner, Fiona McLeay, Legal Services Board of Victoria, to prosecute individuals purportedly 'Acting like Lawyers' by her reliance and dependence upon Section 87 of this 'Constitutional Act'.

All lawyers since September 5th 2000, under the Attorney – General, Robert Hulls, a member of the Brack's Labor Government, have since been 'Nullified', and every lawyer who unlawfully have passed their State 'Practicing Certificate' since that date to the present, because he, Robert Hulls, unlawfully and illegitimately removed, in stealth, –

The Oath of Allegiance – illegally and unlawfully removed

from the Legal Practices Act, 1996 (Vic), ten months after the AEC National Referendum, in which Victorians voted overwhelmingly in the majority to retain the Constitutional Monarchy, as so eloquently confirmed by Mr. Samuel Porter, the Deputy Secretary and Chief Counsel, the Department of Justice and Community Safety' (see exhibit above).

The Parliament of Queensland destroyed and Nullified its own Parliament, by dissolving and removing the Legislative Council, and breached the Commonwealth Constitution Act, 1901 (Cth), by being the only Commonwealth State to operate without the Upper House or Legislative Council, to this very day.

In the same year, the Parliament of Queensland, removed and dissolved the Legislative Council, without a National or State Vote, as required by section 128, the Constitution of the Commonwealth, 1901 (Cth) rendering the former State of Queensland from that date, down to the **'Territory of Queensland'**, without the Electors of Queensland to be publicly informed, that Queensland is under Administration of a Corporation.

Queensland must, according to Law, be renamed the 'Territory of Queensland', operating without a 'Legislative Council', and for the past ninety – eight (98) years, has only ever been on par with the 'Northern Territory' and the 'Australian Capital Territory', disrupting the balance of the Commonwealth and the balance of the Senate, **which is unlawfully carrying an additional Ten Senators from Queensland** who technically and lawfully, are sitting in Fraud, to the Australian Electors, and this brings into question, the invalidity of the **Bio Security Act, 2015** and every other Bill, which lawfully now become '**Ultra Vires**', due to this fact:-

That the Australian Parliament, formerly the 'Parliament of the Commonwealth of Australia' is continuing to pass Bills with TEN additional Queensland Senators, who must be removed – immediately, to comply with the Commonwealth Constitution Act, 1900 (Cth), technically and lawfully, negates every Federal Law since the following Federal Elections after 1922 because Queensland has been sitting in fraud with 12 senators at the Parliament of Australia since it dissolved it's own Legislative Council.

Year 1901

Commonwealth Constitution, 1900 (Cth), this is the 'Foundation Law' of the 'Commonwealth of Australia', the Federation of the Six States, and this was ratified by the Australian People in the AEC National Referendum on 6th November 1999.

This is further endorsed by the Australian National **BLUE ENSIGN FLAG** which carries the **ENGLISH FLAG** at the top left, which guarantees the Constitution of the Commonwealth and all of the Laws of England, including the 'Bill of Rights', 1688 (Imp).

Year 1855

'**C**onstitution Act', 1855 (Imp) - The Colony of Victoria, which only had the Power to amend, not to create sensitive Legislative Bills, as this task was for the House of Commons, and the House of Lords, UK, until the passing of the –

'**The Constitution Act**', 1900 (Cth) at Section 49,

Privileges etc. of Houses

*"**T**he Powers, privileges, and immunities of the Senate and of the House of Representatives, and of the members and the committees of each House, shall be such as declared by the Parliament, and until declared shall be those of the Commons House of Parliament of the United Kingdom, and of its members and committees, at the establishment of the Commonwealth." (Public Document)*

NO GOVERNOR EXISTS IN THE STATE OF VICTORIA (INC.):

With No lawful appointed Governors of Victoria since 1985, Linda M. Dessau, since her purported Inauguration in July 2015, the Premier of Victoria publicly stated and recorded on video, that he personally "**Recommended**" Linda M. Dessau, as the State's next Governor, to – '**Her Majesty, the Queen**', a legal fiction in Law.

