

1. HOSPITAL MEDICAL NOTES, WHICH TOO, WERE NOT CORRECTED, CHALLENGED, ETC. BY TRIAL PROSECUTOR. IT WAS THEREFORE CONSISTENT, IMPROPER CONDUCT BY TRIAL PROSECUTOR, THAT HE DID NOT CHALLENGE HIS CROWN WITNESSES, WHO MADE STATEMENTS IN THE TRIAL WITNESS BOX, WHICH WERE MATERIALLY CONFLICTING/INCONSISTENT WITH THEIR OWN POLICE WITNESS STATEMENTS/REPORTS, EQUATING TO INCONSISTENT PRIOR STATEMENTS, IF, IN PARTICULAR, SAID TRIAL TESTIMONY (WHICH WAS EFFECTIVELY FALSE CROWN EVIDENCE THEN), CREATED/REPRESENTED AN IMPRESSION OF MY CHARACTER THAT FITTED/ALLIGNED TO THE TRIAL PROSECUTOR'S ACCUSATIONS AGAINST ME, SUCH AS 'TELLING DIFFERENT THINGS TO DIFFERENT PEOPLE AT DIFFERENT TIMES', RELATING TO 'THE TRAIN FIRE IN PARTICULAR'.
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- OF THE TWO LANES OF TRIAL IRREGULARITY (REFER LAST PARAGRAPH OF PAGE 80, IBID.), AT SUCH CONDITION (SEE ALL OF PAGE 81, IBID, RE INCOMPETENT JURY AND FALSE VERDICT), 'IRREGULARITY LANE 2, WHEREBY THERE MUST ONLY BE LAWFULLY CREATED STATE'S EVIDENCE FOR USE WITHIN A CRIMINAL JURISDICTION TRIAL (SUCH AS WITNESS STATEMENTS MATERIALLY ACCURATE AND TRUE, WITNESS STATEMENTS WHICH ACCURATELY REFLECT PRIOR OBTAINED AND DOCUMENTED MATERIAL EVIDENCE FOR THE STATE GOVERNMENT, WITNESS STATEMENTS OBTAINED PER DUE PROCESS INCLUDING PREREQUISITE CAUTIONING OF POSSIBLE SUSPECTS, WITNESS STATEMENTS OBTAINED VOLUNTARILY, BUT NOT INVOLUNTARILY/UNDER DURESS OF FREE WILL, PRIMARY/SOURCE DOCUMENTS AND THEIR SPECIFIC, MATERIAL PARTICULARISATIONS WHICH CARRY - THROUGH SUCH PARTICULARISATIONS INTO LATER DOCUMENTS ^{ACCURATELY} ~~APPROXIMATELY~~, EXCEPT WHERE AMENDMENTS ARE CLEARLY IDENTIFIED AS SUCH), AND, WHEREBY ALL STATE'S EVIDENCE PRESENTED IN SUCH TRIAL AND RELIED UPON IN SUCH TRIAL, IS LAWFULLY CREATED AND LAWFULLY PRESENTED AND LAWFULLY RELIED UPON IN SUCH TRIAL, SO AS TO
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1. ENSURE THE CONDUCT OF SUCH TRIAL IS NOT TAINTED/IMPAIRED/PREJUDICED BY ANY KNOWN FALSE/FRAUDULENT/ILLEGALLY CREATED PURPORTED EVIDENCE ON BEHALF OF CROWN PROSECUTIONS, WHICH WOULD, BY ITS USE AND RELIANCE WITHIN SUCH TRIAL, BY CROWN PROSECUTOR AS PART OF STATE'S CASE AGAINST THE ACCUSED, CONSEQUENTIALLY, DENY THE ACCUSED THE PROTECTED RIGHT TO A FAIR TRIAL ACCORDING TO LAW, AS THE SAID TRIAL COULD NOT BE JUDICIALLY ~~BE~~ ACCEPTED AS A PROPERLY CONDUCTED TRIAL, AND, IF SUCH A TRIAL DID HAPPEN AND 'CONVICTION' WAS RECORDED AGAINST THE ACCUSED PERSON (FOLLOWING USE
10. OF MATERIALLY FALSE AND CHARACTERISTICALLY FRAUDULENT STATE'S EVIDENCE WHICH WAS PRESENTED TO THE TRIAL COURT, BY TESTIMONY AND/OR DOCUMENT), AN APPEAL COURT, UPON REVIEW ~~OF~~ OF SUCH TRIAL CIRCUMSTANCES AND PRESENTATION OF STATE'S EVIDENCE, LATER REGARDED AS IMPROPERLY PRESENTED AND RELIED UPON BY CROWN PROSECUTOR, WOULD NOT HAVE OPEN TO SAID APPEAL COURT, ANY RIGHT OF APPLICATION OF 'THE PROVISIO', BECAUSE, THE INTEGRITY OF SUCH A TRIAL WOULD HAVE SUFFERED SUCH A FLAW AND BLEMISH IN ITS CHARACTER AND CONDUCT, THAT IT NO LONGER EXISTED AS A PROPERLY CONDUCTED TRIAL (SEE REFERENCE TO 'PROVISIO' ABOVE ON PAGE 20, IBID, AND CASE LAW JUDGMENT WILDE V THE QUEEN [1988] HCA 6.)
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UNLIKE 'IRREGULARITY LANE 1', WHEREBY IT COULD NOT BE SHOWN WITH CERTAINTY, BY WHAT PATH INDIVIDUAL JURORS REACHED THEIR RESPECTIVE VOTE OF 'GUILTY' AGAINST ME, IN MY 1993 ARSON TRIAL, AS DESCRIBED ABOVE ON PAGES 80 AND 81, IBID, 'IRREGULARITY LANE 2', WAS MORE ABOUT MATERIALLY FALSE STATE'S EVIDENCE WHICH MISREPRESENTED KNOWN AND MATERIALLY TRUE STATE'S EVIDENCE, SO THAT WHEN MY 1993 TRIAL JURY WERE ASSESSING MY TESTIMONY FOR CREDIBILITY AND HONESTY, COMPARED TO STATE'S EVIDENCE ABOUT PURPORTEDLY SAME EVENT, THE JURY WERE PRESENTED WITH KNOWN FALSE

1. STATE'S EVIDENCE, EXCEPT THAT THE JURY HAD NO WAY OF KNOWING THAT CROWN PROSECUTOR WAS IMPROPERLY AND ILLEGALLY PLACING FALSE STATE'S EVIDENCE, INTO THE MINDS OF MY 1993 TRIAL JURY WITH THE ILLEGAL INTENTION OF FORCING SAID JURY TO BELIEVE SUCH STATE'S EVIDENCE WAS MATERIALLY TRUE AND ACCURATE, WHEN, IN FACT, SUCH STATE'S EVIDENCE WAS QUALIFIABLY FALSE AND MISLEADING.

10. IN PARTICULAR, THE 'KNOWN FALSE AND MISLEADING STATE'S EVIDENCE' TO WHICH I REFER, RELATES TO ONE OF THE KEY ISSUES OF CROWN PROSECUTOR'S ACCUSATIONS AGAINST ME, BEING, THAT I (ACCORDING TO TRIAL PROSECUTOR WHO STATED TO THE JURY, AS IF TO CLAIM ALSO, THAT THE CROWN HAD UNDENIABLE PROOF TO SUPPORT, SUSTAIN AND QUALIFY SUCH ACCUSATION AGAINST ME), ON 10-1-1991, 'COMMENCED PROVIDING CONFLICTING REASONS FOR GOING TO TRAIN CARRIAGE'.

20. DURING MY 1993 ARSON TRIAL, PROSECUTOR REPEATEDLY ACCUSED ME OF 'PROVIDING INCONSISTENT STATEMENTS RE WHY I SAID I WENT TO THE TRAIN', YET AT NO TIME DID PROSECUTOR EVER PRODUCE ANY DOCUMENT EVIDENCE OF ALLEGED PRIOR INCONSISTENT STATEMENTS OF MINE. HOWEVER, WHAT THE PROSECUTOR DID DO, WAS TO PRESENT CROWN ~~WITNESS~~ WITNESS CAUNCE, WHO WAS THE MOST CRIMINALLY FALSE WITNESS FOR THE CROWN (WITHIN MY SAID TRIAL), TO KNOWINGLY LIE TO MY JURY AND ILLEGALLY MISREPRESENT TRUE AND ACCURATE STATE'S EVIDENCE (THAT WAS CREATED ON 10-1-1991), WHICH WAS INTENDED TO ILLEGALLY 'DISCREDIT MY EVIDENCE ABOUT A TRAIN CARRIAGE CONVERSATION BETWEEN ME AND CAUNCE', AND CAUNCE HIMSELF COMMITTED SAID LIE WITH HIS TRIAL TESTIMONY AND WITH PRESENTATION OF CAUNCE'S POLICE WITNESS STATEMENT (DATED MID 1992).

30. IT IS THE STATUTORY OBLIGATION OF THE TRIAL PROSECUTOR, IN MY 1993

1. ARSON TRIAL, TO LAWFULLY PRESENT 'STATE'S EVIDENCE' TO MY TRIAL COURT,
 AND WITHIN MY TRIAL COURT, PLUS, TO ENSURE THAT ALL TRIAL TESTIMONY
 FROM CROWN'S TRIAL WITNESSES, 'IS MATERIALLY CONSISTENT WITH THE
 RESPECTIVE CROWN WITNESSES' PRIOR WITNESS STATEMENTS', AND, WHERE
 ANY CROWN WITNESS GIVES TRIAL TESTIMONY THAT IS MATERIALLY
 INCONSISTENT WITH THEIR RESPECTIVE WITNESS STATEMENTS, CASE FILE NOTES
 AND/OR REPORTS, OBLIGATION UPON CROWN PROSECUTOR MANDATES
 DIRECT AND QUALIFYING QUESTIONS FROM TRIAL PROSECUTOR, TO RESPECTIVE
 CROWN WITNESS, TO OPENLY DETERMINE, FOR THE JUDGE, JURY,
 10. DEFENDANT, AND TRIAL INTEGRITY (FAIR TRIAL ACCORDING TO LAW),
WHY THERE IS INCONSISTENCY BETWEEN RESPECTIVE WITNESS' PRIOR
STATEMENTS/REPORTS, AND THEIR CURRENT TESTIMONY. INCONSISTENCY
 BETWEEN PRIOR DOCUMENTS AND CROWN WITNESS' TRIAL TESTIMONY,
 IS GENERALLY DUE TO TWO MAIN REASONS, BEING, THAT ^A LIE HAS
 BEEN CAUGHT OUT, OR, THE TRIAL TESTIMONY (IN CONFLICT WITH PRIOR
 DOCUMENTS), IS AN AMENDMENT TO A PRIOR DOCUMENT, WHICH IS
 THEN REGARDED AS AN UPDATED VERSION OF PREVIOUSLY REGARDED
 'ACCURATE DOCUMENTS', AND NOT AS A LIE ~~BEING~~ BEING CAUGHT-OUT.

