

Statement by Submission
MAGISTRATES COURT Launceston

I Clemencia Barnes State:

As I am NOT a 'voter' voting for any man as my 'head of house' above God, the 'Charges' for a 'breach of the traffic Act 1999' do NOT apply to me according to my belief and the Rights granted unto the peaceful within the Constitution of Tasmania.

I thus claim 'immunity' within the 'Freedom of Religion' act of the Constitution and, - - - as I am living as per my '*absolute pacifist*' belief and, - - - as I am NOT disturbing the peace of the land it also follows that:

IF I was to pay the fine then I would be 'compromising' my trust in God as my head of house and be defiant of His Command and He would then punish me for continuing to support a dark and contra ideological belief in '*war & punishment.*'

The politicians of Tasmania have invoked edicts enshrined as text rules in their 'books' which 'cancel' the right for citizens to drive if they fail to pay parking 'fines' or other. The police and judiciary uphold these rules of engagement with THE PEOPLE using punishment backed by 'force of arms,' it is my considered opinion and belief that a CONSPIRACY exists where everyone involved in this financial 'trap' is guilty of EXTORTION.

As I was recently made aware of this FACT it follows that if I were to pay any fine or fee to said officials of this institution then according to my conscience and belief I would be complicit to said conspiracy against myself and others in the community. This I cannot so be or my God will banish me to the UNDERWORLD, so I believe.

I believe that any funding to said institution means that my 'servants' (officials of state) would be stealing by extortion. Also causing loss, mental and emotional trauma and more in my name and on my behalf to OTHERS, and as said, I would be in contravention of God's COMMAND unto me and this I cannot do.

That I have contravened a political decree is true, albeit I was unaware that I had been 'disqualified' or forbidden to drive. It is my belief and religious ideology that I am entitled to NOT fund any gov.org having a CONTRA and '*warring*' ideology to mine of; *mercy, compassion, peace and forgiveness*. I thus claim immunity from persecution and prosecution within the Rights granted unto me by God and the Constitution of Tasmania and Australia.

My defence against the charges laid at my feet hinge solely upon whether or not I am living my belief peacefully.

1 - I believe that: The Creator, God, grants civil rights unto man being: *A person may live by their conscience, belief and ideology as long as it is a peaceful one and they do not disturb the peace of others.*

2 - I also believe that: I may live according to my own conscience, being my own system of belief.

3 - I also believe that I do not have to 'bow' to the dictates or demands of any other mortal as long as I live my life according to the precepts of God's '*peace, love, mercy, compassion and forgive*' command.

4 - I remind the honourable magistrate that; within the texts of the Constitution of your own organisation I am guaranteed immunity from persecution, protection from harassment, and the freedom to live by my conscience, belief and religious ideology as long as I do not disturb the peace of the land.

I give the Constitutional 'texts' of the 'gov.org' given below to assist the magistrate to a better comprehension because I do not wish for him to **err reasonably** in defying IT.

I base a 'part' of my defence upon the RULING Acts in the Tasmanian & Australian Constitutions and on the validity or otherwise of the claims against me, since they hinge upon the interpretation of the word 'Religion' as well as the interpretation of the following Australian and Tasmanian Constitutional Acts:

Commonwealth of Australia Constitution Act (9th July 1900) section 116

"The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, - and

Constitution Act 1934 (Tasmania)

This document includes a legal guarantee of the religious liberty and equality of Tasmanians. Every citizen is guaranteed freedom of conscience and the free exercise of religion under Section 46(1) of this Act.

Part V - General provisions - Religious freedom

46. (1) Freedom of conscience and the free profession and practice of religion are, subject to public order and morality, guaranteed to every citizen.

(2) No person shall be subject to any disability, or be required to take any oath on account of his religion or religious belief.

Politicians have failed to take into consideration their own mandate to legislate, in that no legislation applies to the peaceful of moral standing who believe that they are entitled to live as **absolute pacifists** according to their own conscience. It also follows that they are NOT TO BE VICTIMIZED by armed men.

Equally important to understand and accept is that on this 'material' level, the overriding power of the Commonwealth of Australia Constitution Act (9th July 1900) section 116 supersedes all subsequent legislation.

Section 116 of this Act is a general prohibition applying to all laws and subsequent legislation, under whatever powers these laws have been made. It does not compete with other provisions of the Constitution and it prevails over all laws and limits all provisions that give power to make laws.

Accordingly no law can escape the application of s 116 and all legislative powers are subject to the condition which s 116 imposes. Clause 5 of the Commonwealth of Australia Constitution Act says:

Operation of the Constitution and laws [see Note 3] This Act. - All laws made by the Parliament of the Commonwealth under the Constitution shall be binding on the courts, judges, and people of every State and of every part of the Commonwealth, notwithstanding anything in the laws of any State.

