

GOVERNMENT INSTRUMENTALITY/JUDICIAL BODY, FOR THE PURPOSE OF PAROLE SUITABILITY 'CONSIDERATION' CSA. s. 67(4) [99.], OR SUBSEQUENT 'DETERMINATION' CSA. s. 67(6) [100.] OR CSA. s. 67(9) [107. AND 108.], AFTER PAROLE BOARD HAS ALREADY MADE ITS OFFICIAL DETERMINATION, WHERE SUCH DETERMINATION IS TO 'RECOMMEND PAROLE RELEASE' CSA. s. 67(6) [100.]. THEREFORE, WHEN THE BOARD ON-FORWARDS A LIFER'S 'RECOMMENDED PAROLE RELEASE DETERMINATION' CSA. s. 67(6) [100.], TO ANY OTHER GOVERNMENT ENTITY (SUCH AS GOVERNOR, CABINET/EXECUTIVE COUNCIL, MINISTERS), KNOWING THAT SUCH PARTIES HAVE PREVIOUSLY (SINCE 1-8-1994 [46.], WITH RESPECT TO OTHER LIFER APPLICANTS ([94., 100., 109. AND 97.]), AND MAY INCLUDE SAME RESPECTIVE APPLICANT WITH A RE-APPLICATION ([109.])), CONSEQUENTED (WHEN THEY REFUSE TO ACCEPT BOARD'S 'RECOMMENDATION' ([100.])), INCREASE TO LIFER'S TERM OF INCARCERATION (ADMINISTRATIVELY, AND WITH NO OPERATIONAL USE OF ANY CRIMINAL LAW SENTENCING COURT, OR CRIMINAL LAW (SENTENCING) ACT, OR CH. III ([3.]) OF THE CONSTITUTION [1.]), SO ACTING WITHOUT CONSTITUTIONAL AUTHORITY ([1.]), THE BOARD ACTS WITHOUT ANY COMPETENT JURISDICTION ([82. AND 83.]), BY ON-FORWARDING, KNOWING THAT SUCH GOVERNMENT ENTITY IS IN FACT GOING TO PERFORM A 'CONSIDERATION' OF APPLICATION FOR PAROLE ([99.]), NOT A JUDICIAL REVIEW OF THE LEGAL SOUNDNESS OF THE BOARD'S 'RECOMMENDATION' [100.], EFFECTIVELY, NOT ONLY CHARACTERISING PAROLE BOARD AS 'COMPLICIT' TO AND WITH SAID IMPROPER ACTIONS OF GOVERNOR [29.], AND ASSOCIATED MINISTERS IN-CABINET (CABINET PERFORMING A CONSIDERATION (DEFACTO CSA. s. 67(4)), THEN PERFORMING A DETERMINATION CONTRADICTING THE BOARD (DEFACTO CSA. s. 67(9))), BUT ALSO CHARACTERISING PAROLE BOARD AS AN 'ACCESSORY BEFORE AND AFTER THE FACT', RELATING TO GOVERNOR [29.] AND MINISTERS' KNOWN INTENTIONS (TO PERFORM A CONSIDERATION (DEFACTO CSA. s. 67(4)), THEN DETERMINATION (DEFACTO CSA. s. 67(9)), CONTRADICTING BOARD'S ALREADY DETERMINED RECOMMENDATION (CSA. s. 67(6) [100.])).

299. IRRESPECTIVE OF WHAT PAROLE BOARD, GOVERNOR, MINISTERS (CH. II [3.]), AND CABINET HAVE IMPROPERLY ACHIEVED AND/OR PARTICIPATED IN SINCE 1-8-1994 [46.], BOARD MUST ACT PER ITS CONSTITUTIONAL [1.] COMPETENCE AND AUTHORITY. [64., 65., 82. AND 83.]

300. THE EXECUTIVE COUNCIL (OF SOUTH AUSTRALIA), GOVERNOR (OF SOUTH AUSTRALIA), ANY MINISTERS OF THE SOUTH AUSTRALIAN GOVERNMENT (WHO ARE ACTIVE REPRESENTATIVES OF THE SOUTH AUSTRALIAN GOVERNMENT, WHILST ENGAGING IN ANY ACT AS SAID MINISTER), AND ALL OTHER SOUTH AUSTRALIAN 'STATE INSTRUMENTS' [E33.1], UNLESS THEY ARE THE PAROLE BOARD OF SOUTH AUSTRALIA, THEN THEY DO NOT HAVE 'CONSTITUTIONAL [1.1] CONSENT', OR 'CRIMINAL LAW CONSOLIDATION ACT [31.1] CONSENT', OR 'ACTS INTERPRETATION ACT [13.1] CONSENT', OR 'RULES OF THE SUPREME COURT CONSENT (SOUTH AUSTRALIA)', OR 'CRIMINAL LAW (SENTENCING) ACT [34.1] CONSENT', OR 'CORRECTIONAL SERVICES ACT [86.1] CONSENT' TO RECEIVE ANY PAROLE APPLICATION (CSA. s. 67.), FROM ANY GOVERNMENT INSTRUMENTALITY [E33.1], AND THAT INCLUDES FROM THE PAROLE BOARD ALSO, FOR THE PURPOSE AND INTENTION OF 'CONSIDERING' (CSA. s. 67(4)), AND/OR 'DETERMINING' (CSA. s. 67(4)), ANY SUCH 'PAROLE RELEASE APPLICATION' SUBMITTED BY ANY LIFER APPLICANT PURSUANT TO CSA. s. 67, AS THAT RIGHT OF ACTION IS ASSIGNED TO THE PAROLE BOARD ALONE.

301. THERE IS NO POSITIVE OR AFFIRMATIVE WORDING ANYWHERE WITHIN THE CORRECTIONAL SERVICES ACT, S.A., WHICH PERMITS ANY GOVERNMENT INSTRUMENT [E33.1], TO RECEIVE A LIFER'S PAROLE APPLICATION, OTHER THAN PAROLE BOARD (CSA. s. 67.), TO THEN ON BEHALF OF THE STATE GOVERNMENT 'CONSIDER SAME APPLICATION' (CSA. s. 67(4)), AND THEN ON BEHALF OF THE STATE GOVERNMENT 'MAKE DETERMINATION FOLLOWING CONSIDERATION OF SAME APPLICATION' (CSA. s. 67(4)). [E64, 82. AND 83.]

302. SUCH VESTED JURISDICTION TO PERFORM SAID CONSIDERATION AND ASSOCIATED DETERMINATION (CSA. s. 67(4)), WITH EITHER 67(6) OR 67(9) AS THE BOARD'S FORMAL DETERMINATION, WHILST, IF BOARD 'DETERMINES' (CSA. s. 67(4)), TO 'RECOMMEND' PAROLE RELEASE (CSA. s. 67(6)), THE BOARD THEN SEEK 'GOVERNOR'S CONSENT/APPROVAL, AS A 'SIGN-OFF', IN OTHER WORDS THE INCLUSION OF THE SIGNATURE OF THE GOVERNOR, TO OFFICIALISE AND CERTIFY SAID BOARD'S 'RECOMMENDATION' (CSA. s. 67(6) [100.1]), AND AS PART OF SUCH 'CERTIFICATION' BY GOVERNOR [E29.1], THE GOVERNOR [E29.1], UNDERTAKE A (CABINET) JUDICIAL REVIEW [E33.1] AS TO THE 'LEGAL SOUNDNESS' OF SAID BOARD'S 'RECOMMENDATION' [100.1], AND DO NOT MAKE JUDGMENTS OUTSIDE THE NARROW SCOPE OF LEGAL SOUNDNESS ONLY, THEN THE SPIRIT OF PARLIAMENT'S INTENTION, IN CLEAR AND UNAMBIGUOUS WORDING [E64.1], CSA. s. 67(4) [E101.1], HAS BEEN PROPERLY MET AND OBSERVED [E65.1]. UNFORTUNATELY THOUGH,

THE GOVERNOR, CABINET/EXECUTIVE COUNCIL AND THE PAROLE BOARD, HAVE SINCE 1-8-1994 ([46.]), REPEATEDLY AND CONSISTENTLY ACTED WELL ABOVE AND OUTSIDE THEIR RESPECTIVE CONSTITUTIONALLY [1.] COMPETENT JURISDICTION ([82. AND 83.]), AND PERMITTED AND ASSISTED AND ENABLED THE GOVERNOR ([29.]), CABINET/EXECUTIVE COUNCIL TO UNDERTAKE AND PARTICIPATE IN AN ACT OF ILLEGAL PROCESSING OF SAID BOARD'S RECOMMENDATION (FOLLOWING THEIR LAWFUL RECEIPT OF SAID 'RECOMMENDATION' (CSA. s. 67(7)), AS ANYTHING OTHER THAN LEGAL SOUNDNESS JUDICIAL REVIEW OF SAID 'RECOMMENDATION', IS OUT OF SCOPE), AND PERFORMED SAME UNDER FALSE BELIEF AND FRAUDULENT AUTHORITY (WATSON [194. (PARA. 64.) "IMPROPER PURPOSE"])). THIS MATTER DESCRIBED IN GREATER DETAIL IN OTHER SECTIONS OF THIS DOCUMENT.

303. THE FRAUDULENT ASSENT ([194. (PARA. 64.)]) OF CSA, ss. 67(7A), 67(7B), 67(7C), AS THEIR PURPOSE AND FUNCTION VIOLATES AIA. s. 22.A. [28.], AND ARE UNLAWFULLY AND ILLEGALLY USED ~~BY~~ BY THE STATE GOVERNMENT AS PART OF THEIR ILLEGAL PROCESSING, SHOWS THE EXTENT OF PARLIAMENTARY MANIPULATION BY THE GOVERNMENT IN 2012, WHEN THEIR ATTORNEY-GENERAL FEAR-MONGERED PARLIAMENTARY MEMBERS, TO EFFECT THE PASSING OF SAID AMENDMENTS ([102., 103., 104. AND 105.]). THESE 2012 AMENDMENTS ([102.]), CONTRADICT PARLIAMENTARY INTENTION DEFINED BY CSA. s. 67(7) [101.], AND CSA. s. 67(9) [107.], WHEREIN THE OBSERVANCE OF FAIR ADMINISTRATION OF LAW MEANT THAT ONLY THE PAROLE BOARD COULD ACTUALLY MAKE THE FORMAL DETERMINATION, ON BEHALF OF THE GOVERNMENT (OF SOUTH AUSTRALIA), ABOUT WHETHER OR NOT THE GOVERNMENT (WHICH THE BOARD WAS REPRESENTING, AS THE SOLE REPRESENTOR OF THE GOVERNMENT), WOULD 'GRANT' OR 'DENY' PAROLE RELEASE FOR A LIFER APPLYING FOR PAROLE ([94., 95., 96., 97., 98., 99., 100., 101., 113., 82., 83. AND 132.]).

