

IN THE MAGISTRATES' COURT
OF VICTORIA AT *HEIDELBERG*
BETWEEN

REECE STORME FERRARA

Applicant

V

THE STATE OF VICTORIA

Respondent One

THE COMMONWEALTH OF AUSTRALIA

Respondent Two

THE HON. MINISTER ANTHONY CARBINES MP

Respondent Three

THE HON. ENVER ERDOGAN MLC

Respondent Four

ATTORNEY GENERAL OF STATE OF VICTORIA

Respondent Five

THE HON. DANIEL ANDREWS

Respondent Six

CHIEF COMMISSIONER OF VICTORIA POLICE

Respondent Seven

DEPARTMENT OF JUSTICE AND COMMUNITY SAFETY

Respondent Eight

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION

Respondent Nine

MAGISTRATES' COURTS VICTORIA

Respondent Ten

AND

ORS

STATEMENT OF CLAIM

Date of document:	11/04/2024	Solicitors Code:	N/A
Filed on behalf of:	Applicant	Telephone:	0400690987
Solicitors name:	N/A	Court Ref:	P11271001;
email:	Reece.Storme@Protonmail.com		P11370782;
Magistrates Court Act 1989 (Vic) section 133 Contempt in the face of the Court			P12154228

ORDERS SOUGHT BY THE APPLICANT / PLAINTIFF

Witnessed by me RODNEY BROWSE FERRIS at the time of affirming the affidavit of Reece Storme Ferrara, the applicant/plaintiff in this case

Stamp: Rodney Browse Ferris JP
c/- Honorary Justice Office
24/121 Exhibition St,
Melbourne 3000
Reg No. 8742



FULL DISCLOSURE:

1. I solemnly declare that no material information known to the applicant is being withheld from the Court that does or could misrepresent or mislead the Court. The application is submitted in utmost good faith, applied to the Law as I understand it, through self-education by official and creditable sources, adducing reasonable conclusions that form the basis of my cause of action in every belief and particular.
2. To this end, if the material filed is viewed adversely as voluminous, I implore the Court to consider the inherent manifestations of my disability that affect the executive functioning of the brain within the meaning of the *Equal Opportunity Act 2010* (Vic) section 6 (e) and the *Charter of Human Rights and Responsibilities Act 2006* (Vic) section 8 Recognition and equality before the Law and section 18 Taking part in public life, noting ADHD is currently under inquiry by the Community Affairs References Committee in the Commonwealth Senate titled, '*Assessment and support services for people with ADHD*'.
3. It is reasonably considered commonplace that a *pro se* litigant is subject to increased scrutiny and speculation. In order to mitigate the significant and additional barriers, I put to the Court that it is for this reason I feel I must prove my understanding as I am not a 'learned friend of the Court'.
4. I solemnly undertake that should any information become known that does or could impact the principles of disclosure and fairness of the proceedings, I will promptly inform the Court as soon as practicable as the case may be and remain steadfastly bound to this undertaking for the duration of proceedings and beyond.

INTERLOCUTORY / PROCEDURAL / CONSTITUTIONAL

5. A Declaration of *Locus Standi*.
6. A Writ of *Habeas Corpus*.
7. An Order by an injunction of temporary stay to all criminal proceedings commenced by Respondent One, their servants and/or agents against the applicant/plaintiff, Court references P11271001, P11370782 and P12154228, to

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allow the Court to determine matters pursuant to the *Magistrates' Court Act 1989* (Vic) section 133 *contempt in the face of the Court*.

8. An order of injunction by consent, or otherwise as the Court pleases, restraining Respondent One and Respondent Two, their servants and/or agents, to engage in conduct that is or could reasonably be considered misleading or otherwise deceptive, particularly concerning omissions.
9. Under section 133 of the *Magistrates' Court Act 1989* (Vic), engaging original jurisdiction with authority to exercise Commonwealth jurisdiction, Writs of *Quo Warranto* to be issued in the names of Respondents One, two, three, four, five, six and seven to compel appearance before the Court in determining matters of and relating to the Constitution Act of the Commonwealth ("*The Consitution*") and to section 133 of the *Magistrates' Court Act 1989* (Vic) contempt in the face of the Court.
10. An Order of legal undertaking by consent, or otherwise as the Court pleases, that Respondent One and Respondent Two, their servants and/or agents, provide full and frank disclosure pursuant to the *Magistrates' Court Act 1989* (Vic) section 133, including other Acts in force within the Commonwealth applicable, to the Court and/or the applicant/plaintiff, when and if so requested in the interests of natural Justice and honouring the obligations of public institutions to the policy of '*Open Government*' and principles of public integrity and fairness.
11. An Order scheduling a special mention hearing to establish ground rules in relation to, and not limited to, the applicant/plaintiff's disabilities and other associated procedural and practical elements that may need to be determined as they arise as the case may be.
12. An Interlocutory Order by an injunction restraining Respondent Ten and its servants and/or agents in the Heidelberg Magistrates' Court registry from processing or otherwise dealing with the applicant/plaintiff or any family member of the applicant/plaintiff by virtue of the apparent conflict of interest that exists whereby the registry will occupy simultaneous roles, one that facilitates legal process and one that is a respondent to these proceedings.

