

BRIEF of EVIDENCE



**THE CONSTITUTION
AND
THE LAW OF TREASON**

**PRIME MINISTER
JULIA GILLARD
ATTAINED WITH TREASON
THEREFORE
DISQUALIFIED
BY SECTION 44
OF THE
COMMONWEALTH CONSTITUTION**

**Brian W Shaw
Werribee / Victoria
21 June 2010**

ATTAINED WITH TREASON

Any Person

Attainted with Treason

**shall be incapable of sitting
or of being chosen**

Commonwealth Constitution Act

Section 44 (ii)

This Charge and Offence has been concealed from the Electorate

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

VP Form 402

(Bring this with you to Court)

TO THE DEFENDANT

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

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

Date of Birth	/	/
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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** 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?	<input type="checkbox"/> State	<input type="checkbox"/> Act	<input checked="" type="checkbox"/> Other-specify	Act or Regulation No.	Section or Clause (Full Ref)
	<input checked="" type="checkbox"/> Cwealth	<input type="checkbox"/> Reg		Common Law	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)
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Are there more charges?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes -see "Continuation of charges" attached
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Informant	Brian W Shaw	
Agency and Address	280 Leakes Road Truganina Victoria	
Informant Signature		Phone No. 08 93941116
		Date

Where will the case be heard

Where you must go	The "Magistrates' / Childrens' Court of Victoria at Melbourne		
Address	233 William Street Melbourne Victoria		
When	Time	Day	Month
	10am	29th	January
			Year 2007

Details about this summons

Issued at	MELBOURNE	Date	3 DEC 2005
Issued by Signature		<input type="checkbox"/> Registrar	<input type="checkbox"/> Magistrate
Charge filed at	MELBOURNE	Date	3 DEC 2005

Scott MacDonald, Deputy Registrar

Melbourne Magistrates Court of Victoria

29th January 2007

AFFIDAVIT OF SERVICE

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

That on the ^{15th} day of January 2007 (1:00 PM), I served a charge and summons returnable 29th January 2007, in the Magistrates Court of Victoria at

Melbourne, 233 William Street Melbourne, on Julia Gilman, by

leaving the charge and summons with 'Charles' Shop 2 36 Sunnyside Street WERRIBEE

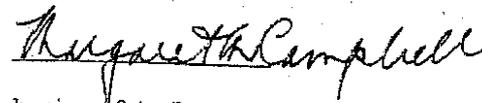
Informant: Brian Shaw

Defendant: Julia Gilman.

Affirmed by 

At WERRIBEE in the State of Victoria

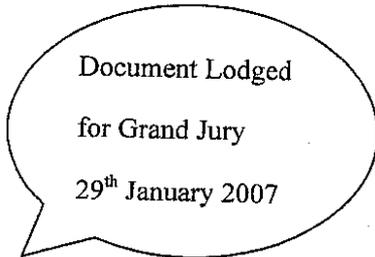
This 25th day of January 2007

Before me 
Justice of the Peace

A JUSTICE OF THE PEACE FOR VICTORIA
REG. No. 9924
MARGARET MAY CAMPBELL
7 MUIRHEAD CRES.
WERRIBEE 3030

Served 15th January 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.

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

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 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

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

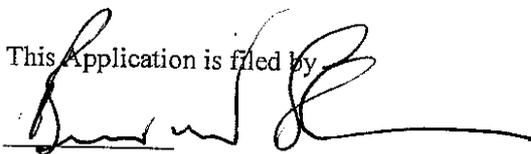
11. COMMONWEALTH CONSTITUTION ACT 1900 SECTION 80
Trial by jury [Section 80 Constitutional Guarantee]

"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.

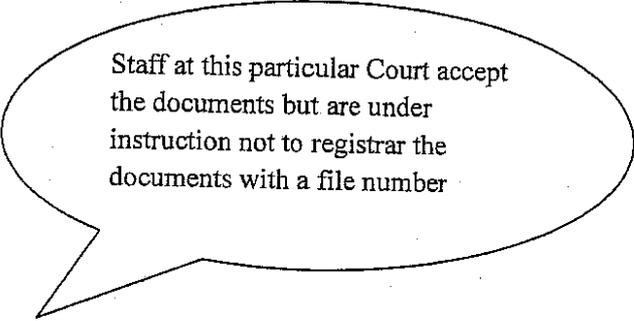
DATED the 29th January 2007

This Application is filed by



Brian William Shaw

280 Leakes Road
Truganina Victoria 3030



Staff at this particular Court accept the documents but are under instruction not to registrar the documents with a file number

COMMONWEALTH OF AUSTRALIA
CONSTITUTION ACT
SECTION 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

(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

(iii) is an undischarged bankrupt or insolvent; or

(iv) holds any office of profit under the Crown, or any pension payable during the pleasure of the Crown out of any of the revenues of the Commonwealth; or

(v) has any direct or indirect pecuniary interest in any agreement with the Public Service of the Commonwealth otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons;

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

“The Disqualification Section”

THE ISSUE

Are Parliaments and Courts working within the
Commonwealth Constitution Act 1900?

The Primary and Superior Act in Australia

Or

Are they working within and for a Concealed Foreign Power
without the knowledge of the people?

The Omission

Since 1975 up to and inclusive of the present date, laws, in particular Constitutions have been amended or altered without informing or consulting the People of the States and Commonwealth by referendum process, as set out at:

1. Section 73 Western Australia Constitution
2. Section 53 Queensland Constitution
3. Section 7 New South Wales Constitution
4. Section 128 Commonwealth Constitution

Halsbury's Laws of England 2nd

Edition Vol 6 at page 395 par 441

states:

"The Law of Allegiance"

"Since the Crown is the symbol of free association of the members of the British Commonwealth of Nations, which are united by a common allegiance to the Crown"

TREASON AND MISPRISION OF TREASON

Treason is: *The element required for the Criminal Offence of Treason is*

*A Breach of duty of
Allegiance*

Misprision of Treason: *The element required is*

*is the concealment or Keeping
Secret of any Treason by a person*

Precedent law and authority

R v Casement 1917 1 Kings Bench 98 at 114

The Act of Treason in Victoria

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

Assented to *5th September 2000*

The Purpose of the Act

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.

Oath of Allegiance Removed

PART 2—LEGAL PRACTICE ACT 1996

3. Oath of allegiance no longer required In section 6(1) of the Legal Practice Act 1996,

The Court to Substitute

for paragraph (c) substitute—

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

Note The Court has no Power whatsoever to substitute or make law

5th September 2000



Victoria

No. 51 of 2000

Courts and Tribunals Legislation (Further Amendment) Act 2000[†]

[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.

Please Note

1

Only ten months after the Commonwealth referendum to retain the United Kingdom law

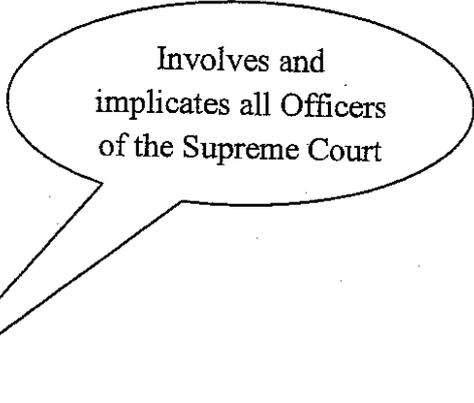
Legal Practice Act (Vic)

Oath of A

6th November 1999

The Offence of Treason is

"Breach of Allegiance"



Involves and
implicates all Officers
of the Supreme Court

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

s. 3

Act No. 51/2000

PART 2—LEGAL PRACTICE ACT 1996

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."

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

Please Note

- 1) The Court has no Legislative power whatsoever to permit any substitution
- 2) The Court is legally bound to uphold the law not to become law breakers
- 3) The Parliament of Victoria has no Legislative power whatsoever to make any law contrary to the agreed law of the Commonwealth Constitution (The Superior Act) In the Legal Practice Act 1996 (Vic), lawyers must take the Oath of Allegiance to enable them to practice law within Victoria

To remove the oath of Allegiance is to place every lawyer (inclusive of Judges) outside the law, but, in reality into another law- the unknown law of the Foreign Power now attacking the law or rather our law

Please note

For the Victorian Parliament to remove the Oath of Allegiance from the Legal Practice Act (Vic) without referendum consent, then it places the Parliament of Victoria inclusive of the Supreme Court of Victoria inclusive of all Judges, Masters, Registrars and Lawyers outside of the legal and valid structure of law, in simple words all broke law to enable "*Another Law*" to begin to take over

THE ACT

Courts and Tribunals Legislation (Further amendment) Act 2000 (Vic)

"All concealed from Voters"

The concealment of Treason carries a life imprisonment sentence in accordance with Section 80 of the Criminal code Act 1995 Commonwealth

Public Prosecutions Act 1994

Act No. 43/1994

51 Transitional provisions

- (3) *“On the commencement of this subsection the office of Prosecutor for the Queen is abolished and any holder of that office goes out of office.”*

Please Note

A Valid presentment can only be made in the name of the Queen while the Commonwealth Constitution is in legal and constitutional position

Criminal Code Act 1995

(Commonwealth)

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

(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.

Or use other reasonable endeavors

Crimes Act 1958 – Section 354

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 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:

Provided always that every such order shall be delivered to the Juries Commissioner ten days before the day on which the indictment is intended to be preferred.

Grand Jury

Indictment: By Grand Jury

Treason and Misprision of Treason

*“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.”*

[Byrne v Armstrong (1899) 25 VLR 126 at 132]

Byrne v Armstrong (1899) 25 VLR 126

In 2001 it was discovered by all Attorney Generals inclusive of the Supreme Court of Victoria that the above mentioned judgment was still in legal position within Victoria

The judgment was delivered in 1899 with six Judges sitting the decision was 4/2 stating that the Court had no discretionary power but to order the sheriff to form a Grand Jury where the affidavit supplied revealed an indictable offence

In 2001 Officers of the Victorian Supreme Court working with the Attorney General of Victoria Mr R Hulls unlawfully overturned Byrne v Armstrong so as to pervert the Grand Jury hearing the offences

All Officers involved have been charged in relation to this particular concealment



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High Court of Australia

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**R v Rogerson [1992] HCA 25; (1992) 174 CLR 268; (1992) 60 A
Crim R 429 (17 June 1992)**

HIGH COURT OF AUSTRALIA

THE QUEEN v. ROGERSON [\[1992\] HCA 25; \(1992\) 174 CLR 268](#)

F.C. 92/021

[\[1992\] HCA 25; \(1992\) 60 A Crim R 429](#)

Criminal Law

High Court of Australia

Mason C.J.(1), Brennan(2), Deane(3), Toohey(2) and McHugh(4) JJ.

CATCHWORDS

Criminal Law - *Attempt to pervert course of justice* - Elements of offence - Police investigations - Whether part of course of justice - Frustrating or deflecting possible criminal prosecution - Whether identifiable offence must be in contemplation of accused or investigators.

Attempt to pervert course of justice

This matter deals with this particular criminal offence

The Supreme Court of Victoria by not accepting and listing according to law all lodged Grand Jury Applications is committing the above mentioned offence

A QUESTION OF FACT IS FOR A JURY DETERMINATION

A Question of Fact

*“In my opinion, therefore, misprision of felony is today an indictable misdemeanour at common law, and a person is guilty of a crime if, knowing that a felony has been committed, he **conceals his knowledge** from those responsible for the preservation of the peace be they Constables or Justice, **within a reasonable time** and having a reasonable opportunity is, “a question of fact for a jury” and also whether **the knowledge** that he has is so definite that it ought to be disclosed”*

[Sykes v Directors of Public Prosecutions, All England Law Reports, 1961 3 ALLER 33 (at 46)]

CRIMINAL CODE ACT 1995
COMMONWEALTH

Section 80.1 2(A)

Becomes operative in relation to the Victorian Parliament, Mr R Hulls and Officers of the Supreme Court who with intent have perverted the legal Right of Grand Jury in relation to the twin criminal offence of Treason (Breach of Allegiance) and Misprision of Treason (the concealment of such treason

Penalty is Life Imprisonment

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 treason was itself treason”

[Sykes v Directors of Public Prosecutions, All England Law Reports, 1961 3 ALLER 33 (at 36)]

The Element required

Failure or Refusal

“Misprison requires nothing active. The failure or refusal to disclose the felony is enough”

[Sykes v Directors of Public Prosecutions, All England Law Reports, 1961 3 ALLER 33 (at 41)]

Please Note

Misprison of Treason carries a penalty of Life Imprisonment under section 80 Criminal Code Act 1995 Commonwealth

ATTORNEY-GENERAL (VICT.); EX REL. BLACK v. THE
COMMONWEALTH (1981) 146 CLR 559

Murphy J

45. It is a traditional duty of the Attorney-General of Australia to defend the validity of Acts. It would be incongruous and unrealistic to hold that only the Attorney-General could challenge the validity of an Act. To require a person who is not and will not be affected by the coercive operation of an Act to obtain the fiat of the Attorney-General of Australia or of a State would put enforcement of constitutional guarantees at the mercy of political pressures exercisable through parliaments, although the purpose of the constitutional guarantees was to provide certain protections, even against parliaments. A citizen's right to invoke the judicial power to vindicate constitutional guarantees should not, and, in my opinion, does not, depend upon obtaining an Attorney-General's consent. *Any one of the people of the Commonwealth has the standing to proceed in the courts to secure the observance of constitutional guarantees.*

Objections to wide standing have no merit. Experience in other countries, especially the United States, has shown that the "floodgates" argument is baseless, and that procedures are available to deal with frivolous challenges. (at p634)

CRIMES ACT 1914
COMMONWEALTH
SECTION 34

Judge or magistrate acting oppressively or when interested

(1) Any person who:

(a) being a judge or magistrate and being required or authorized by law to admit any person accused of an offence against the law of the Commonwealth to bail, in abuse of his or her office, requires excessive and unreasonable bail; or

(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.

