

BETWEEN

BRIAN WILLIAM SHAW

Applicant

- and -

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

Respondent

10

AFFIDAVIT IN SUPPORT

Application for Special Leave to Appeal
The application includes 20 Inter Se questions
Exclusive jurisdiction of High Court
Plus Grand Jury Jurisdiction

Date of document:

5th MAY 2013

Filed on behalf of: The Plaintiff

Prepared by: Brian Shaw

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Address: C/- P.O.Box 800 Werribee
Victoria, 3030

Tel: 0487 195 522

No 5.

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

1. That this affidavit exhibits the above mentioned application in High Court matter No M26 of 2013 consisting of 35 pages dated 28 March 2013 appealing the Supreme Court Judgement (Court of Appeal) of Justices Whelan and Vickery File No SAPCI 2012 0235.

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Exhibit is marked;

“High Court Application No M26 of 2013”

AFFIRMED BY: _____



AT: _____

WERRIEBE

IN THE STATE OF VICTORIA

THIS _____

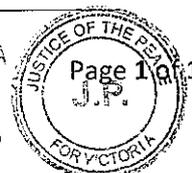
5th

DAY OF MAY 2013.

BEFORE ME: _____



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



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

No. S APCI 2013 0043

BETWEEN

BRIAN WILLIAM SHAW

Applicant

- and -

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

Respondent

10

EXHIBIT

This is the exhibit referred to in the affidavit of Brian William Shaw affirmed on the ^{5th}... day of May 2013.

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Before me: *Margaret May Campbell*

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



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“High Court Application No M26 of 2013”

BETWEEN:

BRIAN WILLIAM SHAW
Applicant

And

THE ATTORNEY-GENERAL FOR THE STATE OF VICTORIA
Respondent

APPLICATION FOR SPECIAL LEAVE TO APPEAL
THE APPLICATION INCLUDES;
20 INTER SE QUESTIONS
EXCLUSIVE JURISDICTION OF HIGH COURT
PLUS
GRAND JURY JURISDICTION

The applicant applies for Special Leave to Appeal from the whole of the Judgement of the Court of Appeal (Victoria) delivered on 1 March 2013 by Justice of Appeal Whelan and Acting Justice of Appeal Vickery. File No. S APCI 2012 0235

GROUNDS: ULTRA VIRES THE CONSTITUTION

1. This application for special leave to the High Court is Ultra Vires the Constitution of the Commonwealth of Australia for the following reasons;

A. The Law and authorities relating to Inter Se state that the High Court of Australia does have exclusive jurisdiction concerning Inter Se. The matter must be removed into the High Court and as such excludes any purported requirement for special leave.

B. The Judiciary Act 1903 at Section 22 states the following:

Quorum for granting leave to appeal to the Queen in Council or to High Court

Applications to the High Court for a certificate that a question as to the limits inter se of the Constitutional powers of the Commonwealth and those of any State or States, or as to the limits inter se of the Constitutional powers of any two or more States, which has been decided by the High Court, is one which ought to be determined by the Queen in Council, shall be heard and determined by a Full Court consisting of not less than three Justices.

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 Werribee Victoria 3030

Telephone: 0487 195 522

C. The Judiciary Act 1903 at Section 23 states the following:

Decision in case of difference of opinion

(1) A Full Court consisting of less than all the Justices shall not give a decision on a question affecting the constitutional powers of the Commonwealth, unless at least three Justices concur in the decision.

50 (2) Subject to the last preceding subsection, when the Justices sitting as a Full Court are divided in opinion as to the decision to be given on any question, the question shall be decided according to the decision of the majority, if there is a majority; but if the Court is equally divided in opinion:

60 (a) in the case where a decision of a Justice of the High Court (whether acting as a Justice of the High Court or in some other capacity), a decision of a Supreme Court of a State or Territory or a Judge of such a Court, a decision of the Federal Court of Australia or a Judge of that Court or a decision of the Family Court of Australia or a Judge of that Court is called in question by appeal or otherwise, the decision appealed from shall be affirmed; and

(b) in any other case, the opinion of the Chief Justice, or if he or she is absent the opinion of the Senior Justice present, shall prevail.

D. The Supreme Court of Victoria inclusive of the Court of Appeal and Full Court are deprived of jurisdiction the instant that the Inter Se is raised. Accordingly Justice Forrest (The primary Judge) plus Justices Whelan and Vickery were out of jurisdiction.

70 **GROUND SECTION 34 CRIMES ACT 1914 COMMONWEALTH**

2. In relation to Constitutional Law and the Law of Inter Se where serious indictable offences are discussed and revealed and placed before respective Courts involving the committing of serious indictable offences by Judges and Magistrates, the whole cause must be stayed pending Grand Jury. Decisions in relation to indictments;

A. **Crimes Act 1914 Commonwealth**

Division 2—Judges and magistrates

SECTION 34 Judge or magistrate acting oppressively or when interested

Excessive and unreasonable bail

(1) A person commits an offence if:

- 80 (a) the person is a judge or magistrate; and
(b) the judge or magistrate is required or authorised by law to admit a person accused of an offence to bail; and
(c) the judge or magistrate requires excessive and unreasonable bail; and
(d) the requirement is an abuse of the judge's or magistrate's office; and
(e) the offence referred to in paragraph (b) is an offence against a law of the Commonwealth.

Penalty: Imprisonment for 2 years.

90 (2) Subsection (1) does not apply if the judge or magistrate has a reasonable excuse.

Note: A defendant bears an evidential burden in relation to the matter in subsection (2) (see subsection 13.3(3) of the *Criminal Code*).

(3) Absolute liability applies to the paragraph (1)(e) element of the offence.

Acting when interested

(4) A person commits an offence if:

(a) the person is a judge or magistrate; and

(b) the judge or magistrate perversely exercises jurisdiction in a matter;
and

(c) the judge or magistrate has a personal interest in the matter; and

(d) the jurisdiction is federal jurisdiction.

Penalty: Imprisonment for 2 years.

B. Commonwealth Constitution Act 1900

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.

C. CRIMES ACT 1958 VICTORIA

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.

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GROUND LIABLE FOR TRESPASS

3. This particular ground reveals a legal ground for trespass, quoting from Coke on trespass;

“Where Courts of special and limited jurisdiction exceed their powers, the whole proceeding is Coram Non-Judice, and all concerned in such void proceedings are held to be liable for trespass”

SOURCE: Case of the Marshalsea,
10 CO 68, Terry v Huntington, Hardres 60

GROUND DEPRIVED OF JURISDICTION

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4. Justices Whelan and Vickery sitting in the Court of Appeal, Supreme Court of Victoria on 1 March 2013 were deprived of jurisdiction for the following reasons.

- A. The Inter Se issues instantly deprived the Court of jurisdiction.
- B. Any purported Judgement is a nullity.
- C. Both Judges in agreement did conceal a number of indictable offences.
- D. Both Justice Whelan and Vickery did Trespass and are in Law Trespassers.
- E. Based on the evident fact that the Crown has been removed and substituted without the knowledge, nor consent of the Electorate, the only way that any Judge or Magistrate can escape without committing a serious indictable offence is to remit the matter into the Criminal Jurisdiction of Grand Jury.

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GROUND PRIVY COUNCIL AUTHORITY

5. I state that on 1st March 2013 before Justice Whelan and Justice Vickery of the Court of Appeal (Full Court) The following legal citation was verbally presented:

“The whole cause is completely stopped at that stage if an Inter Se question is involved in the matter”

Source

**“Commonwealth V Bank of NSW
Privy Council 1949 79 CLR 497 at 576”**

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GROUND

6. SECTION 74 – COMMONWEALTH CONSTITUTION

It is stated in this application that no Referendum was held or conducted in relation to any purported removal of Section 74 from the Constitution of the Commonwealth of Australia, accordingly Section 74 remains in the Constitution and is the central point of Inter Se.

SECTION 74 Appeal to Queen in Council

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No appeal shall be permitted to the Queen in Council from a decision of the High Court upon any question, howsoever arising, as to the limits inter se of the Constitutional powers of the Commonwealth and those of any State or States, or as to the limits inter se of the Constitutional powers of any two or more States, unless the High Court shall certify that the question is one which ought to be determined by Her Majesty in Council.

The High Court may so certify if satisfied that for any special reason the certificate should be granted, and thereupon an appeal shall lie to Her Majesty in Council on the question without further leave.

190 *Except as provided in this section, this Constitution shall not impair any right which the Queen may be pleased to exercise by virtue of Her Royal prerogative to grant special leave of appeal from the High Court to Her Majesty in Council. The Parliament may make laws limiting the matters in which such leave may be asked, but proposed laws containing any such limitation shall be reserved by the Governor-General for Her Majesty's pleasure.*

JUDICIARY ACT 1903

200 SECTION 39 – Federal jurisdiction of State Courts in other matters

(2) (a) A decision of a Court of a State, whether in original or in appellate jurisdiction, shall not be subject to appeal to Her Majesty in Council, whether by special leave or otherwise.