- a. It is suggested that an alternate location unknown to the registry of Heidelberg be tasked with facilitating a legal process for these proceedings to mitigate the conflict of interest that exists in accordance with the Australian Standard 8001:2021 '*Fraud and corruption control*' and AS ISO 37002:2023 '*Whistleblowing management – Guidelines*' by Standards Australia.
13. An Order suppressing the identity of the applicant/plaintiff, including that of family members as may be permitted, pursuant to the *Open Courts Act 2013* (Vic) on the Grounds that any allegation of public misconduct or corruption, within the meaning of the *Public Interest Disclosure Act 2012* (Vic) section 4 *Meaning of improper conduct* and section 5 *Meaning of police complaint disclosure* by nature, creates a reasonable assumption of a *prima facie* risk of detriment to any complainant's safety and wellbeing, noting the *Open Courts Act* section 6 *Jurisdiction and powers of courts and tribunals to deal with contempt*.
14. A Writ of *Mandamus* commanding Respondent One and Respondent Two, their servants and/or agents of and within the Commonwealth, accept and conduct themselves according to Law, such that it is established the applicant/plaintiff has made correctly, a *public interest disclosure* within the meaning of Part 1 section 4, section 5 and section 6, Part 2 Division 1, Part 3 Division 2 and Part 4 of the *Public Interest Disclosure Act 2012* and is hereby protected under Part 6 of the *Act*.
15. Or in the alternative, an order of similar character and *Prohibition* by consent, or otherwise at the Court's discretion, that Respondent One and Respondent Two, their servants and/or agents, are hereby restrained from conduct which by actions or omissions to act, would reasonably be foreseen to cause or could cause a detriment to the applicant/plaintiff's health, well-being or other interests, including that of his family members or other persons known by Respondent One to be associates of the applicant/plaintiff within the Courts Jurisdiction to be effected on an urgent basis for the reasons provided in paragraph [11].
16. A Writ of *Prohibition* restraining Respondent One and Respondent Two, their servants and/or agents to initiate any further criminal process against the

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applicant/plaintiff in any matters related or incidental to the current proceedings or with the Court references P11271001, P11370782 and P12154228, unless necessary to protect the safety and well-being of the AFM and protected persons subject to those proceedings, or any other person, that may require protection from, the conduct of the Applicant/plaintiff, that would reasonably be considered to threaten the health and well-being of any person because of that conduct, until further Order from this Court, or any other Court with Jurisdiction and with leave to apply as the case may require.

17. An Order of a *Personal Safety Intervention Order* ("PSIO") by consent, or otherwise at the Court's discretion, pursuant to the *Personal Safety Intervention Act 2010* (Vic) naming each natural person named in the prescribed Form 46A as Respondent, be named as the same in the resulting PSIO as permitted by the Act that may serve to provide the appropriate protection needs submitted above.
18. A Writ of *Mandamus* commanding Respondent One and Respondent Two, through thier servants and/or agents, conduct a public inquiry or investigation, according to the '*Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*' United Nations document HR/P/PT/8/Rev. 2 (2022), of all matters known to the applicant/plaintiff that relate, pursuant to section 51 xxix External affairs of *The Consitution* by obligation under International Treaty in the *Convention against Torture and Cruel Inhuman and Degrading Punishment or Treatment*, according to article 12 and article 13, noting article 16, and in accordance with article 1, article 2, article 4, article 5, article 6, article 7, article 10, article 14, article 15 and reciprocal or related articles in the *International Covenant of Civil and Political Rights* and the *International Convention on the Rights of Persons with Disabilities*, noting obligations to International Law contained in the *Vienna Convention on the Law of Treaties* and additional obilgations under the *International Convention against Corruption* currently in force within the Commonwealth.
19. In Addition, by consent, or otherwise as this Court or a Court having jurisdiction pleases, invite the Special Rapporteur of the United Nations Convention

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against Torture or Cruel, Inhuman and Degrading Punishment or Treatment, leave to apply to join the proceedings *Amicus Curae*, to represent the interests of the Convention against Torture and provide specialist expert and Independent International opinion to the Court for consideration and any other opinion, material or incidental to, the course of these proceedings, as the case may be.

20. A Writ of Quo Warranto to compel Respondents three, four, five and six, to present before the Court in order to determine matters pursuant to section 133 of the *Magistrates' Court Act 1989* (Vic) whereby should actions or omissions to act on the evidence adduced in the proceedings for reasons not limited to a contravention of Law, question the legal entitlement to hold public office, then by the power of the High Court of Australia,

'grant an injunction restraining the person from purporting to act in that office and may, if the case so requires, declare the office to be vacant.' High Court Rules 2004 r 25.17

PRELIMINARY FINAL ORDERS SOUGHT:

21. A Declaration under s 38(1) of the *Charter of Human Rights and Responsibilities Act 2006* (Vic) ("The Charter") by reason of decisions and/or an act being reckless to the proper consideration of any relevant human right that is incompatible with the relevant Charter rights.
22. A declaration that the applicant/plaintiff's arrest and imprisonment from April 27, 2022, to May 26, 2022, was invalid, arbitrary, and unlawful deprivation of the applicants' human dignity and right to liberty and security of the person, among other protected rights, within the meaning of the *Charter of Human Rights and Responsibilities Act 2006* (Vic) ("The Charter").
23. A Declaration that Respondent One, their servants and/or agents, with knowledge and/or acquiescence of Respondent Two, their servants and/or agents, conspired to pervert the natural course of Justice from the evening of April 27, 2022.
- a. Continuing in the course of conduct encouraged and maintained by the Respondents, compounding further perversions of the natural course of

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Justice through repeated suppressions and dismissals of valid complaints exploiting the applicant/plaintiff's vulnerability via known societal stigmas associated with marginalised persons.

- b. Denying legal remedy by improper abuse of power that manipulated and controlled access to domestic Law, resulting initially in arbitrary and unlawful imprisonment, followed by intentional infliction of further significant mental suffering, by constructive design to effect social isolation, including alienation, arbitrary interference with the applicant/plaintiff's home, privacy, family and self-determination of occupation and pursuits to earn resources in a free and fair manner comparable to any other citizen.
- c. Directly and indirectly orchestrating the applicant/plaintiff's psychological demise, failing ever to provide an indication, either explicitly or implicitly, when or if the complained course of conduct would ever be acknowledged, limited, or ceased irreparably breaking the applicant/plaintiff's attachment to the human experience of dignity, health and well-being.
- d. Persisting without intervention, over an inhumane timeframe, in a manner that was callous and reckless to help-seeking behaviours exhibited by the applicant/plaintiff that could reasonably be attributed to the complained course of conduct, demonstrating a cruel indifference to the human suffering displayed before the Respondents, absent remorse or recognition they were witnessing genuine human suffering failing to consider applying common ethical values and intervene to relief the human suffering before them.
- e. The likely permanent effects of the cruel punishment and treatment inflicted by the Respondents occasioned upon the applicant/plaintiff were further reckless to Constitutional duties of section 51 of *The Constitution* with the emphasis 'for the peace, order, and good government of the **Commonwealth**' and section 61 with the emphasis 'extends to the **execution and maintenance of this Constitution, and of the laws of the Commonwealth**'.

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24. The course of conduct raises a question of Law relating to the threshold or severity required that would establish an obligation to consider whether a crime against humanity has occurred and, if so, how might such a crime be applied and enforced if it were to relate to a systemic course of conduct by the executive branch of Government in a democratic society such as the Commonwealth?
25. The conduct raises a question of Law as to the meaning of '*treachery*' and application of '*treason*' if a course of conduct were established and could reasonably be viewed as reckless and/or an intentional defiance of *The Constitution* from which the executive Government derives its democratic power to make laws *for the good Government* of a democratic society, could the established course of conduct and *mens rea* be interpreted as a course of conduct designed or intended to '*overthrow*' or '*overrule*' *The Constitution*?
26. Alternatively, a Declaration that Respondent One, with the knowledge and/or acquiescence of Respondent Two, engaged in an unlawful course of conduct, conspiring to pervert the natural course of Justice by acts and omissions to act, in contempt in the face of this Court, subsequently concealing and maintaining the unlawful course of conduct through a reckless abuse of power resulting in a reckless disregard for section 51 xxiv, section 51 xxv, section 61, section 106, section 107, section 108, and section 118 of *The Constitution* of the Commonwealth.
27. A declaration that each Police complaint and subsequent dismissal of each Police complaint from August 1, 2016, to the present, was unlawful under s 38(1) of the Charter by reason of being reckless to the proper consideration of any relevant human right and/or an act that is incompatible with a human right, being the relevant Charter rights.
28. Should the Court determine Respondent One has, by acts or omissions to act, did pervert the natural course of Justice by contempt in the face of this Court, issue an Order of injunction for the permanent stay of all criminal prosecution proceedings against the applicant/plaintiff on grounds that would be impossible to conduct a trial and satisfy the protected rights in criminal proceedings such

that it would be inevitable that a miscarriage of Justice would ensue as a consequence of significant prosecutorial misconduct.

29. Or, in the alternative, a permanent stay on the grounds that a reasonable and significant risk exists that any conviction would carry a significant and substantial risk of undermining public confidence in the administration of public Justice, making any such conviction unsafe to pursue.
30. A Writ of *Certiorari* to quash the decision of Respondent One to oppose Bail by application of statutory authority to imprison the applicant/plaintiff from April 27, 2022, to May 26, 2022, rendering it invalid, thus unlawfully imprisoning the applicant/plaintiff in an act of torture or cruel, inhuman and degrading punishment.
31. A Writ of *Certiorari* quashing the decision dated April 28, 2022, court reference N10829749 in the application for straight remand of the applicant/plaintiff vitiated by contempt in the face of this Court by the course of conduct of Respondent One.
32. A Writ of *Certiorari* quashing the conviction dated May 26, 2022, for reasons of a miscarriage of Justice by prosecutorial misconduct and induced Jurisdictional error.
33. A Writ of *Mandamus* commanding Respondent One, their servants and/or agents, Respondent Two, their servants and/or agents, fulfil their obligations of restitution pursuant to domestic and International Law as it applies and is currently in force within the Commonwealth and its States and Territories to a comparable standard as accepted by both domestic and international jurisprudence.

