Open Letter to Owen Torres from Robert Sudy – 30 questions answered

Owen Torres commented on a post on the Facebook page “Vote 'NO' To Constitutional Change” demanding I answer the following questionnaire. I assume these questions were originally part of a "claim of right" that someone wrote, I do see influence and wording plagiarised from Mark McMurtrie, Wayne Glew, Micheal Nibbs, Glenn Bowley, and Romley Stover, but overall, most of the questions have become standard OPCA arguments over the last few years. Being influenced by the typical commercial-based theories of the OPCA movement, Owen Torres required a "sworn affidavit that accepted full commercial liability" or else it means “nothing but my opinion" 😊

As the theory goes, he foisters a "claim of right" on me, and if I can't "rebut" or refute the contents, it becomes a "judgment in commerce" or legally binding contract. He can then "activate his fee schedule" and charge me incredible amounts of money for breach of contract. I wish that concept was real! I'd be a filthy rich zillionaire by now, gleefully rolling around in huge money pits like Scrooge Mcduck!

Unfortunately, it doesn't quite work that way. This is known as a "foisted contract" and is seen by the law as constructive fraud. Sovereign Citizens are famous for using this tactic to try to intimidate people that don’t understand law, into granting their rights that don't actually exist in law. But there is no need for me to feel intimidated, even silence does not imply agreement. (See Felthouse v Bindley (1862) 142 ER 1037) This concept is explored in Chapter 24 of my E-book

They hope to then use this non-existent "contract" to try to file a fraudulent "commercial lien" (See Glenevan Pty Ltd [2015] NSWSC 201) successfully in some cases in the past, which the victim then has to remove by summary judgment. To save people being harrassed in this way, changes to filing procedures have made this type of fraud more difficult. But even if successful, quite satisfyingly, they are also liable for criminal prosecution. Richard Ulloa received 5 years in prison, while some of the Montana Freeman received 15 years for similar harassment strategies, phony bills and liens. This concept is explored in chapters 30 and 24

1 Owen Torres on Facebook https://www.facebook.com/owen.torres.752?fref=ufi&rc=p
2 "Vote 'NO' To Constitutional Change" post https://www.facebook.com/VotenoToConstitutionalChange/photos/a.732629480140865.1073741826.350355421701608/162623769446701/?type=3
3 Facebook page "Vote 'NO' To Constitutional Change" https://www.facebook.com/VotenoToConstitutionalChange
4 Freeman delusion, the Organised Pseudolegal Commercial Argument in Australia by Robert Sudy https://www.facebook.com/groups/506741482996786/
I found the questions fascinating, so I thought I'd address each anyway. The authorities are in green. Ultimately though, these questions are totally unrebuttable. This is simply because no matter how well referenced the responses are, and how valid the judgment authorities cited are to the courts, the adherent doesn't recognise them anyway. The incredible internally inconsistent fact here, is that they ARE binding on every court in Australia, therefore his petty objections are moot, and frivolous and vexatious by definition. The lower courts just cannot support the proposition, they have no authority to do so, it would mean an unconstitutional abuse of judicial authority, and prosecution would inevitably ensue.

According to Owen Torres, the binding judgments of the courts “is just propaganda”. Interestingly, he also asserts that “They” (referring to me, Freeman Delusion) are running scared, “they have been trying to block us” and yet, quite strangely, here I am hey. 😊 Apparently “they” (me) “haven't been able to rebut our legal argument since at least 2010.” because “we base all on researched facts and documented evidence, which they cannot produce any evidence to rebut.” and yet, again quite strangely, 😊 I can easily cite the relevant precedents in relation to each contention, and by reference to a courts own obligations to rulings of the higher courts, accurately portray the perception of the law, in relation to each contention. He says “they” because he is influenced by the rumour that I am more than one bloke, but a group of ASIO agents working tirelessly to spread disinformation. This perception tells you type of paranoid individual we have here.