20. IT IS ALSO IMPORTANT TO UNDERSTAND AND APPRECIATE, THAT, AS DID CLEARLY
 HAPPEN IN MY 1993 ARSON TRIAL ALSO, AND THAT IS, 'A CROWN WITNESS
 WHO PROVIDED VERY SPECIFIC ANSWERS OF MATERIAL SIGNIFICANCE,
 AS WITNESS BOX TESTIMONY, BUT WHICH WAS FALSE TESTIMONY
 OUTRIGHT', AS WELL AS 'BEING INCONSISTENT WITH PRIOR DOCUMENT
 PARTICULARISATIONS BY SAME PERSON', AND BOTH THE WITNESS BOX
 TESTIMONY AND THE TRIAL-HIGHLIGHTED INCONSISTENT PRIOR DOCUMENT (WHICH
 WAS THE CROWN WITNESS'S POLICE WITNESS STATEMENT), WERE WILDLY
 INCONSISTENT FROM EARLIER MATERIAL EVIDENCE FROM SAME
 CROWN WITNESS, WITH NOT A MERE SUGGESTION OF FALSE MATERIAL
 30. EVIDENCE FROM SUCH 'SIGNIFICANT CROWN WITNESS', BUT ACTUAL PROOF

1. OF FALSE STATE'S EVIDENCE, WHEREBY THE ORIGINAL SPECIFIC MATERIAL EVIDENCE (FROM CAUNCE), WAS NEVER PRESENTED TO MY TRIAL COURT BY CAUNCE HIMSELF, OR POLICE OFFICER KITTO (WHO FIRST ACQUIRED SUCH EVIDENCE FROM CAUNCE DIRECTLY, ON 10-1-1991 AND THEN RELAYED IT TO POLICE OFFICER MODRA WITHIN 90 MINUTES OF RECEIVING SAID EVIDENCE ON SAME DATE), OR BY MODRA (WHO FIRST ACQUIRED SUCH EVIDENCE FROM KITTO DIRECTLY, ON 10-1-1991, AFTER KITTO HAD RECEIVED SAID EVIDENCE HIMSELF FROM CAUNCE, EARLIER THAT MORNING, OF 10-1-1991), OR BY POLICE DETECTIVE BROWN WHO WAS LEAD OFFICER FOR THE ARSON INVESTIGATION (AND WHO KNEW OF THE FIRE REPORT PARTICULARS DIRECTLY LINKED TO CAUNCE'S ORIGINAL SPECIFIC MATERIAL EVIDENCE, AND THAT CAUNCE SIGNED-OFF ON SAID FIRE REPORT OF 10-1-1991, OF KITTO'S PD166 WITNESS STATEMENT PARTICULARS AND CHAIN OF PARTICULARS THEREIN DESCRIBED, OF MODRA'S PD166 WITNESS STATEMENT PARTICULARS AND DIRECT LINK TO CAUNCE'S ORIGINAL SPECIFIC MATERIAL EVIDENCE), AND THE TRIAL PROSECUTOR CERTAINLY NEVER INFORMED MY 1993 TRIAL COURT THAT CAUNCE, KITTO, MODRA AND BROWN ALL HAD DIRECT AND FIRST-HAND 'KNOWLEDGE' OF CAUNCE'S ORIGINAL SPECIFIC MATERIAL EVIDENCE, IN SUCH QUALIFIABLE FORM, THAT, IF SUCH 'KNOWLEDGE' HAD BEEN DISCLOSED TO THE JURY BY EVEN ONE OF THOSE GOVERNMENT EMPLOYEES (CAUNCE, KITTO, MODRA, BROWN OR TRIAL PROSECUTOR), THEN, THE 'GUILTY VERDICT' PATHWAY DESCRIBED AND PICTURED ON PAGES 80 AND 81 ABOVE [IBID], COULD NOT HAVE EVENTUATED, BECAUSE, UNLIKE MY ACTUAL 1993 ARSON TRIAL WHEREIN NONE OF THOSE FIVE GOVERNMENT EMPLOYEES INTIMATED ANY HINT WHATSOEVER, OF THEIR DIRECT KNOWLEDGE OF THE MATERIAL FACT THAT ON 10-1-1991 POLICE OFFICER CAUNCE RELAYED TO KITTO WHO RELAYED TO MODRA, THAT 'CAUNCE SAID HE WAS TOLD BY ME, THAT I HAD GONE TO TRAIN CARRIAGE TO INVESTIGATE A LIGHT', WHEREAS, HOWEVER, WHEN MY TRIAL JURY WERE COMPARING MY ANSWER (DIRECTLY FROM MY TESTIMONY PLUS MY POLICE WITNESS STATEMENT DESCRIBING SAME MATERIAL
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1. PARTICULARS 'RE ATTENDING TRAIN TO INVESTIGATE A LIGHT'), OF 'LIGHT IN TRAIN' (AS PICTURED ON PAGE 81, IBID, 'THE JURORS MUST MAKE A DECISION ABOUT A SIGNIFICANT PROSECUTION ACCUSATION AGAINST ME'), TO CAUNCE'S ANSWER A. AND CAUNCE'S ANSWER B. (DIRECTLY FROM CAUNCE'S TESTIMONY PLUS CAUNCE'S POLICE WITNESS STATEMENT DESCRIBING, ANSWER A. 'TO CLEAN IT', AND ANSWER B. 'INVESTIGATE A FIRE', AS CONFLICTING AND WILDLY DIVERGENT PARTICULARISATIONS AS PURPORTED CROWN EVIDENCE FACTS), TO MEASURE CREDIBILITY AND CLAIMED HONESTY BY BOTH CAUNCE AND ME RESPECTIVELY, 'IF THE SPECIFIC DECISION OF THE JURY, EITHER BELIEVE MY ANSWER OR BELIEVE CAUNCE'S ANSWERS, WAS CHARGED WITH ADDITIONAL VALIDATION OF MY ANSWER' OF 'LIGHT IN TRAIN', DUE TO
 10. 'ACTIVE TRIAL EVIDENCE FROM CAUNCE, IF CAUNCE DISCLOSED WHAT HE SIGNED-OFF FOR ON THE SAPOL FIRE REPORT, BEING DIRECT REFERENCE TO 'LIGHT IN TRAIN', THEREBY PROVING THAT CAUNCE HAD CLAIMED THREE WILDLY CONFLICTING ALLEGED REASONS WHICH CAUNCE DECLARED WERE TOLD TO HIM BY ME ON 10-1-1991, BUT MORE SIGNIFICANTLY THOUGH, IT WOULD PROVIDE VERIFICATION FROM CROWN WITNESS TESTIMONY/TRIAL EVIDENCE, THAT ON 10-1-1991 THE POLICE RECORDED VIA OFFICIAL DOCUMENTS, THAT I HAD SAID 'LIGHT IN TRAIN AS MY REASON FOR ATTENDING TRAIN', OR, DUE TO
 20. 'ACTIVE TRIAL EVIDENCE FROM KITTO, IF KITTO DISCLOSED THE ACTUAL PARTICULARS WHICH HE PERSONALLY RECEIVED FROM CAUNCE ON 10-1-1991, AND THEN RELAYED TO MODRA RELATING TO WHAT 'I HAD SAID TO CAUNCE INITIALLY WHEN POLICE (CAUNCE AND KITTO), ARRIVED INSIDE RESTAURANT AND SPOKE TO ME AND I INFORMED WHY I WENT TO TRAIN CARRIAGE AND WHAT HAPPENED TO ME INSIDE TRAIN CARRIAGE', BEING DIRECT REFERENCE TO 'LIGHT IN TRAIN', THEREBY PROVING THAT CAUNCE HAD DIRECT KNOWLEDGE AND VERIFICATION IN SUPPORT, BY WAY OF KITTO DISCLOSING WHAT CAUNCE STATED TO KITTO, AS QUALIFYING PROOF FROM CROWN WITNESS TESTIMONY/TRIAL EVIDENCE, THAT ON 10-1-1991 THE POLICE RECORDED VIA OFFICIAL DOCUMENTS, THAT I HAD SAID 'LIGHT IN TRAIN AS MY REASON FOR ATTENDING TRAIN', OR, DUE TO
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1. ⁶ ACTIVE TRIAL EVIDENCE FROM MODRA, IF MODRA DISCLOSED THE ACTUAL PARTICULARS WHICH MODRA PERSONALLY RECEIVED FROM KITTO ON 10-1-1991, SHORTLY AFTER KITTO HAD DIRECTLY RECEIVED SAME SPECIFIC MATERIAL PARTICULARS FROM CAUNCE, RELATING TO WHAT ⁶ I HAD SAID TO CAUNCE INITIALLY UPON POLICE ARRIVAL (CONSTABLES CAUNCE AND KITTO FIRST ARRIVE AT SCENE), AND I INFORMED CAUNCE WHY I WENT TO TRAIN CARRIAGE AND WHAT HAPPENED TO ME INSIDE TRAIN CARRIAGE, ⁹ BEING DIRECT REFERENCE TO ⁶ 'LIGHT IN TRAIN', AND THAT CIB MODRA HAD ALSO OFFICIALLY RECORDED WITHIN MODRA'S OWN POLICE INVESTIGATION FILES WHICH STARTED ON THAT
10. SAME DATE, 10-1-1991, REGARDING ⁶ WHAT I SAID TO CAUNCE RE SEEING LIGHT IN TRAIN CARRIAGE AND GOING TO CHECK WHY THOSE LIGHTS WERE ⁶ 'ON' AND THEN WHEN IN TRAIN BEING ASSAULTED FROM SOMEONE BEHIND ME AND THEN WHEN REGAIN CONSCIOUSNESS SURROUNDED BY SMOKE AND GETTING BEARING TO THEN EXIT TRAIN AND THEN GET INTO RESTAURANT TO ACCESS PHONE TO RING ⁶ '000' AND AT THAT TIME HEARING SHAKING OF FRONT DOORS TO RESTAURANT AND SEEING POLICE UNIFORMS AND FLASHING LIGHTS, ETC, ⁹ AND THAT ALL THAT MATERIAL EVIDENCE WAS SAID BY ME TO CAUNCE, AND LATER TO AMBULANCE OFFICERS WHO ALSO INVESTIGATED MY SKULL AND HEAD AREA, AND LATER
20. ALSO TO MEDICAL STAFF AT HOSPITAL AFTER AMBULANCE STAFF DIRECTED SCAN-CHECK OF MY LUNGS RE INHALED SMOKE AND SKULL AREA RE SWELLING ON REAR SKULL REGION, AND QUITE SIGNIFICANTLY ALSO IS THAT IN MODRA'S PD 166 POLICE WITNESS STATEMENT DATED 7-8-1992, MODRA DESCRIBED IN SAID WITNESS STATEMENT ⁶ "HE ADVISED THAT HE HAD SEEN A LIGHT IN THE RAILWAY CARRIAGE", WHICH MODRA WAS ABLE TO KNOWINGLY AND HONESTLY WRITE AFTER MODRA VERIFIED ORIGINAL INVESTIGATION FILES WHICH COMMENCED ON 10-1-1991, AND WHICH, EVEN THOUGH 18 MONTHS AFTER ARSON DATE OF 10-1-1991, MODRA'S OFFICIAL POLICE INVESTIGATION RECORDS IDENTIFIED WHAT KITTO TOLD
30. MODRA, ABOUT WHAT CAUNCE TOLD KITTO, ABOUT WHAT I TOLD CAUNCE,