MISCELLANEOUS

34. All Writs of Mandamus are intended to apply a preceeding Writ of *Certiorari* to quash the corresponding decision as the case may be.
35. Should the Court determine it does not have jurisdiction in any cause of action in this statement of claim, the Court may exercise its discretion and refer any cause of action, either of this statement of claim, incidental or additional to, and in consequence of, the course of these proceedings, in separate elements if

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required, to a Superior Court including the High Court of Australia pursuant to the *Judiciary Act 1903* (Cth)

36. The applicant/plaintiff be at liberty to amend particulars, as the case may be, without limit or exclusion, and leave to submit further particulars in the course of proceedings, and where the Court may, at its discretion, order amendments as the case may be, in the interests of Justice.
37. The Applicant/plaintiff shall be at liberty to apply for further orders from the Court throughout the proceedings and at the discretion of the Court or any other Court with Jurisdiction.

GROUNDS

1. On the evening of April 27, 2022, the non-commissioned holder of Victoria Police Sergeant Donehue initiated a lawful Police process of arresting me and placing me in custody to interview me regarding a charge of criminal damage.
2. The non-commissioned Police officers, Constable Alexandra Kerr VP47046 and Sergeant Michelle Brown VP39999, commenced the Police interview at 9:51 p.m. and did not indicate or consider by implication the vulnerable state I was in at this time.
3. Informant Kerr and Sergeant Brown knew that my behaviour would considered abnormal and could likely be caused by a medical condition, like a mental illness or a mind-altering substance. In my case, it could reasonably be concluded that I was not affected by a mind-altering substance or affected by alcohol.
4. Informant Kerr and Sergeant Brown knew a person behaving abnormally would be vulnerable in a Police Interview. They knew or would reasonably be expected to know that such a person may have difficulties in any or all of the following,
 - a. Understanding their rights.
 - b. Making decisions within the meaning of informed consent.
 - c. Communicating their decisions arising from an established informed consent.

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See <https://www.health.vic.gov.au/practice-and-service-quality/police-interview-or-court-attendance#person-found-unfit-for-police-interview>

5. Informant Alexandra Kerr VP47046 and Sergeant Michelle Brown VP39999 knew or would reasonably be expected to know, protecting me as a vulnerable person from what I might do or say in a Police interview that I might not otherwise do or say in a Police interview when I was not behaving abnormally, would reasonably be expected that a qualified health professional conduct an assessment of my mental state to determine if I was considered, '*fit for interview*'.

See <https://www.health.vic.gov.au/practice-and-service-quality/police-interview-or-court-attendance#person-found-unfit-for-police-interview>

'fitness for police interview implies the ability:

- *to understand the nature of the questioning (i.e. questioning to ascertain involvement in the commission of an offence)*
- *to be able to follow the course of questioning*
- *to be able to give instruction to a legal representative(s)*
- *to be able to understand when the person is cautioned that he or she does not have to say anything, but that anything that they say may be given in evidence.*
- **to not be in an excessively suggestible state**
- *to be aware of the surroundings.*

Where a person has been found unfit for police interview, in many cases their condition may remit over time or with treatment, and they may be deemed fit at a later assessment.'

6. All Victoria Police officers knew I had a prima facie right to Bail, and action or omission to act, intentionally or recklessly, failed to uphold and facilitate their statutory duty of my right to apply for Bail.
7. All Victoria Police officers knew or were expected to know that following the Chief Commissioner's directions in the Victoria Police Manual, particularly 'bail and remand', was mandatory. Any material deviation from the Victoria Police Manual would result in disciplinary action or other consequences.
8. Informant Alexandra Kerr VP47046 knew or would be expected to know her obligations and duties of disclosure under the Law and Victoria Police Policy and procedure issued by the Chief Commissioner of Victoria Police. Informant Alexandra Kerr VP47046, on the evening of April 27 and April 28 2022, commenced a *course of conduct*, participating in a *conspiracy*, intended and

succeeded in *perverting the natural course of Justice* then the ongoing *concealment of an offence* by intentional and material non-disclosures in the brief of evidence submitted before his Honour Lennon on April 28 2022, namely and in her own words, '*yes he was seen by our pacer unit on the night*' knowing the information would have probative value that would have significant effect on the decision to remand me into custody.

