

(LEGAL MATERIAL) BREACH OF JURISDICTION - SENTENCING STANDARDS 1.

1. THIS BRIEF RELATES TO CONDUCT BY THE SOUTH AUSTRALIAN GOVERNMENT WHICH IS, BY ALL RELEVANT JUDICIAL AND CONSTITUTIONAL AUTHORITIES, PROHIBITED, YET IS PERPETRATED REGARDLESS OF THE PROTECTED RIGHTS OF LIFE-SENTENCED PRISONERS WHICH IT VIOLATES.
2. THE STATE GOVERNMENT HAS STOLEN FROM ME CONSTITUTIONALLY PROTECTED RIGHTS, IT HAS STOLEN FROM ME MY RIGHT TO RECOVER SUCH PROTECTED RIGHTS, FOR MANY YEARS, IT HAS STOLEN FROM ME MY CONSTITUTIONAL RIGHT TO FAIR AND HONEST ADMINISTRATION OF LAW RELATING TO MY PROTECTED RIGHTS, AND IT HAS FRAUDULENTLY STOLEN FROM ME MY LIBERTY FROM A PRISON FACILITY.
3. I AM A POTENTIAL DANGER TO THE GOVERNMENT BECAUSE I WILL NOT BE SILENT, ABOUT WHAT THE GOVERNMENT HAS DONE TO ME, AND CONTINUES TO DO TO ME, WHICH FOR REASONS OF FULL AND HONEST INVESTIGATION SHOULD INCUR ROYAL COMMISSION. ONLY A ROYAL COMMISSION, WHICH WOULD BE OUT OF THE HANDS OF POLITICIANS (SO EVEN A PARLIAMENTARY INQUIRY WOULD NOT BE SUFFICIENT), WOULD ENABLE FULL EXTENT OF SUCH GOVERNMENT IMPROPRIETIES TO BE MEASURED AND IDENTIFIED.
4. THE STATE GOVERNMENT ABUSES ITS AUTHORITY AND ACTS WITHOUT JURISDICTIONAL AUTHORITY, TO 'RE-SENTENCE' LIFEERS (PRISONERS SENTENCED TO LIFE-IMPRISONMENT), AND TO 'EXTEND' THE NON-PAROLE PERIODS OF LIFEERS (NOT ALL LIFEERS BUT CERTAINLY THE MAJORITY OF THEM), WHO ARE A SPECIAL CLASS, ~~OF PRISON~~, A "PRESCRIBED CLASS" OF PRISONER [93.], AND A 'SPECIAL CLASS OF PERSON' WHICH IS A PRISONER IN STATE CUSTODY (WARD OF THE STATE IN STATE PRISON). THE GOVERNMENT EFFECTIVELY RE-SENTENCES LIFEERS TO A NEW NON-PAROLE PERIOD (THEREBY AFFECTING THE PENALTY OF THEIR SENTENCE AND INCREASING THEIR TIME IN A PRISON FACILITY), BUT DOES SO WITHOUT THE USE OF ANY CRIMINAL SENTENCING COURT, WHICH IS THE ONLY CONSTITUTIONALLY AUTHORISED STATE INSTRUMENTALITY WITH JURISDICTION TO LAWFULLY

CHANGE THE SENTENCE OF A LIFER. [39. AND 40.]

5. I AM THE VICTIM OF A TYRANT, THE STATE GOVERNMENT OF SOUTH AUSTRALIA. THE TYRANT GOVERNMENT CARES NOT FOR THE LIFERS' PROTECTED RIGHTS WHICH IT VIOLATES AND STEALS, IT CARES NOT FOR ITS UNLAWFUL USE OF ITS AUTHORITY, AS THE STATE GOVERNMENT, INCLUDING ACTS DONE BY THE BOARD (PAROLE BOARD OF SOUTH AUSTRALIA), THE GOVERNOR AND THE EXECUTIVE COUNCIL, IT CARES NOT FOR THE CLAIMED LEGITIMACY AND CLAIMED LEGAL COMPETENCE IN ITS ACTIONS, EVEN AFTER FORMAL WRITTEN CHALLENGE AGAINST AN ACT PERFORMED BY IT, BECAUSE IT HAS NO PROFESSIONAL REGARD FOR COMPLAINTS BY PRISONERS SUCH AS MYSELF, UNTIL FOR EXAMPLE AN ANTI-CORRUPTION ENTITY SUPPORTS AND DETERMINES IN FAVOUR OF SUCH PRISONERS. THE TYRANT STATE GOVERNMENT HAS ACTED OUTSIDE ITS LAWFUL JURISDICTION, AGAINST LIFERS, FOR FAR TOO LONG AND THE STATE GOVERNMENT MUST STOP DOING WHAT IT HAS DONE, IN ERROR, OUTSIDE ITS ACTUAL JURISDICTION, AND IT MUST REPAIR THE DAMAGE IT HAS DONE TO SO MANY LIFERS. IT MUST APOLOGISE TO SUCH LIFERS, VICTIMS OF STATE GOVERNMENT UNLAWFUL ACTS, AND RESTITUTE US AS QUICKLY AS CAN BE PROFESSIONALLY DONE.

6. AN ACT WHICH IS DONE, OUTSIDE LAWFUL RIGHT AND LAWFUL JURISDICTION, IS STILL AN UNLAWFUL ACT, IRRESPECTIVE OF WHETHER OR NOT THE GOVERNMENT WORKER KNEW THEIR ACTION WAS UNLAWFUL. THE VICTIM-LIFER OF SUCH AN UNLAWFUL ACT, IS STILL THE VICTIM OF AN UNLAWFUL ACT AND MUST BE GRANTED RELIEF, FROM UNLAWFUL CONDUCT AND/OR ACTIONS WHICH THE STATE GOVERNMENT HAS PERPETRATED AGAINST US, WITHOUT DELAY.

7. IF A THIEF STEALS TWO DOLLARS FROM ME, THEN GIVES MY STOLEN TWO DOLLARS TO ANOTHER PERSON, WHO DID NOT KNOW THE TWO DOLLARS WAS STOLEN FROM ME, THEN NOT ONLY AM I STILL THE VICTIM OF TWO DOLLARS BEING STOLEN FROM ME, BUT I ALSO HAVE LEGAL CAUSE AND CLAIM TO RECOVER MY STOLEN TWO DOLLARS,

NO MATTER WHO CURRENTLY HAS MY STOLEN TWO DOLLARS.

8. IF THE STATE GOVERNMENT TAKES SOMETHING FROM ME WITHOUT HAVING LAWFUL AUTHORITY OR LEGAL JURISDICTION TO DO SO, THEN I AM THE VICTIM OF THEFT. IF THE ACT OF THEFT (STEALING), FROM ME IS PERPETRATED BY ANY GOVERNMENT EMPLOYEES WHO DID NOT REALISE THEY WERE IN FACT STEALING FROM ME, THEY ONLY THOUGHT THEY WERE 'DOING THEIR JOB' ON BEHALF OF THE GOVERNMENT, THEN THEY ARE NOT DELIBERATELY STEALING FROM ME AND THEIR ACTIONS ARE NOT INTENTIONAL TO CAUSE ME HARM. HOWEVER, IF THE GOVERNMENT'S ACTIONS AGAINST ME, WHICH EQUATE TO THEFT (ACCORDING TO MY DESCRIPTION ABOVE), CONTINUE TO BE PERPETRATED AGAINST ME EVEN AFTER I INFORM THE GOVERNMENT OF ITS UNLAWFUL/IMPROPER ACTIONS AGAINST ME, THEN THE GOVERNMENT HAS NO EXCUSE OR DEFENCE FOR THEIR CONTINUING UNLAWFUL/IMPROPER CONDUCT WHICH I AM THE VICTIM OF.

9. THE GOVERNMENT'S BLATANT REFUSAL TO ENFORCE THE PROTECTED RIGHTS OF LIFERS, INCLUDING MINE, WITH SUCH A DEGREE IN LACK CARE FOR THE PSYCHOLOGICAL HARM WHICH THEY INFLICT UPON US, AS A RESULT OF THEIR PROFESSIONAL THEFT OF OUR CONSTITUTIONALLY PROTECTED RIGHTS, SCREAMS THE QUESTION OF 'WHY ARE THEY SO CORRUPT AND WHY HAVEN'T THEY STOPPED?'

10. I AM NOT A LAWYER, I AM JUST A PRISONER, BUT I CAN READ AND I CAN WRITE AND NO MATTER HOW HARD THE TYRANT STATE GOVERNMENT TRIES TO BULLY ME, I WILL NOT BE SILENCED AND THEY MUST STOP STEALING MY PROTECTED RIGHTS, THEY MUST STOP ACTING OUTSIDE THEIR ACTUAL JURISDICTION (ULTRA VIRES), AND THE MANY VICTIMS (LIFERS), OF THEIR PROHIBITED ACTS WHICH THEY COMMITTED AGAINST US, MUST BE GRANTED RELIEF FROM SUCH IMPROPER ACTS AS SOON AS POSSIBLE. [82. AND 83.]

11. IN REALISING THE TRUTH SUPPORTING MY ACCUSATIONS HEREIN, AND THE FOUNDATION LEGALITIES INTRINSIC TO MY RIGHTS WHICH THE STATE GOVERNMENT STOLE FROM ME, AND OTHER LIFERS, IT IS RELEVANT TO NOTE THE DISTINCTION BETWEEN AN 'ABSOLUTE

RIGHT' (THAT WHICH MUST BE APPLIED AND EFFECTED), AND A 'DISCRETIONARY RIGHT' (THAT WHICH MAY BE GRANTED BUT AT THE DISCRETION OF THE AUTHORISED AND JURISDICTIONALLY COMPETENT PARTY), A 'PRISONER OF THE STATE GOVERNMENT WHO DOES NOT RESIDE WITHIN A GOVERNMENT CORRECTIONAL FACILITY' (SUCH AS A PAROLEE), AND A 'PRISONER OF THE STATE GOVERNMENT WHO IS INCARCERATED WITHIN A GOVERNMENT CORRECTIONAL FACILITY' (SUCH AS A PRISON), A 'STANDARD PRISONER' (WHO IS A PRISONER IN STATE GOVERNMENT CUSTODY, INCARCERATED BY A COMPETENT CRIMINAL SENTENCING COURT), AND A 'POLITICAL PRISONER' (NOT INCARCERATED BY A COMPETENT CRIMINAL SENTENCING COURT, BUT BY THE UNAUTHORISED/IMPROPER USE OF LEGISLATED AUTHORITY OF A STATE INSTRUMENTALITY, THIS ALSO MEANS PRISONERS WHO REMAIN INCARCERATED DUE TO ERRONEOUS/IMPROPER USE OF LEGISLATED AUTHORITY OF A STATE INSTRUMENTALITY).

BRIEF BACKGROUND

12. IN 1994 I WAS CONVICTED OF MURDER BY THE SOUTH AUSTRALIAN SUPREME COURT, FOR A CRIME WHICH HAPPENED IN EARLY 1992, THEN SENTENCED FOR THAT CONVICTION. THE CROWN APPEALED SENTENCE SHORTLY THEREAFTER, THEN IN JULY 1994 THE CRIMINAL COURT OF APPEAL INCREASED MY NON-PAROLE PERIOD FROM 28½ YEARS TO 39 YEARS (R v. JARRETT (No. 3) DELIVERED 29-7-1994; R v. JARRETT (1994) 177 L.S.J.S. 488), WHICH AFTER CORRECT APPLICATION OF OPERATIONAL SENTENCING STANDARDS IN EFFECT AT THAT TIME, INCLUDING CRIMINAL LAW (SENTENCING) ACT 1988, S.A., CORRECTIONAL SERVICES ACT 1982, S.A., AND CORRECTIONAL SERVICES ACT AMENDMENT ACT 1984, S.A., No. 94 [125.], AND CORRECTIONAL SERVICES ACT AMENDMENT ACT (No. 2) 1990, S.A., No. 76 [129. AND 130.], EQUATES TO 19 YEARS FROM 28½ YEARS AND 26 YEARS FROM 39 YEARS RESPECTIVELY.

13. IN 2002 THE SOUTH AUSTRALIAN COURT (FULL COURT), RE-SENTENCED ME FOR THE SAME 1994 CONVICTION (R v. JARRETT [2002] SASC 289 DELIVERED 9-9-2002), IN DOING SO VOIDING THE 1994 CCA JUDGMENT (DELIVERED 29-7-1994), WHICH HAD INCREASED MY NON-PAROLE PERIOD UP TO 39 YEARS (EFFECTIVELY CALCULATED TO 26 YEARS), FROM MY ORIGINAL TRIAL SENTENCE. THE 2002 JUDGMENT

ALSO CARRIED WITH IT SEVERAL ⁶ ABSOLUTE RIGHTS ⁷ OWED TO ME BY THE STATE GOVERNMENT, AS WELL AS ABSOLUTE LEGAL REQUIREMENTS WHICH MUST BE DONE.

14. THE FULL COURT IN 2002, WHEN DELIVERING MY JUDGMENT, WAS VERY SPECIFIC AND PRECISE IN ITS CHOSEN WORDS, AND DID NOT LEAVE ANY ROOM FOR MISINTERPRETATION OF ITS MEANING AND INTENTIONS.

15. SINCE DELIVERY OF MY 2002 JUDGMENT BY THE SOUTH AUSTRALIAN CRIMINAL COURT, WHICH EFFECTIVELY SAT AS A CRIMINAL SENTENCING COURT [35. AND 45.], THE SOUTH AUSTRALIAN GOVERNMENT, THROUGH ACTIONS OF THE PAROLE BOARD, MINISTERS FOR CORRECTIONAL SERVICES, ATTORNEY-GENERAL, CROWN SOLICITOR DEPARTMENT AND PREMIER, HAS ILLEGALLY 'RE-SENTENCED' ME AND EXTENDED MY NON-PAROLE PERIOD FROM APPROXIMATELY 15 YEARS, UP TO $22\frac{1}{2}$ YEARS. THE STATE GOVERNMENT HAS REFUSED TO COMPLY WITH THE VERY SPECIFICALLY WORDED JUDGMENT OF THE COURT IN 2002, INSTEAD SUBSTITUTING THE 2002 COURT'S JUDGMENT WITH THEIR OWN INTERPRETATION OF SAID 2002 JUDGMENT. I ACCEPT THAT THE STATE GOVERNMENT AND ITS EMPLOYEES, DID NOT NECESSARILY KNOW THAT THEY WERE PERFORMING ILLEGAL ACTS AGAINST ME, ~~REGARD MY~~ REGARDING MY SENTENCE CHANGE BY THEM, HOWEVER, AFTER I FORMALLY CHALLENGED THE MINISTER FOR CORRECTIONAL SERVICES, ATTORNEY-GENERAL AND PAROLE BOARD FOR THEIR WRONG ACTIONS, I WAS BASICALLY TOLD TO GO AWAY BECAUSE THEY MADE A DECISION AND WILL NOT VARY FROM THAT DECISION. IT ALSO MEANT THAT THEY COULD HAVE EASILY INVESTIGATED MY FORMAL WRITTEN CHALLENGE, TO A PROFESSIONAL STANDARD, BUT THEY CHOSE NOT TO, AS IT WAS EASIER FOR THEM TO SPEW OUT THE STANDARD LINE OF 'WE'VE SOUGHT CROWN SOLICITOR ADVICE'. INEPT INVESTIGATION OF MY SAID FORMAL CHALLENGE, TO WHAT THE STATE GOVERNMENT DECLARES MY NON-PAROLE PERIOD TO BE, WHICH THEY STATE IS $22\frac{1}{2}$ YEARS EFFECTIVE SENTENCE WITH YEAR OF NON-PAROLE PERIOD BEING 2016 ($1994 + 22\frac{1}{2}$ YEARS), IN MY ACCUSATION AGAINST THEM I ALSO ACCUSE THE STATE GOVERNMENT OF PROFESSIONAL NEGLIGENCE AND PROFESSIONAL INCOMPETENCE, FOR FAILING TO AND REFUSING TO ABIDE BY THE SENTENCE OF THE COURT, IN MY 2002 JUDGMENT.

16. THE SOUTH AUSTRALIAN GOVERNMENT, NOT IN FACT BEING A CRIMINAL SENTENCING

COURT [35., 44. AND 45.], BUT RATHER EMPLOYEES OF THE STATE GOVERNMENT OPERATING UNDER A PROFESSIONALLY FALSE BELIEF, HAS REPEATEDLY PERPETRATED PROHIBITED ACTS AGAINST ME, NOT ONLY BY REFUSING TO COMPLY WITH MY 2002 JUDGMENT OF THE COMPETENT COURT (R v. JARRETT [2002] SASC 289), BUT ALSO BY ADMINISTRATIVELY INCREASING MY NON-PAROLE PERIOD, WITHOUT ANY CONSTITUTIONAL AUTHORITY TO DO SO, AND IN FACT CONSTITUTIONALLY PROHIBITED FROM DOING SO.

17. AT THE FLICK OF A PEN AND WITHOUT ANY JURISDICTIONAL (LEGAL) AUTHORITY TO DO SO, THE SOUTH AUSTRALIAN GOVERNMENT INCREASED MY CRIMINAL SENTENCING COURT DETERMINED SENTENCE [45.], OF 2002 BY APPROXIMATELY $7\frac{1}{2}$ YEARS.

18. THE SOUTH AUSTRALIAN GOVERNMENT HAD (AND CONTINUES TO HAVE), NO JUSTIFIABLE LEGAL RIGHT, ABSOLUTELY NO JUSTIFIABLE LEGAL AUTHORITY OR LEGAL JURISDICTION, TO SUBSTITUTE THE ACTUAL COURT'S JUDGMENT OF 2002 (R v. JARRETT [2002] SASC 289), WITH ITS OWN (CLAIMED), INTERPRETATION OF SAID JUDGMENT, WHICH NEGATIVELY AFFECTS ME BY ADDING $7\frac{1}{2}$ YEARS TO MY NON-PAROLE PERIOD.

19. TWO OF THE MOST SERIOUS EFFECTS, RESULTING FROM THE SOUTH AUSTRALIAN GOVERNMENT REFUSING TO PROPERLY COMPLY WITH AND ADHERE TO THE COURT'S 2002 JUDGMENT (R v. JARRETT [2002] SASC 289), ARE THAT I AM NOW A 'POLITICAL PRISONER' (PROHIBITED IN AUSTRALIAN CRIMINAL LAW), AND AS AT MAY 2015, I HAVE BEEN UNLAWFULLY INCARCERATED IN STATE PRISON APPROXIMATELY 6 YEARS (SINCE 2009 WHEN THE STATE GOVERNMENT WAS OBLIGATED, UNDER CONSTITUTIONAL AUTHORITY, TO RELEASE ME FROM STATE PRISON ON PAROLE).

20. WHILST INVESTIGATING THE FOUNDATION LEGALITIES OF MY SITUATION, I REALISED THAT I AM NOT THE ONLY LIFER (LIFE-SENTENCED PRISONER WITH SENTENCING COURT DETERMINED NON-PAROLE PERIOD), WHO IS A VICTIM OF SOUTH AUSTRALIAN GOVERNMENT IMPROPRIETIES RELATING TO NON-PAROLE PERIODS, SENTENCING COURT SENTENCES COMPARED TO ACTUAL SENTENCE SERVED BY LIFER, PAROLE APPLICATION PROCESSES AND PSYCHOLOGICAL ASSAULT (NON-PHYSICAL TORTURE).

