

# **Volume 3 of 7**

## **Exhibits**

**'BWS 61' to 'BWS 73'**

**Pages 541 to 755**

541.

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

20

REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS / 61.

BWS 61

30

produced and shown to

at the time of affirming his affidavit this

15th July 2019

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Before me

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee, 3030



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*Margaret May Campbell*  
Solicitor/Justice of the Peace

*High Court HR 2017  
19 OCTOBER 2017  
BRIAN - CURTIN  
10 Common Law  
GRAND JURY DISMISSAL  
Inclusion of MICHAEL BOWEN  
Gregory GARDNER.*

High Court Judge

542.

# CRIMINAL CHARGE FOR COMMON LAW GRAND JURY

TO THE ACCUSED		M <input type="checkbox"/>	F <input type="checkbox"/>	Date of Birth	/ /
MICHAEL MARJORIA GORDON. 90 High Court of Australia, MELBOURNE VIC.		Registration No.		State	
		INSTRUMENT ID No.		State	

You have been Charged with an offence (2) High Court Judge

### Details of the charges against you

What is the charge?

**COUNT 1**

The Accused in the period from 1<sup>st</sup> January 2004 up to, and inclusive of present time, in the State of Victoria, an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal, from the Electorate (the Voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in place of the Queen and subsequent removal of the Crown without the Statutory Referendums after the enactment of the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act" within the Commonwealth of Australia.

Under what Law?	<input type="checkbox"/> Act	<input type="checkbox"/> Other	Act or Regulation  COMMON LAW	Section or Clause (full Ref) FRAUD
	<input type="checkbox"/> Reg	<input type="checkbox"/> State		
	<input type="checkbox"/> C'wealth			

**COUNT 2**


**MISPRISION OF TREASON (As Above)**

This is a Common Law criminal charge and is reserved for exclusive jurisdiction for Presentment and Indictment for a Common Law Grand Jury sitting at Werribee (Wyndham) in the State of Victoria. The criminal offence of treason and Misprision of Treason can only be Indicted by a Grand Jury. This is Authority Law.

### The Informant

Name: BRID W. SHAW	
Address: 9. BOX 800 WERRIBEE. 3030 VIC	

### Witness "1"

Name: G J DONOHUE	
Address: C/17 MARQUEEN AVE KORUMBURRA VIC	

NOTE: GRAND JURY PROCESS DOES NOT REQUIRE SERVICE. 1/9

Former Senator (WA)

543.

# CRIMINAL CHARGE FOR COMMON LAW GRAND JURY

TO THE ACCUSED		M <input type="checkbox"/>	F <input type="checkbox"/>	Date of Birth	/ /
MR RODNEY CURTTON of MAITLAND LAWYER 10 - 530 K Collins St. MRLD. 3000. VIC		Registration No.		State	
		INSTRUMENT ID No.		State	

You have been Charged with an offence

Details of the charges against you

What is the charge?

**COUNT 1**

The Accused in the period from 1<sup>st</sup> January 2004 up to, and inclusive of present time, in the State of Victoria, an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal, from the Electorate (the Voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in place of the Queen and subsequent removal of the Crown without the Statutory Referendums after the enactment of the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act" within the Commonwealth of Australia.

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	<input type="checkbox"/> Reg	<input type="checkbox"/> State		
	<input type="checkbox"/> C'wealth			

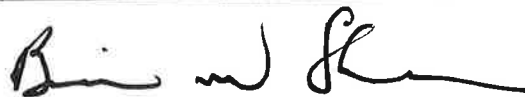
**COUNT 2**

**MISPRISION OF TREASON (As Above)**

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The criminal offence of treason and Misprision of Treason can only be Indicted by a Grand Jury.  
This is Authority Law.

The Informant

Name: **BRIAN W SHAW**  
Address: **Box 800  
WERRIBEE 3000 VIC**



Witness "1"

Name: **G J DONOHUE**  
Address: **C/- 17 MACQUEEN AVE  
KORUMBURRA VIC**



2/9

Note.

The law of Grand Jury Does Not Require Service.



# CRIMINAL CHARGE FOR COMMON LAW GRAND JURY

TO THE ACCUSED		M	F	Date of Birth	/	/
MR JOHN MATLAND, MATLAND LAWYERS 10-530 LT COLINS ST MIRA - 3000 VIC.	<input type="checkbox"/>	<input type="checkbox"/>	Registration No.		State	
			INSTRUMENT ID No.		State	

You have been Charged with an offence

Details of the charges against you


What is the charge?

**COUNT 1**  
 The Accused in the period from 1<sup>st</sup> January 2004 up to, and inclusive of present time, in the State of Victoria, an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal, from the Electorate (the Voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in place of the Queen and subsequent removal of the Crown without the Statutory Referendums after the enactment of the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act" within the Commonwealth of Australia.


Under what Law?	<input type="checkbox"/> Act	<input type="checkbox"/> Other	Act or Regulation	Section or Clause (full Ref)
	<input type="checkbox"/> Reg	<input type="checkbox"/> State	COMMON LAW	FRAUD
	<input type="checkbox"/> C'wealth			

**COUNT 2**  
**MISPRISION OF TREASON (As Above)**  
 This is a Common Law criminal charge and is reserved for exclusive jurisdiction for Presentment and Indictment for a Common Law Grand Jury sitting at Werribee (Wyndham) in the State of Victoria.  
 The criminal offence of treason and Misprision of Treason can only be Indicted by a Grand Jury.  
 This is Authority Law.

The Informant

Name: BRIAN W SHAW	
Address: Box 800 WERRIBEE, 3030 VIC.	

Witness "1"

Name: G J DONOHUE	
Address: C1-17 MAC QUEEN AVE KORUMBURRA VIC	

NOTE

The Law of Grand Jury DOES NOT require Service.

3/9

# CRIMINAL CHARGE FOR COMMON LAW GRAND JURY

TO THE ACCUSED		M <input type="checkbox"/>	F <input type="checkbox"/>	Date of Birth	/ /
MAITLAND LAWYERS 10-530 LE COLLINS ST MELB. 3000. VIC.		Registration No.		State	
		INSTRUMENT ID No.		State	

You have been Charged with an offence

Details of the charges against you

What is the charge?

**COUNT 1**

The Accused in the period from 1<sup>st</sup> January 2004 up to, and inclusive of present time, in the State of Victoria, an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal, from the Electorate (the Voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in place of the Queen and subsequent removal of the Crown without the Statutory Referendums after the enactment of the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act" within the Commonwealth of Australia.


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	<input type="checkbox"/> C'wealth					

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The Informant

Name: BRIAN W SHAW	
Address: 70 BOX 800	
WERRIBEE 3030 VIC.	

Witness "1"

Name: G J DONOHUE	
Address: CT 17 MACQUEEN AVE	
MORUMBURRA VIC	

NOTE

The Law of GRAND JURY DOES NOT REQUIRE SERVICE

7/9

**CRIMINAL CHARGE FOR COMMON LAW GRAND JURY**

<b>TO THE ACCUSED</b>		M <input type="checkbox"/>	F <input type="checkbox"/>	Date of Birth	/ /
MR. G. CORR. % MATHIAS LAWYERS 10-530 LT COLLINS ST. MELB. 3000. VIC.		Registration No.		State	
		INSTRUMENT ID No.		State	

You have been Charged with an offence

Details of the charges against you

What is the charge?

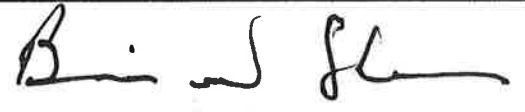
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	<input type="checkbox"/> Reg	<input type="checkbox"/> State		
	<input type="checkbox"/> C'wealth			


<b>COUNT 2</b>	<b>MISPRISION OF TREASON (As Above)</b>
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	This is a Common Law criminal charge and is reserved for exclusive jurisdiction for Presentment and Indictment for a Common Law Grand Jury sitting at Werribee (Wyndham) in the State of Victoria. The criminal offence of treason and Misprision of Treason can only be Indicted by a Grand Jury. This is Authority Law.
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**The Informant**

Name: BRIAN W SHAW	
Address: Box 800 WERRIBEE 3030 VIC	

**Witness "1"**

Name: GJ DONOHUE	
Address: 11-17 MACQUEEN AVE KORUMBURRA	

NOTE.

The law of Grand Jury does not require service.

RARRISER -

547.

# CRIMINAL CHARGE FOR COMMON LAW GRAND JURY

TO THE ACCUSED		M <input type="checkbox"/>	F <input type="checkbox"/>	Date of Birth	/ /
MR BRUCE LEWIS c/o MATHIAS LAWYERS 10-530 HT COLLINS ST MARB. 3000 VIC.		Registration No.		State	
		INSTRUMENT ID No.		State	

You have been Charged with an offence

Details of the charges against you

What is the charge?

**COUNT 1**

The Accused in the period from 1<sup>st</sup> January 2004 up to, and inclusive of present time, in the State of Victoria, an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal, from the Electorate (the Voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in place of the Queen and subsequent removal of the Crown without the Statutory Referendums after the enactment of the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act" within the Commonwealth of Australia.

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**The Informant**

Name: BRIAN W SHAW  
Address: Box 800  
WERRIBEE 3030 VIC.



**Witness "1"**

Name: G J DONOHUE  
Address: C/- 17 MACQUEEN AVE  
KORUMBURRA VIC



NOTE.

6/9

The laws of GRAND JURY Does not require Service.

# CRIMINAL CHARGE FOR COMMON LAW GRAND JURY

TO THE ACCUSED		M <input type="checkbox"/>	F <input type="checkbox"/>	Date of Birth	/ /
MR. PETER GARGAN c/o MANTON LAWYERS 10-530 N Collins St. MELB. 3000 VIC		Registration No.		State	
		INSTRUMENT ID No.		State	

You have been Charged with an offence

Details of the charges against you

What is the charge?


<b>COUNT 1</b>	The Accused in the period from 1 <sup>st</sup> January 2004 up to, and inclusive of present time, in the State of Victoria, an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal, from the Electorate (the Voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in place of the Queen and subsequent removal of the Crown without the Statutory Referendums after the enactment of the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act" within the Commonwealth of Australia.
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**The Informant**

Name: BRIAN W SHAW Address: c/o Box 300 WERRIBEE 3070 VIC	
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**Witness "1"**

Name: G.J. DONOHUE Address: C/- 17 MAC QUEEN AVE KORUMBURRA VIC	
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NOTE.

7/9

The Law of Grand Jury DOES NOT Require Service.

# CRIMINAL CHARGE FOR COMMON LAW GRAND JURY

TO THE ACCUSED		M <input type="checkbox"/>	F <input type="checkbox"/>	Date of Birth	/ /
JARAYA BERIL 40 MAITLAND LAWYERS 10-530 W COLLEGE ST MELB-3000. VIC.		Registration No.		State	
		INSTRUMENT ID No.		State	

You have been Charged with an offence

Details of the charges against you  
What is the charge?


**COUNT 1**  
The Accused in the period from 1<sup>st</sup> January 2004 up to, and inclusive of present time, in the State of Victoria, an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal, from the Electorate (the Voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in place of the Queen and subsequent removal of the Crown without the Statutory Referendums after the enactment of the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act" within the Commonwealth of Australia.

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This is Authority Law.

The Informant

Name: BRIAN W SHAW.	
Address: 40 BOX 800 WERRIBEE 3030 VIC.	

Witness "1"

Name: G.J. DONOHUE	
Address: C1-17 MACQUEEN AVE KORUMBURRA VIC	

NOTE.

9/9.

The Law of Grand Jury does NOT require Service.

Supreme Court Judge (Vic)

551.

# CRIMINAL CHARGE FOR COMMON LAW GRAND JURY

TO THE ACCUSED		M <input type="checkbox"/>	F <input type="checkbox"/>	Date of Birth	/ /
JUSTICE GREGORY GARDR. % SUPREME COURT OF VICTORIA 210 WILLIAM ST MELB. 3000. VIC.		Registration No.		State	
		INSTRUMENT ID No.		State	

You have been Charged with an offence

Details of the charges against you

What is the charge?

**COUNT 1**

The Accused in the period from 1<sup>st</sup> January 2004 up to, and inclusive of present time, in the State of Victoria, an original State within the Commonwealth of Australia, did with deliberate intent conceal and has continued to fraudulently conceal, from the Electorate (the Voters), the unlawful and illegal removal of the statutory Oath of Allegiance to Queen Elizabeth the Second and substitution of the Governor of Western Australia in place of the Queen and subsequent removal of the Crown without the Statutory Referendums after the enactment of the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act" within the Commonwealth of Australia.

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The Informant

Name: G J DONOHUE	<i>G. J. Donohue</i>
Address: 17 MACQUEEN AVE KORUMBURRA VIC	

Witness "1"

Name: BRIAN W. SHAW	<i>Brian W Shaw</i>
Address: % Box 800 WERRIBEE 3030 VIC	

NOTE

The law of Grand Jury does not require service.

# The Criminal Act

542  
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Emanating out of the State of Western Australia, a State within the Commonwealth of Australia

## **Acts Amendment and Repeal (Courts and Legal Practice) Act.**

- Enacted 1 January 2004

### **Supreme Court Act 1935 amended**

#### **Section 130**

- (3) Section 9(1) is amended by deleting “Her Majesty” and inserting instead –

“The Governor”

143,



552  
543.

# GOVERNOR SUBSTITUTES HIMSELF

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## AUSTRALIA ACT 1986 - SECT 7

### Powers and functions of Her Majesty and Governors in respect of States

(1)

Her Majesty's representative in each State shall be the Governor.

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## COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 12

### Issue of writs

The Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate the writs shall be issued within ten days from the proclamation of such dissolution.

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## ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL PRACTICE) ACT 2003 WA (NO. 65 OF 2003) - SECT 130

### 130 . *Supreme Court Act 1935* amended

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —

" the Governor ”.

# CRIMINAL CODE ACT 1995

## Chapter 5 -- The security of the Commonwealth

Part 5.1 -- Treason and urging violence

Division 80 -- Treason and urging violence

553

544.

### 80.1A Definition of *organisation*

In this Division: "*organisation*" means:

(a) a body corporate; or

(b) an unincorporated body;

whether or not the body is based outside Australia, consists of persons who are not Australian citizens, or is part of a larger organisation.

## Subdivision B -- Treason

### 80.1 Treason

(2) A person commits an offence if the person:

- (a) receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or
- (b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**

504

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

20

REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS / 62

"BWS 62"

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produced and shown to

at the time of affirming his affidavit this

15th July 2019

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Before me

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee, 3030



50

Margaret May Campbell  
Solicitor/Justice of the Peace

Affidavit  
of Service

555  
546

## AFFIDAVIT OF SERVICE

RE: BELL/CULLETON LITIGATION  
HIGH COURT AT MELBOURNE

19<sup>th</sup> October 2017

I, Brian William Shaw, C/- PO Box 800, Werribee 3030 in the State of Victoria, Commonwealth of Australia state and affirm the following:

1. The following individuals inclusive of one Law Firm received a copy of Criminal Charges for Common Law Grand Jury for presentment and indictment at Werribee, in good faith, without prejudice:
  - a. Michelle Marjorie Gordon  
High Court Judge, married to Kenneth Hayne
  - b. Rodney Culleton  
Former Senator for West Australia
  - c. John Maitland
  - d. Maitland Lawyers (The Law Firm)
  - e. Barrister G. Corr
  - f. Barrister Bruce Levet
  - g. Peter Gargan
  - h. Darryl O'Brien
  - i. Saraya Beric
  - j. Justice Gregory Garde  
Supreme Court Judge (Victoria)  
President of VCAT
  
2. I state that the law of Grand Jury presentment, to obtain an indictment, does not require service. The accused/defendant is not heard by the Grand Jury, the actual hearing is ex-parte, which is the reason why service is not required.



CARMEL CLEMSON JP  
3/84 HAMILTON STREET  
GISBORNE 3437  
JUSTICE OF THE PEACE FOR VICTORIA  
REG. NO 12356



556  
547.

3. When a true bill is found at the presentment, the indictment is signed, and normal criminal process then occurs, then service activates.
4. I state that it is a criminal offence to file or lodge a false criminal charge or action, but it is also a criminal offence to conceal a criminal offence.

5. **Eight Individuals**

I state that I am the informant relating to eight individuals plus the law firm, with the exception of Gregory Garde.

6. **Justice Gregory Garde**

- a. I state that Mr Gerard Donohue is the informant, I am the witness. This particular individual has been included because of his Judicial conduct at a Supreme Court hearing relating to and involving the South Gippsland by-election in Victoria after the resignation of Peter Ryan, and his position at VCAT.
- b. The South Gippsland electorate without the knowledge revealed in these two criminal counts voted in Mr Daniel O'Brien with a current office at Sale, Victoria.
- c. On appeal to the High Court, two Judges concealed the facts the Supreme Court of Victoria (Garde) had concealed.

7. **High Court (Melbourne)**

I state that on the 19<sup>th</sup> October 2017 I was present in the Court at Melbourne to witness the Bell/Culleton (Both West Australians) litigation matter, no mention was made in relation to the revealed overt act of treason (West Australia).

8. **The High Court Judge**

I state that the presiding Judge was Michelle Marjorie Gordon who is the wife of the former High Court Judge Kenneth Hayne.

9. **Rosemary Musolino**

- a. I state that Rosemary Musolino, Deputy Registrar, Melbourne Registry was present in the courtroom.
- b. I state that during the years 2006-2007, the seven High Court judges at that time were criminally charged and presented to the Magistrates Court at Melbourne.
- c. Rosemary Musolino accepted service of the criminal charges, one of which was Kenneth Hayne, the husband of Michelle Gordon, which amounts to notice and knowledge of the overt act of treason.



JARMEL CLEMSON JP  
3/84 HAMILTON STREET  
GISBORNE 3437  
JUSTICE OF THE PEACE FOR VICTORIA  
REG. NO 12356



557 548

**10. Misprision of Treason (K. Hayne)**

- a. I state that the criminal charge relating to and involving Kenneth Hayne is and remains misprision of treason, and as such in accordance to the law of Grand Jury can only be indicted by Grand Jury, or the purported indictment would be open to challenge.
- b. I state that the criminal charge on Kenneth Hayne, husband of Michelle Gordon is misprision of treason all concerned in the 19<sup>th</sup> October Hearing concealed the overt act of treason and as such activated 'misprision of treason'.

**11. The Lost Votes (2013/2014) – West Australia**

- a. I state that the Australian Electoral Commission did lose votes in the 2013 election (WA), that is, they could not find them.
- b. The AEC petitioned the High Court to void the West Australian Senators election and issue orders for a new election date (2014)
- c. The High Court Judge who heard the petition was Kenneth Hayne who concealed from all concerned the existence of the criminal charge (misprision of treason) presented to the Melbourne Magistrates Court, 29<sup>th</sup> January 2007, after which on the same day a Grand Jury application was lodged into the criminal jurisdiction of the Full Court of the Supreme Court by myself (the informant) where it was immediately concealed but remains pending.

**12. Michelle Gordon (Former Federal Court Judge)**

- a. I state that after the Hearing on the 19<sup>th</sup> October 2017, the Federal Court order, 2011, declaring the Melton Shire Council in Victoria was checked.
- b. Michelle Marjorie Gordon was the Federal Court Judge sitting alone who declared the Melton Shire Council "a new State", omitting all referendum requirements.

**13. The Void Hearing (October 2017)**

- a. I state that the hearing held on the 19<sup>th</sup> October 2017 at the Melbourne High Court was and remains void in law, in addition to the criminal offences that activated.

**14. Shaw/Culleton**

I state that during the afternoon of the 19<sup>th</sup> October 2017 Mr Culleton did sit down with myself and others, during the meeting I did state to Mr Culleton that the criminal charge of misprision of treason would activate. He asked for a week which was agreed upon, but did not do anything during the week except to declare on his website that he had won and gained the cost order of \$40,000, which is and remains false, because the website declaration was after the criminal charges were delivered to the Melbourne Office of Maitland Lawyers.






558

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**15. The Three Witnesses**

- a. I state that on the afternoon of Thursday 26<sup>th</sup> October 2017 the 8 individuals plus the Law Firm received their Grand Jury presentment information at the office of Maitland Lawyers.
- b. The respective documents were received by John Dunn.
- c. I was one of three witnesses with Gerard Donohue and Derek Balogh who attended at the office of Maitland Lawyers.

**16. Brian Shaw – The Vexatious Litigant (Victoria and West Australia)**

- a. I state that it is an indictable offence not to reveal any indictable offence, but after both revealing and discovering serious indictable offences against the people, some with strict liability, rather than “the Crown Authorities” charging the respective offenders inclusive of the police both Federal and State, I did.
- b. Myself and others began to activate private prosecution rights in both Victoria and Western Australia during 2004 and 2006-2007. The private prosecution issues were concealed by the criminal activation of vexatious process.
- c. In Western Australia the Vexatious Writ was issued by:
  - i. Mr James McGinty (Attorney-General)
  - ii. Mr Damian Bugg (2004) (Commonwealth DPP)
- d. In Victoria by:
  - i. Mr R Hulls (2007) (Attorney-General)

**17. Justice Hansen | Dodds-Streeton and Nettle  
Extreme Judicial Corruption.**

- a. On the 15<sup>th</sup> December 2006, I had 28 defendants by private prosecution charged (filed and served) before Chief Magistrate Ian Gray, who stated in open Court (Court Room 1) – Melbourne Magistrates Court:  
**“You will not be relying on the Constitution in my Court.”**
- b. The Judicial conduct by both Damian Bugg (DPP) and Ian Gray (Chief Magistrate) revealed the extreme judicial corruption.
- c. By the 29<sup>th</sup> January 2007 Mr Ian Gray was one of 12 defendants presented inclusive of Julia Gillard and five High Court Judges inclusive of Mr Hulls (Victorian Attorney-General) and Kenneth Hayne (High Court).



CARMEL CLEMSON JP  
3/84 HAMILTON STREET  
GISBORNE 3437  
JUSTICE OF THE PEACE FOR VICTORIA  
REG. NO 12356



559  
5/50

**18. The Vexatious Application: Mr Hulls (Attorney General, Victoria)**

- a. I state that in the period between 15<sup>th</sup> December 2006 and 29<sup>th</sup> January 2007 Mr Hulls instigated vexatious proceedings against myself. IN an attempt to pervert the course of justice, The Victorian Government solicitor Natalie Block filed two large Affidavits into the matter, concealed all facts (no affidavit) relating to and involving 29<sup>th</sup> January 2007.
- b. Justice Hansen (Supreme Court)  
This particular man declared myself a vexatious litigant (May 2007) but concealed all the indictable offences discovered.

**19. The Appeal - Dodds-Streeton and Geoffrey Nettle (March 2008)**

- a. I did my own appeal and immediately challenged Dodds-Streeton because I knew that she had pending Grand Jury applications lodged at the Court by the Walters from Wodonga, Victoria.
- b. The challenge automatically implicated Justice Nettle in the concealment.
- c. 100 Affidavits were filed and served, but the contents were ignored and concealed by both Judges (March 2008).
- d. Ten individuals sitting in the body of the Court prepared and lodged Grand Jury applications where they remain concealed.

**20. Shaw v ANZ Trustees – Supreme Court Victoria**

- a. I state that the concealed Grand Jury applications were both filed and served into this matter, but ignored and concealed by the ANZ bank and respective trustees and executors. The presiding Judge (Habersberger) and lawyers of the bank (ANZ).

**21. The Reward for The Concealment**

- a. Both Judges gained promotion; Dodds-Streeton to the Federal Court, Geoffrey Nettle to the High Court.
- b. High Court Judge Geoffrey Nettle has actual and Constructive knowledge concerning the removal of Her Majesty Queen Elizabeth and was one of the five judges who heard the Culleton disqualification referred to the Court by George Brandis.

**22. The Real Issue**

I state that the real issue involves the converting and trading of Australian Birth Certificates via Fidelity Investments at Boston, the same corporate entity that controls the High Court (and other Courts) Super Funds.



CARMEL CLEMSON JP  
3/84 HAMILTON STREET  
GISBORNE 3437  
JUSTICE OF THE PEACE FOR VICTORIA  
REG. NO 12356





560  
3/11

**23. The Impossible Democracy**

I state that it is impossible to have a democracy when all of the inhabitants of such democracy (Australia) have been sold/traded to a foreign power without their knowledge or consent. Such trade is a continual process using 21 Stock Exchanges throughout the world.

**24. The Exhibits**

**Exhibit 1:**

The Charge Sheets for the criminal charges for Common Law Grand Jury to sit at Werribee, Victoria are exhibited/attached to this Affidavit (The Maitland Documents).

**Exhibit is marked "The Maitland Documents".**

**Exhibit 2:**

In the Supreme Court of Victoria matter number S APCY 2013 0043 Shaw v ANZ Trustees and Executors by affidavit affirmed 12<sup>th</sup> June 2013. The Grand Jury application to the Full Court (criminal jurisdiction of the Victorian Supreme Court) relating to and involving Justice Geoffrey Nettle (Former Supreme Court judge promoted to High Court). Concerning the criminal concealment of all lodged Grand Jury applications inclusive of Justice Dodds-Streeton, Julia Gillard, Mr R. Hulls and others, inclusive of Kenneth Hayne, comprised some of the 100 affidavits both filed and served into the appeal matter heard during March 2008.


**Exhibit is marked: "ANZ Bank Justice Nettle and Wayne Glew, The Grand Jury Application dated 17<sup>th</sup> March 2008".**

**25. The Two Counts Are:**


**Count 1:** Common Law Fraud or Electoral Fraud

**Count 2:** Misprision of Treason

26. All concealed by all concerned at the hearing held at Court 1, High Court of Australia on the 19<sup>th</sup> October 2017 and as such Common Law Grand Jury presentments now activate.

AFFIRMED BY:   
Brian William Shaw

AT: *GISBORNE* DATE: *10 November 2017*

WITNESSED BY: 

CARMEL CLEMSON JP  
3/84 HAMILTON STREET  
GISBORNE 3437  
JUSTICE OF THE PEACE FOR VICTORIA  
REG. NO 12356

561  
552.

# GOVERNOR SUBSTITUTES HIMSELF

---

## AUSTRALIA ACT 1986 - SECT 7

### Powers and functions of Her Majesty and Governors in respect of States

(1)

Her Majesty's representative in each State shall be the Governor.

---

## COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 12

### Issue of writs

The Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate the writs shall be issued within ten days from the proclamation of such dissolution.

---

## ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL PRACTICE) ACT 2003 WA (NO. 65 OF 2003) - SECT 130

130 . *Supreme Court Act 1935* amended

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —

" the Governor ".

*A The WEST AUSTRALIAN CRIMINAL ACT DESTROYS  
" The SENATE WRIT " 2004, 2007, 2010,  
2013, 2013, 2016,  
— 2019 —*

# CRIMINAL CODE ACT 1995

## Chapter 5 -- The security of the Commonwealth

### Part 5.1 -- Treason and urging violence

#### Division 80 -- Treason and urging violence

553

#### 80.1A Definition of *organisation*

In this Division: "*organisation*" means:

- (a) a body corporate; or
- (b) an unincorporated body;
  - whether or not the body is based outside Australia, consists of persons who are not Australian citizens, or is part of a larger organisation.

#### Subdivision B -- Treason

#### 80.1 Treason

- (2) A person commits an offence if the person:
  - (a) receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or
  - (b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**

563

~~554~~

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

20

REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS /...63...

'BWS 63'

30

produced and shown to

at the time of affirming his affidavit this

15th July 2019

40

Before me

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee, 3030



50

*Margaret May Campbell*  
Solicitor/Justice of the Peace

12 DRAFTS  
MURPHY 4/16/19  
inclusion of  
Five H164 Court Reports  
GROSS +  
DANIEL BULLOCK

# Charge and Summons

(Bring this with you to Court)

555 4 564  
VP Form 402  
1/12  
Polician

## TO THE DEFENDANT

Ms Julia Gillard MP  
Shop 2, 36 Synnot Street  
Werribee Vic 3030

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /	
Registration No		State		
Licence No		State		

**You have been Charged with an offence against the Law**  
Read both pages to see what you must do

## Details of the charges against you

What is the charge? **1** On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with "the Commonwealth", did enact an overt Act, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA".

By such enactment an Act of Treason was committed.

Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date

Under what Law?  State  Act  Other-specify  C'wealth  Reg

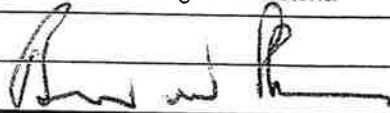
Act or Regulation No. **Common Law** Section or Clause (Full Ref) **Misprison of Treason**

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges?  No  Yes -see "Continuation of charges" attached

Informant **Brian W Shaw**

Agency and Address **280 Leakes Road Truganina Victoria**

Informant Signature  Phone No. **09 93941116**

Date

## Where will the case be heard


Where you must go **The \*Magistrates' / Childrens' Court of Victoria at Melbourne**

Address **233 William Sreet Melbourne Victoria**

When Time **10am** Day **29th** Month **January** Year **2007**

## Details about this summons

Issued at **MELBOURNE** Date **18 DEC 2005**

Issued by Signature   Registrar  Magistrate  Other

Charge filed at **MELBOURNE** Date **18 DEC 2005**

MISPRISON of TREASON Gillard

Magistrates Court General Regulations 170/1990 Form 7  
**Charge and Summons**

(Bring this with you to Court)

556- 3 565  
 VP Form 402  
 ATK - GRN 2/12.

**TO THE DEFENDANT**  
 Mr Rob Hulls  
 Attorney General Victoria  
 Level 25, 121 Exhibition Street  
 Melbourne Victoria

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /
Registration No 21/12/06 7908		State CASHIER.01	
Licence No		State	

SUMMONS SINGLE #38.71

You have been Charged with an offence against the Law  
 Read both pages to see what you must do

**Details of the charges against you**

What is the charge? **1** The defendant on 28th November 2006 at Melbourne Victoria in unlawful agreement with the Prothonotary of the Supreme Court of Victoria, Mr J Saltamaccia (The Prothonotary) plus the State of Victoria (The State), a State formed at and by Federation (The Federation Agreement) plus John Cain, Natalie Blok and Stephen Lee (Victorian Government Solicitors), have all agreed together to attempt to illegally use Commonwealth and State Judicial process "To Conceal", the primary Act of Treason created by the Overt Act, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA", involving "The Commonwealth", such Commonwealth includes the State of Victoria, in addition to the State of Western Australia involved in a plot to unlawfully attack the Constitution, a Law of the United Kingdom involving both Houses of the United Kingdom, the House of Commons and House of Lords

Under what Law?  State  Act  Other-specify  C'wealth  Reg

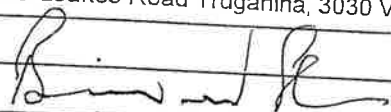
Act or Regulation No. Common Law Section or Clause (Full Ref) Misprison of Treason

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges?  No  Yes -see "Continuation of charges" attached

Informant Brian W Shaw


Agency and Address 280 Leakes Road Truganina, 3030 Victoria

Informant Signature  Phone No. 0393941116  
 Date

**Where will the case be heard**

Where you must go The \*Magistrates' / Childrens' Court of Victoria at Melbourne  
 Address 233 William Sreet Melbourne Victoria  
 When Time 10-00 AM Day 29 Month January Year 2007

**Details about this summons**

Issued at MELBOURNE  
 Issued by Signature  Date 22 DEC 2006  
 Charge filed at MELBOURNE Date 22 DEC 2006

MISPRISON OF TREASON Hulls.

