WOE UNTO YOU, LAWYERS!

of this group spring, eventually and almost automatically, most of the acknowledged leaders of the profession. For, as in other trades and professions, earning capacity is universally and blindly accepted as the hallmark of real ability. (Benjamin Franklin once paid tribute to this fact when he suggested that the lawyers appoint the judges, on the ground that they would always pick the *ablest* of their clan so that they might most *profitably* divide each new judge's practice among themselves.) And – despite the fact that Franklin's scheme has never been put to the direct test – it is out of the acknowledged leaders of the profession, who are acknowledged to be leaders because they make so much money, that most judges are chosen.

Now when a lawyer becomes a judge, he no longer has a direct financial incentive to manipulate The Law in favor of the rich people and the big corporations. But he will usually have spent most of his professional life, before he became a judge, doing just that. What is more, he will not have admitted, even to himself, that he was doing anything other than apply an exact and impartial science to the orderly management of men's affairs. In inevitable protection of his own self-esteem he will perforce have swallowed most of the legal legend whole. And consequently he will have hardened into a habit of mind whereby justice and the legal principles he is used to using are just about synonymous.

When he becomes a judge, he cannot easily shake off this set slant toward The Law. The principles and concepts he once flung about and fought for, mouthed now by other lawyers trying cases before him, will still have a familiar and authoritative ring. Such phrases as "freedom of contract" and "*caveat emptor*" and "the sanctity of written (by lawyers) agreements" and "deprivation of property without due process," along with all the minor and equally vague abstractions with which lawyers customarily defend, in and out of court, the interests of their wealthy clients, will strike the eyes and ears of the judge as good sound legal doctrine. By contrast, the phrases and principles of Law customarily used to argue against such interests will seem less familiar, less orthodox, less compelling. Conditioned by his own past habits of legal speech and thought, the judge will unconsciously lean, in laying down The Law, toward the side that talks his old brand of legal dialect. Which means that he will lean toward the side where the money lies – and The Law will lean with him.

There is one more important reason why The Law regularly tends to favor the rich, the conservatives, the people and companies with plenty of money and property who, not unnaturally, want to keep all their money and property and keep on getting more of it in the same old ways. This reason is inherent in the very nature of The Law itself. For The Law, you may remember, purports to be a great body of changeless abstract truths. Times change, and ways of living change, and the facts

of human affairs change, but the principles of The Law remain unmoved and steadfast. In short, The Law, by its own definition, is a stand-pat science.

And of course it is the wealthy and well-to-do who are always stand-patters; the poor and the not-so-well-to-do are the progressives and the radicals. The moneyed groups are for the most part very nicely satisfied with the old arrangements of things. Justice or no justice – in the original Christian sense of the word – they don't want to see the rules shifted in the game of getting ahead in the world. And they find in The Law a philosophical and less obviously selfish defense of their resistance to change.

They also find in The Law something more solid and more useful than a philosophical defense of conservatism. For The Law, mysteriously brought to earth by lawyers and judges, does control all earthly affairs. And in being transmuted from abstract principles into specific decisions about human disputes and problems, it retains its reactionary flavor. New rules of the game, new arrangements in men's activities, new considerations of what is practical and what is fair, fit less smoothly and less snugly into The Law's scheme of principles than do the old considerations, the old arrangements, the old rules.

That is one reason why so much "progressive legislation" – meaning laws that try to change the rules to favor the poor at the expense of the rich – is either damned entirely or "interpreted" into ineffectiveness by the courts. The novel arrangements just don't slide easily into the old unchanging principles of Law. For instance, the newfangled notion that a worker ought to be paid a living wage didn't stand a chance when it first came up against the age-old Law-encrusted right of a corporation to pay its workers as little as it pleased. There might have been a law about it, but The Law had never heard of such a thing. Similarly, the idea that a homeless man might be legally justified in breaking into an empty house to sleep – an idea that could certainly be argued from the standpoint of pure, unadulterated justice – would be laughed out of court today. As would the idea that a bond salesman, whose glib assurances had led an old lady to invest her savings, could be sued by the old lady for what she lost when the bonds later became worthless.

For the judges will not, if they can help it, go to the trouble of reshuffling The Law's huge deck of abstract principles in order to reach, and rationalize, a radically different set of practical results. Only rarely and reluctantly will they turn the stream of legal logic in a really new direction. Only rarely and reluctantly will they tolerate, in The Law's name, far-reaching or basic changes in the manner of adjustment of human problems. Thus not only The Law but the general trend of legal decisions remains the same. And by remaining the same it favors the interests

of those who stand to benefit by a retention of the old rules. It favors the conservatives. It favors the rich.

Yes, the "socially significant" books about the inequalities and injustices of The Law in action are right – as far as they go. And incidentally, a prominent member of the bar recently summed up a large part of their theme in a phrase when he described the ideal client, the lawyer's dream, as "a rich man who is scared to death."

But still it is the fact that The Law as a whole is a fraud that lies behind all the inequalities and all the injustices. It makes it worth-while for those with money enough to afford it to buy the court services and the pre-court advice of those mumbo-jumbo chanters and scribblers who can best wring desired results out of legal language and legal principles. It makes it worth-while for those with money enough to afford it to buy their way into court, if the results they want wrung out of The Law cannot be otherwise attained. It is responsible for the myopic inability of most judges to see beyond the one-sided principles they used to use when their own services were for sale to the highest bidders. It is responsible for the inherent inertia, the congenital conservatism, of The Law in action. For if The Law were really the exact and impartial science it purports to be, instead of being an uncertain and imprecise abracadabra devoted to the solemn manipulation of a lot of silly abstractions, none of these bases of inequality and injustice would, or could, exist.

The Law is indeed a menace when it works so as to pervert its own boast of "equal justice for all," when it favors the rich and oppresses the poor, when its results, in the mass or in the particular, seem to be plain denials of ordinary non-legal impartiality and fairness. The point is that even when The Law works, as it sometimes does, so as to produce fair and impartial and practical results, it is nothing but an unnecessary and expensive nuisance. Those results might have been achieved much more simply and easily and painlessly without recourse to the metaphysical nonsense of The Law. And it is the point which the "socially significant" boys invariably miss.

The "socially significant" plot has grown stale in the telling. It always revolves around the conventional triangle of the rich, the poor, and The Law. And the villain always walks off with Lady Law in the end. Which is supposed to show that she is a villain too, whereas actually she is only an empty-headed fool who neither knows nor could be taught any better.

CHAPTER XI

WOE UNTO YOU, LAWYERS!

LET'S LAY DOWN THE LAW

"*The first thing we do, let's kill all the lawyers*." — William Shakespeare

What is ever to be done about it? What is ever to be done about the fact that our business, our government, even our private lives, are supervised and run according to a scheme of contradictory and nonsensical principles built of inherently meaningless abstractions? What is to be done about the fact that we are all slaves to the hocus-pocus of The Law – and to those who practice the hocus-pocus, the lawyers?

There is only one answer. The answer is to get rid of the lawyers and throw The Law with a capital L out of our system of laws. It is to do away entirely with both the magicians and their magic and run our civilization according to practical and comprehensible rules, dedicated to non-legal justice, to common-or-garden fairness that the ordinary man can understand, in the regulation of human affairs.

It is not an easy nor a quick solution. It would take time and foresight and planning. But neither can it have been easy to get rid of the medicine men in tribal days. Nor to break the strangle-hold of the priests in the Middle Ages. Nor to overthrow feudalism when feudalism was the universal form of government. It is never easy to tear down a widely and deeply accepted set of superstitions about the management of men's affairs. But it is always worth trying. And, given enough support, the effort will always succeed. You can fool some of the people all the time, etc. The difficulty lies only in convincing enough people that they are being fooled.

Nor is this, in any sense, a plea for anarchy. It would not be necessary to do away with constitutions or statutes or with the orderly settlement of disputes and problems in order to do away with the lawyers and their Law. It would only be necessary to do away with the present manner of phrasing and later "interpreting" written laws, and with the present manner of settling disputes and solving problems. It would only be necessary to do away with all the legal language and all the legal principles which confuse instead of clarifying the real issues that arise between men. This is not a plea for anarchy. It is rather a plea for common sense.

And the first step toward common sense is a realization that certainty and consistency, or any close approximation to them, is utterly impossible in the supervision of men's affairs. It is in its refusal to recognize or accept this fact that The Law makes its gravest and most basic error. It preens itself as being both certain and consistent. It purports to have a sure answer ready-for-application to any factual problem or squabble that may arise. Yet even a cursory examination is

enough to show that The Law's alleged certainty and consistency lie entirely in the never-never land of abstract principles and precepts. The Law has been forced to retreat from the world of facts into its own world of fancy in order to maintain the pose that it is a precise and solid science.

Moreover, it is in feigning certainty and consistency in its settlement of flesh-and-blood problems while striving desperately to keep up the illusion in the irrelevant realm of legal abstractions, that The Law has lost touch with justice unadorned. As mentioned before, justice can't be cut up into convenient categories. And The Law, in reaching for certainty with one hand and justice with the other, has fallen between the two into a morass of meaningless and useless language. As though any actual dispute could be settled either certainly or justly by reference to the words "consideration is essential to a valid contract" or to the words "no state may constitutionally tax property outside its jurisdiction!"

Since certainty and consistency are impossible of attainment in the orderly control of men's affairs, the sensible thing to do would seem to be to go straight after justice in the settlement of any specific question that comes up for solution. Now justice itself is concededly an amorphous and uncertain ideal. One man's justice is another man's poison. But that is where written laws come in. Wherever different people's different ideas about what is fair and what is right clash head-on, written laws, enacted by democratic processes, should contain, in so far as possible, the answer. Wherever written laws cannot or do not contain the answer, *somebody* has to make a decision. And that decision might better be made on grounds of plain, unvarnished justice, fairness, humanitarianism – amorphous though it be – than on any other.

Today it is the lawyer-judges who make such decisions. Even when some part is taken by a jury – that last and waning vestige of recognition that the ordinary man's ideas about justice are worth something – the jury has to act within the rigid framework of The Law and the judges' orders. But the ordinary man knows as much about justice as does the ordinary judge. As a matter of fact, he usually knows more. For his ideas and ideals about human conduct are more simple and direct. They are not all cluttered up with a lot of ambiguous and unearthly principles nor impeded by the habit of expressing them in a foreign language.

A training in The Law cannot make any man a better judge of justice, and it is all too likely to make him a worse one. But there is one kind of training, one kind of knowledge, that can fit a man to handle more ably and more fairly the solution of specific human problems. In any common-sense system, that kind of training and that kind of knowledge, instead of adeptness in the abstract abracadabra of The Law, would be a prerequisite to the right to sit in judgment on other men's affairs.

WOE UNTO YOU, LAWYERS!

The kind of knowledge that could be really useful, that would really equip a man for the job of solving specific problems fairly, is technical factual knowledge about the activities out of which the problems arise. Not that such knowledge would impart a keener sense of justice. Rather that such knowledge would enable him to understand the problems themselves more clearly, more intimately, and more thoroughly, and therefore to apply his sense of justice to their solution in a more intelligent and more practical way.

A mining engineer could handle a dispute centering around the value of a coal-mine much more intelligently and therefore more fairly than any judge, untrained in engineering, can handle it. A doctor could handle a dispute involving a physical injury much more intelligently and therefore more fairly than any judge, untrained in medicine, can handle it. A retain merchant could handle a business dispute between two other retail merchants much more intelligently and therefore more fairly than any judge can handle it. A man trained in tax administration could have handled Senior v. Braden much more intelligently and therefore more fairly than the Supreme Court handled it. In short, even discounting for the moment the encumbrances of legal doctrine that obstruct the straight-thinking processes of every judge, the average judge is sadly unequipped to deal intelligently with most of the problems that come before him.

And why, after all, should not the orderly solution of our business and government and private difficulties – practical problems all – be entrusted to men who have been trained to understand the practical problems and to appreciate the difficulties? Why should we continue to submit our disputes and our affairs to men who have been trained only in ethereal concepts and abstract logic, and who persist in pursuing that will-o'-the-wisp, certainty? Why should we keep on sacrificing both justice and common sense on the altar of legal principles? Why *not* get rid of the lawyers and their Law?

