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WITHOUT PREJUDICE, IN GOOD FAITH

Date: 23rd March 2017

The Hon. Malcolm Turnbull MP, Prime Minister of Australia
The Hon. Senator Stephen Parry, President of the Senate
The Hon. Tony Smith MP, Speaker of the House of Representatives
The Hon. Senator George Brandis, Attorney General
Parliament House
Canberra ACT 2600

To Mr Malcolm Turnbull MP, Senator Parry, Senator Brandis & Mr Tony Smith MP,

It has come to my attention that referendums that should have been conducted, have been omitted and consequently our constitution, the Commonwealth Constitution Act 1901, has been under attack. Since my purported ejection from the Senate, my research into my defence has had me uncover the consequences of omitting referendums, which have resulted in alleged criminal acts by Commonwealth Officials, and they are now going to be revealed to all Australian electors and my Western Australian constituents, in the contents of this document. For me to keep this new evidence a secret, would mean that I would be breaking my oath that I gave to Her Majesty Queen Elizabeth the Second, the Commonwealth and all Australians.

As you are aware, the Commonwealth Constitution Act 1901 is a United Kingdom Act; from clauses 1-8 plus the Schedule is the United Kingdom portion, and clauses 9-128 is the Australian portion of the act, and on that basis, no court (High Court) or Parliament within Australia can interfere with this United Kingdom act, as they have no jurisdiction to do so.

The most well known challenge in relation to section 44 of the Commonwealth Constitution Act 1901 (Disqualification) was Sue vs Hill [1999] HCA 30. Senator Hill, another One Nation senator, was removed as a parliamentarian without the senate abiding by section 47 of the Commonwealth Constitution Act 1901 and discussing Sue's petition in the Senate and then by resolution sending the dispute to the Court of Disputed Returns at that time. Three High Court justices stated that under the constitutional process, the matter should have been referred by the Senate and the other four High Court justices disregarded that statement and **ruled that the United Kingdom was a foreign power.** I therefore believe that this particular ruling is beyond the power of the High Court and a constitutional breach, due to the United Kingdom being the legal owner of the Commonwealth Constitution Act 1901.

I state this because since finding out that the Queen has been removed from certain acts, without a referendum, and as confirmed by Senator Brandis and the High Court Rules Committee when they had to reinstate the Her Majesty Queen Elizabeth the Second in their rules, their validity to sit and rule on my matter, is now under challenge. I am further questioning why the Senate, did not invoke their power as the highest court in the land, as granted to it by section 47 Commonwealth Constitution Act 1901, and deal with my matter when it became evident that the High Court was temporarily out of order and Senator Brandis had prior knowledge since 12th September 2016.

The people of Australia are noticing and feeling the injustices taking place in this country and they have certainly watched my story play out in the courts and through the media. Professors of Law have even publicly stated that the High Court 'got it wrong' and due to the handling of my cases, many people now believe that justice has been perverted in Australia.

As elected members of your respective constituents, and duly accountable to such and parliamentary leaders of our nation, I am respectfully requesting that you have a look at all material facts surrounding my purported removal from the Senate, in doing so placing me in the capacity of 'senator in exile'. The critical material facts, yet to be fully disclosed, must now become a matter of public interest and in particular to the electors of the Australian public, both State and Commonwealth.

The facts stated above, certainly put the apex of Australia's court into question but, in relation to additional alleged illegal practices that we have most recently discovered, here are the material facts:

1. In 2004, the Parliament in Western Australia purportedly enacted an act (principal overt act), the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 (No. 65 of 2003), that removed Her Majesty Queen Elizabeth the Second, Her Heirs and successors without a referendum.

2. Section 130 'Supreme Court Act 1935' (3) of the act was added into the overt act (Acts Amendment and Repeal (Courts and Legal Practice) Act 2003), which is a direct constitutional and criminal breach of the statutory requirements set out at section 73 (2) Western Australia Constitution Act 1889 and sections 123 and 128 of the Commonwealth Constitution Act 1901.

   Supreme Court Act 1935 amended - Section 130 (3): "Section 9 (1) is amended by deleting "Her Majesty" and inserting instead --- "the Governor".

   Supreme Court Act 1935 amended - Section 9 (1): "All judges of the Supreme Court shall hold their offices during good behaviour, subject to a power of removal by the Governor

upon the address of both Houses of Parliament."

