

1. ARSON TRIAL, WHICH SIGNIFICANTLY DEPARTED FROM THE ESSENTIAL ELEMENTS OF A LAWFULLY CONDUCTED CRIMINAL TRIAL, ACCORDING TO LAW, 'WHEN TRIAL PROSECUTOR PRESENTED NO PHYSICAL EVIDENCE TO ME WHILE SITTING IN THE WITNESS BOX, WHICH IN ANY WAY SUGGESTED THAT I HAD ACTUALLY GIVEN MULTIPLE REASONS FOR ATTENDING THE TRAIN CARRIAGE', FOR EXAMPLE, 'PRIOR STATEMENTS FROM ME', OR EVEN SOME FORM OF VALID STATEMENT, IN WRITING, TO THEN 'SPECIFICALLY PARTICULARISE DIFFERENT VERSIONS', AS ALREADY CLAIMED BY TRIAL PROSECUTOR TO EXIST, THEN ~~PRESENT~~ PRESENT TO ME FOR IDENTIFICATION/CHALLENGE. EFFECTIVELY, WHAT TRIAL PROSECUTOR HAD DONE, WAS TO CONTAMINATE MY TRIAL JURY WITH FALSE CLAIM ABOUT 'SO CALLED EVIDENCE THAT I HAD ACTUALLY GIVEN/PRESENTED OFFICIALLY TO SOMEONE, YET, NEVER PLACE THE ALLEGED PHYSICAL DOCUMENTS BEFORE ME FOR COMMENT', THE REASON FOR NOT PRESENTING ANY PURPORTED DOCUMENT EVIDENCE BEING, THAT NONE EVER EXISTED TO START WITH. ASIDE FROM THE CRIMINALLY FALSE ACCUSATIONS FROM TRIAL PROSECUTOR, CLAIMING SUCH MATERIAL EVIDENCE DID EXIST, AGAINST ME, THE FACT IN POINT IS THAT TRIAL PROSECUTOR DID NOT EVER PRESENT ANY MATERIAL EVIDENCE, 'AGAINST ME', TO IN ANY PERMISSIBLE WAY SUPPORT OR VALIDATE THE PROSECUTOR'S ACCUSATION ABOUT, 'ME GIVING DIFFERENT PARTICULARISED REASONS TO DIFFERENT PEOPLE AT DIFFERENT TIMES FOR WHY I CLAIM I WENT TO THE TRAIN CARRIAGE'. CONSIDERING THAT FEATURE WAS A MAJOR PART OF PROSECUTION CLAIM AGAINST ME, TO SHOW ME AS A LIAR AND THEREFORE AN ARSONIST, IT WAS ILLEGAL OF THE PROSECUTOR TO MAKE SUCH ACCUSATION AGAINST ME, TO THE TRIAL JURY AND TRIAL JUDGE, AS IT WAS INTENDED TO CAUSE A FALSE BELIEF UPON TRIAL COURT AND CAUSE ILLEGAL HARM TO MY RIGHT TO RECEIVE A FAIR TRIAL ACCORDING TO LAW.

[SEE R V. B, AM (BOYLE) [2015] SASFC 174, PARAGRAPH 49:

"SULAN AND PEEK JJ

IN MRW¹, ONE GROUND OF APPEAL WAS THAT PROSECUTING COUNSEL'S ADDRESS HAD BEEN INAPPROPRIATE IN THAT THE PROSECUTOR HAD ASSERTED THAT THE APPELLANT

1. AND HIS DAUGHTER, WHO GAVE EVIDENCE, HAD AGREED TO PRESENT JOINT LIES IN EVIDENCE. THE ALLEGATION WAS NEVER PUT TO THE WITNESSES. ON APPEAL, COUNSEL FOR THE CROWN DID NOT SEEK TO DEFEND THE PROSECUTOR'S ADDRESS. GREG JAMES J, WITH WHOM BEAZLEY JA AND NEWMAN J AGREED, DESCRIBED THE ADDRESS AS INDEFENSIBLE. HE CONSIDERED THAT THE ADDRESS WAS SO UNFAIR THAT IT RESULTED IN THE TRIAL BEING FUNDAMENTALLY FLAWED. THE COURT DETERMINED THAT A NEW TRIAL SHOULD NOT BE ORDERED. GREG JAMES J OBSERVED THAT, PARTICULARLY BECAUSE THE CROWN PROSECUTOR'S CONDUCT AT TRIAL LAY AT THE FOOT OF ~~THE MISSEARRIAGE~~ MISARRIAGE OF JUSTICE, HE WAS OF THE VIEW THAT NO NEW TRIAL SHOULD BE ORDERED.

1 (1999) 113 A CRIM R 308. "]

My TRIAL IN 1993 WAS IRREVERSABLY CONTAMINATED BY CROWN PROSECUTOR CLAIMING THAT I HAD 'MADE PRIOR INCONSISTENT STATEMENTS, RELATING TO MY REASON FOR ATTENDING TRAIN CARRIAGE', WHICH HE FURTHER CLAIMED WAS THEREFORE PROOF OF GUILT OF THE CHARGED ACT. TRIAL PROSECUTOR HAD NO QUALIFIED DOCUMENTATION TO LEGITIMATELY SUPPORT SUCH ACCUSATION, YET CLAIMED, BY MAKING SUCH ACCUSATION, THAT EVIDENCE EXISTED TO SUPPORT PROSECUTOR'S CLAIM. SIMILAR TO THE ABOVE EXTRACT FROM R V B, AM, PARAGRAPH 49, WHEREIN
 20. CROWN PROSECUTOR MADE HIS 'ACCUSATION, AGAINST THE ACCUSED, ALTHOUGH DURING
 30. "PROSECUTING COUNSEL'S ADDRESS", YET, DID NOT PRESENT ANY TANGIBLE EVIDENCE TO SUPPORT SUCH SERIOUS AND SIGNIFICANT ACCUSATION OF 'DECEPTION' (WHICH THEREBY DENIED THAT DEFENDANT OF HIS FUNDAMENTAL RIGHT TO A 'FAIR TRIAL' ACCORDING TO LAW)', WHEREAS, IN MY 1993 ARSON TRIAL, CROWN PROSECUTOR 'DID PUT THE ACCUSATION TO ME IN CROSS-EXAMINATION, THAT I HAD ACTUALLY PROVIDED MULTIPLE MATERIALLY PARTICULARISED VERSIONS CLAIMING AS THE REASON FOR ME ATTENDING TRAIN CARRIAGE', BUT, DID NOT PRESENT A SINGLE DOCUMENT, OR STATEMENT, OR REPORT, ETC. WHICH SHOWED ANY SUCH PROOF OF PROSECUTOR'S ACCUSATION AGAINST ME, WHILE I SAT IN THE WITNESS BOX
 30. IN FULL VIEW OF THE TRIAL JURY, AND TRIED TO DEFEND MYSELF AGAINST

1. THE CRIMINALLY FALSE ACCUSATION FROM TRIAL PROSECUTOR, WHO WAS IN FACT ILLEGALLY MISREPRESENTING 'KNOWN STATE'S EVIDENCE', AS HIS OWN GOVERNMENT WITNESS, POLICE OFFICER CAUNCE, WHO HAD ALREADY COMMITTED PERJURY IN MY SAID TRIAL, WAS THE ONLY PERSON WHO WAS PRESENTING AND PROVIDING 'MULTIPLE MATERIALLY PARTICULARISED VERSIONS OF WHAT CAUNCE CLAIMS I SAID TO HIM ON 10-1-1991, WHEN HE AND KITO FIRST ARRIVED AT THE RESTAURANT, AND PRIOR TO THE FIRE BRIGADE EVEN ARRIVING, FOR WHY I WENT TO TRAIN CARRIAGE' (SEE R v DRUMMOND (NO. 2) [2015] SASCF 82, PARAGRAPH 174). THE TRIAL PROSECUTOR DID NOT SUGGEST 'ANY SPECIFIC PERSON', OR, 'ON ANY PARTICULAR DATE', OR, 'AT ANY PARTICULAR TIME', OR, 'AT ANY PARTICULAR PLACE', WHERE PROSECUTOR CLAIMS (DURING CROSS-EXAMINATION), I ALLEGEDLY PROVIDED 'DIFFERENT PARTICULARISED VERSIONS OF REASONS FOR ATTENDING TRAIN CARRIAGE', WHICH ALSO DENIED ME ANY OPPORTUNITY TO DISPROVE PROSECUTOR'S CRIMINALLY FALSE ACCUSATION WHICH CLAIMED THAT I HAD MADE SUCH STATEMENTS. THE TRIAL PROSECUTOR'S CONDUCT IN THIS RESPECT, WAS SO UNFAIR AND PREJUDICIAL, AND CONSEQUENTIALLY SO CONTAMINATING OF MY TRIAL JURY, THAT MY TRIAL WAS 'FUNDAMENTALLY FLAWED', ON THIS MATTER ALONE, TO THE EFFECT THAT IT WAS NO LONGER A PROPERLY OR LAWFULLY CONDUCTED TRIAL, AND, FURTHERMORE, IT TAINTED THE JURY TO THE EXTENT OF BEING DEFACTO ACCESSORIES TO THE CRIMINAL
20. DECEPTION OF CROWN PROSECUTOR, IF (ALBEIT WITHOUT JURORS ACTUALLY KNOWING THEY WERE BEING ILLEGALLY MANIPULATED BY CROWN PROSECUTOR, DURING MY SAID 1993 ARSON TRIAL), THE JURY DELIBERATED AND THEN RETURNED A 'GUILTY VERDICT'.

WHEN TRIAL PROSECUTOR IS CLAIMING 'PRIOR INCONSISTENT STATEMENTS, AGAINST AN ACCUSED', THE ACCUSED MUST FIRST BE SHOWN THE ALLEGED MATERIAL, FOR THEIR COMMENT AND AN OPPORTUNITY TO 'CHALLENGE, PROVE TO BE ~~FALSE~~ FALSE, OR TO ACCEPT AS ACCURATE'. THE FACT THAT NO SUCH DOCUMENTATION (OF ALLEGED PRIOR INCONSISTENT STATEMENTS), WAS EVER ACTUALLY PRESENTED TO ME DURING

30. CROSS-EXAMINATION, DOES NOT NEGATE THE OBLIGATION TO DO SO,

1. AND THEREFORE, THE MOTIVE OF CROWN PROSECUTOR MUST BE QUESTIONED AS TO WHAT PURPOSE HE INTENDED TO ACHIEVE, BY ACCUSING ME OF MAKING 'PRIOR INCONSISTENT STATEMENTS', WITH THE TRIAL JURY WATCHING AND LISTENING TO SAID ACCUSATION, EVEN THOUGH HIS ACCUSATION COULD NEVER BE SUPPORTED BY ANY TANGIBLE EVIDENCE IN SUPPORT. IT IS ALSO UNFORTUNATE FOR ME THAT MY TRIAL LAWYER WAS PROFESSIONALLY 'LACKING' AT THAT POINT ALSO, SUCH AS TO CALL CHALLENGE AGAINST TRIAL PROSECUTOR, IN LEGAL ARGUMENT, AWAY FROM TRIAL JURY, AND REQUEST MISTRIAL AS A CONSEQUENCE OF PROSECUTOR'S TAINING OF TRIAL JURY IN SUCH AN IMPROPER MANNER, EVEN THOUGH THE LAW REQUIRED TRIAL PROSECUTOR TO NOT ACT SO IMPROPERLY IN THE FIRST

10. INSTANCE, NO MATTER WHO THE PROSECUTOR WAS, AND YET, THE PROSECUTOR 'GOT AWAY WITH IT, ON BEHALF OF THE STATE GOVERNMENT'. How 'LUCKY' I AM THAT A TRIAL PROSECUTOR COMMITS CRIMES AGAINST ME, DURING TRIAL PROPER, JUST SO JURY WILL CONVICT ME!!!