21. IT IS IMPORTANT TO REALISE AND RECOGNISE THAT JUST BECAUSE A STATE GOVERNMENT EMPLOYEE (OR ENTITY), PERFORMS AN ACT OR DOES A THING (WHICH INCLUDES PRODUCING A DOCUMENT OR EVEN JUST MAKING AN OFFICIAL AND ~~FOR~~ FORMAL DECISION), DOES NOT

MAKE THE ACT LAWFULLY PERFORMED JUST BECAUSE THEY ARE A GOVERNMENT EMPLOYEE, OR BECAUSE THEY THOUGHT THEY HAD LAWFUL AUTHORITY AND JURISDICTION TO DO SO. AN 'IMPROPER ACT / UNLAWFUL ACT' IS STILL AN IMPROPER / UNLAWFUL ACT. I PROVED THAT VERY POINT EARLY IN 2015, AFTER MORE THAN A YEAR OF DEALING WITH THE STATE GOVERNMENT'S CRIMINALLY IMPROPER ACT AGAINST ME, PERPETRATED BY STATE GOVERNMENT EMPLOYEES OPERATING UNDER THE DEPARTMENT FOR CORRECTIONAL SERVICES PORTFOLIO, I WAS PROVEN CORRECT. THE INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, SOUTH AUSTRALIA, PROHIBITS ME FROM REVEALING CERTAIN DETAILS, HOWEVER, WITHIN WEEKS OF ME FORMALLY SUBMITTING 'CRIMINAL CORRUPTION COMPLAINT, RELATING TO ILLEGAL ACTS THE STATE GOVERNMENT PERPETRATED AGAINST ME', ~~SEVERAL~~ CERTAIN GOVERNMENT EMPLOYEES REVERSED A PREVIOUS OFFICIAL DECISION MADE BY THEM, EVEN THOUGH THEIR ORIGINAL DECISION THEY CLAIMED PROTECTION UNDER CROWN LAW ADVICE, BUT I PROVED THAT ADVICE WAS FALSE, AND I CAUGHT THEM OUT ON THEIR IMPROPER ACTS. JUST BECAUSE THE STATE GOVERNMENT CLAIMS 'LAWFUL RIGHT TO DO SOMETHING', DOES NOT MAKE IT SO!

22. AS LIFERS WITH NON-PAROLE PERIODS WE ARE A "PRESCRIBED CLASS" OF PRISONER [93], AND FOLLOWING OUR SENTENCING BY CRIMINAL LAW SENTENCING COURTS, WE ALSO HAVE CONSTITUTIONAL AND STATE LEGISLATED RIGHTS OWED TO US BY THE SOUTH AUSTRALIAN ~~GOVT~~ GOVERNMENT.

23. I HAVE BROADLY GROUPED THREE TYPES OF LIFERS UNDER ~~THE~~ THE FOLLOWING CIRCUMSTANCES:

PRISONER A.

- CRIME EVENT BETWEEN 1989 AND 31-7-1994
- CRIMINAL LAW (SENTENCING) ACT, 1988, S.A. OPERATIONAL.
- REMISSION LAWS APPLIED
- AUTOMATIC PAROLE - MANDATORY APPLICATION OF

PRISONER B.

- CRIME EVENT BETWEEN 1-8-1994 AND 30-8-2012

- CRIMINAL LAW (SENTENCING) ACT 1988, S.A. OPERATIONAL.
- STATUTES AMENDMENT (TRUTH IN SENTENCING) ACT, 1994, S.A. OPERATIONAL.
- REMISSION LAWS REPEALED
- AUTOMATIC PAROLE RELEASE REPEALED (AGAINST LIFEERS)
- PRIOR TO INSERTION OF CORRECTIONAL SERVICES ACT 1982, S.A.

SECTIONS 67. (7A) [103.]

67. (7B) [104.]

67. (7C) [105.]

PRISONER C.

- CRIME EVENT BETWEEN 31-8-2012 AND 1-6-2015
- CRIMINAL LAW (SENTENCING) ACT 1988, S.A. OPERATIONAL
- STATUTES AMENDMENT (TRUTH IN SENTENCING) ACT, 1994, S.A. OPERATIONAL.
- REMISSION LAWS REPEALED
- AUTOMATIC PAROLE RELEASE REPEALED (AGAINST LIFEERS)
- AFTER INSERTION OF CORRECTIONAL SERVICES ACT 1982, S.A.

SECTIONS 67. (7A) [103.]

67. (7B) [104.]

67. (7C) [105.]

24. I WOULD BE IN THE SAME GROUP AS 'PRISONER A.' ABOVE, AS THE TIME OF THE CRIME WHICH I WAS CONVICTED OF HAPPENED IN 1992, THEREFORE 'SENTENCING STANDARDS APPLICABLE IN 1992 MUST BE APPLIED TO MY 2002 JUDGMENT'. [80.]

25. THE CRIMINAL SENTENCING COURT DELIVERED ITS JUDGMENT IN 2002 [74.], NOW THE SOUTH AUSTRALIAN GOVERNMENT HAS NO CHOICE, NO DISCRETION, IT MUST ACCEPT THAT 2002 JUDGMENT AND IT MUST ABIDE BY THAT JUDGMENT, WITHOUT DELAY.

26. BELOW I WILL MAP OUT WHAT RIGHTS OF MINE WERE STOLEN AND VIOLATED BY THE STATE GOVERNMENT, AND IDENTIFY WHY THEY ARE PROTECTED RIGHTS, AND WHY THE STATE GOVERNMENT UNLAWFULLY STOLE ACCRUED RIGHTS FROM ME.

ARGUMENT FOUNDATION

27. A LEGAL RIGHT OWED TO ME, ESPECIALLY AN ACCRUED RIGHT, HAS ITS CREATION FUNDAMENTALLY AUTHORISED, PARTICULARLY WHEN DEALING IN THE FIELD OF AUSTRALIAN CRIMINAL LAW, THROUGH THE AUSTRALIAN CONSTITUTION [3., 4., 5., 7., 9., 10. AND 12.], SOUTH AUSTRALIAN LEGISLATION INCLUDING ACTS INTERPRETATION ACT 1915 [13.], CRIMINAL LAW CONSOLIDATION ACT 1935 [31.], CRIMINAL LAW (SENTENCING) ACT 1988 [34.], CORRECTIONAL SERVICES ACT 1982 [86.], CORRECTIONAL SERVICES ACT AMENDMENT ACT 1984 [123.], CORRECTIONAL SERVICES ACT AMENDMENT ACT 1990 [129.], AND CRIMINAL CASE JUDGMENTS INCLUDING TELEFOORD V. SEVERIN [131.], AND R V. JARRETT [75.].

28. JURISDICTIONAL COMPETENCE, THE LEGAL RIGHT AND AUTHORITY TO ACT, IS EXTREMELY IMPORTANT TO THIS ISSUE OF MY ACCRUED RIGHTS, MY ABSOLUTE RIGHTS, MY STOLEN RIGHTS AND MY VIOLATED RIGHTS.

29. AS ABOVE DESCRIBED, IN 1994 I WAS SENTENCED UNDER THE SAME SENTENCING STANDARDS AS 'PRISONER A'. [75.], BY THE TRIAL JUDGE AND BY THE CCA.

30. IN 2002 I WAS AGAIN SENTENCED ("AFRESH"), TO THE EXACT SAME SENTENCING STANDARDS THAT EXISTED IN "1992" [80.], NOT THE SENTENCING STANDARDS THAT EXISTED AND WERE OPERATIONAL IN 2002, ONLY THE SENTENCING STANDARDS WHICH EXISTED AND WERE OPERATIONAL IN "1992" [74.]. THE 2002 JUDGMENT INCLUDED VERY CLEAR AND EASILY UNDERSTOOD WORDS [37.], SO THERE COULD BE NO MISINTERPRETATION OF THE INTENTION OF THE COURT IN 2002 [75.].

THERE WAS NO WORRING IN MY 2002 JUDGMENT, WHICH IN ANY WAY IN THE AFFIRMATIVE OR POSITIVE FORM, SUGGESTED, IMPLIED OR DIRECTED THAT ANY OF THE 1992 SENTENCING STANDARDS 'SHOULD NOT' OR 'WILL NOT' BE AWARDED TO ME, AND THEREFORE, WITH THE FULL CONSTITUTIONALLY PROTECTED WEIGHT OF THE CRIMINAL SENTENCING COURT IN THAT 2002 JUDGMENT [131., 3., 35., 45., 77., 80. AND 4.], CHAPTER III OF THE CONSTITUTION [1.], EMPOWERED THE CRIMINAL SENTENCING COURT TO DETERMINE AND IMPOSE UPON ME A SENTENCE WITHIN THE CRIMINAL LAW JURISDICTION [35., 44. AND 45.].

31. No OTHER STATE INSTRUMENTALITY [33.], INCLUDING SOUTH AUSTRALIAN CROWN SOLICITORS, ATTORNEY-GENERAL, PREMIER, MEMBER OF STATE PARLIAMENT OR STATUTORY INSTRUMENT [14.], INCLUDING DEPARTMENT FOR CORRECTIONAL SERVICES OR PAROLE BOARD OF SOUTH AUSTRALIA, HAS COMPETENT JURISDICTION TO CHANGE THE CRIMINAL LAW SENTENCE IMPOSED UPON ME [3., 32., 35., 37., 38., 42., 44., 45., 64. (AT PARAGRAPH 117.), 82., 83., 84. AND 87.], UNLESS IT ITSELF IS A CRIMINAL LAW SENTENCING COURT, AND OF HIGHER JURISDICTION THAN THE COURT WHICH IMPOSED MY 2002 JUDGMENT. BASICALLY, IF SUCH AN ENTITY IS NOT THE HIGH COURT OF AUSTRALIA SITTING AS A CRIMINAL LAW SENTENCING COURT, THEN THE SENTENCE DELIVERED BY THE COURT IN 2002 [74.], MUST BE ADHERED TO AND COMPLIED WITH BY THE SOUTH AUSTRALIAN GOVERNMENT, AND THE STATE GOVERNMENT HAS ABSOLUTELY NO JURISDICTION AND NO AUTHORITY TO REFUSE TO COMPLY WITH THE 2002 IMPOSED SENTENCE [74.], THEREFORE IT MUST COMPLY. THE STATE GOVERNMENT OWNS NO 'DISCRETIONARY AUTHORITY', TO PERMIT IT TO REFUSE TO CARRY-OUT THE SENTENCE IMPOSED UPON ME BY THE COURT IN 2002 [74.], IN ACCORDANCE WITH AND COMPLIANCE WITH THE PARTICULARS DESCRIBED WITHIN SAID 2002 JUDGMENT.

32. THE STATE GOVERNMENT, OPERATING UNDER CHAPTER II OF THE CONSTITUTION, BELIEVES THAT BECAUSE IT CHANGED SENTENCING LEGISLATION IN PARLIAMENT (UNDER CHAPTER I OF THE CONSTITUTION), IN 1994 (ENACTED 1-8-1994 [46.]), WHICH CHANGED PENALTY OF SENTENCES THEREAFTER, THOUGH PERFORMED THROUGH PARLIAMENT AND NOT JUST BY THE GOVERNMENT OF THE DAY, THAT IT SOMEHOW OWNS JURISDICTION ABOVE CHAPTER III OF THE CONSTITUTION [3.]. IT BELIEVES AND OPERATES, REGARDING MY NON-PAROLE PERIOD, AND THE NON-PAROLE PERIODS ~~OF~~ OF SOME OTHER LIFEERS (AS 'PRISONER A' TYPES, ABOVE DESCRIBED), AND OTHER RIGHTS AND ENTITLEMENTS WE ARE OWED (BY THE STATE GOVERNMENT, DUE TO THE CRIMINAL LAW SENTENCES IMPOSED UPON US), THAT ITS AUTHORITY AS GOVERNMENT (CHAPTER II OF THE CONSTITUTION), EMPOWERS IT TO EXCEED THE AUTHORITY AND JURISDICTION OF THE JUDICIARY (OPERATING UNDER CHAPTER III OF THE CONSTITUTION). [3., 4., 5., 6., 7., 8., 9., 10., 11. AND 12.]

33. THAT BELIEF BY THE SOUTH AUSTRALIAN (LABOUR PARTY) GOVERNMENT, THAT IT HAS JURISDICTION EXCEEDING THAT OF THE JUDICIARY, IN OTHER WORDS, IT BELIEVES IT HAS CONSTITUTIONAL AUTHORITY TO CHANGE THAT WHICH HAS BEEN PROPERLY, AND COMPETENTLY DETERMINED BY THE CRIMINAL SENTENCING COURT, IS AN ERRONEOUS BELIEF AND A CONSTITUTIONALLY WRONG BELIEF. [3, 82, AND 83.]

34. THE CONSTITUTION (CHAPTER III) [3,], EMPOWERS THE JUDICIARY, AND NO OTHER ENTITY, TO IMPOSE AND/OR VARY A SENTENCE [35, 45, 32, 84, AND 87,], WITH THE DELIVERY OF SUCH SENTENCE (TO A LIFER), BEING PERFORMED BY THE ONLY COMPETENT AND CONSTITUTIONALLY AUTHORISED ENTITY, WHICH IS A CRIMINAL LAW SENTENCING COURT. THEREFORE, IF ANY ENTITY OF STATE INSTRUMENTALITY OR LEGISLATIVE INSTRUMENTALITY, TRIES TO OR IN FACT DOES VARY THE PENALTY OF SENTENCE IMPOSED UPON A LIFER BY A CRIMINAL LAW SENTENCING COURT, AND SUCH VARIATION IN PENALTY OF SENTENCE IS AN INCREASE IN EFFECTIVE PENALTY, OR IN SOME WAY⁶ TAKES AWAY FROM THE LIFER THAT WHICH HAS BEEN PROPERLY GIVEN AND/OR AWARDED⁷ TO SUCH LIFER, AS PART OF THEIR IMPOSED SENTENCE DELIVERED BY THE CRIMINAL LAW SENTENCING COURT, THEN SUCH AN ACT PERFORMED HAS IN FACT BEEN PERFORMED IN VIOLATION OF THE CONSTITUTIONAL AUTHORITY, UNDER CHAPTER III [3,], OF THE JUDICIARY AND THE COMPETENT JURISDICTION OF THE CRIMINAL LAW SENTENCING COURT. [7, 32, 35, 36, 37, 38, 40, 42, 44, AND 45.]

35. NO MATTER WHAT LEGISLATION IS CREATED BY PARLIAMENT (OPERATING UNDER CHAPTER I CONSTITUTIONAL JURISDICTION [3,]), RELATING TO CRIMINAL LAW SENTENCING, THE PARLIAMENT CANNOT IMPOSE ANY CRIMINAL LAW SENTENCE ON ANY LIFER IN SOUTH AUSTRALIA, CHAPTER I [3,], GIVES IT NO JURISDICTION TO DO SO, AND THE STATE GOVERNMENT WHICH IS THE GOVERNMENT OF THE DAY (OPERATING UNDER CHAPTER II CONSTITUTIONAL JURISDICTION [3,]), CANNOT IMPOSE ANY CRIMINAL LAW SENTENCE ON ANY LIFER IN SOUTH AUSTRALIA EITHER, CHAPTER II [3,], GIVES IT NO JURISDICTION TO DO SO. THIS IS FURTHER EMBODIED NOT JUST BY THE MANDATORY REQUIREMENT WITHIN THE CONSTITUTION, OF THE STRICT SEPARATION OF POWERS BETWEEN STATE [CHAPTER II], AND JUDICIARY [CHAPTER III], [3, 4, 5, 6, 7, 8, 9, 10, 11, AND 12,], BUT ALSO

BY THE LEGISLATIVE INSTRUMENT (CREATED IN AND BY PARLIAMENT, IN ACCORDANCE WITH CHAPTER I CONSTITUTIONAL AUTHORITY AND JURISDICTION [3.]), THE CRIMINAL LAW (SENTENCING) ACT [34.], WITH ATTENTION TO SECTION 56. THEREIN [45.], REGARD MUST ALSO BE GIVEN TO SECTION 32. THEREIN [38.], BECAUSE IT CLEARLY IDENTIFIES AND DESCRIBES WHAT MUST HAPPEN IF THE STATE GOVERNMENT, OPERATING WITHIN CHAPTER II JURISDICTIONAL LIMITS [3.], WISHES TO 'INCREASE PENALTY' OF A LIFE'S SENTENCE, FROM WHAT HAS ALREADY BEEN DELIVERED BY THE CRIMINAL LAW SENTENCING COURT [35., 36., 44. AND 45.], WHERE THE IMPOSITION OF SUCH EXISTING SENTENCE WAS DELIVERED WITH CHAPTER III JURISDICTIONAL LIMITS [3.], BY THE JUDICIARY AS THE 'CRIMINAL LAW SENTENCING COURT'. IT DESCRIBES THE DUE PROCESS REQUIREMENTS WHICH MUST BE COMPLIED WITH [38.], NAMELY THE STATE MUST MAKE OFFICIAL AND FORMAL APPLICATION TO THE SENTENCING COURT [35., 40., 41., 42., 43., 44. AND 45.], AFTER WHICH THE SENTENCING COURT WILL EITHER REJECT THE STATE'S APPLICATION AND THE EXISTING SENTENCE WILL CONTINUE, OR IT WILL VARY THE EXISTING SENTENCE TO A NEW SENTENCE. IF THE CORRECT DUE PROCESS REQUIREMENTS ARE NOT MET, ~~THE~~ ^{CAUSING} ~~ANY~~ VARIATION IN PENALTY OF SENTENCE WHICH INCREASES PENALTY OF SENTENCE, THEN ~~THE~~ INCREASE IN SENTENCE PENALTY HAS NOT BEEN PROPERLY OR JURISDICTIONALLY ACHIEVED/PERFORMED. SUCH PERFORMED ACT IS THEREFORE UNCONSTITUTIONAL IN ITS ENTIRETY [82. AND 83.], AS IT WAS ONLY ACHIEVED BY WAY OF 'DEFECTIVE USE OF AUTHORITY' (ULTRA VIRES), AND IS CONSEQUENTIALLY AN UNLAWFUL ACT PERPETRATED BY THE STATE GOVERNMENT.

36. IF AN ACT PERFORMED BY THE STATE GOVERNMENT (SUCH AS INCREASING PENALTY OF MY SENTENCE), WAS PERFORMED WITHOUT CONSTITUTIONAL AUTHORITY OR JURISDICTION TO DO SO, THEN SUCH ACT CAN ONLY BE AN UN-CONSTITUTIONAL ACT, AND UNLAWFUL. THERE IS NO GREY AREA TO THIS MATTER, SUCH ACT EITHER 'DOES' OR 'DOES NOT' INCLUDE CONSTITUTIONAL JURISDICTION, TO BE DONE.