PUBLIC INTEREST – PRIVY COUNCIL

“Circumstances might arise which would make it right in the public interests that the final interpretation of the Constitution, or some question involving the Constitutional powers Inter Se of the Commonwealth and a State or of a State and State should be left to the Privy Council.”

210 SOURCE: Flint v Webb 1907 4 CLR 1178 at 1187

ULTRA VIRES – PRIVY COUNCIL

Section 39 2(A) of the Judiciary Act 1903, Commonwealth would be Ultra Vires the Constitution.

SOURCE: Baxter v Commissioner Taxation 1907 4 CLR 1141 at 1143

BAR TO PRIVY COUNCIL

“An appeal would have lain to the Privy Council as of right, was an attempt by Parliament to do indirectly what it has no power to do directly and was beyond its Legislative Authority.”

220 SOURCE: The Commonwealth of Australia v Kreglinger 1926 VLR 310 at 316

PUBLIC INTEREST – PRIVY COUNCIL

“When deciding that if Section 39 purported to take away the right of Appeal in that case to the Privy Council, it was Ultra Vires.”

SOURCE: The Commonwealth of Australia v Kreglinger 1926 VLR 310 at 327

GROUND INTER SE LAW IGNORED

230 7. AFFIDAVIT NUMBER 14 – INTER SE

In the primary hearing before Justice Forrest, affidavit / document No 14 was placed on the Bar Table and the Authorities quoted in this particular affidavit were read out. The hearing was legally halted at this point, but Justice Jack Forrest ignored the Inter Se and on 1 March 2013, **Justices Whelan and Vickery** also ignored the Inter Se Law and legal responsibility and committed “**Misprison of Treason**”.

GROUND INTER SE AUTHORITY

240 **8.** On 1 March 2013 both Judges Whelan and Vickery, completely disregarded the Law of Inter Se. The Law relating to Inter Se is quite clear in that the instant the Inter Se question or issue comes into play the Court is deprived of Jurisdiction and any purported judgement is a nullity and the matter is to be removed into the Exclusive Jurisdiction of the High Court, this excludes any special leave requirement.

NO ESCAPE

That Court had no outlet of escape from deciding a Constitutional Point.
Pirrie v McFarlane 1925 3b CLR 170 at 194.

DISTRIBUTION OF POWERS

250 A question of the limits Inter Se of the powers of the Commonwealth and State means nothing more than a question as to the distribution of those powers.

Flint v Webb 1907 4 CLR 1178 at 1182

DEPRIVED OF JURISDICTION

Unless State Courts were deprived of Jurisdiction in all cases in which a plea of a question of the limits Inter Se was raised by either party.

Flint v Webb 1907 4 CLR 1178 at 1186

GROUND 19 INTER SE QUESTIONS plus GROUND 10

9. INTER SE 19 QUESTIONS

260 The following Inter Se questions were before Justices Whelan and Vickery on **March 1 2013** in the **Outline of Submissions** Document.

QUESTION 1

The removal of The Statutory Oath of Allegiance from the Victorian Legal Practice Act 1996 is in conflict with the Legislative power of the Commonwealth in addition to excess of the State power, automatically making this issue an inter se issue.

QUESTION 2

270 *The separation of the Office of Public Prosecutions Victoria from the Queen in the Public Prosecutions Act 1994 Victoria is in conflict with the Legislative power of the Commonwealth in addition to excess of the State power, automatically making this an inter se issue.*

QUESTION 3

The removal of the Crown of The United Kingdom from Specific Law within the State of Western Australia is beyond power and in direct conflict with the Legislative power of the Commonwealth, automatically making this issue an inter se issue.

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QUESTION 4

The removal of the Crown of The United Kingdom from Specific Law within the State of Western Australia is beyond power and in direct conflict with the Legislative power of the Commonwealth, in particular Sections 12, 32, 106, 109 & 128 of the Commonwealth of Australia Constitution Act 1900, automatically making this issue an inter se issue.

QUESTION 5

290 *The current High Court Judges of The High Court of Australia are currently sitting in excess of their grant of power because of the removal of the Crown from Specific Law within Western Australia without the statutory referendum requirement as stated at Section 73 (2) of the West Australian Constitution Act 1889 and Section 128 of the Commonwealth of Australia Constitution Act 1900, automatically making this issue an inter se issue. The current High Court Judges in attempting to hear the inter se issues would be Judges hearing their own matter because they are Grand Jury Defendants in Victoria.*

QUESTION 6

300 *Since 1 January 2004 all elections held, Council, State & Commonwealth have been held & achieved in excess of their Grant of Power evidenced by the removal of the Crown from Specific law within Western Australia without the required referendum mandate, automatically making this issue an inter se issue.*

QUESTION 7 (Coram Non Judice)

Where courts of special and limited jurisdiction exceed their powers the whole proceeding is before a judge not competent or without jurisdiction and all concerned in such proceedings are held to be liable for trespass, which activates inter se in addition to a tort.

QUESTION 8 (Coram Non Judice)

310 *A decision which is the result of bias is a nullity and the trial is Coram Non Judice. The Full Court of the Supreme Court of Victoria on 1 November 2012 made a decision in bias and the trial is Coram Non Judice in conflict with the Commonwealth Constitution Act 1900. Because of the removal of the Crown and the oath of allegiance from specific law without abiding by the referendum requirement, making the Full Court of the Supreme Court of Victoria inclusive of the High Court, outside of a Chapter 3 Court, automatically making this Coram non Judice.*

QUESTION 9

320 *In relation to the purported abolition of the Victorian Grand Jury Right under Section 354 Crimes Act 1958, it was beyond power for a Grand Jury Defendant (Mr Hulls) to introduce a Bill into the Parliament of Victoria, the Criminal Procedures Bill and cause to be enacted such Bill to remove Section 354 from the Crimes Act 1958 without disclosing that the introducer (Mr Hulls) was pending three Grand Jury hearings under Section 354, automatically making this issue an inter se issue in addition to the criminal offence by Mr Hulls of attempting to pervert the course of justice within Victoria and the Commonwealth.*

QUESTION 10

330 *In relation to the Parliament of Victoria sitting within the Commonwealth of Australia Federation structure, after the unlawful removal of the Crown (all required referendums were omitted) from Specific Law within Western Australia, a Federation State. The State of Victoria, inclusive of the Parliament of the State of Victoria was sitting and continues to sit in excess of its Grant of Power and is in direct conflict with the Legislative Power of the Constitution of the Commonwealth of Australia, automatically making this issue an inter se issue.*

QUESTION 11

340 *In relation to the foreign power organisation of International Freemasonry into the Laws of Australia, the oaths / obligations, edicts and allegiance of Freemasonry are in direct conflict with the Laws of Australia in addition to criminal offences in relation to the taking and administering of unlawful oaths stated Law in Victoria at Section 316 of the Crimes Act 1958 and a Constitutional breach of Section 44(i) of the Constitution of the Commonwealth of Australia. This in an inter se issue in addition to criminal offences revealed in documents filed for Grand Jury due process in the State of Victoria.*

QUESTION 12

350 *In relation to the Governor of the State of Western Australia (Governor Sanderson) removing the Crown and Her Majesty, Queen Elizabeth the Second from Stated Law within Western Australia by the enactment of the overt Act titled "Acts Amendment Repeal Courts and Legal Practices Act" enacted on 1 January 2004 at Perth, Western Australia. This overt Act was and remains Ultra Vires, in excess of their Grant of Power and in conflict with the Legislative Power of the Constitution Act of the Commonwealth of Australia, automatically making it an inter se question, in addition to the fraud on the Electorate but not limited to this Criminal Offence.*

QUESTION 13

360 *In relation to the recent appointment of Alex Chernov into the Office of Governor of the State of Victoria, it was not disclosed to the people of Victoria, in particular the Electors of the State of Victoria and Electors of the Commonwealth of Australia, that Alex Chernov is and remains a Grand Jury Defendant in accordance with the Legal Right set out under Section 354 of the Crimes Act 1958 Victoria. The purported appointment amounts to malfeasance in Public Office and is in excess of power in addition to criminal offences against the Constitution and the people. The critical inter se issue here is found in Section 12 of the Commonwealth Constitution where the Governor of the State (Governor Chernov) issues the writ for the State Senators to sit in the Commonwealth Parliament.*

QUESTION 14

370 *In relation to the removal of the Oath of Allegiance from the Legal Practice Act 1996 Victoria, all officers of the Supreme Court of Victoria are operating in excess of their Grant of Power and are in conflict with the Legislative Power of the Constitution Act of the Commonwealth of Australia. The overt Act is Courts and Tribunals Legislation (Further Amendment) Act 2000, which is automatically an inter se issue and activates criminal offences.*

QUESTION 15 Exclusive Jurisdiction Conflict

380 *In relation to inter se the High Court has exclusive jurisdiction but the unlawful removal of the Crown without the required referendums and resultant criminal charges both filed and served relating to named High Court Judges for concealing the removal of the Crown. Consequently the High Court lacks jurisdiction and must remit the cause back to the Full Court of the Supreme Court of Victoria for determination by a Grand Jury for the indictment process followed by a normal jury in accordance with Section 80 of the Commonwealth, any interference or attempt to pervert due process will activate serious indictable offences.*

QUESTION 16

390 *Can the Commonwealth (The Constitutional Commonwealth) agree with or contribute to the removal of the Crown of the United Kingdom (In Western Australia, "The Acts Amendment Repeal Courts and Legal Practice Act 2004") without the required constitutional referendums, without creating a conflict of powers between the Commonwealth and the States in addition to excess of State power.*

QUESTION 17

Can the Governor of Western Australia govern the State of Western Australia in legal conformity to the constitution of Western Australia and legal conformity to the Constitution of the Commonwealth after the removal of the Crown without the Constitutional referendums, by enactment of the Acts Amendment Repeal Courts and Legal Practices Act 2004 (Western Australia) in addition to excess of State power.