['PRIOR INCONSISTENT STATEMENTS', see R v. Soma [2003] HCA 13; 212 CLR 299; 196 ALR 421; 77 ALJR 849 (13 MARCH 2003)

66 PARAGRAPH 58. (INCONSISTENT STATEMENTS AND THE SHAW PRINCIPLE)

20. THE COURT OF APPEAL QUASHED THE CONVICTION ON A DIFFERENT BASIS. IT HELD THAT THE CASE WAS ONE WHERE THE ADMISSIBILITY OF THE EVIDENCE UNDER S. 18 "AMOUNTS TO EVIDENCE IN REBUTAL" [45.]. THE COURT SAID, CORRECTLY, THAT IT "IS A GENERAL AND FUNDAMENTAL PRINCIPLE GOVERNING THE CONDUCT OF CRIMINAL TRIALS THAT THE EVIDENCE FOR THE PROSECUTION MUST BE PRESENTED BEFORE AN ACCUSED IS CALLED UPON" [46.]. IN SUPPORT OF THIS PROPOSITION, THE COURT OF APPEAL RELIED ON THE WELL-KNOWN STATEMENTS OF PRINCIPLE OF THIS COURT IN SHAW V. THE QUEEN [47.], LAWRENCE V. THE QUEEN [48.] AND R v. CHIN [49.]. IN LAWRENCE, CHIEF JUSTICE GIBBS SAID [50.] THAT THE PRINCIPLE APPLIES "WHETHER THE CROWN SEEKS TO INTRODUCE EVIDENCE DURING THE COURSE OF THE CASE FOR THE DEFENCE OR AFTER THE CLOSE OF THE CASE FOR THE DEFENCE". HIS HONOUR SAID [51.]:

30. "THE RULE THAT THE PROSECUTION MAY NOT SPLIT ITS CASE, BUT MUST OFFER ALL ITS PROOFS BEFORE THE PRISONER IS CALLED UPON FOR HIS DEFENCE, IS NOT MERELY TECHNICAL BUT IS AN IMPORTANT RULE OF FAIRNESS." (EMPHASIS ADDED)

1. PARAGRAPH 59.

TO OBTAIN LEAVE, THE PROSECUTION MUST POINT TO SOME EXCEPTIONAL CIRCUMSTANCE THAT JUSTIFIES IT BEING GIVEN LEAVE TO RE-OPEN ITS CASE.

PARAGRAPH 66.

THE HISTORICAL SOURCE OF S. 18 IS THE QUEEN'S CASE [59.] WHERE CHIEF JUSTICE ABBOTT SAID OF THE TENDOR OF AN INCONSISTENT STATEMENT :

10. "THE LEGITIMATE OBJECT OF THE PROPOSED PROOF IS TO DISCREDIT THE WITNESS. NOW THE USUAL PRACTICE OF THE COURTS BELOW, AND A PRACTICE, TO WHICH WE ARE NOT AWARE OF ANY EXCEPTION, IS THIS ; IF IT BE INTENDED TO BRING THE CREDIT OF A WITNESS INTO QUESTION BY PROOF OF ANY THING THAT HE MAY HAVE SAID OR DECLARED, TOUCHING THE CAUSE, THE WITNESS IS FIRST ASKED, UPON CROSS-EXAMINATION, WHETHER OR NO HE HAS SAID OR DECLARED, THAT WHICH IS INTENDED TO BE PROVED. IF THE WITNESS ADMITS THE WORDS OR DECLARATIONS IMPUTED TO HIM, THE PROOF ON THE OTHER SIDE BECOMES UNNECESSARY, AND THE WITNESS HAS AN OPPORTUNITY OF GIVING SUCH REASON, EXPLANATION, OR EXCULPATION OF HIS CONDUCT, IF ANY THERE MAY BE, AS THE PARTICULAR CIRCUMSTANCES OF THE TRANSACTION MAY HAPPEN TO FURNISH ; AND THUS THE WHOLE MATTER IS BROUGHT BEFORE THE COURT AT ONCE, WHICH, IN OUR OPINION, IS THE MOST CONVENIENT COURSE."

20.

CHIEF JUSTICE ABBOTT WENT ON TO SAY THAT IF THE WITNESS DENIED MAKING THE STATEMENT "PROOF IN CONTRADICTION WILL BE RECEIVED AT THE PROPER SEASON" [60.].

PARAGRAPH 69.

SECTION 24. WAS RE-ENACTED AND EXTENDED TO THE CRIMINAL JURISDICTION BY S. 4 OF THE CRIMINAL PROCEDURE ACT 1865 (UK) [65.] WHICH DECLARED :

30. "IF A WITNESS, UPON CROSS-EXAMINATION AS TO A FORMER STATEMENT MADE BY HIM RELATIVE TO THE SUBJECT MATTER OF THE INDICTMENT OR ~~PROCEED~~

1. PROCEEDING, AND INCONSISTENT WITH HIS PRESENT TESTIMONY, DOES NOT DISTINCTLY ADMIT THAT HE HAS MADE SUCH STATEMENT, PROOF MAY BE GIVEN THAT HE DID IN FACT MAKE IT; BUT BEFORE SUCH PROOF CAN BE GIVEN THE CIRCUMSTANCES OF THE
 2. SUPPOSED STATEMENT, SUFFICIENT TO DESIGNATE THE PARTICULAR OCCASION, MUST BE MENTIONED TO THE WITNESS, AND HE MUST BE ASKED WHETHER OR NOT HE HAS MADE SUCH STATEMENT."

PARAGRAPH 107.

10. THERE, MCPHERSON J FIRST SUMMARISED THE LAW IN QUEENSLAND AS IT WAS BEFORE THE ENACTMENT OF THE ACT. HE SAID [103.] :

20. "A WITNESS MAY BE CROSS-EXAMINED ABOUT A FORMER STATEMENT MADE BY HIM WHICH IS INCONSISTENT WITH THE EVIDENCE HE GIVES AT THE TRIAL. UNDER SS 17 AND 18 OF THE EVIDENCE ACT 1977-1981, PROOF THAT HE MADE SUCH A STATEMENT MAY BE GIVEN [104.]. BEFORE PROOF OF IT MAY BE GIVEN THE CIRCUMSTANCES OF HIS MAKING IT MUST BE SO DESIGNATED TO THE WITNESS AS TO IDENTIFY THE PARTICULAR OCCASION ON WHICH IT WAS MADE SO AS TO ENABLE HIM TO EXPLAIN IT IF HE CAN [105.]. ONCE THE PRIOR STATEMENT IS PROVED IN THIS FASHION ITS CONTENTS NECESSARILY FORM PART OF THE EVIDENCE AT THE TRIAL; BUT THEY ARE AVAILABLE ONLY FOR THE PURPOSE OF DISCREDITING THE
 30. WITNESS BY DEMONSTRATING THAT HE IS NOT WORTHY OF BELIEF. THEY ARE NOT AVAILABLE TO PROVE, AND THEY MAY NOT BE RELIED UPON AS PROVING, THE TRUTH OF FACTS IN ISSUE, EVEN IF (AS S. 18 REQUIRES THAT THEY MUST BE) THE CONTENTS OF THE PRIOR STATEMENT RELATE TO FACTS IN ISSUE. THE JURY IN A CRIMINAL TRIAL MUST BE DIRECTED ACCORDINGLY [106.]. IT IS THEREFORE PLAINLY QUITE IMPROPER FOR COUNSEL TO ADDUCE EVIDENCE OF A PRIOR INCONSISTENT STATEMENT WITH A VIEW TO, OR IN THE HOPE OF, INDUCING A JURY TO ACT ON THAT STATEMENT AS EVIDENCE OF FACTS IN ISSUE. PARTICULARLY IS THAT SO IN CRIMINAL TRIALS, WHERE THE STATEMENT, IF ACTED UPON BY THE JURY FOR THE ILLEGITIMATE PURPOSE OF ESTABLISHING THE FACTS IN ISSUE, IS POTENTIALLY PREJUDICIAL TO THE ACCUSED. . . ." ""]

1. THE ISSUE I HIGHLIGHT WITH TRIAL PROSECUTOR CONCEALING FROM MY 1993 TRIAL JUDGE AND TRIAL JURY, THE FACT THAT CAUNCE HAD LIED TO THE JURY AND JUDGE, ABOUT NOT ONLY THE TRUE VALUE AND WEIGHT WHICH HE PLACED ON HIS OWN MEMORY ("Q. WHAT IS YOUR MEMORY ABOUT YOUR CONVERSATION WITH JARRETT?, A. FAIRLY GOOD.", TRIAL PROSECUTOR ASKS "Q. DID HE SAY WHY HE HAD GONE THERE?, A. TO CLEAN IT.", DEFENDANT'S LAWYER ASKS IN XXN "Q. THE SAME AS IT IS, THE SEQUENCE AND THE DETAIL YOU HAVE RECORDED IN YOUR STATEMENT, IT IS THE SAME AS YOU HAVE TOLD THE JURY ABOUT?, A. YES, Q. YOU TOLD THE JURY THAT MR JARRETT TOLD YOU THAT HE HAD GONE TO THE CARRIAGE TO CLEAN IT?, A. YES, Q. I SUGGEST
10. TO YOU YOU PUT IN YOUR STATEMENT THAT MR JARRETT HAD TOLD YOU THAT THE ASSAULT HAD TAKEN PLACE WHEN HE HAD GONE TO INVESTIGATE THE FIRE INSIDE THE RAILWAY CARRIAGE, DO YOU AGREE THAT THAT IS IN YOUR STATEMENT?, A. IT COULD BE, Q. YOU APPRECIATE THERE IS A DIFFERENCE BETWEEN WHAT YOU HAVE TOLD THE JURY AND WHAT YOU HAVE RECORDED IN ~~THE~~ ^{THE} STATEMENT ABOUT THE CONVERSATION?, A. YES, Q. DOES THAT REFRESH IN YOUR MEMORY WHAT HE SAID TO YOU?, A. YES, IT WOULD BE."), BUT ALSO, THE TRUE VALUE AND WEIGHT WHICH ANYONE ELSE SHOULD PLACE ON ANY OF THE CONTENTS OF HIS OWN MEMORY, ABOUT ANYTHING WHICH RELATES TO ME IN ANY WAY WHATSOEVER, AND ABOUT ANYTHING WHICH RELATES TO ANY CONVERSATION/INTERACTION ALLEGED BY CAUNCE BETWEEN ME AND CAUNCE ON 10-1-1991, AND
20. ABOUT ANYTHING WHICH RELATES TO ME IN RELATION TO ANY ACTIONS, ACTIVITIES, THOUGHTS, MEMORIES, BELIEFS, ETC. WHICH CAUNCE CLAIMS TO HAVE KNOWLEDGE OF CONCERNING HIS OWN ALLEGED FIRST-HAND MEMORIES, RELATING IN ANY WAY TO EVENTS OF 10-1-1991, RELATING TO THE RESTAURANT CRIME SCENE IN ANY WAY, RELATING TO ANY CONVERSATION CAUNCE CLAIMS TO HAVE HAD WITH ANY PERSON ON 10-1-1991 CONCERNING ME, THE RESTAURANT ATTENDANCE BY CAUNCE, INCLUDING CAUNCE'S INTERACTIONS WITH ANY OTHER PROFESSIONAL PERSONS SUCH AS POLICE OFFICERS, FIRE OFFICERS, ARSON INVESTIGATOR (SAPOL), DOCTORS, CRIME SCENE RESTAURANT EMPLOYEES. IT WAS NOT ONLY THAT CAUNCE VIOLATED HIS OBLIGATION AS A POLICE OFFICER, TO NOT LIE ABOUT HIS ACTIONS WHILST ATTENDING THE RESTAURANT ON 10-1-1992, TO NOT LIE ABOUT HIS MEMORY RELATING TO EVENTS OF 10-1-1991, TO NOT LIE
30. IN HIS POLICE WITNESS STATEMENT (DATED MID 1992), ABOUT ALLEGED EVENTS/PARTICULARS OF