304. THEREFORE, WHEN THE GOVERNOR ([29.]), THEREBY INCLUDING CABINET/EXECUTIVE COUNCIL, INDIVIDUAL MINISTERS OF THE GOVERNMENT AND ALL OTHER 'STATUTORY INSTRUMENTS', OTHER THAN PAROLE BOARD, [14.], AND ALL OTHER 'STATE INSTRUMENTALITIES', OTHER THAN PAROLE BOARD, [32.], RECEIVE ANY LIFER'S PAROLE APPLICATION SUBMISSION (WITH ACCOMPANYING DOCUMENTATION PRODUCED/PREPARED/COMPILED BY THE PAROLE BOARD, MOST SIGNIFICANT OF WHICH IS THE BOARD'S WRITTEN 'RECOMMENDATION TO RELEASE RESPECTIVE LIFER

ON PAROLE (CSA. s. 67(6)), FROM THE PAROLE BOARD, NOT ONLY DO SUCH PARTIES NOT HAVE ANY LEGAL AUTHORITY TO RECEIVE THE PAROLE APPLICATION SUBMISSION (FROM THE PAROLE BOARD), FOR THE PURPOSE OF "CONSIDERATION" AND "DETERMINATION" (CSA. ss. 67, 67(4), 67(6), 67(9)), OF 'PAROLE RELEASE SUITABILITY' (AS THAT VERY SAME TASK HAS ALREADY BEEN UNDERTAKEN AND COMPLETED, BY THE ONLY CONSTITUTIONALLY AUTHORISED ([1.]) GOVERNMENT BODY ([99. AND 100.]), THE PAROLE BOARD, AND WHO FOR THE DURATION OF SUCH PROCESS (THE PROCESSING PHASE), ARE THE PARLIAMENTARILY INTENDED GOVERNMENT'S REPRESENTATIVE FOR THE ENGAGEMENT OF SUCH ACTIVITY), THEY ALSO DO NOT HAVE ANY CONSTITUTIONAL [1.] JURISDICTION TO MAKE ANY CONSEQUENTIAL "DETERMINATION" (CSA. s. 67(4), [100.] OR [107.]), FOR PAROLE RELEASE FOLLOWING LIFER'S APPLICATION CSA. s. 67 ('TO THE BOARD'), NOR VETO THE EXISTING "DETERMINATION" CSA. s. 67(6) OF THE BOARD (WHICH IN AND BY ARRIVING AT SAID EXISTING DETERMINATION ([100.]), HAS PERFORMED ITS OFFICIAL FUNCTION ASSOCIATED WITH CSA. s. 67), AS SUCH AN ACTION (AS WELL AS ~~BEING~~ HAVING NO JURISDICTION [82. AND 83.], TO DO SO), WOULD OPERATIONALLY EQUATE TO DOUBLE-PROCESSING, WHICH IS JUDICIALLY ERRONEOUS AND PROHIBITED.

305. The GOVERNOR [29.] AND THEREFORE ALSO CABINET/EXECUTIVE COUNCIL, AND ALL INDIVIDUAL MEMBERS (MINISTERS), OR CABINET PARTICIPANTS, ARE PROFESSIONALLY INCOMPETENT FOR NOT KNOWING THAT THEY ARE CONSTITUTIONALLY PROHIBITED FROM ENGAGING IN ANY ACT PROHIBITED BY LAW, INCLUDING VIOLATING THE PROTECTED RIGHT OF LEGAL REPRESENTATION OF A LIFER DURING EVERY FORMAL HEARING ([113.]), ASSOCIATED WITH LIFER'S PAROLE APPLICATION (CSA. s. 67.), WHICH MUST ALSO INCLUDE CABINET HEARINGS ASSOCIATED WITH [29.] AND [100.]. OBVIOUSLY, CABINET MEETINGS ARE RESTRICTED EVENTS, THEREFORE ANY SUCH CABINET HEARING DISCUSSING ANY LIFER'S PAROLE APPLICATION (FOLLOWING CSA. s. 67(6)), IS, IN ITS ACTION, AN UNCONSTITUTIONAL EVENT, UNLESS THE ONLY SCOPE OF ~~SUCH~~ ^{SUCH} CABINET HEARING, IS THE JUDICIAL REVIEW OF THE LEGAL SOUNDNESS OF BOARD'S 'RECOMMENDATION' ([100.]), AND IF SAID 'RECOMMENDATION' IS LEGALLY SOUND THEN CABINET AND GOVERNOR ([29.]),
 306. MUST ACCEPT BOARD'S EXISTING 'DETERMINATION' (CSA. ss 67(4) AND 67(6)). SUCH IS THE ORIGINAL INTENTION OF PARLIAMENT IN THE CREATION AND PASSING OF.

CSA. ss. 67(6) [100.], 67(7) [101.], 67(8) [106.], 67(9) [107. and 108.], AND 67(10) [109.], TO NOT ONLY ENSURE THAT CSA. s. 77(3) [113.] IS PROPERLY OBSERVED, THEREBY ENSURING COMPLIANCE WITH, IF IT IS THE WILL OF THE LIFER APPLICANT, BUT ALSO TO APPRECIATE AND ENABLE THE CONTINUITY OF RECORDING OF ALL OFFICIAL GOVERNMENT MEETINGS AND HEARINGS, ASSOCIATED WITH THE PROCESSING PHASE OF RESPECTIVE LIFER APPLICANT'S SUBMISSION (CSA. s. 67.), ALSO PURSUANT TO CSA. s. 77, WHICH IS HOW IN FACT THE LIFER HAS RIGHT IN LAW TO BE PROFESSIONALLY REPRESENTED (CSA. s. 77(3) [113.]), BY A LAWYER. WHERE SAID "PROCEEDINGS BEFORE THE BOARD" [110.], AND "DAY AND TIME FIXED FOR THE HEARING OF THE APPLICATION" (CSA. s. 77(1) [111.]), ARE PROPERLY RECORDED (IN WRITING/TYPE (TRANSCRIPT)), THEREBY ALSO LATER CHALLENGEABLE IN CRIMINAL LAW COURT AND/OR ADMINISTRATIVE LAW COURT, ACCORDING TO THE QUALIFIED WORDED RECORD (TRANSCRIPT), OF SUCH OFFICIAL HEARING, THERE WOULD APPEAR TO BE OBSERVANCE OF DUE PROCESS WITHIN SAID HEARING, UP TO CLOSE OF THAT HEARING, AFTER WHICH (BEING CSA. s. 67(4)), A JUDGMENT MUST BE MADE BY THE BOARD, AS THE GOVERNMENT'S SOLE REPRESENTATIVE OF SUCH PROCESS (CSA. s. 67, LIFER'S APPLICATION FOR PAROLE RELEASE), WHICH MUST EITHER BE CONSISTENT WITH CSA. s. 67(6) [100.] (RECOMMEND. PAROLE), OR CSA. s. 67(9) [107.] (REFUSE PAROLE).

307. IF THE GOVERNMENT WAS TO THEN RUN ANOTHER HEARING, OF THE SAME 'APPLICANT'S SUBMISSION', BUT NOW WITH ADDITION OF GOVERNMENT'S RECOMMENDATION 'TO RELEASE LIFER ON PAROLE' (CSA. s. 67(6) [100.]), BUT THIS TIME PERFORMED IN AND BY CABINET, WHICH PRISONER CAN'T ATTEND, THEIR LAWYER (CSA. s. 77(3) [113.]), CAN'T ATTEND, THE PAROLE BOARD ITSELF CAN'T ATTEND, OTHER PERSONS NOTIFIED (CSA. s. 77(1) [111.]), CAN'T ATTEND, THEN, EXACTLY WHERE DID THE GOVERNMENT OF SOUTH AUSTRALIA, ^{IN} THE ACT AND OPERATIONAL EFFECT OF CH. II CONSTITUTIONAL AUTHORITY AND JURISDICTION [1. AND 3.], ~~DID THE STATE GOVERNMENT~~ OBTAIN ITS PURPORTED JURISDICTION TO CONDUCT SAID SECRET GOVERNMENT HEARING (IN CABINET), OF SAID LIFER'S PAROLE APPLICATION, AS IF IT WAS PERFORMING AN ADMINISTRATIVELY SUBSTITUTIVE INVESTIGATION (ON PAR WITH CSA. s. 67(4) [99.]), OF THE CONSTITUTIONALLY COMPETENT [1., 3., 45., 44., 100., 101., 106., 107., 108., 110., 112. AND 113.]), ALREADY DETERMINED, PAROLE BOARD'S DECISION CSA. s. 67(6) [100.]), ARRIVED AT CONSEQUENTIALLY AFTER EFFECTING ITS DESIGNATED

LAWFUL FUNCTION. (ON BEHALF OF THE GOVERNMENT (CH. II [3.]) OF SOUTH AUSTRALIA), PURSUANT TO CSA. SS. 67 ('TO THE BOARD', NOT GOVERNOR, OR CABINET), AND 67(4), AS IF BOARD'S RECOMMENDATION ([100.]), DID NOT EXIST, AND THE OPERATIONAL TASK BEING UNDERTAKEN BY CABINET/EXECUTIVE COUNCIL (PSUEDO - CSA. S. 67(4)), HAD NOT ALREADY BEEN PERFORMED AND CONCLUDED (WITH CSA. S. 67(6) [100.]), BY THE PAROLE BOARD?

308. MY ACCUSATION IS THAT NO 'CLAIMED AUTHORITY OR JURISDICTION' EXISTED PRIOR TO [102.], ~~THE~~ THEREFORE, ALL SUCH ACTIONS BY CABINET/EXECUTIVE ~~COUNCIL~~ COUNCIL (INCLUDING ACTIONS BY GOVERNOR AS AN INDIVIDUAL), WERE NOT CONSTITUTIONALLY COMPETENT AND ~~THEY~~ ([1., 82. AND 83.]), THEREFORE UNLAWFUL, AND AS THEY APPEAR TO ALSO BE IN VIOLATION AND BREACH OF PARLIAMENTARY INTENTION, ~~AND~~ ^{AND} PROHIBITED IN LAW DUE TO FAILURE TO OBSERVE STIPULATED (IN LEGISLATIVELY CREATED WORDING [64.]), DUE PROCESS ([65.]), MAKING SUCH ACTIONS ILLEGAL TOO. EVEN AFTER PARLIAMENTARY PASSING OF 2012 AMENDMENTS [102., 103., 104. AND 105.], AS DESCRIBED IN GREATER DETAIL IN OTHER SECTIONS OF THIS DOCUMENT, AND ASSENT [15.] OF SAME, WHICH HEREIN DESCRIBED SHOWS BREACH OF AIA. S. 22A. [28.], THEREBY VOIDING ASSENT (AND EFFECTING AIA. S. 12. [16.], AND AIA. S. 16. [17.]), THE STATE GOVERNMENT STILL DID NOT HAVE CONSTITUTIONAL CONSENT ([1.]), TO PERFORM SAID ACTIONS BY ~~THE~~ CABINET/EXECUTIVE COUNCIL, THEIR ACTUAL ONLY AUTHORISED FUNCTION, THROUGH PARTICIPATORY INVOLVEMENT, WAS A 'JUDICIAL BODY ([33.]) INVESTIGATION OF THE LEGAL SOUNDNESS OF THE BOARD'S OFFICIAL DETERMINATION ([100.])'.

