
 *** MAY JUSTICE ALWAYS PREVAIL *** 		
From: Mr G. H. Schorel-Hlavka O.W.B. 107 Graham Road, Viewbank 3084 Victoria, Australia		
Blog: www.scribd.com/inspectorrrikati	Email: admin@inspector-rikati.com	LH-20160921-06
THE MORALS OF A SOCIETY CAN BE MEASURED AS TO HOW IT LOOKS AFTER THE DISABLED		
Please note: <i>The opinion(s) expressed in this letter by the writer, are stated considering the limited information available to him and may not be the same where further information were made available to him, is not intended and neither must be perceived to be legal advice!</i>		
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18-4-2020

7
8 [20200418-Mr G. H. Schorel-Hlavka O.W.B. to Independent Broad-Based Anti-Corruption Commission ex C-VO 20-6752](https://www.scribd.com/document/455424459/20200408-Mr-G-H-Schorel-Hlavka-O-W-B-to-Deborah-Glass-Victorian-Ombudsman)

9 **SUPPLEMENT-1**

10 Sir/Madam,

11 I understand that the Victorian Ombudsman referred my 8-4-2020 complaint (re
12 LOCKDOWN, , etc) (<https://www.scribd.com/document/455424459/20200408-Mr-G-H-Schorel-Hlavka-O-W-B-to-Deborah-Glass-Victorian-Ombudsman>) to the Independent Broad-based Anti-corruption Commission.

13
14
15 A major problem with those doing an investigation is often that they rely upon their
16 presumptions and often they have been indoctrinated/brainwashed during their lifetime that
17 influence their decisions making ability. I as a **CONSTITUTIONALIST** and (now retired)
18 Professional Advocate often when appearing at the bar table came across this even by judicial
19 officers. Hence, when I presented a case I preferred to prepare my "WRITTEN SUBMISSIONS"
20 (ADDRESS TO THE COURT) in quoting Authorities I relied upon rather than merely referring
21 to some Authority. Not uncommon judges would challenge my submissions as they didn't recall
22 this to be in the case but when checking the law reports they discovered I was indeed correct in
23 my quotations. As such, it would be wrong to assume that a decision maker is aware of what is
24 relevant and may make a decision in the belief to make an informed decision while in fact not at
25 all being aware of all relevant details.

26 **I from my extensive research can confidentially claim that not hundreds or thousands**
27 **or even hundred of thousands but millions of Infringement Notices and court orders**
28 **are all "UNCONSTITUTIONAL". That is right, they are unconstitutional.**
29 **Now do not expect me to list each and every Infringement notice and court order**
30 **(including warrants) as I merely need to show why they are unconstitutional.**

31
32 The very basis of it all lies with the *Commonwealth of Australia Constitution Act 1900* (UK).
33 The States created in this constitution within Section 106 are so "**subject to this constitution**",
34 which means all legal principles that are embedded in the constitution are relevant to the States
35 also, for so far they are not specifically excluding the States.

36 Territories are considered to be as like states for this purpose unless the constitution provides
37 otherwise.

38 **Hansard 2-3-1898 Constitution Convention Debates** (Official Record of the Debates of the National Australasian
39 Convention)

40 **QUOTE Mr. OCONNOR** (New South Wales).-

41 **Of course, when I speak of a state, I include also any territory occupying the position of quasi-state,**
42 **which, of course, stands in exactly the same position.**

43 **END QUOTE**

44 I will now provide and example how one MUST consider issues appropriately upon **all**
45 **RELEVANT DETAILS:**

1 In October 2019 I woke up and decided to make myself a cup of coffee when I heard some noise
 2 at the back door. When I checked it out, I saw 2 police officers who apparently were trying to
 3 break in to my property.
 4 I do have a sign as follows on display near my gates:



5
 6
 7 What I did afterwards was to write in to Police head office to compliment the officers concerned.
 8
 9 Why was that?
 10
 11 Because when I opened the door the male police officer immediately informed me that my wife
 12 (at the time in ICU –f Austin Hospital with hearth failure, etc) had asked the police to do a
 13 welfare check upon me as I had phoned the hospital that I was too ill to come to the hospital.
 14 Afterwards my wife gave me the understanding that she had authorised the police to break in.
 15
 16 When I however opened the door the male officer started with: Your wife requested us to do a
 17 welfare check on you as she was concerned about your health. (Something to this nature). As
 18 such I immediately realised that the police officers were **lawfully** trying to break in as after all
 19 my wife had authorised them to do so.
 20
 21 And this is what is so important when one deal with legal issues. One must consider **ALL**
 22 **RELEVANT DETAILS**, and not merely assume something and create undue harm to others.
 23
 24 To the credit of Snr Sergeant Kim French of Greenborough police she provided a thank you
 25 email regarding my compliment of the police officers.
 26
 27 And, this is what everyone should be about. Not act upon mere assumptions but to give a proper
 28 consideration as to what might be applicable, even if one may initially have a different
 29 perception.
 30 When therefore I state:

I from my extensive research can confidentially claim that not hundreds or thousands or even hundred of thousands but millions of Infringement Notices and court orders are all “UNCONSTITUTIONAL”. That is right, they are unconstitutional. Now do not expect me to list each and every Infringement notice and court order (including warrants) as I merely need to show why they are unconstitutional.

then one has to consider all relevant details!

As I indicated above our principle legal basis is the *Commonwealth of Australia Constitution Act 1900* (UK).

HANSARD 9-2-1898 Constitution Convention Debates

QUOTE

Mr. HIGGINS.-No, because the Constitution is not passed by the Parliament.

END QUOTE

Hansard 2-2-1898 Constitution Convention Debates

QUOTE Mr. DEAKIN (Victoria).-

The record of these debates may fairly be expected to be widely read, and the observations to which I allude might otherwise lead to a certain amount of misconception.

END QUOTE

"... The starting point for a principled interpretation of the Constitution is the search for the intention of its makers"
Gaudron J (Wakim, HCA27\99)

"... But ... in the interpretation of the Constitution the connotation or connotations of its words should remain constant. We are not to give words a meaning different from any meaning which they could have borne in 1900. Law is to be accommodated to changing facts. It is not to be changed as language changes.

"
Windeyer J (*Ex parte Professional Engineers' Association*)

Re Wakim; Ex parte McNally; Re Wakim; Ex parte Darvall; Re Brown; Ex parte Amann; Spi [1999] HCA 27 (17 June 1999)

QUOTE

Constitutional interpretation

1. The starting point for a principled interpretation of [the Constitution](#) is the search for the intention of its makers[51]. That does not mean a search for their subjective beliefs, hopes or expectations. Constitutional interpretation is not a search for the mental states of those who made, or for that matter approved or enacted, the Constitution. The intention of its makers can only be deduced from the words that they used in the historical context in which they used them[52]. In a paper on constitutional interpretation, presented at Fordham University in 1996, Professor Ronald Dworkin argued, correctly in my opinion[53]:

"We must begin, in my view, by asking what - on the best evidence available - the authors of the text in question intended to say. That is an exercise in what I have called constructive interpretation[54]. It does not mean peeking inside the skulls of people dead for centuries. It means trying to make the best sense we can of an historical event - someone, or a social group with particular responsibilities, speaking or writing in a particular way on a particular occasion."

END QUOTE

Let it be very clear, that any argument that the people who drafted and approved this constitution are long dead and so this constitution is outdated are ignorant to reality. After all Section 128 specifically provides for, and often has been used, to amend or to veto an amendment of the constitution. As such, “WE” as electors from time to time have been given the opportunity to determine any change to this constitution. Therefore, we are part of this constitution whenever we vote to approve or to veto a proposed amendment.

18-4-2020

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Hansard 8-3-1898 Constitution Convention Debates**QUOTE**

Sir JOHN DOWNER.-Now it is coming out. **The Constitution is made for the people and the states on terms that are just to both.**

END QUOTE**Hansard 8-3-1898 Constitution Convention Debates** (Official Record of the Debates of the National Australasian Convention)**QUOTE Mr. ISAACS.-**

We want a people's Constitution, not a lawyers' Constitution.

END QUOTE**Hansard 19-4-1897 Constitution Convention Debates****QUOTE**

Mr. CARRUTHERS:

This is a Constitution which the unlettered people of the community ought to be able to understand.

END QUOTE**Hansard 21-9-1897 Constitution Convention Debates** (Official Record of the Debates of the National Australasian Convention)**QUOTE**

The Right Hon. C.C. KINGSTON (South Australia)[9.21]: **I trust the Drafting Committee will not fail to exercise a liberal discretion in striking out words which they do not understand, and that they will put in words which can be understood by persons commonly acquainted with the English language.**

END QUOTE**Hansard 22-2-1898 Constitution Convention Debates****QUOTE Mr. SYMON** (South Australia).-

That this is not like an Act of Parliament which we are passing. It is not in the position which Mr. Barton has described, of choosing or setting up a code of laws to interpret the **common law** of England. **This Constitution we are framing is not yet passed. It has to be handed over not to a Convention similar to this, not to a small select body of legislators, but to the whole body of the people for their acceptance or rejection. It is the whole body of the people whose understanding you have to bring to bear upon it, and it is the whole body of the people, the more or less instructed body of the people, who have to understand clearly everything in the Constitution, which affects them for weal or woe during the whole time of the existence of this Commonwealth. We cannot have on the platform, when this Constitution is commended to the people, lawyers on both sides, drawing subtle distinctions, which may or may not be appreciated by the people.**

END QUOTE

This means that courts must consider the true meaning and application not as to the “hokus spokes” of legalistic language or that which may exist in foreign nations which had a different constitutional framework but upon what was applicable to the electors at the time they voted for the constitution and any amendment.

The Commonwealth of Australia was specifically given legislative powers such as (to mention some):

(ii) taxation; but so as not to discriminate between States or parts of States;

(ix) quarantine;

(xv) weights and measures;

(xxiv) the service and execution throughout the Commonwealth of the civil and criminal process and the judgments of the courts

1 of the States;
 2 (xxv) the recognition throughout the Commonwealth of the laws,
 3 the public Acts and records, and the judicial proceedings of
 4 the States;
 5 (xxvi) the people of any race, ~~other than the aboriginal race in any~~
 6 ~~State~~, for whom it is deemed necessary to make special laws;
 7 (xxvii) immigration and emigration;
 8 (xxviii) the influx of criminals;
 9
 10 (xxxix) the acquisition of property on just terms from any State or
 11 person for any purpose in respect of which the Parliament has
 12 power to make laws;

13
 14 In regard of “**concurrent**” legislative powers Clause 52 now being Section 51 of the
 15 Constitution:

16
 17 Hansard 28-1-1898 Constitution Convention Debates

18 **QUOTE**

19 **Mr. GLYNN.**-There seems to be some doubt as to whether the exclusive power arises upon the
 20 establishment of the Commonwealth or on the exercise of the power of legislation. The doubt seems to
 21 be removed by clause 84. It is said that if we put this provision in clause 52 the exclusive power may be
 22 postponed until legislation takes place. But may you not then have a concurrent power, and may not the
 23 competence of the local Legislature to legislate in the matter be continued as long as the legislation is not in
 24 contradiction of federal legislation?