*FORWARD* *557* VP Form 202 *566*  
*CHIEF*  
*MAGISTRATE* *3/12.*

# Charge and Summons

(Bring this with you to Court)

## TO THE DEFENDANT

Mr Ian Leslie Gray  
 Chief Magistrate  
 Magistrates Court of Victoria  
 233 William Street  
 Melbourne Victoria

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /	
Registration No			State	
Licence No			State	

You have been Charged with an offence against the Law  
 Read both pages to see what you must do

## Details of the charges against you

What is the charge?  1 The Defendant did at Melbourne Magistrate Court in the State of Victoria on the 15th December 2006, did unlawfully agree with the Commonwealth Director of Public Prosecutions, Mr Damian Bugg, and the Director of Public Prosecutions Victoria Mr Paul Coghlan to conceal the serious indictable offence of Treason by failing to prosecute the offence or hold the offenders to bail in accordance with Rule of Law. The offence of Treason was created by the Overt Act of Treason, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA", [Part 5 & 8 of such Act] such amendments to such Act were agreed to by the State of Western Australia and "the Commonwealth" without lawful involvement nor consent of the Electorate in accordance with Section 73(2) of the Western Australian Constitution Act in addition to Section 128 of the Commonwealth Constitution Act 1900, such Act being the Superior Act in Australia encompassing a Law of the United Kingdom involving both Houses of the United Kingdom, the House of Commons And House of Lords

Under what Law?  State  Act  Other-specify  Commonwealth  Reg  
 Act or Regulation No. **Common Law** Section or Clause (Full Ref) **Misprison of Treason**

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges?  No  Yes -see "Continuation of charges" attached

Informant **BRIAN SHAW**  
 Agency and Address **280 LAKES ROAD**  
 Informant Signature **TRUBANINA** Phone No. **9394116**  
 Date

## Where will the case be heard

Where you must go **The \*Magistrates' / Childrens' Court of Victoria at Melbourne**  
 Address **233 William Sreet Melbourne Victoria**  
 Phone No.  
 When Time **10.00 am** Day **29** Month **JANUARY** Year **2007**

## Details about this summons

Issued at **MELBOURNE** Date **20 11 2006**  
 Issued by Signature **[Signature]** **Magistrate**  Registrar  Magistrate  Other

Charge filed at **MELBOURNE** Date **20 11 2006**

*MISPRISON of TREASON*

*'Gray'*



# Charge and Summons

(Bring this with you to Court)

1 <sup>567</sup>  
VP Form 402

*Bubb.*

*9/12.*

**TO THE DEFENDANT**  
 Damian John Bugg  
 Director Public Prosecutions Commonwealth  
 4 Marcus Clarke Street  
 Canberra ACT 2601

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /	
Registration No			State	
Licence No			State	

You have been Charged with an offence against the Law  
 Read both pages to see what you must do

**Details of the charges against you**

What is the charge? **1** The Defendant did at Melbourne Magistrate Court in the State of Victoria on the 15th December 2006, did unlawfully agree with the Chief Magistrate of the Magistrates Court of Victoria, Mr Ian Gray, and the Director of Public Prosecutions Victoria Mr Paul Coghlan to conceal the serious indictable offence of Treason by failing to prosecute the offence or hold the offenders to bail in accordance with Rule of Law. The offence of Treason was created by the Overt Act of Treason, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA", [Part 5 & 8 of such Act] such amendments to such Act were agreed to by the State of Western Australia and "the Commonwealth" without lawful involvement nor consent of the Electorate in accordance with Section 73(2) of the Western Australian Constitution Act in addition to Section 128 of the Commonwealth Constitution Act 1900, such Act being the Superior Act in Australia encompassing a Law of the United Kingdom involving both Houses of the United Kingdom, the House of Commons And House of Lords

Under what Law?  State  Act  Other-specify  C'wealth  Reg  
 Act or Regulation No. Section or Clause (Full Ref)  
 Common Law Misprison of Treason

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges?  No  Yes -see "Continuation of charges" attached

Informant *Brian Shaw*  
 Agency and Address *280 Lakes Road*  
*TRUBANINA vic*  
 Informant Signature *Brian Shaw* Phone No. *9394116*  
 Date

**Where will the case be heard**

Where you must go The \*Magistrates' / Childrens' Court of Victoria at Melbourne  
 Address 233 William Sreet Melbourne Victoria  
 Phone No.  
 When Time *10:00AM* Day *29th* Month *January* Year *2007*

**Details about this summons**

Issued at MELBOURNE Date *20 DEC 2006*  
 Issued by Signature *[Signature]*  Registrar  Magistrate  Other  
 Charge filed at MELBOURNE Date *20 DEC 2006*

*'Misprison of Treason'*

*'Bubb'*

*[Signature]*



Magistrates Court General Regulations 170/1990 Form 7  
**Charge and Summons**

VP Form 402

~~559~~ 56P

Coghlan 5/12

(Bring this with you to Court)

**TO THE DEFENDANT**

Mr Paul Coghlan  
 Director of Public Prosecutions Victoria  
 565 Lonsdale Street  
 Melbourne Victoria

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /	
Registration No		State		
Licence No		State		

You have been Charged with an offence against the Law  
 Read both pages to see what you must do

**Details of the charges against you**

What is the charge? **1** The Defendant did at Melbourne Magistrate Court in the State of Victoria on the 15th December 2006, did unlawfully agree with the Chief Magistrate of the Magistrates Court of Victoria, Mr Ian Gray, and the Commonwealth Director of Public Prosecutions, Mr Damian Bugg to conceal the serious indictable offence of Treason by failing to prosecute the offence or hold the offenders to bail in accordance with Rule of Law. The offence of Treason was created by the Overt Act of Treason, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA", [Part 5 & 8 of such Act] such amendments to such Act were agreed to by the State of Western Australia and "the Commonwealth" without lawful involvement nor consent of the Electorate in accordance with Section 73(2) of the Western Australian Constitution Act in addition to Section 128 of the Commonwealth Constitution Act 1900, such Act being the Superior Act in Australia encompassing a Law of the United Kingdom involving both Houses of the United Kingdom, the House of Commons And House of Lords

Under what Law?  State  Act  Other-specify  C'wealth  Reg  Act or Regulation No.  Common Law  Section or Clause (Full Ref) **Misprison of Treason**

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges?  No  Yes -see "Continuation of charges" attached

Informant **Brian Shaw**  
 Agency and Address **280 Leakes Road**  
 Informant Signature **[Signature]** Phone No. **9394116**  
 Date

**Where will the case be heard**

Where you must go **The \*Magistrates' / Childrens' Court of Victoria at Melbourne**  
 Address **233 William Sreet Melbourne Victoria**  
 When Time **10.00am** Day **29th** Month **January** Year **2007**

**Details about this summons**

Issued at **MELBOURNE** Date **20 DEC 2006**  
 Issued by Signature **[Signature]**  Registrar  Magistrate  Other  
 Charge filed at **MELBOURNE** Date **20 DEC 2006**

' MISPRISON of TREASON ' ' COGHLAN '

Magistrates Court General Regulations 170/1990 Form 7  
**Charge and Summons**

VP Form 402

(Bring this with you to Court)

~~559~~ 569

MACLEOD  
 WARRIREE 6/12

**TO THE DEFENDANT**  
 Malcolm Macleod  
 Southwest Christian Church  
 147/155 Hogans Road  
 Hoppers Crossing, Victoria

You have been Charged with an offence against the Law  
 Read both pages to see what you must do

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /
Registration No		State	
Licence No		State	

**Details of the charges against you**

What is the charge ? **1** The Defendant since January 1 2004, up to and inclusive of this present date has concealed the offence of treason, such treason was and remains committed by the Commonwealth in agreement with the State of Western Australia. By the Act titled 'Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 (WA) [The overt Act].

MISPRISON of TREASON

Under what Law ?  State  Act  Other-specify  
 C'wealth  Reg

Act or Regulation No. Section or Clause (Full Ref)  
 Common Law Misprision of Treason

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges ?  No  Yes -see "Continuation of charges" attached

Informant Brian W Shaw

Agency and Address 280 Leakes Road

Truganina, 3030 Victoria

Informant Signature

Phone No. 0393941116

Date 22/12/2006

**Where will the case be heard**

Where you must go The \*Magistrates' / Childrens' Court of Victoria at Melbourne

Address 233 William Sreet Melbourne Victoria

When Time 10:00 Day 29 Month JANUARY Year 2007

**Details about this summons**

Issued at MELBOURNE

Date 22 DEC 2006

Issued by Signature

JOHN BENNETT  
 DEPUTY REGISTRAR OF THE  
 MAGISTRATES COURT OF VICTORIA

Registrar  Magistrate  Other

Charge filed at MELBOURNE

Date 22 DEC 2006

MACLEOD



# Charge and Summons

(Bring this with you to Court)

560. 6 570

*Bower  
ANGLICAN  
CHURCH*

*7/12*

**TO THE DEFENDANT**

Max Bower  
C/O Anglican Church  
117 Synnott Street  
Werribee 3030 Victoria

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /
Registration No		State	
Licence No		State	

**You have been Charged with an offence against the Law  
Read both pages to see what you must do**

**Details of the charges against you**

What is the charge?  1 The Defendant since January 1 2004, up to and inclusive of this present date has concealed the offence of treason, such treason was and remains committed by the Commonwealth in agreement with the State of Western Australia. By the Act titled 'Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 (WA) [The overt Act].

*Misprision of Treason*

Under what Law?  State  Act  Other-specify  C'wealth  Reg **Act or Regulation No. Common Law** **Section or Clause (Full Ref) Misprision of Treason**

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges?  No  Yes -see "Continuation of charges" attached

Informant Brian W Shaw

Agency and Address 280 Leakes Road  
Truganina, 3030 Victoria

Informant Signature *[Signature]* Phone No. 0393941116  
Date 22/12/2006

**Where will the case be heard**

Where you must go The \*Magistrates' / Childrens' Court of Victoria at Melbourne

Address 233 William Sreet Melbourne Victoria

When Time *10-00* Day *29* Month *JANUARY* Year *2007*

**Details about this summons**

Issued at MELBOURNE Date 22 DEC 2006

Issued by Signature *[Signature]* JOHN BENNETT DEPUTY REGISTRAR OF THE MAGISTRATES COURT OF VICTORIA  Registrar  Magistrate  Other

Charge filed at MELBOURNE Date 22 DEC 2006

*Bower*

# Charge and Summons

(Bring this with you to Court)

*Chardon*  
*High Court*  
*8/12.*

**TO THE DEFENDANT**

Justice Anthony Murray Gleeson  
C/o High Court Registry Melbourne  
Cnr LaTrobe & Williams Street  
Melbourne Victoria 3000

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /
Registration No		State	
Licence No		State	

**You have been Charged with an offence against the Law  
Read both pages to see what you must do**

**Details of the charges against you**

What is the charge? **1** On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with "the Commonwealth", did enact an overt Act, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA".

By such enactment an Act of Treason was committed.

Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date

Under what Law?  State  Act  Other-specify **Act or Regulation No. Common Law** **Section or Clause (Full Ref) Misprison of Treason**

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges?  No  Yes -see "Continuation of charges" attached

Informant: Brian W Shaw  
Agency and Address: 280 Leakes Road Truganina Victoria  
Phone No. 09 93941116  
Informant Signature: *[Signature]* Date:

**Where will the case be heard**

Where you must go: The \*Magistrates' / Childrens' Court of Victoria at Melbourne  
Address: 233 William Sreet Melbourne Victoria  
When: Time *10am* Day *3rd* Month *February* Year *2007*

**Details about this summons**

Issued at: MELBOURNE Date: *15 DEC 2005*  
Issued by Signature: *[Signature]*  Registrar  Magistrate  Other

Charge filed at: MELBOURNE Date: *15 DEC 2005*

*MISPRISON of TREASON*

*Chardon*

**Charge and Summons**

(Bring this with you to Court)

**TO THE DEFENDANT**

Justice William Montague Charles Gummow  
C/o High Court Registry Melbourne  
Cnr LaTrobe & Williams Street  
Melbourne Victoria 3000

□

You have been Charged with an offence against the Law  
Read both pages to see what you must do

M	F	Co
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of Birth

/ /

Registration No

State

Licence No

State

**Details of the charges against you**

What is the charge? **1** On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with "the Commonwealth", did enact an overt Act, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA".

By such enactment an Act of Treason was committed.

Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date

Under what Law?  State  Act  Other-specify  C'wealth  Reg

Act or Regulation No. **Common Law** Section or Clause (Full Ref) **Misprison of Treason**

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges?  No  Yes -see "Continuation of charges" attached

Informant **Brian W Shaw**Agency and Address **280 Leakes Road Truganina Victoria**Phone No. **09 93941116**

Informant Signature

Date

**Where will the case be heard**Where you must go **The "Magistrates' / Childrens' Court of Victoria at Melbourne**Address **233 William Sreet Melbourne Victoria**

Phone No.

When

Time **10am**Day **31**Month **January**Year **2007****Details about this summons**Issued at **MELBOURNE**Date **15 - 2007**

Issued by Signature

 Registrar  Magistrate  OtherCharge filed at **MELBOURNE**Date **18****' MISPRISON OF TREASON '****' Gummow '**

# Charge and Summons

(Bring this with you to Court)

*Heydon J.P.S.*  
*Heydon - 10/12.*

## TO THE DEFENDANT

Justice John Dyson Heydon  
C/o High Court Registry Melbourne  
Cnr LaTrobe & Williams Street  
Melbourne Victoria 3000  
□

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /	
Registration No			State	
Licence No			State	

**You have been Charged with an offence against the Law**  
**Read both pages to see what you must do**

## Details of the charges against you

What is the charge? **1** On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with "the Commonwealth", did enact an overt Act, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA".

By such enactment an Act of Treason was committed.

Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date

Under what Law?  State  Act  Other-specify **Act or Regulation No. Common Law** **Section or Clause (Full Ref) Misprison of Treason**  
 C'wealth  Reg

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges?  No  Yes -see "Continuation of charges" attached

Informant Brian W Shaw  
Agency and Address 280 Leakes Road Truganina Victoria  
Phone No. 09 93941116  
Informant Signature *[Signature]* Date

## Where will the case be heard

Where you must go The \*Magistrates' / Childrens' Court of Victoria at Melbourne  
Address 233 William Sreet Melbourne Victoria  
When Time *10am* Day *29th* Month *January* Year *2007*  
Phone No.

## Details about this summons

Issued at MELBOURNE Date *18 FEB 2007*  
Issued by Signature *[Signature]*  Registrar  Magistrate  Other  
Charge filed at MELBOURNE Date *18 FEB 2007*

*'MISPRISON of TREASON' 'Heydon'*

# Charge and Summons

(Bring this with you to Court)

*Hayne* <sup>574</sup> *11/12*

## TO THE DEFENDANT

Justice Kenneth Madison Hayne  
 C/o High Court Registry Melbourne  
 Cnr LaTrobe & Williams Street  
 Melbourne Victoria 3000

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /
Registration No		State	
Licence No		State	

**You have been Charged with an offence against the Law**  
 Read both pages to see what you must do

## Details of the charges against you

What is the charge? **1** On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with "the Commonwealth", did enact an overt Act, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA".

By such enactment an Act of Treason was committed.

Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date

Under what Law?  State  Act  Other-specify  C'wealth  Reg

Act or Regulation No. **Common Law** Section or Clause (Full Ref) **Misprison of Treason**

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges?  No  Yes -see "Continuation of charges" attached

*Did not Present To Court*

Informant **Brian W Shaw**

Agency and Address **280 Leakes Road Truganina Victoria**

Phone No. **09 93941116**

Informant Signature *[Signature]* Date

## Where will the case be heard

Where you must go **The "Magistrates' / Childrens' Court of Victoria at Melbourne**

Address **233 William Sreet Melbourne Victoria**

When Time **10am** Day **29<sup>th</sup>** Month **January** Year **2007**

## Details about this summons

Issued at **MELBOURNE** Date **29 JAN 2007**

Issued by Signature *[Signature]*  Registrar  Magistrate  Other

Charge filed at **MELBOURNE** Date

*' MISPRISON of TREASON ' ' HAYNE '*

# Charge and Summons

(Bring this with you to Court)

*575*  
*Crennan*  
*High Court*  
*12/12.*

**TO THE DEFENDANT**

Justice Susan Maree Crennan  
 C/o High Court Registry Melbourne  
 Cnr LaTrobe & Williams Street  
 Melbourne Victoria 3000

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /	
Registration No			State	
Licence No			State	

You have been Charged with an offence against the Law  
 Read both pages to see what you must do

**Details of the charges against you**

What is the charge? **1** On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with "the Commonwealth", did enact an overt Act, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA".

By such enactment an Act of Treason was committed.

Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date

Under what Law?  State  Act  Other-specify **Act or Regulation No. Common Law** **Section or Clause (Full Ref) Misprison of Treason**

C'wealth  Reg

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges?  No  Yes -see "Continuation of charges" attached

Informant Brian W Shaw

Agency and Address 280 Leakes Road Truganina Victoria

Informant Signature *[Signature]* Phone No. 09 93941116

Date

**Where will the case be heard**

Where you must go The \*Magistrates' / Childrens' Court of Victoria at Melbourne

Address 233 William Sreet Melbourne Victoria

When Time *10am* Day *31<sup>st</sup>* Month *January* Year *2007*

**Details about this summons**

Issued at MELBOURNE Date *18 FEB 2007*

Issued by Signature *[Signature]*  Registrar  Magistrate  Other

Charge filed at MELBOURNE Date *18 FEB 2007*

*MISPRISON OF TREASON CRENAN*



# GOVERNOR SUBSTITUTES HIMSELF

## AUSTRALIA ACT 1986 - SECT 7

### Powers and functions of Her Majesty and Governors in respect of States

(1)

Her Majesty's representative in each State shall be the Governor.

## COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 12

### Issue of writs

The Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate the writs shall be issued within ten days from the proclamation of such dissolution.

## ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL PRACTICE) ACT 2003 WA (NO. 65 OF 2003) - SECT 130

### 130. *Supreme Court Act 1935* amended

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —

"the Governor".

All High Court Judges and various High Court cases this

# CRIMINAL CODE ACT 1995

## Chapter 5 -- The security of the Commonwealth

Part 5.1 -- Treason and urging violence

Division 80 -- Treason and urging violence

567.

### 80.1A Definition of *organisation*

In this Division: "*organisation*" means:

(a) a body corporate; or

(b) an unincorporated body;

whether or not the body is based outside Australia, consists of persons who are not Australian citizens, or is part of a larger organisation.

### Subdivision B -- Treason

#### 80.1 Treason

(2) A person commits an offence if the person:

- (a) receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or
- (b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**

The offence is Penalties

578  
568.

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

20

REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS / 64

'BWS 64'

30

produced and shown to

at the time of affirming his affidavit this

15th June 2019

40

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee, 3030



Before me

50

*Margaret May Campbell*  
Solicitor/Justice of the Peace

*Former Hwy Const  
Judge Michael Kirby  
Barry Tressy  
Longman  
22 October 2004  
(Concerned)*

IN THE SUPREME COURT OF VICTORIA  
FULL COURT; CRIMINAL JURISDICTION

579  
569.  
No: of 2006

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

~~INFORMANT~~ ↔ Brian William Shaw

APPLICATION

TAKE NOTICE that the Full Court of the Supreme Court will be moved on the Day of 2006 at am by the Applicant for the following Orders pursuant to Section 354 of the Crimes Act 1958, the Applicant has disclosed

Indictable offence/offences against: **Justice Michael Donald Kirby**

And that a Court has declined or refused to commit the alleged offender, namely: **Justice Michael Donald Kirby - HIGH COURT (Judge 2006)**

1. ~~The Sheriff~~ is ordered to summons a Grand Jury to appear at a Court to be holden at a time and place determined by the Court in accordance with the provision of Section 354 of the Crimes Act 1958 (Vic) to attend at such Court at that time and place to inquire present

580

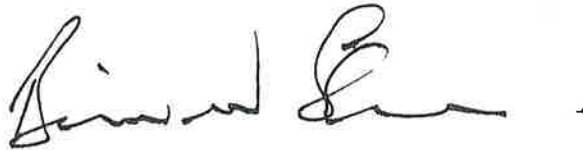
~~570~~

do and execute all things which on the part of the Queen shall then and there be commanded of them.

2. Such further or other orders that may be just and necessary.

DATED the 23<sup>rd</sup> day of October, 2006

This Application is filed by



Brian W Shaw  
280 Leakes Road,  
Truganina, 3030 Victoria

23 October 2006

SPI  
57

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by  
Brian William Shaw

AFFIDAVIT IN SUPPORT

---

Date of Document: 22 OCTOBER 2006  
Filed on behalf of: The Applicant  
Prepared by: Brian William Shaw

---

I, Brian William Shaw, Farmer, of 280 Leakes Road, Truganina, 3030 of the State of Victoria do state and affirm the following:

1. That on 3<sup>rd</sup> August 2006, the defendant (Justice Kirby) did hear a Civil matter ,  
“Shaw v Fragapane” [6890/1999 (Vic) and M134/2006 High Court] sitting with  
Justice Callinan (Application for Special Leave to Appeal)  
**(Exhibit Marked “MDK1”)**
2. The Civil matter did cost \$1211.00 to file at the Melbourne Office of the High  
Court for the matter to be heard in an open Court, to be transcribed in addition to a  
20 Minute only, oral presentation of the facts of the matter.

I state that a substantial fee for applications to the High Court is demanded by the  
High Court “*on the papers*”, and the papers will not be received for filing unless




the fee is paid, this fee demand is a blatant breach of Chapter 29 of Magna Carta, which is by inherent virtue part of Section 49 of the Commonwealth Constitution Act 1900, in addition there is a portion in the application allowing a 20 minute oral presentation at the High Court hearing

- 3. I state that in Civil matter Shaw v Fragapane (M134/2005) was heard by the High Court a large number of serious indictable offences both revealed and discovered involving offences against the Law and Laws of the Commonwealth of Australia had been included and incorporated into the High Court Application, all of which were ignored by the Defendant on 3<sup>rd</sup> August 2006
- 4. The Defendant (Justice Kirby) did hear the Civil matter sitting with Justice Callinan "on the papers", that is, no Court presence permitted, no representation permitted, no 20 minute oral presentation permitted, in simple terms a closed Court
- 5. I state that by letter dated 28<sup>th</sup> July 2006 to myself by Rosemary Musoline, acting Senior Registrar, High Court of Australia, portion of the letter stated

*"This Application is listed for publication of reasons and pronouncement of Orders at 9.00am on Thursday 3<sup>rd</sup> August 2006 in Canberra. There is no need for parties to attend in Canberra that day"*

**(Exhibit Marked "MDK2")**

- 6. The Court (High Court) was closed to the Applicant at this particular hearing, so that serious indictable offences involving Commonwealth Judicial Officers would not appear on a High Court internet transcript on that particular day
- 7. I state that all Judges inclusive of the High Court Judges are legally bound by covering clause five of the Imperial Parliament Section of the Commonwealth Constitution Act 1900



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**COMMONWEALTH CONSTITUTION ACT - CLAUSE 5**

**Operation of the Constitution and laws**

*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 of every part of the Commonwealth, notwithstanding anything in the laws of any State; and the laws of the Commonwealth shall be in force on all British ships, the Queen's ships of war excepted, whose first port of clearance and whose port of destination are in the Commonwealth.*

8. I state that serious indictable offences were revealed in this particular High Court Application, in particular the Grand Jury Application (Exhibited) involving the current Governor General of the Commonwealth of Australia, Major General Michael Jeffrey, the superior ranking member of the Commonwealth and the appointee of the High Court Judges, in simple terms, "Their Boss", because of that he was afforded protection from indictment **(Exhibit Marked "MDK26")**
  
9. The 13 Grand Jury Applications included the Governor General, Two Directors of Public Prosecutions, Six Judges, Three Masters and the Attorney General for Western Australia. The Western Australia charge revealed Treason against the Commonwealth **(Exhibit Marked "MDK3")**
  
10. I state that by letter dated 4<sup>th</sup> August 2006 from Rosemary Musoline, acting Senior Registrar, High Court of Australia, portion of the letter stated:

*"Pursuant to Rule 41.10.5 of the High Court Rules 2004 the Court directed the Registrar to draw up, sign and seal an order that the Application is dismissed"* **(Exhibit Marked "MDK4")**



3/32





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11. I state that as a legal consequence of this blatant breach of both Law and Right, I filed Criminal Charges against Justice Michael Kirby at the Melbourne Magistrates Court on 15<sup>th</sup> August 2006, such charges were received by Melanie Quinn but not signed off, the reason given was that Mr. John Bennett would have to approve or decline the charges (Exhibit Marked "MDK5")

12. The Defendant (Justice Kirby) was charged by private prosecution on four (4) counts returnable Melbourne Magistrates Court 25<sup>th</sup> September 2006

**Count 1**

*The Defendant a Commonwealth Judicial Officer on 3<sup>rd</sup> August 2006, at the Canberra branch of the High Court, such branch attached to the Melbourne Office of the High Court, did intentionally and perversely exercise Federal Jurisdiction, in that the defendant did protect the current Governor General Mr Michael Jeffrey from a Grand Jury Application lodged with the Full Court of the Victorian Supreme Court, by hearing a matter in a closed Court procedure disallowing representation at the hearing*

A breach of the Crimes Act 1914 section 34 (1) (b)  
Penalty: Imprisonment for 2 years.

**Count 2**

*The Defendant a Commonwealth Judicial Officer on 3<sup>rd</sup> August 2006 at Canberra Branch of the High Court, such Court constitutionally attached to the Melbourne branch of the High Court, did Conspire with another (Justice Ian David Francis Callinan) to obstruct, Prevent, Pervert and Defeat the Course of Justice in relation to the Judicial Power of the Commonwealth, in that the defendant intentionally declined to legally deal with all of the serious indictable offences, both revealed and discovered in the material lodged at the Melbourne Office of the High Court, rather the defendant did hear the matter after disallowing representation or the stated twenty minute oral presentation permitted to the applicant*

58K  
57K.

A breach of the Crimes Act 1914 Section 42 (1)

Penalty: Imprisonment for 5 years.

**Count 3**

*The Defendant a Commonwealth Judicial Officer on 3<sup>rd</sup> August 2006 at Canberra Branch of the High Court, such Court constitutionally attached to the Melbourne branch of the High Court, did attempt to Obstruct, Prevent, Pervert in an Attempt to Defeat the Course of Justice in relation to the Judicial Power of the Commonwealth, by refusing to abide by Rule of Law and Natural Justice in dealing with serious indictable offences revealed in the documents lodged at the Melbourne Branch of the High Court, inclusive of the Grand Jury Application filed against the current Governor General of the Commonwealth of Australia Major General Jeffrey*

A breach of the Crimes Act 1914 Section 43 (1)

Penalty: Imprisonment for 5 years.

**Count 4**

*The Defendant a Commonwealth Judicial Officer on 3<sup>rd</sup> August 2006 at Canberra Branch of the High Court, such Court constitutionally attached to the Melbourne branch of the High Court, did Agree to Receive and Obtain, both Property and Benefit, in the form of continuing Commonwealth High Court Salary plus Superannuation upon the understanding that the defendant would both compound and conceal indictable offences against the Laws of the Commonwealth and Northern Territory*

A breach of the Crimes Act 1914 Section 44

Penalty: Imprisonment for 3 years.