9. Informant Alexandra Kerr VP47046 continued in the *course of conduct* to *conceal an offence* of a *conspiracy to pervert the natural course of Justice* by failing her obligations and duties under the prosecutorial *ongoing duty of disclosure* and statutory duty to prevent a crime, engaging section 125 of the *Victoria Police Act 2013* (Vic) Breach of Discipline noting subsection (2) *A police officer or protective services officer who aids, abets, counsels or procures, or who, by any act or omission, is directly or indirectly knowingly concerned in or a party to the commission of a breach of discipline, also commits a breach of discipline.*
10. Sergeant Michelle Brown VP39999 knew or would be expected to know her obligations and duties of disclosure under the Law and Victoria Police Policy and procedure issued by the Chief Commissioner of Victoria Police. Sergeant Michelle Brown VP39999 on the evening of April 27 and April 28 2022, joined a *conspiracy* that intended and succeeded in *perverting the natural course of Justice* and then ongoing *concealment of an offence* by failing to act to prevent a crime, thereby engaging section 125 of the *Victoria Police Act 2013* (Vic) Breach of Discipline and noting subsection (2) *A police officer or protective services officer who aids, abets, counsels or procures, or who, by any act or omission, is directly or indirectly knowingly concerned in or a party to the commission of a breach of discipline, also commits a breach of discipline.*
11. Sergeant Christopher White VP37411, on the evening of April 27 and April 28 2022, joins a *conspiracy* by *tampering with evidence* intended to *pervert the natural course of Justice* and then continues in the *course of conduct* to maintain the *concealment of an offence*, failing to act to prevent a crime thereby engaging section 125 of the *Victoria Police Act 2013* (Vic) Breach of Discipline and noting subsection (2) *A police officer or protective services officer who*

aids, abets, counsels or procures, or who, by any act or omission, is directly or indirectly knowingly concerned in or a party to the commission of a breach of discipline, also commits a breach of discipline.

12. Acting Sergeant M. David VP39805, on the evening of April 27 and April 28 2022, joins a *conspiracy by tampering with evidence* intended to *pervert the natural course of Justice*. Then continues in the *course of conduct* to maintain the *concealment of an offence*, failing to act to prevent a crime, thereby engaging section 125 of the Victoria Police Act 2013 (Vic) Breach of Discipline and noting subsection (2) *A police officer or protective services officer who aids, abets, counsels or procures, or who, by any act or omission, is directly or indirectly knowingly concerned in or a party to the commission of a breach of discipline, also commits a breach of discipline.*
13. Respondents Fourteen through Twntey-nine and Victoria Police members not yet known as Respondents knew or were expected to know the Conflict of Interest Policy in the Victoria Police manual. All must comply with and purposefully mitigate the present conflicts of interest. All Victoria Police officers failed to reduce the Conflict of Interest, thereby engaging section 125 of the *Victoria Police Act 2013 (Vic) Breach of Discipline* and noting subsection (2) *A police officer or protective services officer who aids, abets, counsels or procures, or who, by any act or omission, is directly or indirectly knowingly concerned in or a party to the commission of a breach of discipline, also commits a breach of discipline.*
14. Respondents Fourteen through Twntey-nine and Victoria Police members not yet known as Respondents, who were aware of or witnessed the crime unfolding and failed to intervene to stop a crime being committed failed their statutory duty to prevent a crime, thereby engaging section 125 of the *Victoria Police Act 2013 (Vic)* and noting subsection (2) *A police officer or protective services officer who aids, abets, counsels or procures, or who, by any act or omission, is directly or indirectly knowingly concerned in or a party to the commission of a breach of discipline, also commits a breach of discipline.*
15. Respondent Seven, The Chief Commissioner of Victoria Police, either directly or indirectly, by his servants and/or agents, knew or would be expected to know

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that a *conspiracy to pervert the natural course of Justice* was carried out and a *course of conduct* was engaged in the furtherance of *concealing an offence*, failed in statutory duty to stop the crimes being committed under his command and control, thereby engaging section 125 of the *Victoria Police Act 2013* (Vic) Breach of Discipline noting subsection (2) *A police officer or protective services officer who aids, abets, counsels or procures, or who, by any act or omission, is directly or indirectly knowingly concerned in or a party to the commission of a breach of discipline, also commits a breach of discipline* and calls for the application of *Schedule 1—Chief Commissioner, Deputy Chief Commissioners and Assistant Commissioners* Sections 17(2), 21(3) and 24(4) and (5) section 4 *Removal of Chief Commissioner* (1) *The Governor in Council may remove the Chief Commissioner from office on the recommendation of the Minister on any of the grounds specified in subclause (2).* (2) *The grounds for removal are that the Chief Commissioner— (a) has engaged in misconduct, or (d) has brought Victoria Police into disrepute; or (e) has neglected his or her duties,* noting *Schedule 4—Reportable offences.*

RESPONDENT ONE THE STATE OF VICTORIA

16. Respondent One, by actions and omissions of their servants and/or agents, was informed the crimes had occurred and continue to be maintained by concealing the offence, failed to inform themselves of the crime by appropriate action contravening statutory duties in the *Public Interest Disclosure Act 2012* (Vic) and the *Independent Broad-based Anti-corruption Act 2012* (Vic) thereby joining the *conspiracy to pervert the natural course of Justice* and participate in *concealing an offence* establishing justification for the *Constitutional Writ of Quo Warranto* and enlivening contraventions of the Commonwealth of Australia Constitution Act ("The Constitution").
17. Respondent One, the State of Victoria, through the actions and omissions of agents under its direction and control, has and currently engages in, contravention of **section 51 xxiv** the service and execution throughout the Commonwealth of the civil and criminal process and the judgments of the courts of the States by acts and omissions in contempt in the face of the Magistrates Court of Victoria Heidelberg on the 28th day of April 2022.