1. HIS ACTIONS/ACTIVITIES OF 10-1-1991 OR MATTERS CONCERNING SAME DATE, TO NOT LIE WHILST GIVING TESTIMONY DURING MY 1993 CRIMINAL TRIAL, ABOUT MATERIAL DETAILS CONCERNING CAUNCE'S CLAIMED INTERACTIONS WITH ME ON 10-1-1991, IT IS ALSO THE FACT THAT CAUNCE WAS ILLEGALLY USED AND RELIED UPON BY TRIAL PROSECUTOR, WHO HIMSELF SAT IN THE SAME COURTROOM WITH MY 1993 TRIAL JURY, HEARD CAUNCE DRAMATICALLY CHANGE SIGNIFICANT MATERIAL DETAILS RELATING TO CAUNCE'S CLAIMED GOOD MEMORY, AND, CAUNCE'S PARTICULARISED DETAILS ABOUT WHAT CAUNCE CLAIMED I SAID TO CAUNCE, BUT TRIAL PROSECUTOR, ON BEHALF OF STATE GOVERNMENT OF SOUTH AUSTRALIA, REMAINED SILENT ABOUT HIS OWN KNOWLEDGE THAT CAUNCE LIED IN CROWN EVIDENCE IN
10. CHIEF, CAUNCE FURTHER LIED IN XXN BY MY TRIAL LAWYER, WHEN CAUNCE QUALIFIED HIS ANSWER, WHEN CHALLENGED ABOUT CAUNCE'S PRIOR INCONSISTENT STATEMENT, SPECIFICALLY RELATING TO WHAT CAUNCE ALLEGED WAS WHAT I HAD SAID TO CAUNCE WAS MY REASON FOR ATTENDING TRAIN CARRIAGE, WHEREIN I WAS ASSAULTED, CONSEQUENTIAL TO CAUNCE PARTICULARISING IN TRIAL TESTIMONY THAT WHICH WAS SIGNIFICANTLY AND MATERIALLY INCONSISTENT WITH CAUNCE'S OWN POLICE WITNESS STATEMENT, TO WHICH CAUNCE THEN QUALIFIED HIS OWN EVIDENCE AND STIPULATED HIS OWN WITNESS STATEMENT WAS THE CORRECT PARTICULARISATION OF WHAT CAUNCE ALLEGES AS WHAT I SAID TO CAUNCE WAS MY REASON FOR ATTENDING TRAIN
20. CARRIAGE ON 10-1-1991. BY REMAINING SILENT DURING ENTIRE TRIAL, THE TRIAL PROSECUTOR WAS CRIMINALLY MISREPRESENTING KNOWN STATES' EVIDENCE, INCLUDING THE SAPOL FIRE REPORT FOR THE FIRE ON 10-1-1991, AND, CIB POLICE DETECTIVE K MODRA SAPOL WITNESS STATEMENT, WHEREIN, BOTH DOCUMENTS CLEARLY PARTICULARISE THE 'REASON WHICH I ACTUALLY STATED AND DECLARED TO CAUNCE, ON 10-1-1991, FOR ME ~~ATTENDING~~ ATTENDING TRAIN CARRIAGE ON THAT SAME DATE', AND, ALSO, BOTH SUCH DOCUMENTS ARE ACTUAL REPRESENTATIONS OF WHAT CAUNCE HIMSELF HAD DECLARED TO BE TRUE AND ACCURATE ON THAT DAY OF 10-1-1991, DUE TO, SAID FIRE REPORT ACTUALLY BEING FILLED-OUT AND SIGNED BY CAUNCE HIMSELF (THEREFORE ITS CONTENTS CAME DIRECTLY FROM HIS HAND AS HE TYPED IT AND THEN SIGNED IT),
30. AND, SAID MODRA WITNESS STATEMENT, WHEREIN MODRA DECLARED HE RECEIVED THE

1. SPECIFIC DETAILS ABOUT ME AND MY REASON FOR GOING TO TRAIN CARRIAGE¹, FROM CAUNCE'S² ACCOMPANYING PATROL OFFICER, CONSTABLE KITO (THEREFORE, MODRA GOT IT FROM KITO, WHO GOT IT DIRECTLY FROM CAUNCE, ON 10-1-1991).

OBVIOUSLY, NO-ONE FROM THE DPP EVER ACTUALLY PROOFED CAUNCE PRIOR TO MY 1993 TRIAL, AND YET PROOFING A CROWN WITNESS MUST NOT BE A PERFUNCTORY EVENT. IT HAS A SPECIFIC INVESTIGATORY PURPOSE WHICH MUST BE SATISFIED, BUT WAS NOT LAWFULLY SATISFIED REGARDING CAUNCE AND HIS MULTIPLE VERSIONS OF ALLEGED TRUTH, REGARDING WHAT CAUNCE CLAIMS I SAID TO HIM.

10.

DETECTIVE MODRA GAVE CROWN TESTIMONY (DPP EVIDENCE DURING PROSECUTION CASE), AND THE ONE PAGE STATEMENT ~~FROM MODRA~~, WHEREIN MODRA REFERENCES WHAT KITO SAID TO MODRA AND THE SPECIFIC PARTICULARS REGARDING 'MAINTENANCE PERSON ENTERING TRAIN CARRIAGE TO INVESTIGATE LIGHT AND WAS THEN ASSAULTED IN TRAIN', FOR SOME REASON, PROSECUTOR CHOSE NOT TO QUESTION DETECTIVE MODRA, ABOUT THAT VERY SPECIFIC MATERIAL PARTICULAR (EG. 'WHAT DID KITO SAY TO YOU ABOUT WHAT JARRETT TOLD KITO AND/OR CAUNCE, REGARDING JARRETT'S REASON FOR ATTENDING THE TRAIN CARRIAGE, WHEREIN JARRETT THEN CLAIMS HE WAS ASSAULTED?'), AND IN SO CHOOSING, EFFECTED 'MISREPRESENTATION OF KNOWN STATE'S EVIDENCE, TO THE TRIAL JURY

20. AND TRIAL COURT, AND DENYING THE JURY THE FACT AT ISSUE, FROM ANOTHER POLICE OFFICER, WHO IS NOT CAUNCE, BEING, 'ON THE DAY OF THE TRAIN FIRE, 10-1-1991, DURING THE ONLY CONVERSATION POLICE EVER HAD WITH JARRETT ON THAT DATE, WHAT SPECIFICALLY PARTICULARISED REASON DID JARRETT SAY FOR HIM ATTENDING TRAIN CARRIAGE'. BY NOT TELLING, INFORMING, NOTIFYING TRIAL JURY OF THAT SIGNIFICANT MATERIAL ~~AND~~ EVIDENCE, ESPECIALLY CONSIDERING THAT IT WAS PART OF STATE'S² ACCUSATION AGAINST ME, ACCUSING ME OF ~~PROVING~~ PROVIDING MULTIPLE VERSIONS OF CONFLICTING ~~THE~~ MATERIAL PARTICULARISATIONS, OF WHY I CLAIM TO HAVE GONE TO TRAIN CARRIAGE', EVEN THOUGH TRIAL PROSECUTOR WAS IN FACT OBLIGATED TO SHOW THE JURY, VIA MODRA'S ONE PAGE STATEMENT IN QUESTION,
30. AND INFORM THE JURY VIA MODRA'S SPOKEN WORDS IN TRIAL TESTIMONY, AS PART OF THE

1. PROSECUTION'S CASE, THAT WHICH CAUNCE RELAYED TO KITO ON 10-1-1991, WHO THEN RELAYED TO MODRA, WHO THEN DETAILED IN HIS ONE PAGE STATEMENT OF WHAT HE (MODRA), WAS TOLD ON 10-1-1991, AS 'MY REASON FOR ATTENDING TRAIN', EQUATED TO A LIE BY OMISSION, FROM AND BY PROSECUTOR, AGAINST THE FOUNDATION PROCESS OF 'FAIR TRIAL ACCORDING TO LAW'. THE PROSECUTOR LIED TO THE JURY WHEN PERMITTING CAUNCE (PROSECUTION EVIDENCE IN CHIEF), TO DECLARE 'JARRETT ^{TOLD} CAUNCE ON 10-1-1991, THAT JARRETT WENT TO TRAIN CARRIAGE TO CLEAN IT', AND DID NOT WARN CAUNCE THAT THE SAPOL FIRE REPORT WHICH CAUNCE SIGNED AS ACCURATE, IN FACT STATED 'JARRETT SAID WENT TO TRAIN TO INVESTIGATE LIGHT', NOR DID PROSECUTOR INFORM JURY OR CAUNCE THAT
10. CAUNCE HAD IN FACT PRODUCED PRIOR INCONSISTENT DOCUMENTS ('DESCRIBING WHAT CAUNCE DECLARES AS ACCURATE AS WHAT I ALLEGEDLY SAID TO CAUNCE AS MY REASON FOR ATTENDING TRAIN', CAUNCE STATED IN FIRE REPORT 'TO INVESTIGATE LIGHT', CONFLICTING WITH WHAT CAUNCE STATED IN CAUNCE'S WITNESS STATEMENT 'TO INVESTIGATE A FIRE', CONFLICTING WITH WHAT CAUNCE STATED IN CAUNCE'S PROSECUTION TESTIMONY 'TO CLEAN IT'), NOR DID PROSECUTOR INFORM JURY OR CAUNCE THAT CAUNCE'S TRIAL TESTIMONY (DURING XN), WAS DRAMATICALLY INCONSISTENT WITH CAUNCE'S WITNESS STATEMENT, WITH CAUNCE'S RECORDING OF PARTICULARS ON THE FIRE REPORT WHICH CAUNCE SIGNED AS ACCURATE, WITH WHAT CAUNCE TOLD KITO ON 10-1-1991 WHO THEN RELAYED TO MODRA ON 10-1-1991, NOR DID PROSECUTOR ATTEMPT IN ANY WAY TO RECTIFY THE CONFLICTING VERSIONS FROM CAUNCE PRIOR TO
20.
20. END OF XN BY PROSECUTOR, EFFECTING, CONSEQUENTIALLY, ENABLING OF FALSE PROSECUTION EVIDENCE, PROSECUTOR BEING AN INTRINSIC AND SIGNIFICANT PLAYER IN THE ILLEGAL PRESENTATION OF KNOWN FALSE TESTIMONY, ILLEGAL MANIPULATION OF TRIAL JURY BY PRESENTING FALSE STATE'S EVIDENCE (PROSECUTOR DOING NOTHING TO REMEDY CAUNCE'S FALSE TESTIMONY), ON ~~THE~~ BEHALF OF THE CROWN, AND BY THE TRIAL PROSECUTOR NOT INFORMING JURY OF SUCH PRIOR INCONSISTENT VERSIONS OF EVIDENCE, FROM CAUNCE, CREATED SUCH A BLEMISH WITHIN THE CONDUCT OF THE TRIAL, THAT BY ABSOLUTELY NO MANNER, FORM AND/OR PROCESS, COULD MY SAID 1993 TRIAL BE JUDICIALLY REGARDED AS A FAIR OR JUST TRIAL, ACCORDING TO LAW, NOR COULD
30. ANY VERDICT OF GUILTY BE LAWFULLY OBTAINED FROM MY TRIAL JURY WHEN