400 QUESTION 18

Can the Governor of Western Australia legally issue a State writ for Senators in Western Australia under Section 12 of the Commonwealth Constitution Act 1900, or is the writ invalid after the unlawful removal of the Crown from Western Australia in conflict with the Constitution of the Commonwealth of Australia in addition to excess of State power.

QUESTION 19

410 *Is the removal of the constitutional Oath of Allegiance from stated law within Western Australia (Acts Amendment Repeal Courts and Legal Practices Act 2004) without the constitutional referendums:*

- a. In excess of power*
- b. A conflict of powers*
- c. A criminal act of fraud*
- d. A criminal act of treason*
- e. Compounding offences*

GROUND LEGAL PRACTICE ACT 1996 – VICTORIA 10.OATH OF ALLEGIANCE – (THE MASONIC ACT)

420 **The removal of the Oath of Allegiance from the Legal Practice Act 1996, Victoria by enactment of the Courts and Tribunals Legislative Amendment Act, enacted 5 September 2000 creates the biggest Inter Se within Victoria in relation to the Constitutional conduct of the Judiciary, inclusive of the Chief Justice of Victoria, Marilyn Warren, who holds the title of Lieutenant Governor and Administrator. The two Appeal Court Judges disregarded this particular Inter Se.**

The Inter Se is:

430 *The removal of the Oath of Allegiance from the Legal Practice Act 1996 (Victoria) by enactment of the Act titled: "Court and Tribunal (Further Amendment) Act 2000 Victoria" is in direct conflict with the Oath of Allegiance contained in the Constitution of the Commonwealth of Australia Act 1900, in addition to excess of power additional criminal offences do activate and as such must be returned to the Exclusive Jurisdiction of Grand Jury within Victoria.*

GROUND THE CRIMINAL OFFENCE OF TREASON

11. OATH OF ALLEGIANCE REMOVED (2000) – (THE MASONIC ACT)

The Bill that was enacted making “Miscellaneous Amendments” became an Act on 5th September 2000 titled; “**Courts and Tribunals Legislation (Further Amendment) Act 2000**”, introduced by Mr Robert Hulls, but at Part 2 of such Act the “**Oath of Allegiance**” is removed from the Legal Practice Act 1996.

440 The criminal ramifications are:

- i. The element required for the criminal offence of **Treason** in Common Law is “**Breach of Allegiance**”.
- ii. The concealing of such criminal offence activates the twin offence of **Misprison of Treason**.
- iii. Both offences carry **LIFE IMPRISONMENT** jail sentences under Section 80 of the Criminal Code Act 1995 Commonwealth.
- iv. Justices Whelan and Vickery were presiding Coram Non-Judice

GROUND OATH OF ALLEGIANCE REMOVED

450 **12.** I state that in relation to the unlawful and illegal removal of “**the Oath of Allegiance**” from the “**Legal Practice Act 1994 (Victoria)**” implicating all Judges, Magistrates and Lawyers by the illegal enactment of “**Court and Tribunal Legislation (Further Amendment) Act 2000 Victoria**” purportedly enacted 5th September 2000 within a year that the electors of the Commonwealth voted under referendum conditions to retain Queen Elizabeth and Crown rather than a Republic Law (6th November 1999). When it was pointed out to both Justice Whelan and Justice Vickery that this involved the biggest Inter Se ever to come out of the State of Victoria, Justice Whelan verbally replied: “**I do not care**”.

460 GROUND THE ACT OF TREASON IN VICTORIA

13. Mr R. Hulls, Mr R Clark and Justices Forrest, Whelan, Vickery & Chief Justice Marilyn Warren & D Bugg, P Coghlan & I Gray

On 5th September 2000 by enactment of “**Courts and Tribunals Legislation (Further Amendment) Act 2000**” introduced by Mr R Hulls into the Parliament of Victoria and enacted by such Parliament and Governor of the State of Victoria, a primary and principal act of Treason (**Breach of Allegiance**) was committed on 5th September 2000 by all members of the Parliament of Victoria, located in Spring Street Melbourne in the State of Victoria, a Federated State within the Commonwealth of Australia. Within the Act at Part 2 of said Act, the Statutory Oath of Allegiance to Her Majesty was removed, but at the same time **no referendum was conducted** within the Commonwealth of Australia, either supporting or declining removal.

470 Since 5th September 2000, this primary and principal Act of Treason out of Victoria has been concealed by all involved, State Politicians, Federal Politicians, Supreme Court Judges, County Court Judges, Magistrates, High Court Judges and Mr Robert Clark, the current Attorney-General for the State of Victoria, a Federated State within the Commonwealth of Australia, in agreement with all Judicial Officers obtaining a brief from or working under the direction of Mr Robert Clark, to **conceal the real and actual facts from the People and Electors of the State of Victoria**, in particular, the Commonwealth Electorate Office situated in Watton Street, Werribee, inclusive of the Werribee / Wyndham Council and Councillors inclusive of the
480 Melton Council and Councillors, in addition to the Magistrates at the Sunshine Magistrates Court and all Public Prosecutors, both State and Commonwealth currently attempting to Pervert the Course of Justice in an endeavour to subvert the Statute right

of Private Prosecution by Grand Jury right, found at Section 354 Crimes Act 1958 State of Victoria, in particular in relation to the twin criminal offences of Treason and Misprison of Treason in both Statute and Common Law.

GROUND THE ACT OF TREASON IN WESTERN AUSTRALIA
14. WESTERN AUSTRALIA

490 “Acts Amendment and Repeal Courts and Legal Practices Act 2003”
Section 130. *Supreme Court Act 1935* amended – (THE MASONIC ACT)

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

(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** ”.

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

500 (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** ”.

GROUND THE STATUTE LAW OF TREASON

15. TREASON and MISPRISON OF TREASON

Criminal Code Act 1995, Section 80

Chapter 5 -- The security of the Commonwealth

Division 80 -- Treason and urging violence

Subdivision B--Treason

510 80.1 Treason

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

(a) causes the death of the Sovereign, the heir apparent of the Sovereign,
the consort of the Sovereign, the Governor-General or the Prime
Minister; or

(b) causes harm to the Sovereign, the Governor-General or the Prime
Minister resulting in the death of the Sovereign, the Governor-
General or the Prime Minister; or

(c) causes harm to the Sovereign, the Governor-General or the Prime
Minister, or imprisons or restrains the Sovereign, the Governor-
General or the Prime Minister; or

520 (d) levies war, or does any act preparatory to levying war, against the
Commonwealth; or

(g) instigates a person who is not an Australian citizen to make an
armed invasion of the Commonwealth or a Territory of the
Commonwealth.

Penalty: Imprisonment for life.

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

- 530
- A. receives or assists another person who, to his or her knowledge, has committed an offence against this Subdivision (other than this subsection) with the intention of allowing him or her to escape punishment or apprehension; or
 - B. knowing that another person intends to commit an offence against this Subdivision (other than this subsection), does not inform a constable of it within a reasonable time or use other reasonable endeavours to prevent the commission of the offence.

Penalty: Imprisonment for life.

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Legal Authority
R v Casement 1917 Treason and Misprison of Treason
1 Kings Bench 98 at 114
TREASON IS: BREACH OF ALLEGIANCE

GROUND FREEMASONRY AND REFERENDUMS

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16.International Freemasonry is working within Australian Freemasonry to successfully trick, deceive and capture the people of Australia. Public Referendums on Constitutional changes and amendments, conflict and clash with the essence of the Masonic oath / obligation; **“To conceal and never reveal”**. To effect this continuing concealment within Australia, a number of things happened; all were concealed by Justices Whelan and Vickery on 1 March 2013.

- i. All Constitutions, State and Commonwealth were suspended on 6 November 1999 after the **unsuccessful Republic Referendum**.
- ii. No Referendum has been held since that date.
- iii. The Oath of Allegiance was removed from the Legal Practice Act (1994) in Victoria.
- iv. The Office of Public Prosecutor for the Queen was separated from the Queen in Victoria.
- 560 v. The Crown was removed from Stated Law in Queensland and the Corporation, **“The Brigalow Corporation”** substituted in.
- vi. Land Titles within Australia are removing the words **“In Fee Simple”** and at the same time, transferring Australian Land Titles into America.
- vii. **Australian Birth Certificates and Citizenship Certificates** via the Treasury have been converted into Bonds and traded on World Stock Exchanges, identified by CUSIP numbers.
- viii. Banks operating within Australia in a joint-venture understanding with the respective Australian Governments have been able and are enabled to operate and practice the fraudulent Banking Practice of **“Fractional Reserve Banking”** or **“The creation of Credit by Book entry”**.
- 570 ix. In Western Australia, the Governor substituted himself into the function and role of Her Majesty.
- x. In 1991 the **Commonwealth Bank** was removed from the Constitution protection and sold into the **Masonic Banking Cartel**.

