



<b>*** MAY JUSTICE ALWAYS PREVAIL ***</b>			
<b>From: Mr G. H. Schorel-Hlavka O.W.B. 107 Graham Road, Viewbank 3084 Victoria, Australia</b>			
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<b>THE MORALS OF A SOCIETY CAN BE MEASURED AS TO HOW IT LOOKS AFTER THE DISABLED</b>			
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Constitutionalist & Paralegal Independent Consultant & Author		<b>INSPECTOR-RIKATI®</b> Series of books on certain constitutional and other legal issues	

Financial System Inquiry  
[fsi@fsi.gov.au](mailto:fsi@fsi.gov.au)

4-8-2014

**Ref: 20140804-G. H. Schorel-Hlavka O.W.B. to Financial System Inquiry-Supplement 4**

## **NOT RESTRICTED FOR PUBLICATION**

**Submission** Stability - Addressing too-big-to-fail

Sir,

I provide this **supplement 4** as I view it is relevant to matters I referred to previously.

I quote below a reference to a contempt case, which I view is disturbing in that our constitution was designed to provide for "**responsible** government"

### **HANSARD 17-3-1898 Constitution Convention Debates**

QUOTE

**Mr. BARTON.-** We have simply said that the guarantee of the liberalism of **this Constitution** is **responsible** government, and that we decline to impair or to infect in any way that guarantee.

END QUOTE

And

### **HANSARD 17-3-1898 Constitution Convention Debates**

QUOTE

**Mr. BARTON.-** Of course it will be argued that **this Constitution** will have been made by the **Parliament of the United Kingdom**. That will be true in one sense, but not true in effect, **because the provisions of this Constitution, the principles which it embodies, and the details of enactment by which those principles are enforced**, will all have been the work of Australians.

END QUOTE

And

### **HANSARD 17-3-1898 Constitution Convention Debates**

QUOTE

**Mr. BARTON.-** Having provided in that way for a free Constitution, we have provided for an Executive which is charged with the duty of maintaining the provisions of that Constitution; and, **therefore, it can only act as the agents of the people.**

END QUOTE

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### **HANSARD 17-3-1898 Constitution Convention Debates**

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QUOTE

**Mr. BARTON.- Having provided in that way for a free Constitution, we have provided for an Executive which is charged with the duty of maintaining the provisions of that Constitution; and, therefore, it can only act as the agents of the people.**

END QUOTE

Because it has been alleged that a court order was issued to suppress details of a case involving the Reserve Bank of Australia, even so this Inquiry is in process then obviously many will fear that they cannot canvas the alleged court orders, its implications, etc, albeit I view that any submission is protected by law, even if the parliament were not to accept the submission, because of the legal principles embedded in the constitution of “political liberty” as referred to in previous correspondences.

For this reason one has to use an example also as to question if an suppression order could be legally justified and should it be.

Electors must be able to know what corrupt, if any, conduct Members of Parliament and government is involved with and also the Departments under the control of “**responsible Ministers**”

The suppression order ( refer to details below) that was against Kangaroo Court of Australia blogger **Shane Dowling** in my view was uncalled for, without legal justification and I view served no other purposes but to entrap Shane in publishing details so the suppression order rather than the alleged deformation of the principal litigation

In my view the proceedings were conducted not so much for deformation but rather to get the blogger for publishing despite an order where I view there was no sense in such prohibition order in the first place.

In my view a court must not make an order merely because some party may request it but must provide reasons why it makes or doesn't make any particular order. I couldn't detect in the reasons of judgment any particular ground to justify the making of a suppression order, and in particular as this was the product of **EX PARTE** litigation without the knowledge of the blogger Shane I view the court had a duty to have a reason of judgment to set out what the purpose was of the order.