3. When the Governor of Western Australia (John Sanderson) enacted the removal of the Queen, he substituted himself into her place and role within Western Australia, declaring himself as the de facto monarch of the State of Western Australia. He subsequently breached several constitutional acts, as follows:

   (1) Australia Act 1986 – In particular section 7 (1)
   (2) Western Australia Constitution Act 1889
   (3) Commonwealth Constitution Act 1901
   (4) Bill of Rights 1688 (UK)
   (5) Act of Settlement 1701 (UK)
   (6) Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 WA (NO. 65 of 2003) – in particular section 130 (3)

4. In relation to the United Kingdom Acts (named above), these are inherent contained within section 49 of the Commonwealth Constitution Act 1901. Refer to Sue vs Hill [1999] HCA 30.

5. The removal of the Queen was concealed from every elector in Western Australia and Australia, since 2004 and up until this present day, when the Western Australian Parliament did not ask the people at a referendum, as required under section 73 Western Australia Constitution Act 1889.

6. I have been recently made aware that the Australian Electoral Commission in conjunction with the Federal Court of Australia and the High Court of Australia, have concealed this material fact from the people and electors of Australia over a number of years.

7. Due to the removal of the Queen and substitution of the Governor of Western Australia I am questioning whether the purported election writ for the senators, at the 2016 Federal election, is a writ beyond power since the removal of the Queen.

8. Every Parliament sitting in Australia relies on parliamentary powers, privileges and immunities from the House of Commons in the UK, and that House relies entirely on the 1688 Bill of Rights (UK) and the Act of Settlement 1701 (UK); the Act of Settlement 1701 states the law with respect to the removal of judges based on proven misbehavior.

9. The brief summary of the obvious conclusion is that by misleading and deceptive conduct that has occurred, I was purportedly elected on an invalid election writ and without my knowledge or consent, I innocently took the Oath of Allegiance to Her Majesty Queen Elizabeth the Second as required of a senator under section 42 plus the Schedule of the

Commonwealth Constitution Act 1901.

10. This conclusion is also based on the fact that you could only remove the Queen with a referendum consented by both the states and Commonwealth.

11. No referendums were held to purportedly enable this and the electors were subsequently shut out of this illegal and criminal action.

12. I believe that the Federal election of 2016 was fraudulently conducted and void, in law, and therefore no senator or House of Representatives Member would be in the position to refer me to the Court of Disputed Returns, over a question regarding my eligibility.

13. In relation to all of the above, I refer to section 352 (2) of Commonwealth Electoral Act 1918 which states:

    "For the purpose of this Part, a person who aids, abets, counsels or procures, or by act or omission is in any way directly or indirectly knowingly concerned in, or party to, the contravention of a provision of this Act, the Crimes Act 1914 or the regulations under this Act shall be deemed to have contravened that provision."

14. There is only one conclusion to make of this discovery in relation to these material facts and the common sense manner of dealing with this is in accordance with section 80 of the Commonwealth Constitution Act 1901 (Trial by jury on indictment), through a state trial of the issues involved, in the state of the offence.

15. In checking the validity of the senate writ, I also had to refer back to the House of Representatives writ for Western Australia, purportedly issued under Section 32 Commonwealth Constitution Act 1901, but issued by a state senator for Western Australia, Mathias Cormann, to Thomas Joseph Rogers (Commonwealth Electoral Commissioner), witnessed by the current purported Governor-General Sir Peter Cosgrove and entered onto the record 16th May 2016 by the Secretary to the Federal Executive Council, Mr Jamie Fox. However, with the Queen removed without the referendum, this particular writ suffers the same demise as the senate writ, which automatically implicates both houses of parliament.

16. Based on the most recent discoveries, it is constitutionally impossible to substitute any person into my currently alleged vacant senate seat until these matters are resolved.

17. The ramification of my current vacant seat is that Peter Georgiou may be sworn into the seat without knowledge of the constitutional consequences that will follow, in particular the criminal offence of section 44 (ii) "is attainted of treason".

18. When I became a senator, I had no knowledge of section 123 Commonwealth Constitution Act 1901 (Alterations of limits of states), but I have now fully become aware of the constitutional consequences of said section. In relation to this section, it involves the constitutional question surrounding the law of inter se, which emanates from section 74 of the Commonwealth Constitution Act 1901 and is only enabled by sections 22 and 23 of the Judiciary Act 1903 (Commonwealth), which is only enabled with the minimum three judges to discover the inter se.