GROUND THE MASONIC VIDEO EVIDENCE

17. THE ONUS OF PROOF

580 In this particular litigation in relation to the taking and administering of an unlawful oath / obligation by members of Freemasonry, a ten minute enactment of one particular rank of Freemasonry on video, **supported by witness evidence and affidavit** has both been concealed and suppressed by Officers of the Supreme Courts of both Victoria and Western Australia as recently as July – August 2012 by Justice Forrest – Shaw v Attorney-General (Victoria) and Justices Whelan and Vickery, March 1 2013. The Supreme Court of Victoria refused in each hearing to permit the video to be viewed in a Public Court. Justice Forrest refused with the comment; **“That will not be happening”**. Justices Whelan and Vickery also refused when the Masonic oath evidence was held up at the Bar Table on March 1 2013.

GROUND THE REFUSED INTER SE

590 **18.** I state that when it was stated from the Bar Table by myself on March 1 2013, that in the hearing conducted by Justice Forrest on 18th July 2012 to remove the vexatious label placed upon myself, **Inter Se Law** was both raised and placed before the court. Justice Forrest disregarded the Inter Se Law, refused to view the exhibited Masonic video and continued with the hearing. Handed down reasons for Judgment on 14th August 2012. Justices Whelan and Vickery continued the concealment.

GROUND CRIMINAL ACTIVITY

600 **19.** On 1 March 2013 both Judges Whelan and Vickery committed a large number of indictable offences, by concealing a large number of indictable offences, **portion** of which are set out in this particular ground.

INDICTABLE OFFENCES:

- 610
- A. The accused on 1st March 2013 in the Red Court, Court of Appeal Lonsdale Street Melbourne, did commit the **Common Law offence of Fraud** by failing to disclose the true facts relating to a discovered attack upon the Constitution of the Commonwealth of Australia. **COMMON LAW**
 - B. The accused on 1st March 2013 in the Red Court, Court of Appeal Lonsdale Street Melbourne, did assist another person, **Julia Gillard to escape punishment** for the Criminal offence of Misprison of Treason.
 - C. The accused on 1st March 2013 in the Red Court, Court of Appeal Lonsdale Street Melbourne, failed to use reasonable endeavours to prevent the commission of the **Criminal offence of Treason. COMMON LAW**
 - D. The accused on 1st March 2013 in the Red Court, Court of Appeal Lonsdale Street Melbourne, did receive a benefit, in the form of a continued State salary in addition to a pending superannuation payment and State pension with an understanding that serious indictable offences against the Law of the Commonwealth (The Commonwealth Constitution) **would be concealed** and prosecution discontinued and evidence withheld. **Section 44, Crimes Act 1914.**
 - E. The accused on 1 March 2013 did exercise Federal Jurisdiction with a personal interest. **Crimes Act 1914, Commonwealth Section 34.**
- 620

GROUND THE OFFENDERS TO TREASON and FRAUD
20. JUDGES, MAGISTRATES, LAWYERS and LAW CLERKS

630 Under the Law of Treason, which includes Misprison of Treason, in both Statute Law and Common Law, all Lawyers, Law Firms and Law Clerks currently operating within the State of Victoria via the Bar Association are operating outside of the Constitutional Grants of Power and **are committing Fraud on their clients** by non-disclosure of the real facts. The Supreme Court of Victoria is ignoring and concealing this discovered fact, **relating to fraud**, inclusive of Justices Forrest, Whelan and Vickery.
The criminal intent is to capture 22.9 million Australians into a Foreign Power Program.

GROUND PERVERTING THE COURSE OF JUSTICE
21. SPECIALIST JURISDICTIONS and OTHER DECISIONS

640 This application for Special Leave involves Specific Law relating to:

- A. Constitutional Law: The Constitution of the Commonwealth of Australia
- B. Inter Se Law: Exclusive Jurisdiction
- C. Criminal Law Grand Jury Exclusive Jurisdiction for Treason
- D. Fraud "Fraud vitiates everything"

This application opens up into specialist Jurisdictions inclusive of Exclusive Jurisdiction inclusive of the Criminal Law of Grand Jury and the Criminal Law of Fraud and Treason.

650 This application is **not confined to the appeal of Justices Whelan and Vickery** decision of 1 March 2013, included are former decisions made by other Officers of both the Supreme Court and Court of Appeal within the State of Victoria involving a concerted attempt to pervert the course of Justice. The matter relating to Justices Whelan and Vickery **was a simple application for an extension of time to file an appeal** against the order of Justice Jack Forrest given on 10 August 2012. The extension of time was refused and the oral Inter Se question disregarded on 1 March 2013.

660 The **moment the Inter Se was introduced, the Court was deprived of jurisdiction**, in addition the removal of the Crown and Oath of Allegiance, all Judges, both Supreme Court and High Court, **commit the criminal offence of Misprison of Treason** by concealing this discovered fact, inclusive of Public Prosecutors, Attorney-Generals and the Police (Australian Federal Police and State Police).

CRIMES ACT 1958 (Victoria) "THE LAW OF CONSPIRACY"
SECTION 321 – Conspiracy to commit an offence

670 (1) Subject to this Act, if a person agrees with any other person or persons that a course of conduct shall be pursued which will involve the commission of an offence by one or more of the parties to the agreement, he is guilty of the **indictable offence of conspiracy** to commit that offence.

GROUND KNOWLEDGE OF CRIME WITHIN A REASONABLE TIME

22.A QUESTION OF FACT

SYKES v DIRECTOR of PUBLIC PROSECUTIONS,
All England Law Reports, 1961 3 ALLER 33 (at 46)

680

“In my opinion, therefore, misprision of felony is today an indictable misdemeanour at common law, and a person is guilty of the crime if knowing that a felony has been committed, he fails to disclose his knowledge to those responsible for the preservation of the peace, be they Constables or Justices, 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.”

GROUND CONCEALMENT OF TREASON

690

23.SYKES v DIRECTOR of PUBLIC PROSECUTIONS,
All England Law Reports, 1961 3 ALLER 33 (at 36)

“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 a misprision. The King used to take advantage of this rule in cases 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.”

700

Justices Whelan and Vickery took no judicial notice of the Law relating to Misprision of Treason. On 1 March 2013, Justices Whelan and Vickery committed this indictable offence in the Supreme Court of Victoria.

GROUND PRINCIPAL OFFENDER

24.Halsbury’s Laws of England, 2nd Edition, Volume 2 at Paragraph 480

710

“Misprision 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 Misprision 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”

720

GROUND THE EVIDENCE (PRIMA FACIE)

25.COURT DOCUMENTS MARCH 1 2013

A. I state that the documents both filed and served that were before the Court on 1st March 2013, Justices Whelan and Vickery presiding, consisted of the following:

1. **73 affidavits filed in the primary matter. (Unchallenged)**
2. **Outline of Submissions**, setting out 19 Inter Se questions and quoting various legal authorities relating to Inter Law on appeal from **Justice Jack Forrest**.

730

3. **Affidavit in Support** (Affirmed by Brian Shaw on 17.12.2012)

Exhibiting:

- a) Forrest Orders, 10 August 2012. (**Justice Jack Forrest**)
- b) Reasons for Judgement (**Justice Jack Forrest**)
- c) Proposed Notice of Appeal (**Justice Jack Forrest**)

4. **Affidavit affirmed by Brian Shaw on 21st February 2013** consisting of 25 pages and 11 exhibits disclosing 20 criminal offences committed on 1st November 2012 by the Chief Justice of the Supreme Court of Victoria, **Marilyn Warren** assisted by Justice Bongiorno, relating to Fraud, Treason and Misprison.

740

GROUND CONCEALING INDICTABLE OFFENCES

26.I state that both Judges, Justices Whelan and Vickery on 1st March 2013 did agree with the Attorney General of the State of Victoria, **Mr Robert Clark and others** to conceal serious indictable offences relating to a discovered attack upon the people and electors of the respective States of the Commonwealth of Australia by a foreign power, known and revealed as **International Freemasonry**.

GROUND THE INDICTMENT RIGHT by GRAND JURY

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27.CRIMES ACT 1958 VICTORIA

Justices Whelan and Vickery took no judicial notice of the Grand Jury right and the fact that there has been a long delay in Grand Jury hearings.

SECTION 354 Indictments by Grand Jury

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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

770 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.

**GROUND DECLINE TO PRESENT ACTIVATES THE RIGHT
28.DIRECTOR OF PUBLIC PROSECUTIONS (VICTORIA)**

780 McArdle v Lorne Campbell (Sept 1986 – Victoria)
“When the Office of Public Prosecutions was established Section 354 of the Crimes Act was amended to substitute the words; “The Director of Public Prosecutions” from the words; “A Law Officer”. The section now therefore operates where the Director Declines to Present.”