1. TAKING INTO ACCOUNT HOW FLIPPANTLY DECEPTIVE THE PROSECUTOR WAS TO NOT ONLY PERMIT, BUT TO INTRINSICALLY ASSIST WITH PRESENTING FALSE STATE'S EVIDENCE. BASICALLY, IT CAME DOWN TO THE PROSECUTOR BEING PARTY TO CRIMINAL MISREPRESENTATION OF STATE'S EVIDENCE, TO MY TRIAL JURY, BECAUSE, THE SAPOL FIRE REPORT AND CAUNCE'S WITNESS STATEMENT, AND MODRA'S WITNESS STATEMENT WERE ALL KNOWN TO PROSECUTOR AS AT FIRST DAY OF TRIAL, THEREFORE, HAS NO EXCUSE FOR ALLOWING CAUNCE TO BE UNCHALLENGED BY PROSECUTOR DURING XN, WHEN CAUNCE CLAIMED AS A TRUTH, THAT I SAID TO CAUNCE THAT I WENT TO THE TRAIN 'TO CLEAN IT'. EVEN THOUGH THERE MUST BE NO
10. ONUS OR BURDEN ON ME, THE DEFENDANT (AT MY 1993 ARSON TRIAL), TO PROVE ANY ASPECT OF ~~■~~ MY DEFENCE AGAINST THE ARSON CHARGE, IT WAS FUNDAMENTALLY UNFAIR TO ME, THE DEFENDANT, THAT MY LAWYER AT TRIAL WAS THE ONLY PERSON TO CHALLENGE CAUNCE'S FALSE TESTIMONY, SPECIFICALLY RELATING TO CAUNCE'S TESTIMONY DURING XN, BEING ^{INCONSISTENT} ~~INCONSISTENCE~~ WITH CAUNCE'S WITNESS STATEMENT, WHEREIN CAUNCE WAS ALLEGING AS A TRUTH, WHAT CAUNCE CLAIMS I SAID TO HIM ON 10-1-1991 WAS MY REASON FOR ATTENDING TRAIN CARRIAGE. IT WASN'T JUST A CASE OF CAUNCE MAKING A MISTAKE DURING XN BY PROSECUTOR, WHEN CAUNCE CLAIMED AS TRUTH, THAT I HAD SAID ON 10-1-1991, 'TO CLEAN IT', RE ME GOING TO TRAIN CARRIAGE, AS CAUNCE'S FALSE TESTIMONY IS
20. COMPOUNDED BY CAUNCE ALSO STATING AS A TRUTH, THAT CAUNCE'S MEMORY ABOUT HIS ALLEGED CONVERSATION ~~■~~ WITH ME, IS 'FAIRLY GOOD'. ~~TO QUALIFY~~ TO QUALIFY CAUNCE AS A 'MATERIAL LIAR', A 'CRIMINAL DECEIVER', A 'DISHONEST POLICE OFFICER', MY TRIAL LAWYER DURING XXN, FIRST ASKED ABOUT CAUNCE'S CLAIMED GOOD MEMORY OF CAUNCE'S DISCUSSION WITH ME ON 10-1-1991, THEN CONFIRMED WITH CAUNCE WHAT CAUNCE HAD STATED TO THE JURY WHEN CAUNCE WAS ASKED BY PROSECUTOR DURING XN, THEN, SUGGESTED TO CAUNCE A VERY DIFFERENT VERSION OF MATERIAL PARTICULARISATION WAS DESCRIBED BY CAUNCE IN HIS OWN POLICE WITNESS STATEMENT, AND STRAIGHT AWAY, WITHOUT FIRST SEEING
30. CAUNCE'S WITNESS STATEMENT AS A CONFIRMATION, CAUNCE ALREADY

9. KNEW AND UNDERSTOOD THAT HIS OWN WITNESS STATEMENT, MIGHT CONTAIN A SIGNIFICANT MATERIALLY INCONSISTENT AND THEREFORE CONFLICTING DESCRIPTION OF ALLEGED CONVERSATION BETWEEN CAUNCE AND ME, SO WHEN ASKED BY THE DEFENDANT'S LAWYER, MY LAWYER (BECAUSE THE TRIAL PROSECUTOR WAS TOO CRIMINALLY CORRUPT ON BEHALF OF THE CROWN, TO HAVE ALREADY POINTED OUT THIS SAME FACT AS A TRUTH, AND WAS HAPPY FOR HIMSELF, THE PROSECUTOR IN MY SAID TRIAL, TO BE AN ACTIVE AND INTRINSIC PARTY TO CRIMINAL MISREPRESENTATION OF KNOWN AND RELEVANT STATE'S EVIDENCE, WITHIN A CRIMINAL TRIAL AGAINST ME, WITH THE PURPOSE AND
10. INTENTION OF FORCING JURY TO VERDICT OF GUILTY NOT MATTER TRUTH OR LIE BE TOLD BY THE STATE, AS LONG AS THE JURY DID NOT BELIEVE ME), "DO YOU AGREE THAT THAT IS IN YOUR STATEMENT?", CAUNCE'S REPLY WAS "IT COULD BE."

- By CAUNCE ADMITTING HIS OWN WITNESS STATEMENT MIGHT CONTAIN SOMETHING VERY DIFFERENT TO WHAT CAUNCE HAD ALREADY DESCRIBED AS A TRUTH, AND AFTER SAYING ALSO THAT HE HAD A "FAIRLY GOOD" MEMORY OF A CONVERSATION BETWEEN HIM AND ME IN JANUARY 1991, TWO AND A FURTHER ~~HALF~~ HALF YEARS EARLIER THAN THAT TRIAL IN MID 1993, ALSO THEREFORE MUST MEAN, CONSEQUENTIALLY,
20. THAT HIS CLAIMED 'GOOD MEMORY', 'FAIRLY GOOD MEMORY', IS ALSO FALSE AND HIS MEMORY OF THE DAY IN QUESTION, TWO AND A HALF

YEARS EARLIER, 10-1-1991, IS NOT ACCURATE, NOT TRUE?

- AND NOT JUST A CASE OF NO-ONE SHOULD TRUST CAUNCE'S TESTIMONY ABOUT ANYTHING TO DO WITH 10-1-1991, BUT THAT THE COURT AND THE JURY MUST NOT ACCEPT OR BELIEVE ANY TESTIMONY FROM CAUNCE, AS CAUNCE CLAIMS SOMETHING AS A TRUTH, BUT THEN GETS CAUGHT OUT OF CAUNCE'S OWN LIES USING HIS OWN WITNESS STATEMENT AND HIS
30. CLAIMS IN ~~TESTIMONY~~ TESTIMONY DURING XN.

1. THEN, IF THERE WAS ANY DOUBT THAT EVEN CAUNCE HAD ACCEPTED, DURING XXN, THAT HIS MEMORY WAS NOT GOOD AT ALL (THEREBY INVOKING 'REASONABLE DOUBT ABOUT EVERY ASPECT OF CAUNCE'S TESTIMONY, INCLUDING WITNESS STATEMENT ALSO'), CAUNCE WAS DIRECTLY CHALLENGED ON HIS MATERIAL INCONSISTENCIES, "XXN Q. YOU APPRECIATE THERE IS A DIFFERENCE BETWEEN WHAT YOU HAVE TOLD THE JURY AND WHAT YOU HAVE RECORDED IN THE STATEMENT ABOUT THE CONVERSATION?", TO WHICH CAUNCE ANSWERS "YES".

- CAUNCE REPLIES TO FURTHER CHALLENGE QUESTIONS AND ALSO QUALIFIES HIS OWN
10. WITNESS STATEMENT ("TO INVESTIGATE A FIRE"), AS THE ACCURATE AND TRUE VERSION ^{OF} ~~THE~~ PARTICULARS ABOUT SAID CONVERSATION BETWEEN CAUNCE AND ME ON 10-1-1991, BEFORE I WAS TRANSPORTED TO HOSPITAL BY AMBULANCE,

- By CAUNCE QUALIFYING HIS WITNESS STATEMENT AS THE TRUE 'VERSION', MUST THEREFORE MEAN THAT CAUNCE'S VERSION DURING XN ("TO CLEAN IT"), WAS A MATERIAL LIE, AND, THE SAPOL FIRE REPORT SIGNED-OFF BY CAUNCE ON 10-1-1991, WAS A FALSE POLICE REPORT BY CAUNCE, AND, MODRA'S ONE PAGE WITNESS STATEMENT DESCRIBING HOW KITO HAD INFORMED HIM THAT 'MAINTENANCE PERSON/CLEANER' ADVISED THAT HE HAD SEEN A LIGHT
20. IN THE RAILWAY CARRIAGE", THAT DOCUMENT MUST ALSO BE A FALSE POLICE STATEMENT THEN TOO !! ???

- My point is that the JURY WERE QUALIFIABLY TOLD BY CAUNCE, DURING XXN, THAT CAUNCE'S VERSION IN HIS ~~WITNESS~~ WITNESS STATEMENT WAS THE TRUE VERSION ("TO INVESTIGATE A FIRE"), WHICH, WAS NEVER A TRUE VERSION ANYWAY, BUT THE JURY WERE TOLD BY CAUNCE THAT IT WAS TOTALLY TRUE, AND, IN SO QUALIFYING HIS OWN FALSE STATEMENT AS A TRUE WITNESS STATEMENT, CORRUPTED ALL CROWN CASE AGAINST ME, BLEMISHED THE TRIAL BEYOND RECOGNITION AS A PROPERLY CONDUCTED TRIAL, OR EVEN A LAWFULLY CONDUCTED TRIAL,
30. AND, LEFT THE JURY BELIEVING THAT 'ON 10-1-1991, CAUNCE WAS TOLD BY ME,

1. THAT I ALLEGEDLY SAID TO CAUNCE THAT I WENT TO TRAIN CARRIAGE TO "INVESTIGATE A FIRE". FOR CAUNCE AND ALL HIS TESTIMONY, AS A KEY CROWN WITNESS, PLUS THE STATED ACTIONS OF TRIAL PROSECUTOR, CREATED SUCH IRREGULARITIES IN CROWN PRESENTATION OF 'ITS CASE AGAINST ME', CROWN'S WITNESS TESTIMONIES BEING FALSE WITNESS TESTIMONY UNDER OATH, THAT THOSE EFFECTS 'DENIED SAID TRIAL ITS ESSENTIAL ELEMENTS OF TRUST, FAIRNESS, HONEST ~~AND~~ PRESENTATION OF KNOWN STATES EVIDENCE RELEVANT TO THE CASE AT BAR', THAT IT CANNOT BE SAID THAT SAID TRIAL ~~WAS~~ DID NOT MISCARRY, NOR CAN IT BE SAID NOW, THAT SAID TRIAL WAS FAIRLY CONDUCTED OR THAT JURY VERDICT WAS HONESTLY AND FAIRLY
10. AND LAWFULLY REACHED.