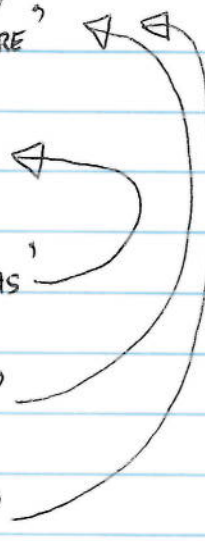
1. ABOUT WHY I WENT TO THE RAILWAY CARRIAGE ('BECAUSE I'D NOTICED LIGHT ON IN REAR CARRIAGE WHICH I DID NOT THINK WAS ON WHEN I ARRIVED AT WORK A SHORT TIME EARLIER'), AND WHAT HAPPENED TO ME IN THE TRAIN CARRIAGE ('ASSAULTED'), THEREBY PROVING THAT CAUNCE HAD DIRECT KNOWLEDGE AND VERIFICATION IN SUPPORT, BY WAY ~~OF~~ OF MODRA DISCLOSING WHAT KITTO STATED TO MODRA, ABOUT WHAT CAUNCE STATED TO KITTO, AS QUALIFYING PROOF FROM CROWN WITNESS TESTIMONY/TRIAL EVIDENCE, THAT ON 10-1-1991 THE POLICE RECORDED VIA ~~OFFICIAL~~ OFFICIAL POLICE/GOVERNMENT DOCUMENTS, THAT I HAD SAID 'LIGHT IN TRAIN AS MY REASON FOR ATTENDING TRAIN', ^{OR, DUE TO} ⁹⁹ ⁶ ACTIVE TRIAL EVIDENCE FROM BROWN, IF BROWN DISCLOSED THE ACTUAL PARTICULARS WHICH HE COMPILED FROM OTHER POLICE STAFF AND POLICE OFFICER WITNESS STATEMENTS, RELATING ~~TO~~ TO THE CRIME INVESTIGATION OF THE ARSON EVENT IN WHICH I WAS LATER ARRESTED, AND NOT ONLY FROM THE POLICE EMPLOYEES ALREADY HIGHLIGHTED (CAUNCE AND HIS FIRE REPORT DATED 10-1-1991 RE 'LIGHT IN TRAIN' REFERENCE, KITTO AND HIS FORWARDING OF 'LIGHT IN TRAIN' PARTICULARS TO MODRA, MODRA AND MODRA'S WITNESS STATEMENT DESCRIPTION OF 'LIGHT IN TRAIN' REFERENCE), BUT ALSO FROM CIVILIAN WITNESS STATEMENTS SUCH AS THAT OF DAVID SPARROW (RESTAURANT STORE MANAGER), AND HIS WITNESS STATEMENT DATED 23-1-1991, PAGE 3. THEREIN, WHERE SPARROW IS DESCRIBING WHAT I SAID TO SPARROW ON 10-1-1991, MORNING OF THE FIRE, AFTER POLICE HAD ARRIVED AND SECURED THE PROPERTY, AND PRIOR TO AMBULANCE ESCORTING ME TO HOSPITAL, I PHONED SPARROW TO INFORM HIM OF THE FIRE AND THE ASSAULT, AND, SPARROW STATED WHAT I HAD SAID TO SPARROW ABOUT ME GOING TO TRAIN CARRIAGE "I SAW THE BACK LIGHT OF THE TRAIN ON..." ⁹⁹ ⁶ THEREFORE, NOT ONLY DID BROWN ^{HAVE} ~~THE~~ DIRECT ACCESS TO POLICE OFFICIAL DOCUMENTS PROVING THAT POLICE AND AT LEAST ONE CIVILIAN STATEMENT ALL MADE VERY SPECIFIC MATERIAL DESCRIPTION REFERENCE TO ME SAYING 'I WENT TO THE TRAIN BECAUSE I WAS INVESTIGATING LIGHT ON IN REAR
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1. CARRIAGE⁹, AND THAT I STATED THAT SPECIFIC REASON ON 10-1-1991, BUT ALSO, THE FACT THAT BROWN ALSO HAD DIRECT KNOWLEDGE OF THE CONFLICTING VERSIONS OF ALLEGED DISCUSSION BETWEEN ME AND CAUNCE ON 10-1-1991⁹, SPECIFICALLY, CAUNCE'S CLAIM IN FIRE REPORT RE 'LIGHT IN TRAIN', COMPARED TO CAUNCE'S CLAIM IN CAUNCE'S WITNESS STATEMENT DATED 7-8-1992, YET BROWN, A VETERAN DETECTIVE, DID NOTHING TO CHALLENGE CAUNCE ON CONFLICTING VERSIONS OF ALLEGED DISCUSSION (SO WAS BROWN PART OF THE CORRUPTION TO CONVICT ME OF ARSON, OR WAS BROWN NEGLIGENT AND INCOMPETENT BY FAILING AND REFUSING TO INVESTIGATE FALSE POLICE DOCUMENTS PRODUCED BY CAUNCE ??),
10. AND ADDITIONALLY, SPECIFICALLY, CAUNCE'S CLAIM IN CAUNCE'S POLICE WITNESS STATEMENT RE 'INVESTIGATE A FIRE', COMPARED TO MODRA'S CLAIM IN MODRA'S POLICE WITNESS STATEMENT RE 'INVESTIGATE A [REDACTED] LIGHT', AND WHERE MODRA'S STATEMENT IS DATED 7-8-1992, AND IRONICALLY, SO IS CAUNCE'S STATEMENT, ALSO DATED 7-8-1992, SO THEN HOW DIFFICULT IS IT FOR A DETECTIVE (BROWN), TO HAVE TWO STATEMENTS FROM TWO DIFFERENT POLICE OFFICERS (CAUNCE AND MODRA), WHO BOTH DESCRIBE WHAT 'I ALLEGEDLY SAID TO CAUNCE ON 10-1-1991 AS MY REASON FOR GOING TO TRAIN CARRIAGE', CAUNCE SAYS 'FIRE', MODRA SAYS 'LIGHT', BUT BOTH
20. ARE DESCRIBING THE EXACT SAME ALLEGED CONVERSATION BETWEEN ME AND CAUNCE, AND BOTH POLICE DESCRIPTIONS ARE WILDLY DIVERGENT SO MUCH SO THAT EVEN A POLICE CADET WOULD ASK HOW THE PARTICULARISED VERSIONS CAN POSSIBLY EXIST AS THE ALLEGED SAME CONVERSATION ???, SO I REPEAT, HOW CRIMINALLY CORRUPT IS SOUTH AUSTRALIA POLICE TO PERMIT BROWN, A PROFESSIONALLY NEGLIGENT AND INCOMPETENT, OR, A CRIMINALLY CORRUPT POLICE DETECTIVE, TO NOT LAWFULLY INVESTIGATE WHY SAID VERSIONS CONFLICTED SO OBVIOUSLY, AND EVEN MORE SUSPICIOUS IS THAT CAUNCE HIMSELF IS THE SOURCE OF THE SPECIFIC DETAILS DESCRIBED ON ~~MODRA'S~~ MODRA'S SAID WITNESS STATEMENT,
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1. BECAUSE, CAUNCE TOLD KITTO ON 10-1-1991, THEN KITTO RELAYED TO CIB MODRA ON 10-1-1991, THEN MODRA OFFICIALLY RECORDED IN MODRA'S INVESTIGATION FILE ON 10-1-1991, WHAT KITTO TOLD MODRA, ABOUT WHAT CAUNCE TOLD KITTO, ABOUT WHAT I TOLD CAUNCE AS MY REASON FOR ATTENDING TRAIN, RE 'LIGHT IN REAR CARRIAGE', SO....., IF MODRA IS MATERIALLY PARTICULARISING IN MODRA'S 7-8-1992 STATEMENT ('LIGHT IN TRAIN'), WHAT CAUNCE FIRST BROADCAST, WHICH WAS TO KITTO ON 10-1-1991 (THEN KITTO RELAYED TO MODRA ON SAME DATE 10-1-1991), BUT CAUNCE IN HIS 7-8-1992 WITNESS STATEMENT IS MATERIALLY PARTICULARISING
10. A WILDLY CONFLICTING VERSION TO CAUNCE'S VERSION TO KITTO ON 10-1-1991, AND ON TOP OF THAT, THE ATTORNEY-GENERAL RAU (ALP), OR WHICHEVER ALP COVERUP SPECIALIST ATTORNEY-GENERAL [REFER PREVIOUS ICAC (OPI) COMPLAINTS BY ME RE ARSON CONVICTION, PROSECUTOR, POLICE, A-G, ETC], 'GOT HIS CROWN LAW ADVICE FROM, LETTER 15-4-2011, "AND IN PARTICULAR, DOES NOT PROVIDE ANY BASIS FOR CONCLUDING THAT A MISCARRIAGE OF JUSTICE HAS OCCURRED.", IMPLIES THAT ALL THESE IMPROPRIETIES I AM COMPLAINING ABOUT ARE IRRELEVANT BECAUSE THEY WERE DONE BY GOVERNMENT EMPLOYEES (PROSECUTOR, CAUNCE, BROWN, ETC),
20. BUT IF A SUSPECT WAS TO MAKE A FALSE STATEMENT PD166, OR GIVE FALSE TESTIMONY, THEN THE DPP / THE STATE WOULD ACTUALLY DO HANDSTANDS AND DECLARE
- YOU ARE BUSTED."

At some point I will stop smash my head against the south Australian wall of criminal corruption, either due to judicial ruling, or the government will get its way and bury me with all its other coverups.

1. BASICALLY IT COMES DOWN TO SAPOL AND DPP HAVING MULTIPLE CONFLICTION VERSIONS FROM CAUNCE, RE 'MY REASON FOR GOIN TO TRAIN', THEY WERE NEVER DIFFERENT REASONS FROM ME, OR KITTO, OR MODRA, OR SPARROW, OR SAPOL FIRE REPORT, OR MY WITNESS STATEMENT... THEY WERE ONLY EVER DIFFERENT/CONFLICTING/WILDLY DIVERGENT VERSIONS OF ALLEGED 'REASON WHICH CAUNCE CLAIMS I SAID TO HIM ON 10-1-1991, FOR ME GOING TO TRAIN'.

- VERSION A. 10-1-1991 : SAPOL FIRE REPORT, 'LIGHT IN TRAIN'
10. VERSION B. { 7-8-1992 : SAPOL PD166 CAUNCE WITNESS STATEMENT, 'INVESTIGATE A FIRE' 
- VERSION C. { MID -1993 : XN ~~THAT~~ TESTIMONY OF CAUNCE, 'TO CLEAN IT'
- VERSION C. { " -1993 : XXN TESTIMONY OF CAUNCE, 'INITIALLY - SAME AS'
- VERSION B. { : XXN TESTIMONY OF CAUNCE, 'CHALLENGED WITH'
- : XXN TESTIMONY OF CAUNCE, 'CAUNCE QUALIFIES'
- : XXN TESTIMONY OF CAUNCE, 'INVESTIGATE A FIRE'
20. VERSION B. IS WHAT JURY HEARS

QUESTION: HOW AM I TO RECEIVE AN HONEST OR FAIR CHANCE TO DEFEND ~~MYSELF~~ MYSELF IF THE JURY NEVER GETS TOLD BY THE STATE, ABOUT VERSION A. WHICH CAUNCE ACTUALLY WROTE, OR THAT ON 10-1-1991 CAUNCE TOLD KITTO ABOUT SAME VERSION AS VERSION A, BUT INSTEAD, JURY ONLY HEARS FROM CAUNCE, AND PROSECUTOR, VERSIONS B. AND C.?

1. IF ANY OF THE IDENTIFIED PERSONS, CAUNCE, KITO, MODRA, BROWN, OR EVEN TRIAL PROSECUTOR, HAD REVEALED TO JURY, THEIR KNOWLEDGE OF WHAT CAUNCE SAID TO KITO, OR CONTENT OF FIRE REPORT, RE 'LIGHT IN TRAIN', NO COMPETENT JURY COULD ACCEPT CAUNCE'S TESTIMONY OR CAUNCE'S POLICE WITNESS STATEMENT AS HONEST, RELIABLE, CREDIBLE, OR BELIEVEABLE, AND, IT COULD NOT BE SAID THAT, UPON PRESENT REVIEW, THAT THERE WAS NO 'DOUBT' ABOUT CAUNCE'S TRUTHFULNESS, AND THAT THEN WOULD BE SUFFICIENT FOR A COMPETENT JURY TO DECLARE A 'NOT GUILTY VERDICT', AS CROWN EVIDENCE WAS RIPPED WITH 'CONFLICTING DPP
10. ALLEGED TRUTHS, WHICH THEN SUSTAINS BELIEF THAT THE STATE IS RELYING ON FALSE STATE'S EVIDENCE TO PROSECUTE ME', THEREFORE, 'NOT GUILTY'.

