



A LOYAL SUBJECT OF HER MAJESTY QUEEN ELIZABETH II
"QUEEN OF AUSTRALIA"



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LEGAL, CONSTITUTIONAL AND
ADMINISTRATIVE REVIEW
COMMITTEE

MY REF; A.H.T.7.

8 November 1997.

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LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE
REVIEW COMMITTEE.

Issues Paper No.3; SUBMISSION TO COMMITTEE.
THE PRESERVATION AND ENHANCEMENT OF INDIVIDUALS RIGHTS AND FREEDOMS:
SHOULD QUEENSLAND ADOPT A BILL OF RIGHTS?

May I begin this Submission by drawing your attention to Inherited Liberties that we already have, IN FORCE in Queensland (and Australia). Please refer to document T.P.1. If still in doubt verify by contacting the Attorney General. Liberties "IN FORCE" in Queensland;

- The BILL OF RIGHTS 1688, William & Mary.
- Magna Charta 1215. (now pronounced Magna Carta 1215).
- The Coronation Oath.
- Habeas Corpus.
- The Commonlaw.

Plus others, and we must not overlook the Commonwealth Constitution, which is a document of RESTRICTION, and rightfully so. I was very disappointed to note that during the Committees (L.C.A.R.C.) exhaustive research, that the Committee failed to discover our INHERITED BILL OF RIGHTS 1688, continuing IN FORCE, or for that matter any of the others hereinbefore listed. I am further astounded that the Committee appears unaware of the fact that it is the same Bill of Rights 1688 that bestows Parliamentary Privilege upon the Committee, for their betterment and as it should be. If any Members of the Committee would like to read up on their liberties, the annotated, simplified and explained paper, Freedom 1; Your Inherited Bill of Rights 1688, is available from the above Author, at a cost of \$2.00 each, postage included.

1/ A Bill of Rights is a peoples document, it is presented by the people (when the people deem that desirable) to the Administration, and the Administration is instructed to to abide by it's provisions, or else. Therefore ownership and control is vested in the people, including any amendments or demise entirely of the document is the peoples prerogative, as has always been recognized and established.

2/ The Queensland Legislative Assembly (or any other) has no authority or prerogative to propose or bestow a Bill of Rights onto their Constituents. When (and if) the Queensland people decide that their Bill of Rights is in need of amendment or replacement, I have no doubt that they (the people) will instruct their respective Representatives accordingly, as has always been done.

3/ There is no universally recognized definition of human rights as such because; A/ That would be extremely hazardous.

B/ There is no universal jurisdiction on this planet, thank goodness, every Sovereign Nation is Sovereign, and is not to be interfered with by another, especially including the U.N.

There is no international Bill of Rights, because the people have not



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commissioned one, and any such concocted instrument holds no force or validity in any Sovereign Nation (or anywhere) unless and until the people of that Nation accept it enmasse, e.g. by democratic referendum. For your guidance, the only behavior that comes close to an international behavior, and there's nothing wrong with it on a voluntary basis, is the RULE OF GOD, THE TEN COMMANDMENTS and CHRISTIAN BEHAVIOR, and perhaps the British Commonlaw.

4/ May I question your "negative rights" assertion, the purpose of any Bill of Rights is to restrict "Administrative" control of a free people, that's not negative, that's POSITIVE, peoples liberties are positive and protection of liberties is POSITIVE action. This entire sec 2 of your Issues Paper has a bad image of U.N. influence within it, an influence that has NO place in this Sovereign Nation of Australia (NOT STATE).

5/ Your 3.1, Australia doesn't need a replacement Bill of Rights because Australia already has an Inherited Bill of Rights, and yes, we also have the British Commonlaw, which implies the Christian principle that an individual may do whatever they like providing it does not infringe upon anothers (persons) freedoms or enjoyment, the original intent of the British Commonlaw had no connection with "prohibited by law", law has only been a progresive deterioration of the original British Commonlaw and entwined Christian Law, perpetrated on our people by vested interests who can gain by such deterioration. Your for example is nothing short of a nonsense.

6/ Your 3.2, the Commonwealth Constitution was NOT intended to be a Bill of Rights, because the writers where well aware that we already had an excellent Bill of Rights, unlike the L.C.A.R.C., however I dispute your statement that Sec's 116 - 80 - 51 and 24 do not apply to the States, if they do not apply to the collective States then who do they apply to? I recommend reading Sec's 5 and 109 of the Commonwealth Constitution.

I note your reference to "REPRESENTATIVE GOVERNMENT", I congratulate you on the reference to that word "Representative", and I suggest that we are a long way away from that Constitutional provission, as a matter of fact, I suggest that we have not had "REPRESENTATIVE GOVERNMENT" for at least the last twenty years and grading back to about fifty years ago, furthermore I would suggest that almost every piece of Legislation passed during the last forty years is Unconstitutional on the grounds of being passed on so called "Party Lines", and therefore it is invalid. Classic example would have to be the so called "gun laws", certain M.L.A.'S spoke on their Constituents opposition to the Bill, and then they voted on "Party Lines" contrary to their Constituents instructions. The "gun laws" are also invalid because they are repugnant to our only Bill of Rights, the 1688 Bill of Rights.