It follows that the 116 'Freedom of Religion' Clause giving immunity and protection to those who wish to live by their belief clearly overrides any latter day Traffic Act that of itself is not a 'code of conduct' road safety policy *assuring safety*.

I Clemencia simply ask the honourable magistrate to consider the facts and release me from my persecutors. I believe that if the magistrate does not then he is a 'party to' *the conspiracy to impoverish, punish and defraud* me of my money and to cause me ongoing hardship.

The issue at stake here is whether or not the 'rule' applied to my 'case' is relevant or, whether I am a person having or holding a 'belief' that precludes me from being a 'subject' of said rule.

It is my opinion that as I was not 'driving dangerously' nor disturbing the peace of the land and as I was 'living' according to my 'belief, conscience and ideology,' that the 'rule' or 'act' applied to bring me before you (forcefully) does not apply to me.

My defence against the charge placed at my 'feet' hinge solely upon whether or not I am living my belief peacefully and thus NOT disturbing the peace in any way.

1 - I believe that: The Creator, God, grants civil rights unto man being: *A person may live by their conscience, belief and ideology as long as it is a peaceful one and they do not disturb the peace of others.*

2 - I also believe that: I may live according to my *own conscience*, being my own *system of belief*.

3 - I also believe that I do not have to 'bow' to the dictates or demands of any other mortal as long as I live my life according to the precepts of God's '*peace, love, mercy, compassion and forgive*' command.

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I Terence state; I am the ONE chosen by God to 'represent' Mrs Clemencia Barnes and be her 'witness' it is I to write this 'defence' statement to the court on her behalf and I add for the honourable magistrate:

It is quite incomprehensible to a *sane person* that a 'politician' would invoke a *damnable decree* stating that; for any non-payment of any fine a person must be **FORBIDDEN** to drive their motor vehicle on a PUBLIC street and be *punished* if they so do.

It is quite incomprehensible to a *sane person* that a person 'Richard Fowler' registrar of motor vehicles would write a letter of *threat and coercion* to a peaceful and elderly lady. (*His spiritual sister a daughter of God*) A letter stating that he is personally suspending her 'validity' to drive a motor vehicle, and until a fine is paid it is a *criminal offence* to drive her motor vehicle.

It is quite incomprehensible to a *sane person* that a person 'T. Kerrison' a self professed '*Justice of the PEACE*' would send a letter to a lady *threatening* her with '*arrest and detention and punishment*' if she fails to 'give cause' at a court on a particular date.

It is quite incomprehensible to a *sane person* that any person, mandated or otherwise, would in FACT '*disturb the peace of another*' for ANY reason using 'force of arms' backup to cause them '*hardship*' or make monetary *demands* upon them in contravention of God's Command unto man:

*"Go your way in peace & love one another"*

Does a sane person have to believe in and conform to the contra ideology that states:

*"If you owe me money then you are forbidden to drive your vehicle until this alleged debt is paid in full and furthermore, I will not 'permit' you to 'contest' this claim in a court."*

NO, one does NOT and one is entitled to ones OWN belief.

All that now remains to be seen is whether or not the magistrate appointed by GOD to 'hear' this case is sane or otherwise.

I hope he is wise, for if he is not and becomes the 'fall guy' for the punitive 'arm' of God then he has chosen his own eternal fate say I God's Judge, and my judgement is no threat nor coercion, it is simply a matter of FACT.

As Clemencia is a peaceful person and as the court is backed by 'force of arms,' Mrs Barnes is at the 'mercy' of this court and awaits God's judgement via the mind of the 'magi.'

All that I have written in her 'defence' is written with her knowledge and input and agreement and with our God as 'our' witness.

#### Addendum

**Note: valid law** - The implication being that State law is valid unless it is overruled by a Commonwealth Law such as the 'Freedom of Religion' Act. This is an Act that is only 'valid' to those who have not disturbed the peace of the land and have their God as head of house rather than mortal man.

In the Annotated Constitution of the Commonwealth of Australia, Section 330 titled "Its Interpretation," John Quick and Robert Randolph Garran say:

"In the exercise of the duty of interpretation and adjudication not only in the High Court, but every court of competent jurisdiction has the right to declare that: A law of the Commonwealth or of a State is void by reason of transgressing the Constitution."

This is a duty cast upon the courts by the very nature of the judicial function. The federal Parliament and the State Parliaments are not sovereign bodies; they are legislatures with limited powers; and any law which they attempt to pass in excess of those powers is no law at all it is simply a nullity, entitled to no obedience."

What role do the courts play in Australian governance? Australia's system of courts is the third arm of Australian governance and is known as the Judiciary.

The role of the Judiciary is to:

- apply the law as made by the Parliament
- where necessary, interpret the laws made by Parliament and
  - **Ensure that laws comply with the Australian Constitution**

End of submission