- WHAT IS ALSO SUSPICIOUS OF TRIAL PROSECUTOR'S IMPROPER AND ILLEGAL PRESENTATION OF STATE'S CASE AGAINST ME, IS THAT IF MODRA'S POLICE WITNESS STATEMENT PARTICULARS, RE "HE ADVISED THAT HE HAD SEEN A LIGHT IN THE RAILWAY CARRIAGE", ^{HAD} BEEN PRESENTED TO JURY, THEN MODRA'S STATEMENT OF 7-8-1992, VERSION 'LIGHT IN TRAIN', WOULD WILDLY CONFLICT WITH CAUNCE'S STATEMENT OF 7-8-1992, VERSION 'INVESTIGATE A FIRE', AND THE JURY WOULD ~~SUFFER~~ SUFFER THE SAME OBVIOUS BLEMISH IN TRIAL, AS I HAVE HIGHLIGHTED ABOVE AT PAGES 83, 84, 85 AND 86 [IBID], FROM THE FREDERICK JUDGMENT OF 2004, AS QUOTED FROM PARAGRAPHS 28, 29, 31, 32, 33, 38, 39, AND 54.
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- FOR MY 1993 TRIAL JURY TO BE PRESENTED BY CROWN CASE EVIDENCES, AND FROM TRIAL PROSECUTOR, IN THE WAY THEY WERE, UPON PRESENT REVIEW OF WHAT DID HAPPEN IN MY 1993 ~~TRIAL~~ TRIAL, IT CANNOT BE SAID THAT MY SAID TRIAL DID NOT MISCARRY 'AS A RESULT OF THE STATE'S EVIDENCE WHICH WAS PRESENTED AS STATE'S EVIDENCE IN ~~MY~~ MY TRIAL', OR, 'AS A CONSEQUENCE OF KNOWN STATE'S EVIDENCE WHICH CROWN PROSECUTOR HAD NEGLECTED AND FAILED TO PRESENT TO MY TRIAL COURT AND TRIAL JURY AS
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1. ACTUAL STATE'S EVIDENCE'. THE 1993 TRIAL DID MISCARRY BECAUSE TRIAL PROSECUTOR DID NOT PRESENT KNOWN STATE'S EVIDENCE IN A WAY THAT WAS HONEST, ESPECIALLY REGARDING CAUNCE'S VERSION A. OF 'ALLEGED DISCUSSION' (SEE ON PAGE 100, ABOVE, IBID, 'VERSION A' IN FIRE REPORT, VERSION A, WAS ALSO IN MODRA'S STATEMENT OF 7-8-1992), AND, AS POSITED ON PAGE 95, ABOVE, IBID, 'IF THE SPECIFIC DECISION OF THE JURY WAS CHARGED WITH ADDITIONAL VALIDATION OF MY ANSWER', BY CROWN PROSECUTION CASE ACKNOWLEDGING THAT FIRE REPORT, OR CAUNCE HIMSELF, OR KITTO, OR MODRA, OR BROWN, ANY ONE OF THEM, AGREED WITH KNOWN STATE'S EVIDENCE OF ME SAYING ON 10-1-1991, THAT I SAID TO CAUNCE 'LIGHT IN TRAIN', THE JURY WOULD KNOW THAT THE STATE HAD PROOF WHICH VERIFIED SAME PARTICULARISATION OF 'LIGHT IN TRAIN', BUT INSTEAD THE JURY WAS LIED TO BY THE STATE AND WAS NEVER TOLD THE TRUTH ABOUT FIRE REPORT 'LIGHT IN TRAIN', OR MODRA'S STATEMENT 'LIGHT IN TRAIN'.
- 10.

20. BACK TO THE POINT OF 'IRREGULARITY LANE 2' (PAGE 90, IBID), THE DESCRIPTIVE PATH HIGHLIGHTED ON PAGE 81, IBID, AND, PAGE 100, IBID (FULL PAGE), AND THE JURY'S BELIEF, IF NOT TO BELIEVE MY ANSWER RE 'LIGHT IN TRAIN', THEN THEIR ONLY OTHER OPTION WAS TO BELIEVE FALSE ANSWER FROM CAUNCE RE VERSION B. (PAGE, 100, IBID), OR BELIEVE FALSE ANSWER FROM CAUNCE RE VERSION C. (PAGE, 100, IBID), TO PUT IT EASY ENOUGH FOR A CHILD TO UNDERSTAND SO THE CROWN LAW OFFICERS KNOW EXACTLY WHAT I MEAN, THE JURY WOULD EITHER BELIEVE STATE'S EVIDENCE MATERIAL LIE BY AND FROM CAUNCE, RE VERSION B. 'INVESTIGATE A FIRE' (PAGE 100, IBID), OR, JURY WOULD BELIEVE STATE'S EVIDENCE MATERIAL LIE BY AND FROM CAUNCE, RE VERSION C. 'TO CLEAN IT' (PAGE 100, IBID). 'THAT DECISION', BY EACH RESPECTIVE JUROR, TO BELIEVE CAUNCE, AND NOT MY REASON ('LIGHT
- 30.

1. IN TRAIN'), EFFECTIVELY POISONED MY TRIAL JURY AS FAR AS ANY TESTIMONY FROM ME, BOTH IN XN AND XXN, BECAUSE, AS FAR AS THE JURY WERE AWARE (BECAUSE CROWN EVIDENCE WHICH DID ~~EXIST~~ EXIST TO QUALIFIABLY ~~PROO~~ PROVE CAUNCE SIGNATURE AND DESCRIPTION ON FIRE REPORT OF 10-1-1991 'LIGHT IN TRAIN', MODRA STATEMENT DESCRIPTION DATED 7-8-1992, REFLECTION OF WHAT CAUNCE SAID TO KITTO WHO SAID TO MODRA ON 10-1-1991, WHICH MODRA SIGNED ON 7-8-1992, WAS NEVER PRESENTED TO JURY BY ANY PART OF THE 'PROSECUTION CASE'), 'I MUST HAVE LIED IN MY POLICE WITNESS STATEMENT OF MID 1992, AND MUST HAVE LIED IN TRIAL TESTIMONY WHEN I STATED AS A FACT THAT I HAVE EVER ONLY PROVIDED ONE REASON FOR GOING TO TRAIN CARRIAGE ON 10-1-1991, BEING 'TO INVESTIGATE A LIGHT', AS NO CROWN EVIDENCE WAS EVER SHOWN TO THE JURY, OR SPOKEN IN WITNESS BOX TO PROVE 'THAT MATERIAL FACT', THEREFORE, BY THE DPP PERMITTING TRIAL PROSECUTOR TO ILLEGALLY MISREPRESENT KNOWN STATE'S EVIDENCE, MY JURY CONSIDERED MY TESTIMONY AND CLAIMS RE 'LIGHT IN TRAIN' TO BE DISHONEST, A LIE, WHICH THEN TRANSLATED INTO 'GUILTY OF ARSON' (SEE PAGE 81, IBID).
- 10.

20. HOW CAN IT BE INCONSEQUENTIAL TO A FAIR TRIAL, IF MY JURY WAS LIED TO BY A CRIMINALLY CORRUPT TRIAL PROSECUTOR, AND WHO NOW SITS AS A DISTRICT COURT JUDGE... PAUL RICE ?

1. HERE'S AN INTERESTING POINT THAT HIGHLIGHTS HOW MUCH DAMAGE WAS ILLEGALLY INJECTED INTO MY 1993 ARSON TRIAL, BY TRIAL PROSECUTOR AND PROSECUTION CASE EVIDENCE (DOCUMENT FORM AND TESTIMONY FORM):

10. IF I HAD BEEN ARRESTED, OR EVEN JUST FORMALLY QUESTIONED AS A SUSPECT OF THE ARSON CRIME, 3 DAYS AFTER THE FIRE, SUCH ~~AND~~ AS 13-1-1991, THE ONLY POLICE EVIDENCE AVAILABLE AT THAT TIME, REGARDING 'WHAT REASON DID I GIVE POLICE FOR ME GOING TO THE TRAIN?', WOULD HAVE BEEN 'THE EXACT SAME FIRE REPORT OF 10-1-1991 (WHICH WAS NEVER DISCLOSED TO MY 1993 JURY), AND THE POLICE INVESTIGATION NOTES FROM MODRA (IN WHICH MODRA WROTE WHAT KITO TOLD MODRA, OF WHAT CAUNCE TOLD KITO, OF WHAT I TOLD CAUNCE RE ME GOING TO TRAIN TO INVESTIGATE A LIGHT).

CAUNCE MOST LIKELY WOULD HAVE ACTUALLY REMEMBERED SIGNING-OFF THE FIRE REPORT OF 10-1-1991 AND THE DESCRIPTION THEREIN RE 'LIGHT IN TRAIN'. THERE WOULD BE NO 'INVESTIGATE A FIRE' CLAIM WHICH CAUNCE FALSELY CLAIMED IN HIS 7-8-1992 WITNESS STATEMENT, NOR ANY 'TO CLEAN IT' CLAIM WHICH CAUNCE FALSELY CLAIMED IN HIS TRIAL ~~XN~~ TESTIMONY, AND THEN TRIED TO SUSTAIN IN CAUNCE'S ~~XXN~~ TESTIMONY, UNTIL CHALLENGED FOR PRIOR INCONSISTENT STATEMENT.

20. THERE WOULD NOT EXIST ANY MULTIPLE VERSIONS OF ALLEGED DISCUSSION BETWEEN ME AND CAUNCE, AS WAS SAID BY CAUNCE AND TRIAL PROSECUTOR IN THE 1993 TRIAL, AS CAUNCE WOULD NOT HAVE CREATED ANY OTHER VERSIONS (OF ALLEGED DISCUSSION ^{BETWEEN} ~~ME~~ ME AND CAUNCE), ONLY DAYS AFTER 10-1-1991, BECAUSE, AS CAUNCE'S POLICE WITNESS STATEMENT OF 7-8-1992 PROVES, CAUNCE'S FALSE VERSION RE 'INVESTIGATE A FIRE', WASN'T CREATED BY CAUNCE UNTIL AUGUST 1992, AND SO DID NOT EXIST AS PART OF POLICE EVIDENCE UNTIL MORE THAN 18 MONTHS ~~AND~~ AFTER ARSON DATE OF 10-1-1991.

1.

THE POLICE FIRE REPORT ALONE, WOULD HAVE BEEN ENOUGH TO PRESENT TO THE 1993 TRIAL JURY, FOR THE JURY TO THEN HAVE CROWN EVIDENCE (CONTENTS WRITTEN IN FIRE REPORT, RE 'LIGHT IN TRAIN'), PROVING ON 10-1-1991, POLICE RECORDED ME SAYING 'LIGHT IN TRAIN'. DUE TO CROWN NEVER PRESENTING SUCH EVIDENCE TO MY 1993 JURY, 'THE CONSEQUENTIAL DAMAGE TO ME WAS THAT THE JURY REGARDED ANYTHING I SAID IN TESTIMONY, AS FALSE, SO AS TO COVER-UP THE TRUTH, ACCORDING TO HOW THE JURY THEN SAW ME', THAT INCLUDED WHEN I SAID I DID NOT SET A CRIME SCENE, I DID NOT BREAK WINDOW TO CREATE FALSE BREAK-IN, ETC.

10.

I HAD AN ILLEGAL 'BURDEN OF PROOF' FORCED UPON ME BY PROSECUTION TESTIMONY (CAUNCE), AND PROSECUTOR, WHO LIED BY OMITTING KNOWN STATES EVIDENCE WHICH WAS EMPIRICAL PROOF (FIRE REPORT OF 10-1-1991), OF ME ONLY SAYING 'LIGHT IN TRAIN' ON 10-1-1991.

20.