37. THE STATE GOVERNMENT (USING CHAPTER II CONSTITUTIONAL AUTHORITY [3.]), INCREASED PENALTY OF MY SENTENCE AS DELIVERED BY THE COURT [74.] (COURT USING CHAPTER III CONSTITUTIONAL AUTHORITY [3.]), BUT FAILED TO COMPLY WITH OR EVEN ATTEMPT TO COMPLY WITH CORRECT DUE PROCESS REQUIREMENTS, ESPECIALLY THE FACT

THAT NO CRIMINAL SENTENCING COURT WAS EVEN INVOLVED IN THE ACT ITSELF, OF INCREASING PENALTY OF MY SENTENCE [74.], AND AS DESCRIBED ABOVE, THE STATE GOVERNMENT (WITH CHAPTER II CONSTITUTIONAL JURISDICTION [3.]), DIDN'T JUST 'INCREASE PENALTY OF MY SENTENCE' [74.], IT COMPLETELY RE-SENTENCED ME TO '2002 SENTENCING STANDARDS' AS IF IT HAD CHAPTER III CONSTITUTIONAL JURISDICTION [3.], TO DO SO, EVEN THOUGH THE STATE GOVERNMENT IN FACT HAD NO SUCH CONSTITUTIONAL AUTHORITY OR JURISDICTION, YET IT DID IT ANYWAY.

38. THE STATE GOVERNMENT CAUSED ME DETRIMENT, CAUSED ME HARM AND HAS UNLAWFULLY INCARCERATED ME IN STATE PRISON SINCE APPROXIMATELY 2009, AND IS ACHIEVING SUCH ACTS DUE TO UNCONSTITUTIONAL CONDUCT, WHICH IT CONTINUES TO PERPETRATE AGAINST ME, BY ONGOING UNCONSTITUTIONAL USE OF THE JURISDICTION IT GAINED FROM CHAPTER II CONSTITUTIONAL AUTHORITY [3.], AS GOVERNMENT OF THE DAY. THE CONSTITUTIONALLY AUTHORISED COMPETENT COURT (CRIMINAL LAW SENTENCING COURT), DELIVERED ITS SENTENCE WHICH IT DETERMINED THEN IMPOSED UPON ME IN 2002 [74., 35., 36., 37., 38., 44., 45. AND 84.], AND SENTENCED ME IN ACCORDANCE WITH MANDATORY REQUIREMENTS AFFECTING THAT COURT'S DETERMINATION OF SENTENCE, WHICH IT COULD PROPERLY IMPOSE UPON ME [80.], THAT COURT PROPERLY DETERMINED AND IMPOSED ITS SENTENCE UPON ME [75., 77., 78., 79. AND 80.], DEFINING ME THE SAME AS 'PRISONER A' TYPE (ABOVE DESCRIBED), AND ENTITLING ME TO ALL ACCRUED RIGHTS GRANTED BY SENTENCING STANDARDS APPLICABLE IN 1992, SOUTH AUSTRALIA. THERE WAS ABSOLUTELY NO ATTEMPT BY THAT COURT OR THE CROWN (STATE GOVERNMENT), WITHIN THAT SENTENCING HEARING [74.], TO ACTIVELY DENY ME, IN SPECIFIC WORDING, ANY OF THE 'ACCRUED RIGHTS' [123. AND 124.], WHICH THAT COURT WAS OBLIGATED TO REINSTATE AND THEREFORE RETURN TO ME [74., 77. AND 80.].

39. THERE IS NO ACT OF STATE PARLIAMENT (CHAPTER I), OR ACT OF STATE GOVERNMENT (CHAPTER II), [3. AND 7.], WHICH HAS ANY CONSTITUTIONAL AUTHORITY OR JURISDICTION TO DENY ME, OR TAKE/STEAL FROM ME WHAT HAS BEEN CONSTITUTIONALLY ~~THE~~ GUARANTEED TO ME, BY THE CONSTITUTIONALLY EMPOWERED AUTHORITY WITH COMPETENT JURISDICTION (CHAPTER III [3. AND 7. AND 45.]),

BEING THE CRIMINAL LAW SENTENCING COURT. HOWEVER, WHEN THE STATE GOVERNMENT INFORMED ME IN WRITING, FIRST BY CORRECTIONAL SERVICES DEPARTMENT, THEN THE PAROLE BOARD AND IN 2012 BY DCS MINISTER J. RANKINE, THAT 'IN ACCORDANCE WITH THE TRUTH IN SENTENCING ACT [46.], THE SENTENCE IMPOSED UPON ME IN 2002 [74.], DELIVERING A $22\frac{1}{2}$ YEAR NON-PAROLE PERIOD, WHICH BY DCS CALCULATION IS 2016 ($3-6-1994 + 22\frac{1}{2}$ YEARS = 2016), AND THAT I WAS NOT ENTITLED TO ANY OF THE ENTITLEMENTS WHICH EXISTED IN SENTENCING STANDARDS PRIOR TO TRUTH IN SENTENCING ACT [46.], AND THE EARLIEST I WOULD BE PERMITTED TO SUBMIT MY PAROLE APPLICATION WAS MID 2016', SUCH GOVERNMENT INTERPRETATION OF MY VERY SPECIFICALLY WORDED 2002 JUDGMENT [74.], WAS FALSE AND MISLEADING IN ITS BELIEF IN WHAT IT THOUGHT THE COURT MEANT [75.], WAS FLAWED AND ERRONEOUS IN ITS BELIEF ABOUT OWNING ANY DISCRETION TOWARDS HOW MY 2002 JUDGMENT [75.], SHOULD BE INTERPRETED OTHER THAN BY THE WORDING OF THE JUDGMENT ALONE [74., 82., 83., 3. AND 7.], AND REFUSED TO REMEDY OF EVEN ACT WITHIN ITS JURISDICTIONAL CONSTRAINTS/LIMITS, PARTICULARLY AFTER I FORWARDED MY WRITTEN COMPLAINTS TO THE GOVERNMENT, ABOUT ITS ERRONEOUS INTERPRETATION OF MY 2002 JUDGMENT ([74., 80. AND 77.]), RELATING TO WHAT SHOULD HAVE BEEN MY YEAR OF NON-PAROLE PERIOD, AND MY ACCRUED RIGHTS OWED TO ME BY THE STATE GOVERNMENT IN ACCORDANCE WITH 1992 SENTENCING STANDARDS'.

THE STATE GOVERNMENT, IN ITS ERRONEOUS AND UNCONSTITUTIONAL USE OF ITS CONSTITUTIONAL AUTHORITY (CHAPTER II [3.]), WITHOUT ANY CONSTITUTIONAL JURISDICTION, ERRONEOUSLY AND ILLEGALLY APPLIED TRUTH IN SENTENCING ACT [45., 80., 77. AND 46.], TO MY 2002 JUDGMENT [74., 75., 80. AND 77.].

40. THERE ARE DECADES OF AUSTRALIAN CRIMINAL LAW CASE JUDGMENTS, SITING AS CRIMINAL LAW SENTENCING COURTS, RE-DEFINING INTERPRETATION AND CORRECTING SUCH VIEWS THEN IMPLEMENTING/IMPOSING SAID VIEWS THEREAFTER, FROM CRIMINAL LAW SENTENCING LEGISLATION CREATED IN PARLIAMENT, INTO JUDICIALLY ACCEPTED (AND CORRECTED), INTERPRETATION. UNEFORTUNATELY THOUGH, IT TAKES SENTENCING APPEALS TO EFFECT SUCH CORRECTIONS. EXAMPLE CASES ARE HOARE [134.], MARR [135.], MURPHY [66.] AND JARRETT [74.].

41. In my 2002 JUDGMENT [75.], THE STATE INSTRUMENT WITH SOLE CONSTITUTIONAL JURISDICTION [3. AND 45.], THE COURT [35. AND 44.], DID NOT GIVE ANY DISCRETION TO ANY OTHER STATE OR LEGISLATIVE INSTRUMENT, TO ENABLE OR PERMIT THEM TO INTERPRET THE 'MEANING AND EFFECT' OF THE WORDING OF MY SAID 2002 JUDGMENT [75.], ANY DIFFERENTLY THAN THE DIRECTIONS FROM THAT COURT, WHEN IT DIRECTED THAT '1992 SENTENCING STANDARDS "MUST" BE APPLIED TO MY SENTENCE' [75. AND 80.]. THAT COURT [74.] DISTINGUISHED ME AS A 'PRISONER A.' TYPE (ABOVE DESCRIBED), BUT THE SOUTH AUSTRALIAN GOVERNMENT REFUSES TO STOP DISTINGUISHING ME AS A 'PRISONER B.' TYPE, WHICH IS NOT ONLY AN UNLAWFUL ACT BY THE STATE GOVERNMENT, AS IT DOES NOT HAVE CONSTITUTIONAL JURISDICTION TO DO SO, BUT IT IS ALSO AN ILLEGAL ACT DUE TO VIOLATING DUE PROCESS, AND ADMINISTRATIVELY INCREASING THE PENALTY OF MY COURT SENTENCE [75.], AND CONSEQUENTIALLY CAUSING ME (INCLUDING STEALING MY PHYSICAL LIBERTY), HARM WHICH IS ALSO A PROHIBITED ACT AS DESCRIBED AND DEFINED IN STATE LEGISLATION [31.].

42. ARTICLE 7 OF THE ICCPR [131.], IS THE STANDARD WHICH THE CONSTITUTIONALLY AUTHORISED STATE INSTRUMENT, THE COURT [3., 7., 32., 35., 36., 44., 45., 75. AND 83.], ABIDED BY WHEN IT PROPERLY ORDERED '1992 SENTENCING STANDARDS MUST BE APPLIED TO MY SENTENCE [75.]', AND JUST IN CASE THERE WAS STILL ANY DOUBT FOR THE READER OF MY 2002 JUDGMENT [75.], THAT COURT INCLUDED THE ABROGATING DISTINCTION "IF UNDER TODAY'S STANDARDS THE NON-PAROLE PERIOD WOULD BE LONGER" [74. AND 78.].

43. ONE OF MY ACCRUED RIGHTS WHICH I HAD GUARANTEED TO ME BY 1992 SENTENCING STANDARDS (SOUTH AUSTRALIAN CRIMINAL LAW SENTENCING STANDARDS), WAS 'AUTOMATIC PAROLE' [123., 124., 125., 126., 127., 128. AND 74.], ANOTHER WAS WHAT WAS COMMONLY DESCRIBED AS 'REMISSIONS'. THEY WERE ACCRUED RIGHTS WHICH I OWNED, AND IN MY 2002 JUDGMENT [74., 75., 80. AND 77.], THE CONSTITUTIONALLY EMPOWERED AND AUTHORISED STATE INSTRUMENT, THE CRIMINAL LAW SENTENCING COURT, REINSTATED AND QUALIFIED MY OWNERSHIP OF THOSE 'ACCRUED RIGHTS' [80.], AND REINFORCED THEIR APPLICATION AS THE CORRECT AND PROPER SENTENCING STANDARDS, AND ONLY SENTENCING STANDARDS TO BE APPLIED TO MY 2002 JUDGMENT [74.].

44. THAT COURT CEMENTED ITS INTENTIONS [80.], AND IN DOING SO NULLIFIED AND VOIDED ANY USE OF THE TRUTH IN SENTENCING ACT [46.], IN THE INTERPRETATION AND/OR EFFECT OF THE COURT'S JUDGMENT WHICH IT IMPOSED UPON ME. REMEMBERING ALSO, THAT IN 1992, THE TRUTH IN SENTENCING ACT [46.], DID NOT EVEN EXIST SO IT CANNOT BE APPLIED TO MY 2002 JUDGMENT, WHICH IS EXACTLY WHAT THE COURT DIRECTED IN 2002, THAT "THIS COURT MUST APPLY THE SENTENCING STANDARDS APPLICABLE IN 1992." [74., 75., 77., 78. AND 80.].

45. THE STATE GOVERNMENT (OPERATING UNDER AND WITH CHAPTER II JURISDICTION [3. AND 7.]), WILL ARGUE THAT SENTENCING LEGISLATION HAS NOW CHANGED (BY PARLIAMENT OPERATING UNDER AND WITH CHAPTER I JURISDICTION [3. AND 7.]), EFFECTIVE FROM 1-8-1994 [46.]. THAT IS CORRECT, HOWEVER, JUST BECAUSE SENTENCING LEGISLATION [46.], AND SENTENCING STANDARDS [66., 71., 72. AND 73.], HAVE CHANGED AND INCREASED, RESPECTIVELY, PARLIAMENT (UNDER CHAPTER I [3.]), AND THE STATE GOVERNMENT (UNDER CHAPTER II [3.]), HAVE NO AUTHORITY OR JURISDICTION UNDER THE AUSTRALIAN CONSTITUTION [1.], TO IMPOSE ANY CRIMINAL LAW SENTENCE UPON ME [34., 35., 36., 37. AND 45.], OR TO CHANGE THE SPECIFIC CRIMINAL LAW SENTENCE IMPOSED UPON ME [45.], BY THE CONSTITUTIONALLY EMPOWERED CRIMINAL LAW SENTENCING COURT (UNDER CHAPTER III [3.]), IN 2002 [75., 77., 80. AND 78.].

46. WHEN MY 2002 JUDGMENT WAS DELIVERED AND IMPOSED UPON ME [75. AND 77.], THE STATE GOVERNMENT (UNDER CHAPTER II [3.]), HAS NO 'DISCRETION' TO REFUSE TO CARRY OUT THE SPECIFICALLY WORDED COURT'S DIRECTIONS [74.], IN ACCORDANCE WITH THE '1992 SENTENCING STANDARDS', WHICH WERE OPERATIONAL IN '1992'. THE STATE GOVERNMENT (UNDER CHAPTER II [3.]), MUST THEREFORE COMPLY WITH THE COURT'S AUTHORITY AND JURISDICTION (UNDER CHAPTER III [3., 7., 32., 35., 36., 37., 44., 45., 64. (PARA. 103), 75., 80., 77., 123. AND 124.]), AND ENSURE THAT ALL LIABILITIES AND OBLIGATIONS ARE ADHERED TO [36. AND 37.], BY THE STATE GOVERNMENT ALSO.

47. THE SOUTH AUSTRALIAN STATE REPORTS DESCRIBE A TRUE AND JUDICIALLY ACCURATE, UNDERSTANDING AND INTERPRETATION OF MY 2002 JUDGMENT [75. AND 77.].

48. IT IS IMPORTANT AND SIGNIFICANT TO BE AWARE OF THE CONSTRAINTS VERSUS INTENTIONS OF LEGISLATION CREATED OR AMENDED, BY THE SOUTH AUSTRALIAN PARLIAMENT (OPERATING UNDER CHAPTER I JURISDICTION ONLY [3.]). ALTHOUGH INTENTION IS TO CREATE OR AMEND LEGISLATION WHICH IS CONSTITUTIONALLY SOUND, IN ITS OPERATIONAL AUTHORITY [3., 13., 25., 26., 27., 28., 52., 53., 54., 59. AND 134.], THE CRIMINAL COURTS (OPERATING UNDER CHAPTER III JURISDICTION [3.]), ARE CONSTITUTIONALLY EMPOWERED TO OVER-RIDE AND NULLIFY LEGISLATION RELATING TO CRIMINAL LAW SENTENCING, IF THE COURT DETERMINES IT NECESSARY TO DO SO, AND ON OCCASION IT HAS DONE SO [135., 134., 133. AND 74.].

49. THE DUTY AND CONSTITUTIONAL REQUIREMENT IMPOSED UPON THE GOVERNMENT OF THE DAY (OPERATING UNDER CHAPTER II OBLIGATIONS [3.]), IS TO ENSURE THAT THE SENTENCE IMPOSED BY THE CRIMINAL LAW SENTENCING COURT IS CARRIED OUT, IN ACCORDANCE WITH THE STIPULATIONS AND OBLIGATIONS THEREIN DESCRIBED WITHIN TRANSCRIPT OF SUCH JUDGMENT. EVEN IF THE STATE GOVERNMENT DOES NOT LIKE THE SENTENCE IMPOSED, OR ANY CONDITIONS/OBLIGATIONS ORDERED BY THE COURT, THE GOVERNMENT (UNDER CHAPTER II [3.]), HAS NO CONSTITUTIONAL AUTHORITY TO REFUSE TO COMPLY WITH THE CONSTITUTIONALLY EMPOWERED AUTHORITY AND JURISDICTION, OF THE CRIMINAL LAW SENTENCING COURT (UNDER CHAPTER III [3.]), EVEN IF A LIABILITY/OBLIGATION ON THE STATE GOVERNMENT, ORDERED BY THE COURT AS PART OF SUCH JUDGMENT, IS AGAINST 'CURRENT SENTENCING STANDARDS OF THE DAY', JUST LIKE WHAT THE COURT IMPOSED WITHIN MY 2002 JUDGMENT; THAT '1992 SENTENCING STANDARDS "MUST" BE APPLIED TO MY SENTENCE' [75., 77., 80. AND 45.].

50. LEGISLATION WAS AMENDED IN 1994 TO ABOLISH 'AUTOMATIC PAROLE FOR LIFERS', AND 'APPLICATION OF ~~THE~~ REMISSIONS TO A LIFER'S SENTENCE' [44., 46.].

51. HOWEVER, IN 2002 THE COURT OPERATED WITH ABSOLUTE CONSTITUTIONAL AUTHORITY AND JURISDICTION, AND TOLD THE STATE GOVERNMENT THAT IT "MUST" APPLY 1992 SENTENCING STANDARDS TO MY 2002 SENTENCE [74.], WHICH INCLUDED THE TWO MAIN ACCRUED RIGHTS THAT I WAS CONSTITUTIONALLY ENTITLED TO, AND ~~THE~~ ^{NOW} WAS OWED MANDATORY APPLICATION AND ^{EFFECTIVE} ~~OPERATION~~ OF EMPLOYMENT OF,

BEING 'APPLICATION OF REMISSIONS TO THE 22½ YEAR NON-PAROLE PERIOD' (EQUATING TO AN EFFECTIVE TERM OF 15 YEARS), AND 'AUTOMATIC PAROLE AT THE CONCLUSION OF MY NON-PAROLE PERIOD' (EQUATING TO AUTOMATIC PAROLE AFTER 15 YEARS), WHICH MEANT THAT 1994 PLUS 15 YEARS REQUIRED I BE AUTOMATICALLY RELEASED ON PAROLE IN 2009.

52. IN 1992 AND AT THE TIME OF MY TRIAL SENTENCE, AND CROWN'S APPEAL SHORTLY AFTER TRIAL SENTENCE WAS IMPOSED, THE SAME SENTENCING STANDARDS WERE OPERATIONAL, IN PARTICULAR S. 12 OF THE CRIMINAL LAW (SENTENCING) ACT 1988, AND S. 66 OF THE CORRECTIONAL SERVICES ACT 1984 [123, 124, 125, 126, 127, 128, AND 130.]. SECTIONS 12 AND 66 WERE IMPOSED UPON ME WITH MY TRIAL SENTENCE, THEN WITH MY CCA JUDGMENT (CROWN'S APPEAL AFTER SENTENCE), THEN IN MY 2002 JUDGMENT [75, 77, 78, 79, AND 80.]. AT THE TIME THE CRIME I WAS CONVICTED OF HAPPENED, 1992, THE ACCRUED RIGHTS (REMISSIONS AND AUTOMATIC PAROLE FOR LIFERS), EXISTED IN STATUTE. IN 1994 WHEN I WAS CONVICTED AND SENTENCED, ACCORDING TO 1992 SENTENCING STANDARDS, I ENTERED INTO A STATUS WHICH CONTAINED THE ACCRUED RIGHTS OF 'REMISSIONS AND AUTOMATIC PAROLE' [75, 77, 78, AND 81.]. I BECAME A SPECIAL PERSON AT THE TIME I WAS SENTENCED IN 2002 [75, 77, 78, AND 80.], SIMILARLY MENTIONED IN TELFORD [49.] WITH REGARD TO BARMING [81], I TOO WAS GIVEN A STATUS AS AN INDIVIDUAL PERSON, WITH THAT STATUS CAME SPECIFIC ACCRUED RIGHTS, AND THOSE ACCRUED RIGHTS ARE ABSOLUTE IN THEM BEING OWNED BY ME IN ACCORDANCE WITH MY 2002 JUDGMENT [75, 77, 78, AND 80.].