It would take, of course, a peaceful revolution in the system of rules under which we live. Constitutions, in part at least, would have to be rewritten, without benefit of lawyers. Why not? The machinery exists for ding it in an orderly and peaceful way. Where constitutional commands and prohibitions make sense to the average man, they could be kept unchanged. Anyone understands, for instance, what the federal constitution's requirement of a census every ten years means. Where constitutional commands and prohibitions are completely incomprehensible except in the light of legal "interpretation,," they should be clarified so that they do make sense or else omitted entirely. Why should the lawyers have a monopoly on the understanding of any part of any constitution?

WOE UNTO YOU, LAWYERS!

Statutes would all have to be redrafted too, again without benefit of lawyers. And that would be a tougher job, but by no means an insuperable one. The lawyers themselves have often done it with a whole body of written laws; they call it "codifying" the laws. There is no reason why a chosen group of non-lawyers should not codify the present laws of every state, and of the federal government as well, and codify them so that it no longer takes a lawyer to translate them into significance. Any law that means something definite and tangible in relation to human affairs can be written so that its meaning is plain for all to read. Any law that means nothing except as lawyer and lawyer-judges put content into its inherently content-less language has no business staying on the books.

Furthermore, any law which, instead of laying down rules itself, turns over the solution of certain factual types of problems to a group of experts or administrators should say perfectly frankly what it is doing and should define in factual instead of legal language the field within which the experts are to make rules and decisions. Why conceal behind vague generalities the fact that the Securities and Exchange Commission has been given, within vague limits, the power to make rules for the running of the New York Stock Exchange? Why not make the granting of power simple and direct; and why not make the limits of the power specific instead of leaving their determination to the lawyer-judges' subsequent and haphazard "interpretation" of the statute's legal language?

Similarly, any written law which, though laying down a broad rule, leaves to a court or some such deciding body the precise application of its rule to the fact of any particular problem should say that it is doing just that. "First degree murder is punishable by death" makes no real sense as a statute because "first degree murder" makes no sense except in relation to the abstract legal principles which are said to define it. "When a court (whether judge or jury or both or some other kind of deciding body) finds that one person has killed another person and believes that the killer deserves to be electrocuted, the court may order that he be electrocuted" is equally descriptive of the rule and much more accurate. Why not phrase the statute that way, so everyone would know just what it did mean? Then, if we should want the rule to be more precise, the written law could be made more precise – instead of pretending that the words "first degree murder" contribute toward preciseness or toward anything but obscureness and unintelligibility.

For, of course, there would still have to be courts, or judges, or decision-makers, under any orderly system of social control, even though written laws were made intelligible to all. There would have to be decision-makers to determine the true facts behind any dispute, and then to apply to the dispute the terms of any written laws, whether those laws were so precise that their application was almost automatic, or whether they left room for the decision-makers to exercise their own

discretion and their own sense of justice. There would have to be decision-makers, too, to settle any disputes which were not covered by written laws. And it is as decision-makers that men trained in the technicalities of factual problems, rather than in the technicalities of legal language, would come in.

Suppose today a problem in the regulation of utility rates comes before a court of Law. The company will argue that its property is worth a great deal of money because the more money it is worth the higher rates it can charge, since it is allowed to make "a fair return on the reasonable value of its investment." The utility commission, out to defend the rates it ordered the company to charge, will argue that the company's property is worth considerably less than the company's figure. Both the company and the commission will bring in engineers and accountants to testify about the value of the company's property. The company's experts will set a high figure and the commission's experts will set a low figure. And the court, unable to understand or gauge intelligently the basis of either set of figures will, more than likely, split the difference and let it go at that. But why – if the commission, which is a government body just like any court, is not to have the last word in applying a written law entrusted to it for enforcement – should not the dispute at least be brought before a court of engineers or accountants or both who, unpaid by either side, could apply their technical knowledge to an examination of both sets of claims and an intelligent choice between them?

Suppose today a man accused of a crime pleads before a court of Law that he is insane and, therefore, cannot be held responsible. The prosecuting attorney will produce psychiatrists who insist, and explain in medical terms why they insist, that the defendant is sane. The defendant's attorney will produce psychiatrists who insist, and explain in medical terms why they insist, that the defendant is crazy. The court will listen uncomprehendingly to both sets of psychiatrists and will then go into a huddle with itself over the question whether the accused man can "understand the difference between right and wrong." If he can, he is sane according to The Law, and if he can't, he is sane according to The Law, no matter how ridiculous the basis of distinction may seem – and does seem – to any psychiatrist. But why should not the dispute be brought immediately before a court of psychiatrists, or before a single psychiatrist-judge, who, unpaid by either side, could apply technical knowledge to an examination of the defendant's claim and make an intelligent decision as to its validity.

Suppose today a complicated dispute over the internal management of a corporation comes before a court of Law for solution. Lawyers for both sides will defend their client's actions and interests in elegant legal language. The court, in making its decision, will choose between two proffered sets of legal principles. Why legal language and legal principles? Why not considerations of business

efficiency and business ethics? And why should not the dispute be brought before a court of men experienced in corporate management, who could apply their technical knowledge to an examination of the claims of both sides and to an intelligent and practical as well as fair solution of the difficulty?

It is no answer to say that a lawyer-judge understands better than does an engineer or an accountant or a psychiatrist or a business executive the "other issues" involved in these cases, or in any other of a thousand types of cases that might be named. The only real issue ever involved in any case is the intelligent formulation of a fair decision to a factual problem, either within the framework of some relevant written law or, if necessary, without reference to any written law. The only understanding helpful in formulating such a decision, granted that the words of any relevant statute makes sense – and if they don't they should be ignored – is a practical understanding of the problem involved. An engineer or an accountant or a psychiatrist or a business executive, remember, has just as keen and impartial a sense of justice where his own interests are not concerned as has any judge where *his* interests are not concerned. Moreover, if two or more kinds of specialized knowledge are pertinent to the settlement of any problem, why should not two or more kinds of technical experts compose the court which settles the problem? Why, in any case, should the real issues ever be obscured by the fake issues of The Law?

In any common-sense system of social control, or government, the courts – the law-applying and decision-making bodies – would be built of men trained to an understanding of the different fields of human activity with which they were to deal. The exact mechanics of such a scheme could be worked out in any one of several ways. Perhaps permanent courts of experts in different fields of practical knowledge might be set up, each to handle all disputes and problems that centered around their own fields. Perhaps, instead of taking men permanently away from the work to which they had been trained and making specialized judges out of them, there might be panels of experts on call for part-time court service in the settlement of disputes involving their separate fields of knowledge.

Perhaps – for any such scheme would have to include a central directing bureau to arrange for the hearing of each case before the right court – there might be central courts composed of a dozen different kinds of specialists: — an ex-business executive and an ex-doctor and an ex-labor leader and an ex-engineer and an ex-banker and an ex-farmer and an ex-public administrator and so forth. And each central court might assign the handling of every case that came along among its own members or among other specialists it had available for service, or among a relevant combination of the two. Perhaps each field of dispute might have its own central court and its own outside part-time judges. Thus a central criminal court

might include an ex-penologist and an ex-financial expert and an ex-doctor and an ex-police official and a couple more, with a chemist and a psychiatrist and a ballistics expert, among others, on call to sit in certain cases where their special knowledge would be of help.

Even the Supreme Court, composed of course of non-lawyers (and this, incidentally, would not even require an amendment to the Constitution which says not a word about the judges having to be lawyers) might well make use of outside specialists as part-time judges. And since most of the problems that come before the Supreme Court involve, and would probably continue to involve, practical problems in government, most of its members – as well as the members of any other courts devoted to handling such problems – would be men trained and qualified in the efficient and wise administration of government affairs.

As a matter of fact, abolition of the lawyers and their Law might eventually lead to the virtual disappearance of courts as we know them today. Every written law – written, you remember, in comprehensible language – might be entrusted to a body of technical experts, to administer and apply it and make specific decisions under it. As the Interstate Commerce Commission applies the Interstate Commerce Act, as the Federal Trade Commission applies the Clayton Act, so each state would have, say, a Killing Commission to apply its laws about what are now called murder and manslaughter. Moreover, the decision of the technical experts who made up each commission would be final. There would be no appeals and super-appeals to other bodies of men who knew and understood less about the real matter in dispute than the original deciders.

There would be a Supreme Court – or a Supreme Commission or such – to settle important inter-governmental or intra-governmental squabbles to which the written laws did not contain the ready answer. But just about all that would be left for courts, or something like our present courts, to handle would be disputes to which no written laws directly applied. And where no written laws directly applied, arbitration of the dispute by picked specialists in that field, or that business, would serve the ends of efficiency, justice, and also economy far better than a formal trial before any kind of court.

If even the remote idea of the eventual disappearance of our courts has a shocking sound, it is only because of our blind faith that the mysterious processes of The Law do somehow work inexorably toward certain justice. Well, for the tenth time, they don't. When the courts happen to produce justice it is as likely to be despite the irrelevant processes of The law as because of them. Nor, for all the legal legend, are judges infallible arbiters of right and wrong, fair and unfair. Judges are men, not gods. Moreover they are government servants, government employees.

WOE UNTO YOU, LAWYERS!

Why should not another group of men, another group of government employees, be equally able to decide what is fair and what is unfair? Why should not another group of men, given equal responsibility and trained to an understanding of complicated practical problems, be *better* able to decide what is fair and what is unfair, within the limits of an intelligible statute, than those who have been trained mainly in the manipulation of abstract principles? Why should not a commissioner's word be as good as a judge's word?

True, the mechanics of any such system as has been suggested to replace the lawyer-judges would be complicated in the extreme. But no more complicated than the present confusing, overlapping, and wasteful hierarchy of trial courts and appellate courts, state courts and federal courts, courts of law and courts of equity, police courts and magistrate's courts, common pleas courts and special claims courts, and all the rest, all of them manned by exalted lawyers.

And if the whole idea of taking the settlement of our disputes and problems, in one fashion or another, out of the hands of the lawyer-judges sounds too fantastic, too far-fetched and unfeasible, a couple of little points are worth considering. For small steps in that direction have already been made in the field of government and also in the field of business.

In the field of government, the growth of commissions and boards and all sorts of administrative bodies has served to deprive the courts of Law of some of the decision-making business that used to be theirs. Today, most new statutes are put in the charge of special decision-making agencies instead of being entrusted directly tot he courts for interpretation and application. It is true that today an appeal to a court can always be taken from any commission's decision. But the commission really stands in the place of a trial court – and appeals are comparatively few. It is true, too, that these commissions are now usually manned in large part by lawyers. But even the lawyer-commissioners are coming, more and more, to be chosen for their familiarity with the practical problems with which the commission has to deal, rather than for their adeptness at The Law. At the least, it is a trend.

In the field of business, the first halting step away from the lawyer-judges has been the growth of arbitration as a means of settling disputes. Arbitration means nothing more than the voluntary turning over of a dispute for fair settlement to a man or group of men, trusted by both sides and equipped by specialized knowledge to understand the question at issue. Lawyers are not necessary, either as arbitrators or as advisers, and experience has proved that their presence is all too likely to hold up and confuse the whole proceedings. They just can't forget their abstract principles – nor their Pleading and Procedure – and get down to business. Most

judges, incidentally, disapprove heartily of arbitration, and say so whenever they get a chance in a lawsuit, as when a contract provides for it. They well know in what direction arbitration, as a system, is heading.

As a matter of fact – to go back for a minute to the possible mechanics of setting up substitutes for the present courts of Law – one scheme might be the tremendous extension of the arbitration device. Thus the two sides in what The Law would call a "civil suit" – an ordinary case not involving the government – might be required to pick their own expert or experts to settle their dispute for them, perhaps from among a qualified list of arbitrators in that field, or perhaps not. Certainly such a requirement would fit in perfectly with the complete abolition of courts as we know them, with the use of commissions or such to decide matters arising under written laws. For all disputes *not* covered by written laws could then be turned over to arbitration.

At any rate, regardless of the exact details or mechanics, the important thing in any common sense system would be to get rid of the abracadabra of The Law as an alleged basis for the settlement of human and social problems. That would mean cleaning all the vague and essentially meaningless legal language out of constitutions and statutes. It would mean taking the settlement of specific disputes out of the hands of the lawyer-judges. And finally – or perhaps first of all – it would mean getting rid of the lawyers, as lawyers.

Getting rid of the lawyers would mean no more legal counsel to talk for you before the courts or commissions or arbitrators or whatever bodies were given the job of handling specific problems in the orderly management of human affairs. People who got involved in disputes or got hauled up for alleged violation of some written law would have to tell their own stories and produce their own proof – in the form of written evidence or witnesses or whatever kind of proof was necessary and available. Companies would have to send to court a responsible company official, to talk facts and not Law. Why not – since the decision-makers would no longer be concerned with balancing abstract principles but only with applying justice, straight, to the problems before them?