**QUOTE In the Marriage of Tennant (1980) 5 FLR 777 at 780**

As no grounds for appeal are required to be specified in the notice of Appeal, which, on filing institutes the appeal (reg 122), there is no limitations of the scope of the appeal and all findings of fact and law made in the lower court in relation to the decree appealed are in challenge and cannot be relied on by the appellant or the respondent. All the issues (unless by consent) must be reheard. This of course brings me to the point of the absence of reason for the magistrate's decision in this case. Perhaps reasons were given orally but not recorded for the record. Apart from the requirement of such reason for the purpose of the appeal process, there is the basic ground of criticism that litigants who go to court, put their witnesses up, argue their case and attempt to controvert the opposing case are entitled to know, if they lose, why they lost. ***If they are given no reason they may be entitled to feel the decision against them was conceived in prejudice, bias, or caprice.*** In such a case not only the litigant, but justice itself, is the loser.

Magistrates should realise, even more than they seem to do, that this class of business is not mere ordinary trivial work, and they should deal with these cases with a due sense of responsibility which administrations of the summary jurisdiction Act and the far reaching consequences of the orders that they make thereafter entail. **[Baker v Baker (1906) 95 LT 549; In Robinson v Robinson (1898) p135; and again in Cobb v Cobb (1900) p145]** it was stated that when making orders of this kind, from which lies an appeal to other courts, it is the duty of the magistrate not only to cause a note to be made of the evidence, and of his decision, but to give the reasons for his decision and to cause a note to be made of his reasons... **Elaborate judgements are not required, but the reasons which lead the magistrate to make his order must be explicitly stated.**

END QUOTE

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Again:

**QUOTE** In the Marriage of Tennant (1980) 5 FLR 777 at 780

**Elaborate judgements are not required, but the reasons which lead the magistrate to make his order must be explicitly stated.**

5 **END QUOTE**

In particular when we are dealing with a newspaper owner it seems to be totally absurd to have a suspension order put in place.

10 One also has to ask could this kind of suppression order be deemed to be harmful.  
Could it be held that even with the breach of the suspension order the applicant suffered certain harm? The courts must never issue orders merely to please an applicant. It must show to be without bias and impartial.

15 It must also consider, where applicable that the administration of justice is not placed in question and not so to say, leaning to the government to prevent the public their rights to be informed.

Here we had Mr Kerry Stokes pursuing a case of deformation but it appears to me his real purpose was to get Mr Shane Dowling for breaching a suspension order by applying for a suspension order which really could not have been deemed to serve any purpose other than entrapment to cause him to breach the suspension order. After all, why could the court not have canvassed during the **EX PARTE** hearing why a suspension was deemed legally justified?

20 If the harm was deformation then the issue of a suspension order not against the material complained about but the publication of the litigation hardly was one which could have served any legal justified purpose.

25 From the material by Mr Shane Dowling I understood that there was a connection between Mr Kerry Stokes lawyers and the judge who issues the suspension order and this rather indicates to me that so to say the judge issued the orders like lollies then for a real legal justified issue.

I could have understood had the trial judge on basis of evidence, that is issues a suppression order that Mr Shane Dowling was to remove temporarily all and any publications Mr Kerry Stokes complained about this as to not to undermine any benefits he may have were he to succeed in the application. However, as I understood it the judge didn't even bother (considering he was aware Mr Shane Dowling was not aware of the **EX PARTE** litigation against him,) to question the deponents as to what basis they relied upon. In my view where a party is absent beyond his/her own fault then the court must act in a manner to question the party present as ordinary the absent party may have done. This is not that the court would take any participation in the litigation as a party, but that a judge cannot take evidence as gospel without checking the quality and verify details as an opponent party ordinary would do. As such, I view the judge should have questioned what purpose the suppression order was to serve and what was the evidence relied upon. It appears to me that the judge merely handed out the suppression orders like a lolly.

40 And this is a danger, because it undermines public debate. It prevents government accountability where it relates to banking issues to which the Government gave as guarantee at financial risk of taxpayers. While Mr Shane Dowling appeared to take on a Media mogul, he also was exposing a lot of rot within the judiciary and as such unlikely could ever expect a FAIR and PROPER trial.  
45 And indeed, I view the **EX PARTE** orders in themselves indicates an abuse of judicial powers.

*Ambard v Att Gen for Trinidad and Tabaco* (1939) AC 322 at 335

**QUOTE**

50 The basic of the right to fair comment is the Right of Freedom of speech and the inalienable right of everyone to comment fairly upon matters of public importance.