ANY questions that relate to law, CAN ONLY BE AUTHORITYTIVELY ANSWERED with binding non-orbiter judgment authorities cited in response in the higher courts, not anyone’s personal opinions. Hence when you read appeals in the Supreme Courts, you will note the justices likewise explore and cite the authorities by reference to the particular ratio decidendi (point of law) and those answers are again given, as they are held as accurately reflecting the position of the law in these matters. This is a common law principle known as stare decisis. This concept is explored in Chapter 16

So in effect, the more realistic interpretation of this situation is that this OPCA adherent doesn't really want a legitimate legal response according to the laws of this nation, but only wants to be told what he wants to hear. Effectively, he either wants confirmation of his delusion, or nothing at all. Ignorance is obviously bliss, but it is not reality. This tendency to engage in delusional and moralistic fallacy is common among OPCA adherents.

This "sworn affidavit that accepts full commercial liability" is therefore, quite useless. The courts are obliged to rule according to precedent, so it makes no difference what I say, or whether I say it while crossing my fingers behind my back, or whether I swear it to Thor and Odin, or on the lives of a hundred and twenty two virgins. I could be as delusional as Owen Torres for all you know, so the whole concept is moot.

THE REFERENCES CITED ARE THE EVIDENCE, NOT ME, OR MY OPINIONS.

It is already sworn evidence - from justices of the higher courts.
Besides, I don’t accept his questions simply because, quite identically, they are written in a form that I do not personally agree with. Therefore, I will offer conditional acceptance of said terms. If he wants me to swear such an affidavit to these particular questions, I require that he write the questions on cream coloured rice paper, with a 30 degree italic lean, in a gothic font, in dark red written with goats blood not ink, signed with his own blood and thumb print, offered twice before a statue of Buddha by the Dali Lama on the top of Mount Olympus, and then pissed on by an albino sheepdog in Sweden for final approval. If he can deliver these questions in compliance with these conditions, and video each procedure, I will gladly swear an affidavit for him, just in sheer amazement of his stupidity. I should just go see my JP and get her to witness my signature on this document just for a stir, since it can't be used in the way Owen Torres thinks it can anyway, no court can uphold it. They are however, obliged to uphold all the judgments cited, so Owen Torres mindset is very self-defeating and quite pointless.

Likewise, his notion that I or anyone else can somehow be prosecuted for "slavery" by "the Hague" simply for citing valid judgment authorities in domestic Australian law, really is deserving of a mental health assessment. Besides the fact that their own filing regulations do not even allow it, the U.N. can notify a member state if it considers any domestic laws to be inconsistent with human rights or relating to its indigenous peoples, and make recommendations, but it has no other powers. Last time I checked there were over 100 of these recommendations, but being an established, recognised, federal and sovereign nation, Australia has the right to ignore these findings completely, and govern as it is entitled, and obliged, which is according to Australian law.

QUESTIONS FROM THE ABORIGINAL SOVEREIGNTY MOVEMENT

Apparently these questions were raised in a gathering at Uluru years ago, from memory by Mark McMurtrie, who was at the time promoting his "Original Sovereign Tribal Federation" which contained in its ideology many OPCA concepts he adopted from David Wynn Miller.

Nevertheless, they are pertinent questions that for those that aren't so actively engaged in denialism like Owen Torres, the following responses may relieve some misplaced assumptions.

1. A question at law: Are all Acts constructed in accordance with the Commonwealth Constitution Act 1901 UK and Letters Patent 1900 UK?

Yes they are. The Parliament may also make laws conferring original jurisdiction on the High Court in any matter arising under this Constitution, or involving its interpretation. (see s 76 of the
Commonwealth Constitution) Therefore, if they say legislation is compliant, it is.

2. A question at law: Are there any supporting documents that have received Royal Warrant: that confirms the Australian parliament and State and Territories are permitted to change the swearing of oaths?

It is not necessary. Wheeler JA (with whom Pullin and Buss JJA agreed) observed, at [17] and [18] in Glew & Anor v Shire of Greenough [2006] WASCA 260: “There is no constitutional prohibition upon the alteration of the terminology which refers to the Crown or to her Majesty. Further, the changes of terminology contained within the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 are consistent with constitutional reality.” (See also Shaw v Jim McGinty in his capacity as Attorney General & Anor [2006] WASCA 231 upholding Shaw v Attorney General for the State of Western Australia & Anor [2005] WASC 149; Glew v The Governor of Western Australia (2009) 222 FLR 416; [2009] WASC 14.) This concept is explored in Chapter 51

3. A question at law: Are all acts constructed in accordance with Orders 1:5 (a) of the Commonwealth Statutory Rules 1901-1956 pg 2609?