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13. The inherent Jurisdiction of the sitting Grand Jury is now invoked in this affidavit in relation to Treason (both Common and Statute Law) plus Misprison of Treason

[Byrne v Armstrong (1899) 25 VLR 126]

a. *“It is provided now that all the prosecutions shall be by presentment, but preserving the prerogative of the Crown through the Attorney General to proceed by information, except in case of ‘treason’ which has to be by indictment. Now indictment means by Grand Jury and therefore, inasmuch as the statute provides that Treason shall be tried by indictment only. That means that it must be by Grand Jury and no other means is provided for bringing it before a Grand Jury.” The finding of the Attorney General is equivalent to the finds of the Grand Jury, but in the case of Treason it must be the finding of the Grand Jury.*” (at 132)

b. *“No security for costs is required, nor can any terms of any sort be imposed.”* (at 138)

14. The charges (4 counts) were originally laid at the Melbourne Magistrates Court returnable 25<sup>th</sup> September 2006

15. On 1<sup>st</sup> September 2006 I received a letter from the Office of the Director of Public Prosecutions Mr. Damian Bugg requesting detail and evidence relating to the charges laid against Justices Kirby and Callinan. The letter is marked Exhibit “MDK6”

It is to be noted in this affidavit that Mr. Damian Bugg is one of the 13 named Grand Jury Applications, exhibited in this Affidavit at Exhibit “MDK3”

16. On the 25<sup>th</sup> September 2006 at the Melbourne Magistrates Court, I was handed a letter dated “22<sup>nd</sup> September 2006” from the Commonwealth Director of Public Prosecutions Melbourne Office signed by Allan Sharp stating that the Commonwealth DPP Mr. Bugg would take over the proceedings and decline to



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prosecution. Two signed Notices from Mr. Bugg were attached to the letter dated 22<sup>nd</sup> September 2006, these are marked Exhibit "MDK7"

- 17. On 25<sup>th</sup> September 2006, the defendant, (Kirby) was heard by Magistrate Randazzo, neither defendant appeared in Court, rather the defendant organized the Commonwealth Director of Public Prosecutions to attend at the Court and to make application to the Court (Magistrate Randazzo) to both take over the private prosecution and to have the charges struck out
- 18. One of the thirteen (13) Grand Jury Applications in the Civil matter heard by the defendant (Justice Kirby) on 3<sup>rd</sup> August 2006 at Canberra, was and remains the Commonwealth Director of Public Prosecutions, Mr Damian Bugg, the intervener at the Melbourne Magistrates Court seeking to have all matters suppressed **(Exhibit marked MDK3)**
- 19. It was pointed out to Magistrate Randazzo on the day that the most serious offences in the material before the Court involved "Treason", against the Security of the Commonwealth, such penalty carrying a life imprisonment sentence, Treason is discovered in the McGinty charge
- 20. It was also pointed out to Magistrate Randazzo that the companion offence of concealing Treason (Misprison of Treason) also carried the same sentence, Life Imprisonment


**CRIMINAL CODE 1995 (CTH) - SECTION 80.1(2)(a)**

**Treason**

*A person commits an offence if the person:*

*(a) receives or assists another person who, to his or her knowledge, has committed treason with the intention of allowing him or her to escape punishment or apprehension; or*

*Penalty: Imprisonment for life.*



7/32



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- 21. Magistrate Randazzo was also verbally informed on the day that no Notice 78B (Judiciary Act 1903) had been done, but, was required by law to be done

**JUDICIARY ACT 1903 - SECT 78B**

**Notice to Attorneys-General**

*(1) Where a cause pending in a federal court including the High Court or in a court of a State or Territory involves a matter arising under the Constitution or involving its interpretation, it is the duty of the court not to proceed in the cause unless and until the court is satisfied that notice of the cause, specifying the nature of the matter has been given to the Attorneys-General of the Commonwealth and of the States, and a reasonable time has elapsed since the giving of the notice for consideration by the Attorneys-General, of the question of intervention in the proceedings or removal of the cause to the High Court.*

- 22. Prior to the hearing date (25<sup>th</sup> September 2006) I lodged considerable material (evidence) in an affidavit for a Notice of Removal the matter back to the High Court, because of the Constitutional issues involved

The evidence was lodged 21<sup>st</sup> September 2006 with three (3) covering letters

- a. Denise Weybury Deputy Registrar High Court  
**(Exhibit Marked "MDK8")**
- b. Commonwealth Director of Public Prosecutions, Mr Bugg  
**(Exhibit Marked "MDK9")**
- c. Chief Magistrate, Ian Grey, Melbourne Magistrates Court  
**(Exhibit Marked "MDK10")**

- 23. The material lodged with the Melbourne Office of the High Court consisted of an Application for Removal (7 pages) plus Affidavit in Support  
**(Exhibit Marked "MDK11" )**



8/32



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24. On 22<sup>nd</sup> September Justice Hayne signed the first refusal of acceptance for filing, but, Justice Hayne was also mentioned in the material lodged as a defendant from the McKinnon matter. Such information was in the material lodged at the High Court on 21<sup>st</sup> September 2006  
**(Exhibit Marked "MDK12")**

25. The refusal to lodge signed by Justice Hayne is and remains an invalid order/direction because of the indictable offences mentioned in the material creating a personal interest, as such a breach of Section 34(1)(b) Crimes Act 1914 (Cth)

a. **CRIMES ACT 1914 - SECT 34**

**Judge or magistrate acting oppressively or when interested**

(1) *Any person who:*

(b) *being a judge or magistrate, intentionally and perversely exercises federal jurisdiction in any matter in which he has a personal interest; shall be guilty of an offence. Penalty: Imprisonment for 2 years.*

b. *It is a maxim in law, aliguus non debet esse iudex in propria causa, (no one ought to be judge in his own cause;) and therefore a fine levied before the baylifes of Salopwas reversed, because one of the baylifes was party to the fine, quia non potest esse iudex et pars," (because one cannot be judge and party.) 1 Inst., 141 a. Lord Coke*

26. Resulting from this particular "Signing Off" by Justice Hayne an Exparte Application for Leave to File the Removal Application to the High Court has been handed into the High Court, but the High Court currently refuses filing at the time of this affidavit being affirmed



9/32





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27. After the hearing date of 25<sup>th</sup> September 2006 because of the manner and jurisdiction that Magistrate Randazzo purportedly worked in, I did lodge a Notice of Appeal to the Supreme Court of Victoria
  
28. The Notice of Appeal consisting of 14 Pages, dated 3<sup>rd</sup> October 2006, naming Michael Donald Kirby as Respondent has been refused to be filed by the Office of the Supreme Court of Victoria (**Exhibit Marked "MDK13"**)
  
29. The Notice of Appeal was handed into the Office of the Victorian Supreme Court on 3<sup>rd</sup> October 2006, who stated that the document could not and would not be received for filing until it had been to the Prothonatary of the Supreme Court, Mr J Saltalamacchia, who would then place the document, without representation or Court presence before a Judge of the Supreme Court
  
30. At 11.30am on 9<sup>th</sup> October 2006, I received a phone call from the Prothonatary, "Joe" telling me that a Judge (not named or present) did refuse the filing of the document (Notice of Appeal) and that the document would be left out to be picked up
  
31. At this point I asked "Joe" if there was a written order to that effect, "Joe" replied "No". I then told "Joe" that unless there was a written order then no order has been made nor reason given. I then requested from "Joe" something in writing from "Joe" outlining what had taken place, with whom, "Joe" replied that he would get back to myself, but, at this time of signing this affidavit that has not happened
  
32. On 19<sup>th</sup> October 2006, I faxed direct to the Supreme Court Prothonatary Mr Joe Saltalamacchia clearly setting out the fact that if no order has been given then their refusal to file has no legal basis and to name the Judge concerned, the Fax & Fax confirmation is Exhibit marked "**MDK14**" & "**MDK15**"



10/32





- 33. Two Courts (High Court & Supreme Court Victoria) refuse to file legal process which in legal terms would activate Section 42, 43 and 44 of the Crimes Act 1914 (Cth), in addition to the Treason and concealment of Treason
- 34. On 19<sup>th</sup> May 2006 I did send a legal notice consisting of 15 pages addressed to all Seven (7) High Court Judges, plus Registrars and Deputy Registrars of the High Court of Australia setting out 25 relevant Constitutional and Legal issues **(Exhibit marked "MDK16")**
- 35. Attached to the above notice was another notice, marked Legal and Constitutional Notice, addressed to Mr. Bruce Bartrop, Grand Master of Freemasonry Victoria dated 26<sup>th</sup> April 2006 **(Exhibit marked "MDK17")**
- 36. By letter dated 2<sup>nd</sup> June 2006 the Associate for Justice Kirby acknowledged the correspondence **(Exhibit marked "MDK18")**, Justice Callinan did not acknowledge the Legal Notice dated 19<sup>th</sup> May 2006
- 37. The Western Australian Parliament Hansard Extract (Council 13154 introducing the Acts Amendment and Repeal (Courts and Legal Practice) Bill 2002 WA, reveals the unlawful use of the Legal Practitioners Act 1893, and at the same time reveals that the header does not reveal that this bill intends to attack the Crown and Her Majesty Queen Elizabeth II **(Exhibit Marked "MDK19")**
- 38. The Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, an Overt Act, contains at Part 5 & 8 and Overt Act of Treason: Part 8 of this Act is **(Exhibit marked "MDK20")**
- 39. Before the Civil matter (6890/1999 Vic) went to the Court of Appeal, heard 9<sup>th</sup> September 2005, a notice of a Constitutional matter (Judiciary Act 1903 Section 78B) was sent to all Attorney Generals, plus the Court. The notice is a 31 page document dated August 2005 **(Exhibit marked "MDK21")**



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40. Page 3 of Freemasonry Victoria August 2003 reveals that the current Governor General of the Commonwealth of Australia is a Freemason, and as such would automatically breach all oaths of Allegiance in all Commonwealth Constitution, agreed to by the People. This Exhibit is marked "MDK22"

41. **MASONIC OATH – ENTERED APPRENTICE**

*In the presence of the great architect of the universe, and of this worthy, worshipful and warranted lodge of free and accepted masons, regularly assembled properly dedicated of my own free will and accord do hereby (v m touches candidates right hand with his left hand and hereon (v m touches The Bible with his left hand) sincerely and solemnly promise and swear **that I will always hele, conceal and never reveal.** These secret points I solemnly swear to observe, without evasion, equivocation, or mental reservation of any kind, under no less a penalty, on the violation of any of them, than that of having my **throat cut across, my tongue torn out by the root, and buried in the sand of the sea at low water mark, or a cable's length from the shore, where the tide regularly ebbs and flows twice in twenty four hours or...** What you have repeated may be considered but a serious promise; as a pledge of your fidelity and to render it a solemn obligation, you will seal it with your lips on the volume of the sacred law. (The Bible)*

**(Exhibit Marked "MDK23")**

42. **MASONIC OBLIGATION / OATH SHRINERS**

"...In willful violation whereof may I incur the fearful penalty of having my eyeballs pierced to the center with a three-edged blade, my feet flayed and I be forced to walk the hot sands upon the sterile shores of the Red Sea until the flaming Sun shall strike me with a livid plague, **and may Allah, the god of Arab, Moslem and Mohammedan, the god of our fathers, support me to the entire fulfillment of the same.**" (from the oath of obligation, Ancient Arabic Order of Nobles of the Mystic Shrine ["Shriners"]) **(Exhibit Marked "MDK24")**



12/32



43. "When it was time for the final obligation we all stood and repeated the oath with the representative candidate, administered by the Sovereign Grand Inspector General. We then swore true allegiance to the Supreme Council of the 33rd Degree, above all other allegiances, and swore never to recognize any other brother as being a member of the Scottish Rite of Freemasonry unless he also recognizes the Supreme authority of "this Supreme Council".

[Extract from Jim Shaw's Book The Deadly Deception by Tom McKenney]  
(Exhibit Marked "MDK25")

44. The entire (Application /Affidavit) Grand Jury Application referred to in Exhibit "MDK3" relating to the current Governor General is attached to this Affidavit  
(Exhibit Marked "MDK26")

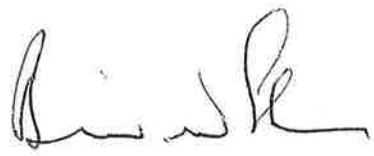
45. Included in this affidavit as (Exhibit Marked "MDK27") is a Video/DVD re-enactment of a Masonic Ritual that will be made available at the grand Jury hearing

46. Under Victorian Criminal Law it is an indictable offence to "*not reveal or discover*" an indictable offence, this is contained at Section 316 of the Crimes Act 1958 (Vic)

**CRIMES ACT 1958 VICTORIA - SECT 316 (2)(vii)**

(2) Every person who-  
(vii) not to reveal or discover any unlawful association society or confederacy or any illegal act done or to be done or any illegal oath or engagement that may have been administered or tendered to or taken by himself or any other person or the import of any such oath or engagement; or shall be guilty of an indictable offence, and shall be liable to level 6 imprisonment (5 years maximum).

47. Under Section 80 of the Criminal Code Act 1995 (Cth) Treason and the companion offence of Misprison of Treason carry life imprisonment sentences, in addition to the Common Law and Treason



**48. JUDICIARY ACT 1903 - SECT 80****Common law to govern**

*So far as the laws of the Commonwealth are not applicable or so far as their provisions are insufficient to carry them into effect, or to provide adequate remedies or punishment, the common law in Australia as modified by the Constitution and by the statute law in force in the State or Territory in which the Court in which the jurisdiction is exercised is held shall, so far as it is applicable and not inconsistent with the Constitution and the laws of the Commonwealth, govern all Courts exercising federal jurisdiction in the exercise of their jurisdiction in civil and criminal matters.*

**49. COMMONWEALTH CONSTITUTION SECTION 80****Trial by jury**

*The trial on indictment of any offence against any law of the Commonwealth shall be by jury, and every such trial shall be held in the State where the offence was committed, and if the offence was not committed within any State the trial shall be held at such place or places as the Parliament prescribes.*

**50. CRIMES ACT 1958 - SECT 354 (Victoria)****Indictments**

*“Upon the application of any person supported by an affidavit disclosing an indictable offence and either that the same has been committed by some body corporate or that a court has declined or refused to commit or hold to bail the alleged offender or that no presentment was made against him at the court at which the trial would in due course have taken place, or upon the application of the Director of Public Prosecutions, it shall be lawful for the Full Court to order the Juries Commissioner to summon a grand jury to appear at a court to be holden at a time and place to be mentioned in the order; and upon receipt of such order the Juries Commissioner shall summon not less than twenty-three men to attend at*



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such court at the time and place aforesaid to inquire present do and execute all things which on the part of the Queen shall then and there be commanded of them, and such men shall be taken from the jury roll of the jury district in which such place is situate and at the time and place aforesaid the said Juries Commissioner shall bring into court the said order with the name, occupation and date of birth of every grand juror written on a panel signed by him and sealed with his seal of office and shall deliver the said panel to the proper officer of the said court, who shall in open court call aloud the names of the grand jurors on the said panel one after another, and the twenty-three men so first drawn and appearing or if twenty-three men shall not appear such of them as do appear not being less than twelve men shall be the grand jury and shall be sworn and act as such accordingly:

## 51. GRAND JURY AUTHORITIES

### 1. re Davies and Millidge 1893:

“An application for a Grand Jury may be made ex parte. It is sufficient if the affidavit in support of such an application discloses a state of facts which if true amount to the committing of an indictable offence. Such facts need not necessarily be sworn to by the deponent as being within his own knowledge.”

### 2. re Dungey and Bromley (1899)

“The application for a warrant for the apprehension of a defendant against whom a bill of indictment has been found by a grand jury, should be made in the first instance to a Justice of the Peace under section 33 of the Justices Act 1890, and not to a judge of the Supreme Court.”

### 3. Byrne v Armstrong (1899) 25 VLR 126

“An application for a Grand Jury under Section 389 of the Crimes Act 1890 may be made exparte, and upon the application complying with requirements of that section the Full Court has no discretion but is bound to grant a rule directing the sheriff to summon a Grand Jury.”



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4. **R V McInnes, Erskine and Calwell 1940 VLR 416 (at 420)**

a) "The law is very jealous to see that justice shall be done and it has provided a special procedure where justices for any reason fail to commit a person who is charged or if justices have committed a person against whom a charge is made and the Crown authorities for any reason refuse to go on with that committing and present the man for trial before an ordinary jury.

b) "The function of the Grand Jury is not to determine the guilt or the innocence of the person against whom a charge is made, but to determine on the **evidence of the prosecutor alone** whether the case is such that they think that the person charged should be put upon his trial in the ordinary way." (at 420)

c) "In order to constitute perjury a man who swears what is false must know at the time he swears it that it is false, or at any rate not believe it to be true." (at 424)

d) The form of oath administered to the witnesses was as follows:  
"I swear by Almighty God that the evidence I shall give on all matters before the Grand Jury upon these bills of indictment and each of them shall be the **truth, the whole truth, and nothing but the truth.**

5. **R V Parker 1977 VR 22**

a) "The qualification of a **prosecutor for the Queen** to make presentment at the court must exist on the day on which the presentment is filed. " (at 22)

b) "The answer to the question must depend upon the proper interpretation of Section 353 of the Crimes Act which **authorises a prosecutor for the Queen** to make presentment of a person for an indictable offence." (at 23)



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c) "It is therefore in my view consistent with judicial authority and consonant with the literal meaning and purpose of S353 and its historical background that the prosecutor for the Queen does not, 'make presentment at the ...County Court,'" until the presentment is filed, and that to authenticate such 'presentment' he must be **qualified to act as a prosecutor for the Queen** at the time of making presentment." (at 41)

A

d) In England the Queen prosecutes, a county may prosecute, or a single individual, but still in every case, the Crown really prosecutes, and **even the Grand Jury prosecutes for the Crown**, after information is filed, if a **private prosecutor comes into court**, he may be permitted to prosecute for the Crown. It appears to me to be quite clear that once presentment is made anyone may take up prosecution in the Court. (at 42)

h

6. **Lorne Campbell 1986 (BC8600228)**

a) The Practice under S354 of the Crimes Act, and its predecessor has been quite clear since at least 1899 **when 'six judges' of this court** assembled to consider whether, if the conditions in the section were made out to the court's satisfaction it had any discretion whether to direct the sheriff to summon a grand jury. In a consideration decision, reported as *Byrne V Armstrong* (1899) 25 VLR 126, the court held that it had no such discretion.

h

b) "Numbers of applications have been made and each one has been *exparte*. In the one case cited it was held that it must be *exparte* and it was to decide whether that was the correct practice that 'this specially constituted court was called together.' Accordingly, I think that the application should be *ex parte* and was properly made *exparte*."

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c) "The Crimes Act has been frequently amended. S354 has been itself amended in quite recent times in two respects: one to accommodate this



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abolition of the distinction between felonies and misdemeanours and the other to insert the Director of Public Prosecutions in the Section in place of the Attorney-General.”

- d) “I would draw attention also to an observation made by Lower H when His Honour was addressing the grand jury which was summoned in: **R v McInnes & Ors (1940) VLR416**. His Honour said to the grand jury (at p420).

**“The law is very jealous to see that justice shall be done and it has provided a specific procedure where justices ‘for any reason’ fail to commit a person who is charged or if justices have committed a person against whom a charge is made and the ‘Crown authorities for any reason’ refuse to go on with that committal and present the man for trial before an ordinary jury.”**

- e) **“We must not assume the position of law-makers and we cannot redress grievances contrary to the intention of the Statute Law.”**

- f) “We shall accordingly proceed with the matter *ex parte* and consider the one matter which I earlier reserved, viz whether the affidavits disclose indictable offences.”

7. **McArdle V Lorne Campbell (Sept 1986)**

- a) “Such a formulation of the principle is clearly too wide for it would enable a person liable to be indicted by a Grand Jury to require this Court to hear his defence to the alleged offence. If the course were to follow that course **it would be usurping the function of the Grand Jury** which is not to pronounce upon the guilt or innocence of the accused, but upon whether the bill of indictment discloses a true bill, that is to say, whether the



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offence appears to be sufficiently proved to put the offender on his trial. A **Grand Jury never hears the defence.**"

- b) "For the purpose of dealing with this application we find it unnecessary to determine the limits of the Court's power to set aside an order obtained *ex parte* or to attempt to define the occasions upon which the Court would exercise the jurisdiction to set aside an order obtained under S354 of the Crimes Act. **A proper understanding of the procedure prescribed by S354 however, will demonstrate that this is not a proper case for the exercise of the power.**"
- c) "The Section (354) **does not place upon the Full Court the task of examining the evidence.** Nor of determining whether the prosecutor has established a true bill. The section bearing the interpretation, which was placed upon it many years ago, which has never been questioned by Parliament, **gives the Full Court a limited role which is no more than we have described. It requires no more than an affidavit complying with the section, disclosing an indictable offence.**"
- d) "The reason that led the Court in *re Davis & Millidge*, *supra*, to require the depositions which had been filed in this Court to be removed before the Court would make an order for a Grand Jury was no doubt because the function of the court is not to review the committal. **It is simply to act upon the section.**"
- e) "The second observation which we wish to make concerns the whole concept of the grand jury procedure. The procedure was re-introduced in Victoria in 1874 by S21 of the Judicature Act of that year to provide for cases where the **"Crown Law Officers" refused to present for trial** an alleged offender against whom a complaint had been made."



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f) "Much has changed since 1940 and in particular the Office of Director of Public Prosecutions has been established by Act No 9848 of 1982. Under that Act the Director of Public Prosecutions is charged with preparing, instituting and conducting criminal proceedings on **'behalf of the Crown.'** The Director is responsible **to the Attorney General** for the due performance of his functions and he is given the power to enter a nolle prosequi in criminal proceedings. But the Attorney-General's power to enter a nolle prosequi is preserved in these circumstances, now that the responsibility for instituting criminal proceedings has been taken out of the hands of the Attorney-General, it may be that there is not the same need to have an alternative method of instituting proceedings. When the Office of Director of Public Prosecutions was established S354 of the Crimes Act was amended to substitute the words 'the Director or Public Prosecutions' for the words 'a law officer.' **The section therefore now operates where the Director declines to present.**"

g) "We must not assume the position of law makers and we cannot redress grievances contrary to the intention of the Statute Law."

8. **Indictments: Section 354 Crimes Act 1958**

a) "Upon the application of 'any person' supported by an affidavit disclosing an indictable offence"


b) "It shall be lawful" for the Full Court to order the sheriff to summon a grand jury.

c) Not less than twenty three men (23)

d) **Execute all things which on the part of 'the Queen.'**



9. **Julius v Bishop of Oxford (1880) 5 APP CAS 214 House of Lords.**
- a) "The words in a Statute 'it **shall be lawful**' of themselves merely make that legal and possible which there would otherwise be no right or authority to do. Their natural meaning is permissive and enabling only."  
(at 214)
- b) "**Enabling words are always compulsory where they are words to effectuate a legal right.**" (at 214)
- c) "The words in the Statute, 'it shall be lawful' have not, and never could have been intended to permit such a result. They are words which declare the possession of power, of which the rules and the principles of law require the exercise." (at 216)
- d) "The power of the Bishop was derived from the Crown." (at 217)
- e) "But when a complaint was made to him, he was bound to put the law in motion." (at 217)
- f) As to Statutes conferring, by such words, powers on the courts of law, the course of the decisions had been uniformly in accordance with the principle that permissive words in the creation of a power which was created for public purposes, must be construed as directory." (at 218)
- g) When a Statute confers an authority to do a judicial act in a certain case, it is imperative on these so authorised to exercise the authority when the case arises, and its exercise is duly applied for by a party interested, and having the right to make the application." (at 218)



- h) “And the principle plainly is that where there is **any public interest, or ‘right involved’** the words must receive a construction of obligation and not of discretion.” (at 218)
- i) “In public Statutes words only directory, promissory, or enabling, may have a compulsory force where the thing to be done is for the **public benefit, or in advancement of public justice.**” (at 219)
- j) “A capricious refusal to institute an inquiry under the Statute **prevented a public benefit, and interfered with the administration of public justice.**” (at 219)
- k) “When a Statute confers an authority to do a judicial act in a certain case, it is imperative on those so authorised to exercise the authority, when the case arises, and its exercise is duly applied for by a party interested, and having the right (**that is having by statute the right**) to make the application.” (at 224)
- l) “That where a power is deposited with a public officer for the purpose of being used for the benefit of persons who are specifically pointed out, and with regard to whom a definition is supplied by the legislature of the conditions **upon which they are entitled to call** for its exercise that power ought to be exercised and the court will require it to be exercised.”

10. **Commission of State Revenue (Vic) v Royal Insurance Aust. Ltd 1993 182 CLR 51**

“Where in such an Act the word ‘**shall**’ is used in conferring a power, it shall be construed as meaning that the power must be exercised.” (at 98)



11. **Samad J District Court of NSW 2000, 50 NSWLR 270**

- a) "The words undoubtedly are only empowering, but it has been so often decided as to have become an axiom, that, in public Statutes, words only directory, permissive or enabling any have a compulsory force where the **thing to be done is for the public benefit or in advancement of public justice.**" (at 280)
- b) "The word 'may' is merely used to confer the authority, and the **authority must be exercised**, if the circumstances are such as to call for its exercise." (at 282)

12. **Re Hamilton Byrne 1995 1 VR 129**

"Perhaps the cardinal reason for the preservation in Victoria of the **Common Law offence of conspiracy to defraud** is that it enables planned substantive offences to be intercepted in aid of the **preservation of the Queen's peace** – the good of society, is threatened within Victoria (at 129)

13. **Byrne V Armstrong (1899) 25 VLR 126**

"That section contemplates an ex parte application founded upon an affidavit disclosing an indictable offence, and that a justice has refused to commit. The court has no discretion once those conditions are complied with. Section 386 shows **that so far as Treason is concerned it must be prosecuted by indictment. The Attorney General could not start such a prosecution. It must be by grand jury.**" (at 126)

14. **Byrne v Armstrong (1899) 25 VLR 126**

"**If the full court were to hear both sides and 'to examine into the facts of the case they would be usurping the functions of the grand jury,'** and further, if the full court, after hearing both sides, sent the case to the grand jury it would be prejudicial to the person accused. The words 'it shall be lawful' are mandatory." (at 127)





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15. **Byrne v Armstrong (1899) 25 VLR 126**

a) "The common law is subject to some degree of variation as circumstances arise, and through changes of society, **but so far as statute law is concerned**, we have no right to act except according to well known canons of constitution." (at 128) #

b) "It has long been the rule in this court and in other English courts that when the words 'it shall be lawful' are used for the purpose of conferring a new jurisdiction upon courts of justice that these words are usually at all events **read as mandatory** and mean that that jurisdiction shall be exercised." (at 128)

c) "It also decided that enabling words are always compulsory where they are **words to effectuate a legal right.**" (at 129)

d) "We have here to deal with a statute relating to the **general administration of the criminal law, 'which affects everybody.'**" (at 129) #

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e) "It may be laid down as a general principle of our law that where any person thinks upon reasonable grounds that another person has been guilty of a criminal act, then he may prosecute such person for such act. There are certain limitations as to the conditions on which he may take steps, **but as a general rule anyone may prosecute anyone else for a breach of criminal law.**"(at 131) #

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f) "The this statute is enacted as a **remedy against possible miscarriages of justice**, and consequently it applies to a case where the justices have declined to commit, although an indictable offence has been shown or where no presentment has been made by the Attorney General – **that is, where the Attorney General declines to present.**" (at 131)

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g) "Of course it is possible that justices may err in their judgment or from whim, and so may the Attorney General and it was thought desirable that no such error should have the effect of saving one person from prosecution when another might not be so saved, and therefore the Full Court was brought into requisition." (at 131)

h) "The reason for requiring the highest tribunal probably is that although two constituted tribunals have failed to commit, presumably in full discharge of their duty, yet, if the Full Court sees that they were wrong, the Full Court must send the defendant to the grand jury." (at 132)

i) "It is provided now that all the prosecutions shall be by presentment, but preserving the prerogative of the Crown through the Attorney General to proceed by information, except in case of 'treason' which has to be by indictment. Now indictment means by Grand Jury and therefore, inasmuch as the statute provides that Treason shall be tried by indictment only. That means that it must be by Grand Jury and no other means is provided for bringing it before a Grand Jury." The finding of the Attorney General is equivalent to the finds of the Grand Jury, but in the case of Treason it must be the finding of the Grand Jury." (at 132)

j) "Then when the offence is committed by some body corporate the application is made under this section and there is no other way of proceeding." (at 132)

k) "In England where both processes existed at all times from the institution of the Grand Jury system anyone might prosecute, and the **application was always exparte** and the defendant was never heard at all." (at 133)



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l) "The information was introduced because it was a prerogative of the Crown and under its prerogative it commanded the Attorney General to prosecute." (at 133)

m) "If either the justices or the Attorney General fails to send it on for trial, so that the Grand Jury will do what the Attorney General is supposed to do." (at 134)

n) "It has been urged against the view which I consider correct that if the matter is to be debated before the Full Court there would be no need for the Grand Jury." (at 137)

o) "No class is specified for whose benefit it might be supposed that the legislation was intended, and anyone may apply, even though not a party to the previous proceedings." (at 138)

p) "The affidavit may be made by any person, and apparently, according to the decision of this court, the facts need not even be sworn to as of the deponent's own knowledge." (at 138)

q) "No security for costs is required, nor can any terms of any sort be imposed." (at 138)

Costs.

r) "In place of the previous procedure prosecution by indictment or presentment was substituted. Treasons must be prosecuted by indictment." (at 139)

s) "I can see nothing in this alteration itself or in the history of it to justify the conclusion that the discretion which the court formally possessed has been taken away or to show that the court now not only must make an order but must also make it exparte." (at 139)

t) "I think that a consideration of this instance, and of all the others enumerated in the section, leads strongly to the conclusion that the full court and the Grand Jury are interposed on the one hand to protect the accused, and on **the other to prevent the abuses prevalent in the English system.** (at 140)

u) "It was found, however, that **there were occasionally miscarriages of justice** arising from non committals or non presentments, or from the legal difficulties surrounding offences by corporations and it was to remedy these that the new procedure was created." (at 140) #

v) "Even where the court clearly has a discretion its power ought to be exercised in aid of public justice, because a discretion vested in a legal tribunal is to be exercised according to law and reason, and **must not be used in an arbitrary or fanciful manner.**" (at 142) #

w) "So that whatever this reference to public justice may mean no help can be derived from it in determining whether there is a discretion or not, because **in both cases the power must be used if justice require it.**" (at 142)

x) "That discretion has been left unfettered by the legislature, and **should only be exercised where there has been a miscarriage of justice**, or where there is no other adequate remedy for some apparent wrong. For these reasons I am unable to concur in the judgment of the court, and I have stated my views at length, as the matter seems to **me to be one of the utmost importance to the public.**" (at 143) #

y) "I concur with the chief justice is saying that we are interpreters of the law and not law makers and that we should not be law breakers to



Margaret McCampbell SR

meet out own individual views as to what should be the meaning of the statute.” (at 143)

z) “Because in that case the particular persons had a right to come and ask for it, and that right was given to them. It was urged in that case that there had been breaches of the law relating to the great national church, and **the interests of the great national church is the interest of the nation, and the breaches of the law relating to it are matters of public importance,** and that therefore this power should be read as a right.” (at 147)

#

aa) “The applicant need not be the individual who had seen the offence committed, and may be dealing with the case ex relatione.” (at 147)

# #

bb) “As the applicant has fulfilled the conditions required by section 389, and an indictable offence is disclosed by the affidavit, the rule will go **rule granted.**” (at 148)

52. The Queen v. Rogerson [1992] HCA 25; (1992) 174 CLR 268

a. “The course of justice is perverted (or obstructed) by impairing (or preventing the exercise of) the capacity of a court or competent judicial authority to do justice”

b. “The ways in which a court or competent judicial authority may be impaired in (or prevented from exercising) its capacity to do justice are various. Those ways comprehend, in our opinion”

i. erosion of the integrity of the court or

ii. competent judicial authority,

g. *The essence of the offence is "the doing of some act which has a tendency and is intended to pervert the administration of public justice"*

i. *[Vreones (1891) 1 QB, at p 369.]*

ii. *[Murphy (1985) 158 CLR, at p 609.]*

h. *It is the tendency of the conduct which is decisive, and it is irrelevant whether the conduct did or did not bring about a miscarriage of justice.*

i. *It is well established that a criminal contempt is committed where there has been "an interference with the due administration of justice either in a particular case or more generally as a continuing process"*

j. *the offence is made out if there is an attempt to pervert the course of justice as a continuing process.*

*CONTINUING PROCESS.*

53. Queen v Murphy (1985) 158 CLR 596

*"Granted that legislative power exists to create a particular offence, that legislative power necessarily extends to the protection of the course of justice in relation to the process of bringing the offender to justice and enforcing the law against him. The creation of the offence of perverting the course of justice or attempting to pervert the course of justice is an appropriate means of giving such protection."*

54. I state that Section 80 of the Commonwealth Constitution "*Trial by Jury on Indictment*" is a *Constitutional Guarantee* that cannot be overridden by a rule or any rule, *there is no waiver possible*, unless the Law is perverted or an attempt to pervert the Law is put forward





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55. *Where courts of special and limited jurisdiction exceed their powers, the whole proceeding is coram non iudice, and all concerned in such void proceedings are held to be liable in trespass. (Case of the Marshalsea, 10 Co. 68. Terry v. Huntington, Hardres, 480 [Lord Coke]*

\*

COKE

56. Exhibits

Attached and Exhibited to this Affidavit is

	Clause	Page
Exhibit MDK1. Application for Special Leave to Appeal (Front Page Only)	1	33
Exhibit MDK2. High Court Letter 28 <sup>th</sup> July 2006	5	35
Exhibit MDK3. 13 Grand Jury Applications	9	37
Exhibit MDK4. High Court Letter 4 <sup>th</sup> August 2006	10	55
Exhibit MDK5. Charge Sheet	11	57
Exhibit MDK6. Commonwealth Director of Public Prosecutions letter 1 <sup>st</sup> September 2006	15	62
Exhibit MDK7. Commonwealth Director of Public Prosecutions take over letter	16	65
Exhibit MDK8. Letter to Denise Weybury High Court	22	73
Exhibit MDK9. Letter to Commonwealth Director of Public Prosecutions	22	75
Exhibit MDK10. Letter to Chief Magistrate Melbourne Magistrates Court	22	77
Exhibit MDK11. Application for Removal to High Court (7 pages)	23	79
Exhibit MDK12. Justice Haynes (Front Page)	24	87
Exhibit MDK13. Notice of Appeal (Supreme Court)	28	89
Exhibit MDK14. Fax to Prothonotary (Vic)	32	104
Exhibit MDK15. Fax Confirmation	32	106
Exhibit MDK16. Legal Notice to High Court 19 <sup>th</sup> may 2006	34	108

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Exhibit MDK17. Legal Notice to Grand Master		
Freemasonry Victoria	35	124
Exhibit MDK18. Reply by Justice Kirby	36	134
Exhibit MDK19. Hansard (Western Australia)	37	136
Exhibit MDK20. Part 8:Acts Amendment and Repeal		
(Courts and Legal Practice) Act 1003 WA	38	138
Exhibit MDK21. Constitutional Notice 9 <sup>th</sup> September 2005		
Court of Appeal (Vic) hearing	39	149
Exhibit MDK22. Governor General Michael Jeffrey		
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Affirmed by



Brian William Shaw

At WERRIBEE in the State of Victoria

This 22<sup>nd</sup> Day of October, 2006

Before me Margaret May Campbell JP

A JUSTICE OF THE PEACE FOR VICTORIA  
REG. No. 9324  
MARGARET MAY CAMPBELL  
7 MUIRHEAD CRES.  
WERRIBEE 3030

# GOVERNOR SUBSTITUTES HIMSELF

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## AUSTRALIA ACT 1986 - SECT 7

### Powers and functions of Her Majesty and Governors in respect of States

(1)

Her Majesty's representative in each State shall be the Governor.

