

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

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AFFIDAVIT IN SUPPORT

Registrar Condid
Associate Justice Mukhtar

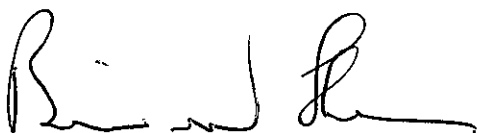
Date of document: *5* MAY 2013
Filed on behalf of: The Plaintiff
Prepared by: Brian Shaw
Address: C/- P.O.Box 800 Werribee
Victoria, 3030
Tel: 0487 195 522
NO 15.

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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 Notice of Objection to the order costs dated 5th November 2010 seeking a cost order after concealing serious indictable offences.
2. That the Notice names;
 - a. Registrar Condid
 - b. Associate Justice Mukhtar
 - c. Associate Justice Daly
 - d. Barrister Vers Paandonk
 - e. Aitken Partners (Law Firm)
 - f. Julia Gillard.
 - g. Mr R Hulls
 - h. Mr David Ward (ANZ Trustees)

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- i. ANZ Trustees Board Members
- j. Judges of the Court of Appeal (Victoria)
- k. Judges of the Supreme Court (Victoria)
- l. Mr Paul Coghlan (Former DPP now Judge)
- m. Judges of the High Court (7 Judges)
- n. Attorney-Generals (9)
- o. Federal Politicians (3)
- p. Former Governor General M Jeffery
- q. The current Prothonotary Mr Rod Ratcliffe

3. That the notice sets out criminal law in relation to Treason and Concealment of Treason.

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Exhibit is marked; **“Registrar Condid 4 November 2010”**

AFFIRMED BY: _____

Rod Ratcliffe

AT: _____

WERRIBEE

IN THE STATE OF VICTORIA

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THIS _____

5th

DAY OF MAY 2013.

BEFORE ME: _____

Margaret May Campbell

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



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

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EXHIBIT

This is the exhibit referred to in the affidavit of Brian William Shaw affirmed on the day of May 2013.

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Before me: Margaret M Campbell

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



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“Registrar Condidi 4 November 2010”

**IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COSTS COURT**

Court No: SCI 2010 03601

BETWEEN:

ANZ EXECUTORS & TRUSTEE COMPANY LIMITED
(as Trustees of the Estate of JOHN WILLIAM SHAW, (deceased))

Applicant

and

BRIAN WILLIAM SHAW

Respondent

**NOTICE OF OBJECTION TO THE ORDER OF COSTS
REGISTRAR CONDIDI**

Date of Document	5 th November, 2010
Filed on behalf of	Brian William Shaw
Prepared by	Respondent 280 Leakes Road Truganina Victoria 3030
	Phone 0393941116

Items of Objection

Associate Justice Muktar

1. **Item No 30** on the purported Bill of Costs relates to perusing order of Associate Justice Muktar on 24 February 2010 which is an order obtained by Fraud in that because of the actual events that occurred before Associate Justice Muktar on 24 February 2010 there was no jurisdiction whatsoever remaining to make any order or direction

The Issues appear in the Muktar Order

Associate Justice Daly

2. **Item No 29** on the purported Bill of Costs relates to a purported order obtained from Associate Justice Daly from an order / direction from Justice Muktar on 24 February 2010 which is an order obtained by Fraud (Judge in his Own Cause)
3. **Item No 28** has the same legal defect as item No 29
4. **Item No 31** has the same legal defect as item No 30

Barrister Verspaandonk

5. Item No 25 is an amount obtained by concealing serious Indictable Offences revealed in this particular matter, which is an indictable offence
6. Every item in the purported Bill of Costs is under review because of Fraud on the Court emanating from non disclosure of serious indictable offences set out in the various affidavits already filed and served into this matter

Grounds of review

John D Phillips

1. The whole Bill of Costs emanates via the Costs Court Supreme Court of Victoria, but, at exhibit 7 in the affidavit of B W Shaw affirmed 23 December 2009 at page 96 of such affidavit, the **Age Newspaper** quotes the retiring speech of **John D Phillips** from the Supreme Court Bench under the header "*The Corporatizing of our Courts*" without purported valid Parliamentary Legislation to alter the purported inherent jurisdiction of the Supreme Court, purportedly enabling the Court to go to a Corporate Body under the Justice Department under the Header "*Business Unit 19*"
The retirement speech of John D Phillips is a Supreme Court record document supported by Justice Ormiston in his retirement speech from the same Court
This is fraudulent conversion of inherent jurisdiction of the Supreme Court of Victoria