**CRIMES ACT 1958 VICTORIA (INDICTMENT by GRAND JURY)
SECTION 354 – Indictments by Grand Jury (The right and condition)**

790 *“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.”*

**GROUND THE INVALID WRIT for all SENATORS / SENATE
29.SENATORS and GOVERNORS**

**COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT
SECTION 12 Issue of writs**

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

Under the Commonwealth Constitution all Senators coming into the Senate in Canberra are elected by the voters after the Electoral Writ is issued by the Governors of each State as per Section 12. Neither Justice Whelan nor Vickery, nor Justice Forrest had valid jurisdiction in relation to this ground.

GOVERNMENT COMPLICITY and GOVERNORS

810 In the State of **Victoria**, the Governor did cause to be enacted an Act that included and did activate an **Act of Treason** (Breach of Allegiance) on the 5th of September 2000. **Followed by Misprison of Treason.**

In the State of **Western Australia** the Governor did cause to be enacted an Act that included and did activate an **Act of Treason** (Breach of Allegiance) on the 1st of January 2004. **Followed by Misprison of Treason.**

In the State of **Queensland**, the Governor did cause to be enacted an Act that removed the “**Crown**” and substituted “**Brigalow Corporation**” into the Act, the Land Amendment Act. **Activating Treason, followed by Misprison of Treason.**

GROUND THE ACT OF TREASON IN QUEENSLAND

30. THE STATE OF QUEENSLAND – (THE MASONIC ACT)

820 This particular ground is in this application because the current Governor of the State of Victoria is Mr Alex Chernov, a Grand Jury defendant and a principal offender to Treason in Queensland, but ignored and concealed by Justices Forrest, Whelan and Vickery.

THE GOVERNOR

1. During the month of January 1998, the Queensland National Party moved to place the Queensland Governor into the Government as a Parliamentary Secretary. This became official 29 January 1999.
- 830 2. On 3 December 2001, “**The Queensland Constitution 2001**” came into existence.
3. On 15 July 2002 “The Corporations (Queensland) Act 1990 (Queensland) Reprint No 3” created in Queensland a Corporate Government.
4. The Land Act 1994 reprint No 10c Part 7A Section 506c states that the Corporation (**Brigalow Corporation**) represents the Crown.
5. The people, their land, bank accounts and all items of ownership are assets of the **Brigalow Corporation**.
- 840 6. Because of changes to Law within the State of Queensland, the **Premier is now the Crown in Queensland**.
7. Public Officials are not Public Officials of the Crown but Public Officials of “**The State**”.
8. The Government of Queensland has moved all the Crown Land and all Crown Land that was sold (**FEE SIMPLE LAND**) into the **Brigalow Corporation** through the Land Title Act, Property Law Act and Land Amendment Act.
9. All referendum requirements were omitted.

850

QUEENSLAND CONSTITUTION 2001 – (THE MASONIC ACT)

SECTION 53 – Commercial activities by State

- (1) The State may carry out commercial activities.
- (2) This section is sufficient statutory authority for the State to carry out a commercial activity.
- (3) Commercial activities may be carried out—
 - 860 (a) without further statutory authority; and
 - (b) without prior appropriation from the consolidated fund for the purpose.
- (4) Commercial activities may be carried out—
 - (a) inside and outside Queensland; and
 - (b) inside and outside Australia.

QUEENSLAND CONSTITUTION Act 1867 (Original)

Requirement for referendum

SECTION 53 – Certain measures to be supported by referendum

(1) A Bill that expressly or impliedly provides for the abolition of or alteration in the office of Governor or that expressly or impliedly in any way affects any of the following sections of this Act namely — sections 1, 2, 2A, 11A, 11B; and

this section 53

shall not be presented for assent by or in the name of the Queen unless it has first been approved by the electors in accordance with this section and a Bill so assented to consequent upon its presentation in contravention of this subsection shall be of no effect as an Act.

(2) On a day not sooner than two months after the passage through the Legislative Assembly of a Bill of a kind referred to in subsection (1) the question for the approval or otherwise of the Bill shall be submitted to the electors qualified to vote for the election of members of the Legislative Assembly according to the provisions of the Elections Act 1915–1973 and of any Act amending the same or of any Act in substitution therefor. Such day shall be appointed by the Governor in Council by Order in Council.

(3) When the Bill is submitted to the electors the vote shall be taken in such manner as the Parliament of Queensland prescribes.

(4) If a majority of the electors voting approve the Bill, it shall be presented to the Governor for reservation thereof for the signification of the Queen's pleasure.

(5) Any person entitled to vote at a general election of members of the Legislative Assembly is **entitled to bring proceedings** in the Supreme Court for a declaration, injunction or other remedy to enforce the provisions of this section either before or after a Bill of a kind referred to in subsection (1) is presented **for assent by or in the name of the Queen.**

COMMONWEALTH CONSTITUTION

SECTION 106 – 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.

COMMONWEALTH CONSTITUTION

SECTION 109 – Inconsistency of laws

When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

COMMONWEALTH CONSTITUTION

920 SECTION – 128 Mode of altering the Constitution

This Constitution shall not be altered except in the following manner:

930 The proposed law for the alteration thereof must be passed by an absolute majority of each House of the Parliament, and not less than two nor more than six months after its passage through both Houses the proposed law shall be **submitted in each State and Territory to the electors qualified to vote for the election of members of the House of Representatives.** But if either House passes any such proposed law by an absolute majority, and the other House rejects or fails to pass it, or passes it with any amendment to which the first-mentioned House will not agree, and if after an interval of three months the first-mentioned House in the same or the next session again passes the proposed law by an absolute majority with or without any amendment which has been made or agreed to by the other House, and such other House rejects or fails to pass it or passes it with any amendment to which the first-mentioned House will not agree, **the Governor-General may submit the proposed law as last proposed by the first-mentioned House, and either with or without any amendments subsequently agreed to by both Houses, to the electors in each State and Territory qualified to vote for the election of the House of**

940 **Representatives.**

When a proposed law is **submitted to the electors** the vote shall be taken in such manner as the Parliament prescribes. But until the qualification of electors of members of the House of Representatives becomes uniform throughout the Commonwealth, **only one-half the electors** voting for and against the proposed law shall be counted in any State in which adult suffrage prevails.

950 **And if in a majority of the States a majority of the electors voting approve the proposed law, and if a majority of all the electors voting also approve the proposed law, it shall be presented to the Governor-General for the Queen's assent.**

960 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 The Constitution 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.**

In this section, **Territory means any territory** referred to in section one hundred and twenty-two of this Constitution in respect of which there is in force a law allowing its representation in the **House of Representatives.**

AUSTRALIA ACT 1986 – (THE MASONIC ACT)
SECTION 13 – Amendment of Constitution Act of Queensland

- 970 (1) **The Constitution Act 1867-1978 of the State of Queensland is in this section referred to as the Principal Act.**
- (2) **Section 11A of the Principal Act** is amended in subsection (3):
- (a) by omitting from paragraph (a):
- (i) “and Signet”; and
- (ii) “**constituted under Letters Patent under the Great Seal of the United Kingdom**”; and
- (b) by omitting from paragraph (b):
- (i) “and Signet”; and
- 980 (ii) “whenever and so long as the office of Governor is vacant or the Governor is incapable of discharging the duties of administration or has departed from Queensland”.
- (3) **Section 11B of the Principal Act** is amended:
- (a) by omitting “**Governor to conform to instructions**” and substituting “**Definition of Royal Sign Manual**”;
- (b) by omitting subsection (1); and
- (c) by omitting from subsection (2):
- (i) “(2)”;
- (ii) “this section and in”; and
- 990 (iii) “and the expression ‘**Signet**’ means the seal commonly used for the sign manual of the Sovereign or the seal with which documents are sealed by the Secretary of State in the United Kingdom on behalf of the Sovereign”.
- (4) Section 14 of the Principal Act is amended in subsection (2) by omitting “, subject to his performing his duty **prescribed by section 11B**,”.

AUSTRALIA ACT 1986

- 1000 **SECTION 6 Manner and form of making certain State laws**
Notwithstanding sections 2 and 3(2) above, a law made after the commencement of this Act by the Parliament of a State respecting the constitution, powers or procedure of the Parliament of the State shall be of no force or effect **unless it is made in such manner and form** as may from time to time be required by a law made by that Parliament, whether made before or after the commencement of this Act.

1010

GROUND NO REFERENDUM FOR AUSTRALIA ACT 1986

31. THE AUSTRALIA ACT 1986

Justices Whelan and Vickery were out of jurisdiction after the Inter Se was introduced on March 1 2013, as was Justice Forrest.