ALSO, MODRA'S STATEMENT OF 7-8-1992, REFLECTING WHAT WAS SAID TO HIM BY KITTO, ETC, AND THEREFORE REFLECTING WHAT I SAID TO CAUNCE ON 10-1-1991, ^{RE} "HE ADVISED THAT HE HAD SEEN A LIGHT IN THE RAILWAY CARRIAGE.", HOWEVER, WHAT IS NOT DESCRIBED IN MODRA'S STATEMENT OF 7-8-1992, WHICH MEANS IT IS ALSO NOT WRITTEN ON MODRA'S CRIME INVESTIGATION NOTES ON 10-1-1991, 'IS ANY REFERENCE TO 'TO CLEAN IT', OR, 'TO INVESTIGATE A FIRE', OR ANY OTHER 'REASON' WHATSOEVER', WHICH ALSO PROVES THAT 'NO OTHER VERSIONS OR REASONS FOR ME SAYING WHY I WENT TO THE TRAIN, WERE EVER GIVEN TO MODRA BY KITTO ON 10-1-1991, OR CAUNCE TO KITTO ON 10-1-1991, OR ME TO CAUNCE ON 10-1-1991'. THE 'ONLY' PERSONS WHO EVER PRESENTED DIFFERENT/CONFLICTING REASONS FOR ME SAYING WHY I WENT TO THE TRAIN, WAS CAUNCE AND TRIAL PROSECUTOR. SO THEN, THE ILLEGAL

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1.

BURDEN AND ONUS OF PROVING I DID NOT LIE IN MY WITNESS STATEMENT OF MID 1992, OR MY TRIAL TESTIMONY IN 1993, WHEN I STATED THE ONLY REASON I EVER GAVE TO ANYONE FOR ME GOING TO THE TRAIN WAS 'TO INVESTIGATE A LIGHT', WAS NOT PERMITTED TO BE PLACED UPON ME AT ANY TIME IN MY TRIAL, AS IT REQUIRED ME TO PROVE THAT 'I DID SAY LIGHT IN TRAIN' ON 10-1-1991, YET, A FAIR TRIAL ACCORDING TO LAW, WAS IN FACT OBLIGATED WITH PROCESS CRITERIA REGARDING HOW THE CHARACTER OF SAID TRIAL STOOD, AND 'WHO TOOK LIABILITY TO PROVE WHAT ASPECTS OF WHAT EVIDENTIARY CLAIMS' IN SAID TRIAL (WHICH SHOULD HAVE SAT 100% UPON THE PROSECUTION),

10.

AND, THAT 'NO BURDEN OR ONUS OF PROVING MY INNOCENCE OR ANY ASPECT OF ANY CLAIM BY PROSECUTION WAS PERMITTED TO HAPPEN IN SAID TRIAL', AND, IN ORDER TO DISPROVE MY CLAIM THAT 'ON 10-1-1991 I TOLD CAUNCE THAT I WENT TO TRAIN DUE TO LIGHT BEING ON IN REAR CARRIAGE', THE PROSECUTION WAS OBLIGATED IN A FAIR AND HONEST PRESENTATION OF KNOWN STATE'S EVIDENCE, TO PROVE THAT 'THERE WAS NO GOVERNMENT DOCUMENT EVIDENCE WHICH EXISTED TO SUPPORT MY CLAIM, RE 'LIGHT IN TRAIN'', EXCEPT THAT, 'THAT COULD NEVER BE LAWFULLY DONE OR HONESTLY DONE, AS SUCH DOCUMENT EVIDENCE DID ~~EXIST~~ EXIST, WHICH IS WHY TRIAL PROSECUTOR ILLEGALLY HID THE EVIDENTIARY PROOF OF MY CLAIM 'LIGHT IN TRAIN', FROM MY TRIAL COURT AND TRIAL JURY, TO CAUSE JURY TO REGARD ME ONLY AS A LIAR, SO THAT WAY THE JURY WOULD CONVICT ME OF THE CHARGE OF ARSON'.

20.

IF I WAS NOT TRIED 'HONESTLY AND LAWFULLY', AS OF RIGHT IN AND AT LAW, THEN, THAT MUST MEAN THAT I COULD ONLY HAVE BEEN TRIED 'DISHONESTLY BY CROWN PROSECUTOR AND THE STATE', AND, MUST ALSO MEAN THAT I WAS TRIED 'UNLAWFULLY BY CROWN PROSECUTOR AND THE STATE', WHICH ALSO MEANS THE SAID 1993^{TRIAL} WAS NOT A FAIR TRIAL BY PROPER JUDICIAL STANDARDS, AND THEREFORE MISCARRIED TO

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1.

SUCH A DEGREE OF [REDACTED] FUNDAMENTAL AND RADICAL VIOLATION OF THE ESSENTIAL ELEMENTS OF A 'LAWFULLY CONDUCTED TRIAL', THAT MY SAID 1993 ARSON TRIAL, UPON PRESENT REVIEW AND CONSIDERATIONS, CEASED TO EXIST AS A PROPERLY CONDUCTED TRIAL, AND THAT THE CAUSE OF SUCH DEPARTURE FROM A LAWFULLY CONDUCTED TRIAL, WAS 100% DUE TO DELIBERATE AND DIRECT ACTIONS OF TRIAL PROSECUTOR AND CROWN WITNESS EVIDENCE IN TRIAL, AS WELL AS GOVERNMENT EMPLOYEE DIRECT AND DELIBERATE ACTIONS WELL BEFORE THE TRIAL EVEN COMMENCED, AND SUCH ACTIONS THEN CARRIED-

10.

THROUGH TO INFECT MY 1993 ARSON TRIAL, WITH THE ASSISTANCE OF AND BY THE TRIAL PROSECUTOR. THERE IS NO 'PROVISO' OPEN FOR USE OR APPLICATION, BY ANY APPEAL COURT IN THIS CIRCUMSTANCE EITHER (SO AS TO 'PROTECT' A GUILTY VERDICT BY TRIAL JURY, OR TO 'PROTECT' AN ULTIMATE VERDICT/ULTIMATE CONVICTION BY MY TRIAL JUDGE), BECAUSE THE CONDUCT/ACTIONS OF AND BY CROWN PROSECUTIONS, WHICH I COMPLAIN OF AND ABOUT IN THIS PETITION, RIGHT BACK TO THE ORIGINAL 2008 PETITION, SHOW THAT THE ACTUAL FOUNDATION OF MY 1993 ARSON TRIAL WAS SO CORRUPTED AND POISONED AND TAINTED BY FALSE STATE'S EVIDENCE, DOCUMENT FORM, THAT IT WAS LITERALLY IMPOSSIBLE TO EVER RECEIVE A FAIR TRIAL ACCORDING TO LAW (SEE ABOVE REFERENCES TO 'PROVISO' AND 'ONUS/BURDEN OF PROOF', ON PAGES 20 AND 21, IBID, AND JUDGMENT WILDE V. THE QUEEN [1998] HCA 6; (1998) 164 CLR 365), (SEE ABOVE REFERENCE QUOTES [REDACTED] FROM WILDE JUDGMENT, PAGES 24, 25, 26 AND 27, IBID, RE 'PROVISO' NOT OPEN FOR USE BY APPEAL COURT DUE TO 'RADICAL' AND/OR 'FUNDAMENTAL' ERROR/FLAW IN THE TRIAL WHICH TOOK PLACE).

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WITHOUT ANY EXPECTATION BEING PLACED ON MY INCOMPETENT TRIAL LAWYER,
 6 FOR NEGLECTING TO PICK UP ON THE CONTENTS OF MODRA'S WITNESS

1. STATEMENT OF 7-8-1992 (RE 'LIGHT IN TRAIN'), THEN BRING 'THAT MATERIAL EVIDENCE' TO THE ATTENTION OF MY TRIAL JURY⁹, OR, 'FOR NEGLECTING TO PICK UP ON THE CONTENTS OF THE SAPOL FIRE REPORT DATED 10-1-1991 (RE 'LIGHT IN TRAIN')', THEN BRING 'THAT MATERIAL EVIDENCE TO THE ATTENTION OF MY TRIAL JURY (IRRESPECTIVE OF THE ADDITIONAL MATERIAL FACT THAT CAUNCE HIMSELF ACTUALLY SIGNED-OFF THE SAID FIRE REPORT)', IT WAS IMPROPER FOR THE TRIAL PROSECUTOR TO 'REVERSE THE ONUS AND BURDEN OF PROOF' OFF THE CROWN PROSECUTOR'S OBLIGATION ASSOCIATED WITH PROSECUTING THE CROWN'S CASE AGAINST ME, AND 'IMPOSE ONUS AND BURDEN OF PROOF' UPON ME TO 'PROVE I WAS BEING HONEST WHEN I STATED 'ATTEND TRAIN DUE TO LIGHT IN REAR CARRIAGE''. SUCH A REVERSAL OF ONUS/BURDEN OF PROOF, ONTO ME, IS GROUNDS, ALONE, TO SET ASIDE CONVICTION OF ARSON, AS IT IMPROPERLY REQUIRED ME TO 'PROVE CAUNCE WAS A LIAR' RE CAUNCE XN AND XXN TESTIMONY 'TO CLEAN IT', AND 'PROVE CAUNCE WAS A LIAR' RE CAUNCE XXN TESTIMONY 'TO INVESTIGATE A FIRE', AND 'PROVE CAUNCE WAS A LIAR' RE CAUNCE WITNESS STATEMENT OF 7-8-1992 'TO INVESTIGATE A FIRE', AND TO PROVE MY TRUTH RE 'LIGHT IN TRAIN', I ALSO HAD TO PROVE EXISTENCE OF FIRE REPORT CONTENTS OF 10-1-1991 RE 'LIGHT IN TRAIN', ALL WHICH STATE WAS OBLIGATED TO INFORM JURY OF ITSELF, AS PRESENTATION OF CROWN CASE, BUT, CROWN DID NO SUCH PRESENTATION TO THE JURY, INSTEAD, CROWN HID VITAL DOCUMENTS FROM JURY (RE FIRE REPORT AND MORE), THEREBY ILLEGALLY MISREPRESENTING KNOWN AND CREDIBLE STATE'S EVIDENCE IN A TRIAL AGAINST ME. HOW THE HELL CAN I POSSIBLY HAVE A FAIR AN HONEST OPPORTUNITY OF ACQUITTAL VERDICT, IF PROSECUTOR PRESENTS FALSE STATE'S EVIDENCE AS ITS PROSECUTION CASE? QUOTES FROM R v HELPS [2016] SASFC 154, ARE CLEAR DESCRIPTION OF WHAT PROSECUTOR MUST DO, WHICH INCLUDES HONEST PRESENTATION OF CROWN'S ~~RE~~ KNOWN RELEVANT EVIDENCE⁹.

30. *NOT SURE OF PARAGRAPH NUMBER AS NOT AVAILABLE ON TEXT SOURCE

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WHICH THESE WORDS ARE TAKEN FROM,

“THE JUDGE STATED:

[20] IT IS SUFFICIENTLY IMPORTANT HOWEVER TO REPEAT THAT THE ACCUSED COMMENCES THE TRIAL WITH, AND AT ALL TIMES RETAINS, THE PRESUMPTION OF INNOCENCE. THE PROSECUTION AT ALL TIMES BEARS THE ONUS OF PROOF, AND MUST PROVE EACH ELEMENT OF CHARGED OFFENCE BEYOND REASONABLE DOUBT BEFORE AN ACCUSED MAY BE CONVICTED OF THAT OFFENCE, AND MUST DO SO BASED ONLY ON THE EVIDENCE ~~RELEVANCE~~ RELEVANT TO THAT OFFENCE. ...

10.

[26] THE ACCUSED IN THIS CASE GAVE EVIDENCE ON OATH. ... IN ASSESSING HIS EVIDENCE AND THE WEIGHT TO BE GIVEN TO IT, THE COURT APPROACHES THE TASK IN EXACTLY THE SAME WAY AS WITH ANY OTHER WITNESS, ALWAYS BEARING IN MIND HOWEVER THAT THE ACCUSED BEARS NO ONUS TO PROVE ANYTHING AND THAT IT AT ALL TIMES REMAINS FOR THE PROSECUTION TO PROVE EACH AND EVERY ELEMENT OF AN OFFENCE BEFORE AN ACCUSED MAY BE CONVICTED OF THAT OFFENCE,

20.