7/ Your 3.3, all U.N. treaties and/or conventions are of NO force or effect in Australia, or any other Sovereign Nation.

8/ May I question the usefulness of a Bill of Rights, as discussed in the second paragraph of your sec 5, this is a pandora's box, not a Bill of Rights, a Bill of Rights is written by the people, the Administrations are told to abide by the provissions, or else, what is proposed in Sec 5, second paragraph is a nonsense, and we Taxpayers paid them to propose this nonsense.

9/ Your 6.1, this entire section should be treated with the contempt

cont; page 3.



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that it deserves to be treated with, however I will briefly comment;

A/ We already have a Bill of Rights (1688).

B/ If the existing protections are not adequate, then they haven't been for a long time.

C/ The only reason our existing rights have been overridden by the Parliament is because our apathetic people have (so far) allowed that to happen, a reckoning will eventually come, as it did in 1215 and 1688.

D/ Your admission in the forth paragraph is a disgrace, it proves the level to which our Parliaments have deteriorated.

E/ The Commonlaw is NOT becoming increasingly "internationalized", it's being deliberately led in that direction by our so called "Representatives", whilst our people allow it.

F/ Queensland has NO international obligations.

10/ Your 6.2, in responce to this Sec, I advise the following;

A/ We already have a Bill of Rights.

E/ We already have a Magna Carta.

C/ We already have the British Commonlaw,
and many others.

D/ Your third paragraph;

(a) The first statement is rather curious, the people (not Administration) did effectively "Legislate" in 1688, and that has been effective for three hundred years, if you mean Administration (govt), then you are correct.

(b) Yes, that is why defining is limited to a minimum number of broad statements covering all aspects of the subject matter. In this way rights do not remain unwritten, a further example, one could say, "do only unto others as you would have done unto yourself", thereupon you have a most comprehensive Bill of Rights, which is impossible to misinterpret, as is the common practice these days when a person/organization wishes to do the opposite to what has just been said.

E/ Parliamentary Sovereignty!!! If the Parliament had integrity it would not Legislate outside of the peoples established Commonlaw, including the Great Charters hereinbefore mentioned. I will be glad when we can return to a Representative Legislature!!

F/ Yes, a Bill of Rights does tend to frustrate the Administration, as explained in E/ last above, as does our Commonwealth Constitution, this fact demonstrates the retrograde and repugnant state of our so called "Representatives" who would even circumvent our Constitution, or ignore it, what would it be like if they were not restricted by such a safe system.

G/ I will treat the rest of this Sec with the contempt that it deserves.

11/ No other methods are necessary, we'll stick with our current "IN FORCE" liberties.

Table 2.

E. A. R. C.'s Bill of Rights is an impotent document, indeed it's a dangerous document, it is full of rights containing cancellation mechanisms; e.g.

A/ Whats the use of a right that depends upon, quote "except on a ground established by law".

B/ To take "reasonable steps" to defend the persons life, liberty or
cont; page 4.



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security";

* What about a persons property? There's no mention of property.

* Who interprets the meaning of the word "REASONABLE"?

Compare this with our real Bill of Rights, which states quote;

"THAT THE SUBJECTS WHICH ARE PROTESTANTS MAY HAVE ARMS FOR THEIR DEFENCE SUITABLE TO THEIR CONDITIONS AND AS ALLOWED BY LAW" E.Q. as allowed by law does NOT mean If allowed. If you are confused about the use of the word "protestants", you need to read the document for clarification.

Note; This section invalidates the so called "gun laws".

C/ The words "ARBITRARILY" "REASONABLE" "JUSTIFIED LIMITATIONS"

"ACORDING TO LAW" ect, have NO PLACE in a genuine Bill of Rights. And whats the use of rights that are NOT enforceable.

In closing, I instuct that it is not appropriate for the Legislative Assembly to offer the people a Bill of Rights, in particular if it should be assumed that such Bill of Rights will invalidate our real Bill of Rights, such assumption being repugnant and a pipe dream of unreality.

I hereby seek the Committees authorization to publish or provide this submission to other persons.

I trust that the Committee will consider the legitimate rights of their Constituents during their deliberations, and wish each Member the very best of luck and health for the future.

Signed by my hand this 8 day of November 1997.

Ian Mcleod
"Sumark Lodge"
Maryvale QLD.



ATTORNEY-GENERAL AND MINISTER FOR JUSTICE

16 AUG 1996

In reply please quote: 96M 000911

Your ref:

T.P.1

Mr A. Fraser MP
Member for Coffs Harbour
Suite 2, 1 Duke Street
COFFS HARBOUR NSW 2450

Dear Mr Fraser

Status of the Bill of Rights 1688

The Honourable Denver Beanland MLA, Attorney-General and Minister for Justice has asked me to thank you for your letter of 17 June 1996 and to respond to you on his behalf.

The Honourable the Attorney-General has taken legal advice on the question raised by you being the status of the Bill of Rights 1688 ((1688) 1 William & Mary Sess. 2 c. 2).

The legal advice to the Honourable the Attorney-General is that the Bill of Rights 1688 continues in force in Queensland.

Yours sincerely

**STEPHEN COATES
LEGAL ADVISER**

Vertical text on the left side of the page, possibly bleed-through from the reverse side of the document. It is mostly illegible but appears to contain administrative or filing information.