Under a 'Freedom of Information Request', delivered and accepted on 4th June, 2020, no response has been received, and the only reply on the 4th July, 2020, was to seek an 'extension', for further time, to formulate a response, to the allegation that

'No such letter was ever written to 'Her Majesty, the Queen',

and none will be recovered, leading to the allegation that the Victorian Electors have been deceived by Daniel Andrews, which raises breaches of –

Section 83A 'Crimes Act', 1958 (Vic) 'Falsification of Documents as Original'

Maximum Ten years Imprisonment Term (*Public Document*)

Section 86 'Crimes Act', 1958 (Vic) 'Suppression of Documents'

Maximum Ten years Imprisonment Term (*Public Document*)

Section 254 'Crimes Act', 1958 (Vic) 'Destruction of Evidence'

Maximum Ten years Imprisonment Term (*Public Document*)

NOTE: As at the 11th August, 2020, the Office of the Premier and Cabinet, under the above 'Freedom of Information Request', has passed two months without a 'decision', where the Freedom of Information Act, 1982 clearly states the Premiers Office MUST provide a 'decision within thirty (30) – days of receipt of the request.

THE PREMIER'S OFFICE IS DEFAULT OF THIS ESSENTIAL STATE LEGISLATION.

Now, following the public calls, and broadcast by Alan Jones on Sky News, we now call on the 'caretaker' Governor, Linda M. Dessau to assume her responsibility and request the –

'Premier of the 'Treasury Corporation of Victoria' (Inc.) ABN:97 552 308 966

Registered on the 1st November 1999 and the 'State of Victoria (Inc.) ABN: 57 505 521 939,

to 'Resign', or be 'Removed from Office',

and for new State Elections to be held.

Dan Andrews is solely responsible for the return of the virus, after the inexcusable failures of the Hotel Quarantine program which was mishandled and showed the ineptitude of the Andrews Government to manage this simple process, which has been proven by each other State and Territory to control the outbreak.

Dan Andrews is solely responsible for the destruction of the Victorian, and now, following Josh Frydenburg's statements, the unnecessary repercussions across the Australian Economy, because of his lack of leadership and of his Health Minister, who are clearly unfit for this critical time in Victoria's history.

Dan Andrews is only centred upon instructing his incorporated Victoria Police to issue the most extraordinary fines in Australia - starting at \$5,000 for not wearing a mask, when the Public Health and Wellbeing Act, 2008 DOES NOT EXIST AT LAW!

This document will be distributed across Australia by Australians demanding that the source of the destruction of Farming Families, Small Businesses and small and large companies laying off thousands of employees, must fall on the shoulders of -

Dan Andrews, who must be removed and or 'Sacked from Public Office' by caretaker Governor Linda Dessau, who must then resign herself, and the Governor - General of the Commonwealth of Australia, General Sir David Hurley MUST call new elections, for Victorians.

Every political recipient of this document including the leader of the opposition and all politicians now become complicit to the above crimes of the State of Victoria (Inc.).

This document contains years and years of collective research and can all be fact checked.

Copies have and will be distributed to;

- Every Member of each State and Territory and the Federal Parliament.
- The broader media corporations, including foreign media corporations.

Farewell Speech of the Honourable Mr Justice William Frederick Ormiston

On 23 February 2006 William Frederick Ormiston retired as a Justice of Appeal of the Supreme Court of Victoria. In his reply to the addresses from the Solicitor-General, the Chairman of the Bar and the President of the Law Institute, his Honour took the opportunity to lament the bureaucratic inhibitions imposed on the Supreme Court.

His is not the only voice that has recently expressed concern at the subordination of the Supreme Court to the bureaucracy of the public service. The court does not have its “own” staff. All of the staff, it seems, belong to the public service. Even the CEO of the Supreme Court owes a loyalty not only to the Chief Justice but to the Secretary of the Department of Law.