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## COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 12

### Issue of writs

The Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate the writs shall be issued within ten days from the proclamation of such dissolution.

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## ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL PRACTICE) ACT 2003 WA (NO. 65 OF 2003) - SECT 130

### 130. *Supreme Court Act 1935* amended

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —

"the Governor".

All persons named in this exhibit have conspired to disclose this treason

# CRIMINAL CODE ACT 1995

## Chapter 5 -- The security of the Commonwealth

### Part 5.1 -- Treason and urging violence

#### Division 80 -- Treason and urging violence

604

#### 80.1A Definition of *organisation*

In this Division: "*organisation*" means:

(a) a body corporate; or

(b) an unincorporated body;

whether or not the body is based outside Australia, consists of persons who are not Australian citizens, or is part of a larger organisation.

#### Subdivision B -- Treason

#### 80.1 Treason

(2) A person commits an offence if the person:

(a) receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or

(b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**

( OFFENCE & PENALTY )

615  
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IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

20

REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS /... 615

Russ 65

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produced and shown to

at the time of affirming his affidavit this

15th July 2019

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Before me

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee, 3030



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*Margaret May Campbell*  
Solicitor/Justice of the Peace

*Frances Hiby Court  
Judge Michael Kirby  
& Council  
MELB ADMINISTRATIVE COURT  
25 September 2019*

**Charge and Summons**

(Bring this with you to Court)

616  
606.**TO THE DEFENDANT**Justice Michael Donald Kirby  
C/o High Court Registry Melbourne  
Cnr LaTrobe & Williams Street  
Melbourne Victoria 3000

M	F	Co
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of Birth
/ /

Registration No	State
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Licence No	State
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**You have been Charged with an offence against the Law**  
**Read both pages to see what you must do****Details of the charges against you**

What is the charge ? **1** The Defendant a Commonwealth Judicial Officer on 3rd August 2006, at the Canberra branch of the High Court, such branch attached to the Melbourne branch of the High Court, did intentionally and perversely exercise Federal Jurisdiction, in that the defendant did protect the current Governor General Mr Michael Jeffrey from a Grand Jury Application lodged with the Full Court of the Victorian Supreme Court, by hearing a matter in a closed Court procedure disallowing representation at the hearing

Under what Law ?  State  Act  Other-specify **Act or Regulation No. Crimes Act 1914** **Section or Clause (Full Ref) 34 (1) (b)**  
 C'wealth  Reg

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges ?  No  Yes -see "Continuation of charges" attached

Informant Brian W Shaw

Agency and Address 280 Leakes Road Truganina Victoria

Informant Signature

Phone No. 09 93941116

Date

**Where will the case be heard**

Where you must go The \*Magistrates' / Childrens' Court of Victoria at Melbourne

Address 233 William Sreet Melbourne Victoria

Phone No.

When

Time

10.00am

Day

25th

Month

September

Year

2006

**Details about this summons**

Issued at

MELBOURNE

Date

23 AUG 2006

Issued by  
Signature

COBY BUCKLEY  
Deputy Registrar

Registrar  Magistrate  Other

Charge filed at

Magistrates' Court of Victoria  
233 William St. Melbourne

Date



67 607

# Continuation of Charges

Bring this with you to Court

<b>Person Charged</b>	<b>Page No 2</b>
<p>2 The Defendant a Commonwealth Judicial Officer on 3rd August 2006 at Canberra Branch of the High Court, such Court constitutionally attached to the Melbourne branch of the High Court, did Conspire with another (Justice Ian David Francis Callinan) to obstruct, Prevent, Pervert and Defeat the Course of Justice in relation to the Judicial Power of the Commonwealth, in that the defendant intentionally declined to legally deal with all of the serious indictable offences, both revealed and discovered in the material lodged at the Melbourne branch of the High Court, rather the defendant did hear the matter after disallowing representation or the stated twenty minute oral presentation permitted to the applicant</p>	

<input type="checkbox"/> State <input checked="" type="checkbox"/> Act <input type="checkbox"/> Other- Specify  <input checked="" type="checkbox"/> C'wealth <input type="checkbox"/> Reg	<b>Act or Regulation No</b>  <b>Crimes Act 1914</b>	<b>Section or Clause (Full Ref)</b>  <b>42 (1)</b>
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		<b>Indictable Offence (You must go to Court)</b>

<p>3 The Defendant a Commonwealth Judicial Officer on 3rd August 2006 at Canberra Branch of the High Court, such Court constitutionally attached to the Melbourne branch of the High Court, did attempt to Obstruct, Prevent, Pervert in an Attempt to Defeat the Course of Justice in relation to the Judicial Power of the Commonwealth, by refusing to abide by Rule of Law and Natural Justice in dealing with serious indictable offences revealed in the documents lodged at the Melbourne Branch of the High Court, inclusive of the Grand Jury Application filed against the current Governor General of the Commonwealth of Australia Major General Jeffrey</p>		
--	--	--

<input type="checkbox"/> State <input checked="" type="checkbox"/> Act <input type="checkbox"/> Other- Specify  <input checked="" type="checkbox"/> C'wealth <input type="checkbox"/> Reg	<b>Act or Regulation No</b>  <b>Crimes Act 1914</b>	<b>Section or Clause (Full Ref)</b>  <b>43 (1)</b>
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		<b>Indictable Offence (You must go to Court)</b>

<b>Informant</b> Brian W Shaw	
<b>Agency and Address</b> 280 Leakes Road Truganina Victoria	<b>Phone No</b> 09 93941116
<b>Informant Signature</b>	<b>Registrar Signature</b>

<b>Charge filed at</b>	MELBOURNE	<b>COBY BUCKLEY</b> Deputy Registrar Magistrates' Court of Victoria 233 William St. Melbourne
------------------------	-----------	--

618

608

# Continuation of Charges

Bring this with you to Court

<b>Person Charged</b>	<b>Page No 3</b>
<p>4 The Defendant a Commonwealth Judicial Officer on 3rd August 2006 at Canberra Branch of the High Court, such Court constitutionally attached to the Melbourne branch of the High Court, did Agree to Receive and Obtain, both Property and Benefit, in the form of continuing Commonwealth High Court Salary plus Superannuation upon the understanding that the defendant would both compound and conceal indictable offences against the Laws of the Commonwealth and Northern Territory</p>	

<input type="checkbox"/> State <input checked="" type="checkbox"/> Act <input type="checkbox"/> Other- Specify <input checked="" type="checkbox"/> C'wealth <input type="checkbox"/> Reg	<b>Act or Regulation No</b>  <b>Crimes Act 1914</b>	<b>Section or Clause (Full Ref)</b>  <b>44</b>
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		<b>Indictable Offence (You must go to Court)</b>

5	
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<input type="checkbox"/> State <input checked="" type="checkbox"/> Act <input type="checkbox"/> Other- Specify <input checked="" type="checkbox"/> C'wealth <input type="checkbox"/> Reg	<b>Act or Regulation No</b>  <b>Crimes Act 1914</b>	<b>Section or Clause (Full Ref)</b>  <b>25 (1) (a)</b>
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		<b>Indictable Offence (You must go to Court)</b>

Are there more charges?     Yes     No

**Informant**  
Brian W Shaw



**Agency and Address**  
280 Leakes Road Truganina Victoria

**Phone No**  
09 93941116

**Informant Signature**

**Registrar Signature**



**COBY BUCKLEY**  
Deputy Registrar

Charge filed at

MELBOURNE

Magistrates' Court of Victoria  
233 William St, Melbourne

619  
669.

**AFFIDAVIT OF SERVICE**

I BRIAN WILLIAM SHAW of 280 Leakes Road, Truganina 3030 in the State of Victoria, affirm and say as follows :

1. That I served a charge and summons returnable 25<sup>th</sup> September 2006, in the Melbourne Magistrates Court, naming Justice Michael Kirby, on Four (4) indictable offences, specifically Sections 34.1 (b), 42 (1), 43 (1) and 44 of the Commonwealth Crimes Act 1914, by handing the charge and summons to "*Louise*" at the Melbourne Office of the High Court of Australia at 12.00am on the 23<sup>rd</sup> August 2006

AFFIRMED by Brian William Shaw



at Melbourne in the State of Victoria

This 20 day of August 2006

Before me: -----

*J. Chandler JP*

JUSTICE OF THE PEACE FOR VICTORIA  
REG. No. 7682  
TERRACE DE JOHN CHANDLER  
TAYLOR ST. MELB. VIC 3000

# GOVERNOR SUBSTITUTES HIMSELF

620

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## AUSTRALIA ACT 1986 - SECT 7

620.

### Powers and functions of Her Majesty and Governors in respect of States

(1)

Her Majesty's representative in each State shall be the Governor.

---

## COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 12

### Issue of writs

The Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate the writs shall be issued within ten days from the proclamation of such dissolution.

---

## ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL PRACTICE) ACT 2003 WA (NO. 65 OF 2003) - SECT 130

### 130 . *Supreme Court Act 1935* amended

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —

" the Governor ".

*Kimara P. P. P.*  
2019

# CRIMINAL CODE ACT 1995

## Chapter 5 -- The security of the Commonwealth

### Part 5.1 -- Treason and urging violence

#### Division 80 -- Treason and urging violence

611.

#### 80.1A Definition of *organisation*

In this Division: "*organisation*" means:

- (a) a body corporate; or
- (b) an unincorporated body;
  - whether or not the body is based outside Australia, consists of persons who are not Australian citizens, or is part of a larger organisation.

#### Subdivision B -- Treason

#### 80.1 Treason

- (2) A person commits an offence if the person:
  - (a) receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or
  - (b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**



622.

622

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

20

REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS /.....66.

'Bull 66'

30

produced and shown to

at the time of affirming his affidavit this

15th July 2019

40

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee, 3039



Before me

50

*Margaret May Campbell*  
Solicitor/Justice of the Peace

*MR Paul Coburn  
Former Victorian Director  
of Public Prosecutions  
Current Superior Court Judge  
Standing  
Caring Trust  
Department  
(concerned)*



623.

IN THE SUPREME COURT OF VICTORIA  
FULL COURT – CRIMINAL JURISDICTION

IN THE MATTER of the *Crimes Act* 1958

And

IN THE MATTER of an Application by  
Brian William Shaw



APPLICATION

TAKE NOTICE that the Full Court of the Supreme Court will be moved on the ..... day of ..... 2002 at ..... a.m. by the applicant for the following Orders pursuant to section 354 of the *Crimes Act* 1958, the applicant having disclosed indictable offences committed by:

A. Mr. Paul Coghlan

Coghlan.

1. The Sheriff is ordered to summons a Grand Jury to appear at a Court to be holden at a time and place determined by the Court in accordance with the provision of section 354 of the *Crimes Act* 1958 (VIC) to attend at such Court at that time and place to inquire present do and execute all things which on the part of the Queen shall then and there be commanded of them.
2. Such further or other orders that may be just and necessary.

DATED the 20<sup>th</sup> day of NOVEMBER 2002.

This application is filed by Brian W. Shaw.

Struck By  
Court of Appeal  
(Vic)

624

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

20

*NRTTLE / Grew / SHAW.*

REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS / 67

30

*BWS 67*

produced and shown to

at the time of affirming his affidavit this

*15th July 2019*

40

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee, 3030



Before me

50

*Margaret May Campbell*  
Solicitor/Justice of the Peace

*Juan Guzman  
(AWR 662)*

*Justice GREGORY NRTTLE  
AWR WAYNE Grew  
Logan GRANT TUNNY (Concerned)  
Files AW SEARCH INTO  
SHAW v AWR 156 CENTAS  
ESTATE T-W SHAW  
→*

625 625

IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE IN THE COURT OF APPEAL

No. S APCI 2013 0043

BETWEEN

BRIAN WILLIAM SHAW

Applicant

- and -

THE ANZ EXECUTORS and TRUSTEE COMPANY  
LIMITED (AS THE TRUSTEES OF THE ESTATE  
OF JOHN WILLIAM SHAW, DECEASED

Respondent

10

**AFFIDAVIT IN SUPPORT**

Wayne Glew and Justice Nettle  
Grand Jury Application  
17 March 2008

---

Date of document: 12 JUNE 2013  
Filed on behalf of: The Plaintiff  
Prepared by: Brian Shaw  
Address: C/- P.O.Box 800 Werribee  
Victoria, 3030  
Tel: 0487 195 522

---


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I, Brian William Shaw, care of P.O. Box 800, Werribee, 3030 in the State of Victoria do state and affirm the following:

1. That this affidavit exhibits the Grand Jury application and affidavit of Mr Wayne Glew naming Justice Nettle as the defendant.
2. On the 10<sup>th</sup> May 2013 and on the 17<sup>th</sup> May 2013 Justice Nettle was made fully aware that he was a Grand Jury defendant on 17 March 2008, but ignored this.

30

Exhibit is marked; "Wayne Glew and Justice Nettle  
Grand Jury Application, 17 March 2008"

AFFIRMED BY: 

AT: Sunbury IN THE STATE OF VICTORIA

THIS 12<sup>th</sup> DAY OF JUNE 2013.

BEFORE ME:   
A JUSTICE OF THE PEACE FOR VICTORIA

REC. No. 7425  
ALBERT EDWARD KELLY  
9 HARCOMBE DVE., SUNSBURY 3429

626

626

IN THE SUPREME COURT OF VICTORIA  
AT MELBOURNE IN THE COURT OF APPEAL

No. S APCI 2013 0043

BETWEEN

BRIAN WILLIAM SHAW

Applicant

- and -

THE ANZ EXECUTORS and TRUSTEE COMPANY  
LIMITED (AS THE TRUSTEES OF THE ESTATE  
OF JOHN WILLIAM SHAW, DECEASED

Respondent

10

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**EXHIBIT**

---

This is the exhibit referred to in the affidavit of Brian William Shaw affirmed on the ...<sup>12</sup> day of June 2013.

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Before me:



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A JUSTICE OF THE PEACE FOR VICTORIA  
REG. No. 7485  
ALBERT EDWARD KELLY  
9 HARCOMBE DVE., SUNBURY 3429  
PHONE 9744-1525

30

“Wayne Glew and Justice Nettle Grand Jury Application, 17 March 2008”

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IN THE SUPREME COURT OF VICTORIA  
FULL COURT; CRIMINAL JURISDICTION

No: \_\_\_\_\_ of 2008

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Wayne Kenneth Glew

**APPLICATION FOR GRAND JURY**

TAKE NOTICE that the Full Court of the Supreme Court will be moved on the \_\_\_\_\_ Day of \_\_\_\_\_ 2008 at \_\_\_\_\_ am by the Applicant for the following Orders pursuant to Section 354 of the Crimes Act 1958, the Applicant having disclosed Indictable offence/offences involving *Treason, Misprision of Treason (Concalment)*, but not limited to these Indictable Offences committed by:

The Honourable Justice Nettle  
Supreme Court of Victoria, Court of Appeal  
459 Lonsdale Street, Melbourne, Vic 300

1. The Sheriff is ordered *to summons a Grand Jury to appear* at a Court to be holden at a time and place determined by the Court in accordance with the provision of Section 354 of the Crimes Act 1958 (Vic) to attend at such Court at that time and place to inquire present do and execute all things which on the part of "*the Queen*" shall then and there be commanded of them.

2. **TREASON IS:**

*"Treason consists of a Breach of duty of Allegiance which the Subject owes to the Sovereign and which binds him at all times and in all places"*

[Rex v Casement 1917, 1 KB 98 at 114]

3. **CRIMES ACT 1958 VICTORIA – SECTION 351**

**Mode of prosecution**

*"All treasons and misprisions of treason shall be prosecuted by indictment only, and all other indictable offences may be prosecuted by indictment or by presentment as hereinafter directed."*

4. **CRIMES ACT 1958 VICTORIA – SECTION 322E**

**Treason and misprision of treason not affected**

*"Nothing in this Part shall be taken to affect directly or indirectly any matter of law or practice applicable to treason or misprision of treason."*

5. **CRIMES ACT 1958 VICTORIA – SECTION 316**

**Unlawful oaths to commit treason, murder etc.**

(1) Every person who—

(a) Administers or is present at and consents to the administering of any oath or engagement in the nature of an oath purporting to bind the person who takes it to commit treason or murder; or

(2) Every person who—

(a) administers or is present at and consents to the administering of any oath or engagement in the nature of an oath purporting to bind the person who takes it to act in any of the ways following (that is to say):—

(ii) To commit any indictable offence other than treason or murder;



(vii) not to reveal or discover any unlawful association society or confederacy or any illegal act done or to be done or any illegal oath or engagement that may have been administered or tendered to or taken by himself or any other person or the import of any such oath or engagement; or

shall be guilty of an indictable offence, and shall be liable to level 6 imprisonment (*5 years maximum*).

6. **CRIMINAL CODE ACT 1995 (CTH)**

Chapter 5: The Security of the Commonwealth

Part 5.1 Treason

Division 80 Treason

*Penalty: Imprisonment for Life*

7. **CRIMINAL CODE ACT 1995 (CTH)**

Chapter 5: The Security of the Commonwealth

Part 5.1 Treason

Division 80 Concealment or Assistance

(2) A person commits an offence if the person:

(a) Receives or assists another person who, to his or her knowledge, has committed treason with the intention of allowing him or her to escape punishment or apprehension; or

(b) Knowing that another person intends to commit treason, does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

*Penalty: Imprisonment for Life*

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630

8. **JUDICIARY ACT 1903 (CTH) SECTION 80**

**Common law to govern**

*So far as the laws of the Commonwealth are not applicable or so far as their provisions are insufficient to carry them into effect, or to provide adequate remedies or punishment, the common law in Australia as modified by the Constitution and by the statute law in force in the State or Territory in which the Court in which the jurisdiction is exercised is held shall, so far as it is applicable and not inconsistent with the Constitution and the laws of the Commonwealth, govern all Courts exercising federal jurisdiction in the exercise of their jurisdiction in civil and criminal matters.*

9. **TREASON & MISPRISON OF TREASON:**

**Must be by Grand Jury Exclusively**

a. **Byrne V Armstrong (1899) 25 VLR 126** (The Indictment)

“That section contemplates an *ex parte* application founded upon an affidavit disclosing an indictable offence, and that a justice has refused to commit. The court has no discretion once those conditions are complied with. Section 386 shows that so far as Treason is concerned it must be prosecuted by indictment. The Attorney General could not start such a prosecution. It must be by grand jury.” (at 126)

b. **Byrne V Armstrong (1899) 25 VLR 126** (The Finding)

“It is provided now that all the prosecutions shall be by presentment, but preserving the prerogative of the Crown through the Attorney General to proceed by information, except in case of ‘treason’ which has to be by indictment. Now indictment means by Grand Jury and therefore, inasmuch as the statute provides that Treason shall be tried by indictment only. That means that it must be by Grand Jury and no other means is provided for bringing it before a Grand Jury.” The finding of the Attorney General is

631.

*equivalent to the finds of the Grand Jury, but in the case of Treason it must be the finding of the Grand Jury.” (at 132)*

- c. **McArdle V Lorne Campbell (Sept 1986) (On Behalf of the Crown)**  
*“Much has changed since 1940 and in particular the Office of Director of Public Prosecutions has been established by Act No 9848 of 1982. Under that Act the Director of Public Prosecutions is charged with preparing, instituting and conducting criminal proceedings on ‘behalf of the Crown.’ The Director is responsible to the Attorney General for the due performance of his functions and he is given the power to enter a nolle prosequi in criminal proceedings. But the Attorney-General’s power to enter a nolle prosequi is preserved in these circumstances, now that the responsibility for instituting criminal proceedings has been taken out of the hands of the Attorney-General, it may be that there is not the same need to have an alternative method of instituting proceedings. When the Office of Director of Public Prosecutions was established S354 of the Crimes Act was amended to substitute the words ‘the Director or Public Prosecutions’ for the words ‘a law officer.’ The section therefore now operates where the Director declines to present.”*

**10. SHALL BE INCAPABLE**

- a. **Commonwealth Constitution Act 1900 Section 44 (ii)**

**Disqualification**

*Any person who:*

*(ii) is attainted of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer; or*

*shall be incapable of being chosen or of sitting as a senator or a member of the House of Representatives.*

**11. COMMONWEALTH CONSTITUTION ACT 1900 SECTION 80**

5/42

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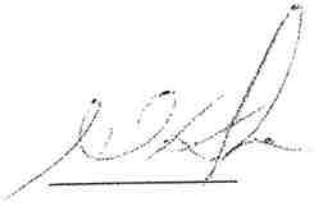
**Trial by jury** [Section 80 Constitutional Guarantee]

*"The trial on indictment of any offence against any law of the Commonwealth shall be by jury, and every such trial shall be held in the State where the offence was committed, and if the offence was not committed within any State the trial shall be held at such place or places as the Parliament prescribes."*

12. Such further or other orders that may be just and necessary.

DATED the 17<sup>th</sup> day of MARCH, 2008

This Application is filed by



Wayne Kenneth Glew

6/42

633.

IN THE SUPREME COURT OF VICTORIA  
FULL COURT – CRIMINAL JURISDICTION

No of 2008

IN THE MATTER of the Crimes Act 1958  
And

IN THE MATTER of an Application by  
Wayne Kenneth Glew

AFFIDAVIT OF WAYNE KENNETH GLEW

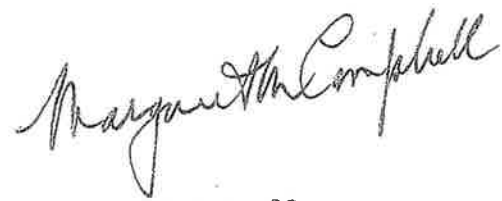
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Date of Document: 17TH March 2008  
 Filed on behalf of: The Applicant  
 Prepared by: Wayne Kenneth Glew


---

I, Wayne Kenneth Glew, Inventor, 1004 Chapman Road Geraldton WA, state and affirm the following: -

1. That I was in attendance at the Court of Appeal Supreme Court Victoria on 14<sup>th</sup> March 2008, in the matter Shaw v Attorney General (Vic) 9997/06, sitting as a fair-minded lay observer in the body of the Court (the test)
2. The Court was Presided over by two Judges, being Justice Nettle and Justice Dodds-Streeton
3. That during the course of the hearing serious indictable offences were committed by the bench, the offences being Treason and Misprision of Treason (concealment), but not limited to these offences
4. Treason is legally declared as Breach of Allegiance revealed in the Overt Act titled "*Courts and Tribunals Legislation (Further Amendment) Act 2000*" specifically Part 2 of the said Act  
Exhibit marked "A"



- 5. Misprision of Treason being the concealment of the Overt Act titled "*Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA*" specifically part 8 Amendments about the Crown Exhibit marked "B"
- 6. That during the course of the hearing the bench refused to judicially deal with the revealed fact that the current Deputy Prime Minister, Julia Gillard, is in breach of section 44 (ii) of the Commonwealth Constitution Act 1900 (Attainted of Treason) and must stand down in accordance with the named section Exhibit marked "C"
- 7. The two Judges showed no respect for either the Constitution of the State of Victoria and Western Australia nor the Commonwealth Constitution of 1900

Affirmed by  
 Wayne Kenneth Glew 

At WERRIBEE in the State of VICTORIA  
 This 17<sup>th</sup> Day of March 2008

Before me: 

A JUSTICE OF THE PEACE FOR VICTORIA  
 Reg. No. 9924  
 Margaret May Campbell  
 7 Muirhead Cres, Werribee 3030





IN THE SUPREME COURT OF VICTORIA  
FULL COURT – CRIMINAL JURISDICTION

No of 2008

625

IN THE MATTER of the *Crimes Act* 1958

And

IN THE MATTER of an Application by  
Wayne Kenneth Glew

**EXHIBIT**

---

Date of Document: 17 March 2008  
Filed on behalf of: The Applicant  
Prepared by: Wayne Kenneth Glew

---

This is the exhibit referred to and marked "A" in the affidavit of  
Wayne Kenneth Glew Affirmed on the 17 day of March 2008 at  
WERRIBEE in the State of Victoria

Before me: Margaret May Campbell

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee 3030



Part 2 Courts and Tribunals Legislation  
(Further Amendment) Act 2000 Vic

9/42

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# Courts and Tribunals Legislation (Further Amendment) Act 2000

Act No. 51/2000

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628 638



Victoria

No. 51 of 2000

## Courts and Tribunals Legislation (Further Amendment) Act 2000<sup>†</sup>

[Assented to 5 September 2000]

The Parliament of Victoria enacts as follows:

### PART 1—PRELIMINARY

#### 1. *Purpose*

The purpose of this Act is to make miscellaneous amendments to the Legal Practice Act 1996, the Magistrates' Court Act 1989, the Supreme Court Act 1986 and the Victorian Civil and Administrative Tribunal Act 1998.

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*Courts and Tribunals Legislation (Further Amendment) Act*  
2000  
*Act No. 51/2000*

629.  
s. 2

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**2. Commencement**

- (1) This Act, except sections 5 and 6, comes into operation on the day after the day on which it receives the Royal Assent.
  - (2) Subject to sub-section (3), sections 5 and 6 come into operation on a day or days to be proclaimed.
  - (3) If section 5 or 6 does not come into operation before 1 January 2001, it comes into operation on that day.
-

630.

*Courts and Tribunals Legislation (Further Amendment) Act  
2000*

s. 3

*Act No. 51/2000*

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**PART 2—LEGAL PRACTICE ACT 1996**

No. 35/1996.  
Reprint No. 2  
as at  
15 August  
1999. Further  
amended by  
No. 52/1999.

**3. *Oath of allegiance no longer required***

In section 6(1) of the **Legal Practice Act 1996**,  
for paragraph (c) substitute—

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

---

14/42



621.

**PART 3—MAGISTRATES' COURT ACT 1989**

**4. *Civil rules of court—pre-hearing conferences***

In section 16(1) of the **Magistrates' Court Act 1989**, after paragraph (fa) insert—

"(fb) the referral of any civil proceeding, or any part of a civil proceeding, for a pre-hearing conference and the conduct of pre-hearing conferences;"

No. 51/1989.  
Reprint No. 6  
as at 1 July  
1999. Further  
amended by  
Nos 35/1999  
and 1/2000.

**5. *Insertion of new section 19A***

After section 19 of the **Magistrates' Court Act 1989** insert—

**"19A. *Recording of proceedings***

The principal registrar must ensure that all proceedings in the Court are recorded in accordance with the Rules."

**6. *Pre-hearing conferences***

(1) In section 107 of the **Magistrates' Court Act 1989**, for sub-section (1) substitute—

"(1) A magistrate or a registrar may refer a civil proceeding or part of a civil proceeding for a pre-hearing conference in accordance with the Rules."

(2) In section 107(2) of the **Magistrates' Court Act 1989**—

(a) in paragraph (a), for "complaint" substitute "proceeding or any part of the proceeding";

(b) in paragraph (b), for "matter" substitute "proceeding or any part of the proceeding";

(c) in paragraph (c), for "complaint" substitute "proceeding or any part of the proceeding".

**7. *Regulations—fees for recordings***

15/42

632

*Courts and Tribunals Legislation (Further Amendment) Act  
2000*

*Act No. 51/2000*

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In section 140(1) of the **Magistrates' Court Act 1989**, after paragraph (b) insert—

"(c) prescribing the fees and charges payable for the supply by the Court of any recording or any part of a recording of a proceeding; and".

**8. Insertion of new section 143**

After section 142 of the **Magistrates' Court Act 1989** insert—

**"143. Rules of court—recording of proceedings**

The Chief Magistrate together with 2 or more Deputy Chief Magistrates may jointly make rules of court for or with respect to the recording of proceedings in the Court."

**9. Statute law revision**

In section 120(1) of the **Magistrates' Court Act 1989**, omit "the **Children's Court Act 1973** and".

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633.

**PART 4—SUPREME COURT ACT 1986**

**10. Further restriction on appeals**

In section 17A of the **Supreme Court Act 1986**, after sub-section (3) insert—

"(3A) An order made by the Trial Division constituted by a Judge on an appeal to the Court—

(a) under section 148(1)(b) of the **Victorian Civil and Administrative Tribunal Act 1998**; or

(b) under section 92 or 109 of the **Magistrates' Court Act 1989**—

is not subject to appeal to the Court of Appeal except by leave of the Court of Appeal or by leave of the Judge constituting the Trial Division.

(3B) Sub-section (3A) applies only to an order made on an appeal instituted after the commencement of section 10 of the **Courts and Tribunals Legislation (Further Amendment) Act 2000**."

No. 110/1986.  
Reprint No. 3  
as at  
1 August 1998  
. Further  
amended by  
Nos  
101/1998,  
10/1999 and  
62/1999.

**11. Statute law revision**

In the **Supreme Court Act 1986**—

(a) in section 3, in sub-sections (3), (4) and (5), for "General Rules of Procedure in Civil Proceedings 1986" substitute "Chapter I of the Rules of the Supreme Court";

(b) in section 84(3)(b)—

(i) for "mortgagee's" substitute "mortgagee's";

(ii) for "assignee" substitute "assignee";

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684.

*Courts and Tribunals Legislation (Further Amendment) Act  
2000*

s. 11

*Act No. 51/2000*

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(c) For the heading to Part 8 **substitute—**

**"PART 8—TRANSITIONALS AND SAVINGS";**

(d) sections 130, 131, 132, 133, 134, 135, 136,  
137 and 140 and the Schedule are **repealed.**

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**PART 5—VICTORIAN CIVIL AND ADMINISTRATIVE  
TRIBUNAL ACT 1998**

**12. Definitions**

In section 3 of the **Victorian Civil and Administrative Tribunal Act 1998**—

(a) after the definition of "professional advocate" insert—

' "reserve judge" of the County Court, means a judge who has made an election under section 13A(1) of the **County Court Act 1958** or who has been appointed under section 13A(3A) of that Act;'

(b) in the definition of "Vice President", after "Tribunal" insert ", including a Vice President appointed under section 11A".

**13. New section 11A inserted**

After section 11 of the **Victorian Civil and Administrative Tribunal Act 1998** insert—

**"11A. Short-term Vice Presidents**

- (1) If the President considers it necessary for the proper functioning of the Tribunal, he or she may request the Minister that one or more reserve judges of the County Court be appointed as Vice Presidents.
- (2) The Minister may appoint a reserve judge as a Vice-President for a term not exceeding 3 months.
- (3) A reserve judge may only be appointed as a Vice-President after the Minister has consulted the Chief Judge.

No. 53/1998.  
Reprint No. 1  
as at 1 July  
1999. Further  
amended by  
Nos 17/1999,  
57/1999 and  
1/2000.

636.

*Courts and Tribunals Legislation (Further Amendment) Act  
2000*

*Act No. 51/2000*

s. 14

- (4) The appointment of a reserve judge as a Vice President does not affect his or her tenure of office or status as a reserve judge nor any salary, pension or other rights or privileges that he or she has as a reserve judge.
- (5) Service in the office of Vice President must be taken for all purposes to be service in the office of reserve judge.
- (6) Nothing in this Act prevents a reserve judge appointed as a Vice President who is appointed under section 13A(4) of the **County Court Act 1958** from constituting the County Court for the purpose of the exercise by the County Court of any of its functions."

**14. Appointment of members**

In the **Victorian Civil and Administrative Tribunal Act 1998**—

- (a) in section 16(1), after "Members" insert "(other than a Vice President appointed under section 11A)";
- (b) in section 21(1), after "judge" insert "or reserve judge, as the case requires".