During the time I spent as a Senator, I swore allegiance and witnessed others swear allegiance to her 'Majesty Queen Elizabeth the Second, Her heirs and successors.' I gave my oath not only to Her Majesty to uphold the Commonwealth Constitution, but also to the people of Australia and I remain committed and duty bound to serving the people and uncovering these illegal practices.

On the 12th September 2016, I raised my inaugural question to the Senate, in reference to section 33 of the High Court Act 1979 concerning the High Court Rules of 2006, due to a vital part of the writs, that is the Queen, being excluded from the High Court Rules.

The question was referred to the principal registrar of the High Court of Australia, Mr Andrew Phelan, where it was tabled at the Rules Committee on the 12th October 2016. It was from that very first question that the High Court, being the principal court of Australia, made amendments to their rules to bring it back into order with the High Court Act 1979 and the Commonwealth Constitution Act 1901. This has proven beyond reasonable doubt that the High Court of Australia must answer to the Australian electorate in regards to their conduct. It is my job as a duly elected Western Australia Senator to raise these critical questions, on behalf of all Western Australia, people and voters.

Other discrepancies have now arisen and I therefore am significantly frustrated toward the decision brought down by the purported Court of Disputed Returns; being that I was ineligible to continue my role as a senator. If I did not raise these matters with you, I would clearly not be upholding my oath, based simply on the true law of the Constitution, the birth certificate of our great nation.

Our most recent discovery in relation to the removal of the Queen, means that the High Court could not function as a Chapter 3 court, in accordance with the Commonwealth Constitution Act 1901, in regards to my purported removal as a Senator and therefore the High Court order is nugatory. (NEW EVIDENCE BASED ON FRAUD)

In reading section 80 Criminal Code Act 1995 (Commonwealth) 'The security of the Commonwealth', it deals explicitly with the criminal offence of treason which now must be handled with extreme caution.

Due to the High Court not abiding by the requirements of section 47 of Commonwealth Constitution Act 1901 and instructing a written resolution from both houses, I am requesting that the Senate, hear the 'material facts' and new evidence of my case for the following reasons:

1. PURPORTED BANKCRUPTCY

- Senate President, Senator Parry, informed me that I had been removed as a senator due to a purported bankruptcy via letter, on 11th January 2017, however there was a Federal Court Order in place which said there was to be a **stay on ALL proceedings up until 13th January 2017.**

- Senator Parry wrote to the purported Governor of the state of Western Australia (Kerry Sanderson) and declared my senate seat vacant on 11th January 2016 but at this period, the purported Governor of Western Australia was complicit to the criminal removal of the Queen without holding a referendum.

- Senator Parry's office was giving information to the media (The Australian), regarding my removal from the Senate over the purported bankruptcy, prior to officially notifying myself personally and my office but omitted informing The Australian of the removal of the Queen without a referendum.

- I believe that Senator Parry's actions, announcing publicly that I was no longer a senator and receiving an income from the Commonwealth, interfered in my purported bankruptcy action, which was still before the Federal Court; however this court does not have the power to act under a Chapter Three court with the Queen removed.

- The stay on all proceedings was extended a further two times, which **expired on 8th February 2017.**

- An **appeal against my purported bankruptcy was filed in the High Court of Australia on the 9th February 2017; hence it is before the court (currently operating outside its grant of power).**

- It has come to my attention that the Federal Court of Australia is an integrated part of the Australian Electoral Commission under the Commonwealth Electoral Act 1918.

- I filed an appeal in the High Court, due to the **Federal Court failing to carry out 7 of**

the 10 mandatory procedures required under the Bankruptcy Act 1966 (Commonwealth) and omitting to inform all concerned about the removal of Her Majesty Queen Elizabeth the Second from the state of Western Australia.

- The question of my removal from the senate, over a purported bankruptcy, has never been raised in the senate, as required under section 47 of the Commonwealth of Australia Constitution Act 1901.

- The Court of Disputed Returns has not been asked to rule on my removal from the Senate based on a purported bankruptcy under section 44 (iii) of the Commonwealth Constitutional Act 1901 and as required under section 376 Commonwealth Electoral Act 1918.

- It may be the case that Senator Parry usurped powers of the Senate, and took it upon himself to eject me from the Senate, without the full facts relating to my purported bankruptcy action, or abiding by the Commonwealth Constitution Act 1901 or section 376 Commonwealth Electoral Act 1918.