AUSTRALIA ACT 1986

SECTION 7

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

1020

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

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

Section 130: Supreme Court Act 1935 Amended – **(THE MASONIC ACT)**

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

-- **The Governor** (NOTE: removes and substitutes)

1030

Constitution Act 1889 Western Australia (Original Act)

Part 1 Parliamentary

Section 2 – Legislature to be constituted in Western Australia

(1) *There shall be, in place of the Legislative Council now subsisting, a Legislative Council and a Legislative Assembly: and it shall be lawful for Her Majesty, by and with the advice and consent of the said Council and Assembly, to make laws for the peace, order, and good Government of the Colony of Western Australia and its Dependencies: and such Council and Assembly shall, subject to the provisions of this Act, have all the powers and functions of the now subsisting Legislative Council.*

1040

(2) *The Parliament of Western Australia consists of the Queen and the Legislative Council and the Legislative Assembly.*

(3) *Every Bill, after its passage through the Legislative Council and the Legislative Assembly, shall, **subject to section 73**, be presented to the Governor for assent by or in the name of the Queen and shall be of no effect unless it has been duly assented to by or in the name of the Queen.*

1050

Constitution Act 1889 Western Australia (Original Act)

Section 50 Office of Governor

(1) The Queen's representative in Western Australia is the Governor who shall hold office during Her Majesty's pleasure.

(2) Abolition of or alteration in the office of Governor shall not be effected by an Act of the Parliament **except in accordance with section 73(2)**. (Manner and form)

1060

Constitution Act 1889 Western Australia

PART VII – MISCELLANEOUS

SECTION 73

- (2) A Bill that —
- (a) expressly or impliedly provides for the abolition of or alteration in the office of Governor; or
 - (b) expressly or impliedly provides for the abolition of the Legislative Council or of the Legislative Assembly; or
 - (c) expressly or impliedly provides that the Legislative Council or the Legislative Assembly shall be composed of members other than members chosen directly by the people; or
 - (d) expressly or impliedly provides for a reduction in the numbers of the members of the Legislative Council or of the Legislative Assembly; or
 - (e) expressly or impliedly in any way affects any of the following sections of this Act, namely — **sections 2, 3, 4, 50, 51 and 73**, shall not be presented for assent by or in the name of the Queen unless —
 - (f) the second and third readings of the Bill shall have been passed with the concurrence of an absolute majority of the whole number of the members for the time being of the Legislative Council and the Legislative Assembly, respectively; and

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(g) the Bill has also prior to such presentation been approved by the electors in accordance with this section, and a Bill assented to consequent upon its presentation in contravention of this subsection shall be of no effect as an Act.

The Australia Act 1986 – (THE MASONIC ACT)

Section 14

Amendment of Constitution Act of Western Australia – Sections 50 & 51

1090

(1) **The Constitution Act 1889** of the State of Western Australia is in this section referred to as the Principal Act.

(2) **Section 50 of the Principal Act** is amended in subsection (3):

- (a) by omitting from paragraph (a):
 - (i) “and Signet”; and
 - (ii) “constituted under Letters Patent under the Great Seal of the United Kingdom”;
- (b) by omitting from paragraph (b):
 - (i) “and Signet”; and
 - (ii) “whenever and so long as the office of Governor is vacant or the Governor is incapable of discharging the duties of administration or has departed from Western Australia”; and

1100

- (c) by omitting from paragraph (c):
 - (i) “under the **Great Seal of the United Kingdom**”; and
 - (ii) “during a temporary absence of the Governor for a short period from the seat of Government or from the State”.

(3) **Section 51 of the Principal Act** is amended:

- (a) by omitting subsection (1); and
- (b) by omitting from subsection (2):
 - (i) “(2)”; and
 - (ii) “this section and in”; and
 - (iii) “and the expression ‘**Signet**’ means the seal commonly used for the sign manual of the Sovereign or the seal with which documents are sealed by the Secretary of State in the United Kingdom on behalf of the Sovereign”.

1110

NOTE: Two Sections, 50 & 51 required a referendum (Manner & form).

The Australia Act 1986

Section 6

Manner and form of making certain State laws

Notwithstanding sections 2 and 3(2) above, a law made after the commencement of this Act by the Parliament of a State respecting the constitution, powers or procedure of the Parliament of the State shall be of no force or effect unless it is made in such manner and form as may from time to time be required by a law made by that Parliament, whether made before or after the commencement of this Act.

1120

The Australia Act 1986 (The right of appeal)

Section 16 Interpretation

(1) In this Act, unless the contrary intention appears:

Appeal to Her Majesty in Council **includes any appeal to Her Majesty.**

1130

GROUND CROWN REMOVAL NULLIFIES THE GRANT 32.CONSTITUTIONAL CORPORATION

At Section 3AA Crimes Act 1914, Commonwealth, under the header “**State Offences with a Federal Aspect**”, the Section defines and states that a “Constitutional Corporation” gains its Grant of Power from **Section 51(xx) of the Commonwealth Constitution**, but after 1 January 2004 and the overt Act of Treason by the State of Western Australia, the structure and fabric of Federation is shattered, fracturing the inherent Grant of Power and **turning the grant into an assumed and fraudulent grant.**

1140

Justices Whelan and Vickery work out of Business Unit 19, located at the Justice Department under the Attorney General with an assumed and fraudulent grant after the removal of the Crown. This fraud also involves all incorporated CHURCHES operating within Australia after the unlawful removal of the Crown.

1150

CRIMES ACT 1914 - SECT 3AA (Commonwealth)

State offences that have a federal aspect

Object

(1A) The object of this section is to **identify State offences** that have a federal aspect because:

(g) they potentially fall within Commonwealth legislative power **because of the elements** of the State offence; or

(3) A State offence is taken to be covered by paragraph (1)(c) **if the conduct** constituting the State offence:

1160

(a) affects the interests of:

(i) **the Commonwealth; or**

(ii) **an authority of the Commonwealth; or**

(iii) **a constitutional corporation; or**

(b) was engaged in by a **constitutional corporation**; or

(c) was engaged in in a **Commonwealth place**; or

(d) involved the use of a **postal service** or other like service; or

(e) involved an **electronic communication**; or

(f) **involved trade or commerce:**

(i) between Australia and places outside Australia; or

(ii) among the States; or

(iii) within a Territory, between a State and a Territory or between 2 Territories; or

1170

(g) involved:

(i) **banking** (other than State banking not extending beyond the limits of the State concerned); or

(ii) **insurance** (other than State insurance not extending beyond the limits of the State concerned); or

(h) **relates to a matter outside Australia**; or

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(i) relates to a matter in respect of which an international agreement to which Australia is a party **imposes obligations** to which effect could be given by the **creation of an offence against the domestic laws of the parties to the agreement**; or

(j) relates to a matter that affects the relations between Australia and another country or countries or is otherwise a **subject of international concern**.

"constitutional corporation" means a corporation to which **paragraph 51(xx)** of the Constitution applies.

1190

"State offence" means an **offence against a law of a State**.

**COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT -
SECTION 51 – Legislative powers of the Parliament**

The Parliament shall, **subject to this Constitution**, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:

(xx) foreign corporations, and trading or financial corporations formed within the limits of the Commonwealth;

**GROUND HUMAN TRAFFICKING via STOCK EXCHANGES
33. TRADING BIRTH CERTIFICATES – BOND / SLAVES**

1200 **The trading of Birth Certificates is at the very centre of this revealed fraud. International Freemasonry has activated this.**

ii. Birth Certificates are converted into Bonds and pooled into a Mutual Fund Investment using a **CUSIP** number under Fidelity Investments. Mutual Fund Investments usually involve between 10 – 25 Birth Certificates per group. Pooled Birth Certificates and Social Security numbers are all converted into CUSIP numbers for the purpose of **trading via the World Stock Exchanges**. **Upon maturity**, the profits are moved into a Government Cesta Que Trust. Funds in the Cesta Que Trust pay all debts, **but this is never revealed**. Social Security, Insurance and or Mortgages are all paid from the Trust.

1210 iii. Collection companies inclusive of Councils **use tacit procurement** to establish indebtedness to them on a discharged debt they have purchased from some corporate business.

iv. In relation to Criminal Law and or Criminal Offences **it is the Birth Certificate that is under arrest**. People unknowingly accept the Criminal Contract on behalf of their Traded Birth Certificate.

v. **THE ACCUSATION FOR TRIAL**

1220 The World-Wide trading and converting of Birth Certificates is **HUMAN TRAFFICKING** at the highest level. The Live Birth value begins from the Live Birth and the starting figure is the **actuary estimation** of the Life Time Value of Trade and Commerce. The figure arrived at is the starting point for the Live Birth Child, who may live for eighty or ninety years. **Every Birth Certificate from a Live Birth creates a trading fund** to run or finance all Utilities or State costs coming from the Live Birth Trading Fund. Any or all demands for any type of payment is **“Double Dipping” or fraud** to conceal the existence or function of the Live Birth Trading Fund / trust.

1230 vi. In relation to the trading of Birth Certificates, a **Citizenship Bond was exhibited** (Affidavit / document No. 70) into this matter in front of Justice Forrest with an additional 72 affidavit / documents. The **Citizenship Bond revealed** the majority Shareholders and Stock Exchanges throughout the World trading the Bond. All affidavit / documents were **ignored by Justice Forrest** (Primary Judge) and ignored by **Justices Whelan and Vickery** on 1 March 2013. A list of the 73 affidavit / documents is included in this application (**The Prima Facie Evidence**).