**15. Suspension of non-judicial member**

(1) In the **Victorian Civil and Administrative Tribunal Act 1998**—

- (a) in section 22(1)—
  - (i) for "Minister" (where twice occurring) substitute "President";
  - (ii) for "President" substitute "Minister";
- (b) in section 23(1), for "suspending" substitute "the President suspends".

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(2) In section 23 of the **Victorian Civil and Administrative Tribunal Act 1998**, for sub-section (8) substitute—

"(8) If the Minister decides not to make a recommendation under sub-section (4)—

- (a) the Minister must inform the President as soon as practicable after receiving the report under sub-section (2)(b); and
- (b) the President must lift the suspension."

**16. *Validity of proceedings***

In section 25 of the **Victorian Civil and Administrative Tribunal Act 1998**, at the end of paragraph (c) insert—

"; or

- (d) a member or former member represents a party in a proceeding in contravention of section 25A."

**17. *New section 25A inserted***

After section 25 of the **Victorian Civil and Administrative Tribunal Act 1998** insert—

**"25A. *Member or former member may not represent a party***

If the rules provide for proceedings to be entered in or transferred to lists of the Tribunal and for members to be assigned to those lists—

- (a) a member must not represent a party in any proceeding that has been entered in or transferred to a list to which the member has been assigned;

647 637

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- (b) for a period of 2 years after a member ceases to be a member, he or she must not represent a party in any proceeding that has been entered in or transferred to a list to which the former member was assigned."

**18. *Non-payment of application fees***

- (1) In section 68(3) of the **Victorian Civil and Administrative Tribunal Act 1998**, for "application is deemed not to have been lodged" substitute "Tribunal is to take no further action in respect of the application (other than action referred to in sub-section (4))".

- (2) In section 68 of the **Victorian Civil and Administrative Tribunal Act 1998**, for sub-section (4) substitute—

"(4) If the fee is not paid within 30 days after the day on which the application is lodged, the Tribunal may make an order striking out the proceeding, unless—

- (a) the fee has been waived under section 132 in that period; or
- (b) the fee has been reduced under section 132 and the reduced fee has been paid in that period; or
- (c) an applicant has requested the waiver or reduction of the fee and the request has not been determined by the end of that period."

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639.

*Courts and Tribunals Legislation (Further Amendment) Act  
2000*

*Act No. 51/2000*

s. 19

**19. *Summary dismissal of proceedings***

In section 75(3) of the **Victorian Civil and Administrative Tribunal Act 1998**, at the end of paragraph (b) insert—

"; or

- (c) a senior member who is a legal practitioner."

**20. *Conduct of proceedings causing disadvantage***

In section 78(1) of the **Victorian Civil and Administrative Tribunal Act 1998**, at the end of paragraph (f) insert—

"; or

- (g) failing to attend mediation or the hearing of the proceeding."

**21. *Mediator may require attendance at mediation***

In section 89 of the **Victorian Civil and Administrative Tribunal Act 1998**, after "mediation" (where first occurring) insert "or the mediator".

**22. *Notice of successful mediation***

In section 90 of the **Victorian Civil and Administrative Tribunal Act 1998**, for "Tribunal" substitute "principal registrar".

**23. *Power to close hearings***

In section 101(5) of the **Victorian Civil and Administrative Tribunal Act 1998**, after "sub-section" insert "(2) or".

**24. *Failing to attend an assessment of costs***

In section 111 of the **Victorian Civil and Administrative Tribunal Act 1998**, after sub-section (2) insert—

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650

*Courts and Tribunals Legislation (Further Amendment) Act  
2000*

s. 24

*Act No. 51/2000*

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"(3) If—

- (a) a party fails to attend an assessment of costs having been given reasonable notice of the assessment by the principal registrar; and
- (b) the assessment is adjourned as a result; and
- (c) another party incurs additional costs because of the adjournment—

the principal registrar may order that the party who failed to attend pay an amount fixed by the principal registrar in respect of the additional costs of the other party.

- (4) An order under sub-section (3) may be enforced under section 121 as if it were a monetary order.
  - (5) A party against whom an order is made under sub-section (3) may, within 14 days after the day on which the order is made, require the principal registrar to refer the order to the Tribunal for review.
  - (6) If the principal registrar makes an order under sub-section (3), the principal registrar—
    - (a) must inform the party against whom it is made of the right of referral under sub-section (5); and
    - (b) may stay the order, on the application of a party or on the principal registrar's own initiative, pending the exercise of that right and the determination of the review.
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641. 651.

*Courts and Tribunals Legislation (Further Amendment) Act*  
2000  
*Act No. 51/2000*

s. 25

- (7) No fee is payable for a referral under sub-section (5).
- (8) On a referral under sub-section (5), the Tribunal must review the order and may, by order, confirm, vary or set aside the order.
- (9) Nothing in Division 3 of Part 3 applies to a review under sub-section (8)."

**25. Declarations**

In section 124(2) of the **Victorian Civil and Administrative Tribunal Act 1998**, for "judicial member" **substitute** "presidential member".

**26. Contempt**

In section 137 of the **Victorian Civil and Administrative Tribunal Act 1998**—

- (a) in sub-section (10), for "the President" **substitute** "a judicial member";
- (b) sub-section (11) is **repealed**.

**27. Statute law revision**

In clause 23 in Schedule 1 to the **Victorian Civil and Administrative Tribunal Act 1998**, for "presiding member" **substitute** "person presiding".

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652.

*Courts and Tribunals Legislation (Further Amendment) Act  
2000*

Endnotes

*Act No. 51/2000*

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ENDNOTES

† *Minister's second reading speech--*

*Legislative Assembly: 26 May 2000*

*Legislative Council: 29 August 2000*

The long title for the Bill for this Act was "to make miscellaneous amendments to the Legal Practice Act 1996, the Magistrates' Court Act 1989, the Supreme Court Act 1986 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes."

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653.

IN THE SUPREME COURT OF VICTORIA  
FULL COURT – CRIMINAL JURISDICTION

No of 2008

IN THE MATTER of the *Crimes Act* 1958  
And

IN THE MATTER of an Application by  
Wayne Kenneth Glew

EXHIBIT

Date of Document:	17 <del>th</del> March 2008
Filed on behalf of:	The Applicant
Prepared by:	Wayne Kenneth Glew

This is the exhibit referred to and marked "B" in the affidavit of  
Wayne Kenneth Glew Affirmed on the 17~~th~~ day of March 2008 at  
Werribee in the State of Victoria

Before me: Margaret May Campbell

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee 3030



Part 8 Acts Amendment and Repeal  
(Courts and Legal Practice) Act 2003 WA

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Acts Amendment and Repeal  
(Courts and Legal Practice) Act 2003  
(No. 65 of 2003)

Part 8 — Amendments about the Crown

121. *Bail Act 1982* amended

(1) The amendments in this section are to the *Bail Act 1982*\*.

[\* 27 August 1999.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 27 and Acts Nos. 6 and 27 of 2002.]

(2) Section 3(1) is amended by deleting the definition of "prosecutor" and inserting instead —

" "prosecutor" includes —

(a) in the case of an offence charged in a complaint, the complainant;

(b) in the case of an offence charged in an indictment, the State or the Commonwealth, as the case may be;

(3) Each of the provisions in the Table to this subsection is amended by deleting "Crown" in each place where it occurs and in each case inserting instead —

" State ".

Table

s. 19(2)(b)	s. 58(1)
s. 49(1)	s. 58(2)
s. 49(3)	s. 59 (2 places)
s. 57(1)	Schedule 1 Part D cl. 1(2)(e)
s. 57(3)	

(4) Section 63 is amended by deleting "Crown" and inserting instead —

" State or the Commonwealth ".

122. *Children's Court of Western Australia Act 1988* amended

(1) The amendments in this section are to the *Children's Court of Western Australia Act 1988*\*.

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[\* 25 August 2000.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 51 and Act No. 27 of 2002.]

(2) Section 19B(4)(b) is amended by deleting "Crown" and inserting instead —  
" State ".

(3) Section 19E is amended by deleting "the Crown in the right of".

(4) Section 32(2)(a)(i) is amended by deleting "Crown" and inserting instead —  
" State ".

(5) Section 32(4) is amended in the definition of "public authority" by deleting "the Crown in right of".

(6) Schedule 1 is amended by deleting "our Sovereign Lady Queen Elizabeth the Second, Her Heirs and Successors" in the 2 places where it occurs and in each place inserting instead —

" the State of Western Australia ".

### 123. The Criminal Code amended

(1) The amendments in this section are to *The Criminal Code*\*.

[\* 9 February 2001 as the Schedule to the Criminal Code appearing as Appendix B to the Criminal Code Compilation Act 1913.

For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 89 and Acts Nos. 3, 6, 8 and 27 of 2002.]

(2) Each of the provisions in the Table to this subsection is amended by deleting "Crown" in each place where it occurs and in each case inserting instead —

" prosecutor ".

Table

s. 577 (2 places)	s. 632A
s. 616(1)	s. 646
s. 617A	s. 651A(5)
s. 618(3)	

(3) Section 581 is amended by deleting "Crown" in the 2 places where it occurs and in each place inserting instead —

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" State ".

(4) Section 584(14) is amended by deleting "Her Majesty" and inserting instead —

" the State ".

(5) Section 609 is amended by deleting "Crown" and inserting instead —

" State or the Commonwealth ".

(6) Section 628 is amended as follows:

(a) by deleting "Crown" in the first and third places where it occurs and in each place inserting instead —

" prosecutor ";

(b) in paragraph (2) by deleting "Crown" and inserting instead —

" State or the Commonwealth, as the case may be, ".

(7) Section 633 is amended by deleting "Crown" and inserting instead —

" State or the Commonwealth, as the case may be, ".

(8) Section 637 is amended by deleting "counsel for the Crown" in the 4 places where it occurs and in each place inserting instead —

" prosecutor ".

(9) Section 693A(4) is amended by deleting "Crown" and inserting instead —

" State ".

(10) Section 701(2) is amended by deleting "for the Crown thereon".

(11) Section 720 is amended by deleting "Queen" and inserting instead —

" State ".

(12) Section 729(3) is amended by deleting "Crown" in the 3 places where it occurs and in each place inserting instead —

" prosecution ".

(13) Section 746A(1) is amended as follows:

(a) by deleting "prosecution" and inserting instead —

" State ";

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(b) by deleting "Crown" and inserting instead —

" State ".

(14) Section 746A(4) is amended by deleting "Crown" and inserting instead —

" State ".

**124. Director of Public Prosecutions Act 1991 amended**

(1) The amendments in this section are to the *Director of Public Prosecutions Act 1991*\*.

[\* 1 June 2001.

*For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 100 and Act No. 27 of 2002.]*

(2) Section 10(1)(a) is amended by deleting "Crown" and inserting instead —

" State ".

**125. District Court of Western Australia Act 1969 amended**

(1) The amendments in this section are to the *District Court of Western Australia Act 1969*\*.

[\* 19 January 2001.

*For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 103 and Act No. 23 of 2002.]*

(2) Section 6 is amended as follows:

(a) in the definition of "action" by deleting "by the Crown";

(b) in the definition of "cause" by deleting "by the Crown".

(3) Section 10(1) is amended by deleting "in Her Majesty's name" and inserting instead —

" under the Public Seal of the State ".

(4) Section 11(1) is amended by deleting "Her Majesty" and inserting instead —

" the Governor ".

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688.

(5) Section 18A(1) is amended by deleting "in Her Majesty's name" and inserting instead —

" under the Public Seal of the State ".

(6) Section 18A(3) is amended by deleting "in Her Majesty's name" and inserting instead —

" under the Public Seal of the State ".

(7) Section 24(1) is amended by deleting "in Her Majesty's name" and inserting instead —

" under the Public Seal of the State ".

(8) The Schedule is amended by deleting "our Sovereign Lady Queen Elizabeth the Second Her Heirs and Successors" in the 2 places where it occurs and in each place inserting instead —

" the State of Western Australia ".

**126. Family Court Act 1997 amended**

(1) The amendments in this section are to the *Family Court Act 1997*\*.

[\* *Act 40 of 1997.*  
*For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 124 and Acts Nos. 3 and 25 of 2002.]*

(2) Schedule 1 item 1 is amended by deleting "Her Majesty Queen Elizabeth the Second, Her heirs and successors" in each place where it occurs and in each place inserting instead —

" the State of Western Australia ".

**127. Juries Act 1957 amended**

(1) The amendments in this section are to the *Juries Act 1957*\*.

[\* *3 July 2000.*]

(2) Section 38(1) is amended by deleting "those prosecuting for the Crown" and inserting instead —

" the prosecution ".

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(3) Section 52(1) is amended by deleting "Crown" and inserting instead —  
" prosecution ".

#### 128. *Justices Act 1902* amended

(1) The amendments in this section are to the *Justices Act 1902*\*.

[\* 8 October 2001.

*For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 193 and Act No. 27 of 2002.]*

(2) Section 154A(1) is amended by deleting "Crown" in the 2 places where it occurs and in each place inserting instead —

" State ".

(3) Section 154A(3) is amended by deleting "Crown" and inserting instead —

" State ".

(4) Section 206D is amended by deleting "Crown" and inserting instead —

" State ".

#### 129. *Local Courts Act 1904* amended

(1) The amendments in this section are to the *Local Courts Act 1904*\*.

[\* 12 January 2001.]

(2) Section 3 is amended in the definition of "Minister" by deleting "Crown" and inserting instead —

" State ".

#### 130. *Supreme Court Act 1935* amended

(1) The amendments in this section are to the *Supreme Court Act 1935*\*.

[\* 9 February 2001.

*For subsequent amendments see 2001 Index to Legislation of Western Australia, Table 1, p. 370 and Act No. 23 of 2002.]*



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(2) Section 4 is amended as follows:

- (a) in the definition of "Action" by deleting "by the Crown";
- (b) in the definition of "Cause" by deleting "by the Crown".

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —  
" the Governor ".

(4) Section 15(1) is amended by deleting "Royal Arms" and inserting instead —  
" armorial bearings of the State ".

(5) Section 37(2) is repealed and the following subsection is inserted instead —

"  
(2) Nothing in this section shall alter the practice in proceedings in relation to  
the prerogative and criminal jurisdiction of the Court.  
"

(6) Section 50(1) is amended by deleting "by the Crown".

(7) Section 51(1) is amended by deleting "by the Crown".

(8) Section 56(1) is amended by deleting "by the Crown".

(9) Section 119 is amended by deleting "to Her Majesty or any of her subjects, or  
other persons entitled in like manner as subjects".

(10) Section 154(1) is amended by deleting "Her Majesty's" and inserting instead —  
" The ".

(11) Section 154(3), (4), (5) and (6) are each amended by deleting "Crown" in each  
place where it occurs and in each place inserting instead —

" State ".

(12) The Second Schedule is amended by deleting "our Sovereign Lady Queen  
Elizabeth the Second, Her Heirs and successors" and inserting instead —

" the State of Western Australia ".

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AA201

ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL - PRACTICE) ACT 2003  
65 of 2003

PROCLAMATION

WESTERN AUSTRALIA	)	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
John Sanderson, Governor.		
[L.S.]		

I, the Governor, acting under section 2 of the *Acts Amendment and Repeal (Courts and Legal Practice) Act 2003*, and with the advice and consent of the Executive Council, fix 1 January 2004 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 December 2003.

By Command of the Governor,

J. A. MCGINTY, Attorney General.

GOD SAVE THE QUEEN !

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ASSISTING 4 DECEMBER 2003  
 PROCLAMATION 23 DECEMBER 2003  
 ENACTMENT 1 JANUARY 2004

662.

IN THE SUPREME COURT OF VICTORIA  
FULL COURT – CRIMINAL JURISDICTION

No of 2008

IN THE MATTER of the *Crimes Act 1958*  
And

IN THE MATTER of an Application by  
Wayne Kenneth Glew

**EXHIBIT**

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Date of Document: 17 March 2008  
 Filed on behalf of: The Applicant  
 Prepared by: Wayne Kenneth Glew

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This is the exhibit referred to and marked "C" in the affidavit of  
Wayne Kenneth Glew Affirmed on the 17 day of March 2008 at  
WERRIBEE in the State of Victoria

Before me: Margaret May Campbell

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee 3030



Grand Jury Application

Julia Gillard

26/42

663.

IN THE SUPREME COURT OF VICTORIA  
FULL COURT; CRIMINAL JURISDICTION

No: \_\_\_\_\_ of 2007

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

**APPLICATION FOR GRAND JURY**

TAKE NOTICE that the Full Court of the Supreme Court will be moved on the \_\_\_\_\_ Day of \_\_\_\_\_ 2007 at \_\_\_\_\_ am by the Applicant for the following Orders pursuant to Section 354 of the Crimes Act 1958, the Applicant having disclosed Indictable offence/offences involving *Treason, Misprison of Treason, Foreign Allegiances, Unlawful Oaths*, but not limited to these Indictable Offences committed by:

**Julia Gillard (Commonwealth MP) Werribee Victoria**

1. The Sheriff is ordered *to summons a Grand Jury to appear* at a Court to be holden at a time and place determined by the Court in accordance with the provision of Section 354 of the Crimes Act 1958 (Vic) to attend at such Court at that time and place to inquire present do and execute all things which on the part of "*the Queen*" shall then and there be commanded of them.

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2. **TREASON IS:**

*"Treason consists of a Breach of duty of Allegiance which the Subject owes to the Sovereign and which binds him at all times and in all places"*  
[Rex v Casement 1917, 1 KB 98 at 114]

3. **CRIMES ACT 1958 VICTORIA – SECTION 351**

**Mode of prosecution**

*"All treasons and misprisions of treason shall be prosecuted by indictment only, and all other indictable offences may be prosecuted by indictment or by presentment as hereinafter directed."*

4. **CRIMES ACT 1958 VICTORIA – SECTION 322E**

**Treason and misprision of treason not affected**

*"Nothing in this Part shall be taken to affect directly or indirectly any matter of law or practice applicable to treason or misprision of treason."*

5. **CRIMES ACT 1958 VICTORIA – SECTION 316**

**Unlawful oaths to commit treason, murder etc.**

(1) Every person who—

(a) Administers or is present at and consents to the administering of any oath or engagement in the nature of an oath purporting to bind the person who takes it to commit treason or murder; or

(2) Every person who—

(a) administers or is present at and consents to the administering of any oath or engagement in the nature of an oath purporting to bind the person who takes it to act in any of the ways following (that is to say):—

(ii) To commit any indictable offence other than treason or murder;

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(vii) not to reveal or discover any unlawful association society or confederacy or any illegal act done or to be done or any illegal oath or engagement that may have been administered or tendered to or taken by himself or any other person or the import of any such oath or engagement; or

shall be guilty of an indictable offence, and shall be liable to level 6 imprisonment (*5 years maximum*).

6. **CRIMINAL CODE ACT 1995 (CTH)**

Chapter 5: The Security of the Commonwealth

Part 5.1 Treason

Division 80 Treason

*Penalty: Imprisonment for Life*

7. **CRIMINAL CODE ACT 1995 (CTH)**

Chapter 5: The Security of the Commonwealth

Part 5.1 Treason

Division 80 Concealment or Assistance

(2) A person commits an offence if the person:

(a) Receives or assists another person who, to his or her knowledge, has committed treason with the intention of allowing him or her to escape punishment or apprehension; or

(b) Knowing that another person intends to commit treason, does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

*Penalty: Imprisonment for Life*

## 8. JUDICIARY ACT 1903 (CTH) SECTION 80

## Common law to govern

*So far as the laws of the Commonwealth are not applicable or so far as their provisions are insufficient to carry them into effect, or to provide adequate remedies or punishment, the common law in Australia as modified by the Constitution and by the statute law in force in the State or Territory in which the Court in which the jurisdiction is exercised is held shall, so far as it is applicable and not inconsistent with the Constitution and the laws of the Commonwealth, govern all Courts exercising federal jurisdiction in the exercise of their jurisdiction in civil and criminal matters.*

## 9. TREASON &amp; MISPRISON OF TREASON:

## Must be by Grand Jury Exclusively

## a. Byrne V Armstrong (1899) 25 VLR 126 (The Indictment)

“That section contemplates an *ex parte* application founded upon an affidavit disclosing an indictable offence, and that a justice has refused to commit. The court has no discretion once those conditions are complied with. Section 386 shows that so far as Treason is concerned it must be prosecuted by indictment. The Attorney General could not start such a prosecution. It must be by grand jury.” (at 126)

## b. Byrne V Armstrong (1899) 25 VLR 126 (The Finding)

“It is provided now that all the prosecutions shall be by presentment, but preserving the prerogative of the Crown through the Attorney General to proceed by information, except in case of ‘treason’ which has to be by indictment. Now indictment means by Grand Jury and therefore, inasmuch as the statute provides that Treason shall be tried by indictment only. That means that it must be by Grand Jury and no other means is provided for bringing it before a Grand Jury.” The finding of the Attorney General is

equivalent to the finds of the Grand Jury, but in the case of **Treason** it must be the finding of the **Grand Jury.**" (at 132)

- c. **McArdle V Lorne Campbell (Sept 1986) (On Behalf of the Crown)**  
*"Much has changed since 1940 and in particular the Office of Director of Public Prosecutions has been established by Act No 9848 of 1982. Under that Act the Director of Public Prosecutions is charged with preparing, instituting and conducting criminal proceedings on 'behalf of the Crown.' The Director is responsible to the Attorney General for the due performance of his functions and he is given the power to enter a nolle prosequi in criminal proceedings. But the Attorney-General's power to enter a nolle prosequi is preserved in these circumstances, now that the responsibility for instituting criminal proceedings has been taken out of the hands of the Attorney-General, it may be that there is not the same need to have an alternative method of instituting proceedings. When the Office of Director of Public Prosecutions was established S354 of the Crimes Act was amended to substitute the words 'the Director or Public Prosecutions' for the words 'a law officer.' The section therefore now operates where the Director declines to present."*

**10. FOREIGN ALLEGIANCE**

- a. **Commonwealth Constitution Act 1900 Section 44 (i)**

**Disqualification**

*Any person who:*

*(i) is under any acknowledgment of **allegiance, obedience, or adherence** to a foreign power, or is a subject or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power; or*



66P.

b. Commonwealth Constitution Act 1900 Section 44 (ii)

**Disqualification**

*Any person who:*

*(ii) is attainted of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer; or*

11. COMMONWEALTH CONSTITUTION ACT 1900 SECTION 80

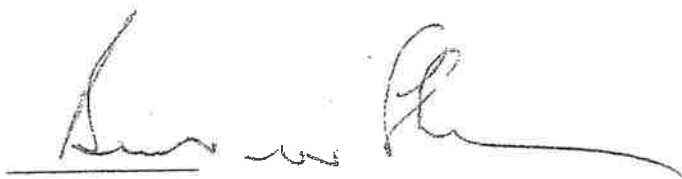
**Trial by jury [Section 80 Constitutional Guarantee]**

*"The trial on indictment of any offence against any law of the Commonwealth shall be by jury, and every such trial shall be held in the State where the offence was committed, and if the offence was not committed within any State the trial shall be held at such place or places as the Parliament prescribes."*

12. Such further or other orders that may be just and necessary.

DATED the 29<sup>th</sup> January 2007

This Application is filed by



Brian William Shaw  
280 Leakes Road  
Truganina Victoria 3030

42/42.

# CRIMINAL CODE ACT 1995

## Chapter 5 -- The security of the Commonwealth

### Part 5.1 -- Treason and urging violence

#### Division 80 -- Treason and urging violence

659.

#### 80.1A Definition of *organisation*

In this Division: "*organisation*" means:

(a) a body corporate; or

(b) an unincorporated body;

whether or not the body is based outside Australia, consists of persons who are not Australian citizens, or is part of a larger organisation.

#### Subdivision B -- Treason

#### 80.1 Treason

(2) A person commits an offence if the person:

- (a) receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or
- (b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**

# GOVERNOR SUBSTITUTES HIMSELF

670

---

## AUSTRALIA ACT 1986 - SECT 7

660-

### Powers and functions of Her Majesty and Governors in respect of States

(1)

Her Majesty's representative in each State shall be the Governor.

---

## COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 12

### Issue of writs

The Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate the writs shall be issued within ten days from the proclamation of such dissolution.

---

## ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL PRACTICE) ACT 2003 WA (NO. 65 OF 2003) - SECT 130

### 130 . *Supreme Court Act 1935* amended

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —

" the Governor ".

# CRIMINAL CODE ACT 1995

## Chapter 5 -- The security of the Commonwealth

Part 5.1 -- Treason and urging violence

Division 80 -- Treason and urging violence

671.  
bbl.

### 80.1A Definition of *organisation*

In this Division: "*organisation*" means:

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### Subdivision B -- Treason

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(b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**

672. <sup>672</sup>

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

20

MUKHTAR.

REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS / 68.

'BWS 68'

30

produced and shown to

at the time of affirming his affidavit this

15th June 2019

40

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee, 3030



Before me

50

Margaret May Campbell  
Solicitor/Justice of the Peace

Supreme Court Victoria  
Associate Justice MUKHTAR.  
24 February 2019.  
13 Counts.

673  
~~663~~

# Charge - Sheet and Summons

MUKHTAR

## TO THE ACCUSED

Associate Justice Mukhtar  
Supreme Court of Victoria  
436 Lonsdale Street  
Melbourne VIC 3000

You have been Charged with an offence  
Read both pages to see what you must do

M	F	Date of Birth	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	/	/
Registration No		State	
Licence No		State	

## Details of the charges against you

What is the charge ?  <i>Point 1</i>	The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, did attempt to Pervert the Course of Justice by practicing law within the Supreme Court of Victoria after the removal of the Oath of Allegiance from the Legal Practice Act 1996 Victoria, by enactment of Courts and Tribunals Legislation Further Amendment Act 2000 assented to 5th September 2000		
--	--	--	--

12 Counts

Under what Law ?	<input type="checkbox"/> State <input type="checkbox"/> Act <input checked="" type="checkbox"/> Other-specify <input type="checkbox"/> C'wealth <input type="checkbox"/> Reg	Act or Regulation No. Common Law	Section or Clause (Full Ref) Attempting to Pervert the Course of Justice
Type of offence	<input type="checkbox"/> Summary offence (you should go to Court) <input checked="" type="checkbox"/> Indictable offence (you must go to Court)		
Are there more charges ?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
Request for Committal proceedings	<input type="checkbox"/> No <input type="checkbox"/> Yes		
Who filed the charge sheet's Informant	RAIGH W SHAW		
Agency and Address	% PO Box 800 WARRIBEE. 3030 Vic		
Phone	0487 195522		
Email	N/A		
Fax No	N/A		
Agency Ref			
Informant Signature			Date

## Where will the case be heard

Where you must go	The *Magistrates' / Childrens' Court of Victoria at			
Address				
				Phone No.
When	Time	Day	Month	Year

## Details about this summons

Issued at	MELBOURNE	Date
Issued by		<input type="checkbox"/> Registrar <input type="checkbox"/> Magistrate <input type="checkbox"/> Police Informant
Charge filed at	MELBOURNE	Date
Method of Filing	Personal	Date

- Reserving for bearing Jury process -



674 667

# Continuation Of Charges

Page No

2

Person Charged

Associate Justice Mukhtar

Description of Offence

The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, did commit Common Law Fraud in that the accused gave no judicial attention to the fact that the removal of Her Majesty Queen Elizabeth the Second of the United Kingdom from the Legal Practice Act 1996 within the State of Victoria is and remains a primary act of Fraud

*Count 2.*

Under what Law ?

State  Act  Other-specify  
 C'wealth  Reg

Act or Regulation No.  
Common Law

Section or Clause (Full Ref)  
Fraud

Type of offence

Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Request for Committal proceeding

No  Yes

Description of Offence

The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, has attempted to overthrow the Constitution of the Commonwealth of Australia by Sabotage by consenting to the removal of Her Majesty Queen Elizabeth the Second, Her Heirs and Successors and Subjects from Law within the Commonwealth of Australia specifically Western Australia by the enactment of the Acts Amendment and Repeal Courts and Legal Practice Act 2003 (WA) on 1st January 2004

*Count 3.*

Under what Law ?

State  Act  Other-specify  
 C'wealth  Reg

Act or Regulation No.  
Crimes Act 1914

Section or Clause (Full Ref)  
s.24AA

Type of offence

Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Request for Committal proceeding

No  Yes

Are there more charges ?

No  Yes

Signature of Informant

Agency and Address

*- Refer First Page -*

Phone

Email

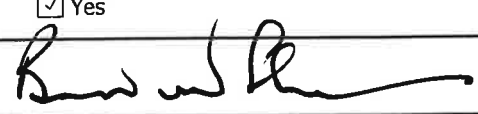
Fax No

Agency Ref

Signature of Registrar

67X  
665

# Continuation Of Charges

Page No	3				
Person Charged	Associate Justice Mukhtar				
Description of Offence	<p><i>Count 4</i></p> <p>The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, has practiced Law within the State of Victoria since 5th September 2000 with the Oath of Allegiance to Her Majesty Queen Elizabeth the Second removed from the Legal Practice Act 1996 Victoria and as such has Obtained Property by Deception</p>				
Under what Law ?	<input checked="" type="checkbox"/> State <input type="checkbox"/> C'wealth	<input checked="" type="checkbox"/> Act <input type="checkbox"/> Reg	<input type="checkbox"/> Other-specify	Act or Regulation No. <b>Crimes Act 1958</b>	Section or Clause (Full Ref) <b>s.81.1</b>
Type of offence	<input type="checkbox"/> Summary offence (you should go to Court)		<input checked="" type="checkbox"/> Indictable offence (you must go to Court)		
Request for Committal proceeding	<input type="checkbox"/> No <input type="checkbox"/> Yes				
Description of Offence	<p><i>Count 5</i></p> <p>The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, did intentionally and perversely exercise Federal Jurisdiction in a legal matter in which the accused did have a personal interest by concealing of specific indictable offences involving and implicating the Constitution of the Commonwealth of Australia</p>				
Under what Law ?	<input type="checkbox"/> State <input checked="" type="checkbox"/> C'wealth	<input checked="" type="checkbox"/> Act <input type="checkbox"/> Reg	<input type="checkbox"/> Other-specify	Act or Regulation No. <b>Crimes Act 1914)</b>	Section or Clause (Full Ref) <b>s.34.1 (b)</b>
Type of offence	<input type="checkbox"/> Summary offence		<input checked="" type="checkbox"/> Indictable offence (you must go to Court)		
Request for Committal proceeding	<input type="checkbox"/> No <input type="checkbox"/> Yes				
Are there more charges ?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes				
Signature of Informant					
Agency and Address	<p><i>- Ruffin Fraser Park -</i></p>				
Phone					
Email					
Fax No					
Agency Ref					
Signature of Registrar					



67b bbb.

Form 2 Rule 11

# Continuation Of Charges

Page No

4

Person Charged

Associate Justice Mukhtar

Description of Offence

The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, failed to discover the illegal act done, specifically the removal of the Oath of Allegiance to Her Majesty Queen Elizabeth the Second by the unlawful and illegal enactment of the Act titled Courts and Tribunals Legislation Further Amendment Act 2000, Part 2 Legal Practice Act 1996  
3. Oath of Allegiance No Longer Required

Count 6

Under what Law ?

State  Act  Other-specify  
 C'wealth  Reg

Act or Regulation No.  
Crimes Act 1958

Section or Clause (Full Ref)  
s.316 (2)(a)(vii)

Type of offence

Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Request for Committal proceeding

No  Yes

Description of Offence

The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, did Aid and Abet the Commission of an indictable offence specifically the unlawful and illegal removal of the oath of Allegiance to Her Majesty Queen Elizabeth the Second from the Legal Practice Act 1996 Victoria in Constitutional breach of the Constitution of the Commonwealth of Australia, being a United Kingdom Act

Count 7.