309. WHERE GOVERNOR ([29.]), MEANING, WHEN THE GOVERNMENT IN CABINET (SECRET HEARINGS), PERFORMS THE ACT (OUTSIDE SCOPE OF JUDICIAL REVIEW OF LEGAL SOUNDNESS OF BOARD'S DETERMINATION CSA. S. 67(6) [100.]), OF 'REFUSING TO ACCEPT BOARD'S DECISION ([100.]), AND REFUSES TO APPROVE LIFER'S PAROLE APPLICATION PROPER', JUST AS IF THE PRIOR DETERMINATION OF THE BOARD ([100.]), HAD NO AUTHORITY OR WEIGHT, AND THEREFORE VOID, THEY HAVE NO LEGAL AUTHORITY OR JURISDICTION TO SO ACT, AND THAT INCLUDES NO AUTHORITY OR CONSTITUTIONAL JURISDICTION TO MAKE SUCH DETERMINATION, ON PAR WITH OPERATIONAL EFFECT OF CSA. S. 67(9) ([107.]) 'REFUSAL'. EVEN THOUGH THAT VERY ACTION HAS BEEN PERPETRATED BY THE STATE GOVERNMENT MANY TIMES, SINCE 1-8-1994, IT IS STILL AN UNLAWFULLY AND ILLEGALLY PERFORMED ACT.

310. WHERE THERE IS NO AUTHORITY OR JURISDICTION FOR GOVERNOR OR CABINET/EXECUTIVE COUNCIL, TO MAKE THE GOVERNMENT'S 'DETERMINATION' (CSA. ss. 67(4), 67(6), 67(9)), THERE IS ALSO NO AUTHORITY OR JURISDICTION TO SUBSTITUTE EXISTING 'DETERMINATION' (CSA. s. 67(6)), WITH THE GOVERNMENT'S PURELY 'POLITICAL DETERMINATION' BEING OPERATIONALLY ON PAR WITH CSA. s. 67(9) 'REFUSAL'. IT IS THE OBLIGATION OF THE PAROLE BOARD, ON BEHALF OF THE SOUTH AUSTRALIAN GOVERNMENT, TO 'RECEIVE', THEN 'CONSIDER', THEN MAKE 'DETERMINATION', ASSOCIATED WITH CSA. ss. 67, 67(4), 67(6), AT WHICH POINT BOARD'S 'RECOMMENDATION', BEING GOVERNMENT'S FORMAL JUDGMENT ([100.]), HAS BEEN MADE AND THE ONLY INVESTIGATION LAWFULLY (REMAINING), ACTIONABLE WITH CONSTITUTIONAL CONSENT AND AUTHORITY, IS A JUDICIAL REVIEW OF LEGAL SOUNDNESS OF SAID FORMAL JUDGMENT (BEING [100.]). [82. AND 83.]

311. GOVERNOR, AND GOVERNOR IN CABINET, AND ALL MINISTERS OF THE STATE, HAVE NO WRITTEN AUTHORITY OR JURISDICTION IN STATE LEGISLATION OR CONSTITUTION ([1.]), TO RECEIVE A LIFER'S PAROLE APPLICATION FOR THE SAME REASON AND PURPOSE AS THE PAROLE BOARD, PURSUANT TO CSA. ss. 67, 67(4), AND WITH LINKED INTENTION OF MAKING A FORMAL DETERMINATION (REGARDLESS OF BEING TO AGREE WITH OR CONTEST BOARD'S RECOMMENDATION ([100.])). IN FACT AND IN LAW, SUCH PARTIES ARE PROHIBITED FROM DOUBLE-PROCESSING A LIFER'S PAROLE APPLICATION IN THE ABOVE DESCRIBED MANNER, BY STATUTORY CONSTRAINT, AND CRIMINAL LAW JUDGMENTS ([64. AND 65.]), IN ADDITION TO [82. AND 83.].

312. SAID PARTIES (GOVERNOR, GOVERNOR IN CABINET, ALL MINISTERS OF THE STATE GOVERNMENT), AS CONTRIBUTARY ELEMENTS OF AND TO, AN ILLEGAL ACT AND FUNCTION, BEING THE RE-SENTENCING OF LIFERS COURT IMPOSED NPP (PURSUANT TO COMPLIANCE WITH [45.]), WHEREBY THE ONLY LAWFULLY CREATED AND IMPOSED NPP IS THAT WHICH IS DETERMINED AND IMPOSED BY A CRIMINAL LAW SENTENCING COURT, WHICH IS CONSTITUTIONALLY COMPETENT ([1.]), IN ITS ACTION PER JURISDICTIONAL AUTHORITY ACHIEVED THROUGH [1., 3. (CH. III), 34., 35., 36., 37., 38., 44. AND 45.], AND ILLEGALLY PERFORM SUCH RE-SENTENCING WITH ASSISTANCE FROM PAROLE ~~BOARD~~ BOARD, STATE GOVERNMENT AND NON-MINISTERIAL EMPLOYEES OF THE STATE GOVERNMENT. SUCH PARTIES PARTICIPATE IN THEIR INDIVIDUAL ACTIONS, THINKING THEY HAVE JURISDICTION TO DO SO, YET IN FACT

THEIR COMBINED ACTIONS, INCLUDING INVOLVEMENT OF STATE PARLIAMENT ([102.]), SHOWS THE STATE GOVERNMENT ACTING AS A PSEUDO-CRIMINAL LAW SENTENCING COURT, AND THEY HAVE BEEN SO ACTING (BY SUBVERTIVE AND IMPROPER MEANS), SINCE 1-8-1994 ([46.]), UNLAWFULLY AND ILLEGALLY TO ACHIEVE THEIR DESIRED OUTCOME, WHICH IS TO OPERATIONALLY INCREASE A LIFER'S NON-PAROLE PERIOD, TO "EXTEND" LIFER'S TERM OF INCARCERATION.

313. AFTER THE BOARD HAS RECOMMENDED PAROLE (CSA. s. 67(6)), THE CONSTITUTIONALLY AND JURISDICTIONALLY AUTHORISED STATE INSTRUMENTALITY (THE PAROLE BOARD), HAS COMPLETED ITS OPERATIONAL FUNCTION ON BEHALF OF THE SOUTH AUSTRALIAN GOVERNMENT, WHICH IS TO 'RECEIVE', 'CONSIDER', THEN MAKE 'DETERMINATION' (CSA. ss. 67, 67(4)), OF PAROLE SUITABILITY AND ELIGIBILITY FOR LIFER APPLICANT. FOR ANY OTHER STATE INSTRUMENTALITY AND/OR GOVERNMENT EMPLOYEE, OTHER THAN THE CRIMINAL LAW SENTENCING COURT ([44. AND 45.]), TO DISREGARD THE SPECIFIC JUDGMENT IMPOSED BY A CRIMINAL LAW SENTENCING COURT (SUCH AS WHAT THE STATE GOVERNMENT CONTINUES TO PERPETRATE AGAINST ME, REGARDING MY 2002 JUDGMENT [74., 75., 80., 78. AND 77.]), UPON A RESPECTIVE LIFER, INCLUDING ANY NON-PAROLE PERIOD FIXED BY HIGHER OR CO-ORDINATE ~~JURISDICTION~~ JURISDICTION (IN ACCORDANCE WITH REQUISITE DUE PROCESS [45. AND 38.]), AND THEN SUBSTITUTE COURT IMPOSED NON-PAROLE PERIOD WITH GOVERNMENT'S OWN INTERPRETATION OF WHAT GOVERNMENT (CH. II [3.]), REGARDS AS 'THE APPROPRIATE NPP' AND EQUATING TO A LONGER SENTENCE IMPOSED ^{THAN} BY THE SENTENCING COURT, THEREFORE INCREASED TERM OF INCARCERATION FOR ~~THE~~ RESPECTIVE LIFER, IS ERRONEOUS (IN ITS OPERATIONAL EFFECT), IS ILLEGAL (IN PURSUIT OF, AND OUTCOME OF SAID. SUBSTITUTED NPP), AND NOT CONSTITUTIONALLY COMPLIANT ([1.]), IN ITS ACTION [82. AND 83.]. AT THE VERY LEAST, SUCH PURSUIT OF (EXTENDED NPP), BY THE STATE GOVERNMENT, AND ACHIEVED OUTCOME OF (WHAT STATE GOVERNMENT (CH. II [3.]), REGARDS AS THE NEW NPP), DOES NOT COMPLY WITH [84., 38., 36., 37. AND 45.], MAKING SUCH OUTCOME (EXTENDED NPP), CRIMINALLY ACHIEVED [65. (FAILURE TO OBSERVE DUE PROCESS), 82. AND 83.].

314. THE GOVERNMENT (CH. II [3.]), MUST ONLY ENFORCE THE SENTENCE IMPOSED BY THE SENTENCING COURT (CH. III [3.], [45.]), WHICH ONLY A CRIMINAL LAW SENTENCING COURT IS PERMITTED [1. AND 3.], TO IMPOSE (CLSA. [45.]), ON A LIFER.