25 **Mr. DEAKIN.**-That is the point.

26 **Mr. GLYNN.**-Yes, and there is still a vagueness in the word "exclusive." If it is doubtful whether the
 27 exclusive power commences with the foundation of the Commonwealth, and if it is possible that it may only
 28 come into being on the passing of legislation, may it not still be said that on the passing of exclusive
 29 legislation the power of the local Parliaments to legislate is extinguished, but that on the passing of
 30 concurrent legislation that power does not cease?

31 **Mr. REID** (New South Wales).-**I think that enough has now been said on this subject by honorable**
 32 **members both sides of the chamber, and I have only a very few remarks to offer. It appears that if the**
 33 **sub-section remains where it is state laws will be valid until federal legislation, but the states will not be**
 34 **able to alter or improve those laws during the possibly long interval between federation and federal**
 35 **legislation. Under these circumstances, as we leave to the states for an indefinite time the power of**
 36 **maintaining the laws they have, we should grant to them the power of improving those laws. It would**
 37 **recommend the Constitution more to a large number of persons if we put the sub-section in clause 52,**
 38 **thus enabling each state to legislate on this matter until the Federal Parliament comes in and legislates**
 39 **for all.**

40 **END QUOTE**

41
 42 Hansard 27-1-1898 Constitution Convention Debates

43 **QUOTE**

44 **Mr. BARTON.**-I was going to explain when I was interrupted that the moment the Commonwealth
 45 legislates on this subject the power will become exclusive.

46 **END QUOTE**

47
 48 Hansard 27-1-1898 Constitution Convention Debates

49 **QUOTE**

50 **Mr. BARTON** (New South Wales).-If this is left as an exclusive power the laws of the states will
 51 nevertheless remain in force under clause 100.

52 **Mr. TRENWITH.**-Would the states still proceed to make laws?

1 **Mr. BARTON.**-Not after this power of legislation comes into force. Their existing laws will, however,
 2 remain. If this is exclusive they can make **no new laws**, but the necessity of making these new laws will be
 3 all the more forced on the Commonwealth.

4 END QUOTE

5
 6 **Hansard 7-3-1898 Constitution Convention Debates**

7 QUOTE

8 My only desire is to give power to the Federal Parliament to achieve a scheme for old-age
 9 pensions if it be practicable, and if the people require it. No power would be taken away
 10 from the states. **The sub-section would not interfere with the right of any state to act in**
 11 **the meantime until the Federal Parliament took the matter in hand.**

12 END QUOTE

13
 14 **Hansard 28-1-1898 Constitution Convention Debates**

15 QUOTE

16 **Sir JOHN DOWNER.**-There must be some body which deems it necessary, and the only body to which
 17 the words can refer is the Commonwealth Parliament. What very substantial difference does it make whether
 18 we leave the provision as it stands or put it into clause 52? True, if the provision is left where it stands, the
 19 Federal Parliament will have exclusive power in connexion with this matter; but that body will only have
 20 exclusive power when it chooses to exercise it. **It is only when the Federal Parliament has passed**
 21 **legislation dealing with the people about whom regulations are to be made that this exclusive power**
 22 **will have arisen.**

23 END QUOTE

24
 25 **Hansard 28-1-1898 Constitution Convention Debates**

26 QUOTE

27 **Mr. GLYNN** (South Australia).-**I desire to call the attention of the leader of the Convention to an**
 28 **apparent vagueness in the word "exclusive," to which reference has not yet been made. The word**
 29 **"exclusive," no matter at what time the power arises, whether on the coming into being of the**
 30 **Commonwealth, or the exercise of the power by the Federal Parliament, may mean, and I believe does**
 31 **mean, that the power of the state to legislate ceases. On the question of whether the exclusive power**
 32 **under this provision comes into being with the establishment of the Commonwealth, I would call the**
 33 **attention of the leader of the Convention to clause 84. That clause seems to indicate that this exclusive**
 34 **power arises the moment an Act is passed. It speaks of the exclusive power of enforcing customs duties**
 35 **being vested in the Federal Parliament, but the second paragraph says-**

36 **But this exclusive power shall not come into force until uniform duties of customs have been imposed**
 37 **by the Parliament.**

38 It would appear that without that limitation the exclusive power would come into force at once, and the
 39 position would be as stated by the Victorian representatives. If you pass this clause as it [start page 255]
 40 stands the state could no longer legislate with regard to Chinese.

41 **Mr. BARTON.**-If the exclusive power is given without any restriction, I think it would arise immediately
 42 on the establishment of the Commonwealth.

43 END QUOTE

44
 45 **Hansard 28-1-1898 Constitution Convention Debates**

46 QUOTE

47 **Mr. GLYNN.**-**There seems to be some doubt as to whether the exclusive power arises upon the**
 48 **establishment of the Commonwealth or on the exercise of the power of legislation.** The doubt seems to
 49 be removed by clause 84. It is said that if we put this provision in clause 52 the exclusive power may be
 50 postponed until legislation takes place. But may you not then have a concurrent power, and may not the
 51 competence of the local Legislature to legislate in the matter be continued as long as the legislation is not in
 52 contradiction of federal legislation?

53 **Mr. DEAKIN.**-That is the point.

54 **Mr. GLYNN.**-Yes, and there is still a vagueness in the word "exclusive." If it is doubtful whether the
 55 exclusive power commences with the foundation of the Commonwealth, and if it is possible that it may only
 56 come into being on the passing of legislation, may it not still be said that on the passing of exclusive

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1 legislation the power of the local Parliaments to legislate is extinguished, but that on the passing of
2 concurrent legislation that power does not cease?

3 **Mr. REID** (New South Wales).-**I think that enough has now been said on this subject by honorable**
4 **members both sides of the chamber, and I have only a very few remarks to offer. It appears that if the**
5 **sub-section remains where it is state laws will be valid until federal legislation, but the states will not be**
6 **able to alter or improve those laws during the possibly long interval between federation and federal**
7 **legislation. Under these circumstances, as we leave to the states for an indefinite time the power of**
8 **maintaining the laws they have, we should grant to them the power of improving those laws. It would**
9 **recommend the Constitution more to a large number of persons if we put the sub-section in clause 52,**
10 **thus enabling each state to legislate on this matter until the Federal Parliament comes in and legislates**
11 **for all.**

12 **END QUOTE**

13
14 **Hansard 22-9-1897 Constitution Convention Debates**

15 **QUOTE**

16 **The Hon. R.E. O'CONNOR** (New South Wales)[3.18]: **The moment the commonwealth exercises the**
17 **power, the states must retire from that field of legislation.**

18 **END QUOTE**

19
20 **Hansard 30-3-1897 Constitution Convention Debates**

21 **QUOTE Mr. REID:**

22 **We must make it clear that the moment the Federal Parliament legislates on one of those points**
23 **enumerated in clause 52, that instant the whole State law on the subject is dead. There cannot be two**
24 **laws, one Federal and one State, on the same subject. But that I merely mention as almost a verbal**
25 **criticism, because there is no doubt, whatever that the intention of the framers was not to propose any**
26 **complication of the kind.**

27 **END QUOTE**

28
29 **Hansard 30-3-1897 Constitution Convention Debates**

30 **QUOTE**

31 **The Hon. R.E. O'CONNOR** (New South Wales)[3.18]: We ought to be careful not to load the
32 commonwealth with any more duties than are absolutely necessary. **Although it is quite true that this**
33 **power is permissive, you will always find that if once power is given to the commonwealth to legislate**
34 **on a particular question, there will be continual pressure brought to bear on the commonwealth to**
35 **exercise that power. The moment the commonwealth exercises the power, the states must retire from**
36 **that field of legislation.**

37 **END QUOTE**

38
39 **Hansard 2-3-1898 Constitution Convention Debates**

40 **QUOTE**

41 **Mr. OCONNOR.**-**Directly it is exercised it becomes an exclusive power,** and there is no doubt that it
42 will be exercised.

43 **END QUOTE**

44
45 As such, being it “weight and measurers”, “quarantine”, “taxation”, etc there are “exclusive”
46 legislative power of the Commonwealth when it commences to legislate. It means the State have
47 to “retire” from those legislative fields, for so far this is applicable.

48
49 Again, remember that I stated:

50 **I from my extensive research can confidentially claim that not hundreds or thousands**
51 **or even hundred of thousands but millions of Infringement Notices and court orders**
52 **are all “UNCONSTITUTIONAL”. That is right, they are unconstitutional.**
53 **Now do not expect me to list each and every Infringement notice and court order**
54 **(including warrants) as I merely need to show why they are unconstitutional.**

55
56 Well, when a police officer uses any laser speed detection camera then it can only be lawfully
57 used if the Commonwealth has “certified” for it to be used within its “weight and

1 measurements” powers. The same goes for traffic camera and indeed traffic lights themselves if
2 used with a speed detection devise.

3 I was informed by the State Minister, when complaining about flashing lights of a camera going
4 of when no vehicles were even travelling through an intersection that those images would be
5 checked in normal procedures and if faulty they would not be acted upon. This to me is a
6 recognition that indeed camera’s are operating faulty. I was also given the understanding that as
7 long one entered the intersection upon the amber light then one is not in breach of law. As such,
8 the moment the front part of a vehicle crossed the stop line then the motorist can proceed to
9 continue the traveling.

10 Still it doesn’t resolve the issue that to my understanding those camera’s are not lawfully used. It
11 means that all Infringement Notices issued are unconstitutionally enforced.

12 And there is more to this.

13
14 The same is with all kind of so called Enforcement Agencies which now as with the police are
15 using the so called (albeit unconstitutional) Infringement Court (formally Perin Court) facilities.

16
17 As the Framers of the Constitution made clear:

18
19 Hansard 8-2-1898 Constitution Convention Debates

20 **QUOTE**

21 Mr. OCONNOR.-No, it would not; and, as an honorable member reminds me, there is a decision on
22 the point. All that is intended is that there shall be some process of law by which the parties accused must
23 be heard.

24 Mr. HIGGINS.-Both sides heard.

25 Mr. OCONNOR.-Yes; and the process of law within that principle may be [start page 689] anything the
26 state thinks fit. This provision simply assures that there shall be some form by which a person accused will
27 have an opportunity of stating his case before being deprived of his liberty. Is not that a first principle in
28 criminal law now? I cannot understand any one objecting to this proposal.

29 **END QUOTE**

30
31 As such any EX Parte court hearing where a defendant has not been given a reasonable
32 opportunity to defend himself I view is unconstitutional.

33 This means that the so called Infringement Court is unconstitutional.

34 .
35 While it has been argued that the Infringement Court is part of the Magistrates Court of Victoria
36 and so in that regard legal, reality is that it s conviction rates, for so far I checked is not at all
37 recorded as part of the magistrates Court of Victoria orders.

