

Statement by Submission
MAGISTRATES COURT Launceston

Introduction

This defence submission has been written by Terence. Terence is the author and 'spiritual leader' of the 'order' of the One True Faith. This defence submission is written to assist everyone concerned and is written on behalf of Mrs. Clemencia Barnes at her request and with her consent and input.

This document is also on line for all because this case is an educational matter to be available globally for all humanity since it explains each individual's right as that RIGHT concerns their God given freedom to live as God Commands.

This means that individuals can set themselves free to choose to not fund warmongers whatever their guise, particularly if said warmongers use the projection of their governing 'legitimacy' to cause harm or wage war upon others. As Mrs. Barnes 'counsel' and spiritual advisor to all humanity I also present my 'judgement' on the case.

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I Clemencia Barnes State: Honourable Magistrate, it is my belief that I have no case to answer in this court because I am living in accordance with the constraints of:

A - The Command of our Sovereign Lord God and;

B - The Freedom of Religion clause set out in the Constitutions of Tasmania and of Australia, which clearly states that I am a protected person within this clause.

Within the framework of said Constitution in so far as that concerns the Freedom of Religion clause, I am also legally beyond the jurisdiction of any court of man.

These Rights also preclude me from being 'tried' in any court such as a magistrate's court because it has NO 'jurisdiction' to try me because the High Court alone deals with matters as mine being one of '*Conscience & religious ideological BELIEF.*' I further State:

I am NOT using the 116 clause of the Australia Constitution (see page 8 below) as my defence because my defence is and rests solely 'upon or within' my conscience and my ideological religious BELIEF in absolute pacifism.

It is my belief and understanding that:

C - The content words of 116 and the Tasmania Act 1934 above are directed to and directions to you and other officials of State rather than only to the public.

D - The content directions of 116 and Act 1934 are what have been enacted to LIMIT THE POWERS granted unto State enforcers by GOD as well as by those who invoked said 'acts' in the first instance.

E - Section 116 does NOT 'limit or restrict' the *conscience or living ways* of the peaceful who have an ideology of PEACE and who do not disturb the peace.

Section 116 simply RESTRICTS and limits State officials the use of *forceful powers* because God via 116 protects the peaceful of moral standing from HIS enforcers.

F - If it had been the intent of God or those who raised UP the Constitution of your institution to give State officials UNLIMITED POWERS then there would have been NO need for the provisions given in 116 and 46.1.

These provisions were granted so as to PROTECT the peaceful of moral standing and to 'permit' them to live in peace as they obey their God and do NOT fund the coffers of warring tribes.

G - The right to use God's *forceful power* as granted unto State officials by THE Constitution ONLY applies to those who do NOT have a *peaceful ideology* but have the *punitive and warring ideology of retribution* and who therefore believe in their right to DISTURB THE PEACE.

H - The 'proviso' granting the High Court the POWER to *persecute, prosecute or punish* or NOT, rests in the clause Part V 46.1 - General provisions:

< Subject to public order and morality >

This means that State officials within the constraints of 116 of their Constitution can prosecute ANYONE of ANY belief or ideology who is of immoral activity or who disturbs the public peace.

Further to the above it is my belief and understanding that: All subsequent decrees, rules, laws invoked are 'subject to' the rules as contained in the Constitution as IT is the overriding Sovereign Authority which as said, grants limited powers of prosecution, prosecution and punishment.

I am aware that persons who are working for and on behalf of the Australian Taxation office, as well as those within the commonwealth DPP believe that they do not have to consider my 'Rights' as set out within the Constitution of their own institution.

As a consequence I have been subjected to fourteen years of ongoing **intimidation, coercion and persecution** while in the past I have had funds stolen by some ATO officials from my bank account.

2 - It is my defence that since the 'matter at hand' has to do with the Constitutional '*Freedom of Religion clause*' acts of Tasmania and Australia that, - - - any complaint raised up by the prosecutor in relation to said acts must place this complaint before a judge of the High Court of Australia.

That Court is the only Court in the land empowered to judge Constitutional matters concerning the 'faith' of my religious belief and of my conscience.

I Clemencia Barnes State that: Both the Taxation prosecutor Ed Storage and the DPPC have been advised by Terence my 'counsellor' of the above. They already know that, as this case is a matter of ones faith, belief, conscience and religious ideology, it can only be heard 'legally' and judged by the High Court. This places the case beyond the jurisdiction of the Tasmanian magistrate's court.