315. THE FACT THAT THE STATE GOVERNMENT, INCLUDING PAROLE BOARD, BELIEVE THEY ARE NOT

ENGAGING IN/PERFORMING ANY PROHIBITED / UNLAWFUL ACTION, DOES NOT JUSTIFY THEIR ACTIONS NOR LEGITIMISE THEIR ACHIEVED OUTCOME (TO REFUSE PAROLE BY GOVERNOR [29.], AND ILLEGALLY INCREASE NPP), THEREFORE UPON NOTIFICATION TO STATE GOVERNMENT BY ANY PARTY, THAT SUCH ACTIONS AGAINST LIFERS IN GENERAL, AND LIFERS APPLYING FOR PAROLE, ARE IN FACT UNLAWFUL AND IMPROPER, MUST RESULT IN STOPPING OF SUCH IMPROPER ACTIONS, AT LEAST UNTIL COMPETENT, INDEPENDENT INVESTIGATION OF SUCH 'PURPORTED IMPROPER ACTIONS' IS PROFESSIONALLY AND QUALIFIABLY CONDUCTED, CONSEQUENTIALLY

316. RESULTING IN FORMAL JUDGEMENT BY COMPETENT COURT. NOT ONLY DOES THE SOUTH AUSTRALIAN GOVERNMENT NOT APPRECIATE THE GRAVITY OF THEIR MISCONDUCT, TOWARDS LIFERS WISHING TO, OR HAVING APPLIED FOR PAROLE (CSA. s. 67), ONLY TO BE REFUSED BY GOVERNOR ([29.]), TO THEN BE ILLEGALLY RE-SENTENCED (TO AT LEAST ONE MORE YEAR IN CUSTODY), BUT THEY NEVER (SINCE 1-8-1994 [46.]), EVEN HAD THE AUTHORITY TO COMMIT THE ACTS DESCRIBED HEREIN, RE 'CREATING POLITICAL PRISONERS WHEN CABINET REFUSES PAROLE TO LIFER', 'ILLEGAL RE-SENTENCING OF LIFER WHEN CABINET REFUSES PAROLE TO LIFER', 'ILLEGAL 'DETERMINATION BY CABINET' TO REFUSE PAROLE TO LIFER, EVEN THOUGH GOVERNOR/CABINET ONLY PERMITTED TO CONDUCT 'LEGAL COMPETENCE ASSESSMENT OF BOARD'S RECOMMENDATION CSA. s. 67(6)'

317. WHERE AN ACTION OF THE STATE GOVERNMENT, TOWARDS A LIFER (APPLYING FOR PAROLE (CSA. s. 67), OR INTENDING TO APPLY FOR PAROLE), IS IN FACT PROHIBITED IN COMPETENT LAW, INCLUDING WHERE UPON ACHIEVED OUTCOME (OF THE GOVERNMENT, BEING CABINET, REFUSING PAROLE, CABINET, REFUSE TO ~~ACCEPT~~ ACCEPT BOARD'S RECOMMENDATION [100.], THEN EXTENDING NON-PAROLE PERIOD BY AT LEAST 12 MONTHS), IS CONSEQUENTIAL TO JURISDICTIONAL FRAUD (AND BREACH OF JURISDICTION), WHEREBY LAWFUL AUTHORITY DID NOT EXIST IN CONSTITUTIONAL LAW ([1. AND 3.]), THEREBY, ACCORDING TO COMPETENT JUDICIAL AUTHORITY ([1., 3., 82., 83. AND 65.]), IS ERRONEOUS, SUCH 'ACHIEVED OUTCOME', BEING FIRSTLY THE 'REFUSAL TO GRANT PAROLE AS A RESULT OF GOVERNOR/CABINET MAKING THAT DETERMINATION' (THOUGH THEIR ONLY LAWFUL JURISDICTION WAS A LEGAL COMPETENCE REVIEW OF BOARD'S RECOMMENDATION [100.]), THEN 'ILLEGAL RE-SENTENCING OF LIFER TO INCREASED "NON-PAROLE PERIOD", IRRESPECTIVE OF BOARD REFUSAL DIRECTLY [109.], OR FOLLOWING GOVERNOR'S [29.] REFUSAL (AS PARLIAMENT HAS NEVER (SINCE AT LEAST ENACTMENT

OF AUSTRALIAN CONSTITUTION [1.], NOR IN ROYAL AUTHORITY SINCE KING OF ENGLAND BECAME HEAD OF THE CHURCH OF ENGLAND), HAD ANY COMPETENT JURISDICTION TO SENTENCE OR RE-SENTENCE A LIFER), PARLIAMENT IS NOT A CRIMINAL LAW COURT AND ONLY A SUPREME COURT ~~JUDGE~~ JUDGE, SITTING IN A CRIMINAL LAW SENTENCING COURT ARENA, APPLYING THE CRIMINAL LAW (SENTENCING) ACT, S.A., HAS ANY CONSTITUTIONAL COMPETENCE [1. AND 3.], TO DETERMINE AND IMPOSE ANY CRIMINAL LAW SENTENCE, ([84, 35., 36., 38. AND 45.]), THEN THE ACHIEVED OUTCOME MUST BE NULLIFIED AND VOIDED WITHOUT FURTHER DELAY ([65., 82. AND 83.]).

318. AN ACTION (SUCH AS DESCRIBED IN ABOVE PARAGRAPH [PARAGRAPH 317. IBID]), BORNE FROM JURISDICTIONAL FRAUD / JURISDICTIONAL VIOLATION (BY THE STATE GOVERNMENT), IS A RESULT ACHIEVED WITHOUT CONSTITUTIONAL AUTHORITY OR COMPETENT CONSENT ([1., 3., 65., 82. AND 83.]).

319. TO DOUBLE-PROCESS A LIFER'S PAROLE APPLICATION (FIRST BY PAROLE BOARD CSA. ss. 67, 67(1), 67(2), 67(4) AND 67(6), THEN BY GOVERNOR [29.], CABINET / MINISTERS (AS INDIVIDUALS WITHIN CABINET), PERFORMING DEFACTO ^{VERSION} ~~PERSON~~ OF CSA. ss. 67, 67(1), 67(2), 67(4) THEN DIRECT TO 67(9), BUT WITH NO REASONS GIVEN), IS AN UNCONSTITUTIONAL ACT. TO 'DOUBLE-PROCESS' IS TO DENY THE LIFER "DUE PROCESS" ACCORDING TO LAW ([65.]), WHICH BY ITS ACTION AND REAL EFFECT IS A PROHIBITED ACT, WHERE 'DUE PROCESS' IS A PROTECTED RIGHT, OWED TO THE LIFER BY CONSTITUTIONAL MANDATE (CH. III [3.]), AND OWNED BY THE LIFER THROUGH OBSERVANCE OF NATURAL LAW, CONSTITUTIONAL MANDATE, CRIMINAL LAW JUDGMENTS AND STATUTE, INCLUDING CLCA. [31.], AND CLSA. [34.].

320. THE TERM 'DOUBLE-PROCESS' IS WHAT DESCRIBES THE IMPROPER ACTIONS OF THE SOUTH AUSTRALIAN GOVERNMENT, WHEN ILLEGALLY ENABLING GOVERNOR / CABINET [29.] TO DENY DUE PROCESS TO LIFER, WHILE IT PERPETRATES UNCONSTITUTIONAL CONSIDERATION OF LIFER'S PAROLE APPLICATION (BY CABINET (GOVERNMENT MINISTERS)), ESPECIALLY AFTER BOARD HAS ALREADY PERFORMED 'THAT' TASK, AND THAT THEY (GOVERNOR [29.] AND MINISTERS), HAVE NO COMPETENT AUTHORITY OR JURISDICTION TO SO ACT, THEREBY MAKING THEIR ACTION BOTH UNLAWFUL (WITHOUT AUTHORITY), AND ILLEGAL (PROHIBITED IN LEGISLATION AND CONSTITUTION [1.]).

321. It is FURTHER CONTESTED THAT CABINET/EXECUTIVE COUNCIL, BEING MINISTERS OF THE GOVERNMENT (CH. II [3.]), BREACH REQUIRED SEPARATION OF POWERS BETWEEN GOVERNMENT (MINISTERS), CH. II [1. AND 3.], AND JUDICATURE (SENTENCING COURT) CH. III [3.], AND STATE PARLIAMENT (WHERE MINISTERS OF THE GOVERNMENT HOLD SEAT) CH. I [3.]. It is FOR THE ADMINISTRATORS OF THE CONSTITUTION [1.], TO ENSURE THAT WHICH IS CREATED THROUGH AND BY CONSTITUTIONAL MANDATE, INCLUDING 'RIGHTS OWNED BY INDIVIDUALS' (SUCH AS PERSONS ARRESTED, CHARGED, CONVICTED AND SENTENCED), 'OBLIGATIONS ASSIGNED TO STATE INSTRUMENTALITIES [33.]', STATUTORY INSTRUMENTS [14.], AND 'REAL MEANINGS OF SUCH RIGHTS AND OBLIGATIONS, RELEVANT TO PARTICULAR PERSONS AT PARTICULAR TIMES', IS (WHERE AN INDIVIDUAL CHALLENGES STATE GOVERNMENT'S INTERPRETATION AND ASSOCIATED APPLICATION OF PURPORTED 'MEANINGS/INTERPRETATION', OF CONSTITUTIONALLY ASSIGNED AND ALLOCATED JURISDICTION / AUTHORITY ([1. AND 3.])), PROPERLY AND COMPETENTLY OBSERVED AND OPERATIONALLY ACTIONED BY RELEVANT STATE GOVERNMENT (OPERATING WITHIN CONSTRAINTS DEFINED BY CH. II [3.] AUTHORITY AND JURISDICTION), AND WHERE CLAIMED BY AN INDIVIDUAL THAT STATE GOVERNMENT HAS (OR INTENDS TO), NEGLECTED/REFUSED TO ACT PURSUANT TO OBSERVANCE OF DEFINED CONSTITUTIONAL AUTHORITY AND JURISDICTION ([6., 7., 3., 82., 83., AND 65.]), THAT SUCH INDIVIDUAL MUST THEN BE HEARD BY COMPETENT COURT TO 'CONSIDER' THEN 'DETERMINE' WEIGHT AND MERIT OF STATED CHALLENGE ([6. AND 7.]).

322. CONSTITUTION [1.] EMPOWERS JUDICATURE (CH. III [3.]), TO CONSIDER THEN DETERMINE CRIMINAL LAW SENTENCE ([84., 45., 35., 36., 37. AND 38.]), SUCH AS [74.], WHICH THEREIN CLEARLY DEFINED THE AUTHORITY AND JURISDICTION OF THAT COMPETENT COURT ([80.]), WHICH PER CONSTITUTION AUTHORITY (CH. III [3.]), HAD NO EQUAL TO THAT COMPETENT COURT'S REAL OPERATIONAL AUTHORITY, WHICH THAT COMPETENT COURT THEN DETERMINED AND CONSEQUENTIALLY IMPOSED SENTENCE (UPON ME), CONSISTENT WITH AND PURSUANT TO ([75., 78. AND 77.]), WHICH STATE GOVERNMENT MUST ~~THEIR~~ ABIDE BY AND ENFORCE, BUT WHICH STATE GOVERNMENT THEN REFUSED TO ENFORCE, INSTEAD SUBSTITUTING ITS OWN VERSION OF 'SENTENCE TO ENFORCE UPON ME' (SIGNIFICANTLY GREATER IN PENALTY THAN THE COURT'S IMPOSED SENTENCE). ULTRA VIRES ACTION BY STATE GOVERNMENT ([65., 82. AND 83.]), WHICH IS

ACTIONABLE TO THE HIGH COURT OF AUSTRALIA ([6., 7. AND 45.]), AS A CONSTITUTIONAL
([1.]) CHALLENGE TO THE ACTIONS OF THE SOUTH AUSTRALIAN GOVERNMENT.