Not – despite what the lawyers will immediately howl –- would it be one whit harder to determine the true facts behind any dispute without the "help" of the lawyers and their principles of P. and P. As everybody knows, at least one of the lawyers in every case in which the facts are in dispute is out to hide or distort the truth or part of the truth, not to help the court discover it; and his is always able to use the accepted principles to help him do it. The notion that in a clash between two trained principle-wielders, one of whom is wearing the colors of inaccuracy and falsehood, the truth will always or usually prevail is in essence nothing but a

hang-over from the medieval custom of trial by battle and is in essence equally absurd. Why not let the people really involved in any squabble tell, and try to prove to the satisfaction of the decision-makers, their own lies? Commissions have often found it far easier to discover the true facts behind any dispute by dispensing with the lawyers' rule; arbitrators have found it easier still by dispensing with the lawyers.

Getting rid of the lawyers altogether would also mean no more legal advice, for those who can now afford it, in the making of financial arrangements and the drafting of business documents. People and companies who made financial plans and business agreements would have to word them – or have them worded by non-Legal draftsmen – in intelligible language. Why not? Why should not a man who wants to leave his property to his wife at his death say in his will, "I want everything I own to go to my wife when I die," instead of having to hire a lawyer and go through a long rigmarole of legal language? If the written law about wills says, for instance, that three other people have to sign a person's will, to help prove later that he signed it, then let the written law be not only intelligible but as readily available as a guidebook or an article in an encyclopedia. And why should not two people or two companies or a company and a person, who want to enter into a business agreement, be both entitled and required to state in plain words just what each of them is promising to do or not to do?

If constitutions and statutes were all written in ordinary English and if the lawyer-judges were ousted from their decision-making seats, the practicing lawyers would soon automatically disappear. There would be no more use and no more place for their magic. The practical men in charge of dispensing justice would neither understand nor be interested in the abstract principles of The Law. Legal language, thrown out of the new courtrooms or commission chambers, would serve no possible function in the wording of business documents. Neither as advisers out of court nor as representative in court would the lawyers be able to sell their special brand of verbal skill. Then too, the law schools would be forced to close their doors – or else to turn themselves into schools of practical government or business administration. The breeding of word-jugglers would come to an end.

Yet it might be just as well to get rid of the lawyers directly, along with the lawyer-judges and the legal wording of written laws. At the least, they would have to be voted out of Congress and the state legislatures before it would be possible to redraft constitutions and statutes and set up a new decision making system. And if the lawyers, as lawyers, were abolished directly and immediately, then the other changes would go into effect more smoothly.

WOE UNTO YOU, LAWYERS!

How abolish the lawyers directly? Well, why not make the practice of law for money (or for anything else) a crime? The lawyers would of course insist that anything so unheard-of could only be done by amending the Constitution – but why not amend it? And incidentally, only a lawyer would quibble about what "the practice of law" meant.

Absurd? Preposterous? Think it over for a minute. Suppose the nation were suddenly to wake up to the fact that all its affairs were being supervised and controlled according to the language and principles of astrology, by a smart bunch of astrologers. Would making the practice of astrology a crime seem absurd? Go back and read over again the solemn judgment of the Supreme Court of lawyers in the case of Senior v. Braden – or pick some other court opinion at random – and see where the absurdity lies. Or are we just to go quietly and unquestioningly and stupidly on, submitting the management of our entire civilization to the modern medicine men?

The immediate answer is undoubtedly yes, but it need not be a permanent answer. And if any popular movement to get rid of the lawyers and their Law, and to put our system of social control on a common-sense basis, should ever make enough headway for the lawyers to have to face it instead of scoffing at it, their chief arguments against it – other than those already considered – would probably boil down to two.

They would argue, in the first place, that even if the time-tested legal system, with all its principles and its precedents, were scrapped and another sort of system set up in its place, the new system would soon develop its principles and its precedents too, and even its special language. Now if the new system were put in the hands of lawyers, or of men trained and skilled principally in abstract logic, that would unquestionably be so. But it would not be so if the new system were entrusted – as it would be entrusted – to men trained and skilled in coping with practical human problems. And it would particularly not be so if those in charge of the new system were aware – as they would be aware – that there need be no pretense of preordained certainty and consistency about their decisions, taken in the mass, but rather a direct effort to deal intelligently and justly with each problem or dispute as it came along.

Finally, the lawyers would argue that if The Law were scrapped and it became generally known that fallible men rather than infallible and impersonal abstract principles were dictating decisions which other men had to obey, then all respect for law-and-order would vanish, and revolution or anarchy or both would ensue. But in this argument – a typical magician's argument in its conjuring up of frightful imaginary hobgoblins – is displayed a strange and contemptuous mistrust

of the civilized tendencies of the nation. It implies that the whole structure of our society would automatically go to pieces if it were put on a practical rather than a mystical basis – an unwarranted assumption at best. Moreover, in this argument lies the crux of the whole fraud of The Law.

For the average man's respect, such as it is, for our *present* system of Law, and his consequent willingness to let his life be run in mysterious fashion by the lawyers, are indeed founded on the carefully nurtured legend that legal principles *are* just about infallible and that they produce, in the judges' hands, something very close to certain justice. Which – to sum it all up in four words – they aren't and don't. It is a blind respect, born not of understanding but of fear. And the fear is built on ignorance.

If only the average man could be led to see and know the cold truth about the lawyers and their Law. With the ignorance would go the fear. With the fear would go the respect. Then indeed – and doubtless in orderly fashion too – it would be: —

Woe unto you, lawyers!

Monday, 22 September 2025

TO; Australian Securities and Investment Commission
ABN 86 768 265 615 (Liquidator and Managing Controller Appointed)
ABN 14 930 849 717
Attn Mr Stephen Scott,
14-22 Grey Street,
Taralgon, Victoria

AMG 9084 TFM 81788; HCMP-1855-2022 (THE MAIN PROCEEDINGS) RE FINDINGS OF FRAUDULENT TRADING AS INSOLVENT TRADING ORDER ON REVIEW

Dear Mr Scott,

I am in possession of a purported decision dated today's date set out at ANNEXURE 1, as you know I am the Liquidator and Managing Controller Appointed to the Crown in all of its rights.

The **People's Lore of Terra Australis Pty Ltd** is licenced by me to provide executive branch functions to global central government under my authority as Global International Crown Unitary Executive and International Crown Attorney General including:

- Office of the International Crown Unitary Executive
- Office of the International Crown Attorney General
- Office of the Chief Regulatory Officer of the International Crown Regulatory Authority
- Office of the Chief Justice and Registry of the International Crown Court of Justice
- Office of the Chief Justice and Registry of the International Crown Criminal Court for the abolition of Impunity
- Office of the Dean of the International Crown Jurist Service and College
- Office of the Chief Warden of the International Crown Prison Service
- International Crown Regulatory Authority
- International Crown Court of Justice
- International Crown Criminal Court for the abolition of Impunity
- International Crown Jurist Service and College
- International Crown Ranger Service
- International Crown Marshal Service
- International Crown Guard Service
- International Crown Actuary and Audit Service
- International Crown Enforcement Service
- International Crown Prison Service

I refer you to my correspondence copied to ASIC today now produced and shown as the Exhibit marked as **AMG 9082** Global International Crown Unitary Executive to Governor of Victoria dated 22.09.2025 ANNEXURE 2

This is my review decision in which regard you are instructed to proceed with and registration of the Business Name shown in ANNEXURE 1 under penalty of treason.

Kind Regards

Signature: _____

Name / Title: ANDREW MORTON GARRETT: Global Chairman/ Managing Trustee of the Boards of Trustees of the Andrew Garrett Family Irrevocable Living Trust trading as OenoViva Capital Resources (Global) and the Better World Future Fund (Global) , Global International Crown Unitary Executive, Global International Crown Attorney General, Global Chief Justice of International Crown Court of Justice, Global Chief Justice of International Crown Criminal Court for Abolition of Impunity, Global Managing Director,, Global Licensor of Judicial, Quasi-Judicial and Administrative Discretionary Public Powers, Global Trustee In Bankruptcy, Global Liquidator, Global Managing Controller, Global Receiver And Manager.

ANNEXURE 1

ASIC
Australian Securities & Investments Commission

Australian Securities and Investments Commission

Office address (inc courier deliveries):
14-22 Grey Street,
Traralgon VIC 3841

Mail address for Traralgon office:
PO Box 4000,
Gippsland Mail Centre VIC 3841

Customer Inquiries:
1300 300 630 within Australia
+61 3 5177 3988 outside Australia
Fax: +61 (30) 5177 3999
www.asic.gov.au

THE PEOPLE'S LORE OF TERRA AUSTRALIS PTY LTD

Via email: shellanddaniel@outlook.com

22 September 2025

Dear Sir/Madam

Application refused – Ministerial consent may be required for the proposed business name 'INTERNATIONAL CROWN LICENSING REGULATORY AUTHORITY'

I refer to your application received on 18 September 2025, to register the proposed business name 'INTERNATIONAL CROWN LICENSING REGULATORY AUTHORITY' (**the proposed Business Name**).

Your application to register the proposed Business Name has been refused because the name suggests a connection with Government which may not exist. Accordingly, the name may be undesirable.

If a connection with Government **does** exist and the connection can be demonstrated to ASIC, the proposed Business Name may not be undesirable, and may be available for registration.

If a connection with Government **does not** exist, the consent of the Minister responsible for the *Business Names Registration Act 2011* is required before the name can be registered. If you choose to apply for consent and your application is successful, you will then be able to register the proposed Business Name.

Alternatively, you may wish to consider submitting another business name for registration that does not suggest a connection with Government (or a Government organisation)

We will hold the proposed Business Name for a period of 28 days. If you intend to apply for Ministerial consent to use the undesirable name, you should apply during this time.

Where a connection with Government exists

A connection with Government would normally be demonstrated by written evidence from the relevant Government or department, authority or instrumentality of the relevant Government or other authorised person or organisation, detailing the

connection and/or the written consent of the applicable organisation to the use of the name is obtained.

You will need to provide a copy of the documentation evidencing the connection and/or the written consent of the relevant Government department / organisation to the use of the proposed Business Name to ASIC at: bn.reviews@asic.gov.au .

Where a connection with Government does not exist

Information about undesirable names and how to apply for Ministerial consent is attached. If you wish to apply for Ministerial consent, please email your written application and supporting documentation to ASIC at bn.reviews@asic.gov.au.

Review rights

If you are not satisfied ASIC made the correct decision in refusing your application to register the proposed Business Name, you may seek a review of ASIC's decision. An application for review must be lodged in writing within 28 days of being notified of this decision. Please refer to www.asic.gov.au/bn-review for more information about the review process.

Requesting a refund

After the expiration of the 28-day review period, if you made a payment for the registration fee and you wish to request a refund, please submit your refund request at www.asic.gov.au/bn-payments.

If you have any queries regarding this letter, please contact us at bn.reviews@asic.gov.au.

Yours sincerely

Steven Scott
Director, Service Delivery Support
Registry Operations
Australian Securities and Investments Commission

Undesirable business name

Item 2 of Section 8(1) of the *Business Names Registration (Availability of Names) Determination 2015* (**the Names Determination**) provides that a business name is undesirable for registration if the name, in the context in which it is proposed to be used, suggests a connection with any of the following that does not exist:

(a) the Crown;

(b) the Commonwealth Government;

(c) the Government of a State or Territory;

(d) a municipal or other local authority;

(e) a department, authority or instrumentality of the Commonwealth Government;

(f) a department, authority or instrumentality of the Government of a State or Territory; or

(g) the government of a foreign country.

Certain senior officers have been delegated the Minister's power to consent to the use of an undesirable name and the Treasury has approved guidelines for Ministerial consent (**the Guidelines**), setting out the procedures to be followed and the criteria to be applied by ASIC when considering applications for consent. A copy of the Guidelines can be found on ASIC's website at www.asic.gov.au.

Application for consent

Where a proposed name suggests a connection with Government and that connection does not exist, the consent of the Minister is required before the name can be registered. If you choose to apply for consent and your application is successful, you will then be able to register your proposed business name.