- Under common law, **Senator Parry did commit misfeasance in a public office**.

- The Parliament website also states that I was made ineligible from sitting as a Senator as I had been bankrupted on 23rd December 2016, **however I am not a bankrupt.**

  "On 11 January 2017, the President of the Senate informed the Governor of Western Australia of a vacancy due to Senator Culleton being disqualified from the position due to a declaration of bankruptcy." (http://www.aph.gov.au/About_Parliament/Senate)

- **I cannot be a bankrupt or insolvent under the Bankruptcy Act 1966 (Commonwealth),** as I am still in full control of my assets (no trustee), with evidence filed in the court that I have a company worth approximately $20 million; well in excess of any purported debt.

- **Based on my most recent discoveries, I am also not able to be bankrupted as the Federal Court cannot sit as a Chapter 3 court, with the Queen removed.**

- According to Chapter 6 of Odgers' Australian Senate Practice, my filed appeal means that no action can be taken to fill the alleged vacant senate seat. I have been informed that Senator Parry has also concealed material evidence in relation to the removal of the Queen.

2. REFERRAL BY THE SENATE TO THE COURT OF DISPUTED RETURNS

- My referral to the Court of Disputed Returns was based on very narrow questions, constructed by the Attorney-General Senator Brandis alone and not with input from the Senate nor the House of Representatives. As a result, I believe Senator Brandis submitted misleading information to the senate, and then the High Court of Australia via senate President Senator Parry.

- On 1st December 2016, I successfully moved and resolved a motion in the Senate that Senator Brandis be called before the Senate to answer why he did not present all evidence surrounding my purported larceny conviction in absentia. This shows that the majority of senators believe that Senator Brandis misled them.

- I was not given a fair trial in the Court of Disputed Returns as the 'agreed facts' could not be vented in the court, due to Senator Brandis constructing the questions based on 'his' facts.

- I believe that Senator Brandis has misled the Court of Disputed Returns in a number of his submissions:

  "…s 44(ii) is engaged in Senator Culleton's case by the historical fact of his being "subject to be sentenced" at all material times in the process of the 2016 Western Australian Senate election." – paragraph 6 of Submissions by the Attorney-General of the Commonwealth (Intervening).

- Senator Brandis also misled the Court of Disputed Returns and said that the Governor of Western Australia (Kerry Sanderson) issued the election writ for the Western Australian Senate election in 2016, when it was Wayne Martin (the Chief Justice of the Supreme Court of Western Australia, acting as the purported Deputy to the Governor of Western Australia) who issued it.

  "On 16 May 2016, the Governor of Western Australia issued a writ for the election of Senators for Western Australia." (Attorney-General George Brandis' High Court Submission filed 25th November 2016)

- All of this is under the law of treason, inclusive of misprison of treason. Section 44 (ii) Commonwealth Constitution Act 1901 says that a person who is attainted of treason, is incapable of being chosen or sitting in Parliament, so therefore Senator Brandis has made constitutional and criminal breaches by not revealing to the electorate that the Queen had been removed and substituted by the Governor of Western Australia.

- Under section 25.1(a) Crimes (Sentencing Procedure) Act 1999, *The Local Court must*

not make any of the following orders with respect to an absent offender: (a) an order imposing a sentence of imprisonment, and therefore I was never subject to being sentenced to imprisonment for one year or longer as required under Section 44 (ii) Commonwealth Constitution Act 1901. It is impossible to gain an indictment with a Chapter 3 Court, which has removed the Queen.

- Another reason why I was never under sentence or subject to be sentenced at the time of the Federal election on 2nd July 2016 was that I had filed the application for annulment of the conviction on 24th March 2016. Upon the acceptance of the application, the court was to deal with the matter as if no conviction or sentence was recorded (section 9 NSW Crimes (Appeal and Review) Act 2001) so at no stage did I fill out my Australian Electoral Commission candidate nomination form when I was subject to a conviction and sentencing. I further now know that the AEC candidate nomination Form 59, is now an invalid nomination form because the Queen was removed.

My new trial went to court on 8th August 2016 and was finalized with no conviction recorded, before I was sworn in as a Senator on the 30th August 2016.