**ATTORNEY-GENERAL (VICT.); EX REL.
BLACK v. THE COMMONWEALTH (1981) 146
CLR 559**

Murphy J

42. Section 80 (trial by jury) and s. 116 are among the very few guarantees of freedom in the Constitution. In *R. v. Federal Court of Bankruptcy; Ex parte Lowenstein* (1938) 59 CLR 556, at pp 581-582 (41 Law Ed 2d 159, at p 180), Dixon and Evatt JJ. asserted that this Court's reading of s. 80 made a mockery of the Constitution. A reading of s. 116 that the prohibition against "any law for establishing any religion" does not prohibit a law which sponsors or supports religions, but prohibits only laws for the setting up of a national church or religion, or alternatively prohibits only preferential sponsorship or support of one or more religions, makes a mockery of s. 116. Jefferson warned against this tendency. "***Our peculiar security is the possession of a written Constitution. Let us not make it a blank paper by construction***" (Jefferson, Writings (Washington ed., 1859), p. 506). We should heed his warning.

Section 80 only activates on
Indictment

Constitutional Safeguard

On the 7th of December 1977 Premier Joh Bjelke-Petersen presented to the Queensland Parliament *The Constitution Act Amendment Bill.*

Extracts from Hansard:

My Government believes that writing these existing provisions of constitutional law and practice into the constitution will safeguard the existing system of parliamentary Government in Queensland but it believes that it is necessary to entrench this safeguard against the possibility of changes being brought about by Parliament contrary to the wishes of the electorate.

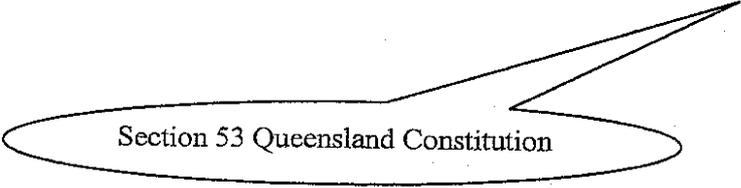
Few people in Queensland today want a republic - especially the socialist republic which so many Labor Party people appear to want. We do not want a Government of this State at any time taking advantage of the people to produce a republic by stealth. If the people want it, then they should be able to clearly indicate so at a referendum. Only if the people of Queensland vote for a change will it be possible for Australia as a whole to become a republic, because you cannot change the monarchy in one part of Australia unless you change it in the whole.

To entrench the present system, the Bill provides that none of its clauses can be altered by Parliament unless the Bill is first presented to the people by way of referendum as prescribed in this Bill.

The requirement of entrenchment (Section 53) is also itself entrenched so that the guarantee cannot be undone, such as has been done in other parts of the Commonwealth of Nations where a republican form of government has been brought about contrary to the constitution.

As I have said, a great deal of thought has gone into this Bill. What has been done in other parts of the British Commonwealth has been taken into account and we have considered all of the implications of entrenchment and the way in which the entrenchment can be brought about constitutionally. My Government is confident that this is a measure which will meet with the whole-hearted approval of the people of Queensland and will attract a great deal of interest among the parliamentarians and people of other States of Australia and overseas. I commend the Bill to the House.

Hansard - as reproduced in Wake Up, Australia November 1986.



Section 53 Queensland Constitution

Western Australia

Sir Charles Court

Hansard 22 March 1978

Re: Section 73

(Western Australia Constitution)

Hansard 22 March 1978

Western Australia

ACTS AMENDMENT (CONSTITUTION) BILL

Second Reading

SIR CHARLES COURT (Nedlands—Premier)

[2.31 p.m.]: 1 move—

That the Bill be now read a second time.

This Bill and the speech I am about to make on it will have a familiar ring to members.

In the last session of Parliament a similar Bill was introduced but lapsed due to the fact that it did not obtain the required constitutional majority in the Legislative Council.

Mr Bertrans: Providential intervention.

Sir CHARLES COURT: The principles espoused in this Bill are so important that the Government has decided to reintroduce the Bill as it is part of our policy statement made to the electors for the period 1977-1980, that statement contained the following quote referring to any attempt to damage or destroy the status of the Parliament of Western Australia. I again quote from that policy statement as follows

We will legislate to block any further attempt to damage or destroy the rights and status of the Parliament of Western Australia, without the consent of the people.

This policy stems from a series of Australian Labor Party moves culminating last year in a decision of the State A.L.P Conference that a future Labor Government would not appoint State Governors.

Quite rightly—then and now—we have interpreted this decision as part of the long-term Labor Party goat of destroying State Parliament in the interests of centralising all Government in Canberra.

Mr Can: Rubbish!

Sir CHARLES COURT: To continue—

We accepted the challenge at the time of the A.L.P, decision to make this an election issue.

Mr Bertram: Not much of an issue you made of it,

Sir CHARLES COURT: I am quoting from the document, which continues—

We therefore give notice that our intended legislation to block such moves without the people's consent is a policy proposal for which we seek a clear-cut mandate from electors.

Our proposed legislation will protect and preserve both Houses of our State Parliament and with them the office of Governor.

We have reason to believe that attempts could be made to abolish either or both Houses of Parliament, reduce the numbers of the members of either House in an attempt to weaken them, or to by-pass the right of the electors at large to elect the members of either House

Mr Pearce: You should do away with the gerrymander.

Sir CHARLES COURT: To continue-

We also have reason to believe that attempts could be made to alter the office of Governor, to abolish or water down the right of the Queen to appoint the Governor, to by-pass the Governor's role in giving assent to every law, or to make the Governor a rubber stamp of the Government as part of the process of undermining our State Constitution and our Parliament.

To protect Parliament—our legislation will provide that no changes of the nature mentioned, can be made concerning either house of Parliament without the approval of a majority of the State's electors at a referendum

To protect the position of Governor—there would have to be similar approval by referendum to any Bill which would abolish or alter the office of Governor, or the Queen's sole right to appoint the Governor or issue instructions with which the Governor must comply in performing his duties, or which would alter the requirement that the Governor's assent must be given to every Bill before it becomes law. This means that unless the people agree otherwise the Governor's role will continue exactly as it is and will be protected from political manipulation.

The major role of the Governor is to ensure that not even Parliament can exceed the authority the people give it. If Parliament does so, the Governor can send it back to the people, who have the ultimate authority. We reject the misconception fostered by the A.L.P.—that the Governor has some kind of power over the people which he should not have. In fact, he merely has Constitutional authority for and on behalf of the people. This authority has never

been used, but the fact that it remains in reserve is a powerful safeguard against abuse by a Government of the rights of the people.

This Bill seeks to achieve three purposes. The first is to emphasise the role of Her Majesty the Queen in the Parliament of Western Australia. The second is to protect and preserve the existence of both Houses of the State Parliament and to ensure their continued role as an integral and essential part of the law-making process.

The third purpose of the Bill is to confirm by Statute the office of the role of Governor and that appointments to the office of Governor and the instructions with which the Governor must comply in performing his duties are both made and issued by the Queen personally, as happens at present.

The Bill proposes to spell out clearly in our Constitution the fact that our Parliament consists of the Queen and the Legislative Council and the Legislative Assembly.

The Bill also proposes that any future Bill that would abolish either House of the Parliament or which would reduce the numbers of Members of either House or which would permit either House to be constituted by members not elected by the electors at large can become law only if such a Bill is passed by an absolute majority of both Houses of Parliament and is approved of by all of the electors of the State voting at a referendum.

The referendum would have to be held not less than two months and not later than six months after the passage of the relevant Bill through both Houses of Parliament. Here I would like to emphasise that this is slightly different from the wording of last year's Bill, the limiting periods being similar to those provided for Commonwealth referendums

It will be recalled that a query was raised last time the legislation was before the House as to why there was no limit on the time during which the referendum could be held.

Mr Davies: You suggested then that a Government might not go on with the referendum.

Sir CHARLES COURT: We were queried as to why we did not have a limitation.

At the time, quite frankly, I was not very concerned about it, and now I am still not; but if it does make it tidier so we are precise about the minimum and maximum times, we felt it would be wise to include the six months, particularly as it has relativity with Commonwealth referendum.

The same procedure would also apply to any Bill which would abolish or alter the office of Governor, abolish or alter the sole right of the Queen to issue instructions to the Governor as to the

performance of his duties, or alter the requirement that every Bill must be presented to the Governor for assent before it may become law.

The proposed Bill, in so far as it deals with the office, obligations, and powers of the Governor, makes no change in long-standing constitutional conventions and practices, but is intended to ensure that those long-standing conventions and practices cannot in the future be altered without the consent of a majority of the electors of the State

A reference to the Governor includes any other person properly appointed to administer the Government or exercise any powers or authorities during his temporary absence.

When I introduced a similar Bill last year I made a particular point of emphasising the role of the Governor and it is worth repeating again.

The major role of the Governor is to ensure that not even Parliament can exceed the authority given to it by the people. If any alteration to the Parliament or any part of its operation which affects the role of the Houses or the role of the Governor is to be contemplated, then it is only right that the people should be consulted. They are, after all, the ultimate authority for each member in these Houses of Parliament and I will mourn the day when that is no longer the case.

The principles in this Bill are simple and are designed to give the people in Western Australia stability in Government and security for the future.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Davies (Leader of the Opposition).

Please Note

Sir Charles Court strengthened Section 73 of the Constitution of the State of Western Australia.

In the period 2003/2004 up to and inclusive of present date section 73 was not abided by

**Halsbury's Laws of England, 2nd 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”*

DEFENDANTS PENDING GRAND JURY HEARINGS

Formally Charged by Private Prosecution and Presented to the Melbourne Magistrates Court - Victoria

Commonwealth Politicians

- 1) **Julia Gillard** *Prime Minister* (MP) Werribee Victoria
- 2) **John Howard** Former Prime Minister
- 3) **Kim Beazley** Former Leader of the Opposition
(Commonwealth)

Governor General

- 4) **Michael Jeffery** Former Governor General (Commonwealth)

Director of Public Prosecutions (Commonwealth and State)

- 5) **Mr Damian Bugg** Director of Public Prosecutions Commonwealth
- 6) **Darren W L Renton** Commonwealth DPP, WA
- 7) **Robert Cock QC** Director of Public Prosecutions WA
- 8) **Mr Paul Coghlan** Former Director of Public Prosecutions (Vic)
Currently a Judge of the Victoria Supreme Court

Attorney Generals (Commonwealth and State)

- 9) **Philip Ruddock** Former Attorney General for the
Commonwealth of Australia
- 10) **Mr James McGinty** Former Attorney General for the State of Western
Australia
- 11) **Kerry Shine** Former Attorney General for the State of Queensland
- 12) **Sydney James Stirling** Attorney General for the Northern Territory
- 13) **Michael Atkinson** Attorney-General for the State of South Australia
- 14) **Rob Justin Hulls** Current Attorney-General for the State of Victoria
- 15) **Rob Hulls** Attorney General for the State of Victoria
- 16) **Simon Corbell,** Attorney General for the ACT
- 17) **Steve Kons,** Attorney General for the State of Tasmania
- 18) **Robert John Debus,** Attorney-General for the State of NSW

High Court of Australia

- | | |
|--|--------------------------------------|
| 19) John Dyson Heydon | Justice (High Court) |
| 20) William Montague Charles Gummow | Justice (High Court) |
| 21) Anthony Murray Gleeson | Former Chief Justice (High Court) |
| 22) Susan Maree Crennan | Justice (High Court) |
| 23) Kenneth Madison Hayne | Justice (High Court) |
| 24) Mr M Kirby | Former Judge High Court of Australia |
| 25) Mr Ian Callinan | Former Judge High Court of Australia |

Supreme Court of Appeal Victoria

- | | |
|----------------------------|--|
| 26) Mr John Winneke | Former President Court of Appeal (Vic) |
| 27) Mr Brooking | Judge Court of Appeal (Vic) |
| 28) Mr Charles | Judge Court of Appeal (Vic) |
| 29) Mr Buchanan | Judge Court of Appeal (Vic) |
| 30) Mr Chernov | Judge Court of Appeal (Vic) |
| 31) Dodds-Streeton | Judge Court of Appeal (Vic) |
| 32) Justice Nettle | Judge Court of Appeal (Vic) |
| 33) Mr Phillip Cain | Registrar Court of Appeal (Vic) |

Supreme Court Victoria

- | | |
|--------------------------------|---|
| 34) Mr Ewan Evans | Master Supreme Court (Vic) |
| 35) Mr Thomas Smith | Judge Supreme Court (Vic) |
| 36) Kathryn Kings | Master Supreme Court (Vic) |
| 37) Mr. Charles Wheeler | Former Master Supreme Court (Vic)
(2 Applications) |

Magistrates (Victoria)

- | | |
|--------------------------------|---|
| 38) Mr Ian Leslie Gray, | Chief Magistrate, Magistrates Court of Victoria |
| 39) C Randazzo | Melbourne Magistrates Court (Stood Down) |

Supreme Court of Western Australia

- | | |
|--|----------------------------------|
| 40) Audrey Gillian Braddock | Supreme Court WA (Commissioner) |
| 41) Wayne Stewart Martin | Supreme Court WA (Chief Justice) |
| 42) Christine Ann Wheeler | Supreme Court WA |
| 43) Christopher David Steytler | Supreme Court WA |
| 44) Christopher James Lonsdale Pullin | Supreme Court WA |

- 45) **John Roderick McKechnie** Supreme Court WA
46) **Michael John Buss** Supreme Court WA
47) **Corryn Rayney** Supreme Court WA (Murdered)
48) **Robert MacKenzie Mitchell** State Solicitor's Office WA

Christian Leaders (Werribee Victoria)

- 49) **Mr Max Bower,** Anglican Church Werribee (Priest)

Others

- 50) **Mr David Ward** CEO ANZ Trustees
51) **Mr James Rutherford** Director/Partner, Harwood Andrews
Lawyers Geelong
52) **John James Mansell Bowler** Minister Mining (Western Australia)
(Now Independent)
53) **Mr J Maley** Former Grand Master, WA Freemasons

Grand Jury in Victoria

In relation to uncovering of the organized attack on the existing law of Australia – All Attorney Generals of the Commonwealth, in addition to the Supreme Court of Victoria have suppressed the legal Right of having criminal charges that have been both filed and served involving the revealed offences heard and judged by Grand Jury consisting of 23 electors

They now state that the former Right has been abolished by a new Act enacted in Victoria to enable defendants to escape trial

Please Note:

The Purported Act of Parliament that abolished Grand Jury right was enacted by the defendants in an Endeavour to avoid Grand Jury process relating to themselves.