- IN THIS CASE, THE JURY VERDICT WAS NOT PROPERLY REACHED AND MUST THEREFORE BE INVALIDATED (REFERENCE R v. STAFFORD [2009] QCA 407, AT PARAGRAPHS 143, 144, 149, 150, 151 AND 152.), WITH THE 1993 TRIAL VERDICT OF 'GUILTY' ~~OF~~ OF THE CHARGE OF ARSON, AT THE VERY LEAST, BEING SET ASIDE, AND THEN, IF THE STATE OF SOUTH AUSTRALIA WANTS TO TRY AND PROSECUTE ME AGAIN, IN A CRIMINAL TRIAL, FOR THE CHARGE OF ARSON, I INVITE THAT CHALLENGE, WITH A PROFESSIONAL NOTICE OF INTENTION TO SAPOL AND THE DEPARTMENT OF PUBLIC PROSECUTIONS, THAT EVERY IMPROPER ACT AND
20. EVERY FALSE GOVERNMENT DOCUMENT, AND EVERY EVIDENTIARY COMPONENT EXISTING PRIOR TO MY ORIGINAL TRIAL IN 1993, PLUS THE 1993 TRIAL TRANSCRIPT (WHICH INCLUDES 'VOIR DIRE WHEREIN TRIAL PROSECUTOR ADMITTED THAT I WAS NEVER CAUTIONED BY DETECTIVE BROWN, MID 1992 WHEN I WAS ALREADY IN STATE CUSTODY (UNRELATED MATTER), IN THE ADELAIDE REMAND FACILITY [s. 79A, SUMMARY OFFENCES ACT], AND BROWN FORMALLY INTERROGATED ME, EVEN THOUGH HE HAD ALREADY INTENDED TO ARREST ME NO MATTER WHAT I DID OR DID NOT SAY', AND, 'TESTIMONY OF CAUNCE WHEREIN CAUNCE ADMITTED HE LIED TO TRIAL JURY AND QUALIFIED HIS OWN CRIMINALLY MISLEADING AND FALSE POLICE WITNESS STATEMENT'), I WILL TAKE
30. FULL AND PROPER ADVANTAGE OF WITHIN A JUDICIAL ENVIRONMENT, WITHOUT ANY

6. TRIAL JURY AS ANY FURTHER TRIAL/RE-TRIAL WILL BE BY JUDGE ALONE, AND EVERY ELEMENT OF STATE GOVERNMENT IMPROPRIETY, SAPOL IMPROPRIETY, PROSECUTORIAL IMPROPRIETY (WHICH INCLUDES QUESTIONING THE THEN TRIAL ~~PROSECUTOR~~ PROSECUTOR, NOW A DISTRICT COURT JUDGE, REGARDING

SPECIFIC ACTIONS OF HIS PRIOR TO MY 1993 ARSON TRIAL, AND DURING SAID TRIAL ALSO), THAT IS EVIDENCED IN ANY DOCUMENT FORM, AND THAT INCLUDES THE COURT TRANSCRIPT (AS OFFICIAL DOCUMENT EVIDENCE OF EXACTLY WHAT WAS SAID DURING VOIR DIRE AND TRIAL PROPER), WILL FORM PART

10. OF MY TRIAL EVIDENCE, TO NOT ONLY DEFEND MYSELF AGAINST THAT ARSON CHARGE, BUT ALSO TO PROVE QUALIFIABLY THE CRIMES OF THE STATE WHICH THE STATE OF SOUTH AUSTRALIA RELIES ON TO PROSECUTE ME. THE CROWN SOLICITORS OFFICE SHOULD ALREADY REALISE THAT 'I WILL NEVER STOP COMPLAINING ABOUT THE STATE'S CRIMINAL MANIPULATION OF MY 1993 ARSON TRIAL JUST SO THE JURY WOULD CONVICT ME', BECAUSE ALL THE TANGIBLE PROOF (TO THE JUDICIAL STANDARD), ALREADY EXISTS, AND GOVERNMENT EMPLOYEES PRODUCED IT ALL. THIS STATE WILL HAVE TO KILL ME TO STOP ME COMPLAINING, OR, SIMPLY, PROVIDE AN HONEST REPORT OF THE MATTERS COMPLAINED OF BY ME, RELATING TO THE ILLEGALLY PROSECUTED TRIAL IN 1993

20. WHEN I WAS TRIED AND CONVICTED OF ARSON.

I WAS ENTITLED TO A FAIR AND HONESTLY RUN TRIAL IN 1993, FOR THE CHARGE OF ARSON. I NEVER RECEIVED THAT, INSTEAD, MY SOLICITOR DAVID STOKES FOBBED ME OFF TO LAWYER MICHAEL BARNETT 5 DAYS PRIOR TO TRIAL, AND BARNETT'S INCOMPETENCE DURING TRIAL MEANT THAT MY TRIAL LAWYER WAS NOT TRIAL READY, AND THAT WAS COMPOUNDED BY TRIAL PROSECUTOR COMMITTING SERIOUS CRIMINAL ACTS AGAINST ME DURING THE TRIAL PROPER, WITH FALSE STATE'S EVIDENCE, CLAIMS OF EVIDENCE

30. WHICH ARE NEVER PRESENTED BECAUSE THEY DIDN'T EXIST, PRESENTING

1. OF CRIMINALLY MISLEADING AND MISREPRESENTATIVE ALLEGED STATE'S EVIDENCE,
WHEN IN FACT IT ^{WAS} ALREADY KNOWN TO TRIAL PROSECUTOR THAT WHAT WAS
PRESENTED TO JURY WAS FALSE EVIDENCE, A LIE IN MATERIAL FORM SO AS TO
CAUSE ^{THE} JURY TO BELIEVE IT WAS TRUE THOUGH.

- AN EXAMPLE OF SUCH CRIMINAL MANIPULATION OF MY 1993 ARSON TRIAL, BY
TRIAL PROSECUTOR, AGAINST ME, BY ILLEGAL USE OF HIS POSITION OF EMPLOYMENT
AS STATE GOVERNMENT PROSECUTOR, INCLUDES CRIMINAL DECEPTION BY
DELIBERATELY USING FALSE TESTIMONY BY CAUNCE, TO CAUSE THE JURY TO
10. NOT BELIEVE ME AS A DEFENDANT, NO MATTER WHAT I SAID IN TRIAL
TESTIMONY, BUT INSTEAD ONLY BELIEVE PROSECUTOR AND CROWN WITNESSES,
IRRESPECTIVE OF SUCH CROWN WITNESSES' EVIDENCE/STATEMENTS BEING
MATERIALLY FALSE.

EXAMPLE, FROM 1993 TRIAL TRANSCRIPT:

- THE POINT BEING SHOWN HERE IS THAT CAUNCE QUALIFIABLY ADMITTED THAT WHAT HE TOLD JURY
WAS IN HIS STATEMENT, WAS NOT, THAT WHAT CAUNCE TOLD JURY ABOUT WHAT HE CLAIMS I SAID
TO CAUNCE, WAS NOT HONESTLY OR RELIABLY STATED BY CAUNCE AND THAT CAUNCE HAD LIED TO
JURY, AND THAT CAUNCE HAD ADMITTED TO GIVING FALSIFIED EVIDENCE IN HIS OWN
TESTIMONY, AND THEN, LATER, TRIAL PROSECUTOR TRIED TO ATTACK ME ~~THE~~ DURING MY
20. TESTIMONY, AND CLAIMING CAUNCE'S ALREADY FALSE TESTIMONY WAS
ACTUALLY TRUE.

THE KEY MATERIAL POINT IN EVIDENCE TO DATE, RELATES TO WHAT CAUNCE CLAIMS I
SAID TO CAUNCE ON MORNING OF 10-1-1991 AS MY REASON FOR GOING TO TRAIN CARRIAGE.

CAUNCE BEING QUESTIONED DURING TRIAL

- Q. " FIRST OF ALL WHETHER YOU MADE NOTES OF THAT CONVERSATION?"
A. " NO I DID NOT."
Q. " WHAT IS YOUR MEMORY ABOUT YOUR CONVERSATION WITH JARRETT?"
A. " FAIRLY GOOD."
Q. " DID HE SAY WHY HE HAD GONE THERE?"
30. A. " TO CLEAN IT."

1. Q. ' WHEN DID YOU MAKE A STATEMENT?'

A. ' A FAIR TIME AFTER.' (18 MONTHS AFTER DATE OF FIRE)

Q. ' WHAT WAS YOUR MEMORY LIKE WHEN YOU MADE YOUR STATEMENT?'

A. ' FAIRLY GOOD.'

Q. " THE SAME AS IT IS, THE SEQUENCE AND THE DETAIL YOU HAVE RECORDED IN YOUR STATEMENT, IT IS THE SAME AS YOU HAVE TOLD THE JURY ABOUT? "

A. " YES. "

Q. " YOU TOLD THE JURY THAT MR JARRETT TOLD YOU THAT HE HAD GONE TO THE CARRIAGE TO CLEAN IT? "

10. A. " YES. "

Q. " I SUGGEST TO YOU YOU PUT IN YOUR STATEMENT THAT MR JARRETT HAD TOLD YOU THAT THE ASSAULT HAD TAKEN PLACE WHEN HE HAD GONE TO INVESTIGATE THE FIRE INSIDE THE RAILWAY CARRIAGE, DO YOU AGREE THAT THAT IS IN YOUR STATEMENT? "

A. " IT COULD BE. "

Q. ' DO YOU AGREE YOU PUT IT IN YOUR STATEMENT? '

A. " YES. "

Q. ' NOTHING ABOUT CLEANING A TRAIN? '

A. " NO. "

20. Q. " YOU APPRECIATE THERE IS A DIFFERENCE BETWEEN WHAT YOU HAVE TOLD THE JURY AND WHAT YOU HAVE RECORDED IN THE STATEMENT ABOUT THE CONVERSATION? "

A. " YES. "

Q. " DOES THAT REFRESH IN YOUR MEMORY WHAT HE SAID TO YOU? "

A. " YES, IT WOULD BE. "

* AFTER VIEWING HIS OWN STATEMENT THEN QUALIFYING STATEMENT AS THE TRUE VERSION (REFER ABOVE ON PAGE 22, IBID, 'ORIGINAL VERSION' AND 'SECOND VERSION').

* THEN, WHEN I AM IN WITNESS BOX, XXN BY PROSECUTOR.

Q. ' STILL JUST YOUR VERSION WHY YOU TOLD HIM YOU WERE GOING TO CLEAN IT? '

1. THE LAST 'QUESTION' LISTED ON PREVIOUS PAGE, WAS FROM PROSECUTOR, TO ME, DURING XXN, AND PROSECUTOR WAS IMPROPERLY STILL ACCUSING ME OF, NOT ONLY, PROVIDING MULTIPLE AND CONFLICTING VERSIONS OF 'WHY I WENT TO TRAIN ~~THE~~ CARRIAGE', BUT, PROSECUTOR WAS STILL CLAIMING ONE OF THE ALLEGED VERSIONS I GAVE TO CAUNCE ON 10-1-1991, PRIOR TO GOING TO HOSPITAL, 'THE ALLEGED VERSION WHEN CAUNCE CLAIMED DURING XN (OF CAUNCE), ^{THAT} I TOLD CAUNCE MY REASON WAS TO CLEAN IT', AT THE TIME OF TRIAL WHEN I WAS GIVING MY TESTIMONY, THE SPECIFIC ALLEGED VERSION ('TO CLEAN IT'), WAS STILL A VALID AND TRUE FACT WHICH
10. CAUNCE HAD ALLEGED AGAINST ME, EVEN THOUGH, DURING XXN OF CAUNCE, CAUNCE HIMSELF 'QUALIFIED HIS OWN WITNESS STATEMENT AS THE ALLEGED TRUE VERSION OF WHAT CAUNCE ALLEGED THAT I SAID TO HIM WAS MY REASON FOR GOING TO TRAIN', BEING, "GONE TO INVESTIGATE THE FIRE IN THE RAILWAY CARRIAGE" THEN FURTHER QUALIFIED WHEN CHALLENGED "Q. NOTHING ABOUT CLEANING A TRAIN?" ANSWER FROM

CAUNCE HIMSELF WAS "A. NO."