It is my belief that for this case to be heard in a subordinate court would be an illegal and therefore treasonable activity on the part of the prosecutor and the magistrate because, they cannot simply ignore the reality of the existence of the Constitutional laws of their own organisation.

The DPPC office has also been advised of the above fact and of the facts of the immunity 'protection' granted to the peaceful by THE SOVEREIGN AUTHORITY of the Constitution, but still continue on with their intimidation and persecution. It is obvious that these prosecutions officers are also culpable and complicit with the above **illegal criminal misconduct** taking place against myself, a peaceful citizen.

Furthermore, I am also living in accordance with God's Command given to mankind, (being peaceful) whereas Eddie Storage and the DPPC officers are clearly not doing the same.

They are also determined, through their intimidation of myself, to **force** me to **defy** my God and **deny** my **conscience** as well as my **rights** within the Constitution they serve. It is an obvious intent by white-collar criminals to:

X - Enforce demands and extort monies forcefully from the peaceful using threat, coercion and intimidation using force of arms as back up.

Y - Attempt to force me a peaceful person to change my system of belief and join an opposing punitive and warring belief through funding IT (their institution) against my will. I do not wish to fund proven warmongers and this also is my right Constitutionally.

Z - Extort money from a peaceful person in defiance of the mandate granted unto to them within the Constitution of their own Institution.

All the above are treason and anarchy against the Constitution of the Land as well as being in defiance of God's Command to man.

I Clemencia Barnes state that the Australian Taxation Office prosecutor Ed. Storage and DPPC prosecutors are in collusion because they have both been told that this matter is a contravention of the Constitutional Authority.

The prosecutors are also trying to use the Lower Court of Tasmania as their 'tool' in the foreknowledge that a few Tasmanian magistrates are proven to also ignore the Freedom of Religion Clause of the Constitution of Australia. These magistrates openly fine or jail or disadvantage the peaceful who are dragged to their door by arrogant and ignorant police prosecutors.

It is a contravention of the Terrorist Act to Fund any person or institution that is known to be acting in a 'terrorist' manner by terrorizing people in an attempt to force them to conform with their ideological demands.

It is my contention that my persecutors, the Australian taxation office via their prosecutor Eddie Storage and the DPPC have laid false charges at my door for the sole purpose of:

- (a) Causing me financial loss.
- (b) Causing me mental and emotional trauma and 'terrorising me.'
- (c) Religious persecution by attempting to coerce me into going against my conscience and thus conforming with and belonging to their contra ideological belief.

It is also my contention that as the ATO officials have been given 'full disclosure' of the facts on more than ten occasions that; due to them still pursuing me in a 'lower court,' their actions are PROVEN to be not only treasonable but also vindictive. Their actions are also in contravention of the Australia Constitution 'Freedom of Religion' Acts as given on page seven of this defence.

It is my opinion that the ATO prosecutor is making illegal use of the Tasmania police and court system in an attempt to steal money from my purse and to coerce me into changing my religious ideological belief by going against my conscience and God's command unto mankind. The participation of the Tasmania police sadly also involves them in these treasonable activities.

All the above is in conflict with the Constitutional Sovereign Authority that alone has the power to decide THE TRUTH of my religious conviction which I have held for the past eighteen years.

If the time arrives when this document is required to be handed in as my defence, then it proves to the honourable magistrate/judge that the prosecution 'complainant' has knowingly and deliberately defied their mandate as set out within the Constitution of the land. I ask that all complicit be 'arrested' and detained for their treasonable activities and be educated to the facts before being released.

It is treasonable INTENT and ACTIVITY for a prosecutor to knowingly 'present' a constitutional matter to a *subordinate court* in the hope that a magistrate will overlook the REALITY and cause HARM to an innocent person who is LIVING WITHIN THE LAW OF THE LAND.

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

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

In respect of the Australian Taxation office demand that I furnish them with tax returns, I respond to the this court stating:

"It is my firm belief that as God is my chosen head of house, master and sovereign lord, that I am neither a slave of or to any organisation, political decree nor to the demands of compliance by any person."

I further state that my conscience dictates that I am beholden to none other than my God and thus I simply refuse to comply with the demands of those who backed by guns, (force of arms) seek to coerce me into doing their bidding.

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.