- I recently read on the Parliamentary website, in Odgers' Australian Senate Practice 12th Edition:

"Paragraph (ii.) of section 44, relating to conviction for offences, operates only while a person is under sentence or subject to be sentenced for an offence described by the section, that is an offence punishable (not necessarily actually punished) by imprisonment for one year or longer. (Nile v Wood 1988 167 CLR 133). A person is under sentence while a sentence which has been imposed has not been completed, and is ***subject to be sentenced while there is a continuing possibility of a sentence being imposed,*** *for example, where a sentence is suspended as part of a conditional release with a bond.* ***Presumably if a conviction is quashed on appeal the vacancy which was taken to have occurred upon conviction and sentence is then taken not to have occurred. If such a presumed vacancy has been filled the filling of the vacancy would then also be void*** *(for a contrary interpretation in the UK, see Attorney-General v Jones 1999 3 All ER 436). Therefore, if a member of either House is convicted and sentenced such as to involve the disqualification, the member should not attend the House and the* ***member's place should not be filled until any appeal against the conviction is determined****."*

- Highlighted above, it clearly shows that I was always eligible to be a senator under section 44 (ii) Commonwealth Constitution Act 1900, as there was never any chance of a sentence of imprisonment being imposed due to the conviction being in absentia and the **annulment being filed well before the federal election.**

- Odgers' Senate Practice also states that if the conviction is quashed (**mine was annulled),** then it is taken to not have occurred. However, High Court Justices Kiefel, Bell, Keane and Gageler ruled otherwise. Justice Nettle however ruled that annulment meant that it never occurred (retrospective). Therefore, I believe that I am **eligible to be a senator.**
- I now have the government and Parliament saying that I was never a senator and they have removed all evidence of my existence apart from Hansard, and are now threatening to sue me for the salary I received.

- In my Senate speech on 7th November 2016, I stated:

  "On Saturday 29 October Senator Brandis said he had been in contact with the High Court and that it had been brought to his attention that the contempt [sic - content] of my question is accurate. If that is the case, what are we doing here today without that issue of the High Court being first resolved? If, indeed, the High Court is out of order, as my question indicated and their own rules confirm, ***how can they preside over anyone?"***

- It is evident that the High court cannot sit in judgment as the Court of Disputed Returns, when they have been found to be incompetent through their own admission to Senator Brandis.

- Senator Brandis, in his reply to my question, informed the Senate that the matter had never been raised before and that even the last 16 High Court Justices (including 2 chief justices) had not noticed the anomaly.

- What Senator Brandis and the High Court do not know is that through my quest for justice, I have been in contact with a man who in 2007, successfully sued the Commonwealth (O'Bryan v Commonwealth: CI-06-03878) over this very same question.

- The High Court knew about this discrepancy in their rules, from 2007, and even after a court order was sealed, they failed to act to amend the High Court Rules to include the Queen on their writs. The Attorney General's Department knew about the O'Bryan case and therefore Senator Brandis, I believe, has misled the Senate.

3. AMBIGUOUS HIGH COURT JUDGEMENT

- After the resignation of Chief Justice Robert French, a former Federal Court judge from the state of Western Australia, who came to the High Court after the Queen was removed, Justice, Susan Mary Kiefel became the new Chief Justice of the High Court of Australia. However, it was reported that Chief Justice Kiefel was sworn in by another purported High Court Justice, Virginia Bell, instead of being sworn in by the Governor-General, Sir Peter Cosgrove, conditional on the grants of power being subject to the validity of a

Chapter Three court with the Queen removed.

- On the 3rd February 2017, the High Court of Australia, brought down a very ambiguous **judgment** where they stated:

  *Paragraph 35 - Whether or not Senator Culleton was, at any time, an absent offender depended on whether the court was dealing with him in his absence. Once he was present in court, whether in answer to the warrant issued for that purpose or otherwise, he was no longer an absent offender, and a punishment of imprisonment **might** lawfully be imposed on him.*

  *Paragraph 36 - While Senator Culleton was not liable to be sentenced to imprisonment in his absence immediately upon the conviction being recorded on 2 March 2016, once the warrant issued on that day for his arrest, the processes of the law pursuant to which he **might** lawfully be sentenced to imprisonment were set in train. If those processes took their course, he would be present when sentenced, and so **might** lawfully be sentenced to a term of imprisonment without offending s 25(1)(a) of the CSP Act. It is not correct to say that at the time of the 2016 election he was not "subject to be sentenced".*

- Section 44 of the Commonwealth Constitution Act 1901 requires, not beyond reasonable doubt, that a person ***"has been convicted"*** **and** ***"is under or subject to be sentenced."*** It does not say "**might be convicted**" and "**might be subject to sentencing**," and therefore there is an admission of reasonable doubt in the High Court's judgment.