53. UNLIKE IN TELFORD [49.], WHERE THE CROWN'S LAWYER ARGUED TELFORD WAS HOPING TO EMPLOY HIS 'PRIVILEGE' OF RECEIVING HOME DETENTION AT A CERTAIN PERIOD OF HIS SENTENCE, I AM NOT ASKING TO ENTERTAIN A PRIVILEGE OF MINE, I AM ASKING THE GOVERNMENT TO PAY ME WHAT I AM OWED IN ACCRUED RIGHTS, WHICH IS MANDATORY APPLICATION OF 'REMISSIONS', AND MANDATORY EMPLOYMENT OF 'AUTOMATIC PAROLE' [75, 77, AND 80.]. IT IS ALSO RELEVANT TO NOTE IN TELFORD [49.]; THAT ARTICLE 7. WAS CITED BY GUMMOW J, AND THE LAWYER REPRESENTING THE SOUTH AUSTRALIAN GOVERNMENT, MR WAIT, TOLD THE HIGH

COURT OF AUSTRALIA THAT :

"SO IT IS VERY DIFFERENT, OF COURSE, YOUR HONOUR, TO A CASE WHERE THERE MIGHT BE A PROSPECTIVE CHANGE BY REFERENCE TO A PAST EVENT WHICH WOULD THEN, WE SAY, BRING INTO PLAY THE RELEVANT PRINCIPLES ABOUT THE PRESUMPTION AGAINST RETROSPECTIVE OPERATION. WE SAY THIS ACT SIMPLY HAS NO RETROSPECTIVE OPERATION." [49, 81, 131, 80, 75, AND 77.]

54. I ACCEPT THAT THERE ARE CERTAIN 'DISCRETIONARY' PRIVILEGES WHICH A PRISONER MIGHT RECEIVE, FOR EXAMPLE IN TELFORD [49.], IT WAS AT THE SOLE AUTHORITY AND DISCRETION OF THE "CHIEF EXECUTIVE OFFICER", WHETHER OR NOT THE PRISONER WOULD ACTUALLY RECEIVE HOME DETENTION. HOWEVER, THE SENTENCING STANDARDS IN 1992, SOUTH AUSTRALIA, DESCRIBED HEREIN, SHOW THAT MY ACCRUED RIGHTS OF 'REMISSION APPLICATION' AND 'AUTOMATIC PAROLE FOR LIFERS', WERE IN NO WAY 'DISCRETIONARY' BECAUSE THEY WERE STATUTORY RIGHTS, AND THE STATE GOVERNMENT STILL HAS NO AUTHORITY OR JURISDICTION TO DENY ME OPERATION OF THOSE SPECIFIC ACCRUED RIGHTS, IT MUST COMPLY WITH THE COURT'S JUDGMENT. [45., 80., 75, AND 77.]

55. THE STATE GOVERNMENT WILL COMBATIVELY ARGUE THAT SENTENCING STANDARDS CHANGED IN AUGUST 1994 [46.], THEREFORE 'NO MATTER WHAT THE COURT SAYS IN 2002 [74.], THE STATE GOVERNMENT WILL ONLY CALCULATE MY NON-PAROLE PERIOD (ACTUAL TIME WHICH I MUST SPEND INCARCERATED), AT "22 1/2 YEARS" BECAUSE 'TRUTH IN SENTENCING ACT' [46.], WAS THE ONLY RELEVANT SENTENCING STANDARDS OPERATIONAL AT THE TIME OF MY 2002 JUDGMENT' [74.].

56. THAT VERY SAME BELIEF WAS FORWARDED TO ME ALREADY, EMPHATIC IN ITS CLAIMED JURISDICTION AND CONSTITUTIONAL AUTHORITY, BY THE SOUTH AUSTRALIAN PAROLE BOARD, CORRECTIONAL SERVICES MINISTER RANKINE, AND OTHER STATE GOVERNMENT EMPLOYEES, THEREIN CLEARLY INFORMING ME IN WRITTEN WORDS THAT 'I AM NOT ENTITLED TO ANY PROVISIONS OF THE 1992 SENTENCING STANDARDS, OR ANY PRE-TRUTH IN SENTENCING ACT STANDARDS, BECAUSE THEY WERE REPEALED BY THE TRUTH IN SENTENCING ACT, AND THEREFORE ONLY THE 2002 SENTENCING STANDARDS WOULD BE APPLIED TO MY 2002 JUDGMENT'. [46, AND 74.]

57. THE SOUTH AUSTRALIAN GOVERNMENT HAS ACTED UNCONSTITUTIONALLY, BY FIRSTLY DISREGARDING THE CONSTITUTIONAL AUTHORITY AND JURISDICTION OF THE CRIMINAL LAW SENTENCING COURT, IN MY 2002 JUDGMENT [74.], WHICH WAS IN FACT EMPOWERED WITH ROYAL AUTHORITY UNDER CHAPTER III JUDICIARY [3., 4., 7., 9., 10., 12., 32. ("COURT"), 45., 35., 44., 80., 78., 75. AND 77.], THEN ACTED WITHOUT ANY COMPETENT JURISDICTION OR AUTHORITY [83.], AND CERTAINLY WITHOUT ANY PROTECTION FROM THE CONSTITUTION [1.], TO CHANGE THE MEANING AND EFFECT OF THE JUDGMENT OF THE COMPETENT COURT, IN MY 2002 JUDGMENT [74.].

58. THE STATE GOVERNMENT WILL TRY AND CLAIM CONSTITUTIONAL AUTHORITY [3.], UNDER CHAPTER II JURISDICTION, TO DO WHAT IT DID (WHAT I DESCRIBE AS UN-CONSTITUTIONAL CHANGE TO MY 2002 COURT'S (EFFECTIVE) JUDGMENT [74.]), BECAUSE IT BELIEVES IT HAD CHAPTER II CONSTITUTIONAL AUTHORITY [3.], TO DO SO, BUT IN FACT IT DID NOT AND DOES NOT [7.], THAT IT BELIEVES IT HAD JURISDICTION AND AUTHORITY (AS GOVERNMENT, CHAPTER II [3.]), UNDER LEGISLATIVE INSTRUMENT [13., 14., 28., 64. (PARA 117), 115., 116., 117. AND 121.], BUT IN FACT IT DID NOT AND DOES NOT [3., 7., 45., 80., 78., 75. AND 77.].

59. THE STATE GOVERNMENT WILL ALSO CLAIM THAT THE JURISDICTION AND AUTHORITY OF PARLIAMENT (CHAPTER I [3.]), CONSIDERED AND THEN LEGISLATED TO 'REMOVE REMISSIONS AND AUTOMATIC PAROLE FROM CERTAIN PRISONERS, INCLUDING LIFERS, THOSE ALREADY SERVING PRISON SENTENCES AS WELL AS THOSE NOT YET CONVICTED AND SENTENCED' [51., 52., 53. AND 46.], AND THAT BECAUSE PARLIAMENT (UNDER CHAPTER I JURISDICTION [3.]), CREATED THEN AMENDED THE LEGISLATION [46.], THE GOVERNMENT (UNDER CHAPTER II JURISDICTION [3.]), WAS WELL WITHIN ITS CONSTITUTIONAL AUTHORITY TO FORCE AND IMPOSE THOSE AMENDMENTS [46.], UPON EVERY LIFER AFTER 1-8-~~70~~ 1994.

60. HOWEVER, THE GOVERNMENT IS RELYING ON ITS ERRONEOUS INTERPRETATION OF ITS CONSTITUTIONAL JURISDICTION [1., 3., 7. AND 45.], AND DISREGARDED THE CONSTITUTIONALLY EMPOWERED JUDICIARY [3., 7., 45. AND 74.], WHICH SENTENCED ME IN 2002 [74.], ACCORDING TO THE OPERATIONAL SENTENCING STANDARDS WHICH

EXISTED IN 1992 [74, 75, 77, 78, AND 80.]

61. IN THE CREATION AND CONSTRUCTION OF THE NEW SENTENCING STANDARDS IN 1994 [51.], WHICH BECAME THE NEW (AMENDED) CRIMINAL LAW SENTENCING LEGISLATION [46.], THE PARLIAMENT FAILED TO REALISE THAT THE PROPOSED BILL [51.], WHEN ENACTED AS STATUTE WOULD BREACH ITS CHAPTER I CONSTITUTIONAL JURISDICTION [3. AND 83.], AND NOT BE COMPLIANT WITH THE RULES OF CONSTRUCTION OF LEGISLATION [13., 28. AND 64.], ESPECIALLY CONSIDERING MARR IN 1989 [135.], ALREADY EXISTED AND SO PROVIDED JUDICIAL NOTIFICATION.
62. THE ENACTED NEW LEGISLATION [46.], WAS JURISDICTIONALLY FRAUDULENT AND LACKING CONSTITUTIONAL PROTECTION, DUE TO ITS ERRONEOUS USE AND EXERCISE OF CLAIMED AUTHORITY AND JURISDICTION [83.], TO EXCEED CHAPTER I CONSTITUTIONAL JURISDICTION [3. AND 7.], AND ATTEMPT TO AND UNCONSTITUTIONALLY DISREGARD THE CHAPTER III CONSTITUTIONAL JURISDICTION OF THE JUDICIARY [3., 7., 45. AND 74.], IN REGARD TO SPECIFIC SECTIONS OF THE NEW LEGISLATION [46.].
63. THE NEW LEGISLATION WAS TO BE ARBITRARILY IMPOSED UPON ALL SERVING LIFERS, IN ADDITION TO ALL NEWLY SENTENCED LIFERS AFTER 1-8-1994. THE ERROR IN SUCH AN ARBITRARY IMPOSITION OF THE NEW SENTENCING LEGISLATION [46. AND 64 (PARA 117.)], IS THAT IT UNLAWFULLY AND ILLEGALLY TAKES FROM 'PRISONER A.' TYPE LIFERS, THE CONSTITUTIONALLY PROTECTED ACCRUED RIGHTS OF 'MANDATORY APPLICATION OF REMISSIONS', AND 'MANDATORY APPLICATION AND EMPLOYMENT OF AUTOMATIC PAROLE' [124.]. THOSE 'ABSOLUTE ACCRUED RIGHTS' CANNOT LAWFULLY BE TAKEN BY PARLIAMENT OR THE STATE GOVERNMENT (CHAPTERS I AND II [3.]), WHEN ONLY THE JUDICIARY IS PERMITTED TO [3. AND 45.]. THE FACT THAT MARR 1989 [135.], ALREADY EXISTED PRIOR TO THE PROPOSED SENTENCING AMENDMENTS [51., 52., 53. AND 46.], MEANT THAT THE PARLIAMENT WAS INTENTIONALLY DISREGARDING THE COMPETENT JURISDICTION OF THE JUDICIARY, WHICH IS THE ONLY CONSTITUTIONALLY AUTHORISED ENTITY PERMITTED TO CHANGE PENALTY OF A CRIMINAL LAW SENTENCE, IMPOSED UPON A LIFER, WHICH INCREASES PENALTY OF SENTENCE [131. AND 46.].
64. I ACCEPT THAT THE PARLIAMENT DID ACKNOWLEDGE IN THE RELEVANT BILL, WHICH

LATER BECAME THE NEW SENTENCING STANDARDS AS FROM 1-8-1994 [51, 52, 53, 54, 55, 56, 57, 58, 59 AND 46.], THAT ACCRUED RIGHTS OWNED BY SERVING LIFEERS, UPON SENTENCING BEING AWARDED TO THEM BY THE COMPETENT COURT, WHICH WERE IN EFFECT AND OPERATIONAL SHORTLY BEFORE ENACTMENT OF THE TRUTH IN SENTENCING LEGISLATION ON 1-8-1994 [46.], SHOULD NOT AND CANNOT SIMPLY BE TAKEN AWAY BY PARLIAMENT, IF SUCH ACCRUED RIGHTS AFFECT PENALTY OF THE SENTENCE IMPOSED UPON THEM, WHEREBY TAKING AWAY SUCH RIGHTS INCREASES LENGTH OF SENTENCE (INCLUDING LENGTH OF NON-PAROLE PERIOD), AND LENGTH OF TIME INCARCERATED IF AUTOMATIC PAROLE (FOR LIFEERS), IS STOPPED. [124.].

65. PARLIAMENT HIGHLIGHTED THE 'ACCRUED RIGHTS' OF LIFEERS, PARTICULARLY THE 'REMISSIONS SYSTEM AND AUTOMATIC PAROLE'. [52, 53, 55, 56, 57, 58, 59 AND 28.]

66. PARLIAMENT IN FACT COMPENSATED LIFEERS ALREADY SERVING SENTENCES AS AT 1-8-1994, REGARDING THE 'REMISSIONS' THEY WERE ENTITLED TO AND WOULD BE ELIGIBLE TO RECEIVE, HAD THE NEW SENTENCING LEGISLATION NOT BEEN ENACTED AND ABOLISHED REMISSIONS AND AUTOMATIC PAROLE FOR LIFEERS [53.]. IN GRANTING SUCH LIFEERS FULL CREDIT OF REMISSIONS WHICH THEY COULD HAVE EARNED, HAD SENTENCING LEGISLATION NOT CHANGED ON 1-8-1994 [46.], THE PARLIAMENT HAS ACTED IN LINE WITH ARTICLE 7 OF THE ICCPR [131.], IDEA OF FAIR OPERATION OF 'ACCRUED RIGHT' OF 'REMISSIONS SYSTEM', BEING FULLY AWARDED TO SUCH LIFEERS, EVEN THOUGH THE PARLIAMENT DID NOT MAKE MENTION OF INTERNATIONALLY ACCEPTED STANDARD [131.], REGARDLESS OF ICCPR OR CASE LAW FOR SUPPORTING TEXT. THE FACT IS PARLIAMENT UNDERSTOOD THE NEED TO FULLY AWARDED REMISSIONS CREDITS TO SERVING LIFEERS. [52. AND 53.]

67. HOWEVER, WHAT I FIND VERY INTERESTING IS THAT ALTHOUGH PARLIAMENT COMPENSATED SERVING LIFEERS BY CREDITING THEM FULL REMISSIONS [53.], WHICH IS CLEARLY DESCRIBED IN HANSARD [51.], AS TO WHY IT IS DOING SO [53.], AND HOW IT IS CALCULATED [53.], PARLIAMENT HAS NEGLECTED TO APPLY TO THE CRIMINAL LAW SENTENCING COURT [45.], TO RESENTENCE SERVING LIFEERS AND REQUEST OF THE COMPETENT COURT, A 'CHANGE IN THE SENTENCING STANDARDS' APPLIED TO A SENTENCE IMPOSED UPON THOSE SERVING LIFEERS, AND TAKE AWAY

FROM THOSE SERVING LIFERS THEIR ACCRUED AND ABSOLUTE, CONSTITUTIONALLY PROTECTED, 'RIGHT TO AUTOMATIC PAROLE' [124.].

68. AS DESCRIBED ABOVE, 'PRISONER A.' TYPES WERE ENTITLED IN LEGISLATION [124.], TO AUTOMATIC PAROLE, AS PART OF A SENTENCE IMPOSED UPON THEM BY THE JUDICIARY (CHAPTER III AUTHORITY [3.]), AND SUCH ACCRUED RIGHT TO AUTOMATIC PAROLE WAS ALSO THEREFORE CONSTITUTIONALLY PROTECTED, IN ITS APPLICATION AND REAL EFFECT TOWARDS ME AND OTHER 'PRISONER A.' TYPES. PARLIAMENT IS CONSTITUTIONALLY PROHIBITED FROM TAKING FROM ME, AT THE ENACTMENT OF THE 1994 NEW SENTENCING STANDARDS [46.], AND PROHIBITED FROM DESCRIBING AFFIRMATIVELY WITHIN HANSARD [51.], ANY INTENTION OF TAKING FROM ME MY PROTECTED RIGHT TO AUTOMATIC PAROLE, BECAUSE PARLIAMENT (UNDER CHAPTER I JURISDICTION AND AUTHORITY [3. AND 7.]), CANNOT RESENTENCE ME OR ANY SERVING LIFER TO SUCH SENTENCE PENALTY INCREASE. ONLY A COMPETENT COURT CAN SENTENCE ME OR RE-SENTENCE ME (CHAPTER III JURISDICTION AND AUTHORITY [3. AND 7.]), AND ANY SENTENCE IMPOSED UPON ME, INCLUDING ANY RE-SENTENCING, MUST ONLY BE DONE WITH THE ABSOLUTE AUTHORITY AND PROTECTION OF THE CONSTITUTION [1., 3., 7., 45., 35., 38., 40., 41., 42., 43. AND 44.].

69. BY FALSE CONSTITUTIONAL AUTHORITY (CHAPTER I [3.]), PARLIAMENT DID WHAT IT IS CONSTITUTIONALLY PROHIBITED FROM DOING [3. AND 7.], WHICH IS TO STEAL FROM ME AND OTHER SERVING LIFERS, AS AT 1-8-1994 [52. AND 46.], OUR PROTECTED RIGHT TO AUTOMATIC PAROLE, WHICH IS TO IN EFFECT RESENTENCE ME AND OTHER SERVING LIFERS (PRISONER A. TYPES), TO AN INCREASE IN PENALTY OF SENTENCE IN AN UNCONSTITUTIONAL MANNER [45. AND 83.].

70. THE WHOLE POINT OF AN ACCRUED RIGHT IS THAT ITS APPLICATION IS MANDATORY, AS WITH 'PRISONER A.' TYPES, ABSOLUTE ACCRUED RIGHT TO AUTOMATIC PAROLE [123., 124., 125., 126., 127. AND 128.], CLEARLY DESCRIBED IN STATUTE, PLUS THE EXISTING JURISDICTION WHICH IS AUTHORISED BY THE CONSTITUTION [1., 3. AND 7.], WHICH IS THE JUDICIAL ARM OF THE CONSTITUTION [1., 3. AND 7.], ACTING AS THE SOUTH AUSTRALIAN CRIMINAL LAW SENTENCING COURT, WHICH EXERCISED ITS JURISDICTION AND PROPERLY IMPOSED UPON CONVICTED LIFERS (PRISONER A. TYPES), THEIR RESPECTIVE SENTENCES IN ACCORDANCE

WITH SENTENCING STANDARDS APPLICABLE UP TO 1-8-1994 [46.], AND THOSE SENTENCING STANDARDS INCLUDED THE SENTENCES LIFERS ABSOLUTE AND ACCRUED RIGHT TO AUTOMATIC PAROLE, AT CONCLUSION OF THEIR COURT DETERMINED THEN IMPOSED SENTENCE WHERE A NON-PAROLE PERIOD WAS ALSO DETERMINED [123., 124., 125., 126., 127. AND 128.].