38 More over, as I experienced when challenging a Infringement Notice where unbeknown to me
39 that police officer afterward (after having issued the Infringement Notice) later filed with the so
40 called Infringement Court an amended Notice changing the speed limit from 100 Km/hr to 80
41 km/her and a subsequent magistrate claimed that a police officer is entitled to alter this
42 Infringement Notice regardless not having notified the accused.

43 Obviously to me this is utter and sheer nonsense.

44 What however proved is that this so called Infringement Court is not dealing with FACTS nor
45 with what is constitutionally appropriate.

46 .
47 If it was a Court of law then it should have demanded to be advised why the Infringement Notice
48 was amended and if the Defendant was notified about it. The fact this was not done underlines
49 that it fails to act within the legal principles embedded in the constitution that “both sides” shall
50 be heard before a judicial determination is made.

51 .
52 There is however more to this.

1 When the police claimed I had been speeding 5 km/h (2011) I wrote in that I challenged the
 2 validity of the Infringement Court upon constitutional grounds, etc. This alone in itself was
 3 sufficient to cause the legislation relating to the establishment of the Infringement Court to be
 4 “ULTRA VIRES”.

5 .
 6 Hansard 9-3-1898 Constitution Convention Debates (Official Record of the Debates of the National
 7 Australasian Convention)

8 QUOTE

9 **Mr. DEAKIN** (Victoria).-The position of my honorable and learned friend (Mr. [start page 2092] Higgins)
 10 may be perfectly correct. It may be that without any special provision the practice of the High Court, when
 11 declaring an Act *ultra vires*, would be that such a declaration applied only to the part which trespassed
 12 beyond the limits of the Constitution. If that were so, it would be a general principle applicable to the
 13 interpretation of the whole of the Constitution.

14 END QUOTE

15 .
 16 Hansard 8-3-1898 Constitution Convention Debates

17 QUOTE

18 **Mr. GLYNN**.-I think they would, because it is fixed in the Constitution. There is no special court, but the
 19 general courts would undoubtedly protect the states. What Mr. Isaacs seeks to do is to prevent the question of
 20 *ultra vires* arising after a law has been passed.

21 [start page 2004]

22 **Mr. ISAACS**.-No. If it is *ultra vires* of the Constitution it would, of course, be invalid.

23 END QUOTE

24
 25 What however eventuated is that the police didn't bother to my understanding to place my
 26 writings before the so called Infringement Court and as such concealed relevance evidence. That
 27 I view was to pervert the course of justice and to undermine the Administration of Justice.

28
 29 The (socalled) Infringement Court nevertheless proceeded to issue orders despite that effectively,
 30 as I made clear in my writings, it had no jurisdiction whatsoever, to issue orders, including
 31 subsequently a warrant.

32 .
 33 I wrote repeatedly to the Sheriff's Office that if it would attempt to enforce the unconstitutional
 34 orders then I would hold them legally accountable. As such the Sheriff's Office was well aware
 35 about the orders (so warrant) but never even attempted to enforce it against me ever since.

36
 37 I may add that when the Commonwealth took me on for “**FAILING TO VOTE**” in federal
 38 political elections in 2001 and 2004, in which I represented myself including on constitutional
 39 grounds that “compulsory” voting was unconstitutional, and on 19 July 2006 in *AEC v Schorel-*
 40 *Hlavka* the court upheld both appeals, unchallenged.

41
 42 HANSARD 17-3-1898 Constitution Convention Debates (Official Record of the Debates of the National
 43 Australasian Convention)

44 QUOTE Mr. DEAKIN.-

45 What a charter of liberty is embraced within this Bill-of political liberty and religious liberty-the
 46 liberty and the means to achieve all to which men in these days can reasonably aspire. A charter of
 47 liberty is enshrined in this Constitution, which is also a charter of peace-of peace, order, and good
 48 government for the whole of the peoples whom it will embrace and unite.

49 END QUOTE

50 And

51 HANSARD 17-3-1898 Constitution Convention Debates

52 QUOTE

53 **Mr. SYMON** (South Australia).- We who are assembled in this Convention are about to commit to the
 54 people of Australia a new charter of union and liberty; we are about to commit this new Magna Charta
 55 for their acceptance and confirmation, and I can conceive of nothing of greater magnitude in the whole
 56 history of the peoples of the world than this question upon which we are about to invite the peoples of
 57 Australia to vote. The Great Charter was wrung by the barons of England from a reluctant king. This new
 58 charter is to be given by the people of Australia to themselves.

1 END QUOTE

2
3 Hansard 24-3-1897 Constitution Convention Debates (Official Record of the Debates of the National
4 Australasian Convention)

5 QUOTE

6 **Sir GEORGE TURNER:** It would never do to allow in this Federal Parliament that those representatives
7 who are elected upon the most liberal franchise possible should be outvoted by those who would be elected
8 by a very limited franchise indeed. As this may fairly be regarded as the National House, representing the
9 people of the various States as a nation, we ought to have uniformity in the franchise. We must leave it to the
10 Federal Parliament to say what the franchise should be. At the same time, as some colonies have given the
11 right of voting to those who have not that right in other colonies, it would be unfair and inequitable to take
12 from any who have the right, and therefore whatever uniformity is determined upon we shall have to allow
13 the innovation that no person, man or woman, who has the right to vote shall be deprived of exercising that
14 right, even so far as the elections to the Federal Parliament are concerned. I would go the length of saying
15 that everyone who has the right in the various colonies, **if they desire to exercise their franchise**, should
16 have the opportunity of doing so.

17 END QUOTE

18
19 As I submitted to the Court that if I “**desire**” to vote then I am bound to vote as the system
20 provides for but if I do not accept, for whatever reason, the system and/or any candidate worthy
21 to accept to vote for then my “political liberty” is my right not to vote. While at times I do vote
22 it is however when I desire to vote. As such, I am not opposed to voting itself as I recognise it is
23 a purported democratic system.

24
25 It also should be understood that any Commonwealth “electoral roll” itself is unconstitutional
26 and so all those Infringement Notices are unconstitutional. As the Framers of the Constitution
27 made clear that the Commonwealth had to rely upon State electoral rolls as to who were eligible
28 electors. The commonwealth by s41 of the Constitution is prohibited to determine who can or
29 cannot vote other than to stipulate the age when a person is deemed to be an “ADULT”, for
30 voting purposes in federal elections. The right of any person to vote in federal political elections
31 depends upon this person being permitted franchise in State elections. We find however that the
32 Commonwealth facilitates person living permanently overseas to nevertheless being entitled to
33 vote in federal political elections. A gross abuse of powers and unconstitutional.

34
35 In my past published books in the **INSPECTOR-RIKATI®** series I extensively explained that
36 when the Framers of the Constitution referred to “local government” and “central government”
37 then they were referring to “State government” and “Federal government”. Absolutely nothing to
38 do with “municipal/shire councils”.

39
40 Hansard 9-4-1891 Constitution Convention Debates (Official Record of the Debates of the National
41 Australasian Convention)

42 QUOTE

43 **Dr. COCKBURN:** Local freedom and government by the people are inseparable.

44 END QUOTE

45
46 Many may claim that “**Local government**” is part of the State legislation.

47 .
48 Remember that States are created within Section 106 of the constitution “**subject to this**
49 **constitution**”? As such, it is not for the States to create some additional level of government
50 whatsoever. It can and is entitled to delegate powers to a municipal/shire council to exercise
51 under its authority certain functions. Indeed the High Court of Australia in *Sydney Council v*
52 *Commonwealth* 1904 made clear that State land taxation was a delegated power to the council.
53 However, since the Commonwealth created the Land Taxation Office on 11 November 1901
54 then the States had to “retire” from this, as it then became an “exclusive” Commonwealth
55 legislative powers and the “concurrent” legislative powers was no more.

1 Even so, as I understand it, that the courts are eager to evict people from their properties for
 2 failing to pay “council rates” claimed to be a delegated legislative powers of land taxation, while
 3 in fact the States cannot delegate any land taxation powers since 11 November 1910.

4
 5 With the **COVID-19** issue the State of Victoria as I understand it has purportedly made a
 6 gracious consideration not to level land taxes for some period of time. The truth is they all along
 7 are unconstitutionally robbed property owners!

8 The now Senator Kristine Keally then Premier of NSW through her Minister claimed that the
 9 States had had the State land taxation powers returned to them.

10 While there is a provision in Section 123 of the constitution for the States or any State with
 11 consent of state referendum to transfer State legislative powers to the Commonwealth who then
 12 within Ss51(xxxvii) can accept this, there is however no mechanism to reverse this. As such,
 13 once a Commonwealth legislative power then it always remains to be so.

14
 15 Hansard 27-1-1898 Constitution Convention Debates (Official Record of the Debates of the National
 16 Australasian Convention)

17 QUOTE

18 **Mr. DEAKIN.**-My point is that by the requests of different colonies at different times you may arrive at a
 19 position in which all the colonies have adopted a particular law, and it is necessary for the working of that
 20 law that certain fees, charges, or taxation should be imposed. That law now relates to the whole of the
 21 Union, because every state has come under it. As I read clause 52, the Federal Parliament will have no
 22 power, until the law has thus become absolutely federal, to impose taxation to provide the necessary
 23 revenue for carrying out that law. Another difficulty of the sub-section is the question whether, even
 24 when a state has referred a matter to the federal authority, and federal legislation takes place on it, it
 25 has any-and if any, what-power of amending or repealing the law by which it referred the question? I
 26 should be inclined to think it had no such power, but the question has been raised, and should be
 27 settled. I should say that, having appealed to Caesar, it must be bound by the judgment of Caesar, and
 28 that it would not be possible for it afterwards to revoke its reference.