1240 (**The Evidence**) The 73 affidavit / documents are Prima Facie Evidence and remain so. Affidavit / documents 70, 71, 72 and 73.

Affidavit No 70	CITIZEN BOND
Affidavit No 71	COURT WRIT PROCESS (QLD)
Affidavit No 72	ORMISON & BUSINESS UNIT 19
Affidavit No 73	CUSIP GLOBAL SERVICES

GROUND ATTEMPTING TO PERVERT THE COURSE OF JUSTICE

1250

34.HIGH COURT GRAND JURY DEFENDANTS

Justices Whelan and Vickery inclusive of the primary Judge, Justice J Forrest all ignored the **lodged Grand Jury applications and the Law of Inter Se**. The following are the words of the Criminal Charges that remain pending Grand Jury hearings in the Criminal Jurisdiction of the Full Court, Supreme Court of Victoria, involving High Court Judges and **Julia Gillard**. A detailed list of defendants/accused **pending Grand Jury indictments** is at Affidavit/document Number 29 of 73.

1260

a. Justice Michael Kirby (Grand Jury Defendant)

The Defendant a Commonwealth Judicial Officer on 3rd August 2006, at the Canberra branch of the High Court, such branch attached to the Melbourne branch of the High Court, did intentionally and perversely exercise Federal Jurisdiction, in that the defendant did protect the current Governor General Mr Michael Jeffrey from a Grand Jury Application lodged with the Full Court of the Victorian Supreme Court, by hearing a matter in closed Court procedure, disallowing representation at the hearing. (Affidavit / document number 29 of 73)

1270

b. Justice Ian David Francis Callinan (Grand Jury Defendant)

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

1280

(Affidavit / document number 29 of 73)

c. Justice Anthony Murray Gleeson (Grand Jury Defendant)

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.

1290

(Affidavit / document number 29 of 73)

**d. Justice William Montague Charles Gummow
(Grand Jury Defendant)**

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 and inclusive of the present date.

1300

(Affidavit / document numbers 5, 7, 9, 18, 29, 30, 34 of 73)

e. Justice John Dyson Heydon (Grand Jury Defendant)

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.

1310

(Affidavit / document numbers 5, 7, 9, 18, 29, 30, 34 of 73)

f. Justice Kenneth Madison Hayne(Grand Jury Defendant)

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.

1320

(Affidavit / document numbers 5, 7, 9, 18, 29, 30, 34 of 73)

g. Justice Susan Maree Crennan (Grand Jury Defendant)

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.

1330

(Affidavit / document numbers 5, 7, 9, 18, 29, 30, 34 of 73)

h. Julia Gillard (Grand Jury Defendant)

1340 *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. (Affidavit/document numbers 23, 29, 38, 44, 45 & 46 of 73)*
The Charge: Common Law: Misprison of Treason.

GROUND FRAUD is NON-DISCLOSURE
35.JULIA GILLARD and NON-DISCLOSURE

1350 From 29 January 2007 up to and inclusive of the present date, **Julia Gillard** has not disclosed her pending Grand Jury indictment charge, nor the events in Western Australia that activated the criminal charge. This fact was concealed by Justices Whelan and Vickery on 1 March 2013 and Public Prosecutors.

a. Damian Bugg (Grand Jury Defendant)

Former Director Public Prosecution Commonwealth Criminal Presentment

1360 *The Defendant did at Melbourne Magistrate Court in the State of Victoria on the 15th December 2006, did unlawfully agree with the Chief Magistrate of the Magistrates Court of Victoria, Mr Ian Gray, and the Director of Public Prosecutions Victoria Mr Paul Coghlan to conceal the serious indictable offence of Treason by failing to prosecute offence or hold the offenders to bail in accordance with Rule of Law. The offence of Treason was created by the Overt Act of Treason, titled, “Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA”, [Part 5 & 8 of such Ac] such amendments to such Act were agreed to by the State of Western Australia and “the Commonwealth” without lawful involvement nor consent of the Electorate in accordance with Section 73{2} of the Western Australian Constitution Act in addition to Section 128 of the Commonwealth Constitution Act 1900, such Act being the Superior Act in Australia encompassing a Law of the United Kingdom involving both Houses of the United Kingdom, the House of Commons And House of Lords.*

b. Paul Coghlan (Grand Jury Defendant) Former Director DPP

1380 *The Defendant did at Melbourne Magistrate Court in the State of Victoria on the 15th December 2006, did unlawfully agree with the Chief Magistrate of the Magistrates Court of Victoria, Mr Ian Gray, and the Commonwealth Director of Public Prosecutions, Mr Damian Bugg to conceal the serious indictable offence of Treason by failing to prosecute the offence or hold the offenders to bail in accordance with Rule of Law. The offence of Treason was created by the Overt Act of Treason, titled, 'Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA', [Part 5 & 8 of such Act] such amendments to such Act were agreed to by the State of Western Australia and “the Commonwealth” without lawful involvement nor consent of the Electorate in*

accordance with Section 73(2) of the Western Australian Constitution Act in addition to Section 128 of the Commonwealth Constitution Act 1900, such Act being the Superior Act In Australia encompassing a Law of the United Kingdom involving both Houses of the United Kingdom, the House of Commons And House of Lords.

1390 **c. Ian Leslie Gray (Grand Jury Defendant) Former Chief Magistrate**
The Defendant did at Melbourne Magistrate Court in the State of Victoria on the 15th December 2006, did unlawfully agree with the Commonwealth Director of Public Prosecutions, Mr Damian Bugg, and the Director of Public Prosecutions Victoria Mr Paul Coghlan to conceal the serious indictable offence of Treason by failing to prosecute the offence or hold the offenders to bail in accordance with Rule of Law. The offence of Treason was created by the Overt Act of Treason, titled, "Acts Amendment and Repeal Courts and Legal Practice Act 2003 WA", [Part 5 & 8 of such Act] such amendments to such Act were agreed to by the State of Western Australia and "the Commonwealth" without lawful involvement nor consent of the Electorate in accordance with Section 73(2) of the Western Australian Constitution Act in addition to Section 128 of the Commonwealth Constitution Act 1900, such Act being the Superior Act in Australia encompassing a Law of the United Kingdom involving both Houses of the United Kingdom, the House of Commons And House of Lords.

1400

GROUND SECTION 44 COMMONWEALTH CONSTITUTION
36. THE CRIMINAL CHARGE ON JULIA GILLARD

1410 When any person nominates for either a seat in the Senate or House of Representatives there is a question in the **Nomination Form 60** from the Australian Electoral Commission;

"Are you qualified or disqualified under Section 44 of the Constitution of the Commonwealth."

1420 Because of the **raised Inter Se issues**, Justices Whelan and Vickery were deprived of jurisdiction, equally Justice Forrest, but at the same time, both Commonwealth and State Electoral Commissioners and respective Officers are committing "Misprison of Treason".

Commonwealth Constitution

Section 44 – (Brief of Evidence Affidavit / document number 23 of 73)

(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.

1430 At Section 44(ii) the words appear "**Attainted of Treason**". The Criminal Charge on **Julia Gillard** that remains pending a Grand Jury application and hearing is Common Law "**Misprison of Treason**" which amounts to "**Attainted of Treason**".

GROUND THE CONCEALMENT OF TREASON

37. JULIA GILLARD – MISPRISON OF TREASON

1440 On the 1st of January 2004, the Governor of Western Australia, Governor Sanderson, co-signed the enactment of the overt Act titled “Acts Amendment and Repeal Courts and Legal Practices Act 2003” with the then Attorney-General, Mr James Mc Ginty (A Grand Jury Defendant) removing Queen Elizabeth the Second, “Her Majesty” and substituting himself (Sanderson). Such Act and action was and remains a primary and principal Act of Treason (**breach of allegiance**) and any person after this event gaining knowledge of such action and concealing such knowledge commits Misprison of Treason and becomes a principal offender to the criminal offence of Treason. Both criminal offences carry **LIFE IMPRISONMENT**.

THE PRESENTMENT

1450 On 29 January 2007, Julia Gillard was presented to the Melbourne Magistrates Court, situated at the corner of Lonsdale and William Street, Melbourne by private prosecution right, the words of the presentment are included in this application. The presentment was declined by the Commonwealth Public Prosecutors, such decline was accepted by the Chief Magistrate, Ian Gray (29 January 2007).

GRAND JURY RIGHT

1460 At that point of time, the Statute right to have the matter proceed to a Grand Jury indictment was both claimed and activated on the same day. One of the Statute conditions to enable a Grand Jury indictment is when the presentment is not proceeded with; the condition is both fulfilled and enabled.

On 1 March 2013, Justices Whelan and Vickery with knowledge of the removal of the Crown from Western Australia, did conceal this fact and assisted Julia Gillard in escaping a Grand Jury indictment.