71. JUST BECAUSE SENTENCING LEGISLATION CHANGED ON 1-8-1994 [46. AND 52.], CONVICTED THEN SENTENCED LIFERS WHO WERE SENTENCED ACCORDING TO SENTENCING STANDARDS, WITH ALL BENEFITS AND ENTITLEMENTS AND RIGHTS THEREIN WITHIN SUCH SENTENCING STANDARDS, WHICH WERE OPERATIONAL IMMEDIATELY PRIOR TO 1-8-1994 [46.], WERE AND STILL ARE ENTITLED AS AN ABSOLUTE AND ACCRUED RIGHT, TO THE OPERATIONALLY EFFECTIVE APPLICATION OF AUTOMATIC PAROLE AT CONCLUSION OF THEIR COURT DETERMINED THEN IMPOSED NON-PAROLE PERIOD⁶, EVEN IF THE DATE OF CONCLUSION OF THEIR NON-PAROLE PERIOD WAS AFTER ENACTMENT OF THE NEW SENTENCING STANDARDS ON 1-8-1994 [74., 77., 80., 135., 83., 131., 126. AND 45.]. PARLIAMENT EVEN HIGHLIGHTED THE VERY ISSUE OF OPERATING "DUAL" SYSTEMS, REGARDING EXISTING ACCRUED SENTENCING RIGHTS [53. AND 54.], OWNED BY LIFERS ALREADY SERVING SENTENCES, AS REVEALED IN HANSARD FOR THE NEW SENTENCING PROPOSALS [52., 53. AND 54.].

72. REMEMBER THAT NO MATTER WHAT BILL IS ASSENTED TO TO BECOME NEW SENTENCING LEGISLATION [51. AND 46.], PARLIAMENT AND GOVERNMENT (CHAPTERS I AND II OF THE CONSTITUTION ([1.] [3. AND 7.]), HAVE NO CONSTITUTIONAL JURISDICTION OR AUTHORITY TO DENY THE SERVING LIFER, OPERATIONAL EFFECT OF WHAT WAS AWARDED TO THEM UPON SENTENCING, WITH CONSTITUTIONAL AUTHORITY BY THE COMPETENT JUDICIARY (CHAPTER III [3. AND 7.]), THE CRIMINAL LAW SENTENCING COURT [45.], IN PARTICULAR PER MY 2002 JUDGMENT [74.], APPLICATION OF REMISSION SYSTEM AND AUTOMATIC PAROLE (AT CONCLUSION OF NPP).

73. IN ADDITION TO ME ('PRISONER A' TYPE), THERE ARE MANY PRISONER A. TYPES WHO ALSO HAD THE CONSTITUTIONALLY DIRECTED AND PROTECTED (FROM AND BY THE SENTENCING COURT), RIGHT ACCRUED BY THEM OF 'EFFECTIVE APPLICATION OF AUTOMATIC PAROLE FOR LIFERS' (IMPOSED UPON THEM IN SENTENCING BY THE CONSTITUTIONALLY COMPETENT CRIMINAL LAW SENTENCING COURT), THEN STOLEN BY THE PARLIAMENT [52. AND 46.], THEN ALSO UNCONSTITUTIONALLY DENIED OPERATIONAL EFFECT OF BY THE GOVERNMENT OF THE DAY (CHAPTER II

JURISDICTION AND AUTHORITY ONLY [3. AND 45.]). THE FACT THAT THE PARLIAMENT (CHAPTER I AUTHORITY [3.]), VOTED AND AGREED TO NEW SENTENCING LEGISLATION IN 1994 [51., 52., 53., 54., 55., 56., 57. AND 58.], WITHOUT FIRST INFORMING ITSELF (THE PARLIAMENT), THAT THE SUGGESTED/PROPOSED AMENDMENTS TO EXISTING SENTENCING LEGISLATION CONTAINED PARTS/SECTIONS WHICH BREACHED THE CONSTITUTIONAL JURISDICTION OF THE PARLIAMENT, AND IN FACT VIOLATED THE CONSTITUTIONAL AUTHORITY AND JURISDICTION OF THE PARLIAMENT, AND THE COMPETENT CRIMINAL LAW SENTENCING COURT, WHICH WAS CONSTITUTIONALLY EMPOWERED AND MADE COMPETENT UNDER CHAPTER III (JUDICIARY [3.]), OF THE CONSTITUTION [1.].

74. OBVIOUSLY, MEMBERS OF PARLIAMENT WHO ACTUALLY VOTED TO 'PASS' THE STATUTES AMENDMENT (TRUTH IN SENTENCING) BILL 1994, DID NOT CARE ENOUGH ABOUT THE JURISDICTIONAL INTEGRITY OF THE BILL [51.], BEFORE VOTING ON THE BILL, AS EVIDENCED BY ITS PASSING. IT IS LAZY AND INCOMPETENT OF ALL THOSE VOTING MEMBERS OF PARLIAMENT, TO NOT ASK ANY QUESTIONS OF THE PARLIAMENT, ABOUT WHETHER OR NOT THE ARBITRARY ABOLITION OF 'AUTOMATIC PAROLE FOR LIFERS ALREADY ~~SENT~~ SERVING SENTENCES, WAS IN FACT LEGAL', OR 'IF IT EXCEEDED CHAPTER I PARLIAMENTARY JURISDICTION [3., 7. AND 28. AND 45.]', OR 'IF IT ENCROACHED UPON THE JURISDICTION OF ANY OTHER CONSTITUTIONAL JURISDICTION OR AUTHORITY [83., 64. (PARA 117), AND 135.]', OR 'DOES THE AMENDING LEGISLATION [51. AND 46.], HAVE TO BE ARBITRARY IN ITS OUTRIGHT APPLICATION'?

75. THE MOST FUNDAMENTAL CONSIDERATION AND REQUIREMENT OF ALL CRIMINAL LAW LEGISLATION CREATED BY THE PARLIAMENT, WHILST EXERCISING CHAPTER I AUTHORITY AND JURISDICTION [3.], IS THAT IT MUST BE 'CONSTITUTIONALLY SOUND', IT MUST BE LEGALLY ENFORCEABLE [1., 3. AND 45.], IT MUST OPERATE WITHIN ITS CONSTITUTIONAL JURISDICTION [3. AND 28.], IT MUST NOT OPERATE OUTSIDE OF OR OVERSTEP ITS CONSTITUTIONAL JURISDICTION [3., 7., 28., 45. AND 83.], AND IT MUST NOT ATTEMPT TO TAKE OR SUCCESSFULLY TAKE ANY ABSOLUTE/ACCURED RIGHTS FROM A SENTENCED LIFER, ESPECIALLY CONSIDERING THAT CAN ONLY BE DONE LEGALLY BY A CRIMINAL LAW SENTENCING COURT [3., 7., 45., 80., 75. AND 77.], WHICH IS THE ONLY CONSTITUTIONALLY COMPETENT JURISDICTION WITH THE AUTHORITY TO VARY AND INCREASE PENALTY OF A LIFER'S COURT IMPOSED SENTENCE [3., 7. AND 45.].

76. IT IS IMPROPER FOR THE GOVERNOR TO ASSENT A BILL OR PART OF ANY BILL OR AMENDING LEGISLATION, IF SUCH BILL OR AMENDING LEGISLATION OR PART THEREIN ARE NOT 'CONSTITUTIONALLY SOUND'. BASICALLY, IF ANY PART OF ANY ACT OR AMENDING LEGISLATION, DOES NOT MEET AND COMPLY WITH ALL THE FUNDAMENTAL CONSTITUTIONAL RULES OF CONSTRUCTION OF SOUTH AUSTRALIAN STATE LEGISLATION [28, 64, (PARA 117), AND 83.], THEN THE OFFENDING PARTS OF ANY SUCH LEGISLATION MUST BE NULLIFIED PROMPTLY AND VOIDED, MUST NOT BE PERMITTED TO HAVE ANY FURTHER REAL AND OPERATIONAL EFFECT WITHIN SUCH LEGISLATION, MUST NOT BE PERMITTED TO BE RELIED UPON OR REGARDED BY THE PARLIAMENT (CHAPTER I [3.]), THE GOVERNMENT (CHAPTER II [3.]), OR THE JUDICIARY (CHAPTER III [3.]). IF IT IS JUDICIALLY ARGUED THAT ANY PART OF STATE LEGISLATION BREACHES CONSTITUTIONAL JURISDICTION (RESULTS IN ULTRA VIRES), AND/OR VIOLATES A CONSTITUTIONALLY PROTECTED ABSOLUTE/ACCURED RIGHT OF A SENTENCED PRISONER [17, 18, 19, 20, 21, 22, 23. AND 28.], THEN SUCH A JUDICIAL ARGUMENT MUST BE PERMITTED TO BE HEARD IN THE ORIGINAL JURISDICTION, THE HIGH COURT OF AUSTRALIA [1, 3, 4, 5, 6, 7. AND 11.].

77. ALL MEMBERS OF PARLIAMENT WHO VOTED 'IN' THE 1994 TRUTH IN SENTENCING BILL [51. AND 46.], WERE INEPT IN THEIR LACK OF UNDERSTANDING OF THE UNCONSTITUTIONAL EFFECT THAT SPECIFIC PARTS/SECTIONS OF SUCH BILL WOULD HAVE IN REAL TERMS TOWARDS SERVING LIFERS. I REITERATE WHAT IS DESCRIBED ABOVE REGARDING THE ABSOLUTE/ACCURED RIGHT TO 'AUTOMATIC PAROLE' FOR LIFERS, SENTENCED PURSUANT TO SENTENCING STANDARDS EXISTING AND OPERATIONAL IMMEDIATELY PRIOR TO 1994 TRUTH IN SENTENCING LEGISLATION [46.]. WHAT PARLIAMENT DID WAS DISCUSS TAKING FROM SERVING LIFERS AND ALL FUTURE LIFERS, 'ALL ASPECTS OF AUTOMATIC PAROLE BECAUSE PARLIAMENT ABOLISHED IT COMPLETELY AND ARBITRARILY FROM LIFERS [51, 52, 53, 54, 55, 136, 137. AND 138.]'.

78. THERE SHOULD HAVE BEEN TWO INDIVIDUAL AND INDEPENDENT SECTIONS TO PARLIAMENT [46.], ABOLISHING AUTOMATIC PAROLE FOR LIFERS WHICH SHOULD HAVE PROPERLY BEEN IDENTIFIED AND CLASSIFIED BY PARLIAMENT [46. AND 51.], AS TWO DISTINCTLY DIFFERENT THINGS, BUT IN FACT PARLIAMENT HAS IMPROPERLY AND UNCONSTITUTIONALLY JOINED/COMBINED TWO DISTINCTLY DIFFERENT ASPECTS OF THE BILL [51.], INTO LEGISLATION [46.], WHICH ALTHOUGH PURPORTED AS 'ALL-ENCOMPASSING' AND SOUND, IS NOT, AND

IN DOING SO HAS VIOLATED AND BREACHED LEGISLATIVE CONSTRUCTION RULES [28.], THEREBY CREATING LEGISLATION WHICH CLEARLY EXCEEDS STATE LEGISLATIVE JURISDICTION, AND SHOULD NEVER HAVE BEEN ASSENTED TO BY THE GOVERNOR FOR THAT REASON ALONE.

79. AS HIGHLIGHTED ABOVE, PARLIAMENT CLEARLY INFORMED ITSELF THAT IT CANNOT SIMPLY ABOLISH REMISSIONS FROM SERVING LIFERS [137.], WITHOUT COMPENSATION TO SERVING LIFERS WHO ALREADY HAVE A PROPER SENTENCE IMPOSED BY THE SENTENCING COURT [53.]. BY ALL ACCEPTED ACCOUNTS THE PARLIAMENT DEALT WITH SUCH MATTER IN THE ONLY WAY THEY WERE PERMITTED TO (CHAPTER I [3.]), WHICH WAS TO AWARD FULL EFFECT 'ONE THIRD REMISSIONS' TO ALL SERVING LIFERS [53.]. THEREFORE, WHEN THE NEW 1994 LEGISLATION WAS OPERATIONAL [46.], AS FROM 1-8-1994, ANY 'PRISONER A.' TYPES WOULD THEN HAVE FULL REMISSIONS CALCULATED INTO THEIR NON-PAROLE PERIOD, AND ALL 'PRISONER B.' TYPES WOULD NEVER HAVE ANY ENTITLEMENT TO 'REMISSIONS', BUT THEY WOULD HAVE ENTITLEMENT TO CONSIDERATION OF LESSER SENTENCE LENGTH [58. AND 59.].

80. THE 'TWO ~~DIFFERENT~~ DISTINCT ELEMENTS TO ABOLISHING AUTOMATIC PAROLE FOR LIFERS', SHOULD HAVE RESULTED IN 'PRISONER A.' TYPES STILL BEING GIVEN FULL OPERATIONAL EFFECT OF THAT ABSOLUTE/ACCRUED RIGHT, OF 'AUTOMATIC PAROLE', EVEN AFTER 1-8-1994 [46.], DUE TO THE FACT THAT THE CONSTITUTION [1, 3. AND 7.], PROHIBITED PARLIAMENT (CHAPTER I [3.]), FROM TAKING AWAY/ABOLISHING/STEALING THAT ACCRUED RIGHT FROM LIFERS AFTER IT WAS CONSTITUTIONALLY GRANTED TO THEM, BY THE COMPETENT CRIMINAL LAW SENTENCING COURT [45., 3. AND 7.], AND THE 'SECOND DISTINCT ELEMENT' RELATES TO 'PRISONER B.' TYPES, SUCH AS MURPHY [71. AND 66.], WHO AFTER 1-8-1994 [46.], WOULD NOT HAVE ANY ENTITLEMENT TO 'AUTOMATIC PAROLE' AS IT ~~HAD~~ HAD ALREADY BEEN ABOLISHED BEFORE THE CRIME WAS COMMITTED [72.].

91. THE PARLIAMENT SHOULD HAVE REQUIRED THE GOVERNMENT (CHAPTER II [3.]), TO OPERATE 'TWO PAROLE ELIGIBILITY SYSTEMS' [54.], BECAUSE THE GOVERNMENT HAD NO INTENTION OF APPLYING TO THE COURT [45., 44., 35., 36. AND 37.], WHICH IT IN FACT IS REQUIRED TO DO (IN THIS SITUATION), TO REQUEST THE COMPETENT COURT TO RE-SENTENCE EACH INDIVIDUAL LIFER TO A NEW SENTENCE, BEING ONE THAT DOES NOT CONTAIN 'THE 'ACCRUED RIGHT TO AUTOMATIC PAROLE'', AND THEREBY ACHIEVING THE GOVERNMENT'S

INTENDED GOAL OF 'REMOVING FROM ALL LIFERS THE AUTOMATIC PAROLE SYSTEM', [52.], WHICH THE COMPETENT COURT WOULD NEVER ENTERTAIN ANYWAY.

82. LIKE 'REMISSIONS' ELIGIBILITY AS OF RIGHT IN LAW, SO TOO IS 'AUTOMATIC PAROLE', BUT UNLIKE PARLIAMENT TELLING ITSELF [137.], THAT IT 'CANNOT SIMPLY ABOLISH REMISSIONS' WITHOUT ACTIVELY DEALING WITH ASSOCIATED CONSEQUENCES, THE PARLIAMENT UNCONSTITUTIONALLY TOOK WITHOUT ANY CONSTITUTIONAL JURISDICTION OR AUTHORITY OR RIGHT IN AUSTRALIAN CRIMINAL LAW, AUTOMATIC PAROLE FROM LIFERS WHO WERE SERVING LIFERS AS AT 1-8-1994 [46.], AND IN DOING SO PERPETRATED A CRIMINAL ACT AGAINST SUCH LIFERS [45., 3., 7. AND 83.], TO TAKE WITHOUT CONSTITUTIONAL PERMISSION.

83. PARLIAMENT (CHAPTER I [3.]), WILL ~~NEVER~~ ^{NEVER} HAVE CONSTITUTIONAL AUTHORITY TO TAKE FROM 'PRISONER A' TYPE LIFERS, LIKE ME, OUR COURT IMPOSED ABSOLUTE AND ACCRUED RIGHT TO AUTOMATIC PAROLE, YET IT HAS TAKEN IT ANYWAY, PLUS THE GOVERNMENT (CHAPTER II [3.]), PERPETRATES THAT SAME CRIMINAL ACT AGAINST ME EVEN AFTER MY 2002 JUDGMENT [80., 78., 77., 75. AND 45.], SO LEGISLATION [46.], WAS IMPROPERLY AND FRAUDULENTLY ENACTED ON 1-8-1994, AFTER BEING UNCONSTITUTIONALLY ASSENTED TO BY THE GOVERNOR, DUE TO NOT COMPLYING WITH JURISDICTION RULES [28.], WHICH SHOULD CONSEQUENTIALLY MEAN THAT THE ENTIRE BILL [51.], MUST BE VOIDED, AND DISQUALIFIED FROM HAVING ANYMORE OPERATIONAL EFFECT, [16.]

84. EVEN IF THE GOVERNMENT (CHAPTER II [3.]), HAD ANY DOUBT ABOUT MY SENTENCING RIGHTS AND ENTITLEMENTS, FOLLOWING MY 2002 JUDGMENT [74. AND 80.], I AM STILL SUPPORTED NOT JUST BY THE JUDGMENT PROPER, BUT ALSO BY THE STATE LEGISLATIVE INSTRUMENT FOR 'INTERPRETING ACTS' [16., 17., 18., 19., 20., 21., 22., 23., 24., 25. AND 26.].

85. AN ACT OF THE STATE MUST NOT EXCEED ITS CONSTITUTIONAL AUTHORITY OR JURISDICTION [28.]. A BILL WHICH OPERATIONALLY EXCEEDS ~~ITS~~ ITS JURISDICTION MUST NOT BE ASSENTED INTO LEGISLATION [28. AND 29.]. WHEN THE GOVERNOR SAT AS THE ROYAL ARM FOR THE PURPOSE OF ASSENTING THE 1994 SENTENCING BILL [51.], THE GOVERNOR ACTED ON THE PROVISIO OF COMPLIANCE WITH SECTION 22A [28.], AND ASSUMED COMPLIANCE WITH CONSTITUTIONAL PROHIBITIONS [1., 3., 7., 45. AND 83. (EFFECT OF NON-COMPLIANCE)], PROHIBITING STATE LEGISLATION FROM EXCEEDING OR EVEN ATTEMPTING TO EXCEED ITS CONSTITUTIONAL AUTHORITY AND

JURISDICTION [64. (PARAS 92, 93, 94, 103 AND 117)].