[31] IN THIS CASE, THE EVIDENCE OF THE COMPLAINANT AND THE ACCUSED ARE STARKLY OPPOSED. ... IT IS IMPORTANT TO OBSERVE THAT IN A CASE SUCH AS THIS IT IS NOT A MATTER OF DECIDING WHO TO BELIEVE OR WHICH OF THE TWO VERSIONS OF AN EVENT TO ACCEPT, OR WHO IS MORE BELIEVABLE THAN THE OTHER, OR ANYTHING OF THAT NATURE. THE QUESTION IS ALWAYS WHETHER THE PROSECUTION HAS PROVEN EVERY ELEMENT OF A CHARGE BEYOND REASONABLE DOUBT. THE ACCUSED BEARS NO ONUS, AND HAS TO PROVE NOTHING. FURTHER, EVEN IF AN ACCUSED GAVE EVIDENCE AND WERE ENTIRELY DISBELIEVED, THAT DOES NOT PROVE ANYTHING AGAINST THE ACCUSED, IT WOULD STILL REMAIN, AND ALWAYS REMAINS, FOR THE PROSECUTION TO PROVE EACH ~~THE~~ ELEMENT OF ANY GIVEN CHARGE BEYOND REASONABLE DOUBT BASED ON THE EVIDENCE IT CALLS AT TRIAL.

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IN THE CONTEXT OF DIRECTING HIMSELF SPECIFICALLY AS TO A MOTIVE WHICH THE COMPLAINANT HAD TO LIE, HE REMINDED HIMSELF AGAIN THAT:

[32] ... IT IS NOT FOR THE ACCUSED TO PROVIDE OR SUGGEST A MOTIVE FOR THE COMPLAINANT TO LIE. NO ONUS AS TO THIS OR INDEED ANYTHING ELSE LIES ON THE DEFENCE... THE PROSECUTION MUST SATISFY THE COURT BEYOND REASONABLE DOUBT THAT THE COMPLAINANT WAS TELLING THE TRUTH.⁹⁹

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*OTHER WORTHY AND RELEVANT QUOTES WITHIN HELPS, WHICH APPEAR TO BE CITED, INCLUDE (AGAIN, PARAGRAPH NUMBER IS NOT SHOWN ON TEXT SOURCE):

• "IN 2004, IN SUBRAMANIAM V. THE QUEEN THE HIGH COURT STATED:
[75]

[54] THERE IS NO DOUBT THAT THE PROSECUTION IS UNDER A DUTY TO PRESENT THE CASE FAIRLY AND COMPLETELY. [76] LONG AGO, IN R V. PUDDICK [77] CROMPTON J MADE THE FOLLOWING OBSERVATION OF PROSECUTORS: "[THEY] ARE TO REGARD THEMSELVES AS MINISTERS OF JUSTICE, AND NOT TO STRUGGLE FOR A CONVICTION." IN R V. LUCAS [78] SMITH ACJ SAID THIS OF A PROSECUTOR'S DUTY TO ACT FAIRLY: FOR THE PURPOSE OF ESTABLISHING SUCH AN ALLEGATION OF UNFAIRNESS IT IS NOT NECESSARY FOR THE APPLICANT TO BE ABLE TO POINT TO THE CONDUCT OF AN IDENTIFIED PERSON OR PERSONS CONCERNED IN THE PROSECUTION AS HAVING BEEN BLAMEWORTHY. IT IS SUFFICIENT FOR HIM TO SHOW THAT THE TOTALITY OF THE ACTS OF THOSE CONCERNED ON BEHALF OF THE CROWN IN THE PREPARATION AND CONDUCT OF THE PROSECUTION HAS OPERATED UNFAIRLY AGAINST HIM.

20.

... THE DUTY OF A PROSECUTOR IS TO PROSECUTE AND NOT TO DEFEND, NEVERTHELESS IT HAS LONG BEEN ESTABLISHED THAT A PROSECUTION MUST BE CONDUCTED WITH FAIRNESS TOWARDS THE ACCUSED AND WITH A SINGLE VIEW TO DETERMINING AND ESTABLISHING THE TRUTH.

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1. • IN 2012 IN *GILHAM V. THE QUEEN* (IN THE CONTEXT OF THE PROSECUTION CALLING EXPERT WITNESSES) THE NEW SOUTH WALES COURT OF CRIMINAL APPEAL STATED: [79]

.... [404]

10. THE CROWN PROSECUTOR'S OBLIGATION IS TO CALL ALL RELEVANT EVIDENCE AT HIS OR HER DISPOSAL. THAT OBLIGATION IS A CONTINUING OBLIGATION WHICH PERSISTS UNTIL THE CROWN CASE IS CLOSED. THE APOSTILIDES PRINCIPLES ARE NOT THE RULES OF THE GAME. THEY ARE RULES DESIGNED AS A PROTECTION AGAINST UNFAIRNESS OR THE ABUSE OF PROSECUTORIAL POWER (SEE *R V. GIBSON* [2002] NSWCCA 401 (SULLY J AT [49], WOOD CJ AND HOWIE J AGREEING)), QUOTING *RANDALL V. THE QUEEN* [2002] UKPC 19; [2002] 1. WLR 2237 AT 2243. "

IN MY 1993 ARSON TRIAL, THE PROSECUTION WAS MORE CONCERNED AND DRIVEN TOWARDS GETTING ME CONVICTED, RATHER THAN SEEKING TRUTH OF THEIR CHARGE AGAINST ME, TO THE EXTENT ~~THE~~ THE COMPLAINANT, BEING THE CROWN, AND WITNESSES FOR THE CROWN, WOULD LIE TO MY TRIAL COURT AND BREACH ITS OBLIGATION TO 'PRESENT HONEST AND TRUE REPRESENTATION OF ALL KNOWN AND RELEVANT STATES' EVIDENCES'.

30. IT SHOULD ALSO BE APPRECIATED THAT IN MY 1993 ARSON TRIAL, CAUNCE WAS NOT JUST A CROWN WITNESS, HE WAS ALSO A 'COMPLAINANT' IN HIS OWN RIGHT, AS HE MADE DIRECT ACCUSATIONS AGAINST ME THAT WERE FALSE BUT WHICH CAUNCE CLAIMED WERE ~~THE~~ TRUE, RE 'TO CLEAN IT', AND, 'TO INVESTIGATE A FIRE', AND IN THIS RESPECT, ABOVE QUOTES, IN PARTICULAR, PAGES 109 AND 110, IBID, DISPLAYING FROM HELPS JUDGMENT PARAGRAPHS [20], [26], [31] AND [32], BECAUSE, CAUNCE WAS MAKING INCONSISTENT CLAIMS (FIRE REPORT - LIGHT, WITNESS STATEMENT - FIRE, XN TESTIMONY - CLEAN IT, XXN TESTIMONY - FIRE AGAIN),

1. ABOUT A SHORT CONVERSATION BETWEEN ME AND CAUNCE ON 10-1-1991, JUST MINUTES AFTER HE AND KITTO ARRIVED 'ON SCENE'. IT WAS ONE CONVERSATION RE 'WHAT HAPPENED?', WHICH I ANSWERED, AND WITHIN SAID ANSWER WAS MY REASON FOR GOING TO THE TRAIN, AS REFLECTED IN FIRE REPORT WHICH CAUNCE SIGNED ON 10-1-1991, RE 'LIGHT IN TRAIN'. IF I HAD ACTUALLY GIVEN ANY MORE THAN ONE REASON TO CAUNCE, FOR ME GOING TO THE TRAIN, IT CANNOT BE SAID THAT I WOULD NOT HAVE BEEN ARRESTED ON THAT DATE, 10-1-1991. How CURIOUS THAT I AM CHARGED WITH 'ARSON', BASED ON A 'CENTRAL PILLAR' OF THE CROWN CASE AGAINST ME TO SUPPORT AND 'VALIDATE THE CHARGE', BEING, THAT 'I ALLEGEDLY GAVE CONFLICTING/INCONSISTENT REASONS FOR WHY I WENT TO THE TRAIN CARRIAGE', WHICH POLICE AND TRIAL PROSECUTOR (THE CROWN), CLAIM WAS 'A LIE WHICH WAS CAUGHT BY THEM', AND THAT 'THE 'LIE' WAS MY ATTEMPT TO DISGUISE MY ACTUAL REASON FOR ATTENDING TRAIN', WHICH THE CROWN CLAIM WAS TO 'SET FIRE TO THE TRAIN', AND THAT BY THE CROWN'S SCENARIO PRESENTED AS PROSECUTION CASE,

- 10.
- MY ALLEGED CONFLICTING REASONS = LIES BY ME.
 - MY ALLEGED LIES = CRIMINAL DECEPTION OF ACTUAL REASON.
 - MY ALLEGED ACTUAL REASON = SET FIRE TO TRAIN.
 - THEREFORE, MY ALLEGED CONFLICTING REASONS EQUATES TO BEING GUILTY OF ARSON.

PROBLEM IS THOUGH, THE 'CONFLICTING REASONS' WERE NEVER PRESENTED BY ME TO ANYONE, THEY WERE ONLY EVER ATTRIBUTABLE TO CAUNCE, AND TRIAL PROSECUTOR MISLED THE JURY ABOUT WHO ACTUALLY PRODUCED CONFLICTING 'REASONS' ABOUT ME ATTENDING TRAIN CARRIAGE.

1.

IT IS THEREFORE IMPOSSIBLE TO SUSTAIN THE 'GUILTY VERDICT', BASED ON PROSECUTION SCENARIO PRESENTED TO MY TRIAL JURY, RE 'MY ALLEGED LIES (CONFLICTING REASONS FOR ATTENDING TRAIN), TO HIDE SETTING FIRE TO TRAIN MYSELF', IF THERE IS CREDIBLE, RELIABLE AND TANGIBLE MATERIAL PROOF THAT THE ACCUSER, POLICE OFFICER CAUNCE, HIMSELF, IS THE PERSON WHO MADE 1ST. PERSON FALSE STATEMENTS, RE 'CONFLICTING VERSIONS'.

10.

IT CANNOT BE SAID THAT, 'MY 1993 TRIAL JURY WOULD NOT HAVE HAD A REASONABLE DOUBT ABOUT THE TRUTHFULNESS OF CAUNCE, HIS TRIAL TESTIMONY, OR, THE CLAIMED ACCURACY OF CAUNCE'S POLICE WITNESS STATEMENT DATED 7-8-1992, IF THE SAPOL FIRE REPORT OF 10-1-1991, WHICH CAUNCE SIGNED, PARTICULARLY, ITS REFERENCE DESCRIPTION OF MY REASON FOR GOING TO TRAIN CARRIAGE, RE 'TO INVESTIGATE A LIGHT IN REAR CARRIAGE', HAD BEEN DISCLOSED TO MY TRIAL JURY', AND SO, THE FACT OF THAT NON-DISCLOSURE TO MY TRIAL JURY, NOT ONLY DENIED ME A FAIR TRIAL ACCORDING TO LAW, BUT ALSO, ON PRESENT REVIEW, LEAVES NO ~~RIGHT~~ RIGHT OPEN TO THE STATE, OR THE APPEAL COURT, TO PERMIT SAID ARSON CONVICTION TO REMAIN ON RECORD, AS THE CRIMINAL TRIAL WHICH RESULTED IN SAID 1993 CONVICTION FOR ARSON, MISCARRIED AS A RESULT OF PROSECUTORIAL MISCONDUCT, PROSECUTORIAL MISREPRESENTATION, PROSECUTORIAL FRAUD, AND ABUSE OF PROSECUTORIAL POWER.