29 END QUOTE

30
 31 And there is more to this:

32
 33 Hansard 6-3-1891 Constitution Convention Debates

34 QUOTE **Mr. THYNNE:**

35 I shall quote from Mr. Dicey's recent work, which is very clear in its language. He says:

36 **One of the characteristics of a federation is that the law of the constitution must be either legally**
 37 **immutable or else capable of being changed only by some authority above and beyond the ordinary**
 38 **legislative bodies, whether federal or state legislatures, existing under the constitution.**

39 END QUOTE

40
 41 Hansard 6-3-1891 Constitution Convention Debates

42 QUOTE **Mr. THYNNE:**

43 **The constitution of this federation will not be charged with the duty of resisting privileged classes, for**
 44 **the whole power will be vested in the people themselves. They are the complete legislative power of the**
 45 **whole of these colonies, and they shall be so.** From [start page 106] them will rise, first of all, the federal
 46 constitution which we are proposing to establish, and in the next place will come the legislative powers of the
 47 several colonies. The people will be the authority above and beyond the separate legislatures, and the
 48 royal prerogative exercised, in their interest and for their benefit, by the advice of their ministers will be
 49 practically vested in them. They will exercise the sovereignty of the states, they will be charged with the
 50 full power and dignity of the state, and it is from them that we must seek the giving to each of those bodies
 51 that will be in existence concurrently the necessary powers for their proper management and existence. **Each**
 52 **assembly, each legislature, whether state or federal existing under this constitution, will be as Dicey**
 53 **again says-a merely subordinate law-making body whose laws will be valid, whilst within the authority**
 54 **conferred upon it by the constitution, but invalid and unconstitutional if they go beyond the limits of**
 55 **such authority.**

56 END QUOTE

HANSARD 10-03-1891 Constitution Convention Debates

QUOTE

Dr. COCKBURN: All our experience hitherto has been under the condition of parliamentary sovereignty. Parliament has been the supreme body. But when we embark on federation we throw parliamentary sovereignty overboard. Parliament is no longer supreme. Our parliaments at present are not only legislative, but constituent bodies. They have not only the power of legislation, but the power of amending their constitutions. That must disappear at once on the abolition of parliamentary sovereignty. No parliament under a federation can be a constituent body; it will cease to have the power of changing its constitution at its own will. Again, instead of parliament being supreme, the parliaments of a federation are coordinate bodies-the main power is split up, instead of being vested in one body. More than all that, there is this difference: When parliamentary sovereignty is dispensed with, instead of there being a high court of parliament, you bring into existence a powerful judiciary which towers above all powers, legislative and executive, and which is the sole arbiter and interpreter of the constitution.

END QUOTE

Hansard 15-9-1897 Constitution Convention Debates

QUOTE

The Hon. A. DEAKIN: I say the great bulk of them are of that character, and am open to refutation if I am wrong. I should say that the whole of the thirty-seven subjects, but, indisputably, the great bulk of them, are subjects on which no question of state rights and state interests could arise except by the merest accident. It is, as the right hon. gentleman admitted, a grave defect in our constitution if we permit these questions to be left for all time to be determined in a purely states house, or by a state referendum, when those questions are not state questions-when they ought to be decided, not on state lines, but on national lines, and by a national referendum.

END QUOTE

It should be understood that the Letters Patent creating the Office of the Governor specifically requires a “impartial” Administration of Justice”.

This means a “separation” of powers between the judicature, the executives and the legislators.

The purported “Infringement Court” was created by the Attorney General and the Police Minister to sing to some private company to run this purported court. Obviously the Attorney General and the Police Minister lacked any such powers. Indeed you cannot have some private operator making monies from such kind of court litigations, let alone access private details. And reportedly once some 2,000 odd motor vehicle owners in N.S.W. were wrongly issued Infringement Notices where the Victorian purported Infringement Court had wrongly accessed the date of N.S.W motor vehicle owners instead of the Victorian motor vehicle owners.

I was also given the understanding that a woman at the time employed with the Department of Justice (Victoria) had been issued with an Infringement Notice having allegedly driven on a toll way not having paid the relevant toll. Yet, she had records that she had been automatically been charged for the fees from her responder. She contacted the Queensland department and made known she was employed by the Department of Justice and she had records to have paid the relevant fee. Allegedly, it was then discovered that an identical looking car with identical looking numberplate but from another state was at about the same time on the toll road but had not paid the relevant fee.

They did cancel the Infringement Notice against this woman!

Still it shows that innocent people can become the victim of this unconstitutional way governments are operating as an alternative taxation issue.

Commonwealth of Australia Constitution Act 1900 (UK)**115 States not to coin money**

A State shall not coin money, nor make anything but gold and silver coin a legal tender in payment of debts.

1 Clearly on this basis also any tollway must provide an ability for a person to pay with “gold” or “silver” coins.
2 Failure to provide for this means any enforcement of unpaid tollways is unconstitutional.

3
4 **Hansard 1-3-1898 Constitution Convention Debates**

5 **QUOTE**

6 **Mr. BARTON.-They do not require to get authority from home, for this reason: That the local**
7 **Constitutions empower the colonies separately to make laws for the peace, order, and good government**
8 **of the community, and that is without restriction, except such small restrictions as are imposed by the**
9 **Constitutions themselves, and, of course, the necessary restriction that they can only legislate for their**
10 **own territory. The position with regard to this Constitution is that it has no legislative power, except**
11 **that which is actually given to it in express terms or which is necessary or incidental to a power given.**

12 **END QUOTE**

13
14 What we have is that public roads build with monies from taxpayers are turned into tollways for
15 some private company to make huge profits. That I view is a form of taxation (implied or
16 otherwise) that is unconstitutional.

17
18 The same might be stated about the Victorian Government leasing out the Port of Melbourne
19 getting paid about \$9 Billion dollars.

20
21 **Hansard 20-4-1897 Constitution Convention Debates**

22 **QUOTE**

23 **Mr. BARTON:** As far as I can gather from this clause and the clause of 1891, it seems to me to refer to
24 any future legislation on the subject:

25 The State shall not impose tonnage dues.

26 [start page 1003]

27 **The question of whether existing legislation would be invalidated would depend, first, upon whether**
28 **the dues were an infringement of the equality of trade throughout the Commonwealth,** and next upon
29 whether the Commonwealth passed a law which-if it were in the province of the Commonwealth to pass; it-
30 was in conflict with the law of the State, in which case, to the extent of the difference between the laws, the
31 law of the Commonwealth would prevail if section 98 were passed. **It deals only with future legislation, I**
32 **think, but these tonnage dues may incur a prohibition if we find that they are a system of taxation,**
33 **because the Parliament of the Commonwealth has power to raise funds by any method of taxation. If**
34 **the method of carrying out that power were found to be in conflict with the law of the State, the law of**
35 **the Commonwealth would prevail.** We have no provision for the Commonwealth taking over harbors or
36 harbor works, and it may be a question for consideration whether the Commonwealth, as it has power to
37 legislate on other subjects relating to the regulation of commerce and trade and so on, should not take over
38 harbor works too. That is what, on the face of it, seems to me to be the effect of the clause.

39 **END QUOTE**

40
41 **Hansard 20-4-1897 Constitution Convention Debates**

42 **QUOTE**

43 **Mr. BARTON:** On considering the matter, I think that the tonnage dues mentioned here-we have altered
44 the word "duties" into "dues," and they seem to me like the word "tonnage dues" that used to prevail in the
45 the old country, such as tonnage dues on wines. We find the word referred to in Acts 9 Anne, and 10 George
46 IV. They were tonnage dues granted to the Queen, and I think those referred to here were the same in the
47 United States Constitution. Whether that be so or not, the tonnage dues referred to in the clause seem to be
48 charges for services performed. For instance, a Harbor Trust is formed and carries out improvements and as a
49 means of recouping themselves the harbor authorities charge dues. **Wharfage dues are for the use of a**
50 **wharf and have they not a similar meaning in the modern acceptation of the term? One is an impost**
51 **for the use of a wharf, the other for the use of a harbor on which money has been spent for the purpose**
52 **of rendering it more adapted for shipping. If that is so the words may be left out, and if they are left**
53 **out any tonnage due which is not a charge for services performed would be an impost interfering with**
54 **the freedom of trade and intercourse, and would come under section 86; that is to say, as soon as**
55 **uniform duties have been imposed, trade and intercourse shall be absolutely free, If they interfere they**
56 **could only do so so far as they are of the nature of taxes. If they are only charges for services**
57 **performed, as I explained in connection with clause 83, then there can be no objection to them. because**

charges for use of a wharf are much in the same position as charges of the post office authorities for the carriage of letters; they are payments for services. If that view is taken I shall offer no objection to it

END QUOTE

Hansard 1-3-1898 Constitution Convention Debates (Official Record of the Debates of the National Australasian Convention)

QUOTE Sir HENRY PARKES

It is an organism, as I have tried to explain, for protecting each individual citizen in the undisturbed possession of his property, in the undisturbed possession of his liberty, and from my point of view the expense of that government ought to be defrayed in the easiest manner and only to the extent which is necessary for that purpose, and that taxation is unjustifiable for any other purpose whatever.

END QUOTE

It ought to be clear that Victorian Premier Daniel Andrews adding about \$9 Billion dollars to fund projects nothing to do with the harbor cost clearly was a form of taxation that violates Section 92 of the constitution.

Commonwealth of Australia Constitution Act 1900 (UK)

92 Trade within the Commonwealth to be free

On the imposition of uniform duties of customs, trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free.

But notwithstanding anything in this Constitution, goods imported before the imposition of uniform duties of customs into any State, or into any Colony which, whilst the goods remain therein, becomes a State, shall, on thence passing into another State within two years after the imposition of such duties, be liable to any duty chargeable on the importation of such goods into the Commonwealth, less any duty paid in respect of the goods on their importation.

Yet, somehow the State government violating the compact of the constitution nevertheless was not held legally accountable.

When I was an **INDEPENDENT** candidate for the Seat of Ivanhoe I discovered that also on directions of then councillor Anthony Carbines council officers were interfering with my election campaign. Councillor Anthony Carbines then being also a candidate in the election. Police did attend where pallets with my smashed posters/banners were dumped in my driveway. I within my legal rights requested Banyule City Council to compensate me for the damages that was caused to my election posters/banners. When they I had to file a declaration of expenditure I made clear I couldn't do so unless and until I was advised by the council what compensation it was making as I didn't want to be held liable for having made a false./misleading statement. However, when the matter came before Gaynor J she made clear the constitution doesn't apply to her. I was found guilty, even so the court accepted that was no monies to be declared.

Ok now we have a judge who places her-selves above the rule of law!

Moreover, long before the **RED shirt** fraud eventuated I had in fact written to various Members of parliament about the misuse of public monies for election purposes. This included Mr Daniel Andrews! Yet, somehow the Victorian Police even so involving hundreds of thousands of dollars of misuse of public monies didn't prosecute. So, I was even so nothing to declare while those who filed false/misleading declarations somehow allegedly had no case to answer.

It seems to me Members of parliament are placed above the rule of law, even so they are not.

As I indicated above there is to be a separation of powers and so implied with the letters patent but often judicial officers are claiming to be "the 3rd arm of government". Meaning they do not consider themselves to be "impartial" at all but to be governing.

Indeed in the *Colosimo* case (before I represented him) I understand that Gibson J made clear she was bound by government policies.

1 HANSARD 12-4-1897 Constitution Convention Debates (Official Record of the Debates of the National
2 Australasian Convention)

3 QUOTE Mr. BARTON:

4 **It is provided that instead of, as before, the Parliament having power to constitute a judiciary, there**
5 **shall be a Supreme Court, to be called the High Court of Australia, as a part of the Constitution-that I**
6 **believe to be an improvement-and other courts which the Parliament may from time to time create or**
7 **invest with federal jurisdiction.**

8 END QUOTE

9
10 Hansard 1-2-1898 Constitution Convention Debates (Official Record of the Debates of the National
11 Australasian Convention),

12 QUOTE Mr. OCONNER (New South Wales).-

13 **Because, as has been said before, it is [start page 357] necessary not only that the administration of**
14 **justice should be pure and above suspicion, but that it should be beyond the possibility of suspicion;**

15 END QUOTE

16
17 Well, any judicial officer who blindness follows government directions is betraying the
18 oath/affirmation of becoming a judicial officer.