THANK you, Ms Tate, Ms McMillan, Ms Gale, for your very kind expressions of goodwill on my retirement and for your very generous comments about my career, especially on the Bench of this Supreme Court. I have simply tried to do my best and I apologise that in doing so I have taken too long or have been unduly abrupt or crabby with counsel, who no doubt were doing their best with intractable material.

If I have achieved anything, I ascribe it largely to luck. I have had the good fortune to have had a tolerant family, very excellent teachers and invaluable friends and colleagues both at the Bar and on the Bench. I began life as a spoilt only child, but that made it easier, when John Batt said regularly, some 55, 60 or so years ago, that it was time to do our homework, for me to believe that there was no choice, and so I had to do the same. I was lucky at school in that having no sporting talents other than enthusiasm, I found study easier than sport. Having left school I had the great good fortune to be taught at

Melbourne University by teachers such as Professor Zelman Cowen, Professor David Derham, Harry Ford, Dr Norval Morris and Mr Arthur Turner, among others, and then at London University by Professor Gower, a young barrister called Robert Goff, Professor De Smith and Sir Jack Jacob. But then I have also been fortunate enough to have had colleagues who not merely knew and understood much law, but who were genuinely devoted to it. So I shall mention a few friends and colleagues in the law, excluding those who are presently sitting. Of those who went from school to university with me I mention my old friends John Batt and Jim Merralls, both of whose knowledge was and is encyclopaedic. Then, from my university days right through my time at the Bar and ultimately also as colleagues from the outset of the Court of Appeal were my good friends John David Phillips and Clive Tadgell. When I came to the Bar I had the special privilege of reading with Dick Griffith, whose generosity included instilling in me a knowledge and love of

the whole range of legal literature. On the Supreme Court itself, when I first came to the court, I had such good friends as Peter Murphy, Ken Marks and Sam Gray. Again, I had the good fortune to have as my first Chief Justice Sir John Young and, as the first President of the Court of Appeal, Jack Winneke. So you may see that I was truly spoilt in having such close friends and colleagues for whom an understanding of the law was second nature.

Through this all my wife Sarah and my sons, in particular Simon and Charles, had to put up with my comings and goings, my odd hours, a view of the bald patch on the back of my head and a distant lost look at times when I should have been concentrating on them, rather than on some legal problem. I cannot begin to thank them for their tolerance and understanding.

Then I wish to say something in particular about my staff, who likewise have been supportive and understanding and have had to put up with my temperamental outbursts as the frustrations of judging and at those who control the courts



Mr Justice Ormiston.

got under my skin. Tony Tonkin, Terry Bates and Doug Spence, as my associates, have largely borne the brunt, but smiled benignly as I expostulated and ultimately subsided. My tipstaves too, Jock Mann, who had his own eccentricities, especially about getting me my lunch and afternoon tea, certainly no fresh tea, always the tea bag; Trevor Peters, Bruce Ellaway and John Van't Hoff have likewise had to put up with my outbursts and demanding requirements. The same can be said for my secretaries, though at one remove, in particular Gemma Tobschall and Sharon Denton. Finally there is my driver, John Smith, who has likewise looked tolerantly on my ups and downs, but regrettably his loyalty to me and the court for over 20 years will not, it seems, be fairly recognised or rewarded.

Which brings me to the first critical

matter I wish to raise on this, my final opportunity to say something in heat and without fear of repercussion, or at least I hope so. I have always had the highest regard for the court staff, in that I also include of course people such as the Prothonotary and his staff, the Registrar of the Court of Appeal, Philip Cain (and the Registry staff) and the Library staff, especially James Butler who is, I believe, a court librarian *sans pareil* in Australia. But what has concerned me in recent years is an attitude by some to these members of my staff, especially my associates, my tipstaves and my driver, which seems not to recognise the importance of faithful staff in the running of a body such as the Supreme Court. Their role, their experience and their loyalty has provided me, and countless other judges, with that support which has meant that I have been

able to concentrate on the judicial function I was appointed to carry out, that is, of deciding cases. The less I had to be distracted by minor matters such as the payment of bills and the making of appointments and the sitting at the end of phones waiting for the interminable music to stop, the more I have been able to concentrate on reaching the correct decision in each case.