IN THIS PART, OPERATIONAL SENTENCING STANDARDS BETWEEN 1988 AND 1-1-2016 WILL BE REFERENCED, WITH NO CONSIDERATION OF CORRECTIONAL SERVICES (PAROLE) AMENDMENT BILL [140.], SOON TO BECOME OPERATIONAL, IN 2016.

323. WHEN A CRIMINAL LAW SENTENCING COURT SENTENCES A CONVICTED LIFER, CONSEQUENTIAL TO CONVICTION (INCLUDING ANY AMENDING OF SENTENCE AFTER ORIGINAL SENTENCING), IT DOES SO UNDER CONSTITUTIONAL AUTHORITY (CH. III [3.], [84., 45., 35., 36., 37. AND 38.]), WHICH ALSO MANDATES THAT 'ONLY A CRIMINAL SENTENCING COURT HAS JURISDICTION AND AUTHORITY TO SENTENCE/RE-SENTENCE A CONVICTED LIFER' ([3., 6. AND 7.]). THE CONSTITUTION [1.] EMPOWERS CRIMINAL LAW SENTENCING COURTS TO ADMINISTER 'CRIMINAL LAW SENTENCING LEGISLATION' ([3., 6., 7. AND 45.]), WHICH IS INITIALLY DEFINED AND CREATED BY STATE PARLIAMENT, INTO 'CRIMINAL LAW SENTENCING LEGISLATION', AND EACH AUSTRALIAN STATE/TERRITORY HAS ITS OWN RESPECTIVE CRIMINAL LAW SENTENCING LEGISLATION.
324. IT IS A FUNDAMENTAL REQUIREMENT WITH CRIMINAL LAW JUDICATURE, THAT ALL DECISIONS/JUDGMENTS OF THE SENTENCING COURT (WITHIN SOUTH AUSTRALIAN CRIMINAL LAW SENTENCING COURTS, AND HIGH COURT OF AUSTRALIA), RELATING TO INCARCERATIVE SENTENCING OF A LIFER, MUST BE CLEARLY EXPRESSED IN (WRITTEN) WORDS, THEREBY ENSURING THAT ALL CONCERNED PARTIES (~~THE~~ DEFENDANT, PROSECUTOR AND THE COURT ITSELF), HAVE FULL APPRECIATION AND UNDERSTANDING OF THE MANNER IN WHICH THE LENGTH OF SENTENCE WAS CONSIDERED, CALCULATED AND DETERMINED, INCLUDING CITATIONS OF PRIOR JUDGMENTS WHICH RESPECTIVE COURT REFERS TO (RELIES UPON AND APPLIES) ([45., 36. AND 37.]).
325. THIS REQUIRED 'DISCLOSURE OF SENTENCING REASONS' (INCLUDING CITATIONS WHERE RELIED UPON), ENSURE ALL CONCERNED PARTIES ARE ALSO GIVEN FAIR AND EQUAL OPPORTUNITY TO NOT ONLY 'UNDERSTAND' REASONS, FOR DETERMINED AND IMPOSED SENTENCE, BUT ALSO TO 'CHALLENGE' SUCH REASONS AND THEREFORE SENTENCE IMPOSED, IF THEY WISH TO DO SO (WHETHER PROSECUTOR OR DEFENDANT). [36. AND 37.]

326. THE CRIMINAL LAW SENTENCING COURT, IN ITS REASONING WITHIN RESPECTIVE JUDGMENT (OF A LIFER, IN SOUTH AUSTRALIA), WILL USE 'STANDARD DEFINING WORDS' SUCH AS 'CONSIDERED', 'REFERRED' AND 'APPLIED' TO CLEARLY ([36. AND 37.]), IDENTIFY REFERENCED JUDGMENTS AND/OR HANSARD (FROM PARLIAMENTARY DISCUSSIONS/DEBATE RELATING TO RESPECTIVE BILL SUBMISSION AND CLARIFICATION OF SAME), AS THE COURT DESIGNATES TEXT RELIED UPON TO PRODUCE RESPECTIVE DETERMINATION (JUDGMENT).
327. TO DENY EITHER PARTY (PROSECUTOR OR DEFENDANT), OR EVEN BOTH PROSECUTOR (OR STATE'S REPRESENTATIVE WHO IS NOT A PROSECUTOR, INCLUDING PAROLE BOARD (WHO ARE IN FACT STATE'S REPRESENTATIVE (FOR PAROLE APPLICATION CONSIDERATION AND DETERMINATION CSA. SS. 67, 67(4))))), AND DEFENDANT (CONVICTED LIFER), THE COURT'S REASONS RELIED UPON AND/OR SPECIFIC INFORMATION CONSIDERED BY THE SENTENCING COURT, FROM WHICH THE COURT BASES/ALIGNS ITS RESPECTIVE JUDGMENT, WOULD CONSTITUTE A VIOLATION OF CRIMINAL COURT RULES [OF THE COURT], AND CONSTITUTE VIOLATION OF THE SENTENCED LIFER'S PROTECTED RIGHTS, REQUIRED AT EVEN STATE LEGISLATIVE LEVEL (IN ADDITION TO CONSTITUTION [1.] AND RELEVANT HIGH COURT OF AUSTRALIA JUDGMENTS), WHEREBY THE SENTENCED LIFER MUST BE FULLY INFORMED OF THE REASONS FOR ANY CRIMINAL LAW SENTENCE IMPOSED UPON THEM, BY THE SENTENCING COURT ([36., 37. AND 45.]), INCLUDING ALL AMENDMENTS TO RESPECTIVE LIFER'S EXISTING SENTENCE (SUCH AS EXTENDING OR REDUCING COURT IMPOSED NON-~~PAROLE~~ PAROLE PERIOD).
328. CRIMINAL LAW 'SENTENCING' LEGISLATION IS CREATED BY STATE PARLIAMENT (WITHIN SOUTH AUSTRALIAN ARENA), BUT ONLY CRIMINAL LAW COURTS HAVE COMPETENT JURISDICTION TO DELIVER AND IMPOSE 'CRIMINAL LAW SENTENCES' UPON LIFERS, PURSUANT TO DEFINED CONSTRAINTS OF SUCH LAWS ([45.]), VIA CRIMINAL SENTENCING COURT PROCEEDINGS.
329. CONSTITUTIONALLY, [1., 3., 6. AND 7.], ONLY A CRIMINAL LAW COURT (AS A "JUDICIAL BODY"), HAS ~~JURISDICTION~~ JURISDICTION TO HEAR CRIMINAL LAW MATTERS AND MAKE RULINGS/JUDGMENTS ACCORDING ([6. AND 7.]), AND NO SUCH POWER OR JURISDICTION EXISTS FOR ANY SOUTH AUSTRALIAN ~~MEMBER~~ MEMBER OF PARLIAMENT OR PARLIAMENT ITSELF (OPERATING UNDER CH. I [3.] AUTHORITY AND JURISDICTION), OR ANY MINISTER OF THE GOVERNMENT (OPERATING UNDER CH. II [3.] AUTHORITY AND JURISDICTION), OR ANY PARLIAMENTARY MEMBER OF THE GOVERNMENT WHO IS NOT A MINISTER (BACK-BENCH), YET

STILL PART OF THE ACTIVE GOVERNMENT, ALONG PARTY LINES (THEREFORE OPERATIONAL UNDER CH. II [3.] AUTHORITY AND JURISDICTION).

330. ONLY A CRIMINAL LAW SENTENCING COURT HAS JURISDICTION AND AUTHORITY TO SENTENCE A CONVICTED LIFER, OR AMEND ANY SENTENCE ~~BE~~ ALREADY IMPOSED BY THE SENTENCING COURT ([45., 34., 36., 37., 3., 6., 7. AND 194. (PARA. 11.)]).
331. THEREFORE, WITH REGARD TO 'CARRYING OUT OF A SENTENCE UPON A PERSON WHO IS INCARCERATED, OR IN THE PROCESS OF BEING INCARCERATED', THE CRIMINAL LAW SENTENCING COURT ([35. ("COURT", "SENTENCE"), 44. ("SENTENCING COURT"), AND 45.]), ACTS IN A 'JUDICIAL CAPACITY' ([6. AND 7.]), TO SENTENCE THE [CONVICTED] LIFER TO A TERM OF INCARCERATION, AND THE CORRECTIONAL SERVICES DEPARTMENT ACTS IN AN 'ADMINISTRATIVE CAPACITY' (OPERATING UNDER AND WITHIN CH. II JURISDICTIONAL AUTHORITY [1. AND 3.]), TO OVERSEE AND ENFORCE THE IMPOSED SENTENCE ON THE RESPECTIVE SENTENCED LIFER, AND TO ENSURE SENTENCE IMPOSED BY THE SENTENCING COURT ([35., 44. AND 45.]), IS SATISFIED. THE CORRECTIONAL SERVICES ACT ([85.]), IMPARTS NO AUTHORITY OR JURISDICTION TO CORRECTIONAL SERVICES DEPARTMENT (OR ITS EMPLOYEES), OR PAROLE BOARD (OR ITS EMPLOYEES), OR GOVERNOR, OR CABINET/EXECUTIVE COUNCIL, OR ANY MEMBER OF PARLIAMENT (OR THEIR INDIVIDUAL EMPLOYEES), TO ENGAGE IN 'CRIMINAL LAW SENTENCING OR RE-SENTENCING ([38. AND 45.])', WITH 'CRIMINAL LAW JURISDICTION'. ANY ACTION OF A CRIMINAL LAW / CRIMINAL LAW SENTENCING NATURE, WHICH IS OPERATIONALLY UNDERTAKEN BY STATE GOVERNMENT, INCLUDING CORRECTIONAL SERVICES DEPARTMENT (AND PAROLE BOARD), AND NOT JUST THE 'OPERATIONAL UNDERTAKING' BUT ALSO 'OUTCOME ACHIEVED' ([65., 82. AND 83.]), WHICH INCREASES PENALTY OF SENTENCE AND SUCH INCREASE OF LIFER'S EXISTING COURT IMPOSED SENTENCE, IS NOT ACHIEVED ONLY BY CRIMINAL LAW SENTENCING COURT ([45.]), THEN SUCH 'ADMINISTRATIVELY ACHIEVED' NPP INCREASE IS ILLEGALLY PERFORMED AND ACHIEVED, AND UNCONSTITUTIONAL ([1., 3. AND 45.]). THIS MATTER IS DESCRIBED IN GREATER DETAIL IN OTHER SECTIONS OF THIS DOCUMENT.
332. THE CORRECTIONAL SERVICES ACT ([85.]), IS THEN OPERATIONALLY APPLIED TO THE [CONVICTED THEN] SENTENCED LIFER, THEREAFTER CONSEQUENTIALLY AFFORDING LIFER PRESCRIBED RIGHTS, BORNE FROM OPERATIONAL EFFECT OF 'APPLICATION OF CORRECTIONAL SERVICES ACT UPON RESPECTIVE LIFER, PURSUANT TO SPECIFIC SENTENCING STANDARDS

WHICH THE SENTENCING COURT ([44. AND 45.]), IMPOSED UPON RESPECTIVE LIFER AS THE DELIVERED SENTENCE (AN EXAMPLE OF SUCH SENTENCE WAS IMPOSED UPON ME IN 2002, WHEREIN CURRENT SENTENCING LEGISLATION [46.], WAS ABROGATED [78.], AND CORRECTLY REPLACED WITH 'RELEVANTLY APPLICABLE SENTENCING STANDARDS' [79., 80., 77. AND 45.]), AT TIME OF SENTENCING BY THE SENTENCING COURT'.