It is an irrelevant question. It is a Commonwealth Act that is within the amendment and repeal powers of the Commonwealth Parliament. The current oaths are compliant, and consistent with constitutional reality. (See Glew & Anor v Shire of Greenough [2006] WASCA 260 above)

4. A question at law: Do all acts bear the correct Royal Seal of Scotland and Australia?

No they don’t bear any foreign seal, but the correct seal of Australia, which was created by Royal Warrant and recieved assent from the Queen herself. (See Australian Government GAZETTE No. 152 Canberra, Friday, 19 October 1973) This concept is explored in Chapter 50

5. A question at law: Do all acts bear the Correct Royal Assent?

Yes, the responsibilities of assent are within the prerogative powers of the Governor General, empowered by sections 58 and 61 of the Commonwealth Constitution. "It has been declared by a number of High Court judges that the Governor-General, as the Queen's representative, possesses the prerogatives of the Crown relevant to the Federal Government's sphere of responsibility, which includes, for example, all matters relating to external affairs." - Volume 1 of the Final Report of the Constitutional Commission 1988. The precedents were set in Barton v Commonwealth (1974) 131 CLR 477, 498 423 (Mason J); Victoria v Commonwealth and Hayden (1975) 134 CLR 338, 406 424 (Jacobs J); New South Wales v Commonwealth (1975) 135 CLR 337.373 425 (Barwick C J). This concept is explored in Chapter 52

6. A question at law: Have all members of the Upper and Lower Houses of
Parliament taken their oaths in accordance with Section 42 of the Commonwealth Constitution Act 1901 UK and Schedules?

Yes, and already covered in the above judgments at (2)

7. A question of law: Are all Writs/Warrants written in the name of our Sovereign Queen Elizabeth II heirs and successors?

Either Queen Elizabeth II, Regina or the Crown, all of which have the same meaning in constitutional theory. (See Sue v Hill [1999] HCA 30 - 23 June 1999 - S179/1998 and B49/1998) This concept is explored in Chapter 48

8. A question of law: Have all States and Territories received Royal Warrants to be able to en-act their State and Territories constitutions?

Yes, Westminster Parliament passed the Australian Colonies Government Act 1850, granting the right of legislative power to each of the six Australian colonies. This is the basis for state legislative powers, and each of it's own constitutions. This concept is explored in Chapter 57

9. A question of law: Have all State and Territories Constituions been constructed within the parameters set out in the great Australian Commonwealth Constitution Act 1900 UK?

Not at all. Most state constitutions outdate the Commonwealth Constitution and Federation. The sovereignty of these colonies was not completely surrendered at Federation either, but the Commonwealth was bound to only legislate within the powers granted in s 51, the rest of the legislative powers are Residual powers, that are retained by the states. The Commonwealth constitution is basically a document that limits Commonwealth powers. Yes It is the ultimate source of our law but it specifically says that the states keep the powers they had prior to federation unless taken away in the constitution - (refer s 106 - Saving of state constitutions; 107 - Saving of Power of State Parliaments; 108 - Saving of State laws; and S118 - Recognition of laws etc. of States) If it isn't mentioned in the constitution then the Commonwealth can't legislate in respect of it, never - it has no power to do so, it would be ultra vires. This concept is explored in Chapter 57

10. Is removal of the Crown or anything to do with the Crown to limit the power of the Crown a breach of Alliance and an attempt of sabotaging the Commonwealth?

The Crown has not been removed or limited, and its powers remain. Refer to the authorities cited at (2) (5) and (7) This concept is explored in Chapter 48

11. If any of the members of the Parliament that have not sworn their Oath in
accordance with Section 42 of the Australian Commonwealth Constitution Act 1900 UK and its schedules: the 1900 UK Letters Patent this would mean that they are in breach of Section 44 of the Australian Commonwealth Constitution Act 1900 UK and the Letters Patent 1900 UK. This would mean that they are in breach of Parliamentary rules and are not able to vote or make laws, is this not so?