20. THEREFORE,

- WHEN CAUNCE SAID IN XN THAT HE CLAIMED I TOLD HIM THAT 'I WENT TO THE TRAIN TO CLEAN IT', CAUNCE HAD LIED IN THAT ANSWER, HE LIED TO THE PROSECUTOR, HE LIED TO THE JURY, AND, IT WAS ALSO THE VERY FIRST TIME THAT CAUNCE HAD EVER DISCLOSED/DESCRIBED SAID ALLEGED MATERIAL EVIDENCE TOO. CAUNCE HAD NEVER BEFORE PRODUCED/PROVIDED THAT
30. ALLEGED VERSION PRIOR TO WHEN IT WAS SAID IN TRIAL THAT DAY, AND SO,

1. WHEN CAUNCE SAID THOSE WORDS AND THE COURT STENOGRAPHERS TYPED CAUNCE'S WORDS VERBATIM, WAS THE FIRST TIME THAT ALLEGED VERSION EVER EXISTED ON ANY DOCUMENT, SO THAT, AS A MATERIAL FACT ALSO, THE TRANSCRIPT OF PROCEEDINGS OF MY SAID 1993 ARSON TRIAL, WAS THE FIRST EVER DOCUMENTED RECORD OF CAUNCE'S CLAIM THAT 'I ALLEGEDLY SAID TO CAUNCE ON 10-1-1991, THAT I WENT TO THE TRAIN TO CLEAN IT'. NOT IN ANY SAPOL FIRE REPORT (AS THAT ALREADY CONTAINED CAUNCE'S 'ORIGINAL VERSION - LIGHT IN TRAIN'), NOT IN ANY SAPOL WITNESS STATEMENT BY CAUNCE (AS THAT ALREADY CONTAINED CAUNCE'S 'SECOND VERSION - TO INVESTIGATE A FIRE'), WHICH FURTHER BECAME A MATERIAL FACT TOO, THAT CAUNCE'S 'THIRD VERSION OF

10. ALLEGED CONVERSATION BETWEEN ME AND CAUNCE, REGARDING WHAT I ALLEGEDLY SAID TO CAUNCE (CAUNCE'S 'THIRD VERSION - TO CLEAN IT'), AS MY REASON FOR ATTENDING TRAIN CARRIAGE, WERE EACH MATERIALLY INCONSISTENT WITH EACH 'OTHER VERSION'. THE 'ORIGINAL VERSION - LIGHT IN TRAIN', WAS FIRST ^{DOCUMENTED} ~~DOCUMENTED~~ IN POLICE FIRE REPORT ON 10-1-1991 AND SIGNED BY CAUNCE, BUT THIS VERSION WAS ILLEGALLY NEVER PRESENTED IN ANY FORM BY CROWN PROSECUTOR OR CROWN WITNESS, DURING MY 1993 ARSON TRIAL, AND YET, IT WAS KNOWN MATERIAL EVIDENCE RELEVANT TO THE CASE AT BAR, BEING, MY 1993 ARSON TRIAL, IT WAS ALSO CRITICAL STATE'S EVIDENCE AS TANGIBLE AND DOCUMENT PROOF TO

20. **DISCREDIT POLICE OFFICER CAUNCE,**

AND TO PROVE QUALIFIABLY, THAT CAUNCE WAS A CRIMINALLY CORRUPT POLICE OFFICER, WHO ALSO PRODUCED A CRIMINALLY FALSE POLICE WITNESS STATEMENT, WHO ALSO HAD NO CREDIBLE MEMORY OF ANY ALLEGED CONVERSATION BETWEEN CAUNCE AND ME, WHO LIED TO MY TRIAL JURY WITH DECEPTIVE AND CRIMINAL INTENTION OF DECEIVING MY TRIAL JURY AND ASSISTED IN THOSE CRIMINAL ACTS BY TRIAL PROSECUTOR WHO ENABLED CONDUCTION OF
30. CAUNCE'S TRIAL TESTIMONY TO BE UNCHALLENGED BY PROSECUTOR,

1. THAT WAY THE JURY WOULD BELIEVE TRIAL PROSECUTOR CONTINUED TO ACCEPT HIS WITNESS, CAUNCE, WAS HONEST AND RELIABLE AND A CREDIBLE WITNESS.

- THE 'SECOND VERSION - TO INVESTIGATE A FIRE', WAS FIRST DOCUMENTED IN CAUNCE'S OWN POLICE WITNESS STATEMENT, DATED APPROXIMATELY AUGUST 1992 (18 MONTHS AFTER THE POLICE FIRE REPORT ON 10-1-1991), AND SIGNED BY CAUNCE AS A TRUE RECORD OF EVIDENCE OF THINGS THAT ACTUALLY HAPPENED, AND, ALTHOUGH THIS VERSION WAS PRESENTED DURING MY 1993 ARSON TRIAL, IT ~~WAS~~ WAS NOT THE VERSION
10. PRESENTED TO JURY BY CAUNCE DURING CAUNCE'S XN TESTIMONY WHILST ANSWERING PROSECUTOR'S QUESTIONS (CROWN EVIDENCE IN CHIEF), IT WAS ONLY PRESENTED TO TRIAL JURY IN XXN OF CAUNCE 'UNDER CHALLENGE OF PRIOR INCONSISTENT STATEMENTS BY CAUNCE', AS A QUALIFICATION THAT CAUNCE MATERIALLY MISREPRESENTED KNOWN STATE'S EVIDENCE DURING XN (FOR THE PROSECUTOR), MATERIALLY MISREPRESENTED FACTS KNOWN TO CAUNCE PERSONALLY, AND PROOF THAT CAUNCE LIED TO THE TRIAL JURY ABOUT HIS PURPORTED GOOD MEMORY OF THE MATERIAL FACTS AT ISSUE. MATERIAL PARTICULARS IN THIS 'SECOND VERSION' (CAUNCE'S POLICE WITNESS STATEMENT), SPECIFICALLY IN RELATION TO CAUNCE'S CLAIM, THEREIN, OF WHAT I ALLEGEDLY SAID TO CAUNCE ON
 20. 10-1-1991 AS MY REASON FOR GOING TO TRAIN, WAS MATERIALLY INCONSISTENT AND THEREFORE IN SIGNIFICANT CONFLICT WITH WHAT CAUNCE HAD PREVIOUSLY ALLEGED IN HIS EARLIER RECORD OF PARTICULARS, RELATING TO THE 'SAME DAY IN QUESTION, 10-1-1991', 'AT THE SAME LOCATION, FOOD RESTAURANT', 'AT THE SAME EXACT TIME, APPROXIMATELY 5:30 AM', 'BETWEEN THE EXACT SAME TWO PEOPLE, ME AND CAUNCE', AND THE SAID 'EARLIER RECORD OF PARTICULARS' WAS IN FACT THE SAME SAPOL FIRE REPORT WHICH CAUNCE HAD FILLED-IN AND SIGNED-OFF AS AN ACCURATE RECORD OF EVENTS.

- THE SAID 'SECOND VERSION - TO INVESTIGATE A FIRE', WAS, DURING CAUNCE'S
30. CHALLENGE IN XXN, BEING 'CAUNCE'S POLICE WITNESS STATEMENT', CAUNCE'S

1. CHOSEN VERSION OF THE TRUE AND ACCURATE 'VERSION OF WHY I CLAIM I WENT TO TRAIN CARRIAGE', AND, UPON SAID CHALLENGE DURING XXN, WHEN CAUNCE WAS FORMALLY ASKED WHICH 'VERSION WAS TRUE', CAUNCE'S INITIAL CLAIM IN XN WHICH WAS "TO CLEAN IT" (WHICH WAS ACTUALLY CAUNCE'S 'THIRD VERSION - TO CLEAN IT'), OR, CAUNCE'S POLICE WITNESS STATEMENT WHICH WAS "TO INVESTIGATE A FIRE" (WHICH WAS ACTUALLY CAUNCE'S ~~THIRD~~ SECOND VERSION - TO INVESTIGATE A FIRE), CAUNCE QUALIFIED HIS POLICE WITNESS STATEMENT AS THE TRUE VERSION, WHICH ALSO THEREBY AND QUALIFIABLY SO, ^{MEANT} THAT CAUNCE'S 'INITIAL CLAIM DURING XN OF WHAT CAUNCE CLAIMED I SAID TO HIM, "TO CLEAN IT", ACTUALLY

10. WAS NEVER SAID BY ME,
WAS NEVER HEARD BY CAUNCE,
WAS NEVER ON CAUNCE'S WITNESS STATEMENT,
WAS NEVER ON SAPOL FIRE REPORT,

20. WAS NEVER RECORDED ON MODRA'S STATEMENT,
BECAUSE IT NEVER
HAPPENED, AND CAUNCE ADMITTED
TO THAT FACT WHEN CAUNCE

QUALIFIED HIS PD166 SAPOL WITNESS STATEMENT
AS THE TRUE VERSION (EVEN THOUGH, THAT TOO WAS A FALSE
QUALIFICATION OF ALLEGED TRUE RECORD OF EVENTS OF 10-1-1991), EVEN THOUGH,

30. CAUNCE'S FIRE REPORT VERSION STILL CONFLICTED WITH CAUNCE'S POLICE WITNESS STATEMENT VERSION.

1. THE SAID 'THIRD VERSION - TO CLEAN IT', WAS FIRST DOCUMENTED IN MY SAID 1993 ARSON TRIAL AS TRANSCRIPT OF CAUNCE'S TRIAL TESTIMONY, BY COURT STENOGRAPHERS, APPROXIMATELY MID 1993 (TWO AND A HALF YEARS AFTER THE POLICE FIRE REPORT ON 10-1-1991, AND ONLY NINE MONTHS AFTER CAUNCE'S POLICE WITNESS STATEMENT), AND DURING THE TRIAL PROCEEDINGS OF CAUNCE'S TESTIMONY IN XN BY TRIAL PROSECUTOR. COURT TRANSCRIPT BEING AN OFFICIAL VERBAL STATEMENT BY CAUNCE, IN TESTIMONY, WHICH IS THEN HARD COPY RECORDED ON PAPER AS CAUNCE'S OFFICIALLY RECORDED STATEMENT. THIS SAID 'THIRD VERSION' WAS INITIALLY PRESENTED TO TRIAL JURY BY CAUNCE,
10. DURING CAUNCE'S XN TESTIMONY WHILE ANSWERING PROSECUTOR'S QUESTIONS (CROWN EVIDENCE IN CHIEF), AND WAS PRESENTED BY CAUNCE AS ACCURATE AND TRUE VERSION OF WHAT I ALLEGEDLY SAID TO CAUNCE ON 10-1-1991 AS MY REASON FOR GOING TO TRAIN CARRIAGE, BUT, THEN, DURING XXN OF CAUNCE 'UNDER CHALLENGE OF PRIOR INCONSISTENT STATEMENTS BY CAUNCE', CAUNCE FORMALLY QUALIFIED HIS OWN POLICE WITNESS STATEMENT AS THE TRUE AND ACCURATE VERSION OF ALLEGEDLY WHAT I SAID TO CAUNCE ON 10-1-1991 WAS THE REASON FOR ME GOING TO THE TRAIN CARRIAGE. WHEN CAUNCE WAS QUALIFYING HIS OWN POLICE WITNESS STATEMENT AS THE TRUE AND ACCURATE ACCOUNT OF WHAT CAUNCE CLAIMS I SAID TO CAUNCE, CAUNCE WAS ALSO ADMITTING THAT
20. WHAT CAUNCE HAD CLAIMED AS TRUE, DURING HIS XN TESTIMONY WHEN HE WAS BEING QUESTIONED BY PROSECUTOR, BEING, THAT 'ACCORDING TO CAUNCE AND HIS CLAIMED GOOD MEMORY OF EVENTS ON 10-1-1991, CAUNCE ALLEGED THAT I SAID TO HIM THAT I WENT TO THE TRAIN TO CLEAN IT', WAS IN FACT A LIE, A FALSE CLAIM BY CAUNCE, A FALSE ALLEGATION BY CAUNCE ABOUT WHAT CAUNCE CLAIMED I SAID TO HIM, A FALSE STATEMENT ON OATH AS A CROWN WITNESS, AND THAT ALTHOUGH DURING XN CAUNCE HAD MATERIALLY LIED TO THE COURT AND MY TRIAL JURY, ABOUT WHAT CAUNCE CLAIMS I SAID TO HIM ON 10-1-1991, RE 'TO CLEAN IT', THAT ONLY WHEN CHALLENGED IN XXN DOES CAUNCE NOW CLAIM THE COURT AND MY TRIAL JURY SHOULD ONLY NOW BELIEVE AND ACCEPT AS TRUE AND ACCURATE, THE VERSION WHICH CAUNCE PARTICULARISES IN HIS POLICE WITNESS STATEMENT, 'TO INVESTIGATE A FIRE'.