333. DESCRIBED THROUGHOUT THIS DOCUMENT, IS THE FAILURE AND REFUSAL OF AND BY THE SOUTH AUSTRALIAN GOVERNMENT, TO PROPERLY APPLY THE CORRECT 'SENTENCING STANDARDS' TO THE SENTENCES IMPOSED UPON [MANY] LIFERS BY THE SENTENCING COURT, WITH THE CONSEQUENCE TO RESPECTIVE LIFERS BEING IMPROPER / ILLEGAL OPERATIONAL ENFORCEMENT OF A FALSE SENTENCE, WHERE SUCH 'FALSE SENTENCE WAS IN FACT CREATED BY STATE GOVERNMENT UNAUTHORISED ACTION', NOT BY CRIMINAL SENTENCING COURT [44. AND 45.], AND WHERE ONLY THE JUDICATURE [3.] IS CONSTITUTIONALLY [1.] PERMITTED / JURISDICTIONALLY AUTHORISED TO SENTENCE / RE-SENTENCE A LIFER [6. AND 7.].

334. WHEN A LIFER (IN SOUTH AUSTRALIA), APPLIES FOR PAROLE (CSA. S. 67 [94.]), THEY DO SO UNDER OWNERSHIP OF SPECIFIC RIGHTS WHICH THEY RECEIVE UPON SENTENCING, AND ARE NOT ONLY DEFINED WITHIN CORRECTIONAL SERVICES ACT ([85.]), BUT ALSO BY RELEVANT AUSTRALIAN CASE LAW, CONSTITUTION [1.], AIA [13.] AND CLSA [34.]. ACCRUED RIGHTS, PURSUANT TO AND UPON SENTENCING, INCLUDE 'RELATIVE LEGITIMATE EXPECTATION' (WHERE CORRECT PROCEDURE IS OBSERVED ('DUE PROCESS')), 'WHAT PROCEDURES EXIST AND MUST BE COMPLIED WITH, AND RESULTS OF NON-COMPLIANCE' (SUCH AS SENTENCING PROCEDURES, EXTENDING NPP PROCEDURES ([38.]), PAROLE APPLICATION PROCEDURES ([94.])). WHERE IT IS QUALIFIABLY SHOWN THAT RELEVANT CORRECT PROCEDURES WERE NOT OBSERVED, RESULTING IN HARM / DETRIMENT TO RESPECTIVE LIFER, THEN WHATEVER OUTCOME WAS ACHIEVED THROUGH FAILURE TO OBSERVE DUE PROCESS ('CORRECT PROCEDURE'), IS AN IMPROPERLY ACHIEVED OUTCOME WHICH MUST BE VOIDED, DUE TO MANNER IN WHICH IT WAS CREATED (BEING FAILURE TO OBSERVE DUE PROCESS [65.]).

335. WHEN PAROLE BOARD RECEIVES PAROLE APPLICATION FROM LIFERS [94.], PER CORRECT PROCEDURE [95., 96. AND 99.], IT DOES SO AS A "JUDICIAL BODY" [33.] WITH 'ADMINISTRATIVE JURISDICTION AND AUTHORITY', MEANING THAT THE PAROLE BOARD (UPON RECEIVING SAID PAROLE APPLICATION), SHALL SIT AS A 'JUDICIAL BODY IN AN ADMINISTRATIVE CAPACITY

ONLY'. THE PAROLE BOARD 'SHALL' [30.] NEVER SIT IN ANY CAPACITY RELATING TO PAROLE APPLICATION PROCESS, THE PROCESSING PHASE, WITH 'CRIMINAL LAW JURISDICTION' ON PAR WITH ANY CRIMINAL LAW SENTENCING COURT, THEREBY NEVER HOLDING ANY JURISDICTION OR AUTHORITY TO IMPOSE ANY 'CRIMINAL LAW SENTENCE' ([35. ("COURT", "SENTENCE"), 44. ("SENTENCING COURT")]).

336. JURISDICTION OF SUCH A 'JUDICIAL BODY' [33.], OPERATING WITH 'ADMINISTRATIVE JURISDICTION ONLY' (NOT CRIMINAL LAW JURISDICTION), IS THEREFORE RESTRICTED TO ONLY 'CONSIDERING' AND 'DETERMINING' OUTCOME OF LIFER'S PAROLE APPLICATION ([99. AND 94.]), IN ACCORDANCE WITH RELEVANCE TO ACTION CONDUCTED (CONSIDERATION), OUTCOME (DETERMINATION), CORRECT PROCEDURE FOR ACHIEVING OUTCOME (DUE ~~PROCESS~~ PROCESS), AND NO ASSISTANCE PROVIDED TO STATE GOVERNMENT TO ABUSE ANY ASPECT OF THE PROCESSING PHASE (TO THE DETRIMENT OF THE RESPECTIVE LIFER). [94., 96., 99., 82., 83. AND 65.]

337. THE CONTENTION AND ACCUSATION IS THAT MOST LIFERS (IN SOUTH AUSTRALIA), ARE REPEATEDLY DENIED OBSERVANCE OF SOME OF THEIR ACCRUED RIGHTS (RELATING TO ~~PAROLE~~ PAROLE APPLICATION PROCESS (THE PROCESSING PHASE)), BY THE SOUTH AUSTRALIAN GOVERNMENT, DUE TO BEING A LIFER COMPARED TO A NON-LIFER (PRISONER). IT IS NOT JUST THE COMPARISON OF LIFER TO NON-LIFER (RELATING TO PAROLE APPLICATION PROCESS), IT IS ALSO SPECIFIC ACTIONS OF THE SOUTH AUSTRALIAN GOVERNMENT, WHERE THE STATE GOVERNMENT HAD NO CONSTITUTIONALLY SUPPORTED ([1.]) AUTHORITY OR JURISDICTION TO ENGAGE IN/PERFORM SUCH ACTION, AND WHERE 'ACCRUED RIGHTS' OWNED BY RESPECTIVE LIFERS WERE NOT ONLY DENIED OBSERVANCE OF BY THE STATE GOVERNMENT, THEY WERE EFFECTIVELY STOLEN BY THE SOUTH AUSTRALIAN GOVERNMENT, RESULTING IN HARM BEING SUFFERED BY SUCH LIFERS, AND THE HARM CAUSED BY STATE GOVERNMENT WAS AN ILLEGAL ACT.

338. EXAMPLE DENIAL OF ACCRUED RIGHT, LIFER TO NON-LIFER, WHERE NON-LIFER IS REFUSED PAROLE THE BOARD "MUST" PROVIDE WRITTEN REASONS FOR REFUSAL, TO THE APPLICANT (CSA. ss. 67(9), 77(3) [107. AND 113.]), HOWEVER, WHEN LIFER IS RECOMMENDED FOR PAROLE (CSA. s. 67(6) [100.]), THEN REFUSED BY GOVERNOR ([29., 194. (PARA. 61.), 174. AND 175.]), THE STATE GOVERNMENT, INCLUDING PAROLE BOARD, IN MOST CASES REFUSE TO GIVE LIFER ANY LEGAL REASONS 'WHY THEY WERE DENIED PAROLE', THEREBY DENIED RIGHT OF CHALLENGE VIA JUDICIAL REVIEW OF 'GOVERNMENT'S APPLICATION REFUSAL', WHICH IS IMPROPER DISCRIMINATION

AGAINST LIFER APPLICANT. IN THIS DOCUMENT I HAVE DESCRIBED IN GREATER DETAIL, THAT NOT ONLY DID STATE GOVERNMENT ABUSE ITS AUTHORITY AND WITHOUT COMPETENT JURISDICTION, IN ANY FORM, USE GOVERNOR [29.], AND CABINET/EXECUTIVE COUNCIL TO ILLEGALLY REFUSE PAROLE TO LIFER APPLICANT, BUT ALSO ILLEGALLY REFUSE TO GIVE 'REASONS' FOR GOVERNMENT'S REFUSAL.