Not at all, these are two unconnected provisions. Even if someone didn't take the oath correctly doesn't somehow magically turn them into a foreigner, or cancel their citizenship, that is quite logical. But again, refer to the authorities cited at (2) ruling the current oaths are consistent with constitutional reality. This concept is explored in Chapter 51

12. A question at/of law: Can the Federal: State: and Local Government provide the documents with Royal Warrant that show they have the authority to make and enforce laws?

The Commonwealth and State Constitutions all received royal assent, and they each contain their own legislative powers, that, consistent with the rule of law, apply to everyone equally. Before any of these constitutions were even created, the principle of parliamentary supremacy was already a fixed doctrine in the common law, so they were created with this doctrine being part of the structure. (See William Blackstone's Commentaries on the Laws of England, written in 1765, and A.V. Dicey, An Introduction to the Study of the Law of the Constitution, written in 1885) According to this doctrine, a parliament has the right to make or unmake any law whatever; and, further, that no person or body is recognized by the law as having a right to override or set aside the legislation of parliament. This concept is explored in Chapter 16

13. A question at law: Is the Australian Government a De-jure Government?

Yes, there is no other form of government or nation on the planet, nor any individual, that possesses any sovereignty over that of the Commonwealth Parliament. (See section 1 of the Statute of Westminster Adoption Act 1942) The collapse of the British Empire, and the subsequent evolution of responsible government, is what gave us national sovereignty. (See Volume 1 of the Final Report of the Constitutional Commission 1988) This concept is explored in Chapter 47

14. A question at law: Are Australian Birth Certificates being traded on the stock exchange?

No, and neither is there any evidence to even suggest there is. Are you going to ask if pigs fly next? Roger Elvic’s delusions are explored in Chapter 65

15. Have the 4 conventional and : 5 Stylised versions of the Commonwealth of
Australia Coat of Arms that are illustrated in the Australian styles manual 6th edition on pg 296-297 issued Royal Warrants?

Yes. See Australian Government GAZETTE No. 152 Canberra, Friday, 19 October 1973 which show that the change to the Great Seal of Australia was executed by Royal Warrant, and enacted by Proclamation from the Queen.  This concept is explored in Chapter 50

16. Have the 4 conventional and 5 Stylised versions of the Commonwealth of Australia Coat of Arms that are illustrated in the Australian styles manual 6th edition on pg 296-297 is the Australian Government. (COMMONWEALTH OF AUSTRALIA) (Corporation) registered in the UNITED STATES SECURITIES AND EXCHANGE COMMISSION as CIK (0000805157): SIC: 8880-American Depository Receipts: State Location: DC Fiscal Year End: 0630 the Parliament of Australia has more than 150 persons) a privately owned company/corporations?

No, SEC registration doesn't "create" any corporation, they must already exist prior to registration. The Commonwealth of Australia is a corporate sole, not a registered corporation. The explanation for Commonwealth of Australia appearing on EDGAR search results is quite simple. Entities issuing stock, bonds, or others securities to investors in the United States must register the offering with the S.E.C. 246 under the Securities Act of 1933. Section 3(a)(2) 247 exempts registration requirements for any securities issued or guaranteed "by the United States or any territory thereof, or by the District of Columbia, or by any State of the United States, or by any political subdivision of a State or territory, or by any public instrumentality of one or more States or territories...." However, this does not include foreign governments and their political subdivisions. Similar to public companies, if such foreign governments offer securities publicly in the U.S., they have to register the securities with the S.E.C. When the foreign government registers its securities, the government's registration statements and other filings appear in the EDGAR database system.

Just the fact alone, that the Commonwealth of Australia, and every other foreign government offering securities in the U.S. uses Schedule B as the form of registration, and is required to lodge Form 18k for annual reports, clearly labelled "For Foreign Governments and Political Subdivisions Thereof" establishes that the entity involved is not a division of the U.S. Government. If they were, they would be exempt from any registration requirements, as explained above.

In comparison, if one were to contend the entity was a U.S. company or private U.S. corporation, (like MacDonald’s or KFC) they wouldn't be able to use Form 18-k. These entities are registered corporations formed in the U.S., and for those reasons they are required to use Form 10-K labelled "ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934."