**END QUOTE**

No wrong committed in criticism of administration of justice:

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Free download of documents at blog <http://www.scribd.com/InspectorRikati>

LORD ATKIN in AMBARD v ATTORNEY-GENERAL for TRINIDAD and TABAGO (1936) A.C. 332, at 335

**QUOTE**

But whether the authority and position of an individual judge, or the due administration of justice, is concerned, no wrong is committed by any member of the public who exercises the ordinary right of criticising, in good faith, in private or public, the public act done in the seat of justice. The path of criticism is a public way, the wrong headed are permitted to err therein: provided that members of the public abstain from imputing improper motives to those taking part in the administration of justice, and are genuinely exercising a right of criticism, and not acting in malice or attempting to impair the administration of justice, they are immune. Justice is not a cloistered virtue: she must be allowed to suffer the scrutiny and respectful, even though outspoken, comments of ordinary man

**END QUOTE**

The right for the public to be informed about the judicial process being properly applied or acts: THE COMMENTS OF SIR JAMES MARTIN C.J., IN THE MATTER “THE EVENING NEWS” (1880) N.S.W. LR 211 AT 239.:

**QUOTE**

The right of the public to canvass fairly and honestly what takes place here cannot be disputed. Our practice of sitting here with open doors and transacting our judicial functions as we do, always in the broad light of day, would be shown of some of its value if the public opinion respecting our proceedings were at all times to be rigidly suppressed. We claim no immunity from fair, even though it be mistaken criticism.

**END QUOTE**

As to value of criticism, keeping judge subject to rules and principles of honour and justice;

(a) R v FOSTER (1937) St. E Qd 368

(b) Re WASEMAN (1969) N.Z.L.R. 55, 58-59

(c) Re BOROVSKE (1971) 19 D.L.R. (34) 537

(d) SOLICITOR-GENERAL v RADIO AVON LTD (1978) 1 N.Z.L.R. 225, at 230-31

In my view there ought to be a judicial review of the *Stokes v Dowling* **EX PARTE** suppression order and the subsequent contempt proceedings as I view the conduct of the court undermines the integrity of the court.

<http://www.austlii.edu.au/au/cases/vic/VSC/2011/160.html>

*Zukanovic v Magistrates' Court of Victoria at Moorabbin* (No 2) [2011] VSC 160 (3 May 2011)

<http://www.austlii.edu.au/au/cases/vic/VSCA/2000/198.html>

*Magistrates' Court of Victoria at Heidelberg v Robinson & Anor* [2000] VSCA 198 (24 October 2000)

While this matter was one of an instant dealing for contempt, etc, nevertheless the issue is that The *Stokes v Dowling* **EX PARTE** suppression included a suppression order which I view could be deemed a “**perversion**” of judicial authority. Numerous other cases are on record where a judicial officer exceeds judicial power. Courts, and so in particular state courts exercising federal jurisdiction may be “open courts” where its exercise of judicial power is and can remain to be subject to ordinary scrutiny by the general community. While, it is generally accepted that when it relates to heinous crimes, such as rape, that in those cases the identity of the victim is suppressed, and at times that of the perpetrator where by the identity of the perpetrator the victim might be identified, however in general litigation must be in open court. After all if the courts exclude citizens from the court hearings then judicial officers may fall into conduct that is beyond ordinary judicial conduct. A judicial officer may find the alleged conduct of an accused to be repulsive and appalling but this never should or could the person to be held guilty as the accused may in fact turn out to be innocent of the alleged violations.

In my view suppression orders must be in the extreme, and not given out either because a government official may claim it relates to national security. The conduct of the accused may in fact warrant disclosure to the general public because trials v can take years and if the general public is denied any knowledge then ongoing harm can continue because of the hidden details.

For example if the Reserve Bank of Australia was to be involved in doggy dealing then considering that a Member of Parliament may be a member of the board of directors then it



demands open scrutiny by citizens. After all, governments can only be held accountable if the public is informed about its misdoings.