20.

30.

IT CANNOT BE INCONSEQUENTIAL TO ~~THE~~ THE CONDUCT OF MY SAID 1993 ARSON TRIAL, THAT THE TRIAL JURY DID NOT HAVE DISCLOSURE OF SAID FIRE REPORT DATED 10-1-1991, OR CONTENTS WRITTEN THEREIN,

1.

BECAUSE, AT THE VERY LEAST, THE EXCULPATORY WEIGHT OF THE DESCRIPTION THEREIN, OF REFERENCE TEXT RE 'LIGHT IN TRAIN', CREATES A CREDIBLE BELIEF OF MY TESTIMONY (XN AND XXN), AND MY POLICE WITNESS STATEMENT, WHEN I STATED THE SINGLE REASON FOR ME ATTENDING TRAIN WAS RE 'LIGHT IN TRAIN', AND, AT THE POINT IN TRIAL OF MY TESTIMONY, MEANT CROWN'S CASE HAD ALREADY CLOSED, SO THAT THE JURY SHOULD ALREADY HAVE HAD SAID FIRE REPORT DISCLOSED TO THE JURY, PLUS, CAUNCE HAD ALREADY GIVEN HIS TWO TRIAL VERSIONS (RE 'TO CLEAN IT', AND 'TO INVESTIGATE A FIRE'), SO THEN, SAID FIRE REPORT DESCRIPTION

10.

~~REDACTED~~ CARRIES SIGNIFICANT VALIDATION WEIGHT, AND EXCULPATORY WEIGHT REGARDING 'WHAT I ACTUALLY SAID TO CAUNCE ON 10-1-1991 AS MY REASON FOR GOING TO TRAIN, RE 'LIGHT IN REAR CARRIAGE', WHICH THEN CARRIES CREDIBLE AND RELIABLE ATTACK AGAINST CROWN SCENARIO AGAINST ME, RE 'CONFLICTING REASONS FOR GOING TO ~~TRAIN~~ TRAIN', AND SO, BY DESTROYING CROWN'S TRIAL SCENARIO, SIMPLY BY ENABLING JURY TO READ FIRE REPORT DESCRIPTION, RE 'LIGHT IN TRAIN', MEANS THAT CAUNCE'S ACTUAL TESTIMONY CANNOT BE ACCEPTED BY THE JURY AS RELIABLE OR CREDIBLE, AND, WHERE REASONABLE DOUBT EXISTS ABOUT A SIGNIFICANT FEATURE OF CROWN'S TRIAL SCENARIO, JURY MUST NOT CONVICT.

20.

IT CANNOT BE AN ONUS OR BURDEN UPON ME, AT SAID 1993 TRIAL, OR NOW (2018), TO HAVE TO SHOW OR PROVE WHAT DAMAGE WAS DONE TO ME OR MY RIGHT TO A FAIR ~~TRA~~ TRIAL, WHEN THE CROWN WERE OBLIGATED TO PRESENT THEIR CASE HONESTLY AND FAIRLY, AND COMPLIANTLY WITH ALL RELEVANT STATUTES AND COMMON LAW OBLIGATIONS, AS THAT WOULD REVERSE THE ONUS/BURDEN OF PROOF ONTO ME, WHICH IS FUNDAMENTALLY IN

30.

1. VIOLATION OF A FAIR TRIAL ACCORDING TO LAW, AND NO 'PROVISO' SHALL BE PERMITTED TO BE OPEN FOR APPLICATION BY THE APPEAL COURT (SO AS TO MUTE MY APPEAL AGAINST SAID ARSON CONVICTION, AS THE TRIAL IN 1993 SUFFERED IRREVERSEABLE ATTACK AGAINST ITS FOUNDATION, THAT ON PRESENT REVIEW, IT ~~WAS~~ WAS A FUNDAMENTALLY ERRONEOUS TRIAL, AS MUCH AS TO NOT EVEN BE A CREDIBLE TRIAL AT ALL.

IN MID JULY 1992, I WAS ARRESTED FOR 'MURDER', UNRELATED TO THE ARSON MATTER, BUT I AM STILL IN CUSTODY (2018), IN RELATION TO MURDER CONVICTION (1994
10. TRIAL). WITHIN A FEW WEEKS OF SAID ~~MURDER~~ MURDER ARREST (SEE PAGE 6, IBID, REFER TO ORIGINAL PETITION OF 20 APRIL 2008, PARAGRAPH NUMBER '4', AND '5').

AT THE TIME OF SAID '1ST. TIME INFORMED THAT I WAS A SUSPECT FOR THE ARSON', I WAS IN 'STATE CUSTODY', IN ADELAIDE REMAND CENTRE, ON A MURDER CHARGE, WITH ACTING LAWYER DAVID STOKES (FOR THE MURDER CHARGE, AND HAD ALREADY BEEN IN COURT AT LEAST ONCE, SO THERE IS NO HONEST EXCUSE FOR THE STATE (WHICH INCLUDES POLICE AND PROSECUTORS), NOT KNOWING WHO MY ACTING LAWYER WAS, OR EVEN THAT I WAS REPRESENTED FOR THE MURDER CHARGE),

20. IT IS ALSO TRUE THAT AT THE TIME/DATE I WAS FIRST TAXED AS A SUSPECT ~~THAT~~ FOR THE ARSON CRIME (~~APPROXIMATELY~~), ~~AS WAS ADMITTED BY THE STATE~~, APPROXIMATE DATE OF INTERROGATION BY BROWN, AT ADELAIDE REMAND CENTRE, OF 31-7-1992), AS ADMITTED BY THE STATE, PER COURT TESTIMONY OF DETECTIVE BROWN, VOIR DIRE AND TRIAL PROPER (ARSON TRIAL 1993), BROWN KNEW THAT I WAS 'REPRESENTED BY A LAWYER ALREADY, AND, THAT BROWN WAS OBLIGATED TO INFORM MY LAWYER THAN BROWN WANTED TO QUESTION ME ABOUT A MATTER UNRELATED TO WHY I WAS ALREADY IN STATE CUSTODY. BROWN ALSO 'ADMITTED' THAT I WAS GOING TO BE 'REPORTED' FOR ARSON "NO MATTER WHAT" I DID OR DID NOT SAY, BUT BROWN IMPROPERLY BREACHED MY STATUTORY RIGHT OF BEING CAUTIONED (s. 79A
30. SUMMARY OFFENCES ACT, SA). TRIAL PROSECUTOR ALSO ADMITTED DURING

1. VOIR DIRE FOR SAID 1993 ARSON TRIAL, ON BEHALF OF THE STATE, THAT 'I HAD NOT BEEN CAUTIONED PROPERLY, AT ALL, BY BROWN, ON 31-7-1992, WHEN BROWN INTERROGATED ME ILLEGALLY AT THE ADELAIDE REMAND CENTRE. BEING 'S. 79A CAUTIONED' IS A STATUTORY OBLIGATION, ESPECIALLY WHEN THERE IS AN IMMINENT ARREST, WHICH BROWN 'ADMITTED IN TESTIMONY', THAT I'D BE REPORTED NO MATTER ~~WHAT~~ WHAT. BEING CAUTIONED BY POLICE, AS A SUSPECT, IS NOT A PERFUNCTORY EVENT EITHER, AS IT IS ^A STRICTLY STRUCTURED STATUTORY OBLIGATION WHICH MUST BE COMPLIED WITH.
10. BROWN DENIED ME STATUTORY RIGHT OF BEING CAUTIONED, AND THEREFORE EVERY WORD I SAID TO BROWN WAS INVOLUNTARY. I WAS IN STATE CUSTODY, AND AS A PRISONER, I MUST COMPLY WITH PRISON GUARDS AND POLICE, WHICH MEANS WHEN BROWN SAID TO ANSWER QUESTIONS, THE VERY FACT THAT I DID NOT KNOW I HAD A CHOICE, AS I WAS NOT CAUTIONED ACCORDING TO STATUTORY OBLIGATION, MANDATES MY ENTIRE 'POLICE STATEMENT MUST BE EXCLUDED FROM TRIAL EVIDENCE', PLUS, THERE IS NO DISCRETION OPEN TO TRIAL JUDGE TO PERMIT SAID STATEMENT OF MINE TO BE 'ADMITTED INTO EVIDENCE'.
20. BECAUSE, IT WAS A FUNDAMENTAL STATUTE OBLIGATION UPON BROWN, TO LAWFULLY CAUTION ME AND ASK ME IF I AGREE TO VOLUNTARILY ANSWER HIS QUESTIONS. IF I AM NOT TOLD OF MY RIGHT BY BROWN, THEN THERE IS NO WAY I COULD LAWFULLY AGREE TO ANSWER BROWN'S QUESTIONS...

'STATEMENTS WHICH ARE NOT SHOWN TO BE VOLUNTARY ARE EXCLUDED FROM EVIDENCE WHATEVER THE REASON' (THE QUEEN V. ATTARD AND MIRSUD [1970] 1. NSWLR 750 PER WALSH JA AT P. 756 AND THE QUEEN V. GESSING (1985) 38 SASR 226 PER KING CJ AT P. 232).

1. DURING THE SAID 1993 ARSON TRIAL, IN VOIR DIRE TO 'EXCLUDE ALL MY SAID STATEMENT DUE TO IT BEING NOT LAWFULLY OBTAINED', TRIAL JUDGE USED HIS 'CLAIMED DISCRETION TO PERMIT SAID STATEMENT OF MINE INTO TRIAL EVIDENCE'. HOWEVER, THE TRIAL JUDGE WAS IN ERROR IN HIS BELIEF THAT ^{HE} ~~HAS~~ HAD SUCH 'DISCRETION OPEN TO HIM FOR HIS USE'. DURING JUDGE QUESTIONING OF ME FOR SUCH RULING, JUDGE MADE REFERENCE TO 'ME BEING ARRESTED TWO WEEKS PRIOR TO BROWN QUESTIONING ME ON 31-7-1992', AND THEREFORE 'YOU MUST HAVE KNOWN YOUR RIGHTS WHEN BROWN SPOKE TO YOU'. THE TRIAL JUDGE IMPROPERLY BURDENED ME WITH ME BEING EXPECTED TO KNOW MY CAUTION RIGHTS AND KNOW HOW TO INVOKE THEM. SUCH A 'REASONING AND EXPECTATION BY TRIAL JUDGE IS FUNDAMENTALLY ERRONEOUS, WHICH IS WHY CIRCUMSTANCES ON MANDATORY 'CAUTION' (I WAS IN CUSTODY, I HAD A LAWYER, THERE WAS IMMINENT ARREST RE CHARGE, I WAS THE SUSPECT), SUCH AS WHAT I WAS IN, MANDATED CAUTION COMPLIANCE WITH STATUTE OBLIGATION TO BE COMPLIED WITH AND ENFORCED, WHICH ALSO MUTES THE JUDGE'S DISCRETION IN THIS SITUATION ALSO, THEREFORE, JUDGE HAD NO DISCRETION OPEN FOR USE. MY 79A CAUTION WAS NOT LAWFULLY ADMINISTERED AND THEREFORE MY STATEMENT WAS NOT VOLUNTARY, AND
20. MUST BE EXCLUDED FROM TRIAL EVIDENCE. JUDGE'S ADMISSION ^{OF} ~~MY~~ MY 'STATEMENT' INTO TRIAL EVIDENCE, FUNDAMENTALLY PREJUDICED MY RIGHT TO A 'FAIR TRIAL ACCORDING TO LAW', AND NEGATIVELY IMPACTED MY RIGHT TO A FAIR TRIAL. THE JUDGE'S 'DISCRETION' IS SIMILAR TO A 'PROVISO' EFFECT, BUT NO 'PROVISO' IS OPEN TO JUDGE'S USE RE 'DISCRETION TO LET MY POLICE STATEMENT INTO TRIAL EVIDENCE', AND ITS INCLUSION IN MY TRIAL HAS CREATED FUNDAMENTAL BLEMISHES IN THE ~~MANDATE~~ TRIAL PROCESS, WHICH ERODED ONE OF THE FUNDAMENTAL OBLIGATIONS UPON THE CROWN, AS A PREREQUISITE TO MY SAID 1993 ARSON TRIAL, THAT 'ANY POLICE WITNESS STATEMENT OBTAINED FROM ME MUST BE LAWFULLY OBTAINED AT THE TIME IT IS
30. BEING OBTAINED', PLUS, IF A LAW (STATUTE AND/OR COMMON), IS 'VIOLATED' IN