Halsbury's Laws of England 2nd Edition

Vol 6 at page 389 par 435 states:

“Public authorities (including the Crown) may do nothing but what they are authorised to do by some Rule or Common Law or Statute”

Facts and Knowledge

*“If facts are within his knowledge that would materially assist in the detection and arrest of a felon, he **must disclose them as it is a duty he owes to the State**”*

[Sykes v Directors of Public Prosecutions, All England Law Reports, 1961 3 ALLER 33 (at 36)]

(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**

(b) takes any such oath or engagement not being compelled to do so; or

(c) induces or attempts to induce any person to take any such oath or engagement-

shall be guilty of an indictable offence, and shall be liable to level 5 imprisonment (10 years maximum).

(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):-**

(i) to engage in any mutinous or seditious enterprise;

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

(iii) to disturb the public peace;

(iv) to be of any association society or confederacy formed for the purpose of doing any such act as aforesaid;

(v) to obey the order or commands of any committee or body of men not lawfully constituted or of any **leader** or commander or other person not having authority by law for that purpose;

(vi) not to inform or give evidence against any associate confederate or other person;

(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**

(b) takes any such oath or engagement not being compelled to do so; or

(c) induces or attempts to induce any person to take any such oath or engagement-

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

WHAT HAS BEEN DONE UNLAWFULLY

1. In 1975 the Victorian Parliament enacted a New Constitution for the State of Victoria , **without** repealing the former Victorian Constitution Act of 1855, a United Kingdom Act "***No Referendum was activated or Held***"
2. In 1984 Mr. R Hawke and six State Premiers activated various State Request Acts to the United Kingdom and Commonwealth Parliaments requesting a Legal process to enable them to bring in the Australia Act

"No State referendums were activated or held neither was any Commonwealth referendum held relating to these State Request Acts"
3. In 1986 The Australia Act (Commonwealth) was activated without the required Commonwealth Constitution referendum
4. In 1991 the Commonwealth Bank was removed from the Bank of the Constitution and sold into the hands of the Private Banks "***without any referendum***"
5. In 2000, the Parliament of the State of Victoria removed the Oath of Allegiance from the Legal Practice Act 19996 (Vic) "***No referendum was held***"
6. In 2003/2004, in Western Australia the Crown of the United Kingdom, the Constitutional Monarch Queen Elizabeth the Second and the Oath of Allegiance was removed from a number of Acts within Western Australia "***No referendum was held***"
7. Western Australia did separate from Federation in the period 2003-2004, but, sent Senators and House of Representatives to sit in the Commonwealth parliament without valid Constitutional authority or jurisdiction
8. In the period 2003 up to and inclusive of this present date because of the fracturing of the Commonwealth Constitution Act 1900, all Politicians State and Commonwealth are currently sitting illegally without the knowledge or consent of the electorate "***The facts have been omitted***"
9. On 24 June 2010 the Governor General of the Commonwealth of Australia Quentin Bryce did swear in Julia Gillard as the New Prime Minister of the Commonwealth of Australia without abiding by the law as stated at section 42 and the schedule of the Commonwealth Constitution Act 1900 "***No referendum was held to alter the schedule***"

COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT
SECTION 42

Every senator and every member of the House of Representatives shall before taking his seat make and subscribe before the Governor-General, or some person authorised by him, an *oath or affirmation of allegiance in the form set forth in the schedule to this Constitution.*

COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT
SCHEDULE

Affirmation

I, A.B., do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Her heirs and successors according to law.

Gillard's Affirmation

"I, Julia Eileen Gillard, do solemnly and sincerely affirm and declare that I will well and truly serve the Commonwealth of Australia, her land and her people in the office of Prime Minister."

~~X~~
NOT THE OATH / AFFIRMATION
FROM THE CONSTITUTION.

**THE WORDS OF THE CHARGE ON JULIA
GILLARD 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

" MISPRISON of TREASON "

Eight pages relating to Part 8 "*Amendments about the Crown*" from the Western Australia Act, mentioned above is included into this document

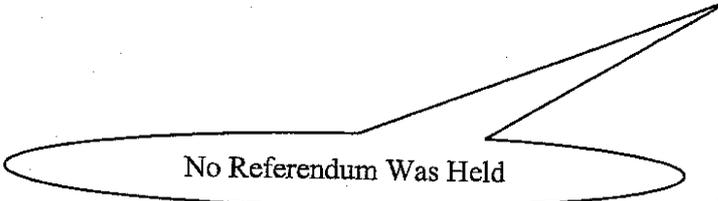
The Act is a full attack on the entire structure of the current Constitution to enable the International Socialist movement to take over Australia

The Western Australia

Separation Act

2003-2004

1. Removes Her Majesty Queen Elizabeth the Second
Her Heirs and Successors and Subjects
2. Removes the Crown of the United Kingdom
3. Removes and Substitutes the oath of Allegiance



No Referendum Was Held

**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**.

[* 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 — " 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, ". 41

(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";

(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 ".*

(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 ".

(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**. K

[* 9 February 2001.

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

(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".

X (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".

X (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 ".*

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.]	

John Murray Sanderson

The Governor

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.

Executive Council

By Command of the Governor,

J. A. McGINTY, Attorney General.

GOD SAVE THE QUEEN !

Government of Western Australia
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Attorney General

ASSISTED 4 December 2003.

PROCLAMATION 23 December 2003.

ENACTMENT 1 January 2004

Sue Walker
and
J A McGinty

Western Australia Hansard

2002

COOPERATIVE EXERCISE BETWEEN ALL THE KEY STAKEHOLDERS

LEGAL PRACTICE BILL 2002 (Western Australia)

5734 [ASSEMBLY]

Ms S.E. WALKER: The reason I asked about the amendments is that last night I attended a function at which there were a lot of members of the Law Society, and when I mentioned some of the amendments that had been made to the first Bill they did not appear to know about them and told me they had probably come from the *Legal Practice Board*. I know that the Legal Practice Board includes *members of the Bar*, but, apart from the Legal Practice Board, have the amendments that came to the Assembly on 25 February been considered by the *Law Society* and the *legal profession* generally, because my understanding is that *they have not*?

Mr J.A. McGINTY: *The Law Society* has been in constant dialogue with the *Solicitor General* on this matter. Alison Gaines, the *Executive Director of the Law Society*, has been constantly advised of the nature of the amendments. As I have said, this Bill has been a *cooperative exercise* between all the *key stakeholders*, in particular the *Legal Practice Board, the Law Society and the Bar Association*, which have provided us with fairly constant input into what the amendments should contain. I have spoken with the Law Society about these amendments. The Law Society has been advised of the amendments and *has raised no objection*; indeed, it continues to *advocate strong support* for the passage of the Bill in its entirety.

Ms S.E. WALKER: One of people to whom I spoke last night was Elizabeth Heenan, who is the President of the Law Society. I asked her about some of the amendments, and she indicated that she did not play any part in those amendments. That is why I am asking whether the legal profession, through the Law Society, has considered the consequences of all the amendments that have come in after the initial rather large Bill came in.

Mr J.A. McGinty: It was certainly aware of them,

Mrs C.L. Edwardes: Did the Attorney send a copy of the amendments to the Law Society for its information and/or consideration?

Mr J.A. McGINTY: The nature of the process with the stakeholders was consultative. The answer is I did not, but papers were changing hands on a daily basis between the various people involved, and the draft Bill was flowing between the members of the committee, on which the Law Society was represented. I cannot stand here and say that a particular amendment was formally given to the Law Society, but there was certainly no lack of freedom of information, if I can put it that way, in the way the amendments were passed backwards and forwards. Certainly since the amendments have been produced and the Bill has been reproduced pro forma we have had feedback from the stakeholders. A lot of the exchanges occurred on an informal basis between the Solicitor General and the other members of the committee. Because I have met on a number of occasions with both the Law Society and, more particularly, the Legal Practice Board, I know that they have had enormous input. The Legal Practice Board wrote to us as late as two weeks ago - that was our most recent correspondence from the Legal Practice Board - and suggested further amendments, to which we did not agree. It has been an ongoing process. I cannot answer the question more specifically than that.

S.E. Walker has a law firm in Western Australia
and was a Politician within Western Australia

COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT

SECTION 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.

Please Note

The Bill of Rights 1688 (UK)

Plus

The Act of Settlement 1700 (UK)

Are inherent law into Australia by virtue of section 49 and the House of Commons

Halsbury's Laws of England 2nd Edition Vol 6
at page 423 par 473 states:

***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 otherwise then according to the Acts relating thereto:"*

Section 49

Commonwealth Constitution

"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)

Halsbury's Laws of England 2nd Edition Vol 6
at page 390 par 435 states:

** “The subject has peaceful enjoyment of Rights of property, and the freedom of the subject from illegal detention, duress, punishment or taxation, contained in four great charters or statutes which regulate the relations between the Crown and the People”*

Magna Carta (1297) 25EDW 1

Petition of Rights (1627) 2 CAR 1 c 1

Bill of Rights (1688) 1 Will & Mary Sess 2 c 2

Act of Settlement (1700) 12&13 Will 3 c 2

Religious Leaders

Concealment of treason

The Following Religious Leaders were named in the affidavit signed and lodged with the Office of the Full Court, Supreme Court State of Victoria on 23 December 2009 affirmed by Brian Shaw

Clause 31 of Affidavit

<i>Mr Graham Laidlaw</i>	<i>Werribee (Vic)</i>
<i>Mr Graham Harris</i>	<i>Werribee (Vic)</i>
<i>Mr Malcolm MacLeod</i>	<i>Werribee (Vic)</i>
<i>Mr Erin Shaw</i>	<i>Werribee (Vic)</i>
<i>Mr Max Bower</i>	<i>Werribee (Vic)</i>
<i>Mr Stuart Robinson</i>	<i>Blackburn (Vic)</i>
<i>Mr Ross Bourdon</i>	<i>Ballarat (Vic)</i>
<i>Margaret Court</i>	<i>Perth (WA)</i>
<i>Mr. Phillip Baker</i>	<i>Perth (WA)</i>
<i>Mr. Danny Natliah</i>	<i>Melbourne (Vic)</i>
<i>Mr Mark Wilkinson</i>	<i>Werribee (Vic)</i>

All have concealed what has occurred

21 June 2010

Shire Council
Werribee / Wyndham
State of Victoria
Commonwealth of Australia

The following Councillors were each given a full detailed package containing the full information relating to this criminal activity during February 2010

1. Cr Shane Bourke
2. Cr Heather Marcus (Mayor)
3. Cr Marie Brittan
4. Cr Mark Rose
5. Cr Cynthia Manson
6. Cr John Menegazzo
7. Cr Bob Fairclough
8. Cr Glenn Goodfellow
9. Cr Kim McAliney

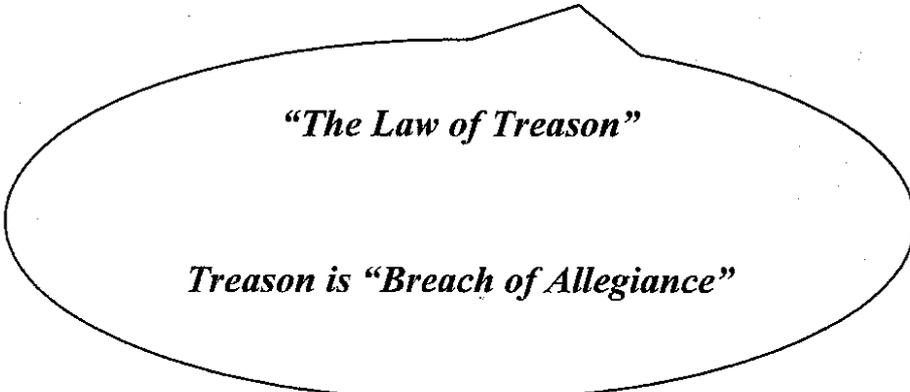
All have concealed what has occurred

Halsbury's Laws of England 2nd

Edition Vol 6 at page 425 par 477

states:

“In Treason there are no accessories either before or after the fact, all such persons being principals”



“The Law of Treason”

Treason is “Breach of Allegiance”

R Hawke

Standing Committee on Legal and Constitutional Affairs

Committee activities (inquiries and reports)

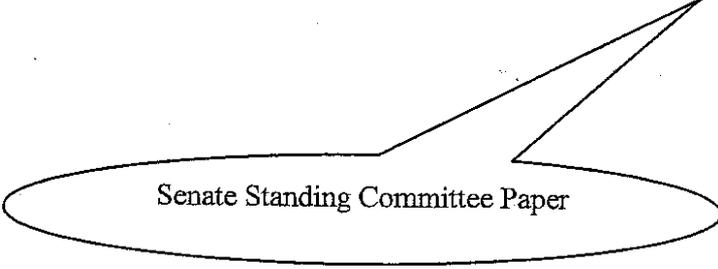
Title

Aspects of Section 44 of the Australian Constitution - Subsections 44(i) and (iv)

Increased likelihood of litigation

2.7 It is possible that there will be an increasing number of challenges under the provision. Professor Tony Blackshield drew attention to threats made against a number of members of parliament in the 1980s on the basis that they were disqualified under subsection 44(i). After one election 35 members of parliament, and after another election 57 members, were alleged to be disqualified. The then Prime Minister, Hon RJJ Hawke was one of those said to be disqualified on the grounds that he had been made an honorary citizen of Israel.