Associates have a special loyalty towards the individual judges who have chosen them to act in that role, as in effect their aides-de-camp, but I have considered

I have always had the highest regard for the court staff, in that I also include of course people such as the Prothonotary and his staff, the Registrar of the Court of Appeal, Philip Cain (and the Registry staff) and the Library staff, especially James Butler who is, I believe, a court librarian *sans pareil* in Australia.

every other one of my staff to have acted in the same way and to have provided support to the judges as a whole, and for that the judges have been and should be duly grateful. Because the associates, tipstaves, secretaries and driver that I have had each worked for me for a number of years, I knew that I could rely on them and that others could rely on them because their loyalty was to this Court. They have not been mere public servants, answerable only to the state of Victoria, and waiting to be deployed from department or business unit to department or business unit as the bureaucracy would dictate, but they have seen their role as supporting the judges and the Court. They have had no ambition to move beyond the Court to take on other roles, to go into practice or to take on other posts in the bureaucracy.

It is therefore distressing to me to have learnt recently how little thanks they are to get when I leave, and how little it is understood that their loyalty is to the Court, not merely to some state polity. Nor do I have much time for the concept of part-time or temporary associates who come and go, loyal no doubt to the judges

who have employed them, but with very little experience of the other judges or of the Court as it functions as a whole, for they move away within one or two years to their appointed callings, either as barristers or solicitors. They may well be, and frequently are, bright, qualified lawyers — some of my best friends have held such offices in the past — and many are very conscientious, but I do not believe that those persons should be engaged or used as surrogate judges to do a judge's research or judgment writing except as a most basic level. I would deprecate strongly the thought of any associate drafting a judgment. That is the task that we judges have been engaged to do and for which we are paid not inconsiderable salaries. It is not a task to be delegated.

The result of recent changes is, I very much regret to say, that the old style associate and tipstaff, without legal training, are being seen as unsuitable to give judges so-called “modern” support. By contrast, the new cadre's lack of experience is already evident, and their knowledge of the law is frequently superficial and not burdened by the kind of experience that a judge should bring to the task. As the old staff are pushed out of the Court and into “redeployment” in the Public Service, if they can tolerate it, so the administration of the Court will deteriorate for want of loyalty and of experience in its day to day running.

Some of you have enquired why I

should wish to leave the court at this time, before I reach my statutory retiring age of 72, and a small group have been kind enough even to suggest and to try to persuade me to stay in office until that time. Now I will acknowledge that I have gained great satisfaction from my time as a judge, whether hearing trials or deciding appeals. In more general terms I have likewise gained much pleasure from studying the law in all its aspects, whether in acquiring, as has been essential, an understanding of the rules of court and of evidence, or in studying, on the other hand, the historical basis of some common law or equitable principle. More especially I have enjoyed the company of my fellow lawyers for 44 years; 22 years at the Bar and 22 years with my colleagues on this Bench. I think it will be a shock next Monday to realise that I shall not be wending my way in, as usual, to my chambers, where, as barrister or judge, there was always somebody who would put up with my chatting about the law or who would merely pass the time of day. I shall miss the collegiate aspect of both institutions, though I may come back to the Essoign Club occasionally for lunch.

I must explain briefly what has persuaded me to go. The truth is, though I have still enjoyed writing judgments, or some of them, that task has at my age become much more burdensome to me. Whatever understanding I felt I had at last gained of some aspect of the law has been

constantly threatened by new legislation or by new case law, including that of my own Court. I have begun to feel that I was desperately climbing up a large sand hill, where the sands keep on sliding away so that I keep treading at the same level, with the pinnacle just as high, but somehow of a constantly changing appearance. For example, I once knew something about the Companies Act, simply and beautifully drafted in 1957, but the modern gargantuan, *The Corporations Act 2001*, defies consistent and intelligent analysis, especially when the section numbers keep chopping and changing.

The next burden, one that has really started to depress me, is the volume of reading required for each appeal. Every night, as many of you know, I have packed away in my bags volumes of appeal books, pages of submissions and lever-arch file after lever-arch file of ever-changing authorities. Moreover, it seems that we are under instructions from on high to read every exhibit and every page of transcript for certain appeals, whether civil or criminal, such that I have been spending more of each weekend than before, and well beyond one o'clock every morning, just to get myself ready for a particular appeal or appeals, so finding it harder and harder to get around to writing the judgments already reserved. So I have just become too slow for the task. The profession and the public rightly have called for prompter and more succinct and practical

JUSTICE Ormiston's complaint comes on the heels of an earlier complaint by Justice Phillips whose farewell speech was published in the Autumn 2005 issue of *Bar News*. Among the statements in that farewell speech was the following:

What is evolving is a perception of the Court as some sort of unit or functionary within the Department of Justice, a perception that is inconsistent with this Court's fundamental role and underlying independence.

The views expressed by Justice Phillips were endorsed on 2 June 2005 by Justice Batt, not a man known for excessive flamboyance or hyperbole. Justice Batt said:

At his farewell less than three months ago, Mr Justice Phillips spoke eloquently about the importance of judicial independ-

ence and the threat of its erosion that has gradually been occurring, particularly by the Supreme Court's being treated as if it were an administrative unit within the Department of Justice. I could not improve upon what he said, but wish to associate myself publicly with his remarks and to say that, even since then, I have noticed what seems to me, though I hope I am wrong, another instance of similar treatment of the Court.

One cannot but ask how a judiciary which does not control its own funding, whose staff is controlled by the executive through the Department of Law and which is categorised as an administrative unit, “Business Unit 19”, can, without constant effort, difficulty and self-sacrifice, properly fulfil its vital role of preventing abuse of government power, of standing between the individual and government and ensuring that we have

government under the law, not law according to government.

The categorisation of the Supreme Court as an administrative unit within the Department of Justice involves a psychological downgrading of the status of the Court. It is at one with the decision some decades ago to replace judges' gold cards with free train tickets.

The Chief Justice, as published in *The Age* of 24 February did say:

The bureaucracy does not tell justices what to do. The Court, as part of our structure of government, is independent. As part of Victoria's constitutional arrangements, the Supreme Court is the third arm of government.

This beautifully spun message does not (as might first appear from the sub-editor's headline “Chief Justice Rejects Interference Claim”) negate or deny

judgments and I cannot keep up with that demand. It is better that I pass the baton on to those who are younger and fitter than I am.

But the third burden, one that I find truly intolerable, is the constant interference by the bureaucracy. I shall not expand on this for I have mentioned one aspect already, and J.D. Philips said all that could be said last year. It is enough to say that, whatever I might have continued to do, constant nagging irritations from the Department (and its representatives within the Court) and its ignorant meddling, though most “plans” have been recycled a number of times in my judicial career, thereby rarely containing little more than superficial window dressing, has become a constant distraction which I can no longer tolerate. I could go on and on, but the fate of Business Unit 19 (as once was the unhappy description of the Court) has left me in despair. So I will feel an enormous burden has been lifted from my shoulders when Friday night arrives.