1. THE OBTAINING OF ANY SUCH POLICE STATEMENT FROM ME, AND THAT WHICH IS/WAS 'VIOLATED' IN ANY WAY RELATES/PERTAINS TO A 'PROTECTION FROM BEING TAKEN ADVANTAGE OF BY POLICE/THE CROWN', THEN, UPON DEFENDANT'S (MY), CHALLENGE TO ~~THE~~ THE OBTAINING OF (EXISTENCE OF), SAID POLICE STATEMENT, NO COURT, JUDGE, ETC. SHALL HAVE ANY DISCRETION OPEN TO THEIR USE/APPLICATION, TO PERMIT SUCH POLICE STATEMENT OF MINE TO BE PERMITTED INTO TRIAL EVIDENCE FROM TRIAL PROSECUTION, AS IT CANNOT BE A LAWFULLY OBTAINED WITNESS STATEMENT FROM ME, SO THAT, NO LATER DECISION/RULING SHALL BE PERMITTED TO DETERMINE 'SUCH POLICE STATEMENT WAS EVER LAWFULLY PERMITTED TO EXIST' (SUCH AS WHAT MY TRIAL JUDGE DID IN VOIR DIRE), IF SAID POLICE STATEMENT WAS NOT LAWFULLY OBTAINED ON THE DATE OF ITS CREATION. IN OTHER WORDS, ON 31-7-1992, DETECTIVE BROWN ILLEGALLY QUESTIONED AND INTIMIDATED AND HARASSED ~~ME~~ ME INTO THE MAKING OF SAID POLICE STATEMENT IN ADELAIDE REMAND CENTRE, AND SUCH ILLEGALITY WAS STATUTE DEFINES AS 'NO LAWFULLY ~~AND~~ OBTAINED', AT THE VERY LEAST, SO THAT NO LATER RULING OF MY TRIAL JUDGE COULD EVER SET ASIDE THE STATUTORY VIOLATION BY BROWN, AS THE VERY SECTIONS OF STATUTE THAT BROWN, ON BEHALF OF THE STATE/THE CROWN, VIOLATED AGAINST ME TO OBTAIN SAID STATEMENT, INCLUDES SECTIONS CREATED BY PARLIAMENT TO PROTECT SUSPECTS LIKE ME FROM BEING TAKEN ADVANTAGE OF BY AN ILLEGALLY ACTING POLICE EMPLOYEE,

EVERY TIME SUSPECT (REGARDLESS ~~WHEN~~ OF CHARGE), IS BEING FORMALLY QUESTIONED, THEY MUST BE FORMALLY CAUTIONED FIRST, INCLUDING SPECIFIC CRITERIA SO AS TO SATISFY A CAUTION, AND ONE OF THE MOST IMPORTANT PARTS OF A S. 79A CAUTION INCLUDES 'DO YOU UNDERSTAND YOUR RIGHTS? YES OR NO?', 'DO YOU WISH TO INVOKE ANY OF YOUR RIGHTS? YES OR NO?'. THEY ARE NOT PERFUNCTORY QUESTION EITHER! 'CAUTION' DUE PROCESS

30. MUST BE LAWFULLY SATISFIED, YET I WAS GIVEN NO SUCH RIGHTS BY BROWN,

1. THEREFORE, SAID POLICE STATEMENT BY ME WAS NEVER LAWFULLY OBTAINED TO START WITH, AND I SUFFERED DENIAL OF SUCH CAUTION RIGHTS BY CREATING SAID STATEMENT, AND, BY IT BEING TENDERED INTO TRIAL EVIDENCE, CAUSING MY ARSON TRIAL TO FUNDAMENTALLY AND RADICALLY MISCARRY, TO SUCH A DEGREE THAT NO 'PROVISO' COULD BE OPEN TO APPLICATION BY ANY APPEAL COURT TO SAVE CONVICTION FOR THE STATE EITHER (REFER WILDE V. THE QUEEN [1988] HCA 6; (1988) 164 CLR 365).

- IT IS ALSO SIGNIFICANT, THAT, DURING SAID VOIR DIRE, WHEN JUDGE WAS
10. 'QUESTIONING ME PRIOR TO HIS RULING ON MY POLICE STATEMENT', THE FACT THAT DPP (PROSECUTOR), AND BROWN BOTH ADMITTED THAT I WAS NOT 'CAUTIONED' BY BROWN, AUTOMATICALLY REVOKED ALL DISCRETION FROM JUDGE AND MANDATED RULING THAT MY POLICE STATEMENT WAS NOT LAWFULLY OBTAINED AND IS THEREFORE EXCLUDED FROM EVIDENCE, WITHOUT EXCEPTION, ALSO, MY ANSWERS TO JUDGE IN VOIR DIRE, WERE APPROXIMATELY 11 MONTHS AFTER ARRESTED FOR MURDER AND WERE RELATED TO WHAT I WAS THINKING ON THAT DAY, MID 1993, DURING ARSON TRIAL VOIR DIRE, BUT NOT WHAT I THOUGHT OR FELT ON
 20. 31-7-1992. MY TRIAL MISCARRIED BY INCLUSION OF MY POLICE STATEMENT, HENCE, WHY IT WAS CHALLENGED TO EXCLUDE IT IN THE ~~THAN~~ FIRST PLACE.

- WHAT IS THE POINT OF HAVING CAUTION RIGHTS, IF POLICE VIOLATE THEM, THEN ADMIT TO THAT FACT, THEN TRIAL JUDGE FURTHER VIOLATES THOSE SAME CAUTION RIGHTS, AND PERMITS THE ILLEGALLY OBTAINED POLICE STATEMENT, INTO MY TRIAL, THEREBY VIOLATING MY RIGHT TO FAIR TRIAL
30. ACCORDING TO THE LAW, AND

1. IN THAT INSTANCE, THE TRIAL JUDGE'S RULING TO PERMIT MY POLICE STATEMENT INTO MY JURY TRIAL, MADE THE JUDGE AN ACCESSORY TO THE STATE'S CRIME OF ILLEGALLY QUESTIONING ME WHILE I WAS IN STATE CUSTODY ON REMAND FOR MURDER, AND, ILLEGALLY OBTAINING A FORMAL POLICE WITNESS STATEMENT FROM ME WHILE UNDER SAME CIRCUMSTANCE, AND, STEALING MY RIGHT OF PROTECTION OF S. 79A SUMMARY OFFENCES ACT, S.A., BEING, MY CAUTION RIGHTS.

I FURTHER NOTE THAT TWO RELEVANT RULINGS EXISTED AS AT MY VOIR DIRE IN 1993, SPECIFICALLY RELATING TO 'CAUTION RIGHTS', THE JUDGMENT OF R. V. LAWFORD AND VAN DE WIEL

JUDGMENT NO. 2929 OF 1991, SUPREME COURT OF SOUTH AUSTRALIA
JUDGE OLSSON J.

*FROM WHAT APPEARS TO BE A 'VOIR DIRE TO EXCLUDE CROWN EVIDENCE'.

AND,

THE QUEEN V. TURNER AND WILLIAMS, SOUTH AUSTRALIA CRIMINAL COURT
JUDGE COX J, UNREPORTED JUDGMENT/RULING, 9-11-1987.

20.

*FROM WHAT APPEARS TO BE A 'VOIR DIRE TO INVALIDATE ARREST'.

WHAT WAS RELEVANT FROM SAID TWO CASES, WAS REFERENCE TO S. 79A SUMMARY OFFENCES ACT, S.A. 'CAUTION RIGHTS', AND CASE LAW AUTHORITIES.

- ON 31-7-1992, I WAS 'IN CUSTODY OF THE STATE', AND THEREFORE, 'I HAD ALREADY BEEN APPREHENDED BY POLICE (IRRESPECTIVE OF THE REASON/CHARGE WHY)'. ANY POLICE OFFICER WHO WANTED TO SPEAK TO ME WHILE I WAS IN CUSTODY, ON MURDER CHARGE, WAS OBLIGATED TO NOTIFY DPP PRIOR TO SPEAKING TO ME. THEREFORE, WHY DID DPP ALSO NOT NOTIFY MY LAWYER OF THE INTERROGATION BY BROWN, OR DID

30.

1. BROWN ALSO NOT INFORM DPP THAT HE WANTED TO 'FORMALLY INTERVIEW ME, AND ALSO, INFORM ME FOR THE FIRST TIME, THAT I WAS A SUSPECT FOR THE ARSON'?

ARSON TRIAL JUDGE IN SAID VOIR DIRE, ILLEGALLY 'EXPECTED ME TO KNOW MY S. 79A CAUTION RIGHTS', AND THE RULED TO PERMIT MY STATEMENT INTO EVIDENCE FOR THE PROSECUTOR. JUDGE DID NOT HOLD REQUIRED

'DISCRETION' SO AS TO MAKE SUCH RULING, IN SAID CIRCUMSTANCE, AS TO DO SO EFFECTIVELY APPLAUDED THE POLICE AND CROWN FOR PERPETRATING STATUTORY VIOLATION OF MY PROTECTED CAUTION RIGHT AND INTERVIEW RIGHTS, AND DID SO

10. WHILE IN CUSTODY OF THE STATE, AND ON AN UNRELATED MATTER.

IF I AM NOT FORMALLY CAUTIONED THEN THERE IS NO WAY THAT ANY STATEMENT I GIVE CAN EVER BE LAWFULLY OBTAINED, AND THEREFORE, CAN NEVER BE RETROSPECTIVELY MADE TO APPEAR 'LAWFULLY OBTAINED', AS IT WAS ALREADY ILLEGALLY OBTAINED ON 31-7-1992. MY 1993 ARSON TRIAL

WAS FUNDAMENTALLY VIOLATED BY INCLUSION OF MY SAID POLICE INTERVIEW, AS INTERVIEW WAS THE PRODUCT OF MULTIPLE VIOLATIONS OF STATUTORY RIGHTS OWNED BY ME, TO PROTECT ME FROM SUCH DELIBERATE

20. AND CRIMINAL ABUSES OF POSITION OF EMPLOYMENT, DETECTIVE BROWN, WHEN BROWN STOLE MY RIGHT TO BEING CAUTIONED PROPERLY, STOLE MY RIGHT TO PROTECTION FROM MY LAWYER WHO REPRESENTED ME AT THAT TIME.

AS I HAVE MADE CLEAR, ~~THAT~~ THAT, ON 31-7-1992, I WAS IN CUSTODY, AND, 'AN ARRESTED PERSON', THEREFORE, NOT ONLY HAD I ALREADY ^{BEEN} APPREHENDED AND ARRESTED, I WAS NOT FREE TO LEAVE THE DIRECT CUSTODY THAT I WAS IN, THEREFORE, I DRAW ATTENTION TO PARAGRAPHS FROM SAID JUDGMENT OF R. V.

LAWFORD AND VAN DE WIEL (VOIR DIRE HEARING DATE 17-6-1991):

"PARAGRAPH 182.

SO FAR AS IS MATERIAL FOR PRESENT PURPOSES, S. 79A OF THE SUMMARY

30. OFFENCES ACT PROVIDES AS FOLLOWS: