

BETWEEN

BRIAN WILLIAM SHAW

Applicant

- and -

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

Respondent

APPLICATION FOR SPECIAL LEAVE TO APPEAL

The applicant applies for Special Leave to Appeal from the whole of the Judgement of Justices Nettle and Neave, delivered on 17 May 2013 in file number S APCI 2013 0043.

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GROUNDS:

1. High Court of Australia

This application states and confirms that the High Court of Australia in the capacity of a Corporation (ABN 69 445 188 986) is in spiritual, constitutional and criminal breach of the Constitution of the Commonwealth of Australia and as such any order – judgement or decline of Special Leave is void in Law, but at the same time is a criminal breach of Section 34(4) Crimes Act 1914 Commonwealth, but not limited to this offence.

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2. Supreme Court of Victoria

This application states and confirms that the Supreme Court of the State of Victoria in both divisions of such court, trial and appellant, is in spiritual, constitutional and criminal breach of the constitution of the State of Victoria, inclusive of the constitution of the Commonwealth of Australia and as such any order, judgement or decline to hear Grand Jury applications, under Statute Law, is void in law, but at the same time is a criminal breach of Section 34(4) Crimes Act 1914 Commonwealth, but not limited to this offence.

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0487195522

HIGH COURT OF AUSTRALIA
FILED
13 JUN 2013
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THE REGISTRY MELBOURNE

3. Crown removed without Referendum

50 This application states and confirms that the Crown of the United Kingdom on 1 January 2004 within the Federated State of Western Australia, the Crown was removed without the statutory electorate referendum required for such removal, found at Section 73 of the Western Australian Constitution and consolidated in 1978 by the Government of the State of Western Australia under Sir Charles Court, in addition to the statutory electorate referendum found at Section 128 of the Constitution of the Commonwealth of Australia (9th July 1900). The overt Act in Western Australia is titled “**Acts Amendment Repeal Courts and Legal Practice Act 2003**”, enacted 1st January 2004.

4. Oath of Allegiance removed (West Australia)

60 This application states and confirms that the statutory Oath of Allegiance to Her Majesty, Queen Elizabeth the Second, Her Heirs and Successors was removed from Law within the Federated State of Western Australia without the required statutory electorate referendums found at Section 73 of the Western Australian Constitution and Section 128 of the Commonwealth Constitution. The overt Act in Western Australia is titled; “**Acts Amendment Repeal Courts and Legal Practice Act 2003**”, enacted on 1 January 2004.

5. Oath of Allegiance removed (Victoria)

70 This application states and confirms that the statutory Oath of Allegiance to Her Majesty, Queen Elizabeth the Second, Her Heirs and Successors was unlawfully and illegally removed from the Legal Practice Act 1994 (Victoria), by enactment the overt Act titled; “**Courts and Tribunals Legislation (Further Amendment) Act 2000**”, enacted 5th September 2000.

No statutory referendum was held in relation to the Constitutional fact that the Legal Practice Act is bound by the Victorian Constitution Act, which is bound by and subject to the Constitution of the Commonwealth of Australia and as such is subject to and bound by Section 128 of the superior Constitution, the referendum condition required to alter or amend the principal act within Australia.

6. The Banking Cartel

80 This application states and confirms that the banking cartel, inclusive of the big four banks, ANZ, Westpac, National and Commonwealth, inclusive of the Reserve Bank, a Central Bank within Australia are in joint venture with the Government of the Commonwealth of Australia and in such joint venture do practice and are permitted to practice the fraudulent banking practice identified as Fractional Reserve Banking or the entry of Book Credits and as such any order or judgement obtained in favour of this particular banking cartel operating within Australia via American and foreign shareholdings, is an order / judgement obtained by fraud and as such is void in law. Such order / judgement obtained at the Supreme Court of Victoria, Court of Appeal on 17 May 2013 by Justices Nettle and Neave is an order / judgement obtained by fraud.

90 **7. The Constitutional Grant of Power**

This application states and confirms that at Section 3AA Crimes Act 1914 Commonwealth in relation to banking, insurance and postal, it is set out and stated that a Constitutional Grant of Power to a Corporation, foreign or domestic is only obtained by Legal and Constitutional compliance to Section 51(xx) of the Constitution of the Commonwealth of Australia which is legally and constitutionally impossible when the superior and principal constitution has been fractured by criminal action imposed on the people, electors and constitutions, State and Federal.

8. The Criminal Offence and Offences

100 This application states and confirms that the Governments currently operating within Australia, in all three arms of each respective Government, Executive, Legislative and Judicial are principal offenders in an organised criminal attack upon the people and resources of Australia and as such have unlawfully and illegally used their respective offices and powers to alter and amend laws within Australia without the statutory referendums and as such have committed the criminal offences of Fraud, Misrepresentation, Treason (Breach of Allegiance) attempting to pervert the Course of Justice (Judicial Corruption), but not limited to these offences.

9. The United Nations – AGENDA 21

110 This application states and confirms that the United Nations, a foreign power to the laws of Australia, established and accepted by the people of Australia via their respective State and Commonwealth Constitutions, has unlawfully and illegally usurped the constitutions and imposed a foreign power, United Nations AGENDA 21 on Australia, inclusive of the people of Australia, the land and resources, all functioning under criminal activity involving the United Nations and all current Governments currently operating within Australia, inclusive of all local and regional councils.

10. AGENDA 21

120 This application states and confirms that the United Nations General Assembly is in reality a front for communist activity and agents currently operating within Australia with bi-partisan consent and assistance to nullify and destroy the constitutions of the States and then the principal constitution.

11. The Aims of AGENDA 21

This application states and confirms that two principal aims appear in relation to the United Nations Agenda 21.

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- A. The abolition of all private ownership of land within Australia.
 - B. Sustainable development, which means in no uncertain terms when the cover is stripped away, the complete elimination of populations that are considered to be unsustainable within the United Nations Agenda 21 program.

12. Freemasonry

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This application states and confirms that the principal agent operating within Australia to both assist and enable the socialist communist United Nations AGENDA 21 to alter and amend established law and constitutions within Australia is the Secret Society of Freemasons, all of which have both taken and administered and witnessed occult blood oaths / obligations to **“conceal and never reveal”**.

13. The Fabian Society

This application states and confirms that in mutual agreement with the respective Secret Societies, the Fabian Society operating within Australia has enabled five specific Fabian Society members to become Prime Ministers of Australia, specifically Whitlam, Hawke, Keating, Rudd and Gillard, all working to complete the United Nations AGENDA 21 program involving Australia within the United Nations.

14. Jerusalem and Israel

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This application states and confirms that in July 1997, the House of Representatives Standing Committee on Legal and Constitutional Affairs, in an attempt to nullify Section 44 of the Australian Constitution (The Disqualification Section) issued a paper in relation to Section 44, in particular Sections 44(i) and ~~44~~(iv). At page 18, paragraph 2.19 of such paper called or titled “Aspects of Section 44”, the following is recorded in the paper;

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“Professor Blackshield supported the view that the words “entitled to the rights and privileges” raise particular problems. As noted above, during the 1980’s the then Prime Minister, The Hon RJJ Hawke was threatened with a challenge under Subsection 44(i) because he had been made an Honorary Citizen of Israel. Professor Blackshield commented that in fact there is an argument that the conferral of honorary citizenship had entitle the Hon RJJ Hawke to the rights and privileges of a citizen of the State of Israel and that he was in fact disqualified.”

Significantly, no legal challenge was issued, but in this particular application the legal challenge is now issued.

15. Section 44(i)

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This application states and confirms that Section 44, subsection (i) of the Constitution of the Commonwealth of Australia states;

Any person who:

- (i) Is under any acknowledgement 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. (end subsection)***

Shall be incapable of being chosen or of sitting as a senator or of the House of Representatives.

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16. All Political Parties

This application states and confirms that all Political parties currently formed within Australia and currently operating outside of the Constitutional Grant of Power, after the Crown and Oath of Allegiance was removed without the statutory electoral referendums are invalid, illegal and committing criminal activity on the people of Australia in that each political party is principal to an organised United Nations, Fabian Society, Masonic conspiracy upon Australia to destroy the established order and constitutions and impose a foreign power governance upon the people and land of Australia.

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17. The Christian Church within Australia

This application states and confirms that all Christian Churches currently operating within Australia after the unlawful and illegal removal of the Crown and Oath of Allegiance without the statutory referendum are operating in fraud and extensive criminal activity to conceal the true facts of this matter.

The following scriptures highlight this fraud and deception by Christian leaders and Churches currently operating within Australia with the Crown of the United Kingdom removed inclusive of the Oath of Allegiance without the knowledge or consent of the electorate because the statutory referendums were omitted. The following scriptures are part of the spiritual deception referred to at Grounds 1 and 2 of this application;

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ISAIAH 3:8-13 (King James Bible)

For Jerusalem is ruined, and Judah is fallen: because their tongue and their doings are against the LORD, to provoke the eyes of his glory.

The shew of their countenance doth witness against them; and they declare their sin as Sodom, they hide it not. Woe unto their soul! for they have rewarded evil unto themselves.

Say ye to the righteous, that it shall be well with him: for they shall eat the fruit of their doings.

Woe unto the wicked! it shall be ill with him: for the reward of his hands shall be given him.

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As for my people, children are their oppressors, and women rule over them. O my people, they which lead thee cause thee to err, and destroy the way of thy paths.

The LORD standeth up to plead, and standeth to judge the people.

ISAIAH 28:14-18 (King James Bible)

Wherefore hear the word of the LORD, ye scornful men, that rule this people which is in Jerusalem.

Because ye have said, We have made a covenant with death, and with hell are we at agreement; when the overflowing scourge shall pass through, it shall not come unto us: for we have made lies our refuge, and under falsehood have we hid ourselves:

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Therefore thus saith the Lord GOD, Behold, I lay in Zion for a foundation a stone, a tried stone, a precious corner stone, a sure foundation: he that believeth shall not make haste.

Judgment also will I lay to the line, and righteousness to the plummet: and the hail shall sweep away the refuge of lies, and the waters shall overflow the hiding place. And your covenant with death shall be disannulled, and your agreement with hell shall not stand; when the overflowing scourge shall pass through, then ye shall be trodden down by it.

230 **EZEKIEL 22:17-31 (King James Bible)**

*And the word of the LORD came unto me, saying,
Son of man, the house of Israel is to me become dross: all they are brass, and tin, and
iron, and lead, in the midst of the furnace; they are even the dross of silver.*

*Therefore thus saith the Lord GOD; Because ye are all become dross, behold,
therefore I will gather you into the midst of Jerusalem.*

*As they gather silver, and brass, and iron, and lead, and tin, into the midst of the
furnace, to blow the fire upon it, to melt it; so will I gather you in mine anger and in
my fury, and I will leave you there, and melt you.*

240 *Yea, I will gather you, and blow upon you in the fire of my wrath, and ye shall be
melted in the midst thereof.*

*As silver is melted in the midst of the furnace, so shall ye be melted in the midst
thereof; and ye shall know that I the LORD have poured out my fury upon you.*

And the word of the LORD came unto me, saying,

*Son of man, say unto her, Thou art the land that is not cleansed, nor rained upon in
the day of indignation.*

*There is a conspiracy of her prophets in the midst thereof, like a roaring lion ravening
the prey; they have devoured souls; they have taken the treasure and precious things;
they have made her many widows in the midst thereof.*

250 *Her priests have violated my law, and have profaned mine holy things: they have put
no difference between the holy and profane, neither have they shewed difference
between the unclean and the clean, and have hid their eyes from my sabbaths, and I
am profaned among them.*

*Her princes in the midst thereof are like wolves ravening the prey, to shed blood, and
to destroy souls, to get dishonest gain.*

*And her prophets have daubed them with untempered mortar, seeing vanity, and
divining lies unto them, saying, Thus saith the Lord GOD, when the LORD hath not
spoken.*

*The people of the land have used oppression, and exercised robbery, and have vexed
the poor and needy: yea, they have oppressed the stranger wrongfully.*

260 *And I sought for a man among them, that should make up the hedge, and stand in the
gap before me for the land, that I should not destroy it: but I found none.*

*Therefore have I poured out mine indignation upon them; I have consumed them with
the fire of my wrath: their own way have I recompensed upon their heads, saith the
Lord GOD.*

JOHN 4:20-24 (King James Bible)

*Our fathers worshipped in this mountain; and ye say, that in Jerusalem is the place
where men ought to worship.*

270 *Jesus saith unto her, Woman, believe me, the hour cometh, when ye shall neither in
this mountain, nor yet at Jerusalem, worship the Father.*

*Ye worship ye know not what: we know what we worship: for salvation is of the Jews.
But the hour cometh, and now is, when the true worshippers shall worship the Father
in spirit and in truth: for the Father seeketh such to worship him.*

God is a Spirit: and they that worship him must worship him in spirit and in truth.

18.The RSL and AGENDA 21

280 This application states and affirms that the Returned Soldiers League (The RSL) means specifically the soldiers who were not killed in war, but returned and today state; **“Lest we forget”**, but say and do nothing in relation to the exposure of the United Nations socialist – communist – masonic AGENDA 21 attack upon Australia. In criminal terms the RSL is involved in criminal concealment of the fact that the Crown and Oath of Allegiance have been removed without the statutory referendums meaning the bodies of the soldiers, men and women who did not return have fought in vain when the returned soldiers submitted. This is the issue raised in Grounds 1 and 2 of this application.

19.Section 12 and Western Australia

290 This application states and affirms that by enactment on 1 January 2004 of the overt act of Treason at Perth in the Federated State of Western Australia of the overt Act titled; **“Acts Amendment Repeal Courts and Legal Practice Act 2003”**.

- A. All politicians within Western Australia, both State and Commonwealth (Senators and House of Representatives) did both commit and conceal the common law criminal offence of Treason, compounding into Misprison of Treason.
- 300 B. All Judges and Magistrates in every Jurisdiction within the Federated State of Western Australia did both commit and conceal the common law criminal offence of Treason, compounding into Misprison of Treason.
- C. The Governor of the Federated State of Western Australia at Perth on 1 January 2004, Governor Sanderson by enactment of the overt Act entitled; **“Acts Amendment Repeal Courts and Legal Practice Act 2003”** did substitute himself, Governor Sanderson into the Constitutional position of Her Majesty Queen Elizabeth the Second and as such did commit the criminal offence of common law treason, in addition did compound this offence into Misprison of Treason (common law) by omitting the statutory Constitutional referendum at both State level, Section 73 West Australian Constitution Act and Commonwealth level, Section 128 Commonwealth Constitution, thereby concealing from the people of Australia exactly what has occurred within
310 Western Australia and the Commonwealth of Australia.
- D. The Commonwealth Constitution states at Section 12 of such Act that the Governor of the State issues the writ for elections of State Senators for the Senate in Canberra, but it has not been revealed to the voting electorate that the Governor of the State of Western Australia removed Her Majesty,
320 substituted himself and then issued an invalid Senators writ under Section 12 of the Commonwealth Constitution Act, thereby activating an invalid Senate sitting in Canberra, when the West Australian Senators arrive on an invalid and criminal writ.

20. The House of Representatives and Senators

330 This application states and confirms that every member of the House of Representatives currently sitting in the Commonwealth Parliament at Canberra, because of the overt criminal Act in the Federated State of Western Australia are sitting outside of the Constitutional Grant of Power and order of authority, but at the same time are “Attainted with Treason” in the exact same manner and form as all current Senators.

THE CONSTITUTION OF THE COMMONWEALTH

Chapter 1. The Parliament.

Part IV. Both Houses of the Parliament.

Section 44. Disqualification.

340 *Any person who:*

(ii) is attainted with Treason

Shall be incapable of being chosen, or of sitting as a Senator or a Member of the House of Representatives.

21. The Federal Seat of Lalor

Current House of Representative – Julia Gillard.

350 Situated in the Federated State of Victoria, inclusive of Werribee, Hoppers Crossing, Laverton, Point Cook, Cocorol, Little River, Wyndham Vale, Tarneit, Mambourin, Eynesbury, Exford, Melton, Melton South, Rockbank, Sydenham West and Toolern Vale.

The criminal presentment on Julia Gillard.

Common Law: Misprison of Treason

The words of the presentment are;

JULIA GILLARD – CHARGE and SUMMONS
(January 29, 2007 – Melbourne Magistrates Court)

360 *On 1st January 2004, the Government of West 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 Practices 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.

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22. The adjoining Federal Seats to Lalor

Seven Federal seats, each occupied by people who have concealed this criminal conspiracy;

Corio -- Marles, R (ALP)

Ballarat -- King, C (ALP)

McEwan -- Mitchell, R (ALP)

Calwell -- Vamvakinou, M (ALP)

Gorton -- O'Connor, B (ALP)

Maribyrnong -- Shorten, W (ALP)

Gellibrand -- Roxon, N (ALP)

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23. The current Senators for Victoria

These Senators and prior Senators have concealed this criminal conspiracy;

1. Carr, Senator the Hon Kim John
2. Collins, Senator the Hon Jacinta
3. Conroy, Senator the Hon Stephen
4. Di Natale, Senator Richard
5. Feeney, Senator the Hon David Ian
6. Fifield, Senator Mitchell Peter
7. Kroger, Senator Helen
8. McKenzie, Senator Bridget
9. Madigan, Senator John Joseph
10. Marshall, Senator Gavin Mark
11. Ronaldson, Senator the Hon Michael
12. Ryan, Senator Scott Michael

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24. The current Senators for Western Australia

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These Senators and prior Senators have concealed this criminal conspiracy;

1. Back, Senator Christopher John
2. Bishop, Senator Mark
3. Cash, Senator Michaelia Clare
4. Cormann, Senator Mathias
5. Eggleston, Senator Alan
6. Johnston, Senator the Hon David Albert Lloyd
7. Lines, Senator Susan
8. Ludlam, Senator Scott
9. Pratt, Senator Louise Clare
10. Siewert, Senator Rachel
11. Smith, Senator Dean Anthony
12. Sterle, Senator Glenn

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25. Current Councillors for Werribee / Wyndham Shire Council (VIC)

The Werribee / Wyndham Shire Council and Councillors past and present have concealed this criminal conspiracy;

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1. Cr Shane Bourke, JP
2. Cr Gautam Gupta
3. Cr John Gibbons
4. Cr Marie Brittan - Deputy Mayor
5. Cr Heather Marcus - Mayor
6. Cr Peter Gibbons
7. Cr Peter Maynard
8. Cr Glenn Goodfellow
9. Cr Bob Fairclough
10. Cr Adele Hegedich
11. Cr Intaj Khan

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26. Wyndham Christian Ministers Network (VIC)

Situated within the Federal Seat of Lalor at Werribee – Wyndham in the Federated State of Victoria have concealed this discovered conspiracy from the respective Christian Churches and schools within this geographical area.

27. The new Political Party “Rise up Australia”

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Since the 15th December 2006, the principal people of the other arm of this new political party, the Christian arm, “Catch the Fire Ministries INC” have concealed from the Christians and people of Australia the discovered criminal conspiracy and continue to conceal the criminal actions.

28. Barry and Margaret Court (West Australia)

Within the formerly federated State of Western Australia, the current President of the Liberal Party of Western Australia is Barry Court, the son of former Premier, Sir Charles Court.

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Margaret Court is married to Barry Court and together they run a Christian Church within Western Australia called *Victory Life Centre Incorporated* at Osborne Park, Perth Western Australia. Both have knowledge of this discovered conspiracy but have kept this concealed from their Church members and the people of Western Australia.