So, let’s contend that the entity is a foreign corporation, secretly set up in Australia first, and then
registered with the SEC. These entities are foreign registered corporations, and for those reasons are required to use Form 6-k labelled "Report of foreign private issuer pursuant to Rule 13a-16 or 15d-16 under the Securities Exchange Act of 1934."

The myth has no basis in fact, let alone law.

Secondly, besides foreign corporations, there are three types of "corporation" or corporate structures, recognised under Australian law. (1) Corporate Sole, (2) Statutory Corporations, and (3) Registered Corporations, formed under the Corporations Act, as defined by section 51(xx) of the Commonwealth Constitution.

One cannot apply the commercial provisions of the Corporations Act to an entity that is not even formed under the Corporations Act, and is clearly exempt from its provisions under section 57A(2) "Neither of the following is a corporation: a) an exempt public authority; (b) a corporation sole. "exempt public authority" means a body corporate that is incorporated within Australia or an external Territory and is: a public authority; or an instrumentality or agency of the Crown in right of the Commonwealth, in right of a State or in right of a Territory."

Similarly, in section 5E(1) "The Corporations legislation is not intended to exclude or limit the concurrent operation of any law of a State or Territory." This concept is explored in Chapter 32

17. A question at law: Are all legal: Lawful binding documents written in accordance with the Australian Styles Manual 6th Edition?

Why would they be? I don't see anything in legislation or the constitution that obliges any parliament to follow any such manual. Do you?

18. A question at law: Are all legal: Lawful binding documents written in accordance with the English Styles Manual?

Why would they be? I don't see anything in legislation or the constitution that obliges any parliament to follow any such manual. Do you? Romley Stewart’s delusion is explored in Chapter 83

19. A question at law: If you change the name of the Commonwealth Government to that of the Australian Government without following the correct procedures (by way of referendum) is that not an attempt to overthrow the Commonwealth Government of Australia?

There is no change in the name, our nation is still known as the Commonwealth of Australia, both in current legislation, and the Constitution. It is often shortened just to "Australia" but the substance of the entity is the exact same. It is the same federal body in our federal structure, answerable to the same states that created it.
20. A question at law: What date was the last Act passed by the Parliament of the Commonwealth of Australia?

Not really sure, must be recently, don’t really watch the news. I note the premise of the argument though, it’s the typical Sovereign Citizen theory that there exists two separate governments, a concept that has been rejected by courts in all common law nations. This concept is explored from Chapter 65 to 98.

Incidentally, did you know this myth was created by white supremacists that didn’t accept the Thirteenth and Fourteenth Amendments, that ended black slavery, granted them equal rights and citizenship? The Posse Comitatus claimed they were “organic citizens” while the black slaves were “U.S. citizens” unfortunate denizens of a corporation headquartered in Washington DC.

Sound familiar? You are preaching the ideology of a white supremacist cult called Christian Identity, and you don’t even know it. Shame bruz, shame.

Nevertheless, the question is moot because you have not established that there is any second entity, and nor can you. Burden of proof reversal doesn’t work in court, or on me. These misconceptions have no basis in fact, let alone law, if you have legitimate evidence or a single judgment authority on the planet that affirms otherwise, I’ll respond. Until then, you are talking about a unicorn.

21. A question at law: What date was the last Act passed by the Parliament of Australia?

Answered in last question.

22. A question at law: How can the Australia Government change a Commonwealth Government Department?

As easy as they created it. They are empowered by their legislative powers to amend or repeal any previous legislation as they see fit, including any UK legislation adopted in Australia. (See section 1 of the Statute of Westminster Adoption Act 1942) This concept is explored from chapters 47 to 49.

23. A question at law: What date did the Australia receive Royal assent to change from the Great Seal of Great Britian and Ireland?

Friday, 19 October 1973 (See Australian Government GAZETTE No. 152 Canberra, Friday, 19 October 1973) This concept is explored in Chapter 50.