I remind the honourable magistrate that; within the texts of the Constitution of your own organisation, I am guaranteed immunity from persecution and protection from harassment.

I am also promised the freedom to live by my conscience and religious ideology as long as I do not disturb the peace of the land.

Why then does the DPPC (Commonwealth public prosecutor) intimidate and persecute me when he should be prosecuting the Taxation Officer, Ed Storage for treasonable criminal misconduct for placing this 'case' in the lap of the DPPC in the first instance?

I Clemencia also know and state that my first allegiance is to God and not to man.  
I reserve my God given right to not fund a controlling, punitive and warring system.

I Clemencia Barnes State that in my opinion persons operating outside legal constraints and the code of conduct demanded of them by God THE CREATOR and imposing their demands upon others are 'terrorists.'

I know that those persons colluding against me are operating outside the constraints granted unto them by both God and the sovereign authority granted unto them by the Constitution of the institution they serve, and in my opinion they are nothing less than 'white collar' **criminals** in need of **correction**.

If they continue to persecute me by using force of arms backup then so be it, but I will never give in and will never fund any 'system' that in my opinion is operating in a manner which I perceive as a contravention of **God's command** or my **conscience**.

I also state that; within the 'Freedom of Religion' acts of the Constitution of this land, every citizen is granted the RIGHT to live by his or her conscience and ideological belief. (Religion) They are also guaranteed protection from persecution as long as they are of moral standing and do not disturb the peace.

I cannot fund warmongers who interfere in the lives of others and cause them harm because I cannot be a 'party' to this nature of **injurious** ACTIVITY.

I do not believe in any form of CONFLICT or the use of 'force of arms' to uphold or enforce my belief in **God's Word**. Thus my rebuttal against those taking up arms against me is solely this summation of **TRUTH** as I endeavor to assist them to see the **ERROR** of their ways.

I do not try to impose my peaceful belief and ways upon others using courts backed by force of arms. I do not oppose others forcefully when they try and impose their beliefs upon me, I simply counsel them as God commands.

I do not believe that any person has the Right to impose demands or taxes upon the 'head' or family of any other person for ANY reason.

**I am happy to pay for any benign community services that I seek to use or support.** It is my fervent belief that those in 'power' using the court of man (Caesar) to validate their **demands** as being an **illegal** and unconstitutional ACTIVITY and I AM entitled to my belief.

It is my fervent belief that to give monetary support to a known 'punitive or warring' system is **WRONG** and I cannot support any 'system' that causes **HARM** to others directly or in my name or on my behalf. If I were to so do it would be a denial of my conscience and a contravention of God's Command unto man, which is:

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

I do not 'vote' for any person so that they can 'rule' me as I have God as my 'head of house' and I give my loyalty to God whom I adore as I go my way in peace and do my best to OBEY His Command at all times.

I Clemencia Barnes State that it is my belief that 'war' breeds hatred, death and destruction and leads young men out to kill or die. War imposes great sorrow, pain and trauma upon multitudes and I want NO 'part' of IT.

It is my fervent belief that I am not 'subordinate' to any mortal or 'group' or 'majority' vote since I lay my trust solely in our God and I do know and believe that HE as Sovereign will uplift me or destroy me dependent upon my 'peaceful' or 'other' ACTIVITY.

Furthermore, I believe that any **rules, decrees or legislation enacted by any person legitimizing the forceful extortion of money (tax) is an ILLEGAL and criminal act imposed by non-believers who justify their 'take' with the use of THE GUN and muscles.**

I believe that all legislators and their magistrates and enforcers are using the 'forbidden by God to use' forceful destructive DARK Power of God THE SOURCE and all place themselves into ITS 'Law of Return' to suffer the same ahead as they imposed forcefully.

It is also my belief that all members of society who condone, support and fund the 'works' of politicians, magistrates and enforcers are also complicit to the punitive 'take' and are equally blind to this reality. It is not my wish to be someone who is complicit to the causing of harm to others.

I sincerely hope that this defence submission helps some of my persecutors and others to set themselves FREE by discontinuing their personal persecution of others or myself or being complicit to it. I have a few more words to say on this 'case' matter being:

1 - Irrespective of the beliefs of others who claim that they and their **legislation** overrule my conscience, I hold the opposing view and I will continue to do as my conscience dictates.