29. The Australian Electoral Commission

460 The Australian Electoral Commission via their office situated in Watton Street, Werribee Victoria, in the person of Kate Chamberlain does have actual and constructive knowledge of the private prosecution criminal charge on Julia Gillard and the resultant pending statutory law, Grand Jury application lodged into the criminal jurisdiction of the Full Court (Court of Appeal) Supreme Court of the State of Victoria at 450 Little Bourke Street Melbourne on the 29th January 2007, but has concealed this discovered fact from the electorate.

JULIA GILLARD – CHARGE and SUMMONS (January 29, 2007 – Melbourne Magistrates Court)

470 *On 1st January 2004, the Government of West 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 Practices 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.

30. The Two Spiritual Laws

The two spiritual laws are identified immediately in the following New Testament Scripture;

ROMANS 8:2 (King James Bible)

For the law of the Spirit of life in Christ Jesus hath made me free from the law of sin and death.

A. THE CONSTITUTIONAL ISSUE

480 Immediately the Crown was removed from established law within Australia without the required statutory referendum, the second law, the law of sin and death imposed itself into the entire structure of the law making and law enforcement structure of Australia, inclusive of the States.

B. THE FEE SIMPLE ISSUE

490 In the exact same manner, because all Fee Simple is a grant from the Crown, immediately the Crown is removed without the statutory referendum, all Fee Simple Crown grants are nullified and cease to have legal effect because “**the second law**” extinguished the former grant.

C. THE CRIMINAL EFFECT

Immediately “**the second law**” trespassed into and over “**the first law**”, the criminal conspiracy activated and caused the criminal effect and action.

D. THE COURTS

500 Both the High Court and all Supreme Courts are operating under “the second law”, which is the principal reason why AGENDA 21 is permitted and all constitutions illegally suspended.

31. The Two Spirits: FATHER or MOTHER

This application states and affirms that two spiritual laws are able to be identified within scripture, but at the same time within the notes of the framers of the Commonwealth Constitution there were two choices;

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1. Humbly relying on the blessing of Almighty God.
 2. Humbly relying on the blessing of the Supreme Being.

HOSEA 4:5 (King James Bible)

Therefore shalt thou fall in the day, and the prophet also shall fall with thee in the night, and I will destroy thy mother.

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DEUTERONOMY 11:27 (King James Bible)

A blessing, if ye obey the commandments of the LORD your God, which I command you this day.

DEUTERONOMY 8:14 (King James Bible)

530 *Then thine heart be lifted up, and thou forget the LORD thy God, which brought thee forth out of the land of Egypt, from the house of bondage;*

2 CHRONICLES 7:14 (King James Bible)

If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land.

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ORDERS SOUGHT

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1. That this application be removed into the exclusive jurisdiction of the High Court because of the Inter Se questions. The removal is compulsory once the Inter Se is introduced.
 2. That in Judicial fairness no High Court Judge that has been presented to the Melbourne Magistrates Court and remain pending Grand Jury can adjudicate.
 3. That the High Court remit the matter back to the criminal jurisdiction of the Full Court of the Supreme Court of Victoria to hear Grand Jury applications under statute law, currently pending over a number of years.

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 4. The order of Justices Nettle and Neave (17 May 2013) is an order obtained by fraud and as such is declared a nullity and is to be set aside.
 5. Liberty to apply.



13 June 2013

570 **To: The Respondent**
THE ANZ EXECUTORS and TRUSTEE COMPANY LIMITED (AS THE TRUSTEES
OF THE ESTATE OF JOHN WILLIAM SHAW, DECEASED

Address for service;
Aitken Partners
114 William Street, Melbourne.

580 **TAKE NOTICE:** Before taking any step in the proceedings you must, within **14 DAYS** after service of this application, enter an appearance in the office of the Registry in which the application is filed, and serve a copy on the applicant.

The applicants address for service by **registered post** is:
Post Office Box 800
590 Werribee Victoria 3030
Telephone 0487 195 522