Aitken Partners

2. The law firm of **Aitken Partners** is attempting to obtain Property by Deception in that the Oath of Allegiance has been removed from the Legal Practice Act 1996 Victoria. The removal and concealment of this fact opens up extensive criminal offences beginning with Fraud on the Court, to Misprision of Treason, but not limited to these offences

Affidavits

3. **Fifteen affidavits** have been filed and served into this particular matter and are listed herein

- 1) Affidavit Certificate of Guarantee
- 2) Affidavit Commonwealth Bank Articles
- 3) Affidavit Commonwealth Election Petition
- 4) Affidavit Criminal Charge of Treason on Julia Gillard
- 5) Affidavit Deed of Guarantee
- 6) Affidavit Facts of the Matter
- 7) Affidavit Misrepresentation in the Supreme Court Brochure
- 8) Affidavit Principal Objection
- 9) Affidavit Private Prosecution Magistrates Court
- 10) Affidavit Recent Criminal Charge on Julia Gillard
- 11) Affidavit September 2010
- 12) Affidavit The Concealment
- 13) Affidavit Wheeler
- 14) Affidavit Writ of Mandamus
- 15) Affidavit Act of Treason within Western Australia

Julia Gillard & Western Australia

4. A further principal objection is the concealment of the Criminal offences relating to Julia Gillard and Western Australia

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 *Prime Minister Julia Gillard* by concealing the true facts concerning Western Australia was formally charged by Brian W Shaw in the period 15th December 2006 and 29th January 2007. A Grand Jury Application remains pending at the Full Court Supreme Court of Victoria where it was lodged on 29th 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 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”

Victoria

5. A further principal objection is the concealment of the unlawful Act created in Victoria amounting to Fraud and other serious indictable offences

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*” 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 6th November 1999, thereby placing the Parliament and State of Victoria in an invalid condition in relation to the Constitution of the Commonwealth of Australia, in addition to affecting the purported inherent jurisdiction of the Supreme Court of Victoria

Fraud on the Court

6. A further principal objection is that Fraud on the Court occurred by:

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*, but maintained a Costs Court by deception

Compounding Offence

7. Section 44 Crimes Act 1914 Commonwealth becomes operative in this particular Fraudulent transaction by the Officers of the Cost Court Supreme Court Victoria, plus other Officers of the Supreme Court

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 withhold any evidence thereof, shall be guilty of an offence.

Penalty: Imprisonment for 3 years.

Writ of Mandamus

8. That on 2nd September 2010 a Writ of Mandamus was lodged with the Full Court Supreme Court of Victoria to *show cause for full faith and credit to the Commonwealth Constitution*

The Writ was supported by an Affidavit affirmed on 23rd December 2009 by Brian W Shaw setting out relevant Grand Jury facts inclusive of the various defendants named for Grand Jury process. The delay in proceedings amounts in law to the criminal offence of “*Attempting to Pervert the Course of Justice*” (R v Rogerson [1992] HCA 25 High Court) in addition to a **Question of Fact** under section 43.3 Crimes Act 1914 Commonwealth

Chief Executive Officer

9. One of the named defendants listed for Grand Jury process within the Jurisdiction of the Supreme Court of Victoria is **Mr David Ward** at the time of filing the Criminal Charge occupied the position of Chief Executive Officer (CEO) of the ANZ Trustees, such Charge and Grand Jury Application has been concealed by Officers of the Supreme Court of Victoria, plus ANZ Trustees but, the matter remains pending before the Court, still to be heard

ANZ Board Members

10. The current Board Members of the ANZ Trustees are:

John Morschel	Chairman
Michael Smith	Chief Executive Officer
Dr G J Clark	Independent Non-Executive Director
Mr P A F Hay	Independent Non-Executive Director
Mr H Y Lee	Independent Non-Executive Director
Mr I J Macfarlane,	Independent Non-Executive Director
Mr D E Meiklejohn,	Independent Non-Executive Director
Ms A M Watkins	Independent Non-Executive Director

Officers of the Supreme Court

11. The following Officers of the Supreme Court of Victoria remain pending Grand Jury Process

Supreme Court of Appeal Victoria

Mr John Winneke (Former President Court of Appeal Victoria)

Justice Steven Charles (Court of Appeal Victoria)

Justice Alex Chernov (Court of Appeal Victoria)

Justice Pat Buchanan (Court of Appeal Victoria)

Justice Robert Brooking (Court of Appeal Victoria)

Master Phillip Cain (Court of Appeal Victoria)

Dodds-Streeton Judge Court of Appeal (Vic)

Justice Nettle Judge Court of Appeal (Vic)

Supreme Court of Victoria

Mr Charles Wheeler (Retired Master Supreme Court Victoria)

Master Kathryn Kings (Supreme Court Victoria)

Justice Thomas Smith (Supreme Court Victoria)

Master Ewan Evans (Supreme Court Victoria)

Former State **DPP** now Judge Supreme Court Victoria

Paul Coghlan

Justices of the High Court

12. The following Justices of the High Court of the Commonwealth of Australia remain pending Grand Jury process in Victoria

High Court of Australia

Mr M Kirby	Former Judge High Court of Australia
Mr Ian Callinan	Former Judge High Court of Australia
John Dyson Heydon	Justice (High Court)
William Montague Charles Gummow	Justice (High Court)
Anthony Murray Gleeson	Justice (High Court)
Susan Maree Crennan	Justice (High Court)
Kenneth Madison Hayne	Justice (High Court)

Attorney Generals

13. The following Attorney Generals of the Commonwealth of Australia remain pending Grand Jury process in Victoria

Attorney Generals

Philip Ruddock	Former Attorney General Commonwealth of Australia
Sydney James Stirling	Attorney General Northern Territory
Michael Atkinson	Attorney-General South Australia
Kerry Shine	Former Attorney General Queensland
Rob Justin Hulls,	Current Attorney-General Victoria
Simon Corbell,	Attorney General ACT
Steve Kons,	Attorney General Tasmania
Robert John Debus,	Attorney-General NSW
Mr James McGinty	Former Attorney General Western Australia

Federal Political Leaders

14. The following Federal Politicians current and retired for the Commonwealth of Australia remain pending Grand Jury process in Victoria

John Howard	Former Prime Minister
Kim Beazley	Former Leader of the Opposition (Commonwealth)
Julia Gillard	(Prime Minister of Australia)

Governor General

15. The former Governor General of the Commonwealth of Australia Major General Michael Jeffery remains pending Grand Jury process in Victoria

Indictable Offence

16. 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 or she has a personal interest;

shall be guilty of an offence.

Penalty: Imprisonment for 2 years.

Indictable Offence

17. CRIMES ACT 1914 - SECT 24AA

Treachery

(1) A person shall not:

(a) do any act or thing with intent:

(i) to overthrow the Constitution of the Commonwealth by revolution or sabotage; or

Penalty: Imprisonment for life.

Indictable Offence

18. Criminal Code Act 1995 - Chapter 5

The security of the Commonwealth

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 treason with the intention of allowing him or her to escape punishment or apprehension; or

Penalty: Imprisonment for life.

Indictable Offence

19. Criminal Code Act 1995 - Chapter 5

The security of the Commonwealth

80.1 Treason

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

(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.

Indictable

20. The criminal element required to activate the offence of Treason is “*Breach of Allegiance*” and as such the removal of the Oath of Allegiance from the Legal Practice Act 1996 Victoria on 5th September 2000 does activate the criminal element required which means that Officers of the Supreme Court of Victoria are acting in Judicial capacities whilst operating in criminal conduct inclusive of

- 1) Obtaining Property by Deception
- 2) Obtaining Financial advantage by Deception
- 3) Various other indictable offences

Grand Jury

21. In addition to the already named Grand jury defendants which have passed through the Magistrates Court of Victoria process both Associates Justice **Mukhtar and Daly** are now added to the Grand Jury work by fulfilling the requirement “*Where a Court has declined or refused*” within their own Court, in particular the Costs Court of Victoria

Aitken Partners

22. The current Partners of Aitken Partners (Law Firm) are:

Andrew Blogg
Ed Clark
Michael O'Brien
Ric Birkett
Rob Bradley
Robert Davey
Stephen Curtain
Stephen Maule

Prothonotary

23. The current Prothonotary of the Supreme Court of Victoria is:

Mr Rod Ratcliffe - Acting Prothonotary

Grand Jury Defendants

24. A number of Grand Jury defendants are filed with this cost order review (Charge & Summons)

Orders Sought

1. That the matter be transferred to the Full Court Supreme Court for immediate Grand Jury process on each pending matter
2. That the Cost Court order sit *sini die* pending the Grand Jury decision or in the alternative struck out entirely
3. Liberty to Apply

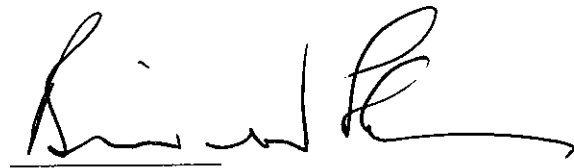
Respondent's address for service

280 Leakes Road Truganina, Victoria 3030

Postal Address

PO Box 800 Werribee Victoria 3030

Signature of Respondent

A handwritten signature in black ink, appearing to read 'Brian W Shaw', written over a horizontal line.

Brian W Shaw