Professor A R Blackshield, Transcript, p. 271/6.



Senate Standing Committee Paper

ELECTOR

*“The concealed
agenda is the abolition
of all private
ownership under the
auspices of the United
Nations”*

2008

The Parliament of the
Commonwealth of Australia

THE SENATE

Presented and read a first time

Plebiscite for an Australian Republic Bill 2008

No. , 2008

Senator Bob Brown

(Senator Bob Brown)

**A Bill for an Act to require a plebiscite on whether
Australia should become a republic**

Please Note:

There was no Plebiscite used at the last attempt to gain a Republic on 6th
November 1999

The Plebiscite is a Trick

THE FIRST DRAFT
OF A
CONSTITUTION
FOR THE SOVEREIGN NATION
OF
AUSTRALIA
(Annotated)

A GRASS ROOTS APPROACH

BOOK ONE

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ISBN 978-0-9757507-2-8 (Soft Cover)
ISBN 978-0-9757507-3-5 (Case Bound)

This document has been prepared by The Foundation for National Renewal. It is very much a 'work in progress' and after wide public discussion and amendment as required it should be adopted by the people at a plebiscite to provide a blueprint for gradual Constitutional change.

Plebiscite

The Foundation for National Renewal
A Constitutional Research and Development Corporation
ABN 67 078 067 960 ACN 095 238 289
Chairman: Lieutenant Colonel Charles S Mollison (Retd)

Registered Office: 20 Carmody Rd St Lucia, Qld, 4067	Email: constitution@national-renewal.org.au Phone: 07 5442 1589, Fax: 07 5442 1587 Web: www.national-renewal.org.au	Post Mail: PO Box 82 Woombye, Qld, 4559
---	--	--

This document is entirely a Socialist-Communist agenda for Australia

Website Download www.national-renewal.org.au 160 pages

Communist Manifesto

1. Abolition of property in land and application of all rents of land to public purposes.
2. A heavy progressive or graduated income tax.
3. Abolition of all rights of inheritance.
4. Confiscation of the property of all emigrants and rebels.
5. Centralisation of credit in the hands of the state, by means of a national bank with State capital and an exclusive monopoly.
6. Centralisation of the means of communication and transport in the hands of the State.
7. Extension of factories and instruments of production owned by the State; the bringing into cultivation of waste-lands, and the improvement of the soil generally in accordance with a common plan.
8. Equal liability of all to work. Establishment of industrial armies especially for agriculture
9. Combination of agriculture with manufacturing industries; gradual abolition of all the distinction between town and country by a more equable distribution of the populace over the country.
10. Free education for all children in public schools. Abolition of children's factory labour in its present form, Combination of education with industrial production

Letter to: 25th June 2010

Senator Steve Fielding
Victorian Senator

After: The Appointment of Julia
Gillard on 24 June 2010

Copy to: All Senate Members within the
Commonwealth of Australia

Mr Steve Fielding
Senator for the State of Victoria
Senator in the Senate (Parliament of the Commonwealth)
Leader and Whip of the Family First Party

Electorate Office:

255 Blackburn Road

Phone: (03) 9802 1922

Mount Waverley Vic 3149

Fax: (03) 9802 8236

25th June 2010

Dear Steve

This letter to you results from the discussion that we had in Liz Munday's home on the evening of 10 June 2010 at her home in Point Cook, Victoria

My Question to you was:

"When Western Australia took the Crown out of law within Western Australia how did it get around the referendum requirements?"

Your reply was:

"I do not know because this is news to me"

We agreed

That I write to you outlining this fact and you would reply to that particular correspondence and issue

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

Steve I have attached Part 8 - "*Amendments about the Crown*" of this particular Act out of Western Australia, the Act reveals exactly what I said to you, it includes the enactment and clearly reveals the unlawful removal

The Oath of Allegiance

Part 8 -- is only portion of the actual Act but within Part 8, the Oath of Allegiance is either removed entirely or substituted at sections 122, 125.4, 125.8, 126.2, 130.3, 130.9, and 130.12 of the offending Act

The Criminal Offence of Treason

This particular offence in law activates when the "*Oath of Allegiance*" is breached as stated in R v Casement 1917 Kings Bench (1 KB 98 at 114)

In Victoria

You are a current Senator within the State of Victoria, where an act of Treason was committed on 5th September 2000 by purported legislation enacted and assented titled "*Courts and Tribunals Legislation (Further Amendment Act 2000*", by such an Act the "*Oath of Allegiance was removed*" from the Legal Practice Act 1996 (Vic) at Part 2 of such offending Act

Julia Gillard

On the evening of 10th June 2010 at Altona I handed you a 57 page bound document titled "*Australia – the Constitution and the Law of Treason*" at page 6, I showed you the criminal charge concerning Julia Gillard, signed off by the Melbourne Magistrates Court, returnable 29th January 2007

The Other Defendants

Julia Gillard is only one of 54 defendants that have been formally charged by Private Prosecution right and presented to the Melbourne Magistrates Court, after which all defendants have been filed for Grand Jury hearings at the Full Court of the Supreme Court of Victoria. All remain pending

Commonwealth Constitution – Section 44

This particular section is the disqualification section, at section 44(ii), any person; "*Attainted of Treason*" is incapable of sitting or of being chosen

The Western Australia Senators

After the unlawful removal of the United Kingdom Crown, the Oath of Allegiance and the Constitutional Monarch from specific law within Western Australia, all Western Australia Senators concealed this fact from their respective electors, because no referendum was held in accordance with "*section 73*" of the Western Australia Constitution, which would have activated "*section 128*" of the Supreme and superior Constitution, The Commonwealth Constitution Act 1900

The Victorian Senators

After the unlawful enactment of the “*Courts and Tribunals Legislation (Further Amendment Act 2000 (Vic)*” on 5 September 2000 removing the “*Oath of Allegiance*” from the Legal Practice Act 1996 (Vic) an Act of Treason was committed by all Politicians sitting within the Parliament of Victoria, inclusive of the Attorney General of Victoria Mr Rob Hulls who introduced the actual act of treason and had the respective Parliament agree with the Treason intent

Criminal Code Act 1995 (Commonwealth)

This particular Act at section 80 of such Act states that the penalty for committing Treason is life imprisonment, the same section states that the penalty for concealing such Treason is life imprisonment

The Law of Treason

In the legal matter of Sykes v Director of Public Prosecutions

All England Law Reports 1961, 3 ALLER 33 (at 36)

“Concealment of Treason was itself Treason”

All England Law Reports 1961, 3 ALLER 33 (at 41)

“Misprison requires nothing active the failure or refusal to disclose the felony is enough”

Halsbury's Laws of England 2nd Edition Vol 6 at page 425 par 477 states:

“In Treason there are no accessories either before or after the fact, all such persons being principals”

Byrne v Armstrong (1899) 25 VLR 126 (at 132)

“In the case of Treason it must be the finding of the Grand Jury”

The Altona By-Election (13 Feb 2010)

Jill Hennessy the Labor candidate was the purported winner of such election but, Jill Hennessy, a Lawyer within Victoria never revealed to the Altona electorate that the "Oath of Allegiance" had been removed unlawfully from the Legal Practice Act 1996 in Victoria. Jill Hennessy never revealed that the Federal Member for the Seat of Lalor (Includes Altona) Julia Gillard also a Lawyer had been criminally charged for Treason by concealing the removal of the Crown and Oath of Allegiance from Western Australia in the period 2003-2004

Jill Hennessy and Julia Gillard

Both women have been formally named and identified as being involved in the criminal offence of Treason and the Concealment of such Treason, both women belong to the Labor Party. The matter is in the Supreme Court

The Supreme Court (Victoria)

Steve, in the 57 page document I gave you at Liz Munday's home on 10th June 2010 at page 29 of such document, a *Question of Fact* appears relating to the time delay concerning legal process, because at present the Full Court of the Supreme Court with the Sheriff of Victoria, Robyn White has not empanelled any Grand Jury whatsoever, even though both the Full Court and Robyn White have knowledge of the Treason that has been committed and continues to be committed

The New Prime Minister (Julia Gillard)

On the 24th June 2010 a new Prime Minister was installed, not elected. That person was Julia Gillard, one of the 54 Defendants charged by Private Prosecution. Julia Gillard was formally returned to the Melbourne Magistrates Court on the 29th January 2007 after which Grand Jury process began to hear and determine the charge. Such charge remains pending, but is blocked by judicial corruption

The Disqualification of Julia Gillard and Others

Section 44 (ii) of the Commonwealth Constitution Act 1900 disqualifies Julia Gillard from sitting in the Commonwealth Parliament or of being chosen to sit

COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT

SECTION 44 - 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.

The Grand Jury (State of Victoria)

All Applications to the Full Court of the Supreme Court of Victoria are lodged for a Grand Jury to hear and determine the concealment of what has happened in Western Australia in the period 2003-2004 when the Parliament and the Supreme Court of Western Australia removed the United Kingdom Crown, the Constitutional Monarch Queen Elizabeth II and the Oath of Allegiance from stated law within Western Australia without valid and correct "*Manner and Form*", that is neither a State referendum for Western Australia nor a Commonwealth referendum was held in this period 2003-2004. Everybody did what they were not able to do without the required referendums

The Criminal Offences (Compounding)

Three specific criminal and civil offences have occurred because of this Constitutional omission within the State of Western Australia and the Commonwealth, specifically Fraud (the concealing of a material fact) Treason (breach of allegiance) and Misprision of Treason (concealment of treason)

Attainted of Treason (Disqualification)

These are the words that are found in section 44(ii) of the Commonwealth Constitution Act 1900, the superior Act within the Commonwealth of Australia. Attainted of Treason does not mean Convicted of Treason – Attainted is enough to activate disqualification

The Governor General (Quentin Bryce)

On 24th June 2010 the current Governor General in collusion with Julia Gillard did commit a public act of Treason, in that they affirmed an oath that is not a valid Constitutional Oath, without lawful authority to substitute the Oath

Invalid Affirmation

"I, Julia Eileen Gillard, do solemnly and sincerely affirm and declare that I will well and truly serve the Commonwealth of Australia, her land and her people in the office of Prime Minister."

COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT

SECTION 42

Every senator and every member of the House of Representatives shall before taking his seat make and subscribe before the Governor-General, or some person authorised by him, an *oath or affirmation of allegiance in the form set forth in the schedule to this Constitution.*

COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT

SCHEDULE

Affirmation

I, A.B., do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Her heirs and successors according to law.

Crimes Act 1958 - SECT 316 (Victoria)

Unlawful oaths to commit treason, murder etc

(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 commit treason or murder; or

(b) takes any such oath or engagement not being compelled to do so; or

(c) induces or attempts to induce any person to take any such oath or engagement-

shall be guilty of an indictable offence, and shall be liable to level 5 imprisonment (10 years maximum).

(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):-

(i) to engage in any mutinous or seditious enterprise;

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

(iii) to disturb the public peace;

- (iv) to be of any association society or confederacy formed for the purpose of doing any such act as aforesaid;
- (v) to obey the order or commands of any committee or body of men not lawfully constituted or of any leader or commander or other person not having authority by law for that purpose;
- (vi) not to inform or give evidence against any associate confederate or other person;
- (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
- (b) takes any such oath or engagement not being compelled to do so; or
- (c) induces or attempts to induce any person to take any such oath or engagement- shall be guilty of an indictable offence, and shall be liable to level 6 imprisonment (5 years maximum).