1. FOR MY 1993 TRIAL JURY TO ACCEPT WHAT CAUNCE STATED DURING ~~XXN~~ TESTIMONY AS THE TRUTH AND THE ACCURATE VERSION, WHEN CAUNCE QUALIFIED HIS OWN POLICE WITNESS STATEMENT VERSION, "TO INVESTIGATE A FIRE", MEANS THAT, THE JURY MUST ALSO ACCEPT THAT CAUNCE LIED DURING HIS ~~XXN~~ TESTIMONY, AND IS THEREFORE DISHONEST ABOUT 'WHAT CAUNCE CLAIMS I SAID TO HIM ABOUT MY REASON FOR GOING TO TRAIN', AND, THE JURY MUST ALSO ACCEPT THAT CAUNCE LIED WHEN CAUNCE CLAIMED IN HIS ~~XXN~~ TESTIMONY, AND IN HIS ~~XXN~~ TESTIMONY, THAT AT ANY TIME 'I SAID ANYTHING TO CAUNCE ON 10-1-1991 ABOUT GOING TO THE TRAIN TO CLEAN IT AND WAS THEN ASSAULTED, AFTER GOING TO THE TRAIN TO CLEAN IT'.
10. (THERE WAS AN ASSAULT, IN TRAIN, BUT ONLY AFTER GOING TO INVESTIGATE A LIGHT IN REAR CARRIAGE, SEE FIRE REPORT, SEE MODRA'S POLICE WITNESS STATEMENT).

FOR THE TRIAL JURY TO THEN NOT HOLD A VIEW OF 'REASONABLE DOUBT', ABOUT ANY TESTIMONY FROM CAUNCE, ON ANY ASPECT REGARDING ME, CAUNCE'S ALLEGED MEMORY CREDIBILITY RELATING TO 10-1-1991, OR EVEN THE CLAIMED ACCURACY/FACTUAL BASIS WITHIN ANY DOCUMENTATION AUTHORED AND/OR SIGNED - OFF BY CAUNCE, IS VERY UNLIKELY, IN THE NORMAL CIRCUMSTANCES OF A FAIR AND HONESTLY CONDUCTED TRIAL, ESPECIALLY AFTER CAUNCE HIMSELF EFFECTIVELY DISQUALIFIED DURING HIS ~~XXN~~ TESTIMONY, ^{20.} KEY AND SIGNIFICANT ELEMENTS FROM HIS ~~XXN~~ TESTIMONY (WHICH CAUNCE INITIALLY TRIED TO CONTINUE TO PROTECT DURING HIS ~~XXN~~ TESTIMONY, UNTIL CONFRONTED WITH HIS POLICE WITNESS STATEMENT VERSION).

HOWEVER, MY 1993 ARSON TRIAL WAS NOT AN HONESTLY PROSECUTED TRIAL, AND, THEREFORE, MY SAID TRIAL JURY DID NOT HOLD AN HONEST OR RELIABLE VIEW ABOUT ALL THE KNOWN AND RELEVANT STATE'S EVIDENCE, WHICH DID EXIST AND WAS REQUIRED TO BE PRESENTED TO JURY AS PART OF CROWN'S CASE (PROSECUTION MUST HONESTLY AND FAIRLY PRESENT ITS CASE AT TRIAL, AND PRESENT ALL ITS PROOFS, BEFORE THE ACCUSED IS CALLED UPON), AND ADDITIONALLY, STATE'S EVIDENCE PRESENTED TO THE TRIAL JURY, THAT WHICH WAS PRESENTED AND

30. THAT WHICH WAS ARGUED BY TRIAL PROSECUTOR, AS WELL AS CROWN WITNESSES

1. WHO IN THEIR TRIAL TESTIMONY, LIED, MISREPRESENTED KNOWN STATE'S EVIDENCE, LIED ABOUT MATERIALS FACTS (TO THE JURY), CONFLICTED IN THEIR TRIAL TESTIMONY THAT WHICH WAS PARTICULARISED IN THEIR OWN POLICE WITNESS STATEMENTS, SO THAT, THE TRIAL JURY WAS SUBSTANTIVELY / MATERIALLY DECEIVED BY CROWN PROSECUTOR AND PRESENTATION OF STATE'S EVIDENCES, AND WAS TAINTED BY SUCH PROSECUTION FRAUD AS TO FLAW THE CHARACTER OF SAID TRIAL BEYOND RECOGNITION AS A PROPERLY CONDUCTED TRIAL.

10. THE VERDICT REACHED BY SAID TRIAL JURY, WAS ONLY CONSEQUENTIAL TO FALSE CROWN TESTIMONY, AND, FALSE CROWN DOCUMENTS (CAUNCE'S POLICE WITNESS STATEMENT INCLUDED), ILLEGAL ACCUSATIONS FROM PROSECUTOR AGAINST ME BUT WITH NO VALID DOCUMENTS TO ~~SUE~~ SUPPORT SUCH ACCUSATIONS, AND ONGOING PROSECUTORIAL FRAUD TO PROTECT THE FALSE TESTIMONY OF CAUNCE.

- WHEN PROSECUTOR ACCUSED BE OF 'ACTUALLY SAYING TO CAUNCE THAT I CLAIMED MY REASON FOR GOING TO TRAIN WAS TO CLEAN IT' (REFER ABOVE AT PAGE 46, IBID, BOTTOM OF PAGE), THE PROSECUTOR WAS REINVIGORATING THE CRIMINALLY FALSE ACCUSATION (BY THE STATE GOVERNMENT PROSECUTION DEPARTMENT IN ITS TRIAL PROSECUTION OF ME), AGAINST ME, OF ME ALLEGEDLY 'PROVIDING
20. DIFFERENT AND MATERIALLY CONFLICTING REASONS FOR ~~WHY~~ WHY I CLAIM I WENT TO TRAIN CARRIAGE', AND IN THAT PARTICULAR REMARK BY PROSECUTOR TO ME WHEN I WAS IN XXN, 'STILL JUST YOUR VERSION WHY YOU TOLD HIM YOU WERE GOING TO CLEAN IT?', THE PROSECUTOR WAS COMMITTING SIGNIFICANT IMPROPRIETES AGAINST ME, IN VIOLATION OF THE ESSENTIAL ELEMENTS OF A FAIRLY AND HONESTLY AND PROPERLY CONDUCTED TRIAL — OF SUCH UNFAIRNESS AND FRAUD UPON MY TRIAL JURY, BY THE PROSECUTOR'S REMARK, I HIGHLIGHT THE FOLLOWING THREE PROSECUTION FRAUDS:

- FRAUD A. 'STILL JUST YOUR VERSION...'
- FRAUD B. '... WHY YOU TOLD HIM...'
30. FRAUD C. '... YOU WERE GOING TO CLEAN IT?'

1. IN FRAUD A. PROSECUTOR IS CLAIMING THAT THE VERSION FROM CAUNCE WHEREIN CAUNCE DECLARED AS A MATERIAL FACT THAT I SAID 'TO CLEAN IT', IS STILL AN ACTIVE ELEMENT OF STATES' EVIDENCE AGAINST ME, AND THAT IT IS STILL PROOF AS EVIDENCE THAT I PROVIDED MULTIPLE REASONS FOR GOING TO TRAIN CARRIAGE, AND YET, CAUNCE IN XXN ADMITTED THAT HE MISLED THE JURY WHEN CAUNCE STATED IN HIS XN TESTIMONY, THAT I EVER SAID ANYTHING TO HIM ABOUT GOING TO TRAIN 'TO CLEAN IT', AND, BY USING THE WORDS 'JUST YOUR VERSION', STRONGLY SUGGESTS TO JURY THAT CAUNCE'S EARLIER CLAIM (IN HIS XN TESTIMONY CLAIMING I SAID 'TO CLEAN IT'), IS STILL ACTIVE AND VALID STATES' EVIDENCE TO COMPARE (JUST YOUR VERSION IMPLIES A DIFFERENT VERSION TO COMPARE IT TO, FROM CAUNCE'S XN TESTIMONY), WHICH IS A LIE AS CAUNCE ALREADY STATED AS A QUALIFICATION IN HIS XXN TESTIMONY (WHICH MEANS IT WAS SAID TO THE TRIAL COURT BY CAUNCE AS PART OF PROSECUTION CASE IN CHIEF PRESENTATION OF CROWN EVIDENCE), ~~THAT~~ ^{THAT} NOWHERE IN CAUNCE'S POLICE WITNESS STATEMENT IS ~~ANY~~ ANY SUGGESTION THAT I EVER SAID ANYTHING TO CAUNCE ABOUT GOING TO TRAIN 'TO CLEAN IT'. I SAID IN MY XN AND XXN TESTIMONY, THAT I NEVER SAID ANYTHING TO CAUNCE OR ANYONE ELSE, ABOUT GOING TO 'CLEAN IT', PLUS, CAUNCE FINALLY ADMITTED, IN HIS XXN TESTIMONY, THAT CAUNCE DID NOT EVER HEAR FROM ME, ANYTHING ABOUT GOING TO 'CLEAN IT', BUT THE PROSECUTOR STILL CLAIMS I DID SAY 'TO CLEAN IT', TO CAUNCE, ON 10-1-1991. THE TRIAL JURY CANNOT BE UNAFFECTED BY HEARING 'THIS' REMARK FROM PROSECUTOR, EVEN THOUGH THERE IS NO WAY TO SPECIFICALLY DETERMINE THE PRECISE IMPACT UPON THE JURY, IT IS THOUGH, A LOGICAL CONCLUSION, THAT THE TRIAL JURY DID STILL BELIEVE CAUNCE AS HONEST, RELIABLE AND HAD A GOOD MEMORY, NO MATTER WHAT WORDS HE SPEAKS OR LIES HE ADMITS TO, WHICH ^{IS} ~~IS~~ ALSO MADE EVEN MORE CONFUSING TO MY 1993 TRIAL JURY,

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WHEN TRIAL PROSECUTOR CONTINUES TO IMPRESS UPON THE JURY THAT 'CAUNCE'S CLAIM THAT I ALLEGEDLY STATED THAT I HAD GONE TO THE TRAIN CARRIAGE "TO CLEAN IT", WAS STILL AN ACTUAL EVENT ON 10-1-1991. THE TRIAL PROSECUTOR WAS NOT ACTING WITH PROSECUTORIAL PROPRIETY, WHEN MAKING 'THAT' SPECIFIC REMARK, AS ITS INTENTION WAS TO ILLEGALLY CAUSE THE TRIAL JURY TO BELIEVE THE DOCUMENT EVIDENCE EXISTED, AS PROOF THAT AT SOME STAGE PRIOR TO TRIAL, I ALLEGEDLY SAID TO CAUNCE THAT I WENT TO THE TRAIN "TO CLEAN IT", EVEN THOUGH NO SUCH DOCUMENT EVIDENCE EVER EXISTED. THE JURY DETERMINES

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VERDICT IN MY JURY TRIAL, SO THE JURY IS WHO PROSECUTOR WAS ATTEMPTING TO CAUSE THE FALSE BELIEF UPON, SO MUCH THE FRAUD BY CROWN PROSECUTOR, THAT NO HONEST VERDICT OF GUILTY COULD EVER BE REACHED BY THAT TAINTED JURY.