Under what Law ?

State  Act  Other-specify  
 C'wealth  Reg

Act or Regulation No.  
Crimes Act 1958

Section or Clause (Full Ref)  
s.323

Type of offence

Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Request for Committal proceeding

No  Yes

Are there more charges ?

No  Yes

Signature of Informant

Agency and Address

Robert First Page

Phone

Email


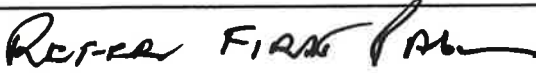
Fax No

Agency Ref

Signature of Registrar

677 667.

# Continuation Of Charges

Page No	5				
Person Charged	Associate Justice Mukhtar				
Description of Offence	<p><i>Count 8</i></p> <p>The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, did without lawful authority after the removal of the Oath of Allegiance to Her Majesty Queen Elizabeth the Second did impede the Apprehension, Prosecution and Conviction of the Principal Offenders of the Act</p>				
Under what Law ?	<input checked="" type="checkbox"/> State <input type="checkbox"/> C'wealth	<input checked="" type="checkbox"/> Act <input type="checkbox"/> Reg	<input type="checkbox"/> Other-specify	Act or Regulation No. <b>Crimes Act 1958</b>	Section or Clause (Full Ref) <b>s.325(1)</b>
Type of offence	<input type="checkbox"/> Summary offence (you should go to Court)		<input checked="" type="checkbox"/> Indictable offence (you must go to Court)		
Request for Committal proceeding	<input type="checkbox"/> No <input type="checkbox"/> Yes				
Description of Offence	<p><i>Count 9.</i></p> <p>The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, did attempt to commit an indictable offence within the State of Victoria and Commonwealth of Australia to the concealment of indictable offences both revealed and discovered</p>				
Under what Law ?	<input checked="" type="checkbox"/> State <input type="checkbox"/> C'wealth	<input checked="" type="checkbox"/> Act <input type="checkbox"/> Reg	<input type="checkbox"/> Other-specify	Act or Regulation No. <b>Crimes Act 1958</b>	Section or Clause (Full Ref) <b>s.321M</b>
Type of offence	<input type="checkbox"/> Summary offence (you should go to Court)		<input checked="" type="checkbox"/> Indictable offence (you must go to Court)		
Request for Committal proceeding	<input type="checkbox"/> No <input type="checkbox"/> Yes				
Are there more charges ?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes				
Signature of Informant					
Agency and Address					
Phone					
Email					
Fax No					
Agency Ref					
Signature of Registrar					

679

~~679~~

# Continuation Of Charges

Page No

6

Person Charged

Associate Justice Mukhtar

Description of Offence

The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, knowingly aided and abetted the concealment of the removal of Her Majesty Queen Elizabeth the Second, Her Heirs and Successors and Subjects from specific law within the State of Western Australia

Count 10

Under what Law ?

State  Act  Other-specify  
 C'wealth  Reg

Act or Regulation No.  
Crimes Act 1958

Section or Clause (Full Ref)  
s.181

Type of offence

Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Request for Committal proceeding

No  Yes

Description of Offence

The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, did conceal an act of Treason committed by disregarding the evident fact that the oath of Allegiance to Her Majesty Queen Elizabeth the Second has been unlawfully removed from the Legal Practice Act 1996 Victoria by enactment of Courts and Tribunals Legislation Further Amendment Act 2000 assented to 5th September 2000

Count 11.

'Misprison of Treason'

Under what Law ?

State  Act  Other-specify  
 C'wealth  Reg

Act or Regulation No.  
Common Law

Section or Clause (Full Ref)  
Misprison of Treason

Type of offence

Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Request for Committal proceeding

No  Yes

Are there more charges ?

No  Yes

Signature of Informant

Agency and Address

REFER FIRST PAGE.

Phone

Email

Fax No

Agency Ref

Signature of Registrar

679


669.

# Continuation Of Charges

Page No	7			
Person Charged	Associate Justice Mukhtar			
Description of Offence	The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, by agreeing to the Governor of the State of Western Australia substituting himself for Her Majesty Queen Elizabeth the Second has breached the Act of Settlement 1700 (UK)			
	<span style="font-size: 2em; font-family: cursive; margin-right: 10px;">Case 12.</span>			
Under what Law ?	<input type="checkbox"/> State <input type="checkbox"/> C'wealth	<input type="checkbox"/> Act <input type="checkbox"/> Reg	<input checked="" type="checkbox"/> Other-specify Act or Regulation No. Common Law	Section or Clause (Full Ref) Treason
Type of offence	<input type="checkbox"/> Summary offence (you should go to Court)		<input checked="" type="checkbox"/> Indictable offence (you must go to Court)	
Request for Committal proceeding	<input type="checkbox"/> No <input type="checkbox"/> Yes			
Description of Offence	The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, did by deception, dishonesty obtain for the ANZ Banking Group two rural properties situated at Mildura Victoria "Dandaloo" and "Karawatha" warrant number SP100057322			
Under what Law ?	<input checked="" type="checkbox"/> State <input type="checkbox"/> C'wealth	<input checked="" type="checkbox"/> Act <input type="checkbox"/> Reg	<input type="checkbox"/> Other-specify Act or Regulation No. Crimes Act 1958	Section or Clause (Full Ref) s.81(1)
Type of offence	<input type="checkbox"/> Summary offence (you should go to Court)		<input checked="" type="checkbox"/> Indictable offence (you must go to Court)	
Request for Committal proceeding	<input type="checkbox"/> No <input type="checkbox"/> Yes			
Are there more charges ?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
Signature of Informant				
Agency and Address	- RURAL FIRST FIVE -			
Phone				
Email				
Fax No				
Agency Ref				
Signature of Registrar				

*6/9. 6/6.*

# Continuation Of Charges

Page No	8		
Person Charged	Associate Justice Mukhtar		
Description of Offence	<p><i>Count 13</i></p> <p>The accused on the 24th February 2010 at Melbourne in the State of Victoria, Commonwealth of Australia a self governing colony of the United Kingdom of Great Britain and Ireland under Clause 8 of the Constitution of the Commonwealth of Australia, did conceal the fact that the Governor of the State of Victoria was signing and issuing invalid Election Writs after the removal of Her Majesty Queen Elizabeth the Second from specific Law within the Commonwealth of Australia, the law relating to State Writs and the Senate is found at section 12 Constitution of the Commonwealth of Australia</p>		
Under what Law ?	<input type="checkbox"/> State <input checked="" type="checkbox"/> C'wealth	<input checked="" type="checkbox"/> Act <input type="checkbox"/> Reg	<input type="checkbox"/> Other-specify <b>Act or Regulation No.</b> Crimes Act 1914
	<b>Section or Clause (Full Ref)</b> s.24AA		
Type of offence	<input type="checkbox"/> Summary offence (you should go to Court) <input checked="" type="checkbox"/> Indictable offence (you must go to Court)		
Request for Committal proceeding	<input type="checkbox"/> No <input type="checkbox"/> Yes		
Description of Offence	          		
Under what Law ?	<input type="checkbox"/> State <input type="checkbox"/> C'wealth	<input type="checkbox"/> Act <input type="checkbox"/> Reg	<input type="checkbox"/> Other-specify <b>Act or Regulation No.</b>
	<b>Section or Clause (Full Ref)</b>		
Type of offence	<input type="checkbox"/> Summary offence (you should go to Court) <input type="checkbox"/> Indictable offence (you must go to Court)		
Request for Committal proceeding	<input type="checkbox"/> No <input type="checkbox"/> Yes		
Are there more charges ?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		
Signature of Informant			
Agency and Address	- Kevin O'Connell -		
Phone			
Email			
Fax No			
Agency Ref			
Signature of Registrar			

# The Criminal Act

681.

Emanating out of the State of Western Australia, a State within the Commonwealth of Australia

## Acts Amendment and Repeal (Courts and Legal Practice) Act.

o Enacted 1 January 2004

2004.

Supreme Court Act 1935 amended

### Section 130

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead –

"The Governor"

143.

682

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

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REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS /.....69.....

- Bull 69

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at the time of affirming his affidavit this

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A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee, 3030



Before me

50

*Margaret May Campbell*  
Solicitor/Justice of the Peace

*Grass - Hennessy  
The Concernment of  
The Removal of the Curved  
and the  
EDMUND OFFRICE  
on Trust Grass.*



MARCY  
2010

~~6/13~~ 683

# The Altona By-Election

## The Criminal Offence involved

---

The Altona By-election was held 13<sup>th</sup> February 2010 for the vacant State seat which includes the Federal Electorate of Lalor, Altona, Werribee, Hopper Crossing, out to Anakie, Werribee South, almost to Gisborne

The Federal seat is currently held by Julia Gillard the Deputy Prime Minister of the Commonwealth of Australia, sitting in the House of Representatives

But, prior to the last Federal election Julia Gillard was charged by myself exercising the Legal Right to lay such charge returnable to the Melbourne Magistrates Court on 29<sup>th</sup> January 2007

The criminal charge revealed the fact that the State of Western Australia had removed the Crown, The United Kingdom Monarch and the Oath of Allegiance from some 80 specific Acts within Western Australia. In reality had separated from the Commonwealth of Australia without informing the electors of the Commonwealth

Julia Gillard concealed this fact when seeking re-election, the Australian Labor Party, inclusive of all the other Parties, inclusive of the Supreme Court of Victoria maintained the concealment

Julia Gillard + Jim Hennessy

1/4.



The Criminal Charge filed on Julia Gillard meant in law that Julia Gillard was disqualified from the Commonwealth Parliament under section 44(ii) and 44(i) of the Commonwealth Constitution

The Supreme Court of Victoria, the Melbourne Magistrates Court and Commonwealth Director of Public Prosecutions (Mr Damian Bugg) in collusion with the Attorney General of Victoria (Mr R Hulls) and Western Australia (Mr J McGinty) blocked the matter from going to a Grand Jury hearing (23 electors) before the last Federal Election



The Altona By-election continued the Fraud on the electorate, in particular Jill Hennessy, a Lawyer

On September 5<sup>th</sup> 2000, the Parliament of Victoria removed the Oath of Allegiance from the Legal Practice Act in Victoria which was only 10 months after the Electors of the Commonwealth had voted by referendum to retain the Constitutional Oath of Allegiance and the United Kingdom structure of law

The Current Political parties and all Politicians, State and Commonwealth do not work for the electors; they work for the United Nations, but, are under strict instructions not to reveal this to the people of Altona, Werribee, Victoria, Australia until the Republic status is obtained

To obtain the Republic status criminal offences and criminal activity has occurred; the concealed aim is to remove all Private Ownership of Land from every Australian

DAMIAN Bugg - JAMES MCGINTY - R. HULLS

685

Julia Gillard, an International Socialist is the principal person working for the United Nations Socialist Program to steal the land from every Australian without their knowledge or compensation

Jill Hennessy, the purported winner is also involved in the United Nations program because the Australian Labor party is part of the International Labor Movement and as such is a body of the United Nations

The current Governor General Quentin Bryce is a delegate to the United Nations

The Criminal charge of Treason is activated when the Oath of Allegiance is breached, the Criminal charge of Concealment of such Treason is activated when the actual Treason is concealed, and both criminal offences carry Life Imprisonment penalties under current Australian Law

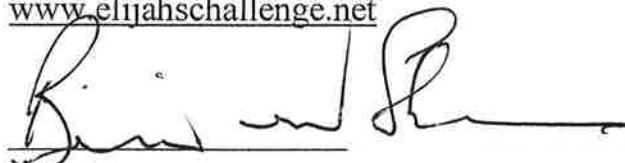
In the most recent Altona By-election I nominated to expose exactly what is revealed in these few pages, the matter is now before the Supreme Court of Victoria

Mr Brian Shaw

Po Box 800 Werribee 3030 Victoria

Website: [www.elijahschallenge.net](http://www.elijahschallenge.net)

Signed:



Date

16<sup>th</sup> march 2010

QUENTIN BRYCE.

3/

# The Criminal Act

---

Emanating out of the State of Western Australia, a State within the Commonwealth of Australia

## Acts Amendment and Repeal (Courts and Legal Practice) Act.

- o Enacted 1 January 2004

Supreme Court Act 1935 amended

### Section 130

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead –

"The Governor"

Concurred By Bob Tonia Brennan  
and Jim Kennesey.

---

# GOVERNOR SUBSTITUTES HIMSELF

---

## AUSTRALIA ACT 1986 - SECT 7

687

### Powers and functions of Her Majesty and Governors in respect of States

(1)

Her Majesty's representative in each State shall be the Governor.

---

## COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 12

### Issue of writs

The Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate the writs shall be issued within ten days from the proclamation of such dissolution.

---

## ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL PRACTICE) ACT 2003 WA (NO. 65 OF 2003) - SECT 130

### 130 . *Supreme Court Act 1935* amended

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —

" the Governor ".

*This CRIMINAL TREATMENT FOR TRAYSON.*

# CRIMINAL CODE ACT 1995

## Chapter 5 -- The security of the Commonwealth

Part 5.1 -- Treason and urging violence

Division 80 -- Treason and urging violence

68P

### 80.1A Definition of *organisation*

In this Division: "*organisation*" means:

(a) a body corporate; or

(b) an unincorporated body;

whether or not the body is based outside Australia, consists of persons who are not Australian citizens, or is part of a larger organisation.

### Subdivision B -- Treason

#### 80.1 Treason

(2) A person commits an offence if the person:

- (a) receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or
- (b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**

(OFFENCE + PENALTY)

9/7

689

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

20

REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS / 70

'BWS 70'

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produced and shown to

at the time of affirming his affidavit this

15th June 2019

40

Before me

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee, 3030



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*Margaret May Campbell*  
Solicitor/Justice of the Peace

*Noted by reception  
Vice Documents  
"Mistress of Treason"  
Jana Eason*



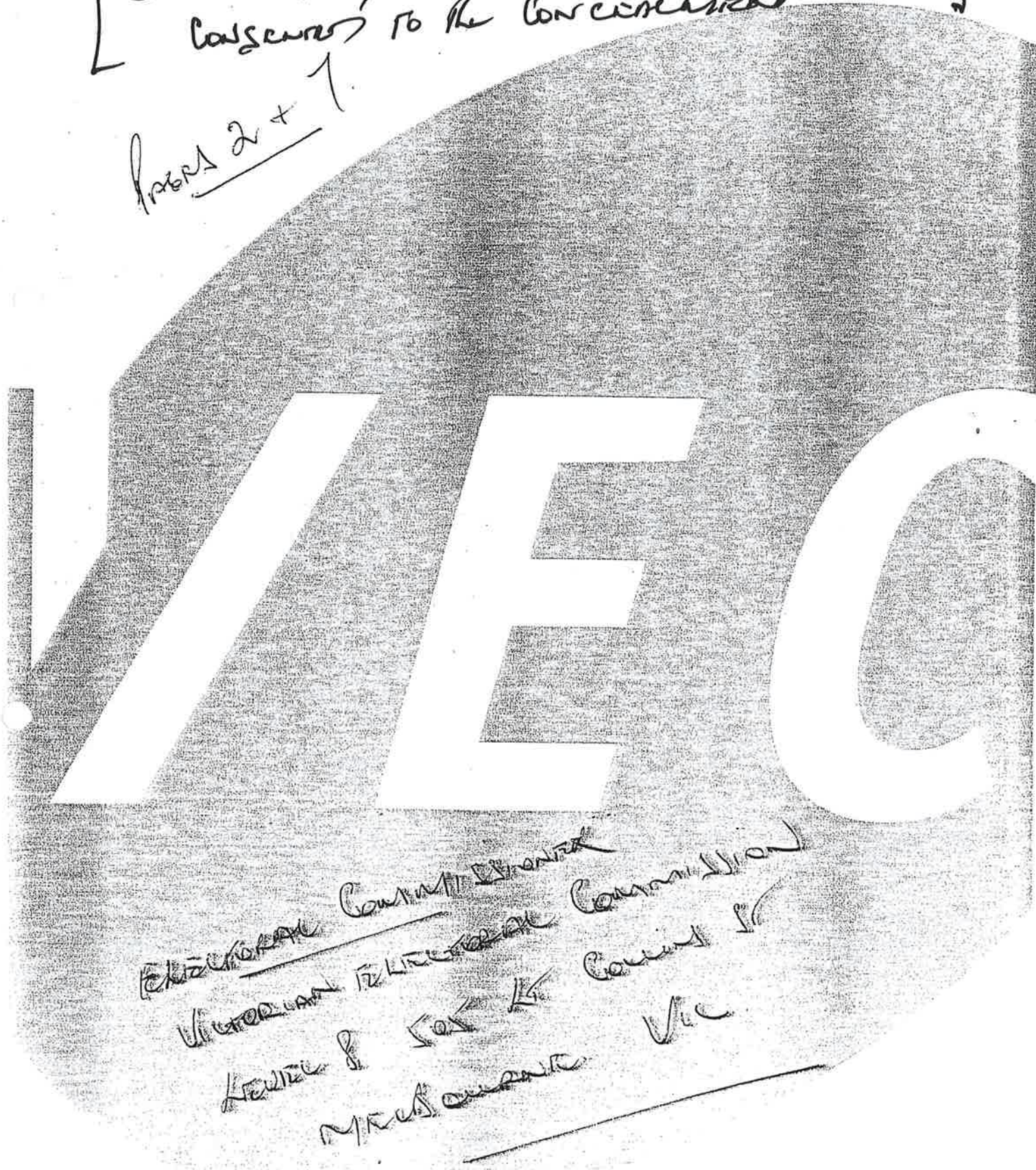
# Scrutineer Handbook

~~680~~

DISTRICT BY-ELECTION  
LEGISLATIVE ASSEMBLY

[ Justice DAVID BEANEY (Vic Supreme Court) ]  
consented to the concentration

pages 2 + 7



~~Victorian Electoral Commission~~  
Victorian Electoral Commission  
Justice & Court of Appeal  
MRS. [unclear] Vic



681 691

## 4. CANVASSING AT VOTING CENTRES

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### "The 3 Metre Rule"

A person is not allowed to canvass for votes, solicit the vote of any elector, induce any elector not to vote or display any unofficial electoral notice within three metres of the entrance of, or within the building used as, a voting centre. Please note that this includes election day voting centres, early voting centres and mobile voting centres.

Penalty: 5 penalty units.

(Supporters distributing registered how-to-vote cards must be outside this limit).

When a voting centre building is situated in enclosed grounds and the Voting Centre Manager displays a notice at the entry to the grounds, stating that the grounds are part of the voting centre, the grounds are considered to be part of the voting centre for purposes of the above offences. In such cases, registered how-to-vote cards may only be distributed more than three metres away from the entrance or entrances to the grounds.

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### Party Workers

Party workers may assist electors by handing out how-to-vote cards.

Party workers are not allowed to:

- enter a voting centre to retrieve how-to-vote cards from rubbish bins or voting compartments; or
- canvass within 3 metres of an entrance to a voting centre. The Voting Centre Manager should clearly indicate the 3 metre distance.

Party workers may only enter the voting centre:

- to cast their vote; or
- if nominated by an elector who needs assistance to complete the ballot paper.

Party workers must remove any party related ID before entering a voting centre.



692

**Region** A Region is an electorate for the Legislative Council. There are 8 Regions, each electing 5 members and each Region comprises 11 Districts.

**Registered How-to-vote Cards** Registered how-to-vote cards are the only printed electoral material that may be distributed between 3 and 400 metres of a voting centre on election day.

~~692~~

**Roll** The certified roll of electors is supplied to Election Managers in three formats – scannable, reference and electronic.

Scannable and electronic rolls are used to mark electors' names as having voted and are used at voting centres and early voting centres for issuing votes.

Reference rolls are for reference use only and supplied to all Voting Centre Managers.

An electronic copy of the roll is provided to all candidates.

3 METRES  
400 METRES

**Scrutineers** Scrutineers are appointed by candidates to represent their interests. Scrutineers are permitted to observe voting, scrutiny and counting procedures during an election.

**Scrutiny** The checking and counting of ballot papers to ascertain the result of an election.

**Silent Elector** An elector whose address is not on an electoral roll because of a request made under section 31 of the *Electoral Act 2002*. Their address is listed on the roll as "Address Suppressed".

**Unenrolled Electors** Persons who are not on the roll for the electorate in which they claim a vote and who declare that they have been mistakenly omitted from the roll.

**Voting Centre** A place appointed by the Commission for voting at an election as:

- an early voting centre;
- a mobile early voting centre; or
- an election day voting centre.

**Secrecy of Vote**

Except as authorised under the Act, a person who is present when an elector votes must not ascertain or disclose the elector's vote, attempt to induce the elector to show how the elector intends to vote, communicate with the elector during voting or look at the elector's vote.

PENALTY: 120 penalty units or 1 year imprisonment (EA s.154).

**Prohibition of Publicly Disseminating Exit Poll Results**

A person must not, during the hours of voting, publicly disseminate, or cause, permit or authorise the public dissemination of the results of any exit poll carried out at an election day voting centre.

PENALTY: 60 penalty units or imprisonment for 6 months (EA s.155).

**Prohibition of Use of Public Address System**

During the hours of voting, no candidate or other person shall use any loud speaker, public address system, amplifier or other device to disseminate any matter likely to affect the result of the election, or make a public demonstration about an election, within 400 metres of a voting centre (EA s.159).

PENALTY: 1 penalty unit (EA s.159).

**Distribution of Printed Electoral Material**

A person may not distribute printed electoral material other than registered how-to-vote cards within 400 metres of a voting centre on election day.

PENALTY: 60 penalty units or 6 months imprisonment (EA s.156(1)).

Printing, publication or distribution of a how-to-vote card which has not been registered and which contains a representation of the prescribed endorsement is an offence.

PENALTY: 60 penalty units or 6 months imprisonment (EA s.156(2)).

It is an offence to refuse to comply with a request on election day by an election official to produce how-to-vote cards for inspection or to hand over all unregistered cards.

PENALTY: 10 penalty units (EA s.157).

**Advocating a Vote Contrary to Directions on the Ballot Paper**

It is an offence to print, publish or distribute, or to cause to be printed, published or distributed:

- a handbill, pamphlet or notice that contains a representation of a ballot paper that is likely to induce an elector to mark his or her vote otherwise than in accordance with the directions on the ballot paper.

PENALTY: 60 penalty units or six months imprisonment for an individual, and 300 penalty units for a body corporate (EA s.84(2)).

**False Statements**

It is an offence to provide orally or in writing any false or misleading information under the Electoral Act.

PENALTY: **Indictable Offence.** 60 penalty units or 5 years imprisonment (EA s.148).

**Misconduct in a Voting Centre**

Any person who wilfully obstructs procedures, behaves in a disorderly manner, or causes a disturbance at a voting centre may be removed from the voting centre by the police (EA s.174).

**Compulsory Voting**

Voting is compulsory for all electors, including candidates, for the electorate for which they are enrolled.

PENALTY: half a penalty unit (EA ss.166, 170).

# Charge and Summons

(Bring this with you to Court)

*Burns* *694*

**TO THE DEFENDANT**

Ms Julia Gillard MP  
 Shop 2, 36 Synnot Street  
 Werribee Vic 3030

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /
Registration No		State	
Licence No		State	

You have been Charged with an offence against the Law  
Read both pages to see what you must do

## Details of the charges against you

*I Count.*

What is the charge?  On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with "the Commonwealth", did enact an overt Act, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA".

By such enactment an Act of Treason was committed.

Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date

*Misprison of Treason*

Under what Law?	<input type="checkbox"/> State <input type="checkbox"/> Act <input checked="" type="checkbox"/> Other-specify	Act or Regulation No. Common Law	Section or Clause (Full Ref) Misprison of Treason
Type of offence	<input type="checkbox"/> Summary offence (you should go to Court)	<input checked="" type="checkbox"/> Indictable offence (you must go to Court)	
Are there more charges?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes -see "Continuation of charges" attached		
Informant	Brian W Shaw		
Agency and Address	280 Leakes Road Truganina Victoria		
Informant Signature		Phone No. 09 93941116	Date

*WAS NOT IN COURT*

## Where will the case be heard

*29 January 2007.*

Where you must go	The *Magistrates' / Childrens' Court of Victoria at Melbourne		
Address	233 William Sreet Melbourne Victoria		
When	Time <i>10am</i>	Day <i>29th</i>	Month <i>January</i> Year <i>2007</i>

## Details about this summons

Issued at	MELBOURNE	Date	<i>19 DEC 2005</i>
Issued by Signature		<input type="checkbox"/> Registrar <input type="checkbox"/> Magistrate <input type="checkbox"/> Other	
Charge filed at	MELBOURNE	Date	<i>13 FEB 2007</i>

*(\* Concealment of Treason) IS TREASON.*

AFFIDAVIT OF SERVICE

685

I, Brian William Shaw of 280 Leakes Road, Truganina, 3030 in the State of Victoria do state and affirm the following:

A.M.

That on the 15<sup>th</sup> day of January 2007 ( 1:00 PM ) I served a charge and


summons returnable 29<sup>th</sup> January 2007, in the Magistrates Court of Victoria at

Melbourne, 233 William Street Melbourne, on Julia Givran by

leaving the charge and summons with 'CHANGES'  
SHD 2 36 SYNNOT STREET WERRIBEE


Informant: Brian Shaw

Defendant: Julia Givran

Affirmed by 

At WERRIBEE in the State of Victoria

This 25<sup>th</sup> day of January 2007

Before me   
Justice of the Peace

A JUSTICE OF THE PEACE FOR VICTORIA  
REG. No. 9924  
MARGARET MAY CAMPBELL  
7 MUIRHEAD CRES.  
WERRIBEE 3030

696.

“Treason consists of a  
Breach of duty of Allegiance  
which the Subject owes to  
the Sovereign and which  
binds him at all times and in  
all places”

+

[Rex v Casement 1917, 1 KB 98 at 114]

✓

# The Criminal Act

687.

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Emanating out of the State of Western Australia, a State within the Commonwealth of Australia

## **Acts Amendment and Repeal (Courts and Legal Practice) Act.**

- o Enacted 1 January 2004

### **Supreme Court Act 1935 amended**

#### **Section 130**

- (3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead –

**"The Governor"**

143,

698.

*“It is provided now that all the prosecutions shall be by presentment, but preserving the prerogative of the Crown through the Attorney General to proceed by information, except in case of ‘treason’ which has to be by indictment. Now indictment means by Grand Jury and therefore, inasmuch as the statute provides that Treason shall be tried by indictment only. That means that it must be by Grand Jury and no other means is provided for bringing it before a Grand Jury.” The finding of the Attorney General is equivalent to the finds of the Grand Jury, but in the case of Treason it must be the finding of the Grand Jury.”*

I

H

[Byrne v Armstrong (1899) 25 VLR 126 at 132]



# CRIMINAL CODE ACT 1995

## Chapter 5 -- The security of the Commonwealth

Part 5.1 -- Treason and urging violence

Division 80 -- Treason and urging violence

699.

### 80.1A Definition of *organisation*

In this Division: "*organisation*" means:

(a) a body corporate; or

(b) an unincorporated body;

whether or not the body is based outside Australia, consists of persons who are not Australian citizens, or is part of a larger organisation.

### Subdivision B -- Treason

#### 80.1 Treason

(2) A person commits an offence if the person:

- (a) receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or
- (b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**

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IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

20

REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS / 71.....

'Buss 71'

30

produced and shown to

at the time of affirming his affidavit this

15th ~~July~~ 2019.

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A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee, 3030



Before me

50

Margaret May Campbell  
Solicitor/Justice of the Peace

Travis Guinness  
The Indigument  
December 2018

691 701  
Lerner  
"BWS 72"  
— —

THE INDICTMENT OF JULIA GILLARD

**INDICTMENT OF JULIA GILLARD**  
**THE INFORMANT: BRIAN WILLIAM SHAW**

**DATE: DECEMBER 2018**

**THE INDICTABLE OFFENCE**

**MISPRISION OF TREASON – COUNT 1**

*"On the 1<sup>st</sup> January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive, Legislative and Judicial arms, in agreement with "The Commonwealth", did enact an overt Act titled;*

**Acts Amendment and Repeal Courts and Legal Practice Act'  
2003 West Australia**

*By such enactment an Act of treason was committed. Such treason has been concealed by the defendant since the date of enactment up to and inclusive of the present date."*

**THE BACKGROUND RELATING TO COUNT 1**

This particular criminal charge and summons was issued out of the Magistrates Court at Melbourne under private prosecution Right.

The charge was signed off by Mr Scott MacDonald in the public office capacity of Deputy Registrar, returnable date 29<sup>th</sup> January 2007.

The affidavit of service was completed and returned to the file on the 29<sup>th</sup> January 2007.

The defendant did not appear at the court.

By delegated authority the Director of Public Prosecutions Commonwealth, Mr Damian Bugg, had the offence withdrawn.

**THE PROCEDURAL PROBLEM**

More recently it has come to my attention that a presiding Magistrate cannot discharge a prosecution of an indictable offence if the defendant is not present in the court.

If this is a correct assumption, then all presentments that have been discharged unlawfully **must be presented again,**

692 702

THE INDICTMENT OF JULIA GILLARD

**Or, in the alternative,**

Go straight to Grand Jury process in the criminal jurisdiction of the Full-Court of the Victorian Supreme Court; current President, Chris Maxwell.

THE CRIMINAL CONSPIRACY EXPOSED

1. Queen Victoria, the Constitutional Monarch of the United Kingdom was the reigning Monarch for the Colony/State Constitutions, inclusive of Federation,

But,

Allegedly in the period 1885-1888 Queen Victoria became a member of the Vatican City Crusader Order known as 'Knights of Malta', otherwise titled 'Knights of St John of Jerusalem'.

2. THE CONSTITUTIONAL FRAUD - 1901  
The only conclusion to come to with this discovery is that the people of the newly formed Federation had been deceived.
3. THE 1540 BAN (HENRY VIII)  
In the year 1540 under the newly formed Government, the Parliament by statute law banned the Knights of St John of Jerusalem from England.
4. THE BILL OF RIGHTS  
In the period prior to 1688 there was a concerted attempt by Vatican City to obtain the throne of England.  
The attempt failed after the House of Lords trial of seven Church of England Bishops, who had been arrested and placed on trial by the then King.  
The judgement ruled in favor of the Bishops, resulting in the abdication of the King.  
William and Mary gained the Throne and Crown resulting in the 1688 Bill of Rights,  
excluding Vatican City and Catholics from the Throne and/or Crown.

~~693.~~ 703

THE INDICTMENT OF JULIA GILLARD

**5. ACT OF SETTLEMENT 1701**

This particular Act affirmed the substance and content of the Bill of Rights 1688 and by defacto, affirmed the 1540 ban,

But,

International Freemasonry, in particular the Knights and the Shriners have effectively undermined all United Kingdom law, and as a consequence, Australian law.

**6. In the law of the United Kingdom, the Constitutional Monarch is subject to both Houses of Parliament; that is, the House of Lords and House of Commons.**

England does not have a written Constitution and as such the law is both statute law and common law,

But,

At all material times, the two principal statutes for the Parliament to obey are:

- the 1688 Bill of Rights, and
- the 1701 Act of Settlement.

Treason is evident at this point for the following reasons.