86. THE GOVERNOR WAS PROVIDED WITH FALSE AND MISLEADING ADVICE FROM THE EXECUTIVE GOVERNMENT [29.], ABOUT THE LEGAL FOUNDATION AND CONSTITUTIONAL AUTHORITY AND CONSENT OF THE PARLIAMENT (CHAPTER I [3.]), TO 'ARBITRARILY TAKE FROM ALL SERVING LIFEERS (PRISONER A. TYPES), THEIR CRIMINAL SENTENCING COURT IMPOSED (AS PART OF THEIR IMPOSED SENTENCE), ACCRUED AND ABSOLUTE RIGHT TO APPLICATION AND OPERATIONAL EFFECT OF MANDATORY AUTOMATIC PAROLE [124., 125. AND 126.]', AS AN OPERATIONAL EFFECT OF THE PROPOSED SENTENCING BILL IN 1994 [51., 52. AND 64. (PARAS 117 ¹⁶ AND 117 ¹⁷)]. THE EXECUTIVE GOVERNMENT (CHAPTER II [3.]), WAS AT THE VERY LEAST PROFESSIONALLY INCOMPETENT, IN FAILING TO PROPERLY INVESTIGATE THE AUTHORITY AND JURISDICTION OF THE PARLIAMENT (CHAPTER I [3.]), TO 'TAKE FROM SERVING LIFEERS (PRISONER A. TYPE), THEIR ~~ACRUE~~ ACCRUED RIGHT (WHICH WAS IN FACT CONSTITUTIONALLY PROTECTED WHEN IMPOSED BY THE CRIMINAL COURT), TO AUTOMATIC PAROLE'. IT WOULD BE A LIE FOR THAT GOVERNMENT (CHAPTER II [3. AND 7.]), TO CLAIM 'IT DID NOT HAVE ANY INDICATION OF ACCRUED RIGHTS OF LIFEERS BEING TAKEN AWAY FROM THOSE LIFEERS BY THE BILL [51.]', AS PROVEN IN HANSARD [137., 54., 138. AND 53.]. THE EXECUTIVE GOVERNMENT MISREPRESENTED THE PSEUDO-CONSTITUTIONAL COMPLIANCE OF THE SENTENCING BILL [51.], WHEN IT PRESENTED ITS ADVICE TO THE GOVERNOR [29.], AFTER WHICH THE GOVERNOR IMPROPERLY (UNKNOWN TO THE GOVERNOR THOUGH), ASSENTED THE BILL INTO LEGISLATION [46.], AS OF 1-8-1994, THEREBY GIVING RISE TO AN ERRONEOUS ASSENT AND THE EFFECTIVE OPERATION OF FALSE AUTHORITY (WHERE THE SENTENCING COURT WOULD THEN EFFECT THE USE OF AND OPERATION OF THE NEW SENTENCING LEGISLATION [46.], EXCEPT THAT BILL [51.], SHOULD NEVER HAVE BEEN ASSENTED TO IN 1994 IN THAT FORM, IT IS NOT LEGALLY SOUND AND IT CLEARLY OVERSTEPS ITS CONSTITUTIONAL AUTHORITY AND JURISDICTION).

87. THE GOVERNMENT KNEW PERFECTLY WELL THAT EXISTING LIFEERS (PRISONER A. TYPE), HAD ACQUIRED AS A MATTER OF ABSOLUTE RIGHT IN LAW, WHICH WAS DELIVERED TO THEM AS PART OF THEIR IMPOSED SENTENCE BY THE COMPETENT COURT, CONSTITUTIONALLY PROTECTED ACCRUED RIGHTS, IN PARTICULAR 'EFFECT OF THE REMISSIONS SYSTEM' AND

'EFFECT OF AUTOMATIC PAROLE', PRIOR TO 1-8-1994 [53., 137. AND 45.]. THE GOVERNMENT (CHAPTER II [3.]), CLEARLY UNDERSTOOD SUCH LIFERS' ACCRUED RIGHTS AND THAT KNOWLEDGE AND UNDERSTANDING OF THEM WAS OPENLY VOICED BY THE ATTORNEY-GENERAL IN PARLIAMENT [51., 53., 136. AND 137.], SO THE GOVERNMENT IN PREPARING THE BILL [51.], WHICH THEY THEMSELVES INVESTIGATED PRIOR TO SUBMITTING TO PARLIAMENT, HAD FULL UNDERSTANDING AND COMPREHENSION OF THE VERY SAME ACCRUED RIGHT, THE RIGHT IN LAW OF 'AUTOMATIC PAROLE', WHICH THE GOVERNMENT (OPERATING UNDER CHAPTER II [3.]), TRIED TO AND THEN SUBVERSIVELY STOLE FROM LIFERS (LIKE ME AND OTHER 'PRISONER A' TYPES), AND THE GOVERNMENT UNLAWFULLY USED THE PARLIAMENT (CHAPTER I [3.]), TO ASSIST THE GOVERNMENT IN THAT CRIME. THIS ACCUSATION IS QUALIFIED BY FACTS IN HANSARD [51. AND 136.].

88. IT WAS THE GOVERNMENT'S BILL [51.], TABLED IN PARLIAMENT BY THE ATTORNEY-GENERAL, AND SPOKEN ABOUT IN PARLIAMENT BY THE ATTORNEY-GENERAL [137., 52. AND 53.], PREPARED AND INVESTIGATED BY CROWN SOLICITORS ON BEHALF OF THE GOVERNMENT AND ATTORNEY-GENERAL AND PREMIER (INDIVIDUALLY), ~~WITH~~ THE BILL CONSTRUCTED AND WRITTEN IN LINE WITH THE GOVERNMENT'S AGENDA (TO TAKE AUTOMATIC PAROLE FROM LIFERS ANY WAY THEY COULD), AND AS THE ATTORNEY-GENERAL WAS ALSO A LAWYER HE WOULD EASILY HAVE UNDERSTOOD EVERYTHING HE SAID TO ATTEMPT TO CAUSE THE PARLIAMENT TO VOTE 'IN' THE BILL [51.]. THE ATTORNEY-GENERAL DELIBERATELY DID NOT INFORM THE PARLIAMENT, THAT THERE WAS NO WAY PARLIAMENT COULD SIMPLY TAKE AWAY 'AUTOMATIC PAROLE' FROM LIFERS, THAT IN FACT ONLY THE CONSTITUTIONALLY EMPOWERED CRIMINAL SENTENCING COURT HAD JURISDICTION TO DO THAT, AND WOULD NOT DO SO IN THE CIRCUMSTANCES OF VOTE-GRABBING FOR THE GOVERNMENT. HOWEVER, THE ATTORNEY-GENERAL DID DIVERT PARLIAMENT'S ATTENTION BY HIGHLIGHTING THAT SERVING LIFERS WOULD BE COMPENSATED FOR ABOLISHED REMISSIONS [52., 137., 138. AND 53.]. THE SERIOUS QUESTION MUST BE ASKED THEN, WHY DIDN'T THE ATTORNEY-GENERAL INFORM THE PARLIAMENT [51.], THAT STATE SENTENCING LEGISLATION HAS NO CONSTITUTIONAL JURISDICTION [3.], TO DENY SERVING LIFERS THE OPERATION AND EFFECT OF 'AUTOMATIC PAROLE' (UNDER CHAPTER I [3.]), NOR DOES THE GOVERNMENT (UNDER CHAPTER II [3.]), IF SUCH LIFERS WERE SENTENCED AS 'PRISONER A' TYPE?

89. THE ANSWER TO ANY REASONABLE THINKING PERSON IS, EITHER THE ATTORNEY-GENERAL IS PROFESSIONALLY INCOMPETENT (FOR NOT UNDERSTANDING LEGAL RAMIFICATIONS OF LEGISLATING OUT THE 'AUTOMATIC PAROLE RIGHT OF EXISTING LIFERS'), OR THE MORE LIKELY ANSWER WHICH IS THAT THE ATTORNEY-GENERAL DELIBERATELY TRIED TO ~~MISLEAD~~ MISLEAD PARLIAMENT, INCLUDING THE VERY SIGNIFICANT ELEMENT OF THE PROPOSED BILL AND ASSOCIATED HANSARD (WHERE HANSARD IS ~~RELIED~~ RELIED UPON BY CRIMINAL SENTENCING COURTS, TO REVEAL THE REASONING AND TRUE INTENTIONS TOWARDS ASSOCIATED SENTENCING BILLS AND ACTS), BEING THAT THE RULES OF STATUTORY CONSTRUCTION PROHIBIT THE PARLIAMENT (CHAPTER I [3.]), FROM CREATING (BY VOTING 'IN'), OR BEING USED TO CREATE NEW OR AMENDED LEGISLATION WHICH, IN ITS ASSUMED POWER AND AUTHORITY, VIOLATED ITS JURISDICTION AND EXCEEDED ITS LEGISLATIVE POWER OF THE STATE [28.], AND THAT RULES OF LEGISLATIVE CONSTRUCTION PROHIBIT CREATION AND ASSENT OF ANY STATE LEGISLATION, WHICH PURPORTS AN AUTHORITY AND JURISDICTION WHICH IN FACT IT DOES NOT HAVE, AND MUST NOT HAVE, AND MUST NOT TRY TO EXCEED [28. AND 83.].

90. THEREIN LIES A VERY SERIOUS QUESTION ABOUT 'INTEGRITY' AGAINST THE ATTORNEY-GENERAL WHO TABLED THE BILL FOR SECOND READING [51.], ON BEHALF OF THE GOVERNMENT, THE ATTORNEY-GENERAL WHO REPRESENTED THE GOVERNMENT'S TRUE INTENTIONS ABOUT THE BILL [51.], WHEN SPEAKING TO THE PARLIAMENT [52., 53., 54., 55., 56., 57., 58., 59., 137. AND 138.], AND FAILED AND/OR NEGLECTED TO INFORM THE PARLIAMENT THAT THE PROPOSED BILL CONTAINED UNCONSTITUTIONAL OPERATIONAL EFFECTS, BEING ULTRA VIRES (A DEFECTIVE USE OF POWER AND AUTHORITY), AND THE SAME ATTORNEY-GENERAL WHO CHOSE NOT TO INFORM THE PARLIAMENT THAT PARLIAMENT (CHAPTER I [3.]), HAD NO CONSTITUTIONAL AUTHORITY OR JURISDICTION TO DENY SERVING LIFERS (PRISONER A, TYPE), LIKE ME, OPERATIONAL EFFECT OF AUTOMATIC PAROLE [124., 125. AND 126.], AND THAT BY ASKING THE PARLIAMENT TO VOTE ON A BILL [51.], WHICH WAS NOT CONSTITUTIONALLY SOUND, IS AN OFFENSIVE ACT.

91. THE GOVERNMENT, ACTING INCOMPETENTLY, SUBMITTED THE BILL TO PARLIAMENT [51.], THEN ARGUED TO VOTE IN THE BILL [51.], RALLIED THE TROOPS OF PARLIAMENT (THE MEMBERS), BY STATING ONLY WHAT THE ATTORNEY-GENERAL NEEDED

TO SAY, NOT WHAT HE ACTUALLY SHOULD HAVE TOLD THE PARLIAMENT, IN ORDER TO ENCOURAGE THE PARLIAMENT TO VOTE IN-FAVOUR OF THEIR DEFECTIVE BILL [51.], THEN AFTER THE DEFECTIVE BILL [51.], WAS PASSED BY THE HOUSES, THE SAME GOVERNMENT (UNDER CHAPTER II AUTHORITY [3.]), FRAUDULANTLY ADVISED THE GOVERNOR, EVEN THOUGH THE BILL BREACHED CONSTITUTIONAL JURISDICTION (AS ABOVE DESCRIBED, RE STEALING MY AND OTHER 'PRISONER A.' TYPES' AUTOMATIC PAROLE ACCRUED RIGHT), UNDER SECTION 23, REQUIREMENT [29.], THAT THE BILL [51.] WAS CONSTITUTIONALLY SOUND, BUT IN FACT THE BILL [51.], WAS NOT CONSTITUTIONALLY SOUND AND FOR THAT REASON ALONE WAS PROHIBITED FROM BEING ASSENTED BY THE GOVERNOR. THE FACT REMAINS, THE BILL WAS UNCONSTITUTIONALLY ASSENTED [15. AND 46.].

92. THE QUALIFIED DOCUMENT EVIDENCE SUPPORTING MY ACCUSATION AGAINST THE THEN STATE GOVERNMENT, OF MID 1994 [51.], INCLUDES THE BILL ITSELF [51.], HANSARD OF ITS SECOND READING [51.], THE CONSTITUTION ITSELF [1.], SOUTH AUSTRALIAN RULES OF STATUTORY/LEGISLATIVE CONSTRUCTION [INCLUDING 28, 29, AND 83.], SENTENCING LEGISLATION [45. AND 84.], AND THE STATED AGENDA OF THE GOVERNMENT WHICH WAS TO 'TAKE AWAY AUTOMATIC PAROLE FROM LIFERS (AND SOME OTHERS)'.

93. FOR THE GOVERNMENT (CHAPTER II [3.]), TO IMPROPERLY MANIPULATE THE GOVERNOR AND THE AUTHORITY OF THE GOVERNOR [29.], TO MISREPRESENT THE BILL'S INTEGRITY [28. AND 64.], WHICH OPERATIONALLY EXCEEDED ITS CONSTITUTIONAL JURISDICTION (RE ARBITRARY CANCELLATION OF AUTOMATIC PAROLE FOR 'PRISONER A.' TYPE LIFERS, LIKE ME), TO EFFECT THE GOVERNOR TO ASSENT AN ERRONEOUS BILL INTO LAW [51., 28. AND 83.], AT THE ABSOLUTE VERY LEAST IS PROFESSIONAL INEPTITUDE BY THE GOVERNMENT (RE ADVICE [29.]), AND COULD BE AS STRONG AS PROFESSIONAL MISCONDUCT (AT LEAST AGAINST THE ATTORNEY-GENERAL FOR WHAT HE DID, AND DID NOT SAY IN PARLIAMENT AND/OR TO THE PARLIAMENT) [51., 136., 137., 138., 52. AND 53.].

94. IF THE OPERATIONAL EFFECT (THE ASSENT OF A BILL INTO LEGISLATION, BY THE GOVERNOR [15. AND 28.]), OF LEGISLATION IS ACHIEVED BY INCOMPETENT AND/OR NEGLIGENT ACT, SUCH AS DESCRIBED ABOVE, WHERE 'ARBITRARY REMOVAL OF AUTOMATIC PAROLE FOR LIFERS ('PRISONER A.' TYPES)', IS IMPROPERLY AMENDED IN TO EXISTING SENTENCING LEGISLATION, ~~THE~~ THE LEGISLATION SO AMENDED ACQUIRING A

PSUEDO-POWER AND PSUEDO-AUTHORITY WHICH, CONSTITUTIONALLY AND STATE LEGISLATIVELY, IT IS PROHIBITED FROM HAVING, THEN IT MUST STAND AS FACT THAT ROYAL ASSENT SHOULD NEVER HAVE BEEN OBTAINED BY SUCH A BILL [15, 51, AND 46.], ESPECIALLY CONSIDERING ITS ~~THE~~ NON-COMPLIANCE WITH 'LEGISLATION CONSTRUCTION REQUIREMENTS [28.]', THE BILL [51.], WHICH BREACHED MANDATORY COMPLIANCE REQUIREMENTS [28.], STILL OBTAINED ROYAL ASSENT [15.], YET STILL TODAY TWO DECADES LATER (IT ILLEGALLY AND UNCONSTITUTIONALLY BECAME LEGISLATION [46.], AND CONTINUES TO BE USED BY THE STATE GOVERNMENT AND IS FORCED UPON THE CRIMINAL SENTENCING COURTS WHO IMPOSE SENTENCES), HAS NOT BEEN MADE CONSTITUTIONALLY COMPLIANT, JURISDICTIONALLY COMPLIANT SO AS NOT TO EXCEED ITS AUTHORITY (BREACHING JURISDICTION [28.]), AND CONTINUES TO VIOLATE THE CONSTITUTIONALLY EMPOWERED AUTHORITY OF THE JUDICIARY (CRIMINAL SENTENCING COURT, CHAPTER III [3.], [45, 77, 80. AND 83.]), IN RELATION TO 'PRISONER A.' TYPE LIFERS LIKE ME.

95. THE WHOLE 1994 SENTENCING BILL ([51 AND 46.]), WAS ASSENTED BY THE GOVERNOR AT THE SAME TIME ([15.]), SO EVEN THOUGH IT WAS REALLY ONLY THE 'THEFT' OF AUTOMATIC PAROLE FROM SERVING LIFERS, WHICH WAS THE FOUNDATION OF (AS ABOVE DESCRIBED), THEFT OF THE ACCRUED RIGHT OF SAID AUTOMATIC PAROLE FOR 'PRISONER A.' TYPES, AS CONSTITUTIONALLY IMPOSED BY CRIMINAL SENTENCING COURTS AT THE TIME OF THEIR RESPECTIVE SENTENCING, JUST LIKE WITH MY 2002 JUDGMENT ([74, 75, 77, 78, 80. AND 45.]), THE ENTIRE 1994 BILL MUST BE VOIDED. THAT THEREFORE 'REINSTATES REPEALED REMISSIONS SYSTEM' WHICH PARLIAMENT ABOLISHED ([51 AND 46.]), AND 'REINSTATES REPEALED AUTOMATIC PAROLE FOR LIFERS' WHICH PARLIAMENT ABOLISHED ([51, 52, 55, 58 AND 59.]), ALL DUE TO THE IMPROPER ASSENT ([15.]), OF THE TRUTH IN SENTENCING BILL ([51.]), [16.].

96. IF THE ATTORNEY-GENERAL (REPRESENTING THE GOVERNMENT (CHAPTER II [3.]), WHEN EXPLAINING THE SENTENCING BILL TO PARLIAMENT [51.], FULLY INFORMED PARLIAMENT OF THE CONSTITUTIONAL (JURISDICTIONAL), LIMITATIONS ON THE AUTHORITY OF THE PARLIAMENT, REGARDING 'REPEALING OUT OF LEGISLATION REMISSIONS SYSTEM (CRIMINAL LAW (SENTENCING ACT), AND AUTOMATIC PAROLE FOR LIFERS (CORRECTIONAL SERVICES ACT [123, 124, 125, 126, 127 AND 128.])', THEN SUCH A REVELATION BY THE ATTORNEY-GENERAL WOULD HAVE INCLUDED THAT PARLIAMENT (CHAPTER I [3.]), HAS NO CONSTITUTIONAL

JURISDICTION OR AUTHORITY TO SIMPLY ⁶ REPEAL (OUT OF) LEGISLATION WHICH IMPOSED AN ACCRUED RIGHT OF AUTOMATIC PAROLE FOR LIFERS, UPON SENTENCING BY A COMPETENT COURT (CRIMINAL LAW SENTENCING COURT [32, 35, 44 AND 45.], CHAPTER III [3.]), ESPECIALLY WHEN SUCH AN "ACCRUED RIGHT" TO 'AUTOMATIC PAROLE' IS A CONSTITUTIONALLY PROTECTED RIGHT, IMPOSED BY THE CONSTITUTIONALLY EMPOWERED AND JURISDICTIONALLY AUTHORISED AUSTRALIAN GOVERNMENT INSTRUMENTALITY, THE JUDICIARY (CHAPTER III [3, 4, 7, 12 AND 14.]), WHICH WOULD SIT AS A CRIMINAL LAW SENTENCING COURT [45.], AND APPLY SENTENCING STANDARDS (TO AN IMPOSED SENTENCE), WHICH EXISTED IMMEDIATELY PRIOR TO THE STATUTES AMENDMENT (TRUTH IN SENTENCING) ACT 1994, S.A [46.], BEING THE SENTENCING STANDARDS APPLIED TO 'PRISONER A.' TYPE LIFERS LIKE ME.