2 - Irrespective of the beliefs of many other mortals that certain texts written in purported 'holy books' existing for centuries state to the effect that, - - - funding State terrorism or armed men (Caesar) is somehow condoned by their God, I cannot so believe. I therefore will remain an **absolute pacifist** as my God-given **conscience** dictates.

I truly now and forever **believe** that funding the wages of 'protection' by the police or any other armed enforcement personnel is wrong and unconscionable. Therefore, I cannot employ, by the paying of taxes, anyone to go forth on my behalf or in my name to **cause harm** to others for any reason.

It follows that if you wish to proceed in my 'crucifixion' then so be it. I will forgive you but I will not change my belief or peaceful way and neither will I retaliate against you forcefully or punitively because the word 'retaliation' is not in my vocabulary.

The simple truth of my stance is the 'not in my name' policy, never shall I be party to anyone destroying even one person in my name no matter what they have done. For me the reality is that the meting out of justice belongs to God and God alone. All our God requires of me is to be peaceful and forgiving by never harming another child of God. So I BELIEVE.

If any 'group or majority or other' need any form of counsel, support or monetary 'donation' then they are free to make a 'request' to me but any forceful demands will get them 'nowhere.'

My conscience dictates that offenders must be treated with forgiveness, mercy, compassion and love and be **rehabilitated** with **education** so as to bring them into alignment with **God's Holy Command**.

I also believe that I may live according to my own conscience, which forms the basis of my own system of belief.

Clemencia

## My judgement (Terence)

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:

"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* since 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. No 'rule, decree, law' invoked (annually) overrules the Rights of the peaceful citizen who neither votes for man as head of house nor seeks the protection of man. (Armed forces)

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

For those of you having the belief in God as THE super power and overriding Sovereign Authority it is my pen to give you the reader some more insight.

The Constitution of any system of man (government) is the means whereby our God imposes His 'strictures' and punishment factor within His immutable 'eye for an eye' Law of Return' upon man.

To do this He uses the vain and arrogant NON-believers who themselves defy Him and His Command and who USE His 'forbidden to use' Dark forceful destructive power.

These vain 'powerbrokers' and all in the community who support and condone and fund government systems rely solely on force of arms of MAN for protection rather than on God's protection.

**Note:** God's protection: When one walks in peace and is obedient to the "Love one another" Command and causes no harm, then the return unto man within God's 'Law of return' is the same and is always benign.

The Tax demands of God the Sovereign Power is a demanded ransom fee via latter day statutes, rules, edicts, legislation for the armed forces protection of man by MEN. (Their wages)

The upholding of 'rule by man' is what keeps errant man in bondage to THE DARK and in never ending 'debt' to ITS punitive Law of Return and ongoing sorrow and ultimate spiritual death.

However, within the Statutes of the primary Constitutional Mandate of Authority granted unto ITS governing officials is a 'proviso' within the Freedom of Religion Clause.

This proviso grants immunity from persecution and prosecution by its state employees (officers) as long as the individual (Mrs. Barnes) is a peaceful person who does not disturb the peace personally nor does she fund any punitive or terrorist forces.

She or any other peaceful person via this Sovereign power is granted His protection and immunity from funding His controlling and punitive and destructive armed forces. (Government or other).

Any person found by Him, God THE Sovereign authority to be usurping the authority granted unto them by HIM via the Constitution is an **anarchist taking a false and treasonable wage** because they are sworn to uphold the Constitution and its 'Freedom of conscience, belief, faith, religion' mandate.

Ed Storace and other taxation officials are seeking to distort the course of justice and are all guilty of anarchy and '**treasonable conspiracy**' as are all joining forces with Ed Storace against Mrs. C. Barnes.

Clemencia is a proven peaceful lady of the Light and all who take up the cudgel against her damn their own souls and will suffer the consequences of their treasonable actions. I see this prosecution 'case' as:

### **Religious intolerance & Religious persecution & Religious discrimination**

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

Judge Terence de Malaherre

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Constitution Acts. Acts which authorise and LIMIT the actions of public servants:

#### Commonwealth of Australia Constitution Act (9<sup>th</sup> 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.

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Also read: Letter to ATO Commissioner Chris Jordan.
It is Item 17 on the Constitutional Freedom of Religion pages;
<http://www.the-testament-of-truth.co.uk/truth/web/religion.htm>

Baycorp 1 & 2 also at the above being: Items - CB 3 & CB 4