If a bank was involved in so to say shady dealing then it is not for the court to issue suppression orders as to hide the conduct as to seek to safeguard not national security but the profits of such shady dealing purportedly claimed to be for national security.

In particular with the Global financial Crises (GFC) it was born out how secret banks and others were operating. How municipal/shire councils were charging ratepayers moneys they recklessly invested reportedly in death polities in the USA without any ability to know if the insured was still alive or not. It is the secrecy that seems to be the order of the day.

I will use another example:

As a **CONSTITUTIONALIST** I have made clear that the Commonwealth of Australia is entitled to refuse entry to any "alien"/criminals it desires to deny entry.

#### Hansard 3-3-1898 Constitution Convention Debates

##### QUOTE

**Sir JOHN FORREST.**-What is a citizen? A **British subject**?

**Mr. WISE.**-I presume so.

**Sir JOHN FORREST.**-They could not take away the rights of **British subjects**.

**Mr. WISE.**-I do not think so. I beg to move- That the words "each state" be omitted, with the view of inserting the words "the Commonwealth."

I apprehend the Commonwealth must have complete power to grant or refuse **citizenship** to any **citizen** within its borders. I think my answer to Sir John Forrest was given a little too hastily when I said that every **citizen** of the British Empire must be a **citizen** of the Commonwealth. **The Commonwealth will have power to determine who is a citizen.** I do not think Dr. Quick's amendment is necessary. If we do not put in a definition of citizenship **every state will have inherent power to decide who is a citizen.** That was the decision of the Privy Council in **Ah Toy's** case.

**Sir JOHN FORREST.**-He was an alien.

**Mr. WISE.**-The Privy Council decided that the Executive of any colony had an inherent right to determine who should have the rights of citizenship within its borders.

**Mr. KINGSTON.**-That it had the right of keeping him out.

##### END QUOTE

With the Tampa incident in 2001 I held the Commonwealth was responsible because the Tampa had been requested by the commonwealth to rescue people from the perils of the sea and as such the International provisions of the Titanic applied. However, I view that the Framers of the Constitution specifically gave the Commonwealth of Australia legislative power to deny any alien to enter and so also criminals. The Commonwealth rather exercising this constitutional rights, which the High Court of Australia cannot interfere with as it is not above the constitution, the Commonwealth goes about in secrecy. By this the public is denied its right to hold the government accountable.

As such the denial of publication, including the legal proceedings in the High Court of Australia regarding alleged refugees **is a political issue** to which I view the High Court of Australia never should have caved in for. It violated the separation of powers.

If indeed the Reserve Bank of Australia was involved in shady business dealings then the public should not be denied to be able to openly communicate this matter.

When a court issue an order for suppression but as in the *Stokes v Dowling* even made the suppression order to be suppressed, without setting out why this was so, then this not just stifle the ability of the community to know what is going on or even prevent fair and proper discussion amongst citizens but also an undermine the ability of a person to be aware if he/she is subject to such orders and to what, if any, extend.

#### Hansard 1-3-1898 Constitution Convention Debates

##### QUOTE **Sir JOHN DOWNER.**-

I think we might, on the attempt to found this great Commonwealth, just advance one step, not beyond the substance of the legislation, but beyond the form of the legislation, of the different colonies, and say that there shall be embedded in the Constitution the righteous principle that the Ministers of the Crown and their officials shall be liable for any arbitrary act or wrong they may do, in the same way as any private person would be.

END QUOTE

How on earth can the public hold ministers and their officials accountable if the courts so to say are dancing to the tune of the government and willing to issue a suppression order willy-nilly to prevent public discussion?

Whereas it might be that the court have to issue a suppression order as to protect the right of a accused where it may consider it could prejudice an accused/defendant of a Jury trial, it is another matter to try to protect aliens of other countries, as their interest must be deemed to be second to the right of the public to know what is going on within the banking system, in particular where the government is seeking some kind of “bail in” and/or “bail out” for banks.

As such, the courts are then used as some puppet on a string where the court does so to say what it is told by its masters rather than to act impartial.

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

QUOTE Mr. OCONNER (New South Wales).-

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

END QUOTE

Hansard 8-3-1898 Constitution Convention Debates

QUOTE

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

END QUOTE

The principle of an open court cannot be negotiated by judicial officers merely as so to say to please the government, it must in all perceptions be and remain to be an open court in principle and only if there is a certain issue such as to protect the identity of a rape victims then it is reasonable to provide a suppression order, but not merely willy-nilly because some party may apply for it EX PARTY or otherwise without any shred of evidence that it is justified to do so.

Indeed, such a suppression order that is so to say willy-nilly issued merely because it may suit for political reasons the government would not only be an abuse of judicial powers but would also prevent likely witnesses to come forward. After all, if people are not permitted to know there are suppression orders or the identity of those involved then certain people who may know details may never come forwards because they do not know it is relevant as they are unaware of the litigation.

Say Mr X is involved in a fraudulent conduct and a suppression order is issued to protect the bank allegedly for national security. Person “A” unaware of this litigation, due to the suppression order happens to be aware about Mr X and knows about certain dealings but doesn’t connect this to Mr X being before the courts and so vital and critical relevant evidence may be lost. It is not uncommon that a person is charged and the public becomes aware of it and then other citizens come forwards with details that are at times vital to the prosecutor. Hence a court should be and remain an “open court” unless there are serious exemptions such as involving a rape case, and then to protect the identity of the victim. Even in the Family Court of Australia one can ordinary sit in the public gallery to hear details of family matters, this because it must be an “open court”.

I have been in public galleries where a judicial officer requested me to come down and to assist an unrepresented party at the bar table, this even so I am not a legal practitioner but because the judicial officer realized my expertise as a Professional Advocate (now retired) and

**CONSTITUTIONALIST** to assist a party in litigation. Indeed, already way back in 1985 a judge asked me how come I knew so much about the law, and then subsequently making known that obviously I must have studied it.

I have been requested by judicial officers what I held would be an appropriate sentence of a person found guilty of a charge and then the judicial officer subsequently applying the sentence I had indicated may have the maximum benefit to the community.

**IF WE CLOSE COURTS MERELY BECAUSE IT MAY NOT SUIT THE GOVERNMENT OF THE DAY BECAUSE IT MAY EMBARRASS SOME OFFICIALS THEN WE NO LONGER HAVE AN IMPARTIAL COURT BUT RATHER WE SINK DOWN TO A **KANGAROO COURT** SYSTEM AND A **STAR CHAMBER COURT** SYSTEM WHERE AN UNREPRESENTED PERSON MAY BE DENIED THE BENEFIT OF ASSISTANCE, SUCH AS I DID, BECAUSE THE COURTS ARE CLOSING THE COURTS FROM PUBLIC SCRUTINY, AND WORK BACK IN THE DARK AGES, AS IF THE TORTURE CHAMBERS ARE BACK TO DRAW OUT CONFESSIONS, NOT BECAUSE THE PERSON IS GUILTY BUT BECAUSE OF THE WAY CORRUPT OR OTHER INAPPROPRIATE CONDUCT BY THE JUDICIARY MAY FORCE THEM TO CONFESS.**

Having this Financial System Inquiry allows me to refer to matters under protection of the Parliament which otherwise might be pursued against me. This means without this inquiry the banks could recklessly act without public scrutiny because the government of the Day could simply obtain a suspension order to prevent publications and so prevent the Government of the Day to be held accountable, which in turn undermines the very fabrics of the constitution to have a "responsible government".

As indicated above I will now quote a publication on the KANGAROO COURT OF AUSTRALIA website:

<http://kangaroocourtofaustralia.com/2014/08/02/australian-kca-journalist-to-go-to-jail-for-breaching-suppression-order-put-on-a-suppression-order-by-7s-kerry-stokes/>  
QUOTE KCA Website

Australian KCA journalist to go to jail for breaching suppression order put on a suppression order by 7's Kerry Stokes

I will be going to jail sometime in the near future for doing nothing more than the crime of journalism. Yes, journalism is now a crime in Australia. On Thursday the Supreme Court of NSW in my absence ordered me to pay a fine and Channel 7's Chairman Kerry Stokes's costs. In lieu of the fine jail time is standard which is the option that I will take.