19 The same so with police officers who participate in government sponsored terrorism upon
20 citizens that are a violation of the constitution.

21
22 Hansard 1-3-1898 Constitution Convention Debates (Official Record of the Debates of the National
23 Australasian Convention)

24 QUOTE

25 Mr. GORDON.-Well, I think not. I am sure that if the honorable member applies his mind to the subject he
26 will see it is not abstruse. **If a statute of either the Federal or the states Parliament be taken into court**
27 **the court is bound to give an interpretation according to the strict hyper-refinements of the law.** It may
28 be a good law passed by "the sovereign will of the people," although that latter phrase is a common one
29 which I do not care much about. The court may say-"**It is a good law, but as it technically infringes on the**
30 **Constitution we will have to wipe it out.**" As I have said, the proposal I support retains some remnant of
31 parliamentary sovereignty, leaving it to the will of Parliament on either side to attack each other's laws.

32 END QUOTE

33
34 There is obviously also a very vital issue which the quotations above have referred to, and will
35 do so again:

36
37 Hansard 6-3-1891 Constitution Convention Debates

38 QUOTE Mr. THYNNE:

39 I shall quote from Mr. Dicey's recent work, which is very clear in its language. He says:

40 **One of the characteristics of a federation is that the law of the constitution must be either legally**
41 **immutable or else capable of being changed only by some authority above and beyond the ordinary**
42 **legislative bodies, whether federal or state legislatures, existing under the constitution.**

43 END QUOTE

44
45 Hansard 17-3-1898 Constitution Convention Debates

46 QUOTE Mr. BARTON.-

47 **Providing, as this Constitution does, for a free people to elect a free Parliament-giving that people**
48 **through their Parliament the power of the purse-laying at their mercy from day to day the existence of**
49 **any Ministry which dares by corruption, or drifts through ignorance into, the commission of any act**
50 **which is unfavorable to the people having this security, it must in its very essence be a free**
51 **Constitution. Whatever any one may say to the contrary that is secured in the very way in which the**
52 **freedom of the British Constitution is secured. It is secured by vesting in the people, through their**
53 **representatives, the power of the purse, and I venture [start page 2477] to say there is no other way of**
54 **securing absolute freedom to a people than that, unless you make a different kind of Executive than**
55 **that which we contemplate, and then overload your Constitution with legislative provisions to protect**
56 **the citizen from interference. Under this Constitution he is saved from every kind of interference.**
57 **Under this Constitution he has his voice not only in the, daily government of the country, but in the**
58 **daily determination of the question of whom is the Government to consist. There is the guarantee of**

1 freedom in this Constitution. There is the guarantee which none of us have sought to remove, but every
 2 one has sought to strengthen. How we or our work can be accused of not providing for the popular
 3 liberty is something which I hope the critics will now venture to explain, and I think I have made their
 4 work difficult for them. Having provided in that way for a free Constitution, we have provided for an
 5 Executive which is charged with the duty of maintaining the provisions of that Constitution; and,
 6 therefore, it can only act as the agents of the people. We have provided for a Judiciary, which will
 7 determine questions arising under this Constitution, and with all other questions which should be dealt
 8 with by a Federal Judiciary and it will also be a High Court of Appeal for all courts in the states that
 9 choose to resort to it. In doing these things, have we not provided, first, that our Constitution shall be free:
 10 next, that its government shall be by the will of the people, which is the just result of their freedom: thirdly,
 11 that the Constitution shall not, nor shall any of its provisions, be twisted or perverted, inasmuch as a
 12 court appointed by their own Executive, but acting independently, is to decide what is a perversion of its
 13 provisions? We can have every faith in the constitution of that tribunal. It is appointed as the arbiter of the
 14 Constitution. It is appointed not to be above the Constitution, for no citizen is above it, but under it; but
 15 it is appointed for the purpose of saying that those who are the instruments of the Constitution-the
 16 Government and the Parliament of the day-shall not become the masters of those whom, as to the
 17 Constitution, they are bound to serve. What I mean is this: That if you, after making a Constitution of
 18 this kind, enable any Government or any Parliament to twist or infringe its provisions, then by slow
 19 degrees you may have that Constitution-if not altered in terms-so whittled away in operation that the
 20 guarantees of freedom which it gives your people will not be maintained; and so, in the highest sense,
 21 the court you are creating here, which is to be the final interpreter of that Constitution, will be such a
 22 tribunal as will preserve the popular liberty in all these regards, and will prevent, under any pretext of
 23 constitutional action, the Commonwealth from dominating the states, or the states from usurping the
 24 sphere of the Commonwealth. Having provided for all these things, I think this Convention has done
 25 well.

26 END QUOTE

27
 28 Hansard 6-3-1891 Constitution Convention Debates

29 QUOTE Mr. THYNNE:

30 The constitution of this federation will not be charged with the duty of resisting privileged classes, for
 31 the whole power will be vested in the people themselves. They are the complete legislative power of the
 32 whole of these colonies, and they shall be so. From [start page 106] them will rise, first of all, the federal
 33 constitution which we are proposing to establish, and in the next place will come the legislative powers of the
 34 several colonies. The people will be the authority above and beyond the separate legislatures, and the
 35 royal prerogative exercised, in their interest and for their benefit, by the advice of their ministers will be
 36 practically vested in them. They will exercise the sovereignty of the states, they will be charged with the
 37 full power and dignity of the state, and it is from them that we must seek the giving to each of those bodies
 38 that will be in existence concurrently the necessary powers for their proper management and existence. Each
 39 assembly, each legislature, whether state or federal existing under this constitution, will be as Dicey
 40 again says-a merely subordinate law-making body whose laws will be valid, whilst within the authority
 41 conferred upon it by the constitution, but invalid and unconstitutional if they go beyond the limits of
 42 such authority.

43 END QUOTE

44
 45 HANSARD 10-03-1891 Constitution Convention Debates

46 QUOTE

47 Dr. COCKBURN: All our experience hitherto has been under the condition of parliamentary
 48 sovereignty. Parliament has been the supreme body. But when we embark on federation we throw
 49 parliamentary sovereignty overboard. Parliament is no longer supreme. Our parliaments at present
 50 are not only legislative, but constituent bodies. They have not only the power of legislation, but the
 51 power of amending their constitutions. That must disappear at once on the abolition of parliamentary
 52 sovereignty. No parliament under a federation can be a constituent body; it will cease to have the
 53 power of changing its constitution at its own will. Again, instead of parliament being supreme, the
 54 parliaments of a federation are coordinate bodies-the main power is split up, instead of being vested in
 55 one body. More than all that, there is this difference: When parliamentary sovereignty is dispensed
 56 with, instead of there being a high court of parliament, you bring into existence a powerful judiciary
 57 which towers above all powers, legislative and executive, and which is the sole arbiter and interpreter
 58 of the constitution.

59 END QUOTE

60
 61 HANSARD 9-2-1898 Constitution Convention Debates

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1 QUOTE

2 **Mr. HIGGINS.** No, because the Constitution is not passed by the Parliament.

3 END QUOTE

4
5 It is therefore clear that no State/Federal Parliament can create or amend its own constitution
6 without a referendum by the electors to approve or veto any of the proposed amendments.
78 We then have to go back to the *1856 Victorian Constitution Act* which was amended by the
9 provisions (implied or otherwise) of the *Commonwealth of Australia Constitution Act 1900*
10 (UK).11 As such, the 1856 Victorian Constitution Act which was created by a “**sovereign Parliament**”
12 changed to become upon federation to be a “**constitutional Parliament**” that no longer could
13 amend this *1856 Victorian Constitution Act* as amended by the *Commonwealth of Australia*
14 *Constitution Act 1900* (UK) unless it was approved by a State referendum.15 I am not aware that the **PURPORTED** Victorian Constitution Act 1975 was approved by a State
16 referendum and as such is not a valid constitution act.17 This means that while lawyers, politicians, etc, all are seeking to rely upon some **PURPORTED**
18 Victorian Constitution Act 1975 it simply has absolutely no legal value.19 All those legislative powers that existed within the 1856 Victorian Constitution Act simply were
20 only left for so far they were not transferred to the Commonwealth of Australia and not acted
21 upon when it came to section 51. Once the Commonwealth commenced to legislate then the
22 State had to retire.
2324 **While the nonsense is ongoing that somehow the State Parliament amend the**
25 **PURPORTED Victorian Constitution Act 1975, reality is there is no such valid act and so**
26 **its provisions are not applicable. It is ULTRA VIRES *Ab Initio*.**
27

28 Lets use a simplified example:

29 John owns a motor vehicle and enter into a contact with his neighbor Frank that he is permitted to use his
30 motor vehicle during the week, as he then has no need for the vehicle. Well, John since then discovered that
31 the Government did a **LOCKDOWN** and not he demands his motor vehicle not to be used by Frank.32 Frank however who as part of the agreement has been paying for car maintenance, etc, is making clear: “Hey
33 buddy, we entered into an agreement and that is it.”34 The various State citizens (then colonial citizens) by referendum agreed to accept the
35 *Commonwealth of Australia Constitution Act 1900* (UK) well aware that this would alter the
36 status of their colonial acts. Well politicians are to represent their constituents and are bound to
37 accept the referendum results.
3839 John’s argument should not be with Frank but with the government that unconstitutionally
40 interfered within his legal rights to work.
41 .42 **Hansard 7-2-1898 Constitution Convention Debates** (Official Record of the Debates of the National Australasian
43 Convention)44 **QUOTE Mr. BARTON** (New South Wales).-45
46 I do not think the word quarantine, for instance, which is used in the sub-section of the 52nd clause, is
47 intended to give the Commonwealth power to legislate with regard to any quarantine. **That simply applies to**
48 **quarantine as referring to diseases among man-kind.**

49 END QUOTE

50 As such, any powers as to **QUARANTINE** rest with the Commonwealth when it comes to
51 “**man-kind**”, such as any virus. And, even the Commonwealth is limited to this relating to ports,
52 aliens, etc. It cannot willy-nilly interfere with the rights of Australians who do not ordinary fall
53 within it’s ambit of legislative powers.

1 Ss51 (xxvi) give clear legislative powers when it comes to “inferior” “coloured” races and well
 2 that Aboriginals demanded to be part of this is not something one can blame others for.
 3 However, the Commonwealth cannot create any form of legislative powers not within its
 4 constitutional powers. Not even by treaties!