Supreme Court of Western Australia

On 1st January 2004 the Supreme Court of Western Australia agreed with the Parliament of Western Australia, the Governor of Western Australia and the Attorney General of Western Australia to remove Her Majesty Queen Elizabeth the second and Her Subjects from law within the Supreme Court of the State

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

Section 130

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

Section 130 (3)

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

Section 130 (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 (10)

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

Section 130 (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 Words of the Charge on Julia Gillard (Presented 29 January 2007)

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

Treason and Concealment of Treason

The twin criminal offences carry Life Imprisonment respectively

Altona Victoria (The Concealment)

Julia Gillard has stated that she will not be moving from her home in Altona Victoria into the Lodge.

On 13 February 2010 the Altona State seat was voted on by the electors of the seat of Altona, which includes Julia Gillard's Federal Seat of Lalor.

All candidates in that State election, plus the Victorian Electoral Commissioner, plus the Labor party State Premier Mr Brumby were formally given by private prosecution right their charge of concealing Treason, currently being committed by Julia Gillard and others – their respective charges are now added to the Grand Jury process when it begins

Supreme Court of Victoria (Justice David Beach)

During March 2010 the Supreme Court of Victoria in the person of Justice David Beach did conceal all indictable offences relating to the Altona By-Election and the criminal offences involving Julia Gillard

Shire Councillors (Victoria)

All Councillors sitting in the Hobson Bay Council and the Wyndham Council have over a period been informed in writing individually concerning the criminal breach of both State and Commonwealth Constitutions. All have concealed the matter; accordingly they now pass into the Grand Jury Process

Supreme Court of Victoria

On 5th September 2000 the Oath of Allegiance was removed from the Legal Practice Act 1996 within Victoria involving and implicating all Officers of the Supreme Court which is the primary reason why the Full Court of the Supreme Court of Victoria is blocking the Grand Jury Applications being heard. This is Judicial Corruption

Lawyers in Victoria

With the Oath of allegiance removed from the Legal Practice Act 1996 on 5th September 2000 all lawyers are involved and implicated, inclusive of Julia Gillard and Jill Hennessy, both women are lawyers

High Court Commonwealth of Australia

Steve, it is legally impossible for the High Court to exercise any jurisdiction whatsoever in relation to this matter because of the fact that Chief Justice French came to the High Court Bench from Western Australia after the Crown was removed

The only function permitted to the High Court is for the High Court to order the Full Court of the Supreme Court of Victoria to hear all Grand Jury lodgements currently sitting in the office of such Court pending hearing

Commonwealth of Australia Constitution Act - 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.

Indictment

Because of the Political and Judicial corruption involving all Public Prosecutors that this correspondence has discovered to you, the only fair and legal manner to obtain the Indictment that activates section 80 of the Commonwealth Constitution is from a Grand Jury of 23 Electors, which is the only legal manner open to prosecute the twin criminal offences of Treason (Breach of Allegiance) and Misprision of Treason (The Concealment of such Treason)

Foreign Power Agenda (A Concealed Agenda)

Commonwealth of Australia Constitution Act

Section 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.

Kim Beasley's Statement

"The United Nations has given Federal Government a Mandate of ownership for housing, farms, property and business to Government Control, once the Republic has been proclaimed".

Freemasonry Agenda

15. Besides this we shall, with the introduction of the new republican constitution, take from the Chamber the right of interpolation on government measures, on the pretext of preserving political secrecy, and, further, we shall by the new constitution reduce the number of representatives to a minimum, thereby proportionately reducing political passions and the passion for politics. If, however, they should, which is hardly to be expected, burst into flame, even in this minimum, we shall nullify them by a stirring appeal and a reference to the majority of the whole people ... Upon the president will depend the appointment of presidents and vice-presidents of the Chamber and the Senate. Instead of constant sessions of Parliaments we shall reduce their sittings to a few months. Moreover, the president, as chief of the executive power, will have the right to summon and dissolve Parliament, and, in the latter case, to prolong the time for the appointment of a new parliamentary assembly. But in

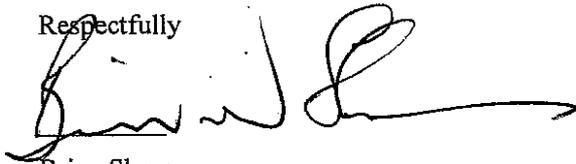
order that the consequences of all these acts which in substance are illegal, should not, prematurely for our plans, upon the responsibility established by use of the president, WE SHALL INSTIGATE MINISTERS AND OTHER OFFICIALS OF THE HIGHER ADMINISTRATION ABOUT THE PRESIDENT TO EVADE HIS DISPOSITIONS BY TAKING MEASURES OF THEIR OWN, for doing which they will be made the scapegoats in his place ... This part we especially recommend to be given to be played by the Senate, the Council of State, or the Council of Ministers, but not to an individual official.

The Commonwealth Parliament

Steve, you now have primary written notice, you must table this letter plus the document that you were handed on the evening of 10 June 2101 into the Parliament of the Commonwealth immediately upon receipt and reply in writing after you have done this.

This matter that you now have primary and written knowledge of now becomes urgent because of the events of last week and the Fraud – both Political and Judicial that is now present involving all Australians

Respectfully



Brian Shaw

PO Box 800 Werribee Victoria 3030

Email: brianshaw@elijahschallenge.net

Website: www.elijahschallenge.net

Attachments Bound Document - The Constitution and the Law of Treason

Copies to all current members of the Senate and Others

Senators for Victoria

June 2010

Express Post Number

1. Senator the Hon K. J. Carr
Minister for Innovation, Industry, Science and Research
62 Lygon Street, Carlton South VIC 3053
081796642094
2. Senator J. M. A. Collins
Ground Floor
1013 Whitehorse Road, Box Hill VIC 3128
081796641097
3. Senator the Hon S. M. Conroy
Deputy Leader of the Government in the Senate
PO Box 1067, Epping MDC VIC 3076
081796640090
4. Senator D.I. Feeney
240 Sydney Road, Coburg VIC 3058
081796639094
5. Senator S. Fielding
Leader and Whip of the Family First Party
255 Blackburn Road, Mount Waverley VIC 3149
081796638097
6. Senator M. P. Fifield
42 Florence Street, Mentone VIC 3194
081796734096
7. Senator H. Kroger
PO Box 8154, Burwood East VIC 3151
081796732092
8. Senator G. M. Marshall
376 Victoria Street, North Melbourne VIC 3051
081796733099
9. Senator J. J. J. McGauran
Suite 17, Collins Place,
45 Collins Street, Melbourne VIC 3000
081796731095
10. Senator the Hon M. Ronaldson
Level 17, 90 Collins Street
Melbourne VIC 3000
081796174090
11. Senator S.M. Ryan
PO Box 556, Moonee Ponds VIC 3039
081796173093
12. Senator the Hon J. M. Troeth
Level 9, 601 Bourke Street
Melbourne VIC 3000
081796172096

Correspondence

Tony Abbot

And

Kevin Rudd



Hon Tony Abbott MHR
Leader of the Opposition
Federal Member for Warringah

Mr Brian Shaw
PO Box 800
WERRIBEE VIC 3030

23 MAR

Dear Mr Shaw

Thank you for taking the time to write to me.

The Opposition I lead will be an alternative, not an echo. I want us to be a fair dinkum Opposition, determined to scrutinize the government and to hold it to account. I also want our policies to demonstrate that we are a credible alternative government.

The Coalition is currently finalising its policies in anticipation of the upcoming election and is taking into account the views that are put to us. I have noted your comments and thank you for making the effort to share them with me.

I would encourage you to remain engaged with my office over the coming months via my internet comment form, available on my website <http://www.tonyabbott.com.au/>. This is also where you can sign up to receive my e-news updates.

Yours sincerely

TONY ABBOTT

08/511 835091
- Express Post -
- copy.

Tony Abbott

Manly Office

Level 2, 17 Sydney Road Tel: (02) 9977 6411
Manly NSW 2095 Fax: (02) 9977 8715

PO Box 450 Manly NSW 2095

5 May 2010

Mr Tony Abbott

Attached to this letter is one document titled:

"The Constitution and the Law of Treason"

The criminal offence of Treason filed on Julia Gillard is on page 6 of the document, the legal definition of Treason is on page 9, and the entire content of section 44 of the Commonwealth of Australia Constitution Act 1900 is quoted on page 10

The removal of the Crown, the Oath of Allegiance and the Constitutional Monarch is set out on pages 14 to 21 in addition the penalty of the criminal offences of Treason and concealing such Treason is set out at page 24

You need to reply by post

With Respect



Brian Shaw PO Box 800
Werribee Victoria 3030

Email: brianshaw@elijahschallenge.net
or
brianwshaw@gmail.com

Website: www.elijahschallene.net



081511836098
- Express Post -
- copy -

Kevin Rudd

Morningside Office:

630 Wynnum Road Tel: (07) 3899 4031

Morningside Qld 4170 Fax: (07) 3899 5755

PO Box 476 Morningside Qld 4170

5 May 2010

Mr Kevin Rudd

Attached to this letter is one document titled:

"The Constitution and the Law of Treason"

The criminal offence of Treason filed on Julia Gillard is on page 6 of the document, the legal definition of Treason is on page 9, and the entire content of section 44 of the Commonwealth of Australia Constitution Act 1900 is quoted on page 10

The removal of the Crown, the Oath of Allegiance and the Constitutional Monarch is set out on pages 14 to 21 in addition the penalty of the criminal offences of Treason and concealing such Treason is set out at page 24

You need to reply by post

With Respect



Brian Shaw PO Box 800
Werribee Victoria 3030

Email: brianshaw@elijahschallenge.net
or
brianwshaw@gmail.com

Website: www.elijahschallene.net



AFFIDAVIT

Affirmed by Brian Shaw 16th April 2010

Concerning the
Commonwealth Constitution
and the States

In Particular:

Clause 6(k) of such affidavit

“The principal element in the process is the submission of the proposal to the electors”

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

No. 9997 of 2006

IN THE MATTER of an application pursuant to s, 21 of the Supreme Court Act 1986
B E T W E E N:

BRIAN WILLIAM SHAW

Appellant

- and -

THE ATTORNEY-GENERAL FOR THE STATE OF VICTORIA

Respondent

AFFIDAVIT

Date of document: 16th April 2010
Filed on behalf of: Appellant
Prepared by:
Brian William Shaw
280 Leakes Road Tel: No 03 93941116
Truganina Victoria 3030

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

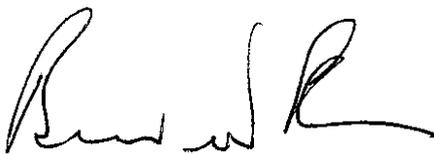
1. I state in this affidavit that Julia Gillard the current Deputy Prime Minister of the Commonwealth of Australia currently holding the Federal seat of Lalor situated at Werribee in the State of Victoria was charged by private prosecution, such charge was heard in the Melbourne Magistrates Court on 29th January 2007
2. I state in this affidavit that, the criminal charge involving the criminal offence of concealing Treason in that Julia Gillard had knowledge that the State of Western Australia, a State of the Commonwealth of Australia by Federation had unlawfully and illegally removed the Crown, the Oath of Allegiance and the Monarch from specific law within Western Australia without the knowledge or consent of the electors of the State of Western Australia or the electors of the Commonwealth of Australia in constitutional breach of section 73 of the Western Australian Constitution and section 128 of the Constitution of the Commonwealth of Australia
3. I state in this affidavit that the Constitution of the Commonwealth of Australia has been in legal position as from date of Federation of the Colonies, such Colonies achieved the legal status of States after Federation which occurred July 9 1900

Page 1 of 5



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4. I state in this affidavit that the Constitution of the Commonwealth of Australia is a written legal agreement between the United Kingdom and Crown of such country and the People of the Commonwealth of Australia as at July 9 1900
5. I state in this affidavit that the only legal manner available to either alter or amend such agreement is found at section 128 of such written agreement. Section 128 demands alteration or amendment to the Constitution of the Commonwealth of Australia must be in accordance with the provisions set out within section 128 of such agreement
6. I state in this affidavit that at page 988/989 of the Annotated Constitution of the Commonwealth (Quick & Garran) in relation to alteration it is stated
 - a. *"In the Constitution of the Commonwealth of course there is no absolute sovereignty, but a quasi-sovereignty which resides in the people of the Commonwealth, who may express their will on constitutional questions through a majority of the electors voting and a majority of the States. No amendment of the Constitution can be made without the concurrence of "that double majority"—a majority within a majority."*
 - b. *"The Federal Parliament, however, is not authorized to amend the Constitution of the Commonwealth."*
 - c. *"If the Federal Legislature could change the Constitution it might transform itself from a subordinate law-making body into an organ of sovereignty; it might destroy the federal system altogether, and substitute a consolidated form of government."*
 - d. *"A Federal Legislature is a mere creature of the Federal Constitution; it is mere instrument or servant of a federal community; it is an agent, not a master."*
 - e. *"The Constitution is the master of the legislature, and the community itself is the author of the Constitution"*
 - f. *"Sovereignty resides in that person, or body, or class of persons in whom is ultimately vested the power to amend a Constitution of Government."*
 - g. *"A Constitution is a charter of government; it is a deed of trust, containing covenants between the sovereign community and its individual units."*