97. THOSE SENTENCING STANDARDS IN OPERATIONAL EFFECT AT THE TIME OF THE SECOND READING OF THE BILL [51.], BEING THE SAME SENTENCING STANDARDS APPLIED TO 'PRISONER A.' TYPE LIFERS, LIKE ME, WERE IMPOSED UPON ME BY MY TRIAL SENTENCING JUDGE, THEN IMPOSED UPON ME BY THE CRIMINAL COURT OF APPEAL (DELIVERED JULY 1994 (PRIOR TO 'TRUTH IN SENTENCING ACT' ENACTMENT)), THEN MANDATED UPON ME ([80.]), AS THE 'APPLIED SENTENCING STANDARDS' IMPOSED UPON ME BY THE FULL COURT IN 2002 (EIGHT YEARS AFTER 'TRUTH IN SENTENCING ACT' ENACTMENT), [CHAPTER III, JUDICIARY, 3.], AND IN 2002 JUDGMENT [45, 74, 75, 77, 78, 79 AND 80.], THE FULL COURT HAD ABSOLUTE CONSTITUTIONAL AUTHORITY AND JURISDICTION TO APPLY 1992 SENTENCING STANDARDS (BEING SENTENCING ACT (1988, S.A. AND IN EFFECT IN 1992), CORRECTIONAL SERVICES ACT (S.A. IN EFFECT IN 1992), LENGTHS OF SENTENCES), TO THE SENTENCE IT IMPOSED UPON ME. [3. (JUDICIARY), 44, 45, 75, 80 AND 77.]

98. IT IS SIGNIFICANT TO NOTE THE SPECIFIC WORDING IN HANSARD [53.], OF THE BILL'S SECOND READING [51.], WHERE THE 'ACCRUED RIGHT' REGARDING REMISSIONS SYSTEM IS HIGHLIGHTED, "HOWEVER, PROVISION IS MADE TO ENSURE THAT PRISONERS WHO WERE SENTENCED ON THE BASIS THAT THEY ARE ELIGIBLE FOR REMISSIONS ARE NOT PENALISED," WHICH CLEARLY DESCRIBES 'SENTENCING STANDARDS WHICH MUST BE APPLIED TO A PARTICULAR SENTENCE, IRRESPECTIVE OF WHEN SUCH A SENTENCE IS IMPOSED AND DELIVERED'. THE GOVERNMENT AND ATTORNEY-GENERAL KNEW THAT THEY HAD NO CONSTITUTIONAL AUTHORITY TO SIMPLY REPEAL (OUT OF) LEGISLATION WHICH AWARDED

'PRISONER A.' TYPE LIFERS WITH AN ACCRUED RIGHT RELATING TO REMISSIONS APPLICATION, TO THEIR RESPECTIVE COURT IMPOSED SENTENCES [137. AND 53.]. HOW IS IT THEN THAT 'PRISONER A.' TYPE LIFERS 'WHO WERE SENTENCED ON THE BASIS THAT THEY ARE ELIGIBLE FOR AUTOMATIC PAROLE (UNDER SAME SENTENCING STANDARDS AS REMISSIONS IN 1992), ARE PENALISED?' [53.]

99. NOT ONLY IS THE GOVERNMENT RELYING ON IMPROPERLY ASSENTED TRUTH IN SENTENCING LEGISLATION FROM 1994, AND ALL LATER AMENDMENTS, AS ABOVE DESCRIBED [51., 28., 15., 16. AND 17.], IT HAS ALSO CLEARLY DENIED ME AND OTHER PRISONER A. TYPE LIFERS THEIR CONSTITUTIONALLY IMPOSED RIGHT TO AUTOMATIC PAROLE [123. AND 124., 74., 75., 78., 80. AND 77.].

100. IF YOU COMPARE ON A WEIGHT SCALE THE 'REMISSIONS SYSTEM' TO 'AUTOMATIC PAROLE FOR LIFERS', THE AUTOMATIC PAROLE HAS GREATER RIGHT IN LAW, IN RELATION TO 'PRISONER A.' TYPE LIFERS, BECAUSE IT IS A FINALITY IN TERM OF INCARCERATION (PROVIDING PRISONER HAS AN APPROVED PAROLE ADDRESS). THE PAROLE BOARD NOR EXECUTIVE GOVERNMENT COULD REFUSE TO RELEASE SUCH A LIFER ('PRISONER A.' TYPE), AT THE COMPLETION OF THEIR NON-PAROLE PERIOD, LESS REMISSIONS, BECAUSE OF THE LIFER'S 'ACCRUED RIGHT OF AUTOMATIC PAROLE'. [123. AND 124.]

101. FURTHER WITHIN HANSARD FOR THE BILL IN 1994 [53.], IT STATES "THE ABOLITION OF REMISSIONS DOES NOT AFFECT ANY DAYS OF REMISSION ALREADY CREDITED TO THE PRISONER AND ALL ~~THE~~ PRISONERS WHO ARE ELIGIBLE FOR REMISSIONS WILL BE TAKEN TO HAVE THEIR TERM OF IMPRISONMENT AND NON-PAROLE PERIOD (IF ANY), REDUCED BY THE MAXIMUM NUMBER OF DAYS OF REMISSION THEY COULD HAVE EARNED HAD REMISSIONS NOT BEEN ABOLISHED." WHAT ABOUT THEN, THE DAYS (MONTHS, YEARS), OF SENTENCES ALREADY SERVED BY EXISTING LIFERS (PRISONER A. TYPE), WHO SERVED SUCH TIME OF INCARCERATION 'ON THE BASIS THAT THEY ARE ELIGIBLE FOR AUTOMATIC PAROLE' [53.], THEN SUDDENLY ON 1-8-1994, THE PARLIAMENT (CHAPTER I [3.]), THE GOVERNMENT (CHAPTER II [3.]), THE GOVERNOR [15. AND 29.], ALL ACTED PRIOR TO THAT DATE IN A WAY AND MANNER PROHIBITED BY THE CONSTITUTION [1.], EVEN THOUGH NOT NECESSARILY WITH THEIR PURE INTENT, EQUATING TO UNCONSTITUTIONAL ACTION, WHICH ILLEGALLY (AS SUCH ACTION IS PROHIBITED BY CONSTITUTION [1.], AND STATE

LEGISLATION (AS DESCRIBED HEREIN)), BREACHED THE CONSTITUTIONALLY PROTECTED AUTHORITY AND JURISDICTION OF THE SOUTH AUSTRALIAN CRIMINAL LAW SENTENCING COURTS (OPERATING WITH ABSOLUTE CONSTITUTIONAL JURISDICTION (CHAPTER III JUDICIARY [3.]), WHICH IMPOSED UPON THOSE LIFERS ('PRISONER A.' TYPE), IN ADDITION TO THE OPERATIONAL EFFECT OF THE REMISSIONS SYSTEM, THE OPERATIONAL EFFECT OF AUTOMATIC PAROLE AT THE END OF THEIR NON-PAROLE PERIOD, AND THEREAFTER ~~THE~~ DENIED THOSE SERVING LIFERS ('PRISONER A.' TYPE), THEIR ACCRUED AND ABSOLUTE RIGHT TO AUTOMATIC PAROLE, AND ALL FUTURE PRISONERS NOT YET SENTENCED BUT BECOME SENTENCED (AFTER 1-8-1994), BY THE COURT, TO SENTENCING STANDARDS EXISTING IMMEDIATELY PRIOR TO TRUTH IN SENTENCING LEGISLATION [46.], SUCH AS WITH MY 2002 JUDGMENT [75., 80. AND 77.]?

102. THE COMBINED ACTIONS OF THOSE THREE PARTIES, THE PARLIAMENT (CHAPTER I [3.]), THE GOVERNMENT (WHO TABLED THE BILL [51.]) (CHAPTER II [3.]), AND THE GOVERNOR (WHO ACTS ACCORDING TO THE ADVICE OF EXECUTIVE GOVERNMENT [29.], AND IS THEREFORE A SUBORDINATE TO GOVERNMENT INTENTIONS [52., 62., 63. AND 132.]) (DEFACTO CHAPTER II [3.] PROVIDING ROYAL ASSENT [15.]), RESULTING IN ASSENT OF THE 1994 SENTENCING BILL [51.] INTO LEGISLATION [46.], THOUGH UNCONSTITUTIONALLY ACHIEVED (VIOLATES LEGISLATIVE CONSTRUCTION LAW [28.]), WHICH FALSELY ENABLES AN IMPROPER AND UNCONSTITUTIONALLY DETERMINED CRIMINAL LAW SENTENCE TO BE IMPOSED UPON A CONVICTED LIFER. FIRSTLY, ROYAL ASSENT [15.] WAS IMPROPERLY OBTAINED THEREFORE THE BILL [51.] SHOULD NEVER HAVE BECOME LEGISLATION (FOR REASONS DESCRIBED ABOVE). SECONDLY, IT TOOK FROM ('PRISONER A.' TYPE) LIFERS THAT WHICH IT HAD NO CONSTITUTIONAL AUTHORITY OR JURISDICTION TO TAKE, BEING THE ACCRUED RIGHT OF AUTOMATIC PAROLE. THIRDLY, EVEN AFTER SENTENCING COURT [74., 75., 80. AND 77.], MANDATES IMPOSITION OF SENTENCING STANDARDS EXISTING IMMEDIATELY PRIOR TO SUCH FALSE LEGISLATION, THE GOVERNMENT ILLEGALLY REFUSES (IN VIOLATION OF CONSTITUTION CHAPTER II [3.] COMPLIANCE REQUIREMENT), TO CARRY OUT THE IMPOSED SENTENCE ACCORDING TO SENTENCING STANDARDS IMPOSED BY THE COURT (FOR EXAMPLE MY 2002 JUDGMENT [79., 78., 80. AND 77.]). FOURTHLY, UPON IMPOSITION OF SENTENCE BY THE COURT [35., 44. AND 45.], TO SENTENCING STANDARDS EXISTING

IMMEDIATELY PRIOR TO 1-8-1994, SUCH AS MY 2002 JUDGMENT [74.], WHICH MANDATED APPLICATION OF '1992 SENTENCING STANDARDS TO MY DETERMINED SENTENCE' ([79., 78., 80. AND 77.]), THE GOVERNMENT OPERATING UNDER CHAPTER II OF THE CONSTITUTION [1. AND 3.], HAS NO DISCRETION OR AUTHORITY TO REFUSE TO CARRY OUT, OR TO ACCEPT, THE IMPOSED SENTENCE ON THE LIFER, STRICTLY ACCORDING TO THE DETERMINED THEN IMPOSED SENTENCE WHICH THE COURT DELIVERED (BEING "THIS COURT MUST APPLY SENTENCING STANDARDS APPLICABLE IN 1992," [80.]). FIFTHLY, IF THE GOVERNMENT (OPERATING UNDER CHAPTER II CONSTITUTIONAL AUTHORITY [3.]), REFUSES TO ENFORCE THE COURT IMPOSED SENTENCE, AND INSTEAD CHOOSES TO ADMINISTRATIVELY CHANGE THE REAL EFFECT OF THE COURT IMPOSED SENTENCE, JUST LIKE WHAT THE GOVERNMENT IS DOING TO ME RE MY 2002 JUDGMENT [74.] (AS ABOVE DESCRIBED), AND THE GOVERNMENT IS CLAIMING THAT ONLY TRUTH IN SENTENCING ACT [46.] SENTENCES MAY BE IMPOSED ON LIFERS NOW, PAST 1995, REGARDLESS OF WHAT THE SENTENCING COURT DETERMINES AND IMPOSES, BECAUSE THE CURRENT OPERATIONAL SENTENCING LEGISLATION INCLUDES OPERATIONAL EFFECT OF THE TRUTH IN SENTENCING ACT ([46.])', THEN NOT ONLY IS THE GOVERNMENT REFUSING TO PROPERLY ADMINISTER THE ENFORCEMENT OF 'PRISONER A.' TYPE SENTENCES LIKE MINE IN 2002 ([84. AND 45.] [74. AND 80.]), AS THE CONSTITUTION ([1.]) MANDATES THE GOVERNMENT TO DO, BUT ~~THE~~ ALSO IT MEANS THAT THE GOVERNMENT IS REFUSING TO ACT WITHIN ITS CONSTITUTIONAL JURISDICTION (RE ENFORCEMENT OF COURT IMPOSED SENTENCE), IS UNLAWFULLY EXCEEDING ITS CONSTITUTIONAL JURISDICTION, AND IS UNLAWFULLY AND ILLEGALLY DISREGARDING THE CONSTITUTIONAL AUTHORITY AND JURISDICTION OF THE CRIMINAL LAW SENTENCING COURT ([3., 35., 44., 45., 83. AND 84.]), WHICH IS A CONSTITUTIONALLY HIGHER (GREATER) AUTHORITY THAN THE PARLIAMENT ([3.]), AND THE GOVERNMENT ([3.]), WITH REGARD TO DETERMINATION OF CRIMINAL LAW SENTENCE (FOR CONVICTED LIFER), IMPOSITION OF CRIMINAL LAW SENTENCE (FOR CONVICTED LIFER), AND ENFORCEMENT OF CRIMINAL LAW SENTENCE (ON CONVICTED LIFER).

103. NO MATTER WHAT REASONING THE GOVERNMENT RELIES ON, TO EXPLAIN WHY ~~IT~~ REFUSES TO ADMINISTER AND ENFORCE MY 2002 JUDGMENT [74.], ACCORDING TO THE SPECIFIC IMPOSITION OF 1992 SENTENCING STANDARDS TOWARDS OPERATIONAL ENFORCEMENT OF THAT SENTENCE, BY THE STATE GOVERNMENT, IT REMAINS FACT THAT THE GOVERNMENT MUST

APPLY AND OPERATIONALLY ENFORCE 1992 SENTENCING STANDARDS TOWARDS ME, AS THAT IS THE CONSTITUTIONAL ORDER OF THE COMPETENT COURT IN 2002 [74.].

104. AS IS CONSTITUTIONALLY REQUIRED BY THE GOVERNMENT, WHICH ONLY HOLDS AUTHORITY AND JURISDICTION WITHIN CHAPTER II OF THE CONSTITUTION [1. AND 3.], REGARDING 'HOW THE GOVERNMENT ENFORCES A COURT IMPOSED SENTENCE ON A LIFER (INCLUDING ME)', THE STATE GOVERNMENT MUST COMPLY WITH SECTION 56 OF 'CRIMINAL LAW (SENTENCING) ACT 1988, S.A' :

"SECTION 56. (1) PROCEEDINGS FOR ENFORCEMENT OF A SENTENCE MAY NOT BE COMMENCED EXCEPT AND IN ACCORDANCE WITH THIS ACT."

105. THAT MEANS WHEN THE SENTENCING COURT IMPOSES A SENTENCE ON A LIFER, THE GOVERNMENT MUST ENFORCE THE COURT DETERMINED SENTENCE, MUST COMPLY WITH THE ORDERS OF THE SENTENCING COURT REGARDING SENTENCING STANDARDS TO BE APPLIED TO THE COURT IMPOSED SENTENCE, MUST NOT INCREASE PENALTY OF SENTENCE WHICH THE SENTENCING COURT DETERMINED AND IMPOSED UPON THE LIFER (SUCH AS MY SENTENCE INVOLVING MANDATORY APPLICATION OF 1992 SENTENCING STANDARDS, REMISSION SYSTEM AND AUTOMATIC PAROLE [3., 74., 75., 79., 80. AND 77.]). [6., 12., 35. AND 45.]

106. IN HANSARD FOR THE 1994 SENTENCING BILL [51. AND 54.], THE ATTORNEY-GENERAL EXPRESSED A REGIME WHICH SHOULD HAVE BECOME PART OF THE BILL, TO THEN BECOME LEGISLATION [46.], WHICH IS A "DUAL SYSTEM" FOR PRISONERS SENTENCED TO SENTENCING STANDARDS AT THAT TIME (INCLUDES REMISSIONS SYSTEM AND AUTOMATIC PAROLE), AND PRISONER LIFERS SENTENCED TO SENTENCING STANDARDS UNDER NEW SENTENCING STANDARDS (TRUTH IN SENTENCING [46.]), IF THEY ARE CONVICTED OF A CAPITAL CRIME WHICH HAPPENED AFTER 1-8-1994. HOWEVER, FOR THE SAKE OF SAVING MONEY IN THE SHORT TERM, PARLIAMENT LEGISLATED OUT 'APPLICATION OF REMISSIONS SYSTEM TO ALL FUTURE SENTENCED LIFERS, TO SENTENCING STANDARDS EXISTING IMMEDIATELY PRIOR TO TRUTH IN ~~SENT~~ SENTENCING ACT 1994', AND LEGISLATED OUT 'APPLICATION OF AUTOMATIC PAROLE TO ALL FUTURE SENTENCED LIFERS AS WELL AS EXISTING SENTENCED LIFERS', EVEN IF THE SENTENCING COURT IMPOSES SENTENCING STANDARDS EXISTING IMMEDIATELY PRIOR TO TRUTH IN SENTENCING [46.], AND SUCH DELIVERED SENTENCE

IS WELL AFTER ENACTMENT OF TRUTH IN SENTENCING LEGISLATION [46.] ON 1-8-1994, WHICH INCLUDES (THOUGH UNCONSTITUTIONAL AND ULTRA VIRES IN ITS APPLICATION TOWARDS LIFERS LIKE ME ('PRISONER A' TYPES)), HOW THE GOVERNMENT CURRENTLY MISTREATS MY 2002 JUDGMENT [74., 80. AND 77.], NOT ACCORDING TO THE COURT'S SPECIFIC DETERMINATION AND REQUIRED IMPOSITION, BUT INSTEAD REPLACED WITH THE GOVERNMENT'S OWN ILLEGALLY SUBSTITUTED INTERPRETATION OF SAID JUDGMENT (BREACHING [3., 45., 80. AND 77.]).

107. THE PROPER AND CONSTITUTIONALLY COMPLIANT METHOD FOR INCORPORATING 'PRE-AMENDMENT (1-8-1994 [46.]) LIFERS', INTO THE NEW SENTENCING LEGISLATION [46.], WITH 'POST-AMENDMENT (1-8-1994 [46.]) LIFERS' (WHERE 'PRISONER A' TYPE ARE PRE-AMENDMENT AND 'PRISONER B' TYPE ARE POST-AMENDMENT), IS FOR THE CROWN AND THE LIFER (WHO IS SENTENCED UNDER PRE-AMENDMENT SENTENCING STANDARDS), TO BOTH BE PARTIES TO A SPECIAL CIRCUMSTANCE RE-SENTENCING HEARING, WHEREBY THE LIFER AND THE CROWN COME TO A SENTENCING ARRANGEMENT WHICH FITS WITHIN POST-AMENDMENT LEGISLATION [46.], WHICH THE CRIMINAL LAW SENTENCING COURT ACKNOWLEDGES AND THEN JUDICIALLY IMPOSES UPON THE RESPECTIVE INDIVIDUAL LIFER. FUNDING FOR THE LIFER'S LEGAL REPRESENTATION DURING SUCH PROCESS, WOULD BE GRANTED BY STATE GOVERNMENT ALSO. SUCH A PROCESS WOULD ENSURE PROPER FORMALISATION FOR THE JUDICIARY (ONLY), TO RE-SENTENCE THE LIFER AND TO DO SO SO THAT THE ORIGINAL EXISTING SENTENCE IS NOT INCREASED IN PENALTY BY THE 'NEWLY AGREED UPON SENTENCE' ([131.]), IT WOULD SATISFY CONSTITUTIONAL COMPLIANCE REQUIREMENTS, PLUS 'REMOVE ANY ELEMENTS OF CONFUSION AMONGST CORRECTIONAL STAFF', AND PRISONERS ([138.]).