5
 6 **Hansard 2-3-1898 Constitution Convention Debates:**

7 **QUOTE** Dr. QUICK.-

8 The Constitution empowers the Federal Parliament **to deal with certain external affairs**, among which
 9 would probably be the right to negotiate for commercial treaties with foreign countries, in the same way as
 10 Canada has negotiated for such treaties. **These treaties could only confer rights and privileges upon the**
 11 **citizens of the Commonwealth, because the Federal Government, in the exercise of its power, [start**
 12 **page 1753] could only act for and on behalf of its citizens.**

13 **END QUOTE**

14 .
 15 **Hansard 6-3-1891 Constitution Convention Debates**

16 **QUOTE** Mr. THYNNE:

17 I shall quote from Mr. Dicey's recent work, which is very clear in its language. He says:

18 **One of the characteristics of a federation is that the law of the constitution must be either legally**
 19 **immutable or else capable of being changed only by some authority above and beyond the ordinary**
 20 **legislative bodies, whether federal or state legislatures, existing under the constitution.**

21 **END QUOTE**

22
 23 Therefore any treaties cannot be used to circumvent constitutional limitations/prohibitions.

24 .
 25 **Hansard 1-3-1898 Constitution Convention Debates** (Official Record of the Debates of the National
 26 Australasian Convention)

27 **QUOTE**

28 **Mr. WISE.**-If the Federal Parliament chose to legislate upon, say, **the education question**-and the
 29 Constitution gives it no power to legislate in regard to that question-the Ministers for the time being in each
 30 state might say-"We are favorable to this law, because we shall get £100,000 a year, or so much a year, from
 31 the Federal Government as a subsidy for our schools," **and thus they might wink at a violation of the**
 32 **Constitution**, while no one could complain. **If this is to be allowed, why should we have these elaborate**
 33 **provisions for the amendment of the Constitution? Why should we not say that the Constitution may**
 34 **be amended in any way that the Ministries of the several colonies may unanimously agree? Why have**
 35 **this provision for a referendum? Why consult the people at all? Why not leave this matter to the**
 36 **Ministers of the day? But the proposal has a more serious aspect, and for that reason only I will ask**
 37 **permission to occupy a few minutes in discussing it.**

38 **END QUOTE**

39 .
 40 The States as the Framers of the constitution acknowledged would be entitled to deal with
 41 QUARANTINE of animals coming into the State.

42 .
 43 **Hansard 22-9-1897 Constitution Convention Debates** (Official Record of the Debates of the National
 44 Australasian Convention)

45 **QUOTE**

46 **The Hon. R.E. O'CONNOR (New South Wales)[12.42]:** It may be interesting for the hon. and learned
 47 member, Dr. Cockburn, to hear this very concise statement of the law of the United States, which would be
 48 exactly applicable to this proposed constitution, and very much on the lines that the hon. and learned
 49 member, Mr. Isaacs, has just stated. I am citing from a well-known book, Ordranax's "Constitutional
 50 Legislation." At page 296 he says this:

51 By, parity of reason addressed to the protection of the public health, states may exercise their police powers
 52 to the extent of prohibiting both persons and animals, when labouring under contagious diseases, from
 53 entering their territory. They may pass any sanitary laws deemed necessary for this purpose, and enforce
 54 them by appropriate regulations. **It is upon this reserved right of self-protection that quarantines are**
 55 **permitted to interfere with the freedom of commerce and of human intercourse.** But this power is not
 56 without its limitations, and its exercise must be restricted to directly impending dangers to health, and not to

1 those who are only contingent and remote. Hence, while diseased persons or diseased animals, and those
 2 presumed so from contact with infected bodies or localities, may be prevented from entering a state, any
 3 general law of exclusion, measured by months, or operating in such a way as to become a barrier to
 4 commerce or travel, would be a regulation of commerce forbidden by the constitution. Such a statute being
 5 more than a quarantine regulation, transcends the legitimate powers of a state.

6 **So it is quite clear that all the powers are left in the state, which are necessary for the preservation of**
 7 **the health of the inhabitants and of the property by the state.** Those powers would include power to deal
 8 with such diseases in the vegetable world as the hon. and learned member; Dr. Cockburn, has spoken of, and
 9 also with animal diseases. It was suggested in Adelaide that these powers might be used in such a way as to
 10 have a protective influence in favour of certain states.

11 Mr. Symon: That would be in conflict with the constitution!

12 **The Hon. R.E. O'CONNOR:** I was going to point that out. **There are a number of decisions in**
 13 **America, as has been pointed out by my hon. and learned friend, in which on that very ground or**
 14 **similar grounds it has been held that the law, not being a bona fide exercise of the police powers, is not**
 15 **within the powers of the state.** Of course, there is another question behind all that, which I think is a very
 16 important one, that is, considering the immense traffic, say, in cattle, that there is right across this continent,
 17 the infrequency of habitation, and the difficulties of enforcing the quarantine laws from state to state, whether
 18 such a disease, for instance, as the tick disease should be dealt with by the authority of the commonwealth
 19 instead of by the states themselves. It is a very important question, and there are many difficulties in the way
 20 of its being dealt with by the federal authority. One of the chief of them is, I think, the impossibility of the
 21 federal authority administering an act of that kind without having an enormous array of officials and
 22 immense expenditure. As we all know, there are in each colony laws-affecting contagious diseases of cattle
 23 or sheep, and they are all administered by local bodies, The machinery and administration are simple, and the
 24 laws are cheaply worked in the various districts themselves. **But if you place them under the federal**
 25 **movement, to be operated by federal officers, you render an [start page 1063] immense machinery**
 26 **necessary to carry out the very simple objects which are carried out by the local bodies at the present**
 27 **time.** It appears to me that the balance of reason is in favour of leaving things as they are, leaving power in
 28 the states to deal with all those matters that come under the head of police powers in the United States, the
 29 infection of animals, the infection of vegetables, the introduction of, animal and vegetable diseases. There is
 30 ample power to deal with them, and I think that the matter might be left in that way.

31 **END QUOTE**

32
 33 It should be clear that even a State can restrict an infected person from moving about to avoid
 34 dangers to others however it cannot make a simple blank cheque direction to deny anyone
 35 regardless not being infected of conducting their ordinary affairs. As such, the LOCKDOWN I
 36 view is unconstitutional as it unduly deny people to carry out their constitutional rights of
 37 freedom of movement, etc.

38
 39 To argue that a person "might" become infected and so prevent that person his constitutional
 40 rights is like claiming that a person can be denied driving a motor vehicle not because this person
 41 was guilty of any offences but "might" in the lifetime of this person commit some kind of
 42 offence.

43 ***Commonwealth of Australia Constitution Act 1900 (UK)***

44 **116 Commonwealth not to legislate in respect of religion**

45 The Commonwealth shall not make any law for establishing any religion, or for imposing any
 46 religious observance, or for prohibiting the free exercise of any religion, and no religious test
 47 shall be required as a qualification for any office or public trust under the Commonwealth.
 48

49
 50 The Framers of the Constitution made clear that the States had to powers to regulate business
 51 opening hours:

52 **Hansard 2-3-1898 Constitution Convention Debates**

53 **QUOTE**

18-4-2020

Page 19

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admin@inspector-rikati.com See also www.scribd.com/inspectorrikati

1 **Mr. FRASER** (Victoria).-I think that if we give the right to an infinitesimal minority to come here and
 2 indulge in extraordinary practices, under the pretence that this is a new religion, we may have all the theatres
 3 and all the music-halls in Australia open on Sundays. If that is possible we ought to do what we can to
 4 provide against it.

5 **Mr. HIGGINS** (Victoria).-I want if I can to recommend the Commonwealth Bill and get it carried. But why
 6 should we be faced with this difficulty? You have put in the preamble a religious recital which is not in the
 7 Constitution of the United States of America, but you have not put in the safeguard against religious intolerance
 8 which they have there. I ask honorable members how I shall face that difficulty? There is a grave suspicion
 9 evidenced by what I said that there were 36,000 distinct signatures upon this very point. I do not think it is too much
 10 for me to say that we ought to reassure those persons. They may be wrong. It may be right, as my friend (Mr.
 11 Barton) says, that there is no power by implication in the Commonwealth to pass this law. It may be right as he says,
 12 that the Commonwealth ought to have the power. But I only say that it is a state matter, and it should be left to the
 13 states. My honorable friend (Mr. Fraser), with all respect to him, shows the current ignorance on this matter because
 14 he will not understand that the state, if my proposal is carried, will have the same power as it has now to stop any
 15 theatrical performances on Sunday.

16 **END QUOTE**

17
 18 This is not a violation of s116 of the constitution as it is relating to the general scope of State
 19 legislative powers to determine the business hours of any business regardless of religious or non-
 20 religious issues.

21
 22 **Hansard 2-3-1898 Constitution Convention Debates**

23 **QUOTE**

24 **Mr. HIGGINS**.-That is the question-are those dangers non-existent?

25 **Mr. BARTON**.-I do not think the fact that we may be held by law to be a Christian community is any
 26 reason for us to anticipate that there will be any longer any fear of a reign of Christian persecution-any fear
 27 that there will be any remnant of the old ideas which have caused so much trouble in other ages. The whole
 28 of the advancement in English-speaking communities, under English laws and English institutions, has
 29 shown a less and less inclination to pass laws for imposing religious tests, or exacting religious observances,
 30 or to maintain any religion. We have not done that in Australia. **We have abolished state religion in all**
 31 **these colonies**; we have wiped out every religious test, and we propose now to establish a Government and a
 32 Parliament which will be at least as enlightened as the Governments and Parliaments which prevail in various
 33 states; therefore, what is the practical fear against which we are fighting? That is the difficulty I have in
 34 relation to this proposed clause. If I thought there was any-the least-probability or possibility, taking into
 35 consideration the advancement of liberal and tolerant ideas that is constantly going on of any of these various
 36 communities utterly and entirely retracing its steps, I might be with the honorable member. If we, in these
 37 communities in which we live, have no right whatever to anticipate a return of methods which were practised
 38 under a different state or Constitution, under a less liberal measure of progress and advancement; if, as this
 39 progress goes on, **the rights of citizenship are more respected; if the divorce between Church and State**
 40 **becomes more pronounced**; if we have no fear of a recurrence of either the ideas or the methods of former
 41 days with respect to these colonies, then I do suggest that in framing a Constitution for the Commonwealth of
 42 Australia, which we expect to make at least as enlightened, and which we expect to be administered with as
 43 much intellectuality as any of the other Constitutions, we are not going to entertain fears in respect of the
 44 Commonwealth which we will not attempt to entertain with respect to any one of the states. Now, we have
 45 shown that we do not intend these words to apply to our states by striking out clause 109. **That might be a**
 46 **provision that might be held to be too express in its terms, because there may be practices in various**
 47 **religions which are believed in by persons who may enter into the Commonwealth belonging to other**
 48 **racess, which practices would be totally abhorrent to the ideas, not only to any Christian, but to any**
 49 **civilized community; and inasmuch as the Commonwealth is armed with the power of legislation in**
 50 **regard to immigration and emigration, and with regard to naturalization, and also with regard to the**
 51 **making of special laws for any race, except the aboriginal races belonging to any state-inasmuch as we**
 52 **have all these provisions under which it would be an advisable thing that the Commonwealth, under its**
 53 **regulative power, should prevent any practices from taking place which are abhorrent to the ideas of**
 54 **humanity and justice of the community; and inasmuch as it is a reasonable thing that these outrages on**
 55 **humanity and justice (if they ever occur) should be prohibited by the Commonwealth, it would be a**
 56 **dangerous thing, perhaps, to place in the Bill a provision which would take out** [start page 1772] **of their**
 57 **hands the power of preventing any such practices.**

1 Mr. HIGGINS.-Do you think that the Commonwealth has that power under the existing Bill?

2 Mr. BARTON.-I am not sure that it has not. I am not sure that it has not power to prevent anything
3 that may seem an inhuman practice by way of religious rite.