Page 2 of 5



- h. *"Where a community is founded on a political compact it is only fair and reasonable that that compact should be protected, not only against the designs of those who wish to disturb it by introducing revolutionary projects, but also against the risk of thoughtless tinkering and theoretical experiments."*
- i. *"The Constitution is that part of the Imperial Act comprehended in Clause 9 and divided into chapters, parts, and sections, the sections being numbered from 1 to 128 inclusive. The Schedule also is a part of the Constitution. Clauses 1 to 8 of the Imperial Act are not parts of the Constitution, and cannot be altered except by the Imperial Parliament"*
- j. *"It becomes the duty of the Executive Government to submit the proposed amendment to the popular vote throughout the Commonwealth, and it cannot become law unless it is approved by a majority of the electors voting and by a majority of the States. This means a double majority." (At page 992)*
- k. *"The principal element in the process is the submission of the proposal to the electors." (At page 993)*
- l. *"The requirement of the approval of a majority of the electors and a majority of the States is the method imposed by the Constitution for ascertaining the will of the people of the Federal Commonwealth." (At page 993)*
- m. *"If a majority of the States had been ignored, the federal element in the structure of the Commonwealth would have been impaired and whittled away. In a unified community it would be sufficient if a majority of the people sanctioned a revision of the Constitution. In a federal community, in which the National and State elements co-exist, a modification of the fundamental law, without the approval of both the people and the States, would be unjust and repugnant to the whole scheme of government." (At page 993)*
- n. *"The necessity of the Queen's assent is a sufficient guarantee that amendments will not be made inconsistent with the supremacy of the Imperial Parliament." (At page 994)*
- o. *"no law can be passed by the amending power which is repugnant to the Commonwealth of Australia Constitution Act—consisting of the preamble and the covering clauses to which the Constitution itself is annexed. The amending power can amend the Constitution, but the Constitution Act is above its reach." (At page 994)*



Margaret Campbell

- p. "but it is certain that, if amendments were passed which were inconsistent with such words as "indissoluble," "Federal Commonwealth," or "under the Crown," strong arguments would be available against their constitutionality." (At page 994)

7. I state in this affidavit that portion of section 128 of the Commonwealth Constitution Act states:

"No alteration diminishing the proportionate representation of any State in either House of the Parliament, or the minimum number of representatives of a State in the House of Representatives, or increasing, diminishing, or otherwise altering the limits of the State, or in any manner affecting the provisions of the Constitution in relation thereto, shall become law unless the majority of the electors voting in that State approve the proposed law."

8. I state in this affidavit that this constitutional requirement is established constitutional law at section 128 and section 106 of the Commonwealth Constitution Act. Section 106 states:

Saving of Constitutions

"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."

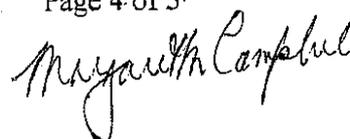
9. I state in this affidavit that section 109 of the Commonwealth Constitution Act deals with invalidity relating to inconsistency. Section 109 states:

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."

10. I state in this affidavit that:

- a. A law of the Federal Parliament outside the Legislative Powers of the Commonwealth would be No Law
- b. The Constitution of each State is subject to the Constitution Act of the Commonwealth

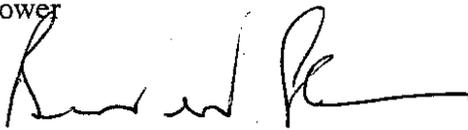


- c. The Legislative Power of each State is subject to the Constitution Act of the Commonwealth
- d. Section 109 places beyond doubt the principal that the Federal Constitution and laws passed by the Federal Parliament, in pursuance of that Constitution prevail over the State Constitutions and the State laws passed by the State Parliaments, in pursuance of the State Constitutions
- e. A law of the Commonwealth means a valid law, a law passed by the Federal Parliament outside the scope of its authority would be no law at all

11. I state in this affidavit that the law titled "*Acts Amendment and Repeal Courts and Legal Practice Act 2003 (WA)*" is a Constitutional breach of the Western Australia Constitution in addition to a Constitutional breach of the Commonwealth Constitution Act 1900 compounding into criminal offences against the two Constitutions .

12. I state in this affidavit that Julia Gillard is disqualified from either House of the Parliament of the Commonwealth, in addition the criminal charge both filed and served remains pending Grand Jury determination. The application for Grand Jury was lodged at the Supreme Court , Full Court Criminal Jurisdiction, 29th January 2007 and remains pending

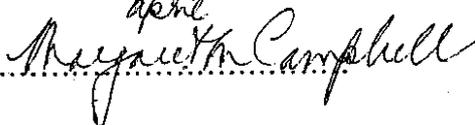
13. I state in this affidavit that the purported abolition of the legal Right in Victoria to have a criminal charge heard by Grand Jury still exists even though the Victorian Parliament and the Supreme Court of Victoria both state that the Right was abolished with the enactment of the Criminal Procedure Bill on 1st January 2010. This Bill is beyond Power

Affirmed by 

Brian Shaw

At *Werribee* in the State of Victoria

This *16th* Day of *March*, 2010 *mc*

Before me 

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



Charge and Summons

(Bring this with you to Court)

TO THE DEFENDANT

Major General Michael Jeffery
 Governor General Commonwealth of Australia
 Government House
 Dunrossil Drive
 YARRALUMLA ACT 2600

M	F	Co
<input 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 within the Commonwealth of Australia during the period from 1st January 2004 up to and inclusive of present date did commit the offence of Common Law Treason by consent to the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" enacted at Perth Western Australia on 1st January 2004

Under what Law? State Act Other-specify **Common Law** C'wealth Reg **Section or Clause (Full Ref) 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

Day

Month

Year

Details about this summons

Issued at **MELBOURNE**

Date

Issued by
Signature

Registrar Magistrate Other

Charge filed at **MELBOURNE**

Date

*Original with
Court*

Governor General

Continuation of Charges

Bring this with you to Court

Person Charged	Page No 2
2 The defendant did commit the offence of Common Law Misprison of Treason by concealing the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" from the Electorate of the States, Territories and Commonwealth during the period from 1st January 2004 up to and inclusive of present date	

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

3	
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<input type="checkbox"/> State <input type="checkbox"/> Act <input type="checkbox"/> Other- Specify <input type="checkbox"/> C'wealth <input type="checkbox"/> Reg	Act or Regulation No	Section or Clause (Full Ref)
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input type="checkbox"/>		Indictable Offence (You must go to Court)

Are there more charges? Yes No

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

Charge filed at MELBOURNE

94

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 2006 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:

Major General Michael Jeffery
Governor General Commonwealth of Australia

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.

Copy of Document lodged
15 December 2006

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

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

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

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 15th day of December, 2006

This Application is filed by



Brian W Shaw

280 Leakes Road,

Truganina, 3030 Victoria

GRAND JURY

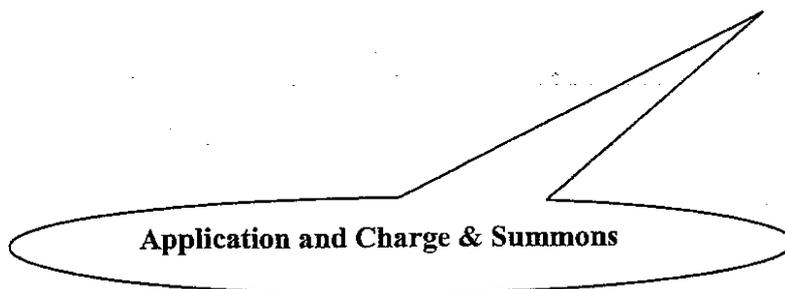
Application for

John Howard

Lodged at the Office of the Full Court Supreme Court
of Victoria on the 15^h Day of December 2006

Officers of such Court rather than hear the
Application lodged on the 15th December 2006
have concealed the application

John Howard



Charge and Summons

(Bring this with you to Court)

TO THE DEFENDANT

The Hon John Howard
Prime Minister
House of Representatives
Parliament House
Canberra ACT 2600

M	F	Co
<input 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 within the Commonwealth of Australia during the period from 1st January 2004 up to and inclusive of present date did commit the offence of Common Law Treason by consent to the overt Act titled "Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA" enacted at Perth Western Australia on 1st January 2004

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

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

copy only -

original with court.

*MELBOURNE MAGISTRATE
COURT VICTORIA
15 DECEMBER 2004.*

Continuation of Charges

Bring this with you to Court

Person Charged	Page No 2
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<input type="checkbox"/> State <input type="checkbox"/> Act <input checked="" type="checkbox"/> Other- Specify <input checked="" type="checkbox"/> C'wealth <input type="checkbox"/> Reg	Act or Regulation No Common Law	Section or Clause (Full Ref) Misprison of Treason
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3	
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Informant Brian W Shaw	
Agency and Address 280 Leakes Road Truganina Victoria	Phone No 09 93941116

Informant Signature	Registrar Signature
----------------------------	----------------------------

Charge filed at MELBOURNE

IN THE MATTER of the Crimes Act 1958

And

IN THE MATTER of an Application by

Brian William Shaw

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Prime Minister

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*Copy of Document lodged
with Court 15 DECEMBER 2006. RS.*
Supreme Court

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Part 5.1 Treason

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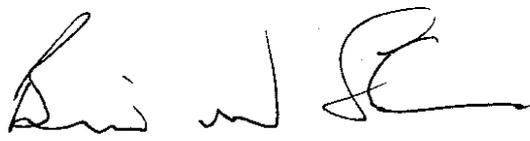
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"The trial on indictment of any offence against any law of the Commonwealth shall be by jury, and every such trial shall be held in the State where the offence was committed, and if the offence was not committed within any State the trial shall be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

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

DATED the 15th day of December, 2006

This Application is filed by



Brian W Shaw

280 Leakes Road,

Truganina, 3030 Victoria

GRAND JURY

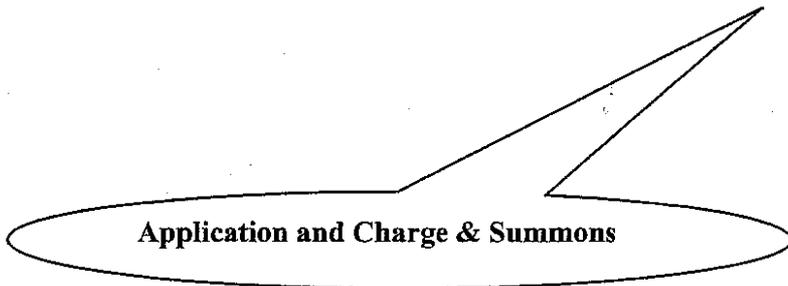
Application for

Damian Bugg

Lodged at the Office of the Full Court Supreme Court
of Victoria on the 15^h Day of December 2006

Officers of such Court rather than hear the
Application lodged on the 15th December 2006
have concealed the application

Damian Bugg



Charge and Summons

(Bring this with you to Court)

TO THE DEFENDANT

Damian John BUGG
 Director Public Prosecutions Commonwealth
 4 Marcus Clarke Street
 Canberra ACT 2601

M <input 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 during the period 1st January 2004 up to and inclusive of present time at Perth Western Australia did commit the offence of common law treason by agreeing to the enactment of the Overt Act, titled, Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA			
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 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)			
Are there more charges?	<input type="checkbox"/> No <input checked="" type="checkbox"/> 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	Day	Month	Year

Details about this summons

Issued at	MELBOURNE	Date
Issued by Signature		<input type="checkbox"/> Registrar <input type="checkbox"/> Magistrate <input type="checkbox"/> Other
Charge filed at	MELBOURNE	Date

* Copy only
 ORIGINALS WITH COURT
 BS

DAMIAN BUGG

Continuation of Charges

Bring this with you to Court

Person Charged	Page No 2
<p>2 That during the period 1st January 2004 up to and inclusive of present time at Perth Western Australia, the defendant did commit the offence of treason in breach of Section 80.1 (1)(d) Criminal Code Act 1995 (CTH) by agreeing to the enactment of the Overt Act, titled, Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA</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	Act or Regulation No Criminal Code Act 1995	Section or Clause (Full Ref) Section 80.1(1)(d)
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> Indictable Offence (You must go to Court)

<p>3 The defendant during the period 1st January 2004 up to and inclusive of present time at Perth Western Australia did commit the offence of treason in breach of Section 80.1 (1)(h) Criminal Code Act 1995 (CTH) by agreeing to the enactment of the Overt Act, titled, Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, the purpose was to remove and replace Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and Her Subjects without lawful consent of the People nor the knowledge of the People The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA</p>	
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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	Act or Regulation No Criminal Code Act 1995	Section or Clause (Full Ref) Section 80.1(1)(h)
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> Indictable Offence (You must go to Court)

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
Charge filed at MELBOURNE	

Continuation of Charges

Bring this with you to Court

Person Charged	Page No 3
<p>4 The defendant during the period 1st January 2004 up to and inclusive of the present time at Perth Western Australia has concealed Treason from the People, such concealment of the Overt Act of Treason, specifically the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, creates the offence of Common Law concealment of Treason (Misprison of Treason) The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA</p>	

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

<p>5 The defendant during the period 1st January 2004 up to and inclusive of the present time at Perth Western Australia has concealed Treason committed in Western Australia by agreeing to the Overt Act of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA The defendant did consent to the Treason by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA</p>
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<input type="checkbox"/> State <input checked="" type="checkbox"/> Act <input type="checkbox"/> Other- Specify	Act or Regulation No	Section or Clause (Full Ref)
<input checked="" type="checkbox"/> C'wealth <input type="checkbox"/> Reg	Criminal Code Act 1995	Section 80.1(2)(a)
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		Indictable Offence (You must go to Court)

Are there more charges? Yes No

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

Charge filed at MELBOURNE

Continuation of Charges

Bring this with you to Court

Person Charged		Page No 4
6	<p>The defendant during the period 1st January 2004 up to and inclusive of the present time at Perth Western Australia did agree to receive property (the former State of Western Australia) and benefit (continuing Salary & Superannuation) for personal gain, plus the former Governor of Western Australia (Mr Sanderson) upon the agreement and understanding that they will compound and conceal the Overt Act of Treason, the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA, such act is against the Law of the Commonwealth plus Territories, additionally the defendant has abstained from any prosecution for such offences</p> <p>The defendant did consent by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA</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	Act or Regulation No Crimes Act 1914	Section or Clause (Full Ref) Section 44
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> Indictable Offence (You must go to Court)

7	<p>The defendant during the period 1st January 2004 up to and inclusive of the present time at Perth Western Australia, has attempted to pervert the course of justice in relation to the Judicial Power of the Commonwealth by issuing Orders, Cost Orders and Judgments and proceeding with civil proceedings against the informant /prosecutor for revealing/ discovering the indictable offence of Treason committed by the defendant and co-conspirators</p> <p>The defendant did consent by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA</p>	
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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	Act or Regulation No Crimes Act 1914	Section or Clause (Full Ref) Section 43(1)
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> Indictable Offence (You must go to Court)
Are there more charges? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Informant Brian W Shaw		
Agency and Address 280 Leakes Road Truganina Victoria		Phone No 09 93941116
Informant Signature	Registrar Signature	
Charge filed at		MELBOURNE

Continuation of Charges

Bring this with you to Court

Person Charged	Page No 5
<p><input checked="" type="checkbox"/> 8 The defendant during the period 1st January 2004 up to and inclusive of the present time at Perth Western Australia, has conspired with the Commonwealth Director of Public Prosecutions Mr Damian Bugg, and others, to defeat the course of justice in relation to the Judicial Power of the Commonwealth The defendant did consent by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA</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	Act or Regulation No Crimes Act 1914	Section or Clause (Full Ref) Section 42.(1)
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> Indictable Offence (You must go to Court)

<p><input checked="" type="checkbox"/> 9 The defendant at Perth Western Australia during the period of 1st January 2004, up to and inclusive of the present time did conspire with the former Governor of Western Australia, Mr Sanderson, plus Commonwealth Director of Public Prosecutions, Mr Damian Bugg with the intent of dishonestly obtaining a gain from another person, specifically, Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and "Her Subjects" The defendant did consent by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA</p>	
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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	Act or Regulation No Criminal Code Act 1995	Section or Clause (Full Ref) Section 135.4 (1)(a)
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> Indictable Offence (You must go to Court)

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

Charge filed at MELBOURNE

Continuation of Charges

Bring this with you to Court

Person Charged	Page No 6
<p>10 The defendant at Perth Western Australia during the period of 1st January 2004, up to and inclusive of the present time did conspire with the former Governor of Western Australia, Mr Sanderson, plus Commonwealth Director of Public Prosecutions, Mr Damian Bugg with the intent of dishonestly obtaining a gain from another person, specifically, Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and "Her Subjects" The defendant did consent by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA .</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	Act or Regulation No Criminal Code Act 1995	Section or Clause (Full Ref) Section 135.4 (1)(a)
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		Indictable Offence (You must go to Court)

<p>11 The defendant at Perth Western Australia during the period of 1st January 2004, up to and inclusive of the present time did conspire with others, specifically, the Politicians of Western Australia and Commonwealth of Australia, "Judges" of Western Australia, the Director of Public Prosecutions, Western Australia (Mr Cock), the Director of Public Prosecutions (CTH) Mr Damian Bugg, Mr James Maley, Grand Master of Freemasonry WA, the former Governor of Western Australia, Mr Sanderson and others, with the intention of dishonestly causing a loss to a third person, specifically the People of the Commonwealth (Subjects) plus Her Majesty Queen Elizabeth II, Her Heirs, Her Successors and "Her Subjects" The defendant did consent by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA</p>
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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	Act or Regulation No Criminal Code Act 1995	Section or Clause (Full Ref) Section 125.4(3)(a)
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		Indictable Offence (You must go to Court)

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
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Charge filed at MELBOURNE

Continuation of Charges

Bring this with you to Court

Person Charged	Page No 7
<p>12 The defendant at Perth Western Australia during the period of 1st January 2004, up to and inclusive of the present time with intent did dishonestly influence a Public Official, specifically Mr Damian Bugg, Commonwealth Director of Public Prosecutions, in the exercise of his Official duties as a Public Official</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	Act or Regulation No Criminal Code Act 1995	Section or Clause (Full Ref) Section 135.7(a)
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		Indictable Offence (You must go to Court)

<p>13 The defendant at Perth Western Australia during the period of 1st January 2004, up to and inclusive of the present time did abuse public office by dishonestly causing a detriment to the informant The defendant did consent by the inclusion of the Supreme Court Act 1935 WA into Part 8 of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA</p>
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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	Act or Regulation No Criminal Code Act 1995	Section or Clause (Full Ref) Section 142.2(1)(b)(ii)
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		Indictable Offence (You must go to Court)

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

Charge filed at MELBOURNE

Continuation of Charges

Bring this with you to Court

Person Charged	Page No 8
<p>14 The defendant at Perth Western Australia during the period of 1st January 2004, up to and inclusive of the present time did attempt to succeed to the Crown of England by unlawful and illegal means in legal conflict and breach of the Act of Settlement 1700 UK, by agreement to the enactment of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA</p>	

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

<p>15 The defendant at Perth Western Australia during the period of 1st January 2004, up to and inclusive of the present time did attempt to succeed to the Crown of England by unlawful and illegal means in legal conflict and breach of the Bill of Rights 1688 UK, by agreement to the enactment of the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA</p>	
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<input type="checkbox"/> State <input checked="" type="checkbox"/> Act <input type="checkbox"/> Other- Specify	Act or Regulation No	Section or Clause (Full Ref)
<input checked="" type="checkbox"/> C'wealth <input type="checkbox"/> Reg	Common Law	
<input type="checkbox"/> Summary Offence (You should go to Court but you must go if you are on bail) <input checked="" type="checkbox"/>		Indictable Offence (You must go to Court)

Are there more charges? Yes No

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

Charge filed at MELBOURNE

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 2006 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:

Damian John BUGG (1)

NO 1.

Director Public Prosecutions Commonwealth

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.

NO 1.

LODGED 15 DECEMBER 2006 AS

— COPY of FRONT PAGE only —

IN THE SUPREME COURT OF VICTORIA
FULL COURT; CRIMINAL JURISDICTION

No: of 2006

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 2006 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:

Damian John BUGG (2)

- No 2. -

Director Public Prosecutions Commonwealth

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.

No 2.

Lodged 15 DECEMBER 2006 RL

- Copy of FROM FROM ONLY -

AFFIDAVIT

Affirmed by Brian Shaw 16th April 2010

Relating to:

- 1 Julia Gillard - Prime Minister
Commonwealth of Australia
- 2 Rob Hulls - Attorney General
for the State of Victoria
- 3 Damian Bugg - Director of Public Prosecutions
Commonwealth
- 4 James McGinty - Former Attorney General
for the State of Western Australia

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

No. 9997 of 2006

IN THE MATTER of an application pursuant to s, 21 of the Supreme Court Act 1986
B E T W E E N:

BRIAN WILLIAM SHAW

Appellant

- and -

THE ATTORNEY-GENERAL FOR THE STATE OF VICTORIA

Respondent

AFFIDAVIT

Relates to Julia Gillard, Rob Hulls, Damian Bugg, and James McGinty

Date of document: 16th April 2010
Filed on behalf of: Appellant
Prepared by:
Brian William Shaw
280 Leakes Road Tel: No 03 93941116
Truganina Victoria 3030

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

1. On 18th December 2006 I filed a Private Prosecution charge against Julia Gillard returnable to the Melbourne Magistrates Court 29th January 2007.

The Words of the 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".

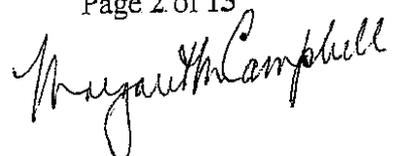
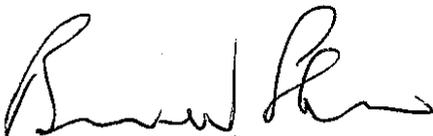
By such enactment an Act of Treason was committed.

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

Page 1 of 13



2. I state in this affidavit that Julia Gillard is an International Socialist working an International agenda to subvert and overthrow the existing Constitutions of each State of the Commonwealth inclusive of the Constitution of the Commonwealth of Australia
3. The Constitution of the Commonwealth of Australia is a legally binding agreement between the people of the Commonwealth of Australia and the United Kingdom of Great Britain and Ireland under the Crown. This particular legally binding agreement was ratified by the electors of the Commonwealth of Australia by Commonwealth Referendum in accordance with section 128 of such Constitution on 6th November 1999.
4. Since that decision on that particular day Julia Gillard and others working for a Foreign Power have implemented a Foreign Power plot to attempt to nullify the decision of the electors so that the existing agreement could be nullified and the Foreign Power agenda substituted
5. I state in this affidavit that it is established law that the criminal offence of "*Treason*" activates by "*Breach of Allegiance*". The twin criminal offence of "*Misprision of Treason*" activates when a person conceals such discovered Treason. Both criminal offences carry Life Imprisonment defined at section 80 of the Criminal Code Act 1995 Commonwealth under the header "*The Security of the Commonwealth*"
6. I state in this affidavit that the only jurisdiction enabled to hear, determine and indict the twin offences of Treason and Misprision of Treason is Grand Jury composed of 23 electors. This legal Right is found at section 354 of the Crimes Act 1958 Victoria
7. I state in this affidavit that the criminal charge of Treason involving Julia Gillard heard 29th January 2007 in the Melbourne Magistrates Court originally by Chief Magistrate Ian Gray who had to reveal to the Court that he had also been charge for concealing the discovered treason and was replaced by another Magistrate at the hearing



8. On the same day all of the presentments were taken over by the Commonwealth Director of Public Prosecutions **Mr Damian Bugg** and suppressed to enable the Foreign Agenda take over on the existing Constitution to continue

9. I state in this affidavit that Mr Damian Bugg uses his position and office to pervert the course of justice and conceal evidence. Before being elevated into his Commonwealth position Mr Bugg was the Director of Public Prosecutions at the time of the Port Arthur massacre and conceal specific facts from the people of Australia in relation to the attack on Australians on Australian soil

10. I state in this affidavit that Julia Gillard and others are working to overthrow the existing law of Australia and impose a Foreign Power law on all Australians.

The others are

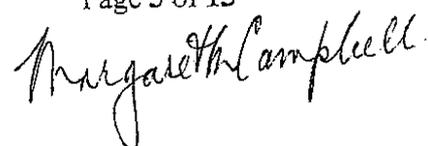
- 1) The Attorney Generals of the Commonwealth
- 2) All Judges of the High Court
- 3) All Judges of the Supreme Court Victoria
- 4) All Magistrates within Victoria
- 5) All Councillors of the Werribee Council (State of Victoria)
- 6) All Councillors of Altona Council (State of Victoria)
- 7) The Victorian Electoral Commission (State of Victoria)
- 8) The Commonwealth Electoral Commission

11. I state in this affidavit that the evidence of a Foreign Power plot on the existing law of the Commonwealth of Australia is revealed in the following Acts, all of which **had to break the law to impose another law**

- 1) The purported Repeal Act of the 1855 Victorian Constitution Act (UK Act) by the Parliament of Victoria in 1975. **The reality** is that the 1855 Act was never repealed, because it is and remains the legal property of the Parliament of the United Kingdom, meaning in law that the Parliament of Victoria had no legal power whatsoever to repeal an Act of the United Kingdom. **The offence is Fraud**



Page 3 of 13



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2) The purported enactment of the various **Request Acts** culminating in the **Australia Act of 1986** under **Mr R Hawke** and the various State Premiers at the time was implemented without the knowledge nor consent of the Electors of the Commonwealth, that is the purported Australia Act came into Australian law and infringed on the Constitution of the Commonwealth **without abiding by the legal requirement** of altering and amending the Constitution which can only be done by referendum consent under section 128 of the Commonwealth Constitution Act. **This was not abided by and no referendum was held**

12. I state in this affidavit that **Mr R Hawke** was named by Professor Blackshield as being an **Honorary Citizen of Israel** in a Senate Standing Committee paper titled "*Aspects of Section 44*" and as such would have been unable to enter Parliament because section 44(i) of the Commonwealth Constitution would have disqualified Mr Hawke.

Section 44(i) states

COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT
SECTION 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.

13. I state in this affidavit that in the period 1999 /2000 the Attorney General for Victoria **Mr Hulls** introduced a Bill into the Victorian Parliament titled "*Courts and Tribunals Legislation (Further Amendment) Act 2000*", the stated purpose states "*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*".



1) PART 2—LEGAL PRACTICE ACT 1996

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.*".

The Bill was enacted 5th September 2000 ten months after the **Referendum 6th November 1999** by purported authority obtained by Mr Hawke's unlawful Australia Act (1986).

2) The Parliament of Victoria did commit a Primary Act of Treason (Breach of Allegiance) on 5th September 2000 and concealed such Treason from **the electors.**

3) All Officers of the Supreme Court of Victoria (Judges, Masters, Lawyers, and Law Firms) did commit a primary Act of Treason on 5th September 2000 and concealed such Treason **from the electors and clients** of such Officers of the Supreme Court.

4) The Supreme Court of Victoria has no valid Power whatsoever to nullify the "*Oath of Allegiance*" and *substitute* something else

14. I state in this affidavit that the Attorney General of Western Australia **Mr J McGinty** in the period 2003/2004 did introduce a Bill into the Parliament of Western Australia titled "*Acts Amendment and Repeal Courts and Legal Practice Act 2003*" enacted on 1st January 2004 by Mr J McGinty and Governor Sanderson by purported authority obtained by Mr Hawke's Australia Act (1986)

1) The unlawful enactment in Western Australia attacked some 80 Acts within Western Australia and substituted the "*Oath of Allegiance*" and Crown without referendum consent required by section 73 of the Constitution of Western Australia and section 128 of the Commonwealth Constitution (The Superior Act)



2) The unlawful enactment involved all Officers of the Supreme Court of Western Australia (judges, Masters, Registrars, Lawyers and Law Firms) in a primary Act of Treason (**Breach of Allegiance**)

15. I state in this affidavit that the Parliament of the Commonwealth of Australia during April 1991 did sell the **Commonwealth Bank** a Statutory Bank under the Constitution of the Commonwealth of Australia into the hands of Private Banks, National Bank, Westpac Bank, ANZ Bank and Others, without the knowledge or consent of the people of the Commonwealth. The Articles were lodged with The Securities Commission on 16th April 1991 to enable the Foreign Power agenda to gain absolute control of Banking within Australia

16. I state in this affidavit that in the **State of Queensland** all land titles (Crown and Freehold) have been illegally consumed into a company titled "**The Brigalow Corporation**" and registered in a company within the United States, without the knowledge or consent of current title holders within Queensland

17. I state in this affidavit that the Criminal Charge filed against Julia Gillard and others did go to the Full Court of the Supreme Court Victoria for a Grand Jury hearing (23 Electors), but, specific Officers of the Court in an endeavour to suppress the criminal activity required to impose the Foreign Power law that is presently being imposed illegally within the States and Commonwealth of Australia have refused to hear the application. In the interim the Parliament of Victoria in collusion with the Attorney General of Victoria **Mr R Hulls** have purportedly abolished the Legal Right to Grand Jury in an endeavour to prevent their own indictment by Grand Jury

18. I state in this affidavit that the Foreign Power seeking to impose the Foreign Power law is working in two branches

- 1) The United Nations
- 2) International Freemasonry

I restate section 44(i)



COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT

SECTION 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.

19. In relation to the criminal charge of Treason relating to Julia Gillard I state that section 44(ii) of the Commonwealth Constitution disqualified Julia Gillard

COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT

SECTION 44 - 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.

20. I state in this affidavit that the current list of Attorney General's within the Commonwealth are:

- 1) Robert McClelland Attorney General, Commonwealth
- 2) John Hatzistergos Attorney General NSW
- 3) Michael Atkinson Attorney General SA
- 4) Cameron Dick Attorney General QLD
- 5) Lara Giddings Attorney General TAS
- 6) Delia Phoebe Attorney General NT
- 7) Simon Corbell Attorney General ACT
- 8) Charles (Christian) Porter Attorney General WA
- 9) Rob Hulls Attorney General VIC

All are involved in this specific attack on our current Constitution



21. I state in this affidavit that the **current list of High Court Judges** are:

- 1) Chief Justice French (from Western Australia)
- 2) Justice Gummow
- 3) Justice Hayne
- 4) Justice Heydon
- 5) Justice Crennan
- 6) Justice Kiefel
- 7) Justice Bell

All are involved in this specific attack on our current Constitution

22. I state in this affidavit that in relation to Werribee the Federal Seat for Julia Gillard **all Councillors for the City of Wyndham/Werribee** are currently concealing the indictable offence of treason lodged against Julia Gillard.

The Councillors are:

Iramoo Ward

- 1) Councillor: Cr Heather Marcus (Mayor)
- 2) Councillor: Cr Cynthia Manson
- 3) Councillor: Cr John Menegazzo

Truganina Ward

- 4) Councillor: Cr Kim McAliney, JP (Deputy Mayor)
- 5) Councillor: Cr Bob Fairclough
- 6) Councillor: Cr Glenn Goodfellow

Chaffey Ward

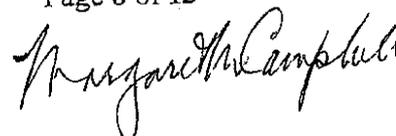
- 7) Councillor: Cr Shane Bourke, JP
- 8) Councillor: Cr Mark Rose
- 9) Councillor: Cr Adele De Crescenzo

23. I state in this affidavit that in relation to the city of Hobsons Bay, Altona Victoria **all Councillors for Hobsons Bay** are currently concealing the indictable offence for the Federal Member Julia Gillard the Councillors are:

- 1) Bill Tehan (Mayor)
- 2) Luba Grigorovitch
- 3) John Hogg
- 4) Angela Altair



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- 5) Tony Briffa (Deputy Mayor)
- 6) Michael Raffoul
- 7) Peter Hemphill

24. I state in this affidavit that in relation to the current **Senators for the State of Victoria**, all State Senators are currently concealing the criminal charge against Julia Gillard. Such charge remains pending Grand Jury work

The current Victorian Senators are:

- 1) Kim Carr
- 2) Jacinta Collins
- 3) Stephen Conroy
- 4) David Feeney
- 5) Steve Fielding
- 6) Mitch Fifield
- 7) Helen Kroger
- 8) Julian McGauran
- 9) Gavin Marshall
- 10) Michael Ronaldson
- 11) Scott Ryan
- 12) Judith Troeth

25. I state in this affidavit that in relation to the Altona –By Election held 13th February 2010 purportedly won by Jill Hennessy, a Labor Party Member and Victorian Lawyer currently working with the “*Oath of Allegiance*” removed from the Legal Practice Act (Vic) with the unlawful enactment of the “*Courts and Tribunals Legislation (Further Amendment) Act 2000(Vic)*”. Jill Hennessy and others involved with the Altona By-election have concealed and continue to conceal **the criminal charge involving Julia Gillard**, the current holder of the Federal seat of Lalor (Wyndham/Werribee – Altona) in the State of Victoria

26. I state in this affidavit that in relation to **Mr Hulls** the current Attorney General for Victoria, since the Commonwealth referendum, November 1999 Mr Hulls has introduced and enacted law contrary to the agreed consent of the people and.

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contrary to the Constitutions of both Victoria and the Commonwealth using the purported authority obtained after Mr Hawke's unlawful Australia Act 1986

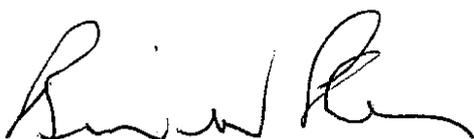
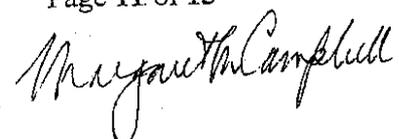
27. I state in this affidavit that **Mr Hulls** has sought from and obtained from the Victorian Parliament purported law to abolish the legal Right to place private prosecution matters before Grand Jury (23 Electors) within Victoria . Mr Hulls and others have attempted to do this in an endeavour to prevent Grand Juries indicting their criminal attacks against the people of Victoria /Australia and their respective Constitutions on behalf of a Foreign Power

28. I state in this affidavit that the following individuals are defendants still pending Grand Jury hearing because of this all Applications were lodged in the period 2003 /2007

- 1) **Mr John Winneke** Former President Court of Appeal (Vic)
- 2) **Mr Brooking** Judge Court of Appeal (Vic)
- 3) **Mr Charles** Judge Court of Appeal (Vic)
- 4) **Mr Buchanan** Judge Court of Appeal (Vic)
- 5) **Mr Chernov** Judge Court of Appeal (Vic)
- 6) **Mr. Charles Wheeler** Former Master Supreme Court (Vic)
(2 Applications)
- 7) **Mr Paul Coghlan** Former Director of Public Prosecutions (Vic)
Currently a Judge of the Victoria Supreme Court
- 8) **Mr Phillip Cain** Registrar Court of Appeal (Vic)
- 9) **Mr Damian Bugg** Director of Public Prosecutions Commonwealth
- 10) **Mr David Ward** CEO ANZ Trustees
- 11) **Mr James Rutherford** Director/Partner, Harwood Andrews
Lawyers Geelong
- 12) **Mr Ewan Evans** Master Supreme Court (Vic)
- 13) **Mr Thomas Smith** Judge Supreme Court (Vic)
- 14) **Kathryn Kings** Master Supreme Court (Vic)
- 15) **Mr M Kirby** Former Judge High Court of Australia
- 16) **Mr Ian Callinan** Former Judge High Court of Australia
- 17) **Mr James McGinty** Former Attorney General Western Australia
- 18) **John Howard** Former Prime Minister



- 19) **Kim Beazley** Former Leader of the Opposition
(Commonwealth)
- 20) **Michael Jeffery** Former Governor General (Commonwealth)
- 21) **Philip Ruddock** Former Attorney General
Commonwealth of Australia
- 22) **Sydney James Stirling** Attorney General Northern Territory
- 23) **Michael Atkinson** Attorney-General South Australia
- 24) **Kerry Shine** Former Attorney General Queensland
- 25) **Rob Justin Hulls,** Current Attorney-General Victoria
- 26) **Simon Corbell,** Attorney General ACT
- 27) **Steve Kons,** Attorney General Tasmania
- 28) **Robert John Debus,** Attorney-General NSW
- 29) **Audrey Gillian Braddock** Supreme Court WA (Commissioner)
- 30) **Wayne Stewart Martin** Supreme Court WA (Chief Justice)
- 31) **Christine Ann Wheeler** Supreme Court WA
- 32) **Christopher David Steytler** Supreme Court WA
- 33) **Christopher James Lonsdale Pullin** Supreme Court WA
- 34) **John Roderick McKechnie** Supreme Court WA
- 35) **Michael John Buss** Supreme Court WA
- 36) **Corryn Rayney** Supreme Court WA (Murdered)
- 37) **Robert Cock QC** Director of Public Prosecutions WA
- 38) **Darren W L Renton** Commonwealth DPP, WA
- 39) **Robert MacKenzie Mitchell** State Solicitor's Office WA
- 40) **John James Mansell Bowler** Minister Mining (Now Independent)
- 41) **Mr J Maley** Grand Master, WA Freemasons
- 42) **C Randazzo** Melbourne Magistrates Court (Stood Down)
- 43) **Mr Ian Leslie Gray,** Chief Magistrate, Magistrates Court of Victoria
- 44) **Mr Malcolm Macleod,** Southwest Christian Church Werribee (Pastor)
- 45) **Mr Max Bower,** Anglican Church Werribee (Priest)
- 46) **John Dyson Heydon** Justice (High Court)
- 47) **William Montague Charles Gummow** Justice (High Court)
- 48) **Anthony Murray Gleeson** Justice (High Court)
- 49) **Susan Maree Crennan** Justice (High Court)
- 50) **Kenneth Madison Hayne** Justice (High Court)

- 51) **Rob Hulls** Attorney General Victoria
52) **Julia Gillard** (MP) Werribee Victoria (current Deputy Prime Minister)
53) **Dodds-Streeton** Judge Court of Appeal (Vic)
54) **Justice Nettle** Judge Court of Appeal (Vic)

29. I state the whole of section 44 of the Commonwealth Constitution here

COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT

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

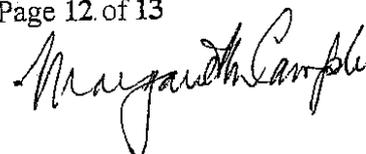
(ii) is attainted of treason, or has been convicted and is under sentence, or subject to be sentenced, for any offence punishable under the law of the Commonwealth or of a State by imprisonment for one year or longer; or

(iii) is an undischarged bankrupt or insolvent; or

(iv) holds any office of profit under the Crown, or any pension payable during the pleasure of the Crown out of any of the revenues of the Commonwealth; or

(v) has any direct or indirect pecuniary interest in any agreement with the Public Service of the Commonwealth otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons;

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



30. I state section 80 of the Commonwealth Constitution here

COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT

SECT 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.

Affirmed by 

Brian Shaw

At ~~WARRIBEE~~ in the State of Victoria

This 16th Day of April, 2010

Before me 

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



Commonwealth of Australia Constitution Act 1900

Preamble

WHEREAS the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland, and under the Constitution hereby established:

And whereas it is expedient to provide for the admission into the Commonwealth of other Australasian Colonies and possessions of the Queen:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Parliament of Australia

Standing Order 50 - Prayer

Almighty God, we humbly beseech Thee to vouchsafe Thy special blessing upon this Parliament, and that Thou wouldst be pleased to direct and prosper the work of Thy servants to the advancement of Thy glory, and to the true welfare of the people of Australia.

Our Father, which art in Heaven, Hallowed be Thy name. Thy kingdom come. Thy will be done in earth, as it is in Heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive them that trespass against us. And lead us not into temptation; but deliver us from evil: For thine is the kingdom, and the power, and the glory, for ever and ever. Amen.

www.elijahschallenge.net

The title of the above website originates from the Old Testament passage (1 Kings 18:21) where Elijah came to the people and made the following challenge

“How long halt ye between two opinions?”

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