108. HOW UNFORTUNATE FOR AFFECTED LIFERS LIKE ME ('PRISONER A' TYPE), THAT THE PARLIAMENT AND GOVERNMENT OF 1994, ACTED SO INCOMPETENTLY TO BREACH THEIR RESPECTIVE CONSTITUTIONAL LIMITS (JURISDICTION AND AUTHORITY), TO CREATE UNCONSTITUTIONAL LEGISLATION ([51. AND 46.]), STEAL OUR CONSTITUTIONALLY PROTECTED RIGHT TO APPLICATION OF AUTOMATIC PAROLE, THEN SUCCESSIVE GOVERNMENTS ACT UNLAWFULLY AND ILLEGALLY BY REFUSING TO OPERATIONALLY ENFORCE OUR COURT DETERMINED AND IMPOSED SENTENCES (JUST LIKE WHAT THE STATE GOVERNMENT CONTINUES TO PERPETRATE AGAINST ME REGARDING MY 2002 JUDGMENT [80. AND 77.]), ACCORDING TO SENTENCING STANDARDS WHICH "MUST" [45. AND 80.] BE APPLIED TO OUR RESPECTIVE SENTENCES, AT LEAST SINCE MY 2002 JUDGMENT [45., 80. AND 77.]

WHEREIN THE COMPETENT COURT WAS EMPHATIC ABOUT 'WHAT IT MUST DO, REGARDING WHICH SENTENCING STANDARDS IT MUST APPLY IN THE DETERMINATION OF ITS SENTENCE BEING IMPOSED ON ME'. FOR THE FULL COURT IN MY 2002 JUDGMENT [74, 80, AND 77.], TO NOT ONLY ABROGATE OPERATIONAL SENTENCING LEGISLATION IN EFFECT AT THAT TIME [78.], BUT ALSO TO MANDATE SENTENCING LEGISLATION WHICH MUST BE OPERATIONALLY APPLIED (WHICH WAS REPEALED EIGHT YEARS PRIOR ~~TO~~ [46.]), MEANS THERE MUST BE CASE LAW AUTHORITY WHICH GAVE MY COURT (BENCH MEMBERS), NO DISCRETION AND ONLY LEFT THE COURT WITH ONE DIRECT ORDER, BEING THAT IT "MUST APPLY THE SENTENCING STANDARDS APPLICABLE IN 1992" ([74, 80, AND 77.]).

109. I MUST ALSO HIGHLIGHT ANOTHER FIELD OF ERRONEOUS JUDGMENTS, IMPOSED BY SOUTH AUSTRALIAN SENTENCING COURTS, AFTER 1-8-1994, WHICH NOW ARE FAULTY AND FLAWED, NOT ONLY IN THEIR OPERATIONAL EFFECT BUT ALSO IN THEIR IMPOSITION. I DRAW ATTENTION TO ONE PARTICULAR CONVICTED LIEFER AS I HAVE FIRST-HAND DETAILS REGARDING HIS SENTENCING PREDICAMENT, WHICH I ARGUE IS UNCONSTITUTIONAL, UNLAWFUL AND HAS RESULTED IN HIM BEING ILLEGALLY AND CRIMINALLY INCARCERATED IN A PRISON (INCARCERATED WITHOUT CONSTITUTIONAL AUTHORITY TO DO SO), AGAINST HIS WILL SINCE 2013, WHICH IS AS OF MID 2015 APPROXIMATELY TWO YEARS.

110. MR G. REARDON IN 1993 WAS CHARGED WITH ROBBERY (1993 CRIME, MOTHER'S DAY, EVENT A.), AND MURDER (1993 CRIME, (NOT RELATED TO EVENT A.), EVENT B.).

111. REARDON'S TRIAL FOR MURDER (EVENT B.), WAS SEPTEMBER TO NOVEMBER 1994, AFTER TRUTH IN SENTENCING ENACTED [46.], AND TRIAL FOR ROBBERY (EVENT A.), WAS LATE 1994. REARDON WAS CONVICTED ON BOTH MATTERS (EVENTS A. AND B.).

112. REARDON'S APPEALS ON BOTH MATTERS CONCLUDED APPROXIMATELY 2-6-1995 IN THE S.A. CCA.

113. IN BOTH MATTERS REARDON WAS SENTENCED TO 'CURRENT SENTENCING LEGISLATION IN EFFECT AT THAT TIME [46.]', NOT THE 1993 SENTENCING STANDARDS.

114. THOUGH AT THAT TIME THE COURT MAY HAVE REGARDING THE THEN CURRENT SENTENCING STANDARDS [46.], TO BE PROPERLY APPLICABLE TO THE DETERMINED SENTENCES IT IMPOSED ON REARDON. HOWEVER, SINCE 1995 THE S.A. FULL COURT DELIVERED MY 2002

JUDGMENT [74.], WHICH THEREBY HAS A REAL AFFECT ON LIFERS SUCH AS REARDON, DUE TO THE ERRONEOUS FOUNDATION NOW TO BE APPLIED TO REARDON'S 1995 JUDGMENTS (EVENTS A. AND B.), IN LIGHT OF MY 2002 JUDGMENT ([74., 80. AND 77.]).

115. IF APPLYING PROPER DETERMINATION OF APPLICABLE SENTENCING STANDARDS TO REARDON'S TWO MATTERS, REFERENCE MY 2002 ~~JUDGMENT~~ JUDGMENT [74. AND 80.], I.C.C.P.R. ARTICLE 7. [131.], AND CASE LAW OF 'CHARLES BARNETT (SENTENCE AUGUST 2010, STH AUST)', 'HENCH (SENTENCE MARCH 2005, STH AUST)', 'ROBERT HUGHES (SENTENCE MAY 2014, NSW OR VIC?)', THEN A JUDICIAL CHALLENGE NOW FOR THE 1993 SENTENCING STANDARDS TO BE APPLIED TO REARDON'S TWO MATTERS, WOULD LEAVE THE COURT WITH NO OTHER OPTION BUT TO GRANT THE APPEAL.

116. JUXTAPOSE REARDON'S 2x SENTENCES INTO MY 2002 JUDGMENT ([80.]):

REARDON'S ROBBERY SENTENCE CURRENTLY 6 YR NPP

NOW APPLY REASONS AND APPLICATION OF [74. AND 80.] FOR 1993 SENTENCING STANDARDS, INCLUDE [137. AND 53.], THEN 4 YR NPP (6 YR MINUS ONE THIRD REMISSIONS), AND AUTOMATIC PAROLE MUST BE APPLIED ALSO (IT WAS AN ACCRUED RIGHT UNDER 1993 SENTENCING STANDARDS).

REARDON'S MURDER SENTENCE CURRENTLY 21 YR NPP (APPROX)

NOW APPLY REASONS AND APPLICATION OF [74. AND 80.] FOR 1993 SENTENCING STANDARDS, INCLUDE [137. AND 53.], THEN 14 YR NPP (21 YR MINUS ONE THIRD REMISSIONS), AND AUTOMATIC PAROLE MUST BE APPLIED ALSO (IT WAS AN ACCRUED RIGHT UNDER 1993 SENTENCING STANDARDS).

QUESTION: IS THERE A REAL ~~EFFECT~~ EFFECT ON PENALTY OF REARDON'S TWO SENTENCES, BETWEEN HIS IMPOSED SENTENCES IN 1995 (UNDER THEN LEGISLATION [46.]), AND CURRENT VIEW WHEN APPLYING REASONING AND MANDATORY EFFECT OF MY 2002 JUDGMENT ("THIS COURT MUST APPLY SENTENCING STANDARDS APPLICABLE IN '1993'")? [74., 75., 80. AND 77.]

ANSWER: YES. REARDON'S CURRENT NPP IS 2022, ACCORDING TO IMPOSED

SENTENCING STANDARDS FROM 1995 (BEING [46.]). WHEN PROPERLY APPLYING 1993 SENTENCING STANDARDS (MANDATORY OPERATIONAL APPLICATION AND EFFECT OF REMISSIONS AND AUTOMATIC PAROLE), TO NPP LENGTHS OF SENTENCES IMPOSED ON REARDON IN 1995 (APPEALS), THEN REARDON'S REVISED NPP IS APPROXIMATELY 2013 (NOT 2022), AND AUTOMATIC PAROLE ENTITLEMENT MUST ALSO BE OPERATIONALLY APPLIED, RESULTING IN REARDON'S APPROXIMATE SENTENCE LENGTH BEING 2013 NPP, PLUS AUTOMATIC PAROLE RIGHT (UNDER 1993 SENTENCING STANDARDS), AT THE CONCLUSION OF HIS REVISED NPP. THE REAL DIFFERENCE TO REARDON'S TERM OF INCARCERATION IS APPROXIMATELY 9 YEARS IN PRISON.

117. REARDON WOULD ONLY BE REQUESTING THAT 1993 SENTENCING STANDARDS BE PROPERLY APPLIED, TO THE 1995 'LENGTHS OF SENTENCES' RECEIVED FROM THE COURT, AND EFFECT OF AUTOMATIC PAROLE AT CONCLUSION OF NPP.

ROBBERY WAS 6 YR NPP IN 1995

IS 4 YR NPP UNDER CURRENT ARGUMENT (EG. [80.]).

MURDER WAS 21 YR NPP IN 1995

IS 14 YR (APPROX) NPP UNDER CURRENT ARGUMENT (EG [80.]).

118. ALSO, LOOKING AT THE TECHNICAL PROCESS OF A SENTENCING APPEAL'S ERRONEOUS DETERMINATION AND IMPOSITION (CURRENT ARGUMENT AGAINST 1995 SENTENCING STANDARDS APPLIED TO REARDON), PARTICULARLY IN LIGHT OF FULL COURT JUDGMENT OF MINE IN 2002 WHEREIN THE COURT ORDERED ITSELF:

"THIS COURT MUST APPLY SENTENCING STANDARDS APPLICABLE IN 1992."

[79., 80., 78. AND 77.]

119. IF THE TRIAL JUDGES IN REARDON'S 'EVENT A' AND 'EVENT B' SENTENCING (AFTER APPLYING REASONING FROM MY 2002 JUDGMENT [74.], WHICH MANDATES APPLICATION OF SENTENCING STANDARDS EXISTING AT THE TIME THE CRIME IS COMMITTED, IN REARDON'S CASES BOTH WERE 1993), ARE CONSIDERED TO HAVE SENTENCED IMPROPERLY DUE TO

ERRONEOUS ASSESSMENT, DETERMINATION THEN APPLICATION OF WHAT WAS THEN THOUGHT TO BE PROPERLY APPLICABLE SENTENCING STANDARDS, AS APPLIED BY THE SENTENCING COURT IN 1995 (TRIAL JUDGES DURING THEIR RESPECTIVE SENTENCING HEARINGS), THEN IT MUST BE THAT REARDON'S 1995 SENTENCING APPEALS (SHOULD BE TECHNICALLY VOIDED AS THEY DID NOT PROPERLY SENTENCE REARDON, PURSUANT TO 1993 SENTENCING STANDARDS, IN 1994 TRIAL SENTENCING HEARING (WHICH CARRIED TO 1995), AND IN 1995 SENTENCING (APPEAL) COURTS), SHOULD NOT DENY REARDON NOW FROM A TECHNICAL APPEAL AGAINST BOTH SENTENCES ON POINTS OF LAW, CASE LAW, ICCPR ARTICLE 7, AND THE PRINCIPLE OF CRIMINAL LAW SENTENCING, REFERENCE MY 2002 JUDGMENT SPECIFICALLY [74. AND 77. AND 80.], CASE LAW NOW CHANGES EFFECT OF REARDON'S TWO 1995 SENTENCES, WHICH MUST NOW BE CORRECTED TO PROPER SENTENCING STANDARDS (1993), AND PROPER OPERATIONAL EFFECT OF 1993 SENTENCING 'ACCURED RIGHTS' (REMISSIONS, PLUS AUTOMATIC PAROLE FOR LIFEERS).

120. NOT ONLY DOES REARDON HAVE RIGHT OF APPEAL AGAINST BOTH 1995 SENTENCES (EVENT A. AND EVENT B.), DUE TO THE SIGNIFICANT DIFFERENCE BETWEEN THE REAL EFFECT OF REARDON'S 1995 JUDGMENTS, UNDER 1995 SENTENCING STANDARDS [46.] WHICH RESULTED IN 2022 NPP, RATHER THAN WHAT SHOULD HAVE BEEN UNDER 1993 SENTENCING STANDARDS, WHICH WHEN CALCULATED UNDER APPLICATION OF 1993 SENTENCING STANDARDS ([137. AND 53.]), TO LENGTHS OF NPP IMPOSED IN 1995, RESULTS IN 2013 NPP, BUT REARDON ALSO HAS RIGHT OF CONSTITUTIONAL CHALLENGE TO THE STATUTES AMENDMENT (TRUTH IN SENTENCING) ACT 1994 ([46.]), REASONS ABOVE DESCRIBED IN DETAIL, INCLUDING THAT SAID ACT WAS IMPROPERLY ASSENTED INTO LEGISLATION ([51. AND 46.]), DUE TO NON-COMPLIANCE ([28.]), WHICH MUST THEN REVIVE REPEALED LEGISLATION ([16. AND 23.]) THAT WAS IN OPERATIONAL EFFECT IMMEDIATELY PRIOR TO STATUTES AMENDMENT (TRUTH IN SENTENCING) ACT 1994, AND CONTAINED WITHIN ITS APPLICATION THE 'REMISSIONS SYSTEM AND AUTOMATIC PAROLE (AT THE CONCLUSION OF NPP)'.

121. THE SOUTH AUSTRALIAN JUDICIARY, SITING AS CRIMINAL LAW SENTENCING COURT, WHEN DETERMINING TECHNICAL MERIT IN REARDON'S APPEAL AGAINST ERRONEOUS APPLICATION OF

1995 SENTENCING STANDARDS [46.], TO HIS ROBBERY AND MURDER CONVICTION SENTENCES⁷, MUST APPLY THE SAME REASONING IN REARDON'S APPEAL (NOW) AS IT DID IN MY 2002 JUDGMENT [74., 80. AND 77.], BEING THAT THE COURT MUST APPLY THE SENTENCING STANDARDS WHICH EXISTED AND WERE OPERATIONAL AT THE TIMES THE TWO CRIMES WERE COMMITTED, WHICH WAS 1993.

122. THE CROWN HAVE NO COMEBACK TO REARDON'S SENTENCING APPEAL (NOW), AS REARDON IS ONLY REQUESTING THE COURT TO COMPLY WITH ITS OWN DIRECTIVE, WHICH IT HIGHLIGHTED IN MY 2002 JUDGMENT ([74. AND 80.]), WHEREIN THE COMPETENT COURT PROPERLY ORDERED ITSELF ON WHAT IT MUST DO, WHICH WAS TO COMPLY WITH A PRIOR ORDER OF THAT COURT TO MANDATE UPON ITSELF, THE APPLICATION OF SENTENCING STANDARDS WHICH EXISTED AT THE TIME THE CRIME IS COMMITTED, AS IT DID IN THE MURPHY JUDGMENT IN 2002 ([66., 69., 70., 72. AND 73.]).

123. THE COURT IN 2002 ([74.]), WHEN DETERMINING CORRECT SENTENCING STANDARDS TO PROPERLY APPLY TO MY CRIMINAL LAW SENTENCE, WHICH IT THEN DELIVERED AND IMPOSED, THE COURT SOUGHT THEN APPLIED CASE LAW AUTHORITY WHICH IT IDENTIFIED AS MURPHY 2002 ([66., 69., 70., 72. AND 73.]), AND SIMILARLY IN THE MURPHY JUDGMENT [66.], THE COURT SOUGHT AUTHORITY RE APPLICABLE SENTENCING STANDARDS TO APPLY IN MURPHY [66.].

124. IT IS RELEVANT TO NOTE FROM ~~MURPHY~~ MURPHY [66.], THAT ALTHOUGH NEW SENTENCING LEGISLATION [46.] HAD ALREADY BECOME OPERATIONAL ([72. AND 71.]), THEREBY SENTENCING MURPHY AS A 'PRISONER B' TYPE LIFER DUE TO HIS CRIMES HAPPENING AFTER 1-8-1994, THE SENTENCING STANDARDS⁸ WHICH MURPHY'S SENTENCING COURT IN 2002 ([66.]), PAY MOST ATTENTION TO REFERS MORE TO 'LENGTH OF NON-PAROLE PERIOD', AND THAT IS VERY DIFFERENT TO ASPECTS OF MY 2002 JUDGMENT, WHEREIN PRIMARY ATTENTION WAS TO APPLICABLE SENTENCING LEGISLATION, WHICH IS CLEARLY EMPHASISED THEREIN ([80.]), AND OTHER ATTENTION IN MY JUDGMENT [74.], REINFORCED ABROGATION OF EXISTING SENTENCING LEGISLATION ([75., 79., 78., 80. AND 77.]).

125. OF SPECIAL REGARD IN HANSARD [51.] WHICH I DON'T BELIEVE WAS EFFECTED INTO SENTENCING OF LIFERS, CONSIDERING THE CROWN REPEATEDLY APPEALED WHAT IT REGARDED

AS 'MANIFESTLY INADEQUATE LENGTHS OF NON-PAROLE PERIODS', WAS THE INTENTION OF 'LOWER NON-PAROLE PERIODS DUE TO 'ABOLITION OF REMISSIONS' [59,]. THIS IS SUPPORTED IN MURPHY 2002 ([66. AND 72,]): PARAGRAPH 46.

"HOWEVER, THE CROWN ACKNOWLEDGED THAT THE STANDARD FOR THE MOST SERIOUS CRIMES OF MURDER HAS INCREASED SINCE 1994. THAT CONCESSION CONFORMS ~~TO IT~~ WITH MY IMPRESSION."

126. IT IS RELEVANT TO NOTE IN INGE 1999 [50,], PARAGRAPH 49:

"THE AVERAGE PERIOD SERVED BY PRISONERS SENTENCED TO LIFE IN SOUTH AUSTRALIA WAS GIVEN AS 13 YEARS 3 MONTHS IMPRISONMENT."

127. SUCH AN AVERAGE TERM OF INCARCERATION IN SOUTH AUSTRALIA FOR LIFEERS IN THE EARLY 1990's, IS CONSISTENT WITH MY 2002 JUDGMENT [74,] OF 22 1/2 YEARS NON-PAROLE PERIOD, THEN CALCULATION OF 1992 REMISSIONS SYSTEM, MEANT THAT AFTER APPROXIMATELY 15 YEARS I WAS ENTITLED TO AUTOMATIC PAROLE. REARDON'S 1994/95 SENTENCE FOR MURDER OF APPROXIMATELY 21 YEARS NON-PAROLE PERIOD, THEN CALCULATION OF 1993 REMISSIONS SYSTEM, MEANT THAT AFTER APPROXIMATELY 14 YEARS REARDON WAS ENTITLED TO AUTOMATIC PAROLE (IN 2013).