You may ask what I will do and to that I must confess that I am unsure what other modest talents I have. Certainly nothing that requires eye and hand coordination, but I shall try to adapt new gadgetry and ideas to some interests and pleasures I had when I was young. For example, I can use my new computer to revert to listening to those hardy old series, “Much Binding in the Marsh” and “Take it from Here”, as transmitted on-line from BBC Radio

7. But I shall also try to use it to learn or brush up a language or two. I once had an ambition to be an architect, but I couldn’t draw a circle or even a straight line, and my mathematics suffered accordingly, but I shall still travel the world with architecture handbooks in my luggage, whereby I can combine my interest in both that subject and in history by visiting cathedrals, churches, castles and chantries. Then, if my wife allows me, I can spend more time watching the cricket as I used to, but this time using Foxtel to bring me cricket from, say, South Africa or India. And those books that everybody has spoken about; I have actually removed most of those law books and sold them, not at very great sums, if I might say so, but it is amazing what books I have discovered, bringing them all down from on high to below, all those little books on 18th century poetry and the like, or on music or on art; books that I had forgotten all about. So I am going to get great pleasure just at picking those off the shelves and reading them again, or perhaps for the first time. And I might try a little writing, though I think my reminiscences would be unutterably boring and full, I am afraid yet again, of interminable sentences!

Enough of complaints and my desires in old age. I must finish by saying how important I believe is the administration of justice and this Court’s role in it. In particular the Court of Appeal in practical terms supervises justice at the highest

level in this state and, if it occasionally goes wrong, then so far that has been relatively rare. But the range of cases that are heard are important to the community in every sense. There is hardly any form of civil claim that cannot be considered by the Court, even at times it is confined to legal review of what is resolved in some tribunal. But to my way of thinking the administration of the criminal law, and in particular its proper review by the Court of Appeal is essential to a civilised and just community. What is decided by the court on a day to day basis is critical to the balance between citizen and State, between citizen and citizen and between proper discipline and the reasonable freedom of individuals, so that the rule of law can be maintained in a way which preserves the public’s interest in general. There are many judges who will maintain that respect for the law and who will continue to sit on this Court. I know that they will do their best to ensure for the people of this State that the law is duly administered, without fear or favour, for all affected by it.

Thank you all so very much for coming and allowing me to indulge myself today once again. I am sorry that my reasons have again been so long. I am touched greatly by your generosity and good wishes.

Adjourn the court *sine die*.

the validity of the complaints made by Ormiston JA. Rather it highlights the concern which we should have at any psychological or other pressures inhibiting in any way the independence of the third arm of government.

The response of the Attorney-General (apparently speaking as a member of the executive and not as the first law officer of the Crown) to Justice Ormiston’s complaints reveals the (somewhat alarming) attitude of government. *The Age* quotes the Attorney-General as follows:

Despite Justice Ormiston’s somewhat vague and non-specific comments about a hard-working public service, he has served the judiciary well over a long period of time and is entitled to express his view at his farewell. The government will continue to work with the Courts to ensure they remain relevant in the twenty-first century.

The first sentence can only be categorised as totally inaccurate and as patronising in the extreme. Apparently the Attorney-General does not believe that there is any truth whatsoever in the adage: “He who pays the piper calls the tune.” The second sentence suggests that the Courts are becoming irrelevant and will only remain relevant with the assistance of the executive. This is a worrying suggestion at a time when most lawyers are aware of the increasing need for a stronger and independent judiciary if the rule of law is to survive.

There are three arms of government, executive, legislature and judiciary. In this country, where there are only two significant political parties, both strongly disciplined, the executive (generally) exercises de facto control of the legislature. The judiciary is the only arm of government which is truly independent of the executive. Consequently, it rep-

resents the only restraint on executive action, the only body which can in any way stem the erosion of individual rights by a government concerned to “protect democracy” regardless of the price.

Every bureaucratic or psychological impediment, which makes the role of the judiciary more difficult, strengthens the power of the executive and undermines the rule of law.

A unanimous Bench of three members of the Court of Appeal, first Justice Phillips, then Justice Batt and finally Justice Ormiston, appears to have found that such impediments exist. This is a matter which should alarm thinking members of the legal profession.

It is an issue on which the Bar Council should formally record its concern and one which it should, as a matter of urgency, raise for discussion with the Attorney-General.

Gerard Nash QC