4 Mr. HIGGINS.-I want to leave such matters to the states.

5 END QUOTE

6
7 Hansard 7-3-1898 Constitution Convention Debates
8 QUOTE

9 Sir EDWARD BRADDON (Tasmania).-I have an amendment to move on behalf of Tasmania, and also an
10 amendment of my own. The clause we have before us says that a state shall not make any law prohibiting the
11 free exercise of any religion. It is quite possible that this might make lawfull practices which would otherwise
12 be strictly prohibited. Take, for instance, the Hindoos. **One of their religious rites is the "suttee," and**
13 **another is the "churruck,"-one meaning simply murder, and the other barbarous cruelty, to the**
14 **devotees who offer themselves for the sacrifice.**

15 Dr. COCKBURN.-**The Thugs are a religious sect.**

16 Sir EDWARD BRADDON.-**Yes. If this is to be the law, these people will be able to practise the rites**
17 **of their religion, and the amendment I have to suggest is the insertion of some such words as these:-**

18 **But shall prevent the performance of any such religious rites, as are of a cruel or demoralizing**
19 **character or contrary to the law of the Commonwealth.**

20 END QUOTE

21
22 The principle of “separation” of State and Church clearly was embedded in the constitution.

23 .
24 As such, the State Government cannot order religious services to be denied. Neither can it deny
25 anyone who is not properly established to have been infected with any virus to not exercise their
26 constitutional rights.

27
28 The claim and exercise of Constitutional Rights cannot be converted into a crime. **Miller v. Kansas 230 F**
29 **2nd 486, 489:**

30
31 For a crime to exist, there must be an injured party (Corpus Delicti) There can be no sanction or penalty
32 imposed on one because of this Constitutional right. **Sherer v. Cullen 481 F. 945:**

33
34 **Vela v. Superior Ct., 208 Cal.App.3d. 141 [255 Cal.Rptr. 921 Obviously, administrative agencies, like**
35 **police officers must obey the Constitution and may not deprive persons of constitutional rights.**

36
37 [https://www.lewrockwell.com/2020/03/andrew-p-napolitano/can-the-government-restrict-travel-to-protect-public-](https://www.lewrockwell.com/2020/03/andrew-p-napolitano/can-the-government-restrict-travel-to-protect-public-health/)
38 [health/](https://www.lewrockwell.com/2020/03/andrew-p-napolitano/can-the-government-restrict-travel-to-protect-public-health/)

39 **Can the Government Restrict Travel to Protect Public Health?**
40 By [Andrew P. Napolitano](#)

41 Judge Andrew Napolitano: Coronavirus fear lets government assault our freedom in violation of Constitution

42 <https://www.foxnews.com/opinion/goverment-restrict-public-health-judge-andrew-napolitano>

43
44 I will not quote the entire statement as the links will enable you to do so.

45
46 <https://www.youtube.com/watch?v=9y1NRNF3Sm0>
47 **They Do NOT Want You Seeing This! - 5G Death Towers Exposed**

48
49 [https://www.naturalnews.com/2020-04-06-5g-alter-hemoglobin-coronavirus-patients-oxygen-](https://www.naturalnews.com/2020-04-06-5g-alter-hemoglobin-coronavirus-patients-oxygen-deprivation.html)
50 [deprivation.html](https://www.naturalnews.com/2020-04-06-5g-alter-hemoglobin-coronavirus-patients-oxygen-deprivation.html)

51 Can 5G exposure alter the structure and function of hemoglobin, causing coronavirus patients to die from oxygen deprivation?

https://www.youtube.com/watch?time_continue=5&v=P9dAN9VZdNQ&feature=emb_titlehttps://www.youtube.com/watch?time_continue=5&v=P9dAN9VZdNQ&feature=emb_title

[Former Vodafone boss blows whistle on 5G and COVID19. - YouTube](#)

Former Vodafone boss blows whistle on weaponized 5G and COVID19. This keeps getting deleted so im re-uploading it as the public deserve to hear it. It is a shorter version of the original as it ...

Neither has the Commonwealth any legislative powers to pay employers a reported \$1,500 a fortnight to keep people employed as they are not unemployed. Even if they are unemployed then they must all be paid the same level of unemployment rates.

Neither has it any legislative powers to provide payments for airlines to continue operations.

One may also consider:

<https://www.msn.com/en-au/news/coronavirus/the-ridiculous-excuse-one-couple-gave-police-after-being-slapped-with-a-dollar1000-covid-19-fine-for-driving-hundreds-of-kilometres-from-victoria-to-nsw/ar-BB12GBDf?ocid=spartandhp>

The RIDICULOUS excuse one couple gave police after being slapped with a \$1,000 Covid-19 fine for driving 'hundreds of kilometres' from Victoria to NSW

In my view it was the police who acted ridiculous as a person cannot be restrained from traveling. Where is the evidence that traveling either say 2 kilometres or 200 kilometres or whatever somehow is dangerous to society?

<https://www.zerohedge.com/health/australia-cops-use-surveillance-helicopter-track-down-remote-campers>
Aussie Cops Use Surveillance Helicopter To Track Down Remote Campers

So, here we have say a couple traveling by motor vehicle and caravan and then get told they cannot park all on their own in the wilderness because of the LOCKDOWN. What an utter and sheer nonsense.

https://www.theepochtimes.com/constitutional-rights-do-not-disappear-during-a-pandemic-says-doj_3311661.html

Constitutional Rights Do Not Disappear During a Pandemic, Says DOJ

And

<https://www.justice.gov/opa/pr/attorney-general-william-p-barr-issues-statement-religious-practice-and-social-distancing-0>

ATTORNEY GENERAL WILLIAM P. BARR ISSUES STATEMENT ON RELIGIOUS PRACTICE AND SOCIAL DISTANCING; DEPARTMENT OF JUSTICE FILES STATEMENT OF INTEREST IN MISSISSIPPI CHURCH CASE.

And

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF MISSISSIPPI

Case: 4:20-cv-00064-DMB-JMV Doc #: 6 Filed: 04/14/20 1 of 14 PageID #: 104

THE UNITED STATES' STATEMENT OF INTEREST IN SUPPORT OF PLAINTIFFS

TEMPLE BAPTIST CHURCH; *et al.*, Plaintiffs, v. Case No. 4:20-cv-64-DMB-JMV

CITY OF GREENVILLE, *et al.*, Defendants.

Also consider:

[Coronavirus: Mayor made Easter a crime, says US judge | Stuff.co.nz](#)

<https://i.stuff.co.nz/world/americas/120982110/coronavirus-mayor-made-easter-a-crime-says-us-judge>

A US federal judge has blocked Louisville Mayor Greg Fischer from ... US District Judge Justin Walker in a temporary restraining order issued ...

QUOTE County Court of Victoria, Case numbers T01567737 & Q10897630

WELSH v. UNITED STATES, 398 U.S. 333 (1970), 398 U.S. 333, **WELSH v. UNITED STATES, CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT, No. 76., Argued January 20, 1970, Decided June 15, 1970**

1. The language of 6 (j) cannot be construed (as it was in *United States v. Seeger*, supra, and as it is in the prevailing opinion) to exempt from military service all individuals who in good faith oppose all war, it being clear from both the legislative history and textual analysis of that provision that Congress used the words "by reason of religious training and belief" to limit religion to its theistic sense and to confine it to formal, organized worship or shared beliefs by a recognizable and cohesive group. Pp. 348-354.

2. The question of the constitutionality of 6 (j) cannot be avoided by a construction of that provision that is contrary to its intended meaning. Pp. 354-356.

3. Section 6 (j) contravenes the Establishment Clause of the First Amendment by exempting those whose conscientious objection claims are founded on a theistic belief while not exempting those whose claims are based on a secular belief. To comport with that clause an exemption must be "neutral" and include those whose belief emanates from a purely moral, ethical, or philosophical source. Pp. 356-361.

4. In view of the broad discretion conferred by the Act's severability clause and the longstanding policy of exempting religious conscientious objectors, the Court, rather than nullifying the exemption entirely, should extend its coverage to those like petitioner who have been unconstitutionally excluded from its coverage. Pp. 361-367.

And;

<http://www.vaccineinfo.net/exemptions/relexemptlet.shtml>

Hints for Religious Exemptions to Immunization

Please read the text below before you download, print, or use the sample religious exemption letter and support materials provided in the following link:

[Sample Religious Exemption Letter and Supporting Documentation](#)

Refer to the statutes. The laws require that immunization must conflict with the tenets and practices of a recognized or organized religion of which you are an adherent or member. **However, the law does not require you to name a religion at all. In fact, disclosing your religion could cause your religious exemption to be challenged.**

And

Some schools and daycares attempt **to require you to give far more information than required by law.**

You are not required by law to fill out any form letters from a school or daycare. The law allows you to submit your own letter and the letter only needs to meet the bare requirements of the law. Keep it simple; do not feel you need to describe your religious beliefs here as that also is not required by law.

And

Many times, when a school or day care **questions your exemption, they are merely unfamiliar with the law or trying to coerce you to go against your beliefs by deliberately misrepresenting the law. They are betting on the fact that you don't know your rights.**

What appears to be clear is that a "religious objection" is not qualified to a specific religion and neither can be as this would in fact offend Section 116 of the *Constitution*. Neither can it be associated with any particular religion as this would also interfere with Section 116 of the *Constitution*. Likewise, any person objecting under the "religious objection" Subsection 245(14) of the *Commonwealth Electoral Act 1918* neither can be required to be a religious person as this would also offend Section 116 of the *Constitution*, as the equivalent in *WELSH v. UNITED STATES, 398 U.S. 333 (1970)*, 398 U.S. 333 made clear that it (the "religious objection" applies as much to non religious persons as religious persons. Therefore, anyone objection for his/her personal reasons to vote clearly is entitled to do so regardless of having any specific religion mentioned.

