



CHALLENGING FOR JURISDICTION:

IN COURT:

MAGISTRATE: Are you John Wilson?

FREEMAN: Yes, I am John Wilson and I am here making a SPECIAL APPEARANCE to CHALLENGE THE JURISDICTION OF THE COURT. For the JURISDICTION to be determined, a SPECIAL JURY must be empanelled and there can be NO PROCEEDINGS UNTIL that JURY has delivered their JUDGMENT.

MAGISTRATE: How do you plead? Guilty or not guilty?

FREEMAN: I do not plead anything, UNTIL there is a COURT OF PROPER JURISDICTION. This is NOT a COURT OF PROPER JURISDICTION because I do NOT CONSENT to be WITHOUT A JURY. NO COURT can proceed SUMMARILY without first obtaining the clear and unequivocal CONSENT from both parties to be WITHOUT A JURY. I am a FREEMAN and I am DEMANDING MY RIGHT TO TRIAL BY JURY. I am DEMANDING that CORRECT LEGAL PROCEDURE be adhered to. A KANGAROO COURT is “a Court which acts unfairly, or dishonestly, or disregards legal rights, or disregards legal procedures” and “any awards, doings and proceedings are not to be drawn into consequence or example” – which means that ANY JUDGMENT will be ILLEGAL AND VOID.

MAGISTRATE: This is a COURT OF SUMMARY JURISDICTION under the SUMMARY PROCEDURES ACT.

FREEMAN: I do NOT CONSENT to SUMMARY JURISDICTION and ANY LEGISLATION which attempts to take away the RIGHTS OF THE PEOPLE is NO LAW. It is ULTRA VIRES for any Parliament to make laws for which it does not have the power to make. If you PROCEED SUMMARILY, you will be doing so UNLAWFULLY and liable to PENALTY OF IMPRISONMENT when tried by a JURY.

WHEN YOU CHALLENGE THE JURISDICTION OF THE COURT:-

You are CHALLENGING, ie: DENYING, the right/claim/entitlement of a Judge or Magistrate to conduct the Court summarily (ie: without a JURY). “The proof lies upon him who affirms, not on him who denies” (a Legal Maxim).

Immediately that a CHALLENGE TO THE JURISDICTION OF THE COURT IS made, there is a PEREMPTORY STAY OF PROCEEDINGS.

A stay (ie: postponement) of proceedings is “to ensure that no argument can be raised that a case management or sanction is beyond rule making power”.

The stay is peremptory (absolute, essential) to avoid:

- “(i) the court’s procedures being invoked for an illegitimate purpose;**
- (ii) the use of the court’s procedures being unjustifiably oppressive to one of the parties; or**
- (iii) the use of the court’s procedures bringing the administration of justice into disrepute.”...**

JUSTICE is “the protection of rights and the punishment of wrongs”.

“No man can judge in his own cause” (the first Rule of Natural Justice) – therefore, the determination of the Jurisdiction of the Court can only be made by a “competent, independent and impartial tribunal established by law”. In Australia, that tribunal is a JURY.

DEMOCRACY IS THE RULE OF COMMON LAW:

“COMMON LAW doth control Acts of Parliament (ie: STATUTE LAW) and adjudges them when against common right to be void” (Lord Edward Coke).

COMMON LAW is the LAW of the PEOPLE, by the PEOPLE and for the PEOPLE. It is made by the congregations of twelve Freemen as JURORS, who ask “So help me God” for them to administer JUSTICE and JUSTICE is “the protection of rights and the punishment of wrongs”, and “In a civilized society, the purpose of a court is the vindication of men’s rights and the enforcement of just causes” (Lord Denning). However, a KANGAROO COURT is “a Court which acts unfairly, or dishonestly, or disregards legal rights or disregards legal procedures”.

- Written by John Wilson, <http://www.rightsandwrong.com.au>