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18. Respondent One, the State of Victoria, through the actions and omissions of agents under its direction and control, has and currently engages in, contravention of **section 51 xxv** the recognition throughout the Commonwealth of the laws, the public Acts and records, and the judicial proceedings of the States by acts and omissions in contempt in the face of the Magistrates Court of Victoria Heidelberg on the 28th day of April 2022.
19. Respondent One, the State of Victoria, through the actions and omissions of agents under its direction and control, has and currently engages in contravention of **section 51 xxix** external affairs by acts and omissions that contravene its obligations pursuant to the signature and ratification of International Treaty by arbitrary deprivation of liberty and security of the person among other rights applicable in domestic and international Law as the case may be,
- a. the *International Covenant on Civil and Political Rights* ("ICCPR") entered into force in the Commonwealth on the 23rd day of March 1976 and ratified on the 13th day of August 1980, article 1 (1), article 2, article 3, noting article 5, article 7, article 9, article 10, article 14, article 16, article 17, article 19, noting article 23 (1), article 25 and article 26.
 - b. The State of Victoria has contravened its obligations pursuant to the *International Convention against Torture or Cruel, Inhuman and Degrading Treatment or Punishment* ("CAT") entered into force in the Commonwealth on the 8th day of August 1987 and ratified on the 8th day of August 1989, noting article 1, article 2, noting article 4, noting article 5, article 6, article 7, article 10, article 11, article 12, article 13, article 14, article 15 and article 16.
 - c. The State of Victoria has contravened its obligations pursuant to the United Nations Convention against Corruption entered into force in the Commonwealth on the 6th day of January 2006 and ratified on the 7th day of December 2005 noting the preamble, noting article 1 emphasising subsection (c), noting article 2, noting article 3, article 5, article 6, article 7, article 8 (5) and article 8 (6), article 10, article 12, article 13, article 19, article 24, article 25, article 26, article 27, article 28, article 30, article 32,

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Solicitors name:	N/A	Court Ref:	P11271001;
email:	Reece.Storme@Protonmail.com		P11370782;
<i>Magistrates Court Act 1989</i> (Vic) section 133 Contempt in the face of the Court			P12154228
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article 34, article 35, article 36, article 38, article 39, noting article 42 and article 65.

- d. The State of Victoria has contravened its obligations pursuant to the *International Convention on the Rights of Persons with Disabilities* entered into force in the Commonwealth on the 16th day of August 2008 and ratified on the 17th day of July 2008 noting article 1, noting article 2, noting article 3, article 4, article 5, article 9, article 12, article 13, article 14, article 15, article 16, article 17, article 19, article 21, article 22, article 23, article 24, article 25, article 26, article 27, article 28, article 29 and article 30.
 - e. The State of Victoria is directed to take note of the *Vienna Convention on the Law of Treaties* entered into force in the Commonwealth on the 27th day of January 1980.
20. The Hon. Anthony Carbines either directly or indirectly, knowingly or a failure of due diligence, failed to prevent acts or omissions to act, in furtherance of torture or cruel inhuman and degrading punishment, thus participated in acts and omissions of torture or cruel inhuman and degrading punishment.
 21. The Hon. Enver Erdogan MLC either directly or indirectly, knowingly or a failure of due diligence, failed to prevent acts or omissions to act, in furtherance of torture or cruel inhuman and degrading punishment, thus participated in acts and omissions of torture or cruel inhuman and degrading punishment.
 22. The Hon. Jaclyn Symes Attorney-General either directly or indirectly, knowingly or a failure of due diligence, failed to prevent acts or omissions to act, in furtherance of torture or cruel inhuman and degrading punishment, thus participated in acts and omissions of torture or cruel inhuman and degrading punishment.
 23. The Hon. Daniel Andrews either directly or indirectly, knowingly or a failure of due diligence, failed to prevent acts or omissions to act, in furtherance of torture or cruel inhuman and degrading punishment, thus participated in acts and omissions of torture or cruel inhuman and degrading punishment.
 24. Respondent One, the State of Victoria, through the actions and omissions of agents under its direction and control, has and currently engages in, contravention of section 51 xxxix matters incidental to the execution of any

power vested by this Constitution in the Parliament or in either House thereof, or in the Government of the Commonwealth, or in the Federal Judicature, or in any department or officer of the Commonwealth by acts and omissions in contempt in the face of the Magistrates' Court of Victoria Heidelberg on the 28th day of April 2022, inclusive of extraneous matters, both past and present, consequential and incidental to, such acts and omissions as they relate to the plaintiff/applicant known to the State of Victoria as the case may be.