END QUOTE County Court of Victoria, Case numbers T01567737 & Q10897630

ALSO CONSIDER:

<https://truepundit.com/exclusive-robort-f-kennedy-jr-drops-new-bombshell-bill-gates-coronavirus-vaccine-will-pay-out-billions-in-profits-to-dr-faucis-agency/>

<https://truepundit.com/exclusive-robort-f-kennedy-jr-drops-new-bombshell-bill-gates-coronavirus-vaccine-will-pay-out-billions-in-profits-to-dr-faucis-agency/>

As I stated on 14-4-2020:

QUOTE

I just happen a few hours ago come across a very good website, at least in my view,

<https://www.electrosensitivity.co/coronavirus.html> about *Electrosensitivity*

A lot of it is what I actually gathered myself in the last few months and some I stated in my correspondence to the Victorian Human Rights Commission:

This is a document of some 97 pages and surely going to take time not just to read it but also to digest it, but I view the various subject matters makes it worth to learn about what you never may have known but should have.

This document can be downloaded from:

18-4-2020

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<https://www.scribd.com/document/456216898/20200413-Mr-G-H-Schorel-Hlavka-O-W-B-to-Victoria-s-Human-Rights-Commissioner-Kristen-Hilton>

END QUOTE

Then consider:

<https://www.msn.com/en-au/news/australia/coronavirus-cases-at-western-sydney-aged-care-home-increase-by-five-as-nsw-infections-remain-steady/ar-BB12GIEk?ocid=spartandhp>

Coronavirus cases at Western Sydney aged-care home increase by five as NSW infections

What we have is that the vulnerable persons are rather infected at the location they resides. No kind of LOCKDOWN could possibly deal with this where gross incompetence of Ministers result to the vulnerable being infected.

We saw this with the Ruby Princess issue in N.S.W. where Federal Minister Greg Hunt was missing in action and yet he was the responsible person for it all.

Australians are being gauged for huge cost of medications and yet it may be that those medications are manufactured on the cheap using of all things “waste water”. The mere fact that this is suspected in itself may question the conditions those drugs are manufactured. And more over, why are medications so cheaply at great rid produced elsewhere when Australians could do the same?

<https://www.everydayhealth.com/heart-failure/fda-recalls-common-heart-drug-over-cancer-concerns/>

FDA Recalls Common Heart Drug Over Cancer Concerns

Impurity in drug’s active ingredient has been linked to cancer.

QUOTE

The FDA suspects that NDMA was somehow introduced during the manufacturing process.

“One possibility could be wastewater that contained the NDMA and made its way into the factory where the valsartan was manufactured,” says Ganio.

END QUOTE

https://www.zerohedge.com/geopolitical/should-trouble-us-deeply-chilling-documentary-maps-out-likely-origin-covid-19?utm_medium=referral&utm_source=mixi.media&utm_campaign=zerohedge

"This Should Trouble Us Deeply" - Chilling Documentary Maps Out Likely Origin Of COVID-19

QUOTE

“We’ve pretty much heard every rumor under the sun. We’ve heard every theory, every crazy rumor, we’ve heard all these different narratives,” said Joshua Philipp, award-winning investigative reporter and host of the show “[Crossroads](#).”

The rumors aren’t by accident: *The CCP has been actively [engaging](#) in a disinformation campaign, and media outlets around the world have parroted the [propaganda](#). As a result, **entire nations have been operating under false information** as they try to battle the [pandemic within](#) their [borders](#).*

END QUOTE

https://www.zerohedge.com/geopolitical/should-trouble-us-deeply-chilling-documentary-maps-out-likely-origin-covid-19?utm_medium=referral&utm_source=mixi.media&utm_campaign=zerohedge

"This Should Trouble Us Deeply" - Chilling Documentary Maps Out Likely Origin Of COVID-19

QUOTE

“The Chinese Communist Party has been very open about its biological warfare ambitions, they don’t even try to hide it. And it’s been a huge injustice that people have not held them to stronger account than they should have, because the Chinese Communist Party is able to act with impunity and nobody criticizes what they do,” Philipp said.

END QUOTE

https://www.ntd.com/leaked-documents-from-district-authorities-in-wuhan-reveal-scale-of-virus-data-coverup_454596.html

1 Leaked Documents From District Authorities in Wuhan Reveal Scale of Virus Data Coverup

2
3 https://www.theepochtimes.com/large-quantities-of-medical-supplies-exported-by-china-proven-to-be-defective_3300296.html

4
5 Large Quantities of Medical Supplies Exported By China Proven To Be Defective

6 QUOTE

7 The [CCP virus \(coronavirus\)](#) has spread globally. The Chinese regime's goal is to reverse their negative
8 image by exporting [medical supplies](#) to Spain and other countries suffering from the pandemic. However
9 these medical supplies sold have been found defective. These countries have now requested to return these
10 low-quality products.

11 The thermometers in this video are hollow inside, with parts missing, but still display a “normal” body
12 temperature. Netizens find this unbelievable and can't imagine the further damages these would cause
13 worldwide.

14 **Another netizen exposed the following: “Zhang Xuandong, the owner of Haofeng Electronic**
15 **Technology Co., Ltd. in Guangdong, suggested that manufacturers should produce fake thermometers**
16 **to sell to the U.S. In a WeChat group of ‘Aibang Thermometer Industrial Resource Exchange Group**
17 **3,’ he said ‘let their body temperatures be tested at 36.5 degrees celsius—which is 97.7 degrees**
18 **fahrenheit—even if they have a fever of 39 degrees celsius—which is 102 degrees fahrenheit in order to**
19 **get more of them infected and see how Americans can spread the disease.” After this conversation**
20 **was doxed, he claimed that he was just being patriotic.**

21 As the CCP virus pandemic continues to spread globally, even more exported medical supplies from [China](#)
22 have been found defective. On March 24, the Czech Republic news site Ack-Tuaal-Ñié reported that the kits
23 sent from China were 80% defective.

24 On March 26, according to Spain's Health Minister Salvador Illa, 9,000 virus test kits sent from China to
25 Spain were 70% defective, and these kits had been returned.

26 On March 27, Ates Kara, the Turkish health ministry official said, the batch of testing kits from China were
27 only 30 to 35 percent accurate.

28 Philippines' Department of Health's undersecretary Maria Rosario said “Among the first test kits donated to
29 us by China, only 40% were accurate, we did not use them because the accuracy rate was low.”

30 On March 28, the Netherlands announced it had recalled around 600,000 masks that had arrived in a
31 shipment of 1.3 million purchased from a Chinese manufacturer a week earlier.

32 END QUOTE

33
34 The mere fact that so many health workers despite using protective gear are allegedly falling ill
35 in my view means that lack of proper testing is the real issue.

36 If indeed hospitals, cruise ships, Wuhan, Italy, Spain, etc, all are so severely effected while they
37 all use 5G then surely common sense should make sure that this is appropriately attended to.

38 What about the police officers who may be affected by their mobiles, etc?

39 Are they perhaps spreading unintentionally any virus?

40
41 [https://www.theepochtimes.com/bill-gates-flu-vaccine-isnt-effective-in-the-elderly-covid-19-vaccine-will-](https://www.theepochtimes.com/bill-gates-flu-vaccine-isnt-effective-in-the-elderly-covid-19-vaccine-will-have-to-be-different_3307951.html)
42 [have-to-be-different_3307951.html](https://www.theepochtimes.com/bill-gates-flu-vaccine-isnt-effective-in-the-elderly-covid-19-vaccine-will-have-to-be-different_3307951.html)

43 Bill Gates: **Flu Vaccine Isn't Effective in the Elderly**, COVID-19 Vaccine Will Have to be Different

44
45 One of the real reasons, as I understand it from my limited research is that so many elderly
46 become victims because their immune system is undermined by not only the **5G** communication
47 transmissions but also because of the immunizations they are being subjected to.

48 In prisons they have non-contact facilities where the prisoner and visitor are separated by a glass
49 or plastic wall. The same could be used for visitors to hospitals and nursing homes. To deny
50 those staying/residing in hospitals/nursing homes the right of human contact with family
51 members and/or friends is cruelty in itself.

52 The police rather than enforcing unconstitutional lockdowns, and by this become part of
53 government sponsored terrorism upon citizens, should be reminded to their oath/affirmation
54 becoming a police officer and not participate in unconstitutional activities, such as set out above.
55 Ask any police officer if their nationality is being an “Australian citizen” and no doubt they will
56 confirm this. Showing how much each and everyone has been brainwashed. As constitutionally
57 there is no such thing as an nationality being an “Australian Citizen”, but that is another story.

The Ministry, 'voluntary' fascism, and Fundamental Human Rights antidotes; - Australia will launch tracing app as voluntary 'and see how it goes', deputy medical officer says

QUOTE

Coronavirus Australia live news: Government urges Australians to use tracing app despite privacy fears
By Dan Colasimone
Updated April 17, 2020 15:43:40
<https://www.abc.net.au/news/2020-04-17/coronavirus-australia-live-updates-covid19-latest-news/12155268>

Deputy Chief Medical Officer Paul Kelly has not ruled out making a coronavirus tracing app compulsory if not enough people install it voluntarily.

"We start with voluntary and then we see how it goes," Professor Kelly told an afternoon press conference.

http://livenews.abc.net.au/Event/Coronavirus_Australia_live_news :

Some more details on the government's coronavirus-tracking app

The app uses Bluetooth technology to track coronavirus victims and the people they come in contact with.

<https://www.abc.net.au/news/2020-04-14/coronavirus-app-government-wants-australians-to-download/12148210>

.. The Federal Government believes restrictions on the community could be eased in the months ahead if there's more testing, greater surveillance of those infected by the coronavirus and much faster tracing of those they've had contact with.

The government's given us some more detail, confirming data collected from the app would be uploaded to a server in the event someone tests positive to COVID-19.

This is significant, because some experts argue if the data is stored on a server it would attract privacy threats from hackers, and would also act as a disincentive for people to sign-up to the app.

<https://www.abc.net.au/news/2020-04-15/challenge-to-convince-australians-to-use-coronavirus-tracing-app/12151130>

END QUOTE

Again:

QUOTE

Deputy Chief Medical Officer Paul Kelly has not ruled out making a coronavirus tracing app compulsory if not enough people install it voluntarily

END QUOTE

How on earth can a Deputy Chief Medical Officer decide what will be "compulsory" in violation of citizens constitutional rights? Or, is it that the various government simply take the police for granted to do its dirty work in violation of their oaths/affirmation and terrorise the general community? It is time the police considers if it is indeed to serve their employers the "general community" or serving politicians who may not care less about what is really lawful or not. It appears to me to be nothing less than the NWO (New World Order) system they are seeking to put in place as like Communist China. The virus appears to me to be merely a tool to their means to get to their NWO end. That is if the police does its dirty work of enforcement!

So much to its all but in my view the above ought to make it clear that the proposed LOCKDOWN is unconstitutional.

This correspondence is not intended and neither must be perceived to address all issues.

Awaiting your response,  **G. H. Schorel-Hlavka O.W.B.** (Friends call me Gerrit)

MAY JUSTICE ALWAYS PREVAIL®

(Our name is our motto!)