There is no prohibition of the alteration of any other legislation, only the constitution. Parliament has
the authority to repeal or amend any such Act, order, rule or regulation in so far as the same is part of
the law. - section 1 of the Statute of Westminster Adoption Act 1942: “No law and no provision of any
law made after the commencement of this Act by the Parliament of a Dominion shall be void or
inoperative on the ground that it is repugnant to the law of England, or to the provisions of any
existing or future Act of Parliament of the United Kingdom, or to any order, rule or regulation made
under any such Act, and the powers of the Parliament of a Dominion shall include the power to repeal
or amend any such Act, order, rule or regulation in so far as the same is part of the law of the
Dominion.” This concept is explored from chapters 47 to 49

25. A question at law: When did we the Autochthonous Sovereign Tribes surrender and where are the terms of surrender?

There was no "Declaration of War" issued for there to be any such "surrender", so the question is
moot. But in an actual war, once the frontier has been conquered, regardless of surrender, the war is
over. Ultimately, the British did conquer the frontier, and there was no Aboriginal army competent
enough to stand in their way.

I have no doubt some of the tribes issued their own form of a "Declaration of War" before engaging in
attacks, there were apparently many such battles with the more war-like tribes, all of which the
British obviously had the upper hand. I'm sure certain individuals surrendered at some time or
another, but I'd assume the rest were prepared to die fighting, as in all wars.

The history of British Imperialism demonstrates a callous disregard for all first nations peoples. Its
ruthless, merciless, denigrating nature, was witnessed by many nations around the world. Even
Ireland and Scotland were made subject to British rule, systematically beaten down for a millennium
under self-centered imperial overlords from England. Everyone is aware of all of these atrocities, but
thankfully, Britannia collapsed from within, and we no longer have any ties to England at all.

26. When did the Autochthonous Sovereign Tribes consent to the administration of our Tribal Estates?

I don't believe it was ever sought, so this question is likewise moot. I will elaborate though. When the
British first arrived, they initially only assumed jurisdiction over their own small outpost, and their
boundaries slowly grew with exploration. It wasn't until 1836 that the question of jurisdiction of
Aboriginal people was first raised, in the Murrell decision. This involved a murder of an Aboriginal
man by another Aboriginal man, and it was determined the former was a British subject with equal
rights to any other British subject, that must be protected by the law, and hence a charge of murder
applied to the latter. Anything else would have obviously been a massive miscarriage of justice, with a
court ruling that white subjects have full protection of the law, while black subjects have none. Even
in 1836, such a notion was quite rightfully condemned as inconsistent with the rule of law, hence the
decision. This initial recognition of Aboriginal people by the law, as persons before the law, having the
same rights as other British subjects, was the first instance jurisdiction was considered.
From reading the 1830's-40's colony of NSW cases, it appears this sense of equality before law continued. But after Westminster Parliament passed the Australian Colonies Government Act in 1850, the imposition of the various colonies laws on Aboriginal people in the bush depended mainly on the prevailing attitudes of their own elected governments of the time. The raiding of settler's properties and the killing of their cattle prompted the parliaments of the colonies to respond, and the Aboriginal Protection Acts were subsequently passed, the first in 1867 and last in 1911. These Acts effectively made all tribal people in the bush (not the townies) enemy combatants.

Exemption Certificates (dog tags) were granted to townies who agreed not to associate with the bush crew, even if they were family. These Acts were the most horrible pieces of legislation I've ever read, conditions so bad that a myth of a "flora and fauna act" must of been created to hide the far worse truth about how Aboriginal people were really governed. These policies were used, in some cases until the 1980s, as a means of implementing separation and assimilation. This concept is explored in Chapter 61.

One thing that must be clearly understood, that it was the governments of the colonies that were responsible here, not the government of the Commonwealth. The Commonwealth had no way of preventing this at the time, they had no powers, specifically excluded from legislating for Aboriginal people at all. This was agreed prior to Federation to be solely a state matter, under the residual legislative powers of the states. Thankfully, this changed in 1967 when the referendum was carried with overwhelming support from the collective populous, who were sick of the injustices imposed by the states.

Many Aboriginal people voted in this referendum, and for years prior to it, thousands fought for full inclusion as Australians, with protests and marches. Consequentially, the referendum aimed at addressing the two parts of the constitution that had actively discriminated against Aboriginal people. There was no Aboriginal opposition to the amendments, they actually passed with a 97% yes vote. Since there were Aboriginal people in every state that participated in this referendum, it could indeed be held as consent for inclusion. After all, they did vote YES to be counted as Australians - the amendment to section 127; and to be subject to the same laws as Australians - the amendment to section 51.

The Aboriginal right to vote in most Australian states dates back to the 1850s. Every state but Queensland and Western Australia allowed all male British subjects to vote, including Aboriginal men, and, in 1895, when South Australia gave women the right to vote, Aboriginal women shared that right. Education programs about the electoral process were conducted in communities throughout Australia in the mid 1960's to encourage active participation in state and federal elections. At that time, Aboriginal people were already considered Australian citizens, the Nationality and Citizenship Act 1948 granted automatic citizenship to all Australians previously deemed British subjects, which included Aboriginal people.

Owen Torres is misconceived in thinking this relationship is contractual though, or under commercial law terms, or even something where "full disclosure" or "consent" apply. Citizenship is not a
contractual relationship; it is a statutory relationship. The rights and obligations of citizenship is solely directed by statute, hence one has a statutory obligation to obey a nation's laws, not a contractual one. (See Woods v Australian Taxation Office & Ors [2016] QDC 198) Neither does it matter if you don't individually "consent" to the "terms" (sic) when the rest of the collective has you outvoted. The only "contract" the government has, is with the Australian people as a democratic collective, not any individual.

It is generally agreed that upon arrival in Australia, the Crown acquired what is referred to as "radical title". If Australia were truly terra nullius, (uninhabited) this radical title would become absolute beneficial title of the Crown. However, since Australia was inhabited (and not terra nullius), radical title did not imply full beneficial ownership. In Mabo v Queensland (No.2) (1992) 175 CLR 1 the High Court concluded that the Crown's radical title only conferred sovereignty, and sovereignty did not extinguish native title by default. Therefore, while the sovereignty remained with the Crown, the beneficial ownership or title remained with the original inhabitants.

Nevertheless, native title only confers what is directed by the Crown, being the sovereign entity representative of the people as a collective. Kenna, J. stated: "There is no indication in Mabo (No.1) that the High Court is prepared to recognize Aboriginal sovereignty, the High Court is unable to inquire into the actual acquisition of sovereignty." Similarly, in Walker v NSW (1994) 126 ALR 321: "The Court confirmed received doctrine on sovereignty, putting the matter beyond the reach of review in domestic Australian courts."

There is only one legal system in Australia, and only one "law" and that is Australian law. Under the Australian legal system there are two types or sources of law: laws made by parliament (legislation) and laws made by the courts (common law). In the High Court, Chief Justice Mason, and Judges Ashley, Neave and Redlich, unanimously rejected the notion that a system of law could operate along side the Australian legal system. The notion of parliamentary sovereignty means that Australian parliaments can pass laws that apply to Aboriginal people, and have the legislative competence to regulate or affect the rights of Aboriginal people, as equally as they do regarding any other race. This concept is explored in Chapter 60

27. A question at law: What date did we sign over all our Mineral rights and consent to Usufruct of our Tribal Estates?

The question is also moot. Quite to the contrary, the Crown has actually "signed over" the Australian peoples mineral rights by the Native Title Act, requiring that such community consultation with the original landowners be undertaken before exploratory licences can be granted. Some communities are becoming self-funding and increasing their autonomy through these provisions. Others sit in denial of reality, doing nothing constructive, while spruiking pseudo legal myths that harm their communities, and complaining that they can't have everything their way.

28. When did they have a referendum to become a so called Sovereign Nation in 1919??
The changes came from outside the constitution, and outside Australia, and therefore not anything that could even be decided by referendum. The British Empire collapsed, and so did our obligations to it, or reliance on it for sources of law. If I could draw a similar analogy, our parents disappeared, and we were on our own. We had no obligation to our parent’s rules, or reliance on them as an authority over us, except what we chose to adopt for ourselves. What you are proposing is akin to the denial of their disappearance, and an obviously delusional insistence, that we could somehow "decide" if we wanted that to occur.

Regardless of these outside occurrences, we just continued following our own rules, according to the constitutional structure we designed by the referendums in each proposed state prior to Federation. I was a gradual path to complete independence, the Balfour Agreement in 1926, and other agreements in following Imperial Conferences, was well publicised, as was the Statute of Westminster 1931, that was adopted here in 1942 as a formal recognition of these agreements. (See Volume 1 of the Final Report of the Constitutional Commission 1988, and Sue v Hill [1999] HCA 30 - 23 June 1999 - S179/1998 and B49/1998) This concept is explored from chapters 47 to 49

29. Did they have a referendum for the Australia act, and have they obeyed in the UK version s15 subsections 1-3.

While the Statute of Westminster adoption cut all Federal ties to the UK, some state ties remained, through the Australian Colonies Government Act 1850. By completely repealing the Colonial Laws Validity Act 1865, with the Australia Acts 1986 (UK version), the UK Parliament removed the last source of reliance of foreign law. There was no need for a section 128 referendum, because the Australia Acts didn’t alter any part of the Commonwealth Constitution. It actually states so itself, in section 5. It did however, amend the constitutions of Queensland (s 13) and Western Australia (s 14). Again, the High Court has answered these contentions, in Shaw v Minister for Immigration and Multicultural Affairs (2003) 218 CLR 28, finding that the Australia Acts had been passed in reliance on Constitution s 51(xxiii), which gives the Commonwealth parliament power to legislate at the request of the State parliaments. This concept is explored in Chapter 55

30. Can you produce the evidence for all so called passed 8 referendums.

The historic records and official ballot results are held by the Australian Electoral Commission, if that was what you were after. This evidence isn’t difficult to obtain if you are really seeking an answer, it’s on public record.

Other interesting questions:

So when are you and the Judiciary going to tell the ordinary man/woman that they cannot use their legal name in court and that we have been lied to, as I never consented to their laws (you mentioned common law)

The OPCA concepts you are referring to, the strawman myth to the Lose the Name myth, as well as
the individual consent myth, and common law myth, **these concepts are all thoroughly debunked in chapters 9 to 14; 70; and 15 to 20 respectively**.

These questions or similar have been posed to the Australian Government for at least 3 years, so Turnbull, Brandis and others have received these questions, and State and Territory Government bodies still no response. Under International and Domestic contract law they must give full disclosure and have acquiescence through silence.

They have no obligation to respond to my delusions about Thor and Odin either. Shocking hey. “Under International and Domestic contract law” - Is that the purple unicorn variety, or some other form of law? Cite the provisions to which you refer. I have cited a dozen valid legal references and two binding precedents in **Chapter 24** that clearly state the opposite, and haven't been able to find one to support this theory. Maybe you can help me. 😊

**Until they can provide the answers with documented evidence then we are and cannot deal with them on any Treaties or Agreements, they are a illegal entity on this continent and we can Treaty with whoever we like.**

You can do whatever you like, according to law. You live in a nation where you are free to make whatever choices you want to make. You are however, not free from the consequences of those choices. If you choose to break the law, the Crown is obliged to prosecute, or they would themselves be breaking the law.

**Now according to you only white mans law matters, wrong, s268.1 & s270 of the criminal code act comes into play, we never consented to their rule, are you a Slave Trader along with the Fascist Oligarchy.**

Funny how you never cite anything correctly, just cherry pick, or worse, just take someone else’s word for things without fact checking it. You should of cited section 270.12 of the Criminal Code in association with it. It clearly provides that section 270 is "not intended to exclude or limit the operation of any other law of the Commonwealth or any law of a State or Territory." This means you cannot even apply section 270 to any current laws. An identical provision exists in section 268. Damn, well there goes that theory. 😊. **This concept is explored in Chapter 39**

Also Cameron Symes and Simon Blackshield both and James Nugget all agree that our law takes precedence.

I don’t care if Crocodile Dundee and Mary Poppins think it does, unless they are High Court justices setting an unconstitutional precedent that their positions as justices and the High Court itself, doesn’t really exist, then it is quite irrelevant to law.

If you would like to challenge any of the precedents cited, and change their interpretation, you are welcome to apply. Until then, they remain as valid, and binding on courts in Australia, as the constitution itself. Ignorance of the law is no excuse. 😊