339. EXAMPLE DENIAL OF ACCRUED RIGHT, LIFER TO NON-LIFER, WHERE NON-LIFER RECEIVES OBSERVANCE OF PRISONER APPLICANT'S RIGHT TO 'LEGAL REPRESENTATION, BY A ~~LAWYER~~ LAWYER, DURING "ANY PROCEEDINGS BEFORE THE BOARD" (PAROLE APPLICATION (PROCESSING PHASE))', WHICH IS AN ABSOLUTE RIGHT AND MUST BE ^{AFFORDED} ~~FOR~~ TO PRISONER IF IT IS
340. PRISONER'S DESIRE TO DO SO [112. AND 113.]. HOWEVER, WHEN LIFER'S 'RECOMMENDED PAROLE RELEASE' CSA. S. 67(6) [100.], IS FORWARDED BY THE BOARD TO THE GOVERNOR FOR "APPROVAL" CSA. S. 67(6)(B) [100.], THE GOVERNOR [29.] IN COMPANY WITH CABINET/EXECUTIVE COUNCIL, ILLEGALLY DENY THE LIFER APPLICANT OBSERVANCE OF THEIR ABSOLUTE RIGHT (IN LAW), TO LEGAL REPRESENTATION ([110., 112. AND 113.]), WHICH IS THEREBY AN IMPROPER USE OF CABINET/EXECUTIVE, AN IMPROPER ACTION OF STATE GOVERNMENT (UNDER CH. II [3.] AUTHORITY), AND EVERY DECISION OF CABINET/EXECUTIVE COUNCIL AND ALL MINISTERS THEREIN, IS AN ILLEGALLY FORMED DECISION (RELATING TO SPECIFIC LIFER'S PAROLE APPLICATION), IF SUCH DECISION IS AGAINST BOARD'S RECOMMENDATION ([100.]), AND NOT ONLY ILLEGALLY ARRIVED AT DECISION BUT ALSO JURISDICTIONAL FRAUD, BECAUSE (AFTER 1-8-1994 [46.]), REGARDLESS OF PRIOR TO INSERTION OF [102.] OR AFTER INSERTION OF [102.], CABINET/EXECUTIVE COUNCIL AND ALL MINISTERS WITHIN, HAVE NEVER HAD JURISDICTIONAL AUTHORITY TO PERFORM A FORMAL INVESTIGATION (ON PAR WITH CSA. S. 67(4) [99.]), OR FORMAL DETERMINATION (ON PAR WITH CSA. SS. 67(4), 67(6) OR 67(9) [99., 100. AND 107.]), OF LIFER APPLICANT'S PAROLE APPLICATION ([94.]), CONSEQUENTIALLY THEN, ANY 'RESULT BY GOVERNOR [29.] WHICH 'REFUSED' PAROLE TO RESPECTIVE LIFER' WAS ULTRA VIRES [82., 83. AND 65.], DUE TO FAILURE AND REFUSAL TO OBSERVE DUE PROCESS, ACCORDING TO WRITTEN WORD IN LAW, NOT WHAT THE SOUTH AUSTRALIAN GOVERNMENT CLAIMED IT HAD
341. JURISDICTIONAL AUTHORITY TO PERFORM. IN WATSON [194.], THE COURT WAS VERY WRONG TO STATE AS PURPORTED FACT, THAT GOVERNOR AND CABINET HAD ANY

CONSTITUTIONAL COMPETENCE (JURISDICTION AND/OR AUTHORITY), TO CONDUCT PAROLE CONSIDERATIONS AND DETERMINATIONS, AS CABINET/EXECUTIVE COUNCIL HAD DONE SO MANY TIMES SINCE 1-8-1994 ([46.]), AND IS SIGNIFICANTLY ERRONEOUS. THE GOVERNOR, ~~EVER~~ AFTER THE FRAULULENT ASSENT OF [102.], AND CABINET/EXECUTIVE COUNCIL, ARE STILL ONLY CONSTITUTIONALLY AUTHORISED TO PERFORM A JUDICIAL REVIEW [33.] OF THE BOARD'S DETERMINATION ([100.]), AND IF SUCH DETERMINATION IS 'LEGALLY SOUND', THEN IT MUST STAND AS VALID. THIS MATTER IS DESCRIBED IN GREATER DETAIL IN OTHER SECTIONS OF THIS DOCUMENT.

342. UNDER SENTENCING STANDARDS IMMEDIATELY PRIOR TO TRUTH IN SENTENCING [46.], ON 1-8-1994, PAROLE WAS "AUTOMATIC" [139, 123., 125., 126., 127. AND 128.], BUT AFTER 1-8-1994 [46.] THE BOARD AND STATE GOVERNMENT (CH. II [3.]), CLAIMED AS A FACT (AND OPERATED UNDER SUCH CLAIM), THAT LIFERS ~~WERE~~ 'REQUIRED BOARD CONSENT ([100.]), PLUS EXECUTIVE COUNCIL/CABINET CONSENT IN ORDER TO RECEIVE PAROLE, AND THAT THE EXECUTIVE COUNCIL/CABINET (VIA [29.]), THEREAFTER HAD JURISDICTIONAL COMPETENCE TO 'DENY' PAROLE EVEN AFTER BOARD HAD ALREADY 'RECOMMENDED' PAROLE ([100.])'. SUCH 'CLAIM' WAS, AND STILL IS FALSE BECAUSE IT IS A FALSE CLAIM ABOUT PURPORTED 'JURISDICTIONAL COMPETENCE', AS NO SUCH JURISDICTION OR AUTHORITY IS BORNE FROM THE CONSTITUTION [1.], IT IS THEREFORE A FALSE CLAIM AND DETRIMENTAL DECISIONS OF GOVERNOR [29.], CABINET/EXECUTIVE COUNCIL (SUCH AS TO DENY PAROLE TO LIFER AFTER [100.]), ARE NOT CONSTITUTIONALLY COMPETENT ([1., 82., 83. AND 65.]).

343. AFTER 1-8-1994 [46.], ONLY A LIFER REQUIRED BOARD AND GOVERNOR [29.] CONSENT TO RECEIVE PAROLE. NON-LIFER DID NOT, THEY REQUIRED ONLY BOARD'S CONSENT IN ORDER TO BE GRANTED PAROLE. INDETERMINATE SENTENCED PRISONER (LIFER), COULD APPLY TO THE COURT FOR PAROLE APPLICATION, BUT LIFER WITH NPP MUST, ACCORDING TO CURRENT ACTIONS ([46.]), GO THE ADDITIONAL PATH FOR GOVERNOR [29.] CONSENT. SUCH UNDERTAKING MAKES LIFER SUFFER UNFAIR DISCRIMINATION BY STATE GOVERNMENT, ESPECIALLY CONSIDERING HOW LONG IT ALSO TOOK FROM THE LIFER APPLICANTS' ([94.]), SUBMISSION UNTIL THEIR FORMAL DECISION BY EXECUTIVE COUNCIL 'TO REFUSE PAROLE', WAS RECEIVED BY PRISONER LIFER, MANY TIMES MORE THAN 2 YEARS ELAPSED, BETWEEN LIFER'S SUBMISSION TO THE BOARD [94.], AND THE

- Boards' later notification to lifer applicant, that the Governor [29.] had not approved parole release. A prisoner who is 'indeterminate sentence' may be a lifer with no NPP, therefore to parole opportunity they must first apply to Sentencing Court ([38. and 39.]). A prisoner who is not (for example), convicted of a 'capital offence', for which 'life' is the mandatory head sentence, but is still sentenced to 'indeterminate sentence' (under [45.] provisions), such as prisoner Gavin Schuster in recent years (South Australia), had right of application to the court (which he pursued), for 'release into the community', which Schuster received following court's judgment, so he didn't even need Governor's approval [29.], in order to receive court ordered release (the Board, A-G and Minister used television and print media to inform public they were powerless to stop Schuster's release, as it was ordered as a court's judgment).
345. Due to lifers also requiring Governor consent [29.], in order to obtain parole (according to how the state government has claimed jurisdictional competence, since 1-8-1994, though in fact that is not constitutionally accurate, as described in other sections of this document, Governor did not hold veto authority above the Board), and where Governor [29.] and Cabinet 'refuse to provide official reasons to prisoner for their decision to refuse parole release', if the Governor [29.] did provide prisoner (via Parole Board), with formal written reasons for their 'refusal to grant parole', then at least the lifer would know the state government's (Watson [194. (para. 61.)]), claimed reasons for refusing parole by Governor [29.], thereby empowering lifer with judicial right of challenge to Governor's refusal ([29.] to grant parole release), if state government's formal reasons were not 'legally sound'. The 'judicial review' against Governor's refusal ([29.]), would not be possible if 'no reasons were provided to lifer' because lifer could not seek review (by the court), of legal basis for Governor's refusal.
346. If the 'legal basis proper' was not known by the court, or lifer applicant. It is also a matter of law, that 'cabinet business is protected from disclosure' (Watson [194. (para. 133.)]), which I believe is a key reason why successive South Australian governments, since 1-8-1994 [46.], have abused their official

POWER AND AUTHORITY UNDER CH. II [1. AND 3.], USING 'CABINET CONFIDENTIALITY' TO ILLEGALLY DENY LIFER APPLICANT OBSERVANCE, PER DUE PROCESS STIPULATIONS IN STATUTE, INCLUDING [112. AND 113.], OF LIFER'S RIGHT TO FULL DISCLOSURE OF ALL STATE'S EVIDENCE RELATING TO LIFER'S 'REASONS FOR SENTENCE' (INCLUDING THE ILLEGALLY EXTENDED NPP), HIGHLIGHTED AT [36. AND 37.], CONSIDERING PAROLE REFUSAL EFFECTS [108. ("C."), AND 97.].

348. AS DESCRIBED IN MORE DETAIL IN OTHER SECTIONS OF THIS DOCUMENT, I DO NOT ACCEPT THAT CABINET (ESPECIALLY), OR GOVERNOR EVER HAD CONSTITUTIONAL COMPETENCE TO VETO THE BOARD'S RECOMMENDATION [100.], ONLY TO PERFORM A JUDICIAL BODY REVIEW OF BOARD'S ACTUAL 'RECOMMENDATION' PROPER, TO DETERMINE IF IT WAS 'LEGALLY SOUND, AND IF 'SOUND' THEN MUST ACCEPT BOARD'S RECOMMENDATION'. FROM 1-8-1994 [46.] TO [102.], THEN AFTER [102.] INSERTED UNTIL LATE 2015, THERE IS STILL NO JURISDICTION HELD BY GOVERNOR [29.] OR CABINET/EXECUTIVE COUNCIL, TO 'DENY LIFER'S PAROLE RELEASE APPLICATION' (WHICH IS STILL ONLY HELD BY THE PAROLE BOARD), THEY ARE LIMITED JURISDICTIONALLY TO ONLY A 'LEGAL SOUNDNESS REVIEW' OF BOARD'S DECISION [100.], EVEN THOUGH THEY CONTINUE TO OVERSTEP THEIR ACTUAL JURISDICTION (INCLUDING USE OF IMPROPERLY AND BREACHEOUSLY ASSENTED [102.]).