- Furthermore, larceny in NSW is an indictable offence and there is no record of any written indictment recorded anywhere, in relation to my case.

- Whilst the High Court's judgment states that the warrant issued on 2nd March was to bring me before the Armidale Court for sentencing, Section 25.2(a) NSW Crimes (Sentencing Procedure) Act 1999 says:

  *"At the time after it finds an absent offender guilty of an offence or convicts an absent offender for an offence, the Local Court: (a) may issue a warrant for the offender's arrest, for the purpose of having the offender brought before the Local Court for conviction and sentencing, or for sentencing, **as the case requires.***

- My purported warrant was not for sentencing, as **the case did not require sentencing**; it was only to bring me to court for the annulment hearing which was the first of two steps in the alleged larceny action.

- The application for annulment was filed on the 24th March 2016 and Section 9 (3) NSW Crimes (Appeal and Review) Act 2001 – 'Procedures after decision on application' states:

The Local Court is to deal with the original matter as if no conviction or sentence had been previously made or imposed; this was well before the 2nd July 2016 election so there was no chance of sentencing ever.

- Through Question (c) that was asked of the Court of Disputed Returns, the High Court had the opportunity to give me a proper trial, with all of the 'agreed facts' vented in the court but they thought that was unnecessary:

  "Question (c), - What directions and other orders, if any, should the Court make in order to hear and finally dispose of this reference?"

  "Answer – Unnecessary to answer."

- My legal counsel presented my case. However, due to the High Court only answering the narrow questions presented, they did not take into account all agreed facts. The High Court should have realised that there were more facts of relevance to the case and used Question 3 to bring them into the hearing, but they did not.

- It must be noted that section 71 (a) of the Judiciary Act 1903, is ultra vires under the Commonwealth Constitution Act 1901.

- At the Court of Disputed Returns on 2nd March 2017, my legal counsel filed a submission which Justice Keane ignored, as he had already walked into the court with his final judgment. As a party to the proceeding, I had every legal right to present my submission and agreed facts however I was denied.

- It is to be noted with these material facts that Justice Patrick Keane originated from Queensland, prior to the Queensland Constitution 2001 being enacted. The Queensland Constitution 2001 also did not abide by requirements of section 53 Commonwealth Constitution Act 1901, which was altered after 2001, without a referendum.

4. VOIDED HIGH COURT ORDER/DECLARATION

- On the 10th March 2017, the High Court (in Brisbane) brought down an order, which only included a 'declaration' and did not include an order or instructions for the senate vacancy to be filled. At no time did they reveal that the Queen had been removed.

- The order declares:
  "2. Panagiotis Georgiou is duly elected as a senator for the State of Western Australia for the place for which Rodney Culleton was returned."

- This order declares that Peter Georgiou was elected and I was returned. My legal counsel has said that it is a contradictory court 'order' (opinion verbal only).

- The Australian Electoral Commission does not have 'interpretation powers' under the Commonwealth Electoral Act 1918 and therefore may not be able to act on the order, to fill the vacancy.

- The High Court, while making the vacancy order, has not complied with the statutory requirements of section 15 Commonwealth Constitution At 1901. In addition the section states 'a particular political party' but since the illegal removal of the Queen, no political party in Western Australia can exist.

Under Section 47 of the Commonwealth Constitution Act 1901, the senate has the jurisdiction as the highest court in the land, to make a decision regarding my eligibility and restore Australians' confidence in our judiciary and the electoral system; and I am asking the Senate to do so.

Furthermore, under Section 376 Commonwealth Electoral Act 1918, the Senate only ***'may'*** refer any question respecting the qualification of a Member to the Court of Disputed Returns and so, this clause **gives the opportunity that the House in which the question arises can deal with the matter, and only if the houses are validly sitting**.

In 2011, Senator Madigan became subject to a petition filed with the Clerk of the Senate, asking the Senate to refer questions pertaining to his qualifications to the Court of Disputed Returns. The Senate did not refer the matter to the court and returned the petitioner's money with a statement that the senate had concluded the action.

I have been informed that Senator Madigan (and every Victorian Senator) was fully aware of the illegal removal of Her Majesty Queen Elizabeth the Second and the substitution of the Western Australia Governor, and concealed it.

The Quick and Garran Annotation to the Commonwealth Constitution clearly brings on the obligation to the High Court of Parliament (Senate and House of Representatives) with respect to dealing with any breach of power or privilege, and that power is yet to be exercised; the High Court of Parliament is referred to on page 502 (Quick and Garran), second paragraph.

If a judgment can be shown to the Parliament to be outside the competence of the relevant court, the Parliament also has the power to dismiss the offending Judge or Judges under Section 72 (ii) Commonwealth Constitution Act 1901, inclusive of the Act of Settlement 1701, and in addition to the indictable offence revealed at section 34 Crimes Act 1914 (Commonwealth). Hence a free and unfettered debate should also be allowed under section 47 of the Commonwealth

Constitution Act 1901 on whether an elected representative could ever be dismissed from the Parliament before trial on indictment.

As you will be aware, any Western Australia elector is entitled to bring an action under section 73 (6) for a declaration and injunction or other remedy. Several constituents have already informed me that they are prepared to file in both civil and criminal jurisdictions, should an acceptable and fair process not be granted. In addition section 60 of the Judiciary Act 1903 now operates.

I have most recently found, under section 383 (Injunctions) Commonwealth Electoral Act 1918, it is the legal responsibility of the Australian Electoral Commission to institute proceedings where alleged illegal practices have been discovered. I have also most recently discovered the **Chief Legal Officer of the AEC,** Mr Paul Pirani's, paper "*Current Issues and Recent Cases on Electoral Law – The Australian Electoral Commission Perspective* (Summer Scholar's Paper, 24th August 2016)" which clearly sets out this legal responsibility and I will further be corresponding with the Australian Electoral Commission in regards to my findings.

It has also now come to my attention that section 378 (Parties to the reference) of the Commonwealth Electoral Act 1918 clearly sets out that any person who in the opinion of the court is interested in the determination of any questions referred to it under this part, be heard on the hearing of the reference. This means that to bring accountability to the Australian Electoral Commission any person within Australia, through section 378 of the act, can make an application to be heard.

Many Australians have watched my journey and they know the truth and believe that this has been a political witch hunt. Pauline Hanson was also subject to a witch hunt nearly 20 years ago and as you are now aware, Australians noticed and re-elected her with three other Senators.

In relation to Pauline Hanson, I have also been informed that she plus another three Commonwealth politicians (Senator Derryn Hinch, Senator Stephen Parry and Tony Smith MP) have been given extensive knowledge and have concealed specific documents from the electors of the Commonwealth of Australia.

In more recent days, it has come to my attention that section 34 of the Crimes Act 1914 (Commonwealth) states that Judges and Magistrates exercising federal jurisdiction with a personal interest, carries a penalty of 2 years jail. **It must be noted that every judge and magistrate sitting in Australia is outside their grant of power and is in criminal breach of section 34 Crimes Act 1914 as they have accepted a salary and pending superannuation for a successful concealment of the removal of the Queen.**

I provide to you this important information also to stop the banking bail in and theft of further

Australians' assets. It has now come to my attention that section 3AA of the Crimes Act 1914, deals with state offences that have a Federal aspect and defines the Constitutional corporation, meaning a corporation to which paragraph 51 (xx) of the Constitution applies: foreign corporations, and trading or financial corporations formed within the limits of the Commonwealth.

To counter international banking bail in requirements, it is absolutely imperative that intrastate banking, that is a state bank created within the Parliament of the state, be immediately created and implemented. In addition that the validity or invalidity of the Memorandum and Articles of Association for Commonwealth of Australia, lodged at ASIC in April 1991, be reviewed on the basis that page three of the articles does not have the required witness signature.

Everyday I am stopped by people on the streets of Perth who tell me to keep going, and I will until justice is restored and I still take NOTHING away from my inaugural Maiden Speech (First Speech) in particular the Royal Commission into the Financial Sector, including Trustees, and the implementation of grand juries, under both common and statute law.

I am looking forward to having my time on the Senate floor, to speak on behalf of all people and electors of Western Australia, where I will table full documentation to support all of the above, which has been granted by the success of passing a motion to do so.

Sincerely,

Rodney Norman Culleton, a humble servant of Her Majesty Queen Elizabeth the Second, until altered by a valid and legal referendum.