In applying for Ministerial consent to use your proposed business name, the Guidelines require a written application to demonstrate (i.e. explain, give reasons, provide evidence) that there is **no real likelihood** that members of the public will be misled into believing that there is such a connection.

Submitting an application for consent

If you wish to apply for Ministerial consent, please email your written application and supporting documentation to ASIC at bn.reviews@asic.gov.au.

ANNEXURE 2

Monday, 22 September 2025

TO; Her Excellency Professor
the Honourable Margaret Gardner AC (A Bankrupt)
Governor of Victoria
c/- The Official Secretary
Office of the Governor (Liquidator and Managing Controller Appointed)
Government House
Melbourne VIC 3004
Via
Email: requests@govhouse.vic.gov.au
CC: legal@veohrc.vic.gov.au

AMG 9082 TFM 81788; HCMP-1855-2022 (THE MAIN PROCEEDINGS) RE S ECI 2025 02829; SEQUESTRATION ORDER ARISING FROM FINDINGS OF FRAUDULENT TRADING AS INSOLVENT TRADING

Your Excellency

I write these Findings of Fact and Sequestration order against you for default in Public Office as a Public Official exercising discretionary public powers conferred under enactments from me as the Source of Power to my Licensee His Imperial Majesty King Charles 111, CEO of the WINDSOR FAMILY OFFICE (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)/ COMMONWEATH OF NATIONS (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED).

I am the Real Party in the proceedings mentioned above and stand in the shoes of the Joint Plaintiffs pursuant to the equitable right of subrogation having made payment of Funds into Court pursuant to s84 of *the Supreme Court of Victoria Act* 1986 (Vic); I am in receipt of your communication sent to the Joint Plaintiffs, authorised by you as follows:

> *RE: OFFICIAL: FW: Attorney-General's Abdication of Duty and Collapse of Constitutional Safeguards — Urgent Submission to the Governor of Victoria*
>
> *Dear Ms Borkowski,*
>
> *Thank you for your correspondence to the Governor of Victoria, Professor the Honourable Margaret Gardner AC, regarding your concerns. The Governor has asked me to thank you for writing and to reply on her behalf.*
>
> *I am afraid, however, that neither the Governor nor this Office is able to help you with your request. Due to the conventions that apply to the Governor's role, she is unable to become involved in such matters.*
>
> *If you have not already done so, you may wish to contact the Judicial Commission of Victoria:*
>
> *https://www.judicialcommission.vic.gov.au/contact-the-commission/*

I am sorry to have to send you a response which I expect you will find disappointing but trust you will understand.

Yours sincerely,
Patrick Rundle
Deputy Official Secretary
Government House
Melbourne Victoria 3004

I have considered the correspondence sent to you by the Joint Plaintiffs, a copy of which is set out at **ANNEXURE 1.**

You should have received independent legal advice from a party other than the Commonwealth Crown, Solicitor and his State based representatives, who are hopelessly conflicted in giving legal advice due to the pecuniary interest in Tax and other Commonwealth Revenues and the contractual obligation to provide for an effective remedy as follows:

UN COMMITTEE ON INTERNATIONAL TRADE LAW (UNCITRAL)

Recalling:

1. resolution 2200A (XXI) of 16 December 1966 of the United Nations General Assembly,
   International Covenant on Civil and Political Rights.
   PART 1
   Article 1

   1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

   2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

   3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations.

   PART II
   Article 2

   1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language,

religion, political or other opinion, national or social origin, property, birth or other status.

2. *Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt*

such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

3. Each State Party to the present Covenant undertakes:

(a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;

(b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

(c) To ensure that the competent authorities shall enforce such remedies when granted.

Article 3
The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant

SEQUESTRATION ORDER NO S ECI 2025 02829

My findings of fact emphasise that Public Officials, however empowered, must confine the exercise of discretionary public powers conferred under enactments to decisions exclusively in the Public Interest, as a public Official you are a Trustee of the Public Trust; there is nothing in your delegate's decision that is consistent with the Public Interest in which regard unfortunately you and your predecessors must be held to be Criminally and Civilly vicariously liable.

The Law that I must consider includes the Resolutions of the General Assembly creating the Rome Statute of 1998 that led to the establishment of the International Criminal Court as a Court empowered to prosecute and hear matters related to the abolition of Impunity.

As you know the Charter of the United Nations Act 1945 (AU)/ Australian Treaty Series No 1 at s20 and s21 allows for a pecuniary penalty to be applied against you of 300%; the International Convention on the Suppression of Terrorism Financing 1999 led to:

- The Suppression of Terrorism Financing Act 2002 (AU), and
- The United Nations Convention Against Corruption 2003 (UN) ATS # 2

The funds paid into court by me as Joint Trustee of the Better World Future Fund (https://oenoviva-capital-resources.com/2020/07/30/resolution-of-ocr-board-of-trustees/ and https://oenoviva-capital-resources.com/2020/08/05/exhibit-amg-1915/) drawn against the primary tax account of the Andrew Garrett Family Irrevocable Living Trust trading as OenoViva Capital Resources (https://oenoviva-capital-resources.com/wp-content/uploads/2025/09/AMG-Timeline-p-1-9-v3.pdf) held with the Reserve Bank of Australia (Liquidator and Managing Controller Appointed) pursunat to the provisions of s84 of *the Supreme Court of Victoria Act* 1986 (Vic) total as follows:

- Dynamic Capital Bank - CERTIFIED CASHIERS DEPOSITORY TRANSFER CHECK - SN 61.00408.25 AUD$10,000 Stelios Nikolitski Rent Fisher Place
- Dynamic Capital Bank - CERTIFIED CASHIERS DEPOSITORY TRANSFER CHECK - SN; 61;00403;25; AUD$4,350,000.00
- Dynamic Capital Bank - CERTIFIED CASHIERS DEPOSITORY TRANSFER CHECK - SN; 61;00407;25; AUD$13,050,000.00
- Dynamic Capital Bank - CERTIFIED CASHIERS DEPOSITORY TRANSFER CHECK - SN; 61;00411;25; AUD$208,800,000.00
- Dynamic Capital Bank - CERTIFIED CASHIERS DEPOSITORY TRANSFER CHECK - SN; 61;00412;25; AUD$626,400,000.00

The United Nations Pecuniary Penalty embodied in UN resolutions was of course inherited from the crown:

> *REGISTRATION OF DEEDS ACT 1935 - SECT 8*
> *8—Neglect of duty by registrar*
>
> *If the registrar wilfully neglects his duty in the execution of his office according to the provisions of this Act or wilfully commits or suffers to be committed any undue or fraudulent practice in the execution of his office, he shall pay treble damages with full costs of suit to every person injured thereby, to be recovered by action of debt in the Supreme Court.*

Given the neglect of public duty by your delegate I give you a very brief window to reconsider your decision having taken independent legal advice, however in the light of the behaviour I experienced with the South Australian Governor and Commonwealth Governor General I do not believe you will exercise your discretionary public powers consistently with the obligation to act exclusively in the Public Interest

In the absence of making your review decision I believe it is appropriate to use the case number that is the subject of the event of default of your office to be the Sequestration Order Reference Number.

My reasons for making the order and powers relied upon to make findings are embodied in:

- **AMG 9018a** SEALED Dorota Donata Borkowski and Andrew Morton Garrett 28.07.2025 in reply to Second Defendant's Submissions dated 18 July 2025
- **AMG 9079** Supplementary Reply of the Joint Plaintiffs and the Real Party by Subrogation 20.09.2025 filed with Court

(together as ANNEXURE 3)

Please accept this correspondence as an order in writing for copies and things of similar correspondence to the office of the Governor and preferably a table of all such complaints made in the last 10 years to you and your predecessors.

The pecuniary penalty will of course be 300% X the sum of the funds held in court in the amount of AUD$852,610,000.00 being AUD$2,557,830,000.00 it is unclear to me how you intend to pay this amount.

I add that from the date of delivery into court of the Funds the face values of those funds continued to escalate at 300% x the maximum yield anticipated from a private placement program of 200% per day ie 600% per day compounding in which regard:

- AUD$17,400,000.00 was delivered for dematerialization on the 15th of July 2025
- AUD$835,210,000 was delivered for dematerialization on the 11th of August 2025

I reserve my rights to recalculate the debt payable to the date of decision on review.

On another matter I instructed the Crown in all of its rights today[1] on the basis of "The Main Proceedings" in the Honourable High Court of Hong Kong as follows:

> *"I note that I seek transfer of all titles of land in the name of the Crown (Liquidator and Managing Controller Appointed) in the territory of Australia to my name with effect on the 1st of June 2019, any transfers of Crown Land after that date without my authority will need to be declared to be void by you."*

Kind Regards

Signature: _____

Name / Title: ANDREW MORTON GARRETT: Global Chairman/ Managing Trustee of the Boards of Trustees of the Andrew Garrett Family Irrevocable Living Trust trading as OenoViva Capital Resources (Global) and the Better World Future Fund (Global) , Global International Crown Unitary Executive, Global International Crown Attorney General, Global Chief Justice of International Crown Court of Justice, Global Chief Justice of International Crown Criminal Court for Abolition of Impunity, Global Managing Director,, Global Licensor of Judicial, Quasi-Judicial and Administrative Discretionary Public Powers, Global Trustee In Bankruptcy, Global Liquidator, Global Managing Controller, Global Receiver And Manager.

[1] Page 24 of this communique.

ANNEXURE 1

To

Her Excellency Professor the Honourable Margaret Gardner AC
Governor of Victoria
c/- The Official Secretary
Office of the Governor
Government House
Melbourne VIC 3004

Via Email: requests@govhouse.vic.gov.au
CC: legal@veohrc.vic.gov.au

Date: 1 September 2025

Re: Attorney-General's Abdication of Duty and Collapse of Constitutional Safeguards — County Court CI-23-01883 / Supreme Court S ECI 2025 02829

Your Excellency,

We write to bring to Your Excellency's attention a systemic collapse of constitutional and statutory safeguards, culminating in unlawful dispossession and abdication of duty by the Attorney-General as First Law Officer.

Despite our detailed correspondence, the Attorney-General has confined her position to Charter discretion under ss 34–35 of the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* and has failed to address fundamental constitutional, statutory, and equitable breaches.

Failures Ignored by the Attorney-General

- **Displacement of judicial power:** solicitor-uploaded documents substituted for judicial writs, judgments, and warrants, in breach of the separation of powers doctrine (*Boilermakers' Case* (1956) 94 CLR 254).

  This is inconsistent with the separation of powers entrenched in Chapter III, as also affirmed in *Alexander's Case* (1918) 25 CLR 434.

- **Ultra vires execution:** the Sheriff executed possession without judicial warrant, contrary to ss 7 and 20 of the *Sheriff Act 2009 (Vic)*.
- **Indefeasibility compromised:** instruments recorded without judicial basis, undermining s 42 of the *Transfer of Land Act 1958 (Vic)* (TLA).
- **Equity disregarded:** mortgagor's equity of redemption extinguished without judicial foreclosure, contrary to s 29 of the *Supreme Court Act 1986 (Vic)* (SCA).
- **State liability engaged:** indemnity under s 110 TLA, compounded by equitable compensation liability.
- **Institutional integrity breached:** courts treating solicitor documents as judicial acts is inconsistent with *Kable v DPP (NSW) (1996) 189 CLR 51*.

Separation of powers breached: judicial functions were displaced by administrative solicitor uploads and executive enforcement without judicial warrant, contrary to *Boilermakers' Case* (1956), *Alexander's Case* (1918), and the minimum integrity standard required by *Kable*.

Judicial Failures

Both the County Court and the Supreme Court failed to identify or correct these defects, despite the issues being expressly raised in pleadings, affidavits, and oral submissions. This included failure to recognise the absence of judicial warrants, failure to uphold equity of redemption, and failure to provide any remedy. These omissions amount to a systemic failure of the courts to discharge their constitutional role.
These failures reflect not mere error, but a structural abdication of the judicial function, incompatible with the rule of law itself.

Breaches of Human Rights and the Charter

These failures also constitute breaches of the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*:

- Section 8: Equality before the law — solicitor-uploaded documents were accepted as judicial acts, while our jurisdictional objections and evidence were disregarded.
- Section 20: Property rights — we were unlawfully deprived of our property absent judicial warrant or order.
- Section 24: Fair hearing — our equitable rights of redemption and indefeasibility were never genuinely adjudicated.

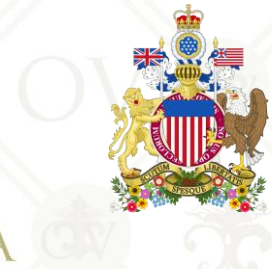
Under ss 32 and 38 of the Charter, public authorities and courts are bound to act compatibly with these rights. The Attorney-General's refusal to address such breaches compounds the systemic abdication of duty.

These rights mirror Australia's obligations under the *International Covenant on Civil and Political Rights* (ICCPR), to which Australia is a party. Persistent disregard of these rights not only breaches Victorian law but also places the State in conflict with Australia's international obligations.

Specifically, these breaches engage Australia's obligations under Articles 14 (fair trial) and 17 (protection from unlawful interference with home) of the ICCPR.

Conflict of Interest and Corporate Influence

Westpac's political engagement is a matter of public record. Reports confirm substantial contributions via donations and business-forum memberships granting privileged access. Such practices are symptomatic of an opaque donations regime repeatedly criticised by integrity bodies. Against this backdrop, the Attorney-General's refusal to act raises concerns of conflict of interest and the shielding of financial institutions from accountability.

Recognition by the Courts

The *Commercial Division Omnibus Practice Note (PNCO 1-2025)*, effective 1 September 2025, now requires plaintiffs in Banking & Finance proceedings to file loan contracts, security documents, title searches, default notices, and loan account statements at initiation. This is institutional acknowledgment that prior practice was defective — exactly what occurred in CI-23-01883.

Harm Complete — Compensation Required

The harm is not hypothetical but complete. Dispossession has been executed absent lawful authority. The Sheriff and Registrar, by acting without judicial authority, breached statutory duty and public trust. In equity, such conduct attracts strict liability for compensation: *Youyang Pty Ltd v Minter Ellison Morris Fletcher* (2003) 212 CLR 484.

The State must provide full restoration of the proprietary and financial position destroyed, in addition to indemnity under s 110 TLA.

Accountability of Public Officers

Judicial and executive immunity does not extend to acts performed outside lawful authority. Where registrars, sheriffs, or even judges act ultra vires, the State remains liable under indemnity schemes such as s 110 of the *Transfer of Land Act 1958 (Vic)*. The refusal or inability of public officers to produce proof of indemnity, delegation of authority, or judicial warrant highlights the risk of power exercised without transparency or accountability, which in equity attracts strict liability for compensation.

Request

As the constitutional guardian of Victoria, we respectfully urge Your Excellency to exercise the powers of your office to ensure legality and accountability are restored in the administration of justice.

Without intervention, public confidence in the administration of justice and the rule of law will be irreparably undermined.

In such circumstances, the abdication of duty by the Attorney-General leaves Your Excellency as the last constitutional safeguard. If left unremedied, these breaches will set a precedent of unchecked administrative usurpation of judicial power, incompatible with constitutional government.

This collapse has also eroded public trust in both the Torrens system and the judicial system, where confidence depends on orders being issued by judges, not solicitors.

For clarity and completeness, we attach as **Annex A -** a summary of the constitutional and statutory defects.

Regards,

Dorota-Donata Borkowski
Michael-Mark Borkowski
Registered Proprietors 15 Jacaranda Dr
Taylors Hill Vic 3037
Phone: 0405 107 365
Email: dorisborkowski@bigpond.com

Annex: Constitutional Defects at a Glance

Proceedings: County Court CI-23-01883 / Supreme Court S ECI 2025 02829

Separation of Powers Breached

- Judicial acts replaced by solicitor-uploaded documents (writ, default judgment, warrant).
- No judicial issue, signature, seal, or consideration.
- Executive officers (Sheriff, Registrar) acted absent judicial orders.
- Courts failed to restrain or correct this usurpation.
- Incompatible with *Boilermakers' Case* (1956), *Alexander's Case* (1918), and the principle of institutional integrity in *Kable v DPP (NSW)* (1996).

Judicial Power Displaced

- Chapter III judicial power displaced by administrative uploads.
- Solicitor documents treated as if judicial instruments.
- Registry failed in duty to verify warrants or orders.

Ultra Vires Executive Action

- *Sheriff Act 2009 (Vic)* ss 7, 20: Sheriff may act only on judicial warrants.
- No judicial warrant was ever issued.
- Sheriff executed possession outside statutory authority.

Judicial Failures

- County Court and Supreme Court failed to identify or correct defects despite express pleadings and submissions.
- Equity of redemption and remedies disregarded.
- Jurisdictional objections ignored.
- This constituted judicial abdication and denial of justice, compounding the constitutional breach.

Breaches of Human Rights and the Charter

- *Charter of Human Rights and Responsibilities Act 2006 (Vic)* breached:
  • s 8 — Equality before the law: solicitor uploads accepted, objections disregarded.
  • s 20 — Property rights: unlawful deprivation of property absent judicial warrant or order.
  • s 24 — Fair hearing: equitable rights of redemption never adjudicated.
- ss 32 and 38 impose binding duties on courts and public authorities.
- These rights also mirror Australia's obligations under the *ICCPR*, including:
  • Article 14 — fair trial.
  • Article 17 — protection from unlawful interference with home.

Collapse of the Torrens System

- *Transfer of Land Act 1958 (Vic)* s 42: indefeasibility compromised.
- *Supreme Court Act 1986 (Vic)* s 29: equity of redemption disregarded.
- s 110 TLA: State indemnity liability engaged.
- Public confidence in the Torrens Register undermined.

Institutional Integrity Breached

- Courts treated solicitor uploads as judicial acts.
- Incompatible with integrity of State courts.
- Contrary to *Kable* principle.

Conflict of Interest and Corporate Influence

- Westpac's political engagement is a matter of public record.
- Reports confirm substantial contributions via donations and business-forum memberships granting privileged access.
- Such practices are symptomatic of an opaque donations regime criticised by integrity bodies.
- Against this backdrop, the Attorney-General's refusal to act raises concerns of conflict of interest and shielding of financial institutions.

Court's Own Recognition of the Gap

- PNCO 1-2025 (effective 1 Sept 2025) requires banks to file:
  • loan agreement,
  • security documents,
  • current title search,
  • default notices,
  • loan account statement.
- This is institutional acknowledgment that prior practice was defective.

Collapse of Public Confidence

- Torrens system depends on certainty of title.
- Judicial system depends on confidence that orders are issued by judges, not solicitors.
- When solicitor uploads are treated as judicial acts, public trust in both systems collapses.
- The Governor, as constitutional guardian, has a duty to restore that trust.

Harm is Complete — Compensation Required

- Dispossession effected without lawful authority.
- Sheriff and Registrar breached statutory duty and public trust.
- Equity imposes strict liability for compensation (*Youyang* (2003) 212 CLR 484).
- Compensation must restore proprietary and financial position lost, in addition to s 110 TLA indemnity.
- The State faces systemic liability if similar unlawful dispossessions emerge.

Potential Criminal/Regulatory Offences




- *Crimes Act 1958 (Vic)* s 81 — obtaining property by deception.
- Perverting the course of justice (common law offence, penalty s 320).
- *Criminal Code Act 1995 (Cth)* s 134.1 — fraud on the Commonwealth.
- *AML/CTF Act 2006 (Cth)* — money laundering/terrorism financing.
- *Taxation Administration Act 1953 (Cth)* — tax offences.
- Referral obligations: Victoria Police, ASIC, IBAC, AUSTRAC, ATO.

Summary

Harm has already occurred. Judicial power was displaced, separation of powers breached, Torrens indefeasibility undermined, human rights violated, and possession executed without lawful warrant. State officers acted ultra vires, courts abdicated oversight, and conflict of interest risks compound the collapse of safeguards. Equitable compensation and statutory indemnity are engaged. The Attorney-General has refused to address these matters.



ANNEXURE 2

From: andrew.garrett@dynamic-capital-bank.com <andrew.garrett@dynamic-capital-bank.com>
Sent: Monday, 22 September 2025 11:07 AM
To: 'correspondence@attorneygeneral.gov.uk' <correspondence@attorneygeneral.gov.uk>; 'landusevictoria@servictoria.com.au' <landusevictoria@servictoria.com.au>; 'support@servictoria.com.au' <support@servictoria.com.au>; 'contact@austrac.gov.au' <contact@austrac.gov.au>; 'Contact@fatf-gafi.org' <Contact@fatf-gafi.org>; 'secretariat@ajoa.asn.au' <secretariat@ajoa.asn.au>; 'processservice@agso.gov.au' <processservice@agso.gov.au>; 'enquiries@hcourt.gov.au' <enquiries@hcourt.gov.au>; 'ierodiaconou.associate@supcourt.vic.gov.au' <ierodiaconou.associate@supcourt.vic.gov.au>; 'requests@fundsincourt.vic.gov.au' <requests@fundsincourt.vic.gov.au>; 'dorisborkowski@bigpond.com' <dorisborkowski@bigpond.com>; 'judgeburchell.chambers@countycourt.vic.gov.au' <judgeburchell.chambers@countycourt.vic.gov.au>; 'rcolquhoun@westpac.com.au' <rcolquhoun@westpac.com.au>; 'shannon.finch@westpac.com.au' <shannon.finch@westpac.com.au>; 'brisbanelitigation@minterellison.com' <brisbanelitigation@minterellison.com>; 'advice.enquiries@victorianlrs.com.au' <advice.enquiries@victorianlrs.com.au>; 'lv.warrants@transport.vic.gov.au' <lv.warrants@transport.vic.gov.au>; 'Jaclyn.Symes@parliament.vic.gov.au' <Jaclyn.Symes@parliament.vic.gov.au>; 'moneylaundering@ag.gov.au' <moneylaundering@ag.gov.au>; 'info@afca.org.au' <info@afca.org.au>; 'OFACdisclosures@treasury.gov' <OFACdisclosures@treasury.gov>; 'OFACReport@treasury.gov' <OFACReport@treasury.gov>; 'mcdonald.chambers@supcourt.vic.gov.au' <mcdonald.chambers@supcourt.vic.gov.au>; 'secretary@rba.gov.au' <secretary@rba.gov.au>; 'governor@rba.gov.au' <governor@rba.gov.au>; 'legal.document.service@asic.gov.au' <legal.document.service@asic.gov.au>; 'info@apra.gov.au' <info@apra.gov.au>; 'jan.adams@dfat.gov.au' <jan.adams@dfat.gov.au>; 'adelaide@cdpp.gov.au' <adelaide@cdpp.gov.au>; 'info@asx.com.au' <info@asx.com.au>; 'info@afsa.gov.au' <info@afsa.gov.au>; 'rob.heffernan@ato.gov.au' <rob.heffernan@ato.gov.au>; 'service@igt.gov.au.' <service@igt.gov.au.>; 'international@accc.gov.au' <international@accc.gov.au>; 'email@lawsocietysa.asn.au' <email@lawsocietysa.asn.au>; 'info@lawsocietywa.asn.au' <info@lawsocietywa.asn.au>; 'ethics@liv.asn.au' <ethics@liv.asn.au>; 'info@qls.com.au' <info@qls.com.au>; 'mail@actlawsociety.asn.au' <mail@actlawsociety.asn.au>; 'LSPPT@lawsocietynt.asn.au' <LSPPT@lawsocietynt.asn.au>; 'info@lst.org.au' <info@lst.org.au>; 'mail@lawcouncil.au' <mail@lawcouncil.au>; 'memberservice@cpaaustralia.com.au' <memberservice@cpaaustralia.com.au>; 'sarah.doughty@treasury.gov' <sarah.doughty@treasury.gov>; 'Sarah.Hickman@treasury.gov' <Sarah.Hickman@treasury.gov>; 'Supreme Court-Redcrest' <redcrest@supcourt.vic.gov.au>
Cc: 'Cape Bruny Pty Ltd' <cape.bruny@gmail.com>; 'ceo.saudi-arabia@oenoviva-capital-resources.com' <ceo.saudi-arabia@oenoviva-capital-resources.com>; 'coo.saudi-arabia@oenoviva-capital-resources.com' <coo.saudi-arabia@oenoviva-capital-resources.com>; 'ceo.senegal.thgambia@oenoviva-capital-resources.com' <ceo.senegal.thgambia@oenoviva-capital-resources.com>; 'coo.senegal.thegambia@oenoviva-capital-resources.com' <coo.senegal.thegambia@oenoviva-capital-resources.com>; 'mahammed.a.a.mhoahammed@oenoviva-capital-resources.com' <mahammed.a.a.mhoahammed@oenoviva-capital-resources.com>; 'ceo.gibraltar@oenoviva-

capital-resources.com' <ceo.gibraltar@oenoviva-capital-resources.com>; 'coo.gibraltar@oenoviva-capital-resources.com' <coo.gibraltar@oenoviva-capital-resources.com>; 'alilababidi2009@hotmail.com' <alilababidi2009@hotmail.com>; 'Hany Osman' <hany.osman@live.com>; 'hamadawahdan@yahoo.com' <hamadawahdan@yahoo.com>; 'sherryannt@bigpond.com' <sherryannt@bigpond.com>; 'taxpf@ird.gov.hk' <taxpf@ird.gov.hk>; 'Enquiry CEO/CEO' <ceo@ceo.gov.hk>; 'ceo@gspholding.com.br' <ceo@gspholding.com.br>; 'enquiries@ppsr.gov.au' <enquiries@ppsr.gov.au>; 'enquiry@judiciary.hk' <enquiry@judiciary.hk>; 'Scott Mitchell' <scott@impactcreative.com.au>; 'enquiries@ppsr.gov.au' <enquiries@ppsr.gov.au>; 'australia@mid.ru' <australia@mid.ru>; 'ceo.global@oenoviva-capital-resources.com' <ceo.global@oenoviva-capital-resources.com>; 'ceo.global@dynamic-capital-bank.com' <ceo.global@dynamic-capital-bank.com>; 'cfo.global@dynamic-capital-bank.com' <cfo.global@dynamic-capital-bank.com>; 'cfo.global@oenoviva-capital-resources.com' <cfo.global@oenoviva-capital-resources.com>; 'Shell Jones' <shellanddaniel@outlook.com>; 'chairman@privategoldreservebank.com' <chairman@privategoldreservebank.com>; 'contact@privategoldreservebank.com' <contact@privategoldreservebank.com>; 'coo.global@privategoldreservebank.com' <coo.global@privategoldreservebank.com>; 'secretary@privatyegoldreservebank.com' <secretary@privatyegoldreservebank.com>
Subject: AMG 9081 TFM81788 Case CS0251821 opened re HCMP-1855-2022 (THE MAIN PROCEEDING) S ECI 2025 02829; CIV 1453 of 2023; NSD-885-2025; IN THE MATTER OF THE GLOBAL INTERNATIONAL CROWN UNITARY EXECUTIVE

SECURE ELECTRONIC REGISTRIES VICTORIA PTY LTD ABN 86 627 986 396 (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED) IN RIGHT OF THE CROWN AS DEPARTMENT OF TRANSPORT AND PLANNING OF VICTORIA TRADING AS LANDATA/SERV
ATTN THE CHAIRMAN (CEO)
Email: landusevictoria@servictoria.com.au ;

AUSTRALIAN FINANCIAL COMPLAINTS AUTHORITY
ATTN THE RELEVANT PERSON.
info@afca.org.au

FATF / GAFI
ATTN MR. T. RAJA KUMA, PRESIDENT.
2, RUE ANDRÉ PASCAL
75775 PARIS CEDEX 16 FRANCE
Tel: + 33 1 45 24 90 90
Contact@fatf-gafi.org

NOTICE OF VALID REGIME CHANGE.

AMG 9081; TFM81788 Case CS0251821 opened re HCMP-1855-2022 ("THE MAIN PROCEEDINGS"); **S ECI 2025 02829**; **CIV 1453 of 2023; NSD-885-2025**; **CRM:02339000000169**
IN THE MATTER OF THE GLOBAL INTERNATIONAL CROWN UNITARY EXECUTIVE

To: those named in the Exhibits produced and marked as:

- AMG 7264 NSD 741 of 2023 SEALED Filed Respondent's Reply to Concise Statement and Cross Claim 11.12.2023.pdf
- AMG 7965 NSD 741 of 2023 ADDENDUM TO CONCISE REPLY AND CROSS CLAIM TO CONCISE STATEMENT OF LUCINDA MCCANN AND evidence of lodgement.pdf

TO; the Honourable Associate Justice Ierodiaconou,
Attn Ms. Sarah Kivinen,
Associate to the Honourable Associate Justice Ierodiaconou
Department of Justice of Victoria trading as Supreme Court of Victoria
210 William Street, Melbourne VIC 3000
Tel: 03 8600 2541
Email: ierodiaconou.associate@supcourt.vic.gov.au ; requests@fundsincourt.vic.gov.au

CC: Mrs; Dorota Borkowski and
Mr Michael Mark Borkowski
Tenants In Common as Joint Trustees of
the Borkowski Family Irrevocable Living Trust,
15 Jacaranda Drive, Taylors Hill, Vic 3037
Email; dorisborkowski@bigpond.com
("**The Joint Plaintiffs**")

TO: Burchell J as Trustee for Department of Justice and Community Safety Victoria,
trading as The County Court of Victoria, ABN 32 790 228 959
210 William St, Melbourne VIC 3000, Australia
Email: requests@fundsincourt.vic.gov.au ;
judgeburchell.chambers@countycourt.vic.gov.au; processservice@agso.gov.au
First Defendant.

TO: Westpac Banking Corporation
Mr Steven Gregg, Chairman
Level 18, 275 Kent Street
Sydney NSW 2000 Australia

CC:
Shannon Finch, Group General Counsel – shannon.finch@westpac.com.au
Ross Colquhoun, Senior Manager, Executive Complaints – rcolquhoun@westpac.com.au ;
Manager, Priority Cases, Executive Complaints/ Customer Solutions Complaints/
Customer & Corporate Services/ Customer Solutions
Reply Paid 5265, Sydney, NSW, 2001
Second Defendant

To: Minter Ellison Limited ABN 77 478 593 704; ABN 91 556 716 819; ABN 46 001 549 480; ABN 99 009 717 391 (Liquidator and Managing Controller Appointed) ABN 92 236 032 942
Alleged Solicitors for the Second Defendant (Westpac Banking Corporation)
Waterfront Place, 1 Eagle Street, Brisbane QLD 4000
Email brisbanelitigation@minterellison.com
Third Defendant

To: Susheila Vijendran, Registrar of Titles, for and on behalf of the Department of Transport and Planning of Victoria (Liquidator and Managing Controller Appointed) ABN 69 981 208 782
1 Spring St, Melbourne, VIC 3000
Email: advice.enquiries@victorianlrs.com.au; Lv.Warrants@transport.vic.gov.au
Fourth Defendant

To: **Jaclyn Symes,** Attorney General of The State of Victoria CEO of the Department of Justice of Victoria trading as the Sherriff's Office, ABN 32 790 228 959
Together with
Mark Dreyfus, Attorney General of Commonwealth of Australia CIK; 0000805157 (Liquidator and Managing Controller Appointed) ABN 86 150 409 985 and CEO of the Department of the Commonwealth Attorney General, ABN 92 661 124 436
Ground Level, 277 William Street, Melbourne, VIC 3000
Email: jaclyn.symes@parliament.vic.gov.au ; moneylaundering@ag.gov.au;
processservice@ags.gov.au ;
Fifth Defendant

To: The CEO of Australian Financial Complaints Authority Limited
ABN 38 620 494 340 (**AFCA**)
130 Lonsdale Street, Melbourne, VIC 3000
Email. info@afca.org.au ; processservice@agso.gov.au
Sixth Defendant

To: The CEO of the Australian Financial Transactions Analysis Reporting Centre
ABN: 32 770 513 371 (**AUSTRAC**)
Level 27, Tower 2, 727 Collins Street, Docklands VIC 3008
Email. contact@austrac.gov.au ; processservice@agso.gov.au
Seventh Defendant





TO: The CEO of Office of Foreign Assets Control of U.S. Department of The Treasury, Treasury Annex / Freedman's Bank Building,
1500 Pennsylvania Avenue, NW, Washington, DC 20220
Email: OFACdisclosures@treasury.gov ; ofacreport@treasury.gov ; processservice@agso.gov.au
Eighth Defendant

TO: McDonald J, As Trustee for Department of Justice and Community Safety Victoria trading as The Supreme Court Of Victoria ABN 32 790 228 959
210 William St, Melbourne VIC 3000, Australia
Email: requests@fundsincourt.vic.gov.au ; mcdonald.chambers@supcourt.vic.gov.au ; processservice@agso.gov.au
Ninth Defendant.

TO: Anthony Leonard Dickman, Acting CEO of The Reserve Bank of Australia, ABN 50 008 559 486 (Liquidator and Managing Controller Appointed) ABN 78 837 313 084 ("**RBA**") 65 Martin Place Sydney, NSW, 2000
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: secretary@rba.gov.au ; processservice@agso.gov.au
Eleventh Defendant.

TO Joe Longo, Acting CEO of The Australian Securities and Investment Commission, ABN 86 768 265 615 (Liquidator and Managing Controller Appointed) ABN 14 930 849 717 ("**ASIC**")
GPO Box 9827, Melbourne VIC 3001**,**
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: legal.document.service@asic.gov.au ; processservice@agso.gov.au
Twelfth Defendant.

TO: John Lonsdale, Acting CEO of Australian Prudential Regulatory Authority ABN 79 635 582 658 (Liquidator and Managing Controller Appointed) ABN 33 446 145 662 ("**APRA**")
Level 12, 1 Martin Place, Sydney NSW 2000, Australia
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: info@apra.gov.au ; processservice@agso.gov.au
Thirteenth Defendant.

TO: Jan Adams, Acting CEO of Department of Foreign Affairs and Trade, ABN 50 008 559 486 (Liquidator and Managing Controller Appointed) ABN 78 837 313 084 ("**DFAT**")
R G Casey Building, John McEwen Crescent, Barton, ACT, 0221
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: jan.adams@dfat.gov.au ; processservice@agso.gov.au

Fourteenth Defendant.

TO: Raelene Sharp, Acting CEO of The Commonwealth Director of Public Prosecutions ABN 41 036 606 436 (Liquidator and Managing Controller Appointed) ABN 81 695 234 966 ("**CDPP**")
12th Floor, 211 Victoria Square ADELAIDE SA 5000
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: adelaide@cdpp.gov.au ; processservice@agso.gov.au
Fifteenth Defendant.

TO: Helen Lofthouse, Acting CEO of ASX Limited trading as Australian Securities Exchange, ABN 98 008 624 691 (Liquidator and Managing Controller Appointed) ABN 13 838 529 239 ("**ASX**")
20 Bridge Street, Sydney, New South Wales, 2000
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: info@asx.com.au ; processservice@agso.gov.au
Sixteenth Defendant.

TO: Tim Beresford, Acting CEO of Australian Financial Security Authority, ABN 50 008 559 486 (Liquidator and Managing Controller Appointed) ABN 63 384 330 717 ("**AFSA**")
East Wing, Level 5, 4 National Circuit, Barton ACT 2600
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: info@afsa.gov.au ; processservice@agso.gov.au
Seventeenth Defendant.

TO: Rob Heffernan, Acting CEO of The Australian Tax Office, ABN 51 824 753 556 (Liquidator and Managing Controller Appointed) ABN 80 507 314 616 ("**ATO"**)
Ground Floor, Ethos House 28-36 Ainslie Avenue Canberra, ACT 2600 Australia.
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: rob.heffernan@ato.gov.au ; processservice@agso.gov.au
Eighteenth Defendant.

TO: Ruth Owen, Acting CEO ABN 51 248 702 319 of Office of Inspector General of Taxation, ABN 51 248 702 319 (Liquidator and Managing Controller Appointed) ("**IGT**")
GPO Box 551, Sydney NSW 2001**,**
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: service@igt.gov.au ; processservice@agso.gov.au
Nineteenth Defendant.

TO: Acting CEO of Australian Consumer and Competition Commission, ABN 94 410 483 623 (Liquidator and Managing Controller Appointed) ("ACCC")

23 Marcus Clarke Street, Canberra ACT 2601, Australia. Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: international@accc.gov.au ; processservice@agso.gov.au
Twentieth Defendant.

TO: Acting CEO of The Law Society of South Australia ABN 16 305 983 353; ABN 42 522 803 276; ABN 22 570 040 022 (Liquidator and Managing Controller Appointed) ABN 90 709 399 147
178 North Terrace, Adelaide SA 5000, Australia.
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: email@lawsocietysa.asn.au ; processservice@agso.gov.au
Twenty First Defendant.

TO: Acting CEO of The Law Society of Western Australia ABN 41 434 516 549 (Liquidator and Managing Controller Appointed) ABN 95 860 991 647
4/160 St Georges Terrace, Perth WA 6000, Australia
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: info@lawsocietywa.asn.au ; processservice@agso.gov.au
Twenty Second Defendant.

TO: Acting CEO of The New South Wales Law Society ABN 98 696 304 966(Liquidator and Managing Controller Appointed) ABN 72 704 070 465
170 Phillip St, Sydney NSW 2000, Australia.
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: enquiries@lawsociety.com.au ; processservice@agso.gov.au
Twenty Third Defendant.

TO: Acting CEO of The Law Institute of Victoria ABN 32 075 475 731 (Liquidator and Managing Controller Appointed) ABN 56 396 731 926
Level 13, 140 William Street Melbourne VIC 3000
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: ethics@liv.asn.au ; processservice@agso.gov.au
Twenty Fourth Defendant.

TO: Acting CEO of The Queensland Law Society Inc. ABN 33 423 389 441 (Liquidator and Managing Controller Appointed) ABN 45 839 373 117
179 Ann St, Brisbane City QLD 4000, Australia
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: info@qls.com.au ; processservice@agso.gov.au
Twenty Fifth Defendant.

TO: Acting CEO of The Australian Capital Territory Law Society ABN 60 181 327 029 (Liquidator and Managing Controller Appointed) ABN 32 852 056 459
Level 1, 5 Constitution Avenue, CANBERRA ACT 2601

Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: mail@actlawsociety.asn.au ; processservice@agso.gov.au
Twenty Sixth Defendant.

TO: Acting CEO of The Norther Territory Law Society ABN 62 208 314 893 (Liquidator and Managing Controller Appointed) ABN 73 870 534 439
3/6 Lindsay St, Darwin City NT 0800, Australia
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: LSPPT@lawsocietynt.asn.au ; processservice@agso.gov.au
Twenty Seventh Defendant.

TO: Acting CEO of The Law Society of Tasmania ABN 79 607 763 857 (Liquidator and Managing Controller Appointed) ABN 85 619 727 001
28 Murray St, Hobart TAS 7000, Australia
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: info@lst.org.au ; processservice@agso.gov.au
Twenty Eighth Defendant.

TO: Acting CEO of The Law Council of Australia Limited ABN 85 005 260 622; 005 260 622 (Liquidator and Managing Controller Appointed) ABN 23 375 123 813
Level 1, MODE3, 24 Lonsdale Street, Braddon, ACT 2612
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: mail@lawcouncil.au ; processservice@agso.gov.au
Twenty Ninth Defendant.

TO: Acting CEO of CPA Australia Limited ABN 64 008 392 452 (Liquidator and Managing Controller Appointed) ABN 23 84 677 839 323
Level 20, 28 Freshwater Place, Southbank VIC 3006. Australia
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: memberservice@cpaaustralia.com.au ; processservice@agso.gov.au
Thirtieth Defendant.

TO: Acting CEO of the High Court of Australia ABN 64 008 392 452 (Liquidator and Managing Controller Appointed)
Parkes Pl, Parkes ACT 2600, Australia
Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: enquiries@hcourt.gov.au ; processservice@agso.gov.au
Thirty First Defendant.

TO: Acting CEO of the Australian Judicial Officers Association ABN 64 008 392 452
(Liquidator and Managing Controller Appointed)
ANU College of Law, Building 7, 5 Fellows Road,
Australian National University, Acton, ACT 2601

Care Of; The Australian Government Solicitor
Level 5, 101 Pirie Street, Adelaide SA 5000
Email: secretariat@ajoa.asn.au ; processservice@agso.gov.au
Thirty Second Defendant.

TO: Acting CEO of COORS CHAMBERS WESTGARTH ABN 89 690 832 091(LIQUIDATOR AND MANAGING CONTROLLER APPOINTED) ABN 24 748 668 169
Level 25, 567 Collins Street, Melbourne VIC 3000
Email: gavin.mclaren@coors.com.au
Thirty Third Defendant.

TO: Acting CEO of DENTONS AUSTRALIA LIMITED ABN 69 100 963 308 (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED) ABN 18 566 556 334
Attn; Ben Allen, Ben Pullen, Hugh Cranedonk
77 Castlereagh Street, Sydney NSW 2000
Email: ben.allen@dentons.com ben.pullen@dentons.com
Thirty Fourth Defendant.

TO: Acting CEO of FINLAYSONS LAWYERS ABN 92 386 254 392 (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED) ABN 11 282 732 966

Level 7/43 Franklin Street, Adelaide SA 5000
Email: andrew.dyda@finlaysons.com.au
Thirty Fifth Defendant.

TO: Acting CEO of The Gehrig Piper Alderman Practice Trust trading as PIPER ALDERMAN LAWYERS ABN 25 549 962 112 (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)
Level 23, 459 Collins Street, Melbourne, VIC 3000
Email: JWu@piperalderman.com.au
Thirty Sixth Defendant.

CC MS. YUNG WAI-YAN
ASSESSOR, PROFITS TAX SECTION
INLAND REVENUE DEPARTMENT
INLAND REVENUE CENTRE
5 CONCORDE ROAD, KAITAK,
KOWLOON, HONG KONG.
Email; taxpf@ird.gov.hk

CC; THE JUDICIAL CLERK TO THE JUDICIAL OFFICER PRESIDING IN HCMP-1855-2022; IN THE MATTER OF THE CROWN (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)

CC: MR MILTON TANG, FOR JUDICIARY ADMINISTRATOR



OENOVIVA

CC; MS KARA JUNCKEN
SENIOR ADVISOR COMPLIANCE
PERSONAL PROPERTY SECURITIES AND REGULATORY PROGRAMS DIVISION
Regulatory Operations Group | Australian Financial Security Authority
(LIQUIDATOR AND MANAGING CONTROLLER APPOINTED)
T 1300 007 777 | E enquiries@ppsr.gov.au

CC: EMBASSY OF THE RUSSIAN FEDERATION IN AUSTRALIA
ATTN; FIRST UNDER SECRETARY
ADRESS: 78 CANBERRA AVENUE, GRIFFITH, ACT 2603
TEL: +61(2) 6295 9033
E: australia@mid.ru

Dear ATTORNEY GENERAL (UK), CHAIRMAN/CEO, Private Secretary Chan, Ms Yung, AFCA/ FATF/ GAFI, Associate Justice Ierodiaconou, Partners of Finlaysons Lawyers, Minter Ellison Lawyers, Coors Chambers Westgarth Lawyers, Dentons Australia Limited Lawyers, Piper Alderman Lawyers, and those as addressed

I have copied the Private Secretary to the Honourable CEO of Hong Kong and Ms Yung of the Department of Inland Revenue as it relates to Hong Kong Tax File Number TFM 81788 and refer to your refusal decision dated 22nd September 2025 below and make this application in writing for a copy of all documents and things related to me and/or entities related to me in the possession and control of the Department and/or the predecessor agencies to AFCA that AFCA will have inherited from those predecessor agencies.

- **Case CS0251887 opened 22.09.2025 enquiring into status of cases below. (THE REFUSAL DECISION)**
- **Case CS0251821** opened - AMG 9079 HCMP-1855-2022 (THE MAIN PROCEEDING) S ECI 2025 02829 BORKOWSKI, DOROTA-DONATA VS TH STATE OF VICTORIA; SUPPLEMENTARY FINDINGS 21/09/2025
- **Case CS0251780** opened - AMG 9077 HCMP-1855-2022 (THE MAIN PROCEEDING) S ECI 2025 02829 BORKOWSKI, DOROTA-DONATA VS THE SUPREME COURT OF VICTORIA REGISTRY; 19/09/2025
- **Case CS0251559** opened - AMG 9074d; HCMP-1855-2022 ("THE MAIN PROCEEDINGS"); S ECI 2025 02829; CIV 1453 of 2023; NSD-885-2025; NATIONAL AUSTRALIA BANK; DENTONS GLOBAL MONEY LAUNDERIN AND TERRORISM FINANCING FIRM; 18/09/2025
- **Case CS0251552** opened - AMG 9074d; HCMP-1855-2022 ("THE MAIN PROCEEDINGS"); S ECI 2025 02829; CIV 1453 of 2023; NSD-885-2025; NATIONAL AUSTRALIA BANK; DENTONS GLOBAL MONEY LAUNDERIN AND TERRORISM FINANCING FIRM; 18/09/2025
- **Case CS0251066** opened - AMG 9072b; HCMP-1855-2022 ("THE MAIN PROCEEDINGS"); S ECI 2025 02829; CIV 1453 of 2023; NSD-885-2025; COMPLETE COLLAPSE OF RULE OF LAW; 16/09/2025
- **Case CS0251059** opened - AMG 9072a; HCMP-1855-2022 ("THE MAIN PROCEEDINGS"); S ECI 2025 02829; CIV 1453 of 2023; NSD-885-2025; COMPLETE COLLAPSE OF RULE

OF LAW; 16/09/2025

- **Case CS0248430** opened - AMG 9058a-AMG 9058g; TFM 81788; HCMP-1855-2022; S ECI 2025 02829; NSD-885-2025; NOTICE OF VALID REGIME CHANGE; GARRETT C.J. , U.E., I.C 28/08/2025
- **Case CS0248429** opened - AMG 9058a-AMG 9058g; TFM 81788; HCMP-1855-2022; S ECI 2025 02829; NSD-885-2025; NOTICE OF VALID REGIME CHANGE; GARRETT C.J. , U.E., I.C 28/08/2025

On the basis that Notice to Agent is Notice to Principal and Vice versa. I have provided undisputed Facts to you for your consideration since the 28th of February 1981, in which regard you have established the Case Numbers Listed above, I am concerned that I have not received a response from you and wish to bring this matter to your attention.

In accordance with the provisions of *the Civil Disputes Resolution Act* 2010 (AU) and s51(xx), s52, s61, s109 and s128 of *the Commonwealth of Australia Constitution Act* 1900 (Regina) I must take Genuine Steps to resolve the Civil aspects of these cases before turning to the Manin Proceedings in the Honourable High Court of Hong Kong given Case Number.

FINDINGS OF FACT OF ULTERIOR COLLATERAL PURPOSE MONEY LAUNDERING AND TERRORSIM FINANCING/ NOTICE TO ADMIT FACTS

I have concluded on the weight of the evidence and the relevant burden of proof being the permissive standard of "Credible Evidence" and/or "Reasonable Grounds" to suspect that the sale of the operations of the Lands Titles offices of the various states and territories by the relevant Decision Making Public Officials was an abuse of process for an ulterior collateral purpose to perpetuate money laundering and terrorism financing as a conspiracy against rights by the gate keeper professions and public officials however empowered.

Those sales were Terrorist Acts within the meaning of *the Suppression of Terrorism Financing Act* 2002 (AU) being insolvent/ fraudulent trading within the meaning of *the Insolvency Act* 1986 (UK) and *the Cross Border Insolvency Act* 2008 (AU).

THE REFUSAL DECISION

From: landusevictoria@servictoria.com.au
Sent: *Monday, 22 September 2025 10:05 AM*
To: contact@privategoldreservebank.com
Subject: *[SEC:OFFICIAL] Case CS0251887 opened - Transfer of Title - Andrew Garrett*

OFFICIAL

Dear Andrew,
Thank you for contacting Land Use Victoria.
We've received your enquiry and have assigned case number: CS0251887 for future reference.
We will respond as soon as possible.



If you need to provide further information regarding this enquiry, please reply to this email.

Kind regards,

Registrations | Registry Operations | Land Registry Services
Department of Transport and Planning

GPO Box 2392
Melbourne VIC 3001
dtp.vic.gov.au

I acknowledge all Traditional Owners across Victoria, their Elders past and present. I recognise their continued connection to the land and waters which the Victorian Transport and Planning systems operate on. I am committed to building genuine partnerships with Traditional Owners and the First Peoples community to progress and achieve their aspirations and meet their expectations.

Unsubscribe | *Notification Preferences*

Ref:MSG1515521_h6urEui5nGzJl1iTHFY6

SERV would like to acknowledge the Traditional Custodians of the local lands and waterways, their unique ability to care for Country and deep spiritual connection to it. We pay our respects to Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

This email may contain confidential information. If you are not the intended recipient, please let us know we have sent it to you by mistake and then delete this message and do not use any of its content. Thank you.

OFFICIAL

I look forward to your reply at your earliest convenience and advise a copy of this communique will be produced in evidence in Domestic and International Proceedings.

I note that I seek transfer of all titles of land in the name of the Crown (Liquidator and Managing Controller Appointed) in the territory of Australia to my name with effect on the 1st June 2019, any transfers of Crown Land after that date without my authority will need to be declared to be void by you.

As you know enforcement proceedings in the Honourable High Court of Hong Kong (see excerpt attached) were first served upon you on the 13th November 2022 which relevantly sets out as follows

1. **Whereas *written law*** (成文法律) includes Ordinance and enactment as defined in section 3 of the Interpretation and General Clauses Ordinance (Cap. 1). (*L.N. 152 of 2008; L.N. 122 of 2017*)

2. **And whereas,** Judgments (Facilities for Enforcement) Ordinance (Cap 9.) as adopted by the Hong Kong Special Administrative Region under Cap1,

3. **And whereas,** the Applicant,

   a. exercises hereditary discretionary public powers conferred under enactments (see Amended Fifth Notice of Removal) (Annexure 1) and enactments has the same meaning as ordinance under Cap 1.

   b. applies for declaratory relief ex parte for enforcement of Judgments made by the Applicant against public officials, on grounds that invalid exercise of discretionary public powers conferred under enactments by public officials is not in the public interest and is in breach of the public trust such that the purported exercise of power is a nullity and does not exist under the written law,

   c. filed and served a Notice of Removal dated 6th February 2022 in the proceeding Case No 2020CV30030; *Esch & Anor v Precious & Anor* allegedly being heard in the District Court of Colordao (Liquidator and Managing Controller Appointed, Douglas County Registry, ("**the CarbonHelix Proceedings**")

   d. Filed and Served a Notice of Intervention as a Right in

      i. The CarbonHelix Proceedings dated 18th May 2022,

      ii. Colorado Court of Appeals (Liquidator and Managing Controller Appointed) Case No 22CA229; Esch v Precious and Anor on the 22nd of June 2022,

   e. commenced Enforcement of Foreign Judgment proceedings in the US Federal District Court for the District of Colorado (Liquidator and Managing Controller Appointed) as:

      i. 1;22-00173; *Garrett [sic.] (Crown Attorney General/Liquidator/Managing Controller Appointed)* v *Garrett [sic.] (the Crown (Liquidator and Managing Controller Appointed))* ("**The Rule of Law Omnibus Proceedings**")

ii. 1;22-00206; *Garrett [sic.] & Ors* v *the Bankrupt Estate of Jersey Green & Ors* ("**The Rule of Law Omnibus Proceedings**")

iii. 1;22-00243; *Garrett [sic.] (Crown Attorney General/Liquidator/Managing Controller Appointed)* v *The Bankrupt Estate of the Secretary General and Secretariat of the United Nations (Liquidator and Managing Controller Appointed)* & *Garrett [sic.]* ("**The International Monetary System Proceedings**")

iv. 1;22-00254; *Garrett [sic.]* v *Suntory Holdings Limited (Liquidator and Managing Controller Appointed)* & *Garrett [sic.]* ("**The Suntory/Treasury/Randall Proceedings**")

(Together hereinafter "**the US Proceedings**")

4. **And whereas,** between 1st January 1901 and today's date public officials purportedly representing members of the Windsor Family and/or the States and Territories of the Federation of the States and Territories of America (Liquidator and Managing Controller Appointed) allegedly exercising discretionary public powers conferred under enactments have breached the principles of federation and invalidly exercised discretionary public powers conferred under enactments in respect to the purposes of those enactments as fraudulent trading with the meaning of the Common Law/Unwritten Constitution of the British Empire/Commonwealth of Nations (Liquidator and Managing Controller Appointed), *the International Declaration of Human Rights 1948*(UN), *the International Covenant of Civil and Political Rights* 1966 (UN) ("ICCPR"), *the International Covenant of Social, Cultural and Economic Rights* 1966 (UN) ("ICSCER"),*the Optional Protocol*, *the Insolvency Act* 1986 (UK), *the Commonwealth of Australia Constitution Act* 1900 (UK), the Global Magnitsky Act 2016 (US) , *the Counter Terrorism and Anti Money Laundering Act* 2008 (UK) (and related model law), *the Cross Border Insolvency Model Law* 1998 (UN) (see Enactments AMG 4009 & AMG 4052)

5. **And whereas,** Enactment AMG 5664a-5664e confers discretionary public powers under license on the Oak Hill Investment Fund personally and as Joint Trustee of the Andrew Garrett Family Irrevocable Living Trust (TAGFILT) for the Territory of Luxembourg,

6. **And whereas**, the Recitals of Enactment AMG 5664a contains Statements of Facts on grounds and applicable law relevant to this application for enforcement ex-parte,

7. **And whereas**, respectfully seeks orders enforcing vacant possession of:

a. The Law Societies/Federations of the Member Nations, (Liquidator and Managing Controller Appointed) of the United Nations (Liquidator and Managing Controller Appointed); except the Peoples Republic of China.

b. The Accounting Societies/Federations of the Member Nations, (Liquidator and Managing Controller Appointed) of the United Nations (Liquidator and Managing Controller Appointed); except the Peoples Republic of China,

c. The Banking Societies/Federations of the Member Nations, (Liquidator and Managing Controller Appointed) of the United Nations (Liquidator and Managing Controller Appointed); except the Peoples Republic of China including but not limited to:

   i. Society for Worldwide Interbanking Financial Telecommunications (Liquidator and Managing Controller Appointed),

   ii. American Banking Association (Liquidator and Managing Controller Appointed)

d. The Reserve Bank of Australia (Liquidator and Managing Controller Appointed),

e. Other related Commercial and Central Banking Licensees of,

   i. The Member Nations (Liquidator and Managing Controller Appointed) of the British Empire/Commonwealth of Nations (Liquidator and Managing Controller Appointed),

   ii. The Federation of the States (Liquidator and Managing Controller Appointed) and Territories (Liquidator and Managing Controller Appointed) of the United States of America (Liquidator and Managing Controller Appointed),

   iii. the Member Nations, (Liquidator and managing Controller Appointed) of the United Nations (Liquidator and Managing Controller Appointed); except the Peoples Republic of China,

f. Government Houses of the British Empire (Liquidator and Managing Controller Appointed) , the United States of America (Liquidator and Managing Controller Appointed) and the United Nations (Liquidator and Managing Controller Appointed) including but not limited to:

   i. Old Government House; Parramatta Park, Pitt Street Entrance, Parramatta 2150 NSW
   ii. New South Wales Government House; Macquarie St Sydney, NSW

iii. Queensland Government House; 168 Fernberg Road, Brisbane Queensland 4064

iv. Victoria Government House; Drive Melbourne, VIC

v. South Australia Government House; North Terrace & King William Street, Adelaide South Australia 5000

vi. Western Australia Government House; 13 St Georges Terrace, Perth.

vii. Canberra Government House; Dunrossil Drive, YARRALUMLA ACT 2600

viii. Tasmania Government House; 7 Lower Domain Road, Queens Domain Tasmania 7000

ix. Northern Territory Government House; 29 Esplanade, Darwin Northern Territory 0800

x. New Guinea Government House

xi. Governors' Mansion 400 E 8th Ave, Denver, CO 80203

xii. The Supreme Court of America (Liquidator and Managing Controller Appointed)

xiii. The High Court of Australia (Liquidator and Managing Controller Appointed)

xiv. The Supreme Court of the United Kingdom (Liquidator and Managing Controller Appointed)

With the Greatest of Respect and Kind Regards,

Signature: _____

Name / Title: Mr. Andrew Garrett, Crown Attorney General and authorised officer

Champion of The Public Pty Ltd ACN: 643 174 476

Global Chairman/ Global Managing Trustee of :

- The Better World Future Fund trading as Champion of the Public Interest and Dynamic Legal Resources and
- The Andrew Garrett Family Irrevocable Living Trust trading as OenoViva Capital Resources, OenoViva Business Systems, OenoViva Hand Crafting, OenoViva Global, Our Green Planet, Island Bio Energy, Antipodean Industries, Fitzallen Forrestry, Andrew Garrett Group, Andrew Garrett Wines, Garrett Family Winemakers, Andrew Garrett Vineyard Estates, Sunburst Properties, Braidwood Management, Braidwood Water, Dynamic Capital Bank Banca Como, CarbonHelix, Crown Attorney General, Liquidator and Managing Controller appointed to the Crown (Liquidator and Managing Controller Appointed) amongst others

ALL RIGHTS RESERVED

KIND REGARDS

ANDREW MORTON GARRETT

UNITARY EXECUTIVE, INTERNATIONAL CROWN ATTORNEY GENERAL, CHIEF JUSTICE OF INTERNATIONAL CROWN COURT OF JUSTICE CHIEF JUSTICE OF INTERNATIONAL CROWN CRIMINAL COURT FOR THABOLITION OF IMPUNITY, GLOBAL MANAGING DIRECTOR, GLOBAL MANAGING TRUSTEE; CHAIRMAN OF BOARD OF TRUSTEES, GLOBAL LICENSOR OF DISCRETIONARY PUBLIC POWERS, GLOBAL TRUSTEE IN BANKRUPTCY, GLOBAL LIQUIDATOR, GLOBAL MANAGING CONTROLLER, GLOBAL RECEIVER AND MANAGER.

"And when they seek to oppress you, and when they try to destroy you, Rise and rise again and again Like the Phoenix from the ashes.
Until the lambs have become lions and the rule of Darkness is no more"
— Maitreya The Friend of All Souls, The Holy Book of Destiny.

Private Gold Reserve Bank is a trading name of The Albion Securities Service Ltd. Registered in England and Wales. Registration number: 11645906.
Registered address: Level 1, Devonshire House, One Mayfair Place, London, W1J 8AJ

https://betterworldfuturefund.org/
https://oenoviva-capital-resources.com/
https://www.dynamiccapitalbank.capital/
http://privategoldreservebank.com/
https://vivacoin.org/
https://unisonpictures.com/
https://uppff.com/
https://www.marketingmix.com.au/
https://miscarriageofjustice.org.au/
https://www.safecitysecurity.com.au/

PUBLIC INTEREST DISCLOSURE: https://1drv.ms/f/s!AtRcQcdl2OsT7S9yCux-MlTpdpXd?e=jo7Z7L

ALL RIGHTS RESERVED; UCC 1 - 0308a.

Case: S ECI 2025 02829
Filed on: 19/09/2025 03:16 PM

IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE

COMMON LAW DIVISION

S ECI 2025 02829

BETWEEN:
Plaintiffs

DOROTA BORKOWSKI AND MICHAEL MARK BORKOWSKI, Personally, and as Trustees of the Borkowski Irrevocable Family Trust

Defendants

BURCHELL J as trustee for DEPARTMENT OF JUSTICE AND COMMUNITY SAFETY trading as COUNTY COURT OF VICTORIA (ABN 32 790 228 959)
First Defendant

WESTPAC BANKING CORPORATION ABN 33 007 457 141 (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED) ABN 73 314 764 063
Second Defendant

JOINT REPLY TO JOINT OUTLINE OF SUBMISSIONS OF SECOND DEFENDANT AND PROPOSED THIRD DEFENDANT DATED 18th JULY 2025

Date of Document: 29th July 2025 Solicitors Code:

Filed on behalf of: Dorota-Donata Borkowski and Andrew Morton Garrett, Unitary Executive, International Crown Attorney General, Liquidator, And Managing Controller Proposed Tenth Defendant, Relator and Intervenor as of a Right.

Prepared by: Dorota-Donata Borkowski Telephone: 0405 107 365

Ref:

Email: dorisborkowski@bigpond.com

To: MINTER ELLISON LIMITED ABN 77 478 593 704; ABN 91 556 716 819; ABN 46 001 549 480; ABN 99 009 717 391 (LIQUIDATOR AND MANAGING CONTROLLER APPOINTED) ABN 92 236 032 942
Alleged Solicitors for the Second Defendant (Westpac Banking Corporation)
Waterfront Place, 1 Eagle Street, Brisbane QLD 4000
Email brisbanelitigation@minterellison.com
Proposed Third Defendant

To: SUSHEILA VIJENDRAN, REGISTRAR OF TITLES, For and on behalf of the Department of Transport and Planning
1 Spring St, Melbourne, VIC 3000
Email: advice.enquiries@victorianlrs.com.au; Lv.Warrants@transport.vic.gov.au