25. Respondent One, the State of Victoria, is directed to note section 61 with emphasis on '*execution and maintenance of this Constitution, and of the laws of the Commonwealth*', section 75 (v), section 106 emphasising '*subject to this Constitution*', section 107 emphasising '*unless it is by this Consitution*', section 108 emphasising '*subject to this Constitution*' and section 109 emphasising '*law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.*'
26. Respondent One, the State of Victoria, by actions and omissions of their servants and/or agents, has contravened section 118 recognition of laws and C. of States by acts and omissions in contempt in the face of the Magistrates' Court of Victoria Heidelberg on the 28th day of April 2022.
27. Respondent One, by actions and omissions of their servants and/or agents, was informed the crimes had occurred and continue to be maintained by concealing the offence, failed to inform themselves of the crime by appropriate action contravening statutory duties in the *Public Interest Disclosure Act 2012* (Vic) and the *Independent Broad-based Anti-corruption Act 2012* (Vic) thereby joining the *conspiracy to pervert that natural course of Justice* and participate in *concealing an offence* establishing justification for the Constitutional Writ of *Quo Warranto* and enlivening contraventions of the *Commonwealth of Australia Constitution Act* ("***The Constitution***").

RESPONDENT TWO THE COMMONWEALTH OF AUSTRALIA

28. Respondent Two, the Commonwealth of Australia, through the actions and omissions of agents under its direction and control, has and currently engages in, contravention of **section 51 xxiv** the service and execution throughout the Commonwealth of the civil and criminal process and the judgments of the

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email:	Reece.Storme@Protonmail.com		P11370782;
<i>Magistrates Court Act 1989</i> (Vic) section 133 Contempt in the face of the Court			P12154228
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courts of the States by acts and omissions failing to intervene in crimes committed by the State and defend *The Constitution*.

29. Respondent Two, the Commonwealth of Australia, through the actions and omissions of agents under its direction and control, has and currently engages in, contravention of **section 51 xxv** the recognition throughout the Commonwealth of the laws, the public Acts and records, and the judicial proceedings of the States by acts and omissions failing to intervene in crimes committed by the State and defend The Constitution.
30. Respondent Two, the Commonwealth of Australia, through the actions and omissions of agents under its direction and control, has and currently engages in contravention of **section 51 xxix** external affairs by acts and omissions that contravene its obligations pursuant to the signature and ratification of International Treaty by arbitrary deprivation of liberty and security of the person among other rights applicable in domestic and international Law as the case may be,
 - a. the *International Covenant on Civil and Political Rights* ("ICCPR") entered into force in the Commonwealth on the 23rd day of March 1976 and ratified on the 13th day of August 1980, article 1 (1), article 2, article 3, noting article 5, article 7, article 9, article 10, article 14, article 16, article 17, article 19, noting article 23 (1), article 25 and article 26.
 - b. The Commonwealth of Australia has contravened its obligations pursuant to the *International Convention against Torture or Cruel, Inhuman and Degrading Treatment or Punishment* ("CAT") entered into force in the Commonwealth on the 8th day of August 1987 and ratified on the 8th day of August 1989, noting article 1, article 2, noting article 4, noting article 5, article 6, article 7, article 10, article 11, article 12, article 13, article 14, article 15 and article 16.
 - c. The Commonwealth of Australia has contravened its obligations pursuant to the United Nations Convention against Corruption entered into force in the Commonwealth on the 6th day of January 2006 and ratified on the 7th day of December 2005 noting the preamble, noting article 1 emphasising subsection (c), noting article 2, noting article 3, article 5, article 6, article 7,

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article 8 (5) and article 8 (6), article 10, article 12, article 13, article 19, article 24, article 25, article 26, article 27, article 28, article 30, article 32, article 34, article 35, article 36, article 38, article 39, noting article 42 and article 65.

d. The Commonwealth of Australia has contravened its obligations pursuant to the *International Convention on the Rights of Persons with Disabilities* entered into force in the Commonwealth on the 16th day of August 2008 and ratified on the 17th day of July 2008 noting article 1, noting article 2, noting article 3, article 4, article 5, article 9, article 12, article 13, article 14, article 15, article 16, article 17, article 19, article 21, article 22, article 23, article 24, article 25, article 26, article 27, article 28, article 29 and article 30.

e. The Commonwealth of Australia is directed to take note of the *Vienna Convention on the Law of Treaties* entered into force in the Commonwealth on the 27th day of January 1980.

31. Respondent Two, the Commonwealth of Australia, through the actions and omissions of agents under its direction and control, has and currently engages in, contravention of section 51 xxxix matters incidental to the execution of any power vested by this Constitution in the Parliament or in either House thereof, or in the Government of the Commonwealth, or in the Federal Judicature, or in any department or officer of the Commonwealth by acts and omissions failing to intervene in crimes committed by the State and defend The Constitution inclusive of extraneous matters, both past and present, consequential and incidental to, such acts and omissions as they relate to the plaintiff/applicant known to the Commonwealth of Australia as the case may be.
32. Respondent Two, the Commonwealth of Australia, is directed to note section 61 with emphasis on '*execution and maintenance of this Constitution, and of the laws of the Commonwealth*', section 75 (v), section 106 emphasising '*subject to this Constitution*', section 107 emphasising '*unless it is by this Consitution*', section 108 emphasising '*subject to this Constitution*' and section 109 emphasising '*law of a State is inconsistent with a law of the*

Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.'

33. Respondent Two, the Commonwealth of Australia, by actions and omissions of their servants and/or agents, has contravened section 118 recognition of laws and C. of States by acts and omissions in failing to intervene in crimes committed by the State and defend The Constitution.

MAGISTRATES' COURT VICTORIA

34. Respondent Thirty-two, Operations Manager and Court Registrar knew or would be expected to know that failing to provide an official public document, being a notice of Order, whereby I was the accused party, was by right entitled to the Notice of Order. His actions and omissions to act in furtherance of withholding the official public documents have contravened the Crimes Act 1958 (Vic) Part 1 Division 5 Destruction of Evidence section 254 Destruction of Evidence emphasising (1)(a) *knows that a document or other thing of any kind is, or is reasonably likely to be, required in evidence in a legal proceeding; and (1)(b) either (i) destroys or conceals... (ii) expressly, tacitly or impliedly authorises or permits another person to destroy or conceal it... (c) acts as described in paragraph (b) with the intention of preventing it from being used in evidence in a legal proceeding – is guilty of an offence.*
35. Respondent Ten and their servants and/or agents Respondents Thirty-two through Thirty-nine and Heidelberg Registry staff members not yet known as Respondents, who knew or witnessed a crime being committed and who failed to take positive action to stop or notify the Independent Broad-based Anti-corruption Commission ("IBAC") via a Public Interest Disclosure pursuant to the Act, has then joined the conspiracy, intended to pervert the natural course of Justice then continue in the course of conduct participating in concealing an offence by virtue of the *Crimes Act 1958* (Vic) Part I Offences Division 5 Destruction of Evidence, Part 1 Offences Division 10 – Conspiracy Part II Offenders Division 1—Abettors, accessories and concealers of offences.
36. Respondent Nine, The Independent Broad-based Anti-corruption Commission ("IBAC") through failing to adequately and independently inform itself on the allegations of Police conduct complaints over the course of eight years

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beginning August 2016 in communications made, 2016/08/03, 2016/08/18, 2016/09/15, 2017/08/18, 2017/09/06, 2017/09/07, 2017/10/09, 2017/10/18, 2018/06/20, 2021/09/23, 2021/09/23, 2021/10/09, 2022/03/20, 2022/03/20, 2022/10/07, 2023/04/23, 2023/05/02, 2023/05/20, 2023/05/23, 2023/06/18, 2023/09/25 , 2023/12/01, 2024/02/02, 2024/02/13, 2024/02/26, 2024/03/05, thus by systemic failures to prevent or investigate Police misconduct, by omission to act joined in the *conspiracy to pervert the natural course of Justice*, the furtherance of *concealment of offences* and engaging acts of torture or cruel inhuman and degrading punishment participated in acts and omissions of torture or cruel inhuman and degrading punishment.

AUSTIN HEALTH

37. Respondent Forty, Registered Nurse Suzanne Stewart of Austin Health, falsified a health record by falsely representing a 'PACER' response, retrospectively placing a time and date of 8:00 p.m. April 27, 2022, that fails to coincide with a typical response time that was not an emergency and a request for assistance that was not made via 000 and 'ESTA' in order to initiate. She has thereby joined the *conspiracy* to intended to *pervert the natural course of Justice* and continued in a course of conduct in furtherance of concealing an offence enlivening section 81 of the *Health Records Act 2001* (Vic) and the *Crimes Act 1958* (Vic) Part I Offences Division 5 Destruction of Evidence, Part 1 Offences Division 10 – Conspiracy Part II Offenders Division 1—Abettors, accessories and concealers of offences.
38. Respondent Eleven failed in a positive duty to investigate a complaint of allegations of criminal conduct of its servants and/or agents pursuant to the *Public Interest Disclosure Act 2012* (Vic) and fiduciary duties of a public entity, thereby joining a *conspiracy* with the intent of *perverting the natural course of Justice* and a *course of conduct* in furtherance of *concealing of an offence* enlivening the the *Crimes Act 1958* (Vic) Part I Offences Division 5 Destruction of Evidence, Part 1 Offences Division 10 – Conspiracy Part II Offenders Division 1—Abettors, accessories and concealers of offences.

The contents of this declaration are true and correct and I make it knowing that a person making a false affidavit may be prosecuted for the offence of perjury.

Affirmed at: GREENSBOROUGH
Place

in the State of Victoria

On: 15TH APRIL 2024

Before me, R. A. Dennis

Name of witness Rodney Browse Ferris JP
c/- Honorary Justice Office
24/121 Exhibition St.
Melbourne 3000
Reg No. 8742



Qualification/Authority

Signature of witness

[name, statement of the capacity in which the authorised affidavit taker has authority to take the affidavit, and person or professional address in legible writing, typing or stamp]

REECE FERRIS
Name of deponent

[Signature]
Signature of deponent

Date: 15/4/2024

A person authorised under section 19(1) of the Oaths and Affirmations Act 2018 to take an affidavit.

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