- A.** Henry VIII split from Roman rule and created his own Kingdom in addition to the Church of England, allegedly formed from the law identified in scripture, but not obeyed.
- B.** The disobedience to scriptural law permitted everything to go wrong. This was compounded by disobedience to the major statutes mentioned herein,
- C.** The English Parliaments and Monarch's broke both statutes,

But,

Halsbury's Laws of England 2<sup>nd</sup> Editions Volume 6 at page 423, paragraph 473 states that this is treason.

- D.** Federation is fraud because it broke both statutes by permitting Vatican City Knights to function within the realm.

69k 704

## THE INDICTMENT OF JULIA GILLARD

### FIRST WORLD WAR (1914 - 1918)

- A. Versailles Treaty
- B. League of Nations (excluding the United States)

### SECOND WORLD WAR (1939 – 1945)

- A. League of Nations
- B. United Nations formed in 1945 assumes the League of Nations into their umbrella and in 1946, League of Nations ceases.

---

### THE TRUSTEE FOR AUSTRALIA

In the period 1945-1948 the world is divided into mandated territories. The trustee for the territory of Australia becomes the United Nations identified in the Commonwealth Act; **Nationality and Citizenship Act**.

No referendum is called or conducted.

#

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## THE CONSTITUTIONAL CONFLICT

### THE ISSUE

Does the existence of a **trustee** out-rank the **Constitutional Monarch** based on the concluded fact that the United Kingdom would also be a mandated territory with the same **United Nations trustee**?

### THE DILEMMA

The fact that Julia Gillard never attended the court on the 29<sup>th</sup> January 2007 and has never stood trial for the criminal offence suggests or exhibits the answer.

### RUDD – GILLARD – JEFFREY

In the year 2007 a Commonwealth election was called and conducted. House of Representatives election writs were issued by Governor-General Jeffrey.

State election writs by State Governors.

695. 705

THE INDICTMENT OF JULIA GILLARD

The Labor Party gained Government,

But,

Kevin Rudd and Julia Gillard refused to take the mandatory and compulsory oath of allegiance set out in the Constitution of the Commonwealth of Australia.  
Irrespective, the Governor-General sitting permitted them to Govern in the public office capacity of Prime Minister and Deputy Prime Minister.

A

COMMONWEALTH CONSTITUTION - SECTION 44:

- A. The discovery of the 'United Nations trustee' would be a Constitutional breach of Section 44(i).
- B. The criminal charge of 'misprision of treason' would be a Constitutional breach of Section 44(ii).

A

THE VEXATIOUS ORDER - 2007

During the year of 2007 to prevent Julia Gillard and others (~~six~~ 11 others defendants) from standing trial in an open court for treason against the people and Monarch, the defendants, in particular Mr R J Hulls, organized the Victorian Supreme Court to have myself declared a vexatious litigant to enable both Julia Gillard and Kevin Rudd to govern for and on behalf of the United Nations trustee, excluding the Constitutional Monarch.

}

WESTERN AUSTRALIA 2004

In combination with the United Nations Trustee for Australia, and Vatican City Freemasonry, in particular **The Knights of St John of Jerusalem**, two particular **natural persons** – Mr John Sanderson and Mr James McGinty – co-signed the illegal enactment to the overt Act of treason mentioned and identified in Count 1 of the Gillard indictment.

Both men are Vatican City agents in statute law breach of:

- A. The 1540 United Kingdom ban
- B. The 1688 Bill of Rights
- C. The 1700 Act of Settlement
- D. The Criminal Code Act 1995 (Cth), at Section 80

But, not limited to these statutes.



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THE INDICTMENT OF JULIA GILLARD

**TRUSTEE v MONARCH**

The current Monarch of the United Kingdom, and as such, purportedly Australia is Queen Elizabeth the Second, who is also a Vatican City Freemason which is the principal reason why Queen Elizabeth the Second permitted the Western Australian 'natural persons' to remove the Queen, the Crown and substitute themselves, because they all belong to the same Vatican City Masonic Order, the head of which is the current Pope, and all contrary to the law of Almighty God, the Father inclusive of all Australian law.

#

**THE SOCIALIST-COMMUNIST AGENDA**

( YALTA - RUSSIA )

After the Second World War, in the years 1945 – 1948 resulting from the Yalta agreement, the principles being;

- A. The United Soviet-Socialist Republic of Russia under Stalin,
- B. The United Kingdom under Churchill,
- C. The United States of America under Roosevelt.

Yalta is a city within Russia and is the actual reason why criminal offences relating to and involving Julia Gillard, a socialist-communist, have been prevented from going to trial.

#

**HAWKE – ISRAEL – JERUSALEM**

At the time when Mr Hawke, a 'natural person', was a Commonwealth politician, he was also an Honorary citizen of Israel and as such, disqualified from sitting in the House of Representatives. Regardless, the man went on to the public office of Prime Minister, because of the socialist-communist Yalta Agreement, not the Commonwealth Constitution.

#

**THE COLLATERAL**

The secured party, the New York branch of the Federal Reserve required collateral. Such collateral is inclusive of all land titles plus Birth Certificates.

#

The whole collateral arrangement is concealed from Australians.

Every part of the collateral secured party arrangement is based from the Yalta Agreement and as such, is socialist-communist based and as such totally disregards the law of Almighty God, the Father.

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THE INDICTMENT OF JULIA GILLARD

**THE SECURED PARTY**

A. All banking within Australia is subject to the Yalta Agreement.

Such agreement resulted in the United Nations trusteeship for the mandated territory of Australia.

B. The secured party is the New York arm of the United States Federal Reserve.

C. The Federal Reserve came into being in 1913 prior to the First World War and is in existence today in relation to mandated territories.

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Bruce Lee

( INFORMANT )

MAY 2019

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# GOVERNOR SUBSTITUTES HIMSELF

708

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## AUSTRALIA ACT 1986 - SECT 7

69K

### Powers and functions of Her Majesty and Governors in respect of States

(1)

Her Majesty's representative in each State shall be the Governor.

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## COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 12

### Issue of writs

The Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate the writs shall be issued within ten days from the proclamation of such dissolution.

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## ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL PRACTICE) ACT 2003 WA (NO. 65 OF 2003) - SECT 130

### 130 . *Supreme Court Act 1935* amended

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —

" the Governor ".

# CRIMINAL CODE ACT 1995

## Chapter 5 -- The security of the Commonwealth

Part 5.1 -- Treason and urging violence

Division 80 -- Treason and urging violence

709.

709

### 80.1A Definition of *organisation*

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(b) an unincorporated body;

whether or not the body is based outside Australia, consists of persons who are not Australian citizens, or is part of a larger organisation.

### Subdivision B -- Treason

#### 80.1 Treason

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- (b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**

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760.

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

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REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS / 72

BWS 72

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7 Muirhead Cres, Werribee, 3030



Before me

50

*Margaret May Campbell*  
Solicitor/Justice of the Peace

SHAW + GIOVANNA  
Common Law in Distress  
of. Tuna Business.  
RSL Club - WERRIBEE  
Signed By JB Prasad  
15 June 2013.

Common Law Grand Jury  
Conducted at RSL WARRIBEE  
in the State of Victoria.  
on the 15 JUNE 2013

Signed By 36 People.

Two Counts.

1. Common Law MURDER of TRISTAN  
Lodged By BRIAN SHAW.  
29 JANUARY 2007.

2. Common Law FRAUD  
Lodged By ANDREUA IOU VANNA.  
15. 6. 2013.








CERTIFIED By CAMERON JOHNSON  
10 Sept 2014  
(Gisborne Police)

Common Law  
BRAND JURY

712 762  
 WERRIBEE  
 VICTORIA  
 RSL WERRIBEE

15 JUNE 2013

NAME	ADDRESS	DECISION	Yr/NO
Tracey Karaitiana <del>J. Karaitiana</del>	36 Darius Avenue Frankston 3199	YES. I find the charge's proven.	<u>2.</u>
Albert Fleming of Fleming	P/O Box 14 Prahran Vic 3181	"Yes" I find the charge proven!	<u>2</u>
Mandy Smith dms	73/337 station st Fairfield, 3078 Vic.	Yes. I find the charge proven.	<u>2.</u>
Simon Aberkalden S Aberkalden	21 Argyll ct Sydenham 3037	Yes. I find the charge proven	<u>2</u>
CERTIFIED BY - CAMERON JOHNSON C/41091	I certify that a true and correct copy of the above has been made and is available for inspection at the office of the Registrar of the Court. 15 June 2013 Cameron Johnson C/41091		1/P

NAME	ADDRESS	VERDICT
IAN W HOLLAND 	1479 DOMESTICS RD MT COTTRELL 3028	YES I FIND THE CHARGE PROVEN 2
ELIZABETH SANTUCCI 	677 MT-COTTRELL RD MELTON 3337	Yes I find the charge proven. 2
CARLO VIOLY 	1625 BOUNDARY RD MOUNT COTTRELL 3024 <small>Identify this as the 10 9 14 Johnson CAMERON JOHNSON C/41091</small>	YES, I FIND THE CHARGE PROVEN 2
David Woods 	c/o 20 Springbank St Tullamarine 3043	YES, I FIND THE CHARGE PROVEN 2
JIGEL AUSTIN 	48 OLIVEBANK RD FERNTREE GULLY. 3156	YES, I FIND THE CHARGE PROVEN. 2
JASON MAULEY 	60 DOVER ST ALBANVALE VIC 3021	YES, I FIND THE CHARGE PROVEN. 2
VIKI YUGOVIC 	9 Train st Highbett 3190	Yes, I find the charge proven 2/8



704 714

NAME	ADDRESS	DECISION <span style="float: right;">YES NO</span>
GERARD J. DONOHUE G J Donohue	17 MALQUEEN AVE KORUMBURRA 3950	YES 1 FIND THE CHARGE PROVEN 2
GRANT AUSTIN	7 MOUNT MORTON ROAD SOUTH BEZELADE 3160	YES 1 FIND THE CHARGE PROVEN 2
Catherine Flower	50 Gard Rd Mt Cottrell 3024	YES, I FIND THE CHARGE PROVEN 2
SAM GANCI	612-630 MT COTTRELL RD MELTON	YES I FIND THE CHARGE PROVEN 2
Andree Verboon Andree Verboon	970 Nerresa Rd Leongatha 3953	YES I FIND THE CHARGE PROVEN 2
FRED MICALLET F. Micallet	9 KENNEDIA CLOSE HOPPERS CROSSING	YES I FIND THE CHARGE PROVEN 2
		10 9 14 Johnson AMERON JOHNSON No. C/41091

25/8

NAME	ADDRESS <span style="float: right;">905</span>	DECISION <span style="float: right;">NO.</span>
- MARICA JANKOVIC	1176-1198 Taylors Road, PLUMPTON 3335	Yes I find the charge <span style="float: right;">3</span> PROVEN
- Deborah Brown	55 Kenning Rd, <del>Kenning</del> & TARWEIT 3029	Yes, <del>find</del> find the charge <span style="float: right;">3</span> PROVEN.
- SAM GANCI	612-630 Mt COTTRELL RD MELTON	YES I FIND THE CHARGE <span style="float: right;">2</span> PROVEN
- Frank Regan	Postal office box 2229 Dandenong N.H.	Yes I find the charges <span style="float: right;">3</span> proven
- Sam Azzopardi	716 Greig's Road Rock Bank	yes I find the charge <span style="float: right;">2</span> Proven
- LYNNE CONSIDINE  L W	2 GREENLAND COURT GARFIELD VIC 3814	YES I FIND THE CHARGE <span style="float: right;">2</span> PROVEN.
<small>10/9/14 Johnson CAMERON JOHNSON</small> R1 minor	68 Casey Gardens Name Warren VIC. 3805	yes Proven. <span style="float: right;">2</span>
BENJAMIN SHAW	9 Finningley Dve Tullamarine 3043	yes <span style="float: right;">2</span> proven <span style="float: right;">4/8</span>

<p>ALL DANKUJOVSKI <i>[Signature]</i></p>	<p>5 BRIDGET CT ST. ALBANS</p>	<p>716 Find the two charges YES Proven</p>
<p>DUDE DOBREVSKI <i>[Signature]</i></p>	<p>13 MCGREGOR CRT WEST SUNSHINE</p>	<p>YES, I FIND THE 2 CHARGES PROVEN <b>(716)</b></p>
<p>FRANK COLASIMO <i>[Signature]</i></p>	<p>9 FRANKLIN STREET, MADDINGLY 3340</p>	<p>YES WITHOUT A SHADE OF DOUBT I FIND THE 2 CHARGES PROVEN</p>
<p>JAMES RECH <i>[Signature]</i></p>	<p>20 BARNES RD KARDELLA STH 3951</p>	<p>YES, I FOUND THE TWO CHARGES PROVEN <i>[Signature]</i></p>
<p>Andreas Antoniou <i>[Signature]</i></p>	<p>263 Greys rd Mt Cottrell. 3024.</p>	<p>yes I found the two charges proven as presented on 15/6/2013. <i>[Signature]</i></p>
<p>1710's Allen <i>[Signature]</i></p>	<p>1/10 Cann CRT CORIO 3214</p>	<p>yes I found the two charges proven as presented on 15/6/2013 <i>[Signature]</i></p>
<p>LARONIA JURESKO <i>[Signature]</i></p>	<p>2/10 CANN CRT CORIO 3214</p>	<p>yes I found the two charges proven on 15/6/2013 K. <i>[Signature]</i></p>
<p>celvia Grainger <i>[Signature]</i></p>	<p>52-60 Della-Torre Rd MOE 3825</p>	<p>yes I found the two charges proven on 15/6/2013 <i>[Signature]</i></p>

I certify this document to be a true and correct copy of the original as presented to me on 10/9/14 by CAMERON JOHNSON No. C/41041

NAME	ADDRESS	DECISION - NO
Margaret Smyrnis <i>M Smyrnis</i>	20 Brendan Ave Doncaster 3108	I am satisfied the charges presented proven.
CHRISTOS TOUVANNA <i>Touvan</i>	<del>926</del> 942-996 BEATTYS RD ROCKBANK 3335	I FINDE THE CHARGES PRESENTED PROVEN "YES"
TONY BACON <i>Tony Bacon</i>	17 CARTLEDGE WAY SALEM 3850	I FIND THE CHARGES PRESENTED, PROVEN <u>YES.</u>
		717. (707.)
	I certify this document to be a true copy of what is contained in the document of which it purports to be a copy. Made at Gisborne Police Station 10/9/14 by <i>C Johnson</i> CAMERON JOHNSON C/41091	
		6/1

768

# Charge and Summons

(Bring this with you to Court)

TO THE DEFENDANT	
Ms Julia Gillard MP Shop 2, 36 Synnot Street Werribee Vic 3030	

M <input checked="" type="checkbox"/>	F <input type="checkbox"/>	Co <input type="checkbox"/>	Date of Birth / /	
Registration No			State	
Licence No			State	

You have been Charged with an offence against the Law  
Read both pages to see what you must do

## Details of the charges against you

What is the charge? **1** On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with "the Commonwealth", did enact an overt Act, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA".

By such enactment an Act of Treason was committed.

Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date

Under what Law?  State  Act  Other-specify  C'wealth  Reg


Act or Regulation No. **Common Law** Section or Clause (Full Ref) **Misprison of Treason**

Type of offence  Summary offence (you should go to Court)  Indictable offence (you must go to Court)

Are there more charges?  No  Yes -see "Continuation of charges" attached

Informant **Brian W Shaw**

Agency and Address **280 Leakes Road Truganina Victoria**

Informant Signature  Phone No. **09 93941116**

Date

## Where will the case be heard

Where you must go **The \*Magistrates' / Childrens' Court of Victoria at Melbourne**

Address **233 William Sreet Melbourne Victoria**

Phone No.

When Time Day Month Year

## Details about this summons

Issued at **MELBOURNE** Date

Issued by Signature  Registrar  Magistrate  Other

Charge filed at **MELBOURNE** Date

10/9/14 by  
CAMERON JOHNSON  
C/41001

7/8




709.  
719.

# Charge - Sheet and Summons

TO THE ACCUSED	
PRIME MINISTER JULIA GILLARD	
Shop 2, 36 Synnot Street, Werribee VICTORIA, 3030	


M	F	Date of Birth	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	29 / 09 / 1961	
Registration No		State	
Licence No		State	

You have been Charged with an offence  
Read both pages to see what you must do

Details of the charges against you				
What is the charge ?	The accused, currently sitting in the Federal seat of Lalor, inclusive of Werribee, Wyndham, Altona, Point Cook and Melton in the State of Victoria, a Federated State, failed to disclose on Form 60 to the Australian Electoral Commission, in relation to qualification or disqualification under Section 44 of the Commonwealth Constitution Act 1900, a pending Grand Jury indictment application, relating to the criminal offence of Misprison of Treason, lodged 29th January 2007 into the criminal jurisdiction of the Full Court, Supreme Court in the State of Victoria.			
Under what Law ?	<input checked="" type="checkbox"/> State <input type="checkbox"/> C'wealth	<input type="checkbox"/> Act <input type="checkbox"/> Reg	<input type="checkbox"/> Other-specify	Act or Regulation No Section or Clause (Full Ref) <b>Common Law Fraud</b>
Type of offence	<input type="checkbox"/> Summary offence (you should go to Court)		<input checked="" type="checkbox"/> Indictable offence (you must go to Court)	
Are there more charges ?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			
Request for Committal proceedings	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
Who filed the charge sheet's Informant	Androulla Touvana			
Agency and Address	PO Box 1418, Melton 3337			
Phone	-			
Email	-			
Fax No				
Agency Ref	The Informant			
Informant Signature			Date	15/6/13
Where will the case be heard				
Where you must go	The *Magistrates' / Childrens' Court of Victoria at			
Address				
			Phone No.	
When	Time	Day	Month	Year
Details about this summons				
Issued at				Date
Issued by				<input type="checkbox"/> Registrar <input type="checkbox"/> Magistrate <input type="checkbox"/> Police Informant
Charge filed at	I certify this document to be a true copy of the original document of which it purports to be a copy.			Date
Method of Filing	Personal			Date

Filed at Gisborne Police Station

10/9/14 by

  
CAMERON JOHNSON

No. C/41091

F/P

# GOVERNOR SUBSTITUTES HIMSELF

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AUSTRALIA ACT 1986 - SECT 7

120

**Powers and functions of Her Majesty and Governors in respect of States**

(1)

Her Majesty's representative in each State shall be the Governor.

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**COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 12**

**Issue of writs**

The Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate the writs shall be issued within ten days from the proclamation of such dissolution.

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**ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL PRACTICE) ACT 2003 WA (NO. 65 OF 2003) - SECT 130**

**130 . *Supreme Court Act 1935* amended**

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —

" the Governor ".

# CRIMINAL CODE ACT 1995

## Chapter 5 -- The security of the Commonwealth

Part 5.1 -- Treason and urging violence

Division 80 -- Treason and urging violence

121.

### 80.1A Definition of *organisation*

In this Division: "*organisation*" means:

(a) a body corporate; or

(b) an unincorporated body;

whether or not the body is based outside Australia, consists of persons who are not Australian citizens, or is part of a larger organisation.

### Subdivision B -- Treason

#### 80.1 Treason

(2) A person commits an offence if the person:

- (a) receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or
- (b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**

CONSTABLE JOHNSON



722.

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

10

In matter of an  
Application by  
Brian William Shaw  
for leave to issue

BETWEEN:

20

REFER DETAILS OF EXHIBIT  
And others

EXHIBIT

This is the exhibit marked BWS / 73.....

BWS 73

30

produced and shown to

at the time of affirming his affidavit this

15th June 2019.

40

A JUSTICE OF THE PEACE FOR VICTORIA  
Reg. No. 9924  
Margaret May Campbell  
7 Muirhead Cres, Werribee, 3030



Before me

50

*Margaret May Campbell*  
Solicitor/Justice of the Peace

ELECTION PETITION  
High Court of Australia  
Re. JAMES GILBERT  
31 PAGES.  
60 PAGES - Grounds  
11 original documents.

Notiz.  
Petition not  
permitted to be  
heard by High Court.  
22 October 2010.

723 723

Form 22 Election petition (rule 30.01)

IN THE HIGH COURT OF AUSTRALIA No of 2010  
MELBOURNE REGISTRY

BETWEEN:

Brian William Shaw  
Petitioner

and

10

Julia Gillard  
Respondent

**ELECTION PETITION**

This petition concerns the Election for Commonwealth Election held on  
21 August 2010, in particular the Lalor Election

**RETURN OF WRIT**

The writ for the election of Lalor House of Representatives is to my current  
knowledge 17<sup>th</sup> September 2010

20

**ENTITLEMENT TO FILE THIS PETITION**

The petitioner is entitled to file this petition because the petitioner is an  
elector and a nominated candidate for Lalor House of Representatives.  
The Petitioner is also the Applicant in a Grand Jury Application involving  
the Respondent

Filed by the Petitioner: Brian W Shaw Date 22 October 2010

Address for service: 280 Leakes Road, Truganina Victoria 3030

Postal Address Po Box 800 Werribee Victoria 3030

30

REFER.  
bws 69 (May 2010)  
70  
71  
72

1/31

124 / 124

## STATEMENT OF FACTS

### The Respondent's Criminal Offence

#### **Fact No 1. (The Criminal Charge Remains Pending)**

The unlawful and illegal removal of the Crown within Western Australia not only attacked the Constitution of the State and fractured Federation, but, committed criminal offences in so doing the **Respondent Julia Gillard** by  
40 concealing the true facts concerning Western Australia was formally charged by the Petitioner in the period 15<sup>th</sup> December 2006 and 29<sup>th</sup> January 2007. A Grand Jury Application remains pending at the Full Court Supreme Court of Victoria where it was lodged on 29<sup>th</sup> January 2007, but, concealed from the electorate. The words of the criminal charge are:

“On 1st January 2004, the Government of Western Australia at Perth, Western Australia, inclusive of the Executive Legislature and Judicial arms, in agreement with “**the Commonwealth**”, did enact an overt Act, titled, “**Acts Amendment and Repeal Courts and**  
50 **Legal Practice Act 2003 WA**”.

*By such enactment an Act of Treason was committed.*

*Such Treason has been concealed by the defendant, since the date of enactment up to and inclusive of the present date”*

#### **Fact No 2. (Form 60 and Section 44)**

When the respondent Julia Gillard signed her nomination form 60 Australian Electoral Commission, stating that the respondent was not by virtue of **section 44 of the Commonwealth Constitution** incapable of being Chosen or of Sitting as a Member of the House of Representatives. The  
60 Respondent committed fraud by concealing the evident fact that on 29<sup>th</sup> January 2007 after passing through the Melbourne Magistrates Court, on the same day a formal Grand Jury Application was lodged involving the Respondent in the Criminal Jurisdiction of the Full Court Supreme Court

725.

Victoria. *Such Application remains pending, yet to be heard and as such the Respondent signed the Form 60 Fraudulently*

**Fact No 3. (The Overt Act in Western Australia)**

In the period 2003/2004 the State of Western Australia removed the Crown of the United Kingdom of Great Britain and Ireland and required Oath of Allegiance, by unlawful enactment of the overt Act titled "*Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA*". (The Act)  
70 This particular Act placed the State of Western Australia in an invalid constitutional condition in relation to the Commonwealth Constitution and as such *committed Fraud in the election*

**Fact No 4. (The Fraudulent Acts of Western Australia)**

The above mentioned Act at Part 8 of such Act amended the following Acts within Western Australia

- 80 *Bail Act 1982*
- Children's Court of Western Australia Act 1988*
- The Criminal Code amended*
- Director of Public Prosecutions Act 1991*
- District Court of Western Australia Act 1969*
- Family Court Act 1997*
- Juries Act 1957*
- Justices Act 1902*
- Local Courts Act 1904*
- Supreme Court Act 1935*

90 **Fact No 5. (Fraud on the Electorate)**

The enactment of such legislation created fraud on the electorate of the State of Western Australia in addition to the electorate of the Commonwealth of Australia. *Thereby creating a fraudulent election* voiding the actual election and respondent's purported claim to the Seat of Lalor in Victoria

**Breach of Allegiance is Treason**

**Fact No 6. (The Criminal Offence of Breach of Allegiance)**

The criminal offence of treason activates in law when the Allegiance founded within the Constitution is breached. In law Breach of Allegiance  
100 activates the offence of Treason and as such the only valid jurisdiction to hear and determine such offence is that of a *Grand Jury*.

*The respondent is one of a number of defendants yet to be heard by Grand Jury process in the State of Victoria*, by Application lodged 29<sup>th</sup> January 2007 by the Petitioner

**Fact No 7. (The Criminal Offence of Treason)**

The criminal offence of Treason is in both State and Commonwealth Crimes Acts, in particular, but not limited to this particular Act, *Criminal Code Act 1995 (Commonwealth) Section 80, "The Security of the Commonwealth"*  
110 and as such the penalty is *Life Imprisonment*. The penalty is the same for concealing the actual treason

**Fact No 8. (Law Relating to Treason)**

**Concealment of Treason**

*"It was allowed it was felony and so included misprision etc. as a result of this case. It was held that every treason or felony included misprision. The King used to take advantage of this Rule in case of treason, so that, if the man did not deserve the death penalty, he was indicted only with "misprision of treason". Now concealment of  
120 treason was itself treason"*

[Sykes v Directors of Public Prosecutions, All England Law Reports, 1961 3 ALLER 33 (at 36)]

**Misprision of Treason**

*"This is properly when anyone learns or knows, that another has committed treason or felony, and he does not choose to denounce*

*him to the King or his Council, or to any Magistrate, but conceals the offence: This is Misprison”*

130 [Sykes v Directors of Public Prosecutions, All England Law Reports, 1961 3 ALLER 33 (at 38)]

**Fact No 9. (The Offence of Misprison or Concealment)**

a. *“Misprison requires nothing active. The **failure or refusal to disclose the felony is enough**”*

[Sykes v Directors of Pubic Prosecutions, All England Law Reports, 1961 3 ALLER 33 (at 41)]

140 b. **Halsbury’s Laws of England, 2<sup>nd</sup> Edition, Vol 2 at Paragraph 480**

*“Misprison of Treason is the concealment or Keeping Secret of any Treason by a person who is not a party or consenter to it”*

*“In order to constitute Misprison of Treason there must, it is said, be a knowledge of the traitor as well as of the treasonable design or offence”*

*“Concealment may in some cases amount to evidence of assent or possibly of conspiracy, and in such case the person concealing the Treason would be liable as a principal”*

150

**Fact No 10. (Breach of Allegiance and Case Law)**

The Constitution of the State of Western Australia in addition to the Constitution of the Commonwealth of Australia Act are Acts of the United Kingdom Parliament and as such are **bound by Allegiance** to Her Majesty Queen Elizabeth the Second. Where ***Allegiance is breached an act of Treason is committed*** (R v Casement 1917 1 KB 98 at 114)

The following extracts reveal the offence

**Part 8**

**“Acts Amendment and Repeal Courts and Legal Practice Act 2003 (WA)”**

160

**Section 122 - Children's Court of Western Australia Act 1988**

(6) Schedule 1 is amended by deleting "*our Sovereign Lady Queen Elizabeth the Second, Her Heirs and Successors*" in the 2 places where it occurs and in each place inserting instead — "*the State of Western Australia*".

**Section 125 - District Court of Western Australia Act 1969**

170

(8) The Schedule is amended by deleting "*our Sovereign Lady Queen Elizabeth the Second Her Heirs and Successors*" in the 2 places where it occurs and in each place inserting instead — "*the State of Western Australia*".

**Section 126 - Family Court Act 1997**

(2) Schedule 1 item 1 is amended by deleting "*Her Majesty Queen Elizabeth the Second, Her heirs and successors*" in each place where it occurs and in each place inserting instead — "*the State of Western Australia*".

**Section 130 - Supreme Court Act 1935**

180

(12) The Second Schedule is amended by deleting "*our Sovereign Lady Queen Elizabeth the Second, Her Heirs and successors*" and inserting instead — "*the State of Western Australia*".

*The criminal offence of Treason* activates with breach of allegiance and as such the criminal offence of treason has occurred in the State of Western Australia by the ***unlawful removal and substitution*** of Her Majesty Queen Elizabeth the Second in addition to the removal of the oath of Allegiance

**Removal of Her Majesty Queen Elizabeth the Second**

**Fact No 11. (Concealed Removal of the Queen)**



190 Constitution Act 1889 for the State of Western Australia at section 2 (2) of such Constitution states:

(2) The Parliament of Western Australia consists *of the Queen* and the Legislative Council and the Legislative Assembly.

But *Part 8* of the “*Acts Amendment and Repeal Courts and Legal Practice Act 2003 (WA)*”, (*The Act*) removes her Majesty Queen Elizabeth the Second, but the removal has been concealed

**Section 122 - Children's Court of Western Australia Act 1988**

200 (6) Schedule 1 is amended by deleting "*our Sovereign Lady Queen Elizabeth the Second, Her Heirs and Successors*" in the 2 places where it occurs and in each place inserting instead — “*the State of Western Australia*”.

**Section 123 –The Criminal Code**

(4) Section 584(14) is amended by deleting "*Her Majesty*" and inserting instead — "the State".

(11) Section 720 is amended by deleting "*Queen*" and inserting instead — "State".

210 **Section 125 District Court Act of Western Australia**

(4) Section 11(1) is amended by deleting "*Her Majesty*" and inserting instead — “*the Governor*”.

**Section 130 - Supreme Court Act 1935**

(3) Section 9(1) is amended by deleting "*Her Majesty*" and inserting instead — “*the Governor*”.

**Section 130 - Supreme Court Act 1935**

220 (9) Section 119 is amended by deleting "*to Her Majesty or any of her subjects, or other persons entitled in like manner as subjects*".

**Section 130 - Supreme Court Act 1935**

(10) Section 154(1) is amended by deleting "*Her Majesty's*" and inserting instead — "*The*".

**Act of Settlement 1700 (United Kingdom)**230 **Fact No 12. (Act of Settlement UK)**

The Act of Settlement 1700 (UK) is the United Kingdom Act that *determines the succession* of the United Kingdom Crown, and the conduct and removal of Judges not the Western Australia Act (*The Overt Act*)

**Halsbury's Laws of England 2<sup>nd</sup> Edition Vol 6 at page 423 par 440 states:**

240 *"As from the dates of the union of England with Scotland and Ireland, the succession of the Imperial Crown of the United Kingdom of Great Britain and of Great Britain and Ireland respectively, is to be as it stood limited and settled under the Act of Settlement (United Kingdom)*

**House of Commons (United Kingdom)****Fact No 13. (House of Commons & United Kingdom)**

250 Within the State of Western Australia the Powers, Privileges and Immunities of the Legislature of Western Australia are not to exceed the Powers, Privileges and Immunities of the Commons House of Parliament (UK). *No State legislation* can remove this clause or alter it without being inconsistent with the Commonwealth Constitution at section 49. Legislation within Western Australia did unlawfully and fraudulently alter the Power, Privileges and Immunities

**Constitution Act 1889 WA**

**Section 36**

**Privileges of both Houses**

It shall be lawful for the Legislature of the Colony, by any Act to define the privileges, immunities, and powers to be held, enjoyed, and exercised by the Legislative Council and Legislative Assembly, and by the members thereof respectively.

260

**COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT**

**SECT 49**

Privileges etc. of Houses

The 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 are 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.

270

**COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT**

**SECT 109**

Inconsistency of laws

When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

**Western Australia**

**Fact No 14. (Inconsistency Invalidates)**

280 Within the State of Western Australia by enactment on 1<sup>st</sup> January 2004 of such overt Act titled "*Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA*", the Act was and remains invalid legislation because it is inconsistent with the law of the Commonwealth of Australia

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Accordingly with the Overt Act not repealed the State of Western Australia created an invalid Commonwealth election

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**COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT  
SECT 109**

Inconsistency of laws

When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

**Fact No 15. (State Constitutions Subject to Commonwealth)**

300 The Constitution of each State of the Commonwealth in addition to the Oath of Allegiance is and *remains subject* to the Constitution of the Commonwealth of Australia Act 1900 at section 106.