349. PRIOR TO THE FRAUDULENTLY AND ~~THE~~ BREACHEOUSLY ASSENTED [102.], THE INTENTION OF STATUTE LAW WAS VERY SPECIFIC, REGARDING JURISDICTION OF GOVERNOR [29.] INVOLVED IN PAROLE APPLICATION PROCESS PURSUANT TO CSA. SS. 67(6) AND 67(7) [100. AND 101.]. IT IS ALSO IMPORTANT TO KNOW OF THE LIMITS OF PAROLE BOARD AND GOVERNOR PRIOR TO [46.], IN RELATION TO PAROLE RIGHTS OF ~~THE~~ LIFERS, WHICH WERE EMBODIED IN [123., 124., 125., 126., 127. AND 128.], KNOWN AS 'AUTOMATIC PAROLE', CLEARLY ACKNOWLEDGED IN [139.], SO GOVERNOR HAD NO RIGHT TO DENY PAROLE, NOR DID PAROLE BOARD, AND AS LONG AS PRISONER MET 'RELEASE CRITERIA' SUCH AS PLACE TO LIVE, AGREE TO CONDITIONS, ETC., THEN STATE GOVERNMENT HAD NO DISCRETION TO REFUSE PAROLE, AS PAROLE WAS AN ACCRUED AND AUTOMATIC RIGHT IN LAW. NOW APPLY [64.] FOUNDATION ARGUMENT, BEING A PRE-REQUISITE TO 'CHANGE IN PAROLE RELEASE', THAT ~~THE~~ ^{THERE} MUST BE 'POSITIVE, AFFIRMATIVE WORDING TO ABROGATE CURRENT/LONG-STANDING

350. RULE OF LAW'. AS DESCRIBED HEREIN, STATUTE [126.] WAS VERY SPECIFIC, THEN CAME [46.], BUT THE AUTHORITY OF [30.], BEING APPLIED TO [100. AND 101.], AND THE

OPERATIONAL EFFECT OF [64.], AND THE EFFECTIVE 'OBSERVANCE' OF DUE PROCESS INCLUDING ABSOLUTE RIGHT TO [113.], APPLIED TO [100.] "THE BOARD MAY" [30.] (AND IF IT DOES ~~THE~~ THEN BOARD'S DECISION IS MADE AND DECISION IS TO 'RECOMMEND PAROLE RELEASE'), AND [100.] CSA. s. 67(6)(B) "MUST FORWARD... TO THE GOVERNOR FOR APPROVAL.", AND SO THE 'POSITIVE AND AFFIRMATIVE WORDING' IN [100.], CONSISTENT WITH THE REQUIREMENT STIPULATED IN [64.], MEANT THAT, WITHIN [100.], IF "THE BOARD" (WITH THE DISCRETION OF "MAY" OR "SHALL" [30.]), DECIDES TO 'RECOMMEND PAROLE' THEN THE 'INITIAL DISCRETION' ("MAY" OR "SHALL"), IS THEREAFTER RESCINDED AND DISCRETION NO LONGER EXISTS BECAUSE 'THE DECISION' (TO RECOMMEND PAROLE), HAS BEEN MADE (AS THE INITIAL DISCRETION ONLY EXISTS UNTIL TO BOARD'S FORMAL DECISION IS MADE), AT WHICH POINT "MAY" ([100.] "THE BOARD MAY... RECOMMEND TO THE GOVERNOR THAT THE PRISONER BE RELEASED ~~ON PAROLE~~ FROM PRISON ON PAROLE"), IS THEN VOIDED AND CARRIES THE OPERATIONAL WEIGHT OF "SHALL" [30.], WHICH IS NO LONGER A DISCRETION EITHER, AS IS CLEARLY DESCRIBED IN WORDS AT CSA. s. 67(6)(A) "MUST RECOMMEND TO THE GOVERNOR", 67(6)(B) "MUST FORWARD... TO THE GOVERNOR FOR APPROVAL," ([100.]).

351. THE USE OF "MAY" [30.] IN CSA. s. 67(7), DOES NOT VEST ANY JURISDICTION IN GOVERNOR (PRIOR TO [102.]), AND AFTER 1-8-1994 [46.], TO REFUSE PAROLE TO LIFER IF GOVERNOR ([29.]), DOES 'NOT APPROVE' ~~THE~~ PAROLE BOARD'S RECOMMENDATION TO RELEASE ON PAROLE, BECAUSE CSA. s. 67(7) [101.] 'INITIAL DISCRETION' IN THE WORD "MAY" ("THE GOVERNOR MAY, ON RECEIVING THE BOARD'S RECOMMENDATIONS, ORDER THAT THE PRISONER BE RELEASED FROM PRISON ON PAROLE ON A DAY AND FOR A PERIOD SPECIFIED IN THE ORDER..." [101.]), IS LIMITED TO ONLY 'APPROVE OR NOT APPROVE CSA. s. 67(6)(A)(i)' (BEING THE 2ND OF THREE RECOMMENDATIONS OF THE BOARD ATTACHED TO AND EMBEDDED WITHIN CSA. s. 67(6) [100.]), AND 'APPROVE OR NOT APPROVE CSA. s. 67(6)(A)(ii)' (BEING THE 3RD OF THREE RECOMMENDATIONS OF THE BOARD ATTACHED TO AND EMBEDDED WITHIN CSA. s. 67(6) [100.]), AND THE '1ST RECOMMENDATION' OF THE BOARD IS CSA. s. 67(6) RATHER

352. THAN CSA. s. 67(9). THEREFORE, IF GOVERNOR [29.] DOES 'APPROVE BOARD'S RECOMMENDATIONS (67(6))', THEN IT 'SIGNS-OFF' ON '1ST. RECOMMENDATION', AND 'ACCEPTS AND SIGNS-OFF' ON '2ND RECOMMENDATION', AND 'ACCEPTS AND SIGNS-OFF'

353. ON '3RD RECOMMENDATION'. HOWEVER, IF GOVERNOR [29.] DOES NOT 'APPROVE BOARD'S RECOMMENDATIONS (67(6))', THEN IT IS EITHER BECAUSE 'GOVERNOR [29.] PERFORMED A 'LEGAL SOUNDNESS REVIEW (AS A JUDICIAL BODY [33.]), OF BOARD'S '1ST RECOMMENDATION' AND RULES THAT '1ST. RECOMMENDATION IS NOT LEGALLY SOUND', SO IS THEREBY RETURNED TO THE BOARD TO BE REMEDIED BEFORE FORWARDING BACK TO THE GOVERNOR', OR 'GOVERNOR [29.] DOES NOT APPROVE BOARD'S 'DAY OF RELEASE' (CSA. s. 67(6)(A)(i)), SO GOVERNOR RETURNED '2ND RECOMMENDATION' (OF THE BOARD [100.]), TO THE BOARD TO BE REMEDIED BEFORE FORWARDING BACK TO THE GOVERNOR', OR 'GOVERNOR [29.] DOES NOT APPROVE BOARD'S 'PERIOD OF RELEASE' (CSA. s. 67(6)(A)(ii)), SO GOVERNOR RETURNED '3RD RECOMMENDATION' (OF THE BOARD [100.]), TO THE BOARD TO BE REMEDIED BEFORE
354. FORWARDING BACK TO THE GOVERNOR'. IF STILL IN DOUBT ABOUT WHAT WAS ABOVE DESCRIBED, THE 'PLURAL' FORM "RECOMMENDS", MEANING 'MORE THAN ONE RECOMMENDATION', IS IN 'ENDING REQUIREMENT' OF CSA. s. 67(6)(B) ([100.]), BEING "COPY OF ITS RECOMMENDATIONS", AND IN 'STARTING POINT' OF CSA. s. 67(7) ([101.]), BEING "ON RECEIVING THE BOARD'S RECOMMENDATIONS". EFFECTIVELY, THE STATE GOVERNMENT VIOLATED AND ACTED OUTSIDE AND ABOVE THE VERY SPECIFICALLY WORDED AND DEFINED JURISDICTION ([82., 83. AND 65.]), OF THE GOVERNOR [29.], IN RELATION TO GOVERNOR'S RECEIPT ([29.]), OF BOARD'S '3. SPECIFIC RECOMMENDATIONS' LINKED TO CSA. s. 67(6) [100.], FROM 1-8-1994 ([46.]) TO [102.], AND FROM [102.] UNTIL OPERATIONAL IMPLEMENTATION OF NEW 'PAROLE' LEGISLATION ([140.]),
356. SCHEDULED FOR EARLY IN 2016, SOUTH AUSTRALIA. ALSO, REGARDING GOVERNOR'S [29.] 'LEGAL SOUNDNESS' REVIEW (AS A JUDICIAL BODY [33.]), OF BOARD'S '1ST. RECOMMENDATION' (FROM CSA. s. 67(6) [100.]), PURSUANT TO CSA. s. 67(7) ([101.]), THEREIN, THE WORD "MAY", UNTIL 'GOVERNOR'S REVIEW DETERMINES IF BOARD'S 1ST. RECOMMENDATION IS OR IS NOT LEGALLY SOUND', THEN 'DISCRETION' STILL ATTACHES TO THE WORD "MAY" [30.], BUT UPON '1ST RECOMMENDATION BEING IDENTIFIED AS 'LEGALLY SOUND' (FROM [100.]), THEN THE WORD "MAY" [30.] (FROM CSA. s. 67(7) [101.]), IS EXPUNGED AND '1ST RECOMMENDATION THEREAFTER CARRIES THE OPERATIONALLY EFFECTIVE WEIGHT OF "SHALL" [30.], AND THEN '2ND AND 3RD RECOMMENDATIONS' ARE ASSESSED ACCORDINGLY (CSA. ss. 67(6)(A)(i), 67(6)(A)(ii)), [100.].

357. WHEN LIFER APPLIES FOR PAROLE, THEY DO SO IN THE PRESCRIBED MANNER, TO THE PAROLE BOARD [94. AND 96.], WHICH IS THE ONLY STATUTORY INSTRUMENT [14.], AND STATE INSTRUMENT [33.], WITH COMPETENT CONSTITUTIONAL ([1. AND 3. (CH. II.)]), JURISDICTION AND AUTHORITY TO RECEIVE AN 'APPLICATION FOR PAROLE FROM A SOUTH AUSTRALIAN LIFER' [94. 96.]. THE PAROLE BOARD MUST '1ST' RECEIVE PAROLE APPLICATION (AS THE ONLY COMPETENT AUTHORITY WITH JURISDICTION TO DO ~~SO~~ SO) [96.], THEN MUST '2ND' CONSIDER PAROLE APPLICATION (CSA. s. 67(4)) [99.], THEN MUST '3RD' MAKE DETERMINATION ABOUT PAROLE APPLICATION (AS THE ONLY COMPETENT AUTHORITY WITH CONSTITUTIONALLY APPROVED JURISDICTION TO DO SO, AND SO ACT AS TO SOLE REPRESENTATIVE ON BEHALF OF THE SOUTH AUSTRALIAN GOVERNMENT, TO MAKE SUCH DETERMINATION, WHICH MUST EITHER BE TO 'REFUSE PAROLE APPLICATION', THEREBY EFFECTING OPERATION OF CSA. s. 67(9) [107.], OR TO 'APPROVE PAROLE APPLICATION AND RECOMMEND PAROLE RELEASE', THEREBY EFFECTING OPERATION OF CSA. s. 67(6) [100.] AND CSA. s. ~~67(6)~~ 67(7) [101.]) [99.], THEN MUST '4TH' INFORM LIFER OF OFFICIAL DETERMINATION (TO 'REFUSE' OR 'RECOMMEND').

358. IF CABINET/EXECUTIVE COUNCIL (PURSUANT TO EXISTING PROCