

COMMON LAW DAMAGES – It’s your Right.

Common Law is made by Juries. Even section 4 of the Jury Act 1977 No: 18 says, “*verdict* includes an assessment in civil proceedings”.

Damages: a sum of money awarded by a court as compensation for a tort or a breach of contract. Damages are usually awarded as a lump sum. The general principle is that the plaintiff is entitled to full compensation for his losses.

Therefore, if a person believes that a settlement by an insurance company (or any other institution) is inadequate or unfair, then he or she can take their claim to a Court where a Jury will make an award for damages which they, by their conscience, decide is right. A Judge then does what the Jury tells him to do, and makes it an Order of the Court. Failure to comply with a Court Order is an offence and a Jury has the power to imprison the offender.

All Australians have the Right to go to Court and have a Jury administer Justice. No Parliament has the power to take away the Rights of the People – especially, the Right of access to their own Law, ie: Common Law, and to the source of that Law, ie: Juries. Legislation passed by the NSW Parliament in 2001, to remove the Right to Trial by Jury in the District and Supreme Courts, is not only invalid because it is beyond the Parliament’s power, ie: *ultra vires*, it is Treachery of the highest order.

The Right to Trial by Jury was guaranteed by the *Charters of Liberty*, such as Magna Carta in 1215, Petition of Right 1627, Habeas Corpus 1641 and Bill of Rights 1688, which were entrenched as Constitutional Law into Australia in 1828.

Schemes such as *WorkCover* administered by Statutory Bodies cannot deny anyone access to Trial by Jury. The Right to Trial by Jury is INALIENABLE, ie: it cannot be taken away and it cannot be given away.

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