IT WAS A FALSE STATEMENT BY CROWN LAW OFFICERS AND BY PREVIOUS ATTORNEYS-GENERAL OF SOUTH AUSTRALIA (MR ATKINSON AND MR RAU, BOTH LABOR GOVERNMENT MPs), SEE ABOVE AT PAGE 18, IBID, QUOTE FROM GOVERNOR'S LETTER TO ME DATED 25-6-2009, AND 15-4-2011, "ESSENTIALLY THE ISSUES YOU HAVE RAISED WERE EITHER BEFORE THE JURY OR WERE NOT SUCH AS COULD REASONABLY BE EXPECTED TO AFFECT THE VERDICT," TO CLAIM A JURY VERDICT

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WOULD NOT BE AFFECTED IF THE CRIMINALLY CORRUPT TRIAL PROSECUTOR HAD [REDACTED] POINTED OUT TO THE TRIAL JURY THAT CAUNCE IN XN TESTIMONY, FALSELY STATED A MATERIALLY SIGNIFICANT FACT, WHEN CAUNCE CLAIMED THAT I SAID "TO CLEAN IT", EVEN THE MATERIAL FACT ON FIRE REPORT "TO INVESTIGATE A LIGHT", AS INCONSISTENT PRIOR STATEMENT BY CAUNCE WITH HIS OWN XN TESTIMONY, OR EVEN PROSECUTOR DISCLOSING TO JURY THE

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MATERIAL FACT ON CAUNCE'S WITNESS STATEMENT "TO INVESTIGATE A FIRE", AS INCONSISTENT PRIOR STATEMENT BY CAUNCE WITH HIS OWN XN TESTIMONY, AND NO COMPETENT TRIAL JURY COULD POSSIBLY NOT DRAW REASONABLE DOUBT CONCLUSIONS ABOUT ANY TRIAL EVIDENCE FROM CAUNCE, WRITTEN AND ORAL. THE TRIAL PROSECUTOR HAD A STATUTORY OBLIGATION TO INFORM COURT OF TRIAL THAT HIS WITNESS HAD MATERIALLY CHANGED STATES' KNOWN AND DOCUMENTED EVIDENCE, CAUNCE IN XN TESTIMONY, AND TO INFORM TRIAL COURT PRIOR TO FINISHING XN TESTIMONY FOR THE CROWN,

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BUT UNLAWFULLY NEGLECTED TO SO INFORM THE TRIAL COURT, CAUSING SUCH AN IRREGULARITY IN THE TRIAL AS TO VIOLATE AN ESSENTIAL ELEMENT OF A PROPERLY CONDUCTED TRIAL, BEING, HONEST REPRESENTATION AND PRESENTATION OF KNOWN AND MATERIALLY RELEVANT STATES' EVIDENCE. CONSEQUENTIALLY, MY SAID 1993 ARSON TRIAL WAS CONTAMINATED BY MATERIALLY FALSE TESTIMONY AND PRESENTATION TO JURY OF MATERIALLY FALSE STATES' OFFICIAL DOCUMENTS. A COMPETENT JURY MUST NOT CONVICT WHERE/WHEN REASONABLE DOUBT EXISTS ABOUT PROSECUTION EVIDENCE, SUCH AS THE TESTIMONY OF/BY CAUNCE, AND THE

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ALLEGED ACCURACY OF PARTICULARS FORMING CAUNCE'S WITNESS STATEMENT. WHY DIDN'T PROSECUTOR PRESENT SAPOL FIRE REPORT BY CAUNCE, AND PARTICULARS THEREIN DESCRIBED, TO CAUNCE, WITH JURY PRESENT, STATING "LOCATED CLEANER WHO STATED THAT HE OBSERVED A LIGHT IN THE TRAIN AND UPON INVESTIGATION WAS CONFRONTED...", DURING XN TESTIMONY OF CAUNCE? COULD IT BE THAT THE JURY WOULD BE AFFECTED BY THE PROOF OF CAUNCE'S PURPORTED 'GOOD MEMORY'? COULD IT BE THAT THE JURY WOULD BE AFFECTED BY THE PROOF OF CAUNCE'S ATTEMPTED EVIDENTIARY DECEPTIONS AGAINST THE ACCUSED, AND,

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1.

AGAINST THE JURY TOO? I GUESS I WILL NEVER KNOW HOW MUCH THE JURY WOULD HAVE REASONABLY BEEN EXPECTED TO BE AFFECTED, BY CAUNCE'S AND THE TRIAL PROSECUTOR'S MATERIAL EVIDENTIARY DECEPTIONS (AS DESCRIBED ABOVE), BECAUSE THE TRIAL COURT WAS NEVER TOLD OR SHOWN CONTENTS OF SAID FIRE REPORT BY CAUNCE, DATED 10-1-1991, OR, SAID MODRA'S STATEMENT, DATED AUGUST 1992, DESCRIBING HOW 'I TOLD POLICE ON 10-1-1991

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THAT I WENT TO TRAIN TO INVESTIGATE A LIGHT IN REAR CARRIAGE, PLUS THE FACT THAT NO OTHER REASON WAS EVER GIVEN TO ANYONE, BY ME, ABOUT WHY I WENT TO THE TRAIN, OTHER THAN TO INVESTIGATE LIGHT!!! OF COURSE THE JURY WERE NEVER INFORMED ABOUT SUCH EXCULPATORY EVIDENCE, BECAUSE IT DID NOT HELP THE PROSECUTOR TO GET ME CONVICTED, IF THE JURY WERE PRESENTED WITH TRUE STATE'S EVIDENCE, REGARDING 'MY ACTUAL CONVERSATION WITH CAUNCE ON 10-1-1991', AND, ABOUT THE 'TRUE AND FORENSICALLY PROVEN STATE OF PHYSICAL EVIDENCE PHOTOGRAPHED AT AND IN THE BURNT TRAIN CARRIAGE', WHICH IS ALSO WHY SPECIFIC CLOSE-UP PHOTOS WERE NEVER TAKEN OF THE 'DAMAGED WINDOW' (FROM INSIDE AND OUTSIDE), 'LIGHT SWITCHES', 'CEILING GLOBES', 'FILAMENT INSIDE GLOBES' (TO DETERMINE IF LIGHT WAS ON OR OFF WHEN LIGHT WAS HEAT DAMAGED), CLOSE-UPS OF 'WINDOW FRAME' (INSIDE AND OUTSIDE COLOUR PHOTOGRAPHS), 'COTTON SWAB ON THE OUTSIDE PAINT RIGHT NEAR DAMAGED WINDOW' (AS THAT WOULD ONLY PROVE NO SMOKE/SOOT EXITED SAID WINDOW BECAUSE THAT WINDOW WAS ONLY BREACHED AT ITS SEALANT EDGES, AFTER FIRE BRIGADE HAD STOPPED SMOKE/SOOT FROM EXITING CARRIAGE).

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1. IN FRAUD B. PROSECUTOR IS ACTIVELY CONTINUING TO ACCUSE ME OF ⁶ SAYING TO CAUNCE, SOMETHING WHICH CAUNCE HIMSELF, IN CAUNCE'S OWN TESTIMONY, ^{ADMITTED} WAS NOT ACTUALLY SAID BY ME TO CAUNCE AT ANY TIME, EVEN THOUGH AT THE START, CAUNCE CLAIMED IN HIS TRIAL TESTIMONY THAT I SAID "TO CLEAN IT" AS THE REASON FOR ME GOING TO THE TRAIN, ^{BUT} THEN, DURING ~~XXN~~ TESTIMONY OF CAUNCE, UPON CHALLENGE OF PRIOR INCONSISTENT STATEMENTS BY CAUNCE, CAUNCE ACCEPTED THAT HIS TESTIMONY DECEPTION HAD BEEN FOUND-OUT, COMPARING HIS ~~XN~~ TESTIMONY ~~CLAIM~~ CLAIM AGAINST ME IN HIS VERSION OF PARTICULARS, "TO CLEAN IT", TO HIS POLICE WITNESS STATEMENT VERSION OF PARTICULARS, "TO INVESTIGATE A FIRE", SO THEN, DURING THE ~~XXN~~ TESTIMONY OF CAUNCE, IT WAS CONFIRMED BY CAUNCE HIMSELF THAT WHAT CAUNCE ORIGINALLY CLAIMED IN HIS ~~XN~~ TESTIMONY, THE VERSION "TO CLEAN IT", ~~WAS~~ WAS NOT ACCURATE AND DID NOT GET SAID BY, OR HEARD ~~FROM~~ FROM, ME AT ANY TIME, AND, CAUNCE ALSO QUALIFIED TWO SPECIFIC MATERIAL DETAILS, TO THE TRIAL JURY, WITH THE INTENTION OF CAUSING JURY TO, BELIEVE FIRSTLY, THAT THE VERSION WHICH EXISTED IN CAUNCE'S POLICE WITNESS STATEMENT, IS THE TRUE/ACCURATE ~~VERSION~~ VERSION (OF 'WHAT I CLAIMED AS MY REASON FOR GOING TO TRAIN CARRIAGE'), ~~SO THAT WHATEVER VERSION OF SUCH PARTICULARS MUST BE THE TRUE VERSION IF IT IS IN HIS (CAUNCE'S), POLICE WITNESS STATEMENT~~, SO THAT WHATEVER VERSION OF PARTICULARS IS WRITTEN/TYPED INTO SAID POLICE WITNESS STATEMENT OF CAUNCE, IT IS TRUE BECAUSE CAUNCE QUALIFIED SAME AS THE TRUE VERSION, AND, BELIEVE SECONDLY, THAT THE VERSION WHICH CAUNCE PARTICULARISED IN HIS OWN POLICE WITNESS STATEMENT, "TO INVESTIGATE A FIRE", IS THE TRUE AND ACCURATE REPRESENTATION OF WHAT I PURPORTEDLY SAID TO CAUNCE ON 10-1-1991 ABOUT MY REASON FOR GOING TO THE TRAIN CARRIAGE. FOR CAUNCE TO NOT ONLY FALSELY CLAIM TO THE TRIAL JURY, THAT 'I SAID TO CAUNCE',

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DURING CAUNCE'S XN TESTIMONY, 'THAT I WENT TO TRAIN "TO CLEAN IT"', AND THEN, ONLY MINUTES LATER, WHILE STILL UNDER OATH IN THE TRIAL WITNESS BOX, DURING CAUNCE'S XXN TESTIMONY, CAUNCE AGAIN ADMITTED HE HAD A 'GOOD MEMORY OF CONVERSATION THAT HAPPENED BETWEEN ME AND CAUNCE ON 10-1-1991', AND THEN, CONFIRMED 'THAT HE (CAUNCE), HAD HONESTLY TOLD THE COURT AND JURY DURING HIS XN TESTIMONY, THAT ON 10-1-1991, I SAID TO CAUNCE THAT I WENT TO TRAIN "TO CLEAN IT"', AND THEN, ONLY MINUTES LATER, WHILE STILL UNDER OATH IN THE TRIAL WITNESS BOX, STILL

10.

DURING CAUNCE'S XXN TESTIMONY, 'TOLD THE COURT AND JURY THAT, ON 10-1-1991, I SAID TO CAUNCE THAT I WENT TO TRAIN "TO INVESTIGATE A FIRE"', SO THAT, BOTH VERSIONS WHICH CAUNCE STATED AS FACTUAL ACCOUNTS, AND WHICH CAUNCE ACCUSED ME OF SAYING TO HIM ON THE DATE OF FIRE WHICH WAS 10-1-1991, AND WHICH BOTH CONFLICT WITH ~~XXXXXXXXXX~~ EACH OTHER, THEREBY PROVING THAT AT THE VERY LEAST (LOGICALLY), ONE OF THOSE TWO VERSIONS MUST BE AN ABSOLUTE AND QUALIFIABLE LIE FROM CAUNCE (EVEN THOUGH I CLAIM BOTH VERSIONS FROM CAUNCE ARE LIES, AND WERE NEVER STATED BY ME TO ANYONE, AND BOTH OF THOSE TWO VERSIONS WHICH CAUNCE CLAIMED ARE/WERE 'BOTH TRUE', ACTUALLY CONFLICT HEAVILY WITH FIRE REPORT VERSION AND MODRA'S STATEMENT (OF AUGUST 1992), VERSION, WHICH IRONICALLY, WERE NEVER STATED TO MY COURT OF TRIAL OTHER THAN BY ME, CURIOUSLY?!), AND WHEN CAUNCE HIMSELF QUALIFIED HIS OWN WITNESS STATEMENT VERSION AS THE TRUE VERSION, THEREBY 'CONFIRMING HIS OWN INITIAL TESTIMONY VERSION AS A NON-EVENT' (A LIE, A FABRICATION INTENDED TO MISDIRECT THE ATTENTION OF THE TRIAL JURY FROM THE TRUTH, AND THE ACTUAL TRUE ACCOUNT, WHICH CAUNCE HAD FORGOTTEN, SO INSTEAD OF SIMPLY AND HONESTLY DECLARING THAT HE 'COULD NOT REMEMBER THE SPECIFIC DETAILS/PARTICULARS OF THE CONVERSATION IN ISSUE'

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