This is happening with the full knowledge and support of a dodgy NSW judiciary led by Premier Mike Baird, Attorney-General Brad Hazzard and Chief Justice Tom Bathurst.  
([Click here to read more](#))

There are two options, the first is trying to appeal on limited funds and playing the game on their territory which they control or two, don't pay the fine and go to jail on principle which helps highlight how corrupt the system is and fight hard in the court of public opinion online which is our territory and we the public control.

### **The contempt**

Channel 7 owner Kerry Stokes and his lawyer Justine Munsie instituted defamation proceedings against me on the 14th of April 2014 and at the same time went to court ex

parte (without my knowledge) and asked for a Suppression Order on the defamation proceedings and for a Suppression Order on the Suppression Order as you can in the document below.

5 The following day at 5pm Tuesday I was emailed the documents. The next day I published a post on this site about it and wrote an email of complaint to the NSW Attorney-General, Chief Justice Bathurst and the federal police. I have been found in contempt of court not just for the post I published but also the email of complaint I sent to the Attorney-General etc. Yes making a complaint is apparently a criminal offence even though it is protected as political communication as per the High Court judgement *Lange v ABC* 1997.

10 The Suppression Order only lasted 2 days and expired at 4pm on Thursday the 17th April although Stokes's lawyer's argued in court that day it should be extended permanently. Justice Harrison did hand down a judgment on the 24th regarding the hearing on the 17th but did not give specific reasons why he issued a Suppression Order in the first place on the 14th nor why did he have an ex parte hearing on the 14th of April. So why was the  
15 Suppression Order issued in the first place and why a Suppression Order on a Suppression Order.

Justice Harrison has never published a written judgment justifying it even though it is the law that judges have to publish their reasons which is meant to keep them honest. It could be argued that Justice Harrison is a criminal on the run as he cannot justify his actions and  
20 judgment.

### **WikiLeaks – The Suppression Order on the Suppression Order leaked**

International news was made on Wednesday (30/7/14) when WikiLeaks leaked the document that shows the federal government had managed to get a judicial officer to issue a Suppression Order on a Suppression Order in a matter involving the Reserve Bank  
25 international bribery scandal. Every media organisation in Australia has reported the story. So will the courts or government have them charged for contempt? Of course not. So why was I found guilty and fined?

The SMH said: *In a statement provided to Fairfax Media, Assange said it was completely egregious to block the public's right to know and suppress the media in any instance, and especially in cases of international corruption involving politicians and subsidiaries of a public organisation*".  
30

*"Despite the legal implications WikiLeaks publishes this suppression order, as it will others, to uphold our values of freedom of information and transparency of government – the Australian people have a right to know, we work to ensure this right for them, even  
35 when their government tries to obstruct it."*

*WikiLeaks suggests there has not been a comparable "blanket suppression order" since 1995 when the Australian government sought to suppress publication by Fairfax Media of details of a joint US-Australian espionage operation to bug a new Chinese embassy in Canberra. ([Click here to read more](#))*

40 Actually the situation is a lot worse than Assange or anyone else knows when you consider that Suppression Orders on Suppression Orders are being issued for simple court cases like defamation suits for people like Stokes. Where did the federal government get the idea to get the Suppression Order on a Suppression Order? Maybe the idea came from my matter with Stokes as they have been aware of it for months.



Form 43  
UCPR 38.11



Issued: 15 April 2014 1:59 PM

### JUDGMENT/ORDER

#### COURT DETAILS

Court	Supreme Court of NSW
Division	Common Law
List	Defamation
Registry	Supreme Court Sydney
Case number	2014/00114469

#### TITLE OF PROCEEDINGS

First Plaintiff	J M
Second Plaintiff	K S
First Defendant	S D

#### DATE OF JUDGMENT/ORDER

Date made or given	14 April 2014
Date entered	15 April 2014

#### TERMS OF JUDGMENT/ORDER

- Grant leave to the plaintiffs forthwith to file in court a statement of claim together with a notice of motion each dated today.
- Abridge time of the service of the notice of motion upon the defendant to 5pm on Tuesday 15 April 2014.
- Order that the notice of motion and the statement of claim together with the supporting affidavit of the first plaintiff sworn today and a copy of these orders may together be served upon the defendant either by email to the address shanedowling@hotmail.com or by delivery to 5/68-70 Curlew Street, Bondi Beach.
- Appoint noon (12pm) on Thursday 17 April 2014 for the return of the notice of motion.
- Up to and including 4pm on Thursday 17 April 2014 make orders 6 and 7 in the notice of motion.
- A suppression order pursuant to s7 of the Court Suppression and Non-publication Orders Act 2010 (NSW), on the ground set out in s8(1)(a), prohibiting the disclosure, by publication or otherwise, of:
  - the existence of these proceedings;
  - the pleadings herein;
  - any information as to the relief claimed in these proceedings;
  - any information that comprises evidence, or information about evidence, given in the proceedings, including any information which tends to reveal the identity of the plaintiffs;
  - any submissions filed, read or given in these proceedings;
  - this notice of motion; and
  - any orders of the Court made in these proceedings.
 (the Suppression Order).
- The Suppression Order:
  - applies throughout the Commonwealth;
  - operates, unless the Court otherwise orders, until the determination of these proceedings.

#### SEAL AND SIGNATURE

SS0131072007

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Where you see JM, KS and SD they are the initials for Justine Munsie, Kerry Stokes and Shane Dowling.

Section 6 is the Suppression Order and then lists what things are covered by the Suppression Order. Section 6 G is stating that there is a suppression order on the suppression order where it says “*any orders of the court made in these proceedings. (the suppression Order)*” ([Click here for a PDF version of the suppression orders](#)) That means at the time the Suppression Order was in effect I could not even tell people that Kerry Stokes was suing me for defamation and that there was a suppression order put on it. I could not even say someone is suing me and there is a suppression order on it. Yep, this is Australia your new Communist State. ([Click here to read the transcript](#) for Kerry Stokes’s barrister’s (Sandy Dawson) private hearing on the 14th of April with Justice Harrison (when I was not there) to have the Suppression Order issued)

The court never charged me for contempt Kerry Stokes did. So who runs the court? Stokes seems to.

As a side note the Financial Review published a story on the case Thursday morning before Nicholas heard the sentencing, so at least someone in the MSM have done their job ([Click here to read](#) - It is behind a paywall)

### **The Suppression Order on the Suppression Order and why I have to be punished**

What has happened is a deliberate attempt by Kerry Stokes and his mates in the courts to send a message to all the little people. Do as you’re told otherwise you will pay. The reason given by Kerry Stokes that he was entitled to a suppression order in the first place was that I disobeyed an instruction from him in 2011 not to publish a threatening letter sent to me by his lawyer. Courts are issuing those types of orders on a regular basis and do not want others to disobey them. ([Click here to read](#))

What every Australian should be concerned about is how does a billionaire media owner like Seven Group Holdings Limited Executive Chairman Kerry Stokes manage to get a Suppression Order on a Suppression Order in a defamation case and how many other times has this happened and to whom and by whom.

### **Judgments of William Henric Nicholas QC or also known as Nicholas AJ**

Acting Justice Nicholas heard the contempt proceedings on the 15th July and handed down a judgment on the 22nd July and then heard the sentencing hearing on Thursday (31/7/14) in my absence and handed down a judgment ex tempore (in court immediately). I only found out about the judgment on Friday when I phoned the court myself. I wrote a post about the contempt hearing ([Click here to read](#)) and [click here](#) for the sentencing judgment. I did email in submissions but they pretty much went in the bin as Nicholas admits. ([Click here to read the submissions](#)). I could dissect how corrupt both of Nicholas’s judgments are further than I have but I’ll save that for another time. The fine is \$2000 and Stokes costs are to be paid forthwith on an indemnity basis.

Today it is me, tomorrow it could be you or another journalist or another blogger or simply someone using Twister or Facebook etc. Where is the attack on free speech and political communication coming from? The people who are meant to protect your rights like Channel 7’s Kerry Stokes and the politicians who protect him.



Channel 7 owner Kerry Stokes

The man who had a suppression order put on a suppression order in a defamation case against Australian journalist Shane Dowling.

The suppression order only lasted 2 days it was that stupid.

For more information see: <http://kangaroocourttofaustralia.com>

Make sure you save a copy of the above picture and start putting it everywhere such as Facebook, Twitter and even the local message board etc.

### **So what is motivating Kerry Stokes – Nothing more than a power trip**

5 Some might wonder why Stokes is doing what he is. Well Stokes has a long history of suing anyone and everyone, just Google the C7 case for starters were Stokes had to pay \$200 million in legal fees and lost badly. But then it could be the fact that I have written numerous times about the 2010 “election year bribe” where Kerry Stokes has been ripping off the tax payer and not paying his share. ([Click here to read more](#))

10 Mr Stokes has been married four times and does not talk to his 2 children from his first marriage. In a story in the SMH last year titled “Billionaire’s ‘forgotten’ family speaks out” Stokes’s granddaughter is quoted as saying: “I am very disappointed in him, and a little bit disgusted that he can publish things about his other children and leave out his other wife and children and his granddaughter. I don’t really have any sympathy for him,”  
15 says Tara, the four-times-married billionaire’s granddaughter by his eldest son, Russell.” ([Click here to read more](#))

I wouldn’t normally raise someone’s personal issues but I think in this case given his extreme relationship with his own family it helps to some degree explain why Stokes acts as he does. Stokes seems to only care about power and nothing else.

20 **Is Kerry Stokes a fit and proper person to be a Director of a company?**

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Directors of companies are meant to be fit and proper people. The question that has to be asked is whether Mr Stokes fits that category. I have no doubt he does not and that he should resign or be sacked from his position as Executive Chairman of Seven Group Holdings Limited.

Someone wrote a while ago in the comment section that they felt sorry for me regarding being sued by Stokes. Well there is nothing to feel sorry about as this website is about driving change for the better and if you are going to try and change things you are going come up against obstacles. That's all Stokes is, an obstacle and he is not as tough and powerful as he thinks he is. In part at least what is happening with the Suppression Orders is an attempt at media control/censorship or at least social media control/censorship.

### **What you can do to help!**

The obvious thing is that you can use the social media buttons and promote this post because the number of likes and how times it is promoted on Twitter etc will influence whether or not the politicians do anything. And make a donation if you can which helps a lot. But also use the contacts below and ask the politicians why they haven't already taken action given I notified them long ago what is happening. Remember all Australian's rights which include your rights have been undermined by the precedent that Justice Nicholas and others have set. Because a precedent is a law and it is what other courts, especially lower courts, are meant to follow.

### **Contacts to email and phone and ask them what they are doing about protecting your right to free speech and political communication regarding the above:**

Federal Attorney-General George Brandis – senator.brandis@aph.gov.au – Ph(02) 6277 7300

NSW Premier Mike Baird – office@premier.nsw.gov.au – Ph (02) 9228 5555

NSW Attorney-General Brad Hazzard – office@hazzard.minister.nsw.gov.au Ph (02) 9228 5258

### **END QUOTE KCA Website**

We do not know now if potential witnesses may now be unable to come forwards by the secrecy of proceedings being left in the dark that bank officials are or may be involved in corrupt or other inappropriate conduct. Yet, if the Reserve Bank of Australia was deemed to be too big to fail then the public would be held financially liable to make up for this. In essence the courts become part of the problem and corruption when it prevents open public debate about matters while directly and/or indirectly the public is held financial accountable. This rather ensures that banks will continue to operate in a reckless manner so to say knowing the court is in the pocket of the government to protect it from any political fallout that otherwise may occur where the general public becomes aware of how a “**responsible** Minister” has failed to act “**responsible**”. In such circumstances neither “**bail out**” or “**bail in**” can be held appropriate for this also.

**This correspondence is not intended and neither must be perceived to contain legal advice nor to refer to all issues/details.**

# **MAY JUSTICE ALWAYS PREVAIL®**

***(Our name is our motto!)***

Awaiting your response,



**G. H. Schorel-Hlavka O. W. B.** (Friends call me **Gerri**)

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