CONCEALMENT OF TREASON

SYKES v DIRECTOR OF PUBLIC PROSECUTIONS,
All England Law Reports, 1961 3 ALLER 33 (at 36)

1470 *“It was allowed it was felony and so included misprison, etc. As a result of this case it was held that every treason or felony included a misprison. The King used to take advantage of this rule in cases of treason, so that, if the man did not deserve the death penalty, he was indicted only with “misprison of treason.” Now concealment of treason was itself treason.”*

Justices Whelan and Vickery took no judicial notice of the Law relating to Misprison of Treason. On 1 March 2013, Justices Whelan and Vickery committed this indictable offence in the Supreme Court of Victoria.

1480

**GROUND AFFIDAVIT EVIDENCE BEFORE THE SUPREME COURT
38.SHAW v ATTORNEY-GENERAL VICTORIA**

This particular ground exhibits a detailed list of each affidavit / document that was before **Justice Forrest in addition to Justices Whelan and Vickery**. No affidavit was challenged before Justice Forrest. No appearance was before **Justices Whelan and Vickery by the Attorney-General or representatives**.

	Document 1 Principal Affidavit.pdf	Ground 25
	Document 2 Courts and Tribunals Act 2000.pdf	Ground 10
	Document 3 Act Amendment and Repeal (WA).pdf	Grounds 14 & 31
1490	Document 4 Calvins Case (UK).pdf	
	Document 5 Coronation.pdf	Grounds 1 & 6
	Document 6 The Monarch's Accountability.pdf	
	Document 7 Halsbury's Law.pdf	
	Document 8 Annotated Notes of Constitution.pdf	
	Document 9 St John of Jerusalem.pdf	Ground 16
	Document 10 Legal Notice to Governor Victoria.pdf	Ground 29
	Document 11 Commonwealth Election Petition 2010 .pdf	Ground 30
	Document 12 High Court Refusal.pdf	Ground 5,7,9,18,30,34
	Document 13 Legal Notice to High Court.pdf	
1500	Document 14 <u>Limits Inter Se</u> .pdf (Exclusive Jurisdiction High Court)	
	Document 15 Samuel Griffith Society Gleeson Sect 74.pdf	
	Document 16 Prime Minister's Fabian Society Speech 1984.pdf	
	Document 17 Fraud of Australia Act.pdf	Ground 30 & 32
	Document 18 The Fraudulent Election.pdf	
	Document 19A Constitution Extracts.pdf	
	Document 19B Referendum Requirements.pdf	Ground 30 & 31
	Document 20 Bill of Rights 1688 (UK).pdf	
	Document 21 Act of Settlement 1700 UK.pdf	
	Document 22 Protestant Succession House of Commons Library Paper.pdf	
1510	Document 23 Brief of Evidence.pdf	Ground 35, 36, 37
	Document 24 Charles Wheeler Grand Jury 2003 Vic.pdf	Ground 16
	Document 25 Charles Wheeler Grand Jury March 2004.pdf	
	Document 26 Indictment Grand Jury Section 354.pdf	
	Document 27 Governor General Jeffery.pdf	Ground 16 & 29
	Document 28 Maley Grand Master (WA).pdf	Ground 16
	Document 29 Grand Jury Defendants.pdf	Ground 29
	Document 30 Draft Outline of Submissions Issues of Law.pdf	
	Document 31 Grand Jury Authorities Vic and Extracts.pdf	Ground 27
	Document 32 Grand Jury Defendants Affidavit Dec 2009.pdf	Ground 10,12,13,34
1520	Document 33 High Court Matter R. Rogerson.pdf	Ground 21 &34

	Document 34 Private Prosecutions 8 Defendants.pdf	Ground 22
	Document 35 John Howard Legal Notice 2004.pdf	
	Document 36 R Hulls Grand Jury Application 2006.pdf	Ground 26
	Document 37 Formal Notice and Charge WA.pdf	
	Document 38 Criminal Charges and Defendants WA.pdf	Grounds 2 & 19
	Document 39 Damian Bugg.pdf	
	Document 40 J McGinty Criminal Charge Transcript July 2004.pdf	Ground 16
	Document 41 Heenan transcript Oct 2007 WA.pdf	
	Document 42 Endorsement of Claim 2001.pdf	
1530	Document 43 Freemasons Victoria.pdf	
	Document 44 Criminal Activity Werribee.pdf	Ground 23
	Document 45 Altona By-election and Gillard's fraud.pdf	Ground 24
	Document 46 Lalor Electorate.pdf	
	Document 47 Victorian Constitution March 1854 Victoria.pdf	
	Document 48 Victorian Constitution 1855 UK.pdf	
	Document 49 Hansard House of Commons Record May 1855 .pdf	
	Document 50 Vic Constitution Document 1975 and Winneke.pdf	
	Document 51 Constitutional Matter 1888.pdf	
	Document 52 Constitutional Matter Victoria 1953.pdf	
1540	Document 53 Legal Practice Act Victoria.pdf	
	Document 54 Unlawful Amendments Relating to Crown UK.pdf	
	Document 55 Public Interest Protection Act WA.pdf	
	Document 56 Victorian Electoral Commission.pdf	
	Document 57 Socialist Republic by Stealth 10 Feb 2010.pdf	
	Document 58 Notice of Motion (WA).pdf	
	Document 59 Articles Commonwealth Bank.pdf	
	Document 60 Statement of Claim WA.pdf	
	Document 61 Fraud Act 2006 [UK].pdf	
	Document 62 Statute of Westminster Adoption Act 1942.pdf	
1550	Document 63 Act to Remove Doubts as to Validity of Colonial Laws.pdf	
	Document 64 Act for Better Government of Her Majesty's Colonies.pdf	
	Document 65 Is Video evidence	Ground 17
	Document 66 Paul Coghlan Grand Jury App Nov 2002.pdf	Ground 28
	Document 67 Coghlan Shaw reply Oct 2002.pdf	
	Document 68 Coghlan Grand Jury affidavit Nov 2002.pdf	
	Document 69 Coghlan Grand Jury application and affidavit May 2004.pdf	
	Document 70 Citizenship Bond.pdf	Ground 33
	Document 71 Court Writ.pdf	Ground 33
	Document 72 Farwell Speech Ormiston-1.pdf	
1560	Document 73 CUSIP Global Services.pdf	

GROUND RULES OF THE COURT

39.

- A. Williams Civil Procedure Volume 2 at page 6793 (340.40) under the header “Rules of Court and the Attainment of Justice” states that Rules of Court provide that a failure to comply with the rules is an irregularity and does not render a proceeding or any step taken a nullity.
- B. The Court may dispense with compliance with any of the requirements of the rules.
- 1570 C. Rules and forms of procedure are not ends in themselves, but means to an end, which is the attainment of Justice.
- D. The Rules must be the servant not the master of the Court.

NOTE: The name “Williams” has been removed after Williams was charged and convicted of possessing child pornography.

HIGH COURT RULES

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With regard to the Rules of the High Court, it is to be noted in this application that the seven Judges setting out the High Court Rules during 2004 are the seven Judges in Ground number 34 of this application.

GROUND THE RIGHT OF MAGNA CARTA

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40. One of the Principal Laws of England is Magna Carta, which is Law within the Commonwealth of Australia by inherent inclusion at Section 49 of the Constitution Act of the Commonwealth.

Within the State of Victoria, Magna Carta is included into the “Imperial Acts Application Act 1980” and states in portion;

“We shall not sell Justice or right to any man”

1600

ORDERS SOUGHT

1. That all Inter Se work is exclusive jurisdiction of the High Court and on that basis the matter must be removed into the High Court. The removal is automatic once the Inter Se is introduced.

2. In consideration of the fact that High Court Judges have been charged pending Grand Jury, the removal into the High Court would require a **minimum of three** reserved Judges (Section 22 & 23 Judiciary Act 1903) to remit the matter back to the Full Court, Supreme Court Jurisdiction.

1610 3. In consideration of the fact that High Court Judges and others have been charged pending Grand Jury, the matter must go immediately to Grand Jury for all Grand Jury applications to be heard in the Full Court of the Supreme Court of Victoria.

4. A trial of the issue. *Judiciary Act 1903, Section 77 (C)*

The issue for trial:

Because the matter reveals a National Security issue involving judges (State and High Court), politicians (State and Commonwealth), Governor Generals, State Governors and Public Prosecutors (State and Commonwealth), working a foreign power agenda under the foreign power government of International Freemasonry to sabotage Australian Rule of Law and by deception, capture all Australian people and Australian resources into the foreign power agenda.

1620

The matter must take two steps:

1. Grand Jury for indictment
2. The Jury trial or State trial in accordance with the Constitutional Guarantee found at Section 80 of the Constitution of the Commonwealth of Australia.

5. **In addition**, the matter be removed to the Privy Council under State jurisdiction with High Court Certificate in accordance with Section 22 of the Judiciary Act 1903 and Section 74 Constitution of the Commonwealth of Australia.

1630

6. The order of Justice Whelan and Vickery be set aside.

7. Liberty to apply.



28.3.2013

To: The Respondent
Attorney General for the State of Victoria
Mr Robert Clarke
121 Exhibition Street, Melbourne.

1640

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

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

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