*Western Australia did breach this Constitutional requirement*

**COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT  
SECT 106**

Saving of Constitutions

310 The Constitution of each State of the Commonwealth shall, *subject to this Constitution*, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the State, as the case may be, until altered in accordance with the Constitution of the State.

**Fact No 16. (Western Australia's Deception)**

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The Constitution Act 1889 of the State of Western Australia contains the legal and constitutional requirement at Section 22 for an Oath of Allegiance or affirmation of Allegiance and as such the allegiance is set out at Schedule E, no legislation whatsoever can alter this allegiance without referendum approval, but, Western Australia did without the required referendum and in so doing *participated fraudulently in the*  
320 ***Commonwealth election and by so doing invalidated the election result***

**22. Oath or affirmation of allegiance**

No member of the Legislative Council or Legislative Assembly shall sit or vote therein until he has taken and subscribed before the Governor, or some person authorised by the Governor in that behalf, an oath or affirmation of office in a form set out in Schedule E.

**Schedule E — Oath and affirmation of office**

330

**OATH**

I, , do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, her heirs and successors, according to law. So help me God.

**AFFIRMATION**

I, , do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, her heirs and successors, according to law.

340

**House of Commons**

**Fact No 17. (House of Commons & Halsbury’s Laws)**

The House of Commons, United Kingdom is the actual House that is mentioned at *section 36* of the Western Australia Constitution before the 2004 amendment, and *section 49* of the Constitution of the Commonwealth

of Australia Act 1900 and as such by *inherent jurisdiction* contains the 1688 Bill of Rights (UK) and the Act of Settlement 1700 (UK)

**Halsbury's Laws of England, 2<sup>nd</sup> Edition, Vol 2 at Paragraph 482**

350 *"It is felony for any person whatsoever, within the United Kingdom or without, to compass, imagine, invent, devise, or intend to deprive or depose the Sovereign from the style, hounor, or royal name, of the imperial crown of the United Kingdom, or any other of His Majesty's dominions and countries"*

**Halsbury's Laws of England 2<sup>nd</sup> Edition Vol 6 at page 423 par 472**

states:

360 *"It is Treason to endeavour to deprive or hinder any person who shall be next in succession to the Crown for the time being according to the limitations in the Act relating thereto : **Bill of Rights 1688, Act of Settlement 1700** The abettors, procurers and comforters knowing the said offence to be done are equally liable with the offender himself"*

**Halsbury's Laws of England 2<sup>nd</sup> Edition Vol 6 at page 423 par 473**

states:

370 *"It is Treason maliciously advisedly and directed by writing or printing to maintain and affirm that any other person or persons has or have any right or title to the Crown otherwise then according to the Acts relating thereto:"*

*"The Acts set out in the statute are:*

***The Bill of Rights 1688 (1 Will & Mar Sess 2 c2)***

***Act of Settlement 1700 (12&13 Will 3 c 2)***

***Union with Scotland 1706 (6 Ann c11 5&6 Ann c8 Ruff)***

**Fraud on the Constitution**

**Fact No 18. (Constitutional Fraud)**

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The most recent Commonwealth election held 21<sup>st</sup> August 2010 was purportedly held under the *Crown of the United Kingdom*, but, the State of Western Australia removed the Crown *without referendum permission* and as such *fraudulently participated* in a Commonwealth election under the Crown and *concealed this Constitutional fact from the respective electorates* thereby creating an invalid election and result

### Constitutional and Criminal Fraud in Western Australia

#### **Fact No 19. (State Senators)**

The enactment of such legislation (*The Overt Act*) which was concealed from the electorate of Western Australia created a Constitutional breach whereby *Senators within Western Australia* did not inform their respective electorates of the removal of the Crown of the United Kingdom of Great Britain and Ireland or the removal of the required Oath of Allegiance  
*Such concealment amounts to Fraud*

#### **Fact No 20. (House of Representatives)**

The enactment of such legislation (*The Overt Act*) which was concealed from the electorate of Western Australia created a Constitutional breach whereby candidates for the House of Representatives within Western Australia did not inform their respective electorates of the removal of the Crown of the United Kingdom of Great Britain and Ireland or the removal of the required Oath of Allegiance  
*The concealment amounts to Fraud*

#### **Fact No 21. (State Governors & State Writs)**

The Writs for the Senators of the State of Western Australia were issued by the *Governor of Western Australia* purportedly representing Her Majesty Queen Elizabeth the Second in such capacity, but, what was not disclosed to

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the electors "*The Fraud*" was the fact that the Governor of Western Australia removed and substituted Her Majesty Queen Elizabeth the Second without referendum consent and *substituted himself* thereby committing *Fraud* and *invalidating the State writs for the Senate* and such election held 20 August 2010

**Fact No 22. (Approval of Electors by Referendum)**

The abolition or alteration in the Office of Governor within Western Australia shall not be effected by an Act of the Parliament except in accordance with section 73.2 of the Constitution of the State of Western Australia, in particular *section 73.2(e) and (g) of such Constitution*  
The referendum approval was not sought because the referendum was not conducted

**Section 73.2 (e) & (g)**

(2) A Bill that —

*(e) expressly or impliedly in any way affects any of the following sections of this Act, namely — sections 2, 3, 4, 50, 51 and 73, shall not be presented for assent by or in the name of the Queen unless —*

*(g) the Bill has also prior to such presentation been approved by the electors in accordance with this section, and a Bill assented to consequent upon its presentation in contravention of this subsection shall be of no effect as an Act.*

**Fact No 23. (Invalid Legislation created an Invalid Election)**

It is statute law within Western Australia that any legislation enacted in contravention of section 73.2 shall be of no effect as an Act

*“and a Bill assented to consequent upon its presentation in contravention of this subsection shall be of no effect as an Act.”*



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This State Constitution legislation invalidates all legislation that has not complied with the requirement within Western Australia. The resultant Fraud also invalidates the Commonwealth Election

**Fact No 24. (Six Sections Protected by Referendum)**

Within section 73.2 of the Western Australia Constitution Act, six sections are protected under the Constitution specifically sections 2, 3, 4, 50, 51 and 73.

450

**Section 2 - Legislature to be constituted in Western Australia**

**Section 3 - Governor may fix place and time of sessions, prorogue Houses and dissolve**

**Section 4 - A session every year**

**Section 50 - Office of Governor**

**Section 51 - Instructions to Governor**

**Section 73 - Legislature as constituted by this Act empowered to alter any of its provisions**

**Fact No 25. (Non Compliance Legislation Committed Fraud)**

460

In the years 1985/1986 without referendum consent or approval the Parliament of Western Australia enacted the *Request Act 1985* which lead to the enactment of the *Australia Act 1986*, but, *section 14* of the Australia Act amends the Constitution of Western Australia by *amending sections 50 and 51*, two of the six sections that require the *approval of the State electors* prior to any purported Royal Assent. The purported legislation *did not comply* with the Constitutional requirement at either State of Commonwealth levels

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Section 73.2 (e) & (g)

(2) A Bill that —

*(e) expressly or impliedly in any way affects any of the following sections of this Act, namely — sections 2, 3, 4, 50,*

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*51 and 73, shall not be presented for assent by or in the name of the Queen unless —*

*(g) the Bill has also prior to such presentation been approved by the electors in accordance with this section, and a Bill assented to consequent upon its presentation in contravention of this subsection shall be of no effect as an Act.*

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**State Request Acts and Australia Act 1986**

**Fact No 26. (Unlawful Royal Assent Capacity Obtained)**

Prior to the unlawful enactment of the Australia Act in 1986 *Royal Assent* relating to or involving any *Bill involving the Constitution* required either the Governor of the State or Governor General of the Commonwealth of Australia to *reserve the Bill* and as such the Bill needed to go before the Two Houses of the United Kingdom Parliament, the legal and constitutional owner, for Royal Assent prior to enactment. This lawful process was broken in the period 1984/1986

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**Fact No 27. (Compulsory State Referendums Omitted)**

*Three specific States*, specifically Western Australia, New South Wales, Queensland have binding referendum requirements within their respective State Constitutions, but, the *State referendums were omitted* in relation to the State Request Acts in 1984/1985 and as such the legal requirement was concealed from the respective electorates invalidating the legislation

**Fact No 28. (The intent was to Conceal)**

*The principal* reason for omitting holding State referendums for the various Request Acts was to *avoid holding a Commonwealth referendum* because the principal purpose of enacting the Australia Act 1986 was to gain Royal Assent Power to enact Constitutional alterations and amendments without

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seeking United Kingdom approval, but, *the request was achieved by Fraud* and as such voids the request

**Fact No 29. (The Australia Act is an Act of Fraud)**

The Australia Act 1986 was obtained by Fraud and as such is void in law, which voids all legislation since the unlawful enactment of the Act on the basis that assents or enactments are outside of Constitutional requirements

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**Fact No 30. (No Force or Effect)**

If any person was to suggest that the Australia Act of 1986 is lawful then *section 6 of such Act* supports the invalidity verdict, because manner and form was not abided by

**AUSTRALIA ACT 1986 - SECT 6**

**Manner and form of making certain State laws**

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Notwithstanding sections 2 and 3(2) above, a law made after the commencement of this Act by the Parliament of a State respecting the constitution, powers or procedure of the Parliament of the State shall be of no force or effect unless it is made in such *manner and form* as may from time to time be required by a law made by that Parliament, whether made before or after the commencement of this Act.

**Attorney General for Victoria (R Hulls)**

**Fact No 31. (The Unlawful Act in Victoria)**

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In the State of Victoria, the Politicians of the Parliament of Victoria led by the Attorney General Mr R Hulls took it upon themselves to introduce and enact Legislation titled "*Courts and Tribunals Legislation (Further Amendment) Act 2000*"

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Such legislation did *remove the Oath of Allegiance* to serve Queen Elizabeth the Second, the *legal and constitutional* owner of such State Constitution, from the *Legal Practice Act 1996 Victoria*, thereby activating the criminal element and offence of Treason (*Breach of Allegiance*) in full breach of the Commonwealth Referendum result 6<sup>th</sup> November 1999, thereby placing the Parliament and State of Victoria in an invalid condition  
540 in relation to the Constitution of the Commonwealth of Australia

**Fact No 32. (Fraud on the Court)**

The removal of the Oath of Allegiance from the Legal Practice Act 1996 Victoria involves *all Officers of the Supreme Court of Victoria* and as such makes void all decisions of such Court because of *Fraud on the Court* by Officers of such Court who *have concealed the fact from the electorate and clients*

**Fact No 33. (Beyond Power Legislation)**

550 The above mentioned Legal and Constitutional fact also voids all purported legislation from Politicians sitting in the Parliament of Victoria because of the criminal offences activated and committed by such Politicians by unlawful enactment of legislation that not only is "*Beyond Power*" but was and *remains a concealed attack* upon the Constitution of the State and of the Commonwealth by Sabotage

**Fact No 34. (Unlawful Legislation)**

The only jurisdiction containing a *Grand Jury Right* is found at section 354 of the Crimes Act 1958 Victoria, this legal Right remains valid law today  
560 because of the criminal offence committed by all Politicians sitting in the Parliament of Victoria on *5<sup>th</sup> September 2000* in that the Oath of Allegiance was removed from the Legal Practice Act 1996 Victoria without any referendum whatsoever by unlawful and fraudulent enactment of the Act titled "*Courts and Tribunals Legislation (Further Amendment) Act 2000*"

**Grand Jury Process in Victoria**

**Fact No 35. (Indictment by Grand Jury)**

The only competent jurisdiction to obtain an indictment for the criminal offence of *Treason and Misprision of Treason* is that of a Grand Jury

570 consisting of 23 electors and as such a number of individuals inclusive of *Julia Gillard the Respondent* have been formally charged by the Petitioner returnable to the Melbourne Magistrates Court after which each defendant had Grand Jury applications formally lodged for Grand Jury Hearings in the criminal jurisdiction of the Full Court Supreme Court of Victoria in accordance with section 354 Crimes Act Victoria and Section 80 of the Commonwealth Constitution, all Applications were lodged prior to 1<sup>st</sup> January 2010 and remain pending before the Court. Any purported legislation to abort this jurisdiction and Right to go before a Grand Jury in Victoria is invalid in addition to *compounding criminal offences* for

580 attempting to pervert the Course of Justice

**CRIMES ACT 1914 - SECT 44**

**Compounding offences**

*Any person who asks receives or obtains, or agrees to receive or obtain, any property or benefit of any kind for himself or herself, or any other person, upon any agreement or understanding that he or she will **compound or conceal** any indictable offence against the law of the Commonwealth or a Territory, or will **abstain from, discontinue, or delay** any prosecution for any such offence, or will*

590 ***withhold any evidence** thereof, shall be guilty of an offence.*

*Penalty: **Imprisonment for 3 years.***

**Fact No 36. (Julia Gillard, The Respondent & Defendant)**

The respondent in this Petition *Julia Gillard* is also a named defendant pending a Grand Jury hearing for *concealing the criminal activity* that has taken place within Western Australia. The existence of the criminal offence

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and charge remains concealed from the Electorate of Lalor (Werribee  
Victoria) the Electorate of Victoria and of the Commonwealth of Australia  
Such Government concealment of the criminal activity invalidates the  
600 Federal Seat of Lalor and the election result

**Fact No 37. (Governor General & High Court Judges)**

The former Governor General of the Commonwealth of Australia *Michael Jeffery* is one such defendant, in addition the following Judges of the High Court of Australia are also named defendants, *Gleeson, Gummow, Kirby, Hayne, Callinan, Heydon* and *Crennan*, for concealing the revealed criminal offences that are revealed in this petition

**Parliament sitting outside of Constitution**

**Fact No 38. (Invalid Parliament since January 2004 )**

610 Since 1<sup>st</sup> January 2004 because of the Act in Western Australia every *Senator and House of Representatives* purportedly sitting in the Parliament of the Commonwealth of Australia has been sitting illegally and *fraudulently representing their respective electorates* without revealing the true facts. The true facts reveal an *invalid Parliament and invalid election*

**Fact No 39. (Invalid Election)**

620 Because of the invalid capacity of the Senators and House of Representatives from Western Australia, *both Houses of the Senate and House of Representatives* comprising the Parliament of the Commonwealth have *concealed the Constitutional fraud* and as such have been sitting illegally and invalidly, under *Howard, Rudd* and now *Gillard the Respondent*

**Accountability to Rule of Law**

**Fact No 40. (Rule of Law Applies)**

In accordance with law, based on *Rule of Law*, a large number of individuals have already been charged with various criminal offences

relating to criminal activity involving the taking and administering of Unlawful Oaths, in particular, *the oath of Allegiance*, involving a concerted  
630 attack on the various State Constitutions inclusive of the Commonwealth Constitution, all activated by fraud

**Fact No 41. (Rule of Law)**

The critical and principal issue is the heart of this issue is *Rule of Law*, all are equal and accountable to the law, the issue is not a Monarchy or Republic issue, *the issue entirely is Rule of Law*

640 *“With us every official, from the Prime Minister down to a constable or a collector of taxes, is under the same responsibility for every act done without legal justification as any other citizen. The Reports abound with cases in which officials have been brought before the courts, and made, in their personal capacity, liable to punishment, or to the payment of damages, for acts done in their official character but in excess of their lawful authority. [Appointed government officials and politicians, alike] ... and all subordinates, though carrying out the commands of their official superiors, are as responsible for any act which the law does not authorise as is any private and unofficial person.*

(Introduction to the Study of the Law of the Constitution A. V. Dicey)

650 *In Australia, unlike the United Kingdom we have a basic law, the Constitution, which defines and limits the power of Parliament to alter the law. Because that basic law can now be altered only by the people of Australia, the sovereignty of our nation lies with the people, both as a matter of legal principle and as a matter of practical reality.*

(Sir Gerard Brennan, *Speech upon Swearing in as Chief Justice*, (1995) 183 CLR, p. X)

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**Non Compliance to Rule of Law voids Legislation**

**Fact No 42. (Void in Law)**

Because of the non compliance with section 73.2 of the Western Australia Constitution at the Request Act 1985 four specific Acts *become void in law*, but, not limited to these nominated Acts

- a. *Request Act 1985 (WA)*
- b. *Australia Act 1986 (Commonwealth)*
- c. *Australia Act 1986 (UK)*
- d. *Acts Amendment and Repeal Courts and Legal Practice Act 2003 (WA)*

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**Foreign Power Entities**

**Fact No 43. (Three Organizations)**

This Petition states that the *onus of proof* relates exclusively to the *Constitutional breach*, not the intent or purpose for attacking the Constitution, but, would state that three *particular organizations* are relevant to trial discovery

- a. *The European Union*
- b. *International Freemasonry*
- c. *The United Nations*

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**Separation of Issues (Constitutional and Criminal)**

**Fact No 44. (Two Separate Issues)**

The issue is divided into two separate issues of law indentified in this petition

- a. The criminal offences committed and discovered
- b. The disqualification section relating to Senators and House of Representatives found at *Section 44* of the Commonwealth Constitution Act 1900

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**International Freemasonry a Foreign Power**

**Fact No 45. (Section 44 and Freemasonry)**

Every person who joins the occultic ranks of Freemasonry takes an Oath to Freemasonry to *Conceal and Never Reveal*; in addition the Oath binds every Freemason to an oath of Allegiance to the *jurisdiction of the founding warrant*. Such Warrant coming from England

**COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT**

700

**SECT 44**

**Disqualification**

Any person who:

- (i) is under any acknowledgment of *allegiance, obedience, or adherence* to a *foreign power*, or is a subject or a citizen or entitled to the rights or privileges of a subject or a citizen of a foreign power; or

*shall be incapable of being chosen or of sitting as a senator or a member of the House of Representatives.*

710 During 1999 the High Court ruled in the *Heather Hill matter* (one Nation Senator) that England is a Foreign Power in relation to the Constitution. *The warrant to form Masonic Lodges within Australia* comes from the Grand Lodge of England and as such if the High Court was to Rely on their *Fraudulent Judgment of 1999*, then Australian Freemasonry is serving a Foreign Power and as such any member of the Commonwealth Parliament who has taken an Oath to Freemasonry within Australia is in Constitutional breach of section 44 of the Commonwealth Constitution Act 1900

**Former Governor General Michael Jeffery**

720 **Fact No 46. (Freemason Governor of Western Australia)**

In 1993 Michael Jeffery was inducted into the Masonic Lodge at Perth which is the year that Mr Jeffery also became the Governor of Western Australia for a seven year period (1993-2000)

**The Masonic Constitution (Western Australia)**

Constitution of the Grand Lodge of Western Australia Ancient Free and Accepted Masons incorporated, Section 8 (Constitution Lodges)

730 *“All lodges on the register of the Grand Lodge of Western Australia of Ancient Free and Accepted Masons at the Date of incorporation and all further Lodges subsequently warranted by the Association, shall by Constitution Lodges of the Association”*

**Unlawful Oaths**

*The Western Australian Masonic Constitution* does not print the Oaths and obligations that are compulsory for Masonic membership

*They are concealed*, but, both Victoria and Western Australian Criminal Codes state that the *Taking and Administering of an Unlawful Oath* is an indictable offence with a seven year penalty

740 **The Executive Government (Commonwealth)**

**Fact No 47. (Queen and Governor General)**

Chapter two, the Executive Government Commonwealth Constitution Act states at *section 61 that the Executive Power of the Commonwealth is vested in the Queen and is exercisable by the Governor General* as the Queen’s representative and extends to the execution and maintenance of this Constitution and of the laws of the Commonwealth and as such the Governor General and all fellow Officers are bound by the Constitution to the Oath and Affirmation of the Commonwealth of Australia Constitution Act 1900, which is stated in the superior law of the Commonwealth

750 To take a different Oath of Allegiance that is not found within the Commonwealth of Australia Constitution Act 1900 is to breach the

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Constitutional Oath, thereby *committing an act of Treason and Treachery* against the Commonwealth of Australia Constitution Act 1900

**Criminal Charges on Michael Jeffery (2004)**

**Fact No 48. (Private Prosecution and Grand Jury)**

On the 16<sup>th</sup> April 2004 a number of criminal charges were filed and served by Private Prosecution Right on the *Governor General Mr Jeffery* returnable to the Melbourne Magistrates Court on 17<sup>th</sup> May 2004 after  
760 which the Legal Right found at section 354 Crimes Act 1958 Victoria was activated.

The Right permits a Grand Jury to be formed to hear and determine criminal charges filed where *Crown prosecutors decline to present* for whatever reason. The Grand Jury Application remains pending at the Full Court, Supreme Court of Victoria *for the former Governor General*

**Further Criminal Charges on Michael Jeffery**

**Fact No 49. (The Defendants)**

During November 2006, *Mr Jeffery* was charged by Private Prosecution at  
770 the Melbourne Magistrates Court returnable 15<sup>th</sup> December 2006 with a number of other defendants in relation to the *organized concealment* of the specific attack on the Constitutions of Western Australia and Commonwealth of Australia.

On the 15<sup>th</sup> December 2006, the Legal Right to apply for a Grand Jury hearing was also activated and remains pending at the Full Court, Supreme Court of Victoria relating to and involving the *former Governor General*

**Commonwealth Director of Public Prosecutions (Mr. Bugg)**

**Fact No 50. (Mr Bugg The Defendant)**

780 Mr Bugg was both filed and served by Charge and Summons filed on 14<sup>th</sup> November 2006 returnable to the Melbourne Magistrates Court on 15<sup>th</sup> December 2006, where *Mr Bugg took over his own committal hearing* and that of the other defendants by delegated Authority (Mr Thornton) and had

the *Chief Magistrate of the Court Mr Ian Gray* withdraw the Private Prosecution, after which the Legal Right to activate Grand Jury Hearing was opened up, Chief Magistrate ordered that all Grand Jury Applications placed on the Bar table, *15<sup>th</sup> December 2006*, be filed with the Court Registrar (Magistrate Court) after which another set of Applications for each defendant was lodged with the Criminal Jurisdiction of the Full Court, Supreme Court of Victoria pending Grand Jury, *The Applications have not been listed for a hearing date*

**John Howard / Kim Beasley**

**Fact No 51. (The Defendants)**

*John Howard* (Liberal Party Leader) and *Kim Beasley* (Labor Party leader) were and remain two of the defendants heard 15<sup>th</sup> December 2006 in Melbourne and *remain pending Grand Jury hearings* at the Full Court, Supreme Court of Victoria.

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**Attorney Generals**

**Fact No 52. (The Defendants)**

The following Attorney Generals were also named Defendants at the Melbourne Magistrates Court 15<sup>th</sup> December 2006, Rudduck, Corbell, Toyne, Debus, Atkinson, Shine, Knos, McGinty and Hulls now pending *Grand Jury Hearings* at the Full Court, Supreme Court of Victoria

**Attorney General McGinty WA**

**Fact No 53. (The Defendant)**

810 Mr McGinty was the co-signature with the Governor of Western Australia Governor Sanderson of the enactment of the Act of Treason within Western Australia titled "*Acts Amendment and Repeal Courts and Legal Practice Act WA*" and as such also one of the defendants before the Melbourne Magistrates Court on 15<sup>th</sup> December 2006, now pending a Grand Jury hearing at the Full Court, Supreme Court of Victoria

**Attorney General Hulls (Victoria)****Fact No 54. (The Defendant)**

Mr Hulls, the current Attorney General for the State of Victoria has three  
 820 separate Grand Jury Applications pending before the Full Court, Supreme  
 Court of Victoria, and the application were lodged on

- a. 26 February 2006
- b. 15<sup>th</sup> December 2006
- c. 24<sup>th</sup> January 2007

Refer facts 32, 33, 34, 35, 36, 37, 38, of this petition

**High Court Judges****Fact No 55. (The Defendants)**

The following High Court Judges or former Judges *are also defendants*  
 pending Grand Jury hearing in the Criminal Jurisdiction of the Full Court,  
 830 Supreme Court of Victoria, Justice *Gleeson, Gummow, Kirby, Hayne,*  
*Callinan, Heydon* and *Crennan*

**Chief Justice French (High Court)****Fact No 56. (The Western Australian Judge)**

After the unlawful removal and substitution of Her Majesty Queen  
 Elizabeth the Second from law within Western Australia in the period  
 2003/2004, the *New Chief Justice of the High Court of Australia, Justice*  
*French*, did succeed the former Chief Justice Gleeson on the 1<sup>st</sup> September  
 2008, but, Chief Justice French has come from the State of Western  
 840 Australia *after the removal and substitution of the Crown and Monarch*

**Jeffrey and Bryce****Fact No 57. (Governor Generals)**

The former Governor General Michael Jeffrey (**A Grand Jury Defendant**)  
 did transfer purported Governor General title and capacity to Quentin Bryce,  
 but, *concealed the Grand Jury issue from the Electorate*

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**Bryce and French**

**Fact No 58. (Governor General and Judge)**

850 On the 5<sup>th</sup> September 2008 the New Governor General Quentin Bryce did take the Oath of Office by swearing Allegiance to Her Majesty Queen Elizabeth the Second Her Heirs and Successors according to law in front of Chief Justice French (*The Western Australian*)

**Former Supreme Court Master (Charles Wheeler)**

**Fact No 59. (A Defendant)**

860 Mr Charles Wheeler, now retired was the first person charged by the Petitioner in relation to criminal offences within Victoria, Mr Wheeler is a High ranked Freemason and as such has both taken and administered unlawful oaths within Victoria in contradiction of the Crimes Act 1958 Victoria, the Constitution of the State of Victoria (1855) and the Constitution of the Commonwealth of Australia Act 1900.

Mr Wheeler has *two Grand Jury Applications* before the Full Court, Supreme Court of Victoria yet to be heard

a. 5<sup>th</sup> March 2003

b. 9<sup>th</sup> September 2003

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**Breach of Section 316 Crimes Act 1958**

**Fact No 60. (Respondent's Charge Suppressed)**

During July 2010 the *respondent Julia Gillard* was formally charged and served by Private Prosecution Right. The informant to the charge is Mr Graham Daniels. The criminal charged involved the taking and administering of an unlawful oath, a breach of section 316 Crimes Act 1958 Victoria.

The charge was suppressed in the Melbourne Magistrates Court by the *Director of Public Prosecutions Victoria Mr Jeremy Rapke*, but, Mr Rapke

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880 has been criminally charged by other informants for using unlawful authority to take over and suppress the new charge on the *respondent Julia Gillard*

**RELIEF**

The petitioner asks the Court to make the following orders:

1. *That the contents of this petition be reserved* to the criminal jurisdiction of the Full Court, Supreme Court of Victoria for immediate Grand Jury hearing relating to the original criminal charge on the *respondent Julia Gillard* lodged with the Full Court, 890 Supreme Court of Victoria on 29<sup>th</sup> January 2007
2. A declaration declaring the election held 21 August 2010 to be an invalid election *because of the removal of Queen Elizabeth the Second* from specific law
3. A declaration that the election result held 21 August 2010 is invalid because of *fraud on the electors*
- 900 4. A declaration that the Act titled “*Acts Amendment and Repeal Courts and Legal Practice Act 2003 (WA)*” enacted in Western Australia 1<sup>st</sup> January 2004 is void in law, *because the Act is inconsistent to the Constitution* of the Commonwealth of Australia Act 1900
5. A declaration that the Act titled “*Acts Amendment and Repeal Courts and Legal Practice Act 2003 (WA)*” enacted in Western Australia 1<sup>st</sup> January 2004 by removing Her Majesty Queen Elizabeth the Second Her Heirs and Successors *and Subjects* did 910 place the State of Western Australia outside of the Constitution of the Commonwealth of Australia thereby making the State of

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Western Australia *ineligible to vote* in a Commonwealth Election under the Crown

6. A declaration that the Act enacted in Victoria on 5<sup>th</sup> September 2000 titled “*Courts and Tribunals Legislation (Further Amendment) Act 2000*” is void in law *because of inconsistency* with the Constitution of the Commonwealth of Australia Act 1900
  
- 920 7. A declaration that *all State Request Acts* prior to the Australia Act 1986 relating to Requests for the Australia Act are void in law because of *non compliance with manner and form* in three specific States namely *Western Australia, Queensland* and *New South Wales* because of non compliance to specific Constitutional requirements
  
8. A declaration that the Australia Act 1986 is void in law because of non compliance to manner and form in the various State Request Acts (State Referendum), in addition to non compliance with manner and form stated at section 128 (Commonwealth Referendum) of the  
930 Constitution of the Commonwealth of Australia Act 1900
  
9. A declaration relating to State Governors enacting legislation, in particular, legislation involving State Constitutions requiring “*Reservation*” prior to the Australia Act 1986 is invalid if the valid reservation requirements were not abided by or in the alternative the Australia Act declared invalid
  
- 940 10. A declaration that no High Court Judge named in any Grand Jury Process in Victoria hear or direct in any capacity in this Petition or relating to this Petition



11. A declaration that Chief Justice French (A Judge from Western Australia after 2004) stand aside entirely

DATED: 22<sup>nd</sup> October 2010

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*[Handwritten signature]*

(Signed by the Petitioner)

IN THE PRESENCE OF:

*[Handwritten signature]*

Signed by Witness

*[Handwritten signature]*

Signed by Witness

*F. J. BISHOP*

Name of Witness

*FRANC FURIAJ*

Name of Witness

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*DIRECTOR*

Occupation of Witness

*Sales*

Occupation of Witness

*21 DAVENPORT CRT, WERRIBEE*

Address of Witness

*2 ROCKBANK CRT TARNEIT*

Address of Witness

TO: THE RESPONDENT

Shop 2, 36 Synnot Street, Werribee Vic 3030

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The Petitioner's address for service is:

280 Leakes Road, Truganina Victoria 3030

Po Box ~~900~~ Werribee Victoria 3030

*800*

The Reaction to  
The Execution Petition.

The High Court  
Refusing leave to file  
any as such consequences  
the framing of the people  
of Australia, in particular,  
the retention of labor  
WARRIBEE, VICTORIA.



The consequences amount  
to my prison of treason  
by officers of the High Court

David J. ...  
MAY 2019

# GOVERNOR SUBSTITUTES HIMSELF

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## AUSTRALIA ACT 1986 - SECT 7

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### Powers and functions of Her Majesty and Governors in respect of States

(1)

Her Majesty's representative in each State shall be the Governor.

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## COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT - SECT 12

### Issue of writs

The Governor of any State may cause writs to be issued for elections of senators for the State. In case of the dissolution of the Senate the writs shall be issued within ten days from the proclamation of such dissolution.

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## ACTS AMENDMENT AND REPEAL (COURTS AND LEGAL PRACTICE) ACT 2003 WA (NO. 65 OF 2003) - SECT 130

### 130 . *Supreme Court Act 1935* amended

(3) Section 9(1) is amended by deleting "Her Majesty" and inserting instead —

" the Governor ".

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# CRIMINAL CODE ACT 1995

## Chapter 5 -- The security of the Commonwealth

### Part 5.1 -- Treason and urging violence

#### Division 80 -- Treason and urging violence

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#### 80.1A Definition of *organisation*

In this Division: "*organisation*" means:

(a) a body corporate; or

(b) an unincorporated body;

whether or not the body is based outside Australia, consists of persons who are not Australian citizens, or is part of a larger organisation.

#### Subdivision B -- Treason

#### 80.1 Treason

(2) A person commits an offence if the person:

- (a) receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or
- (b) knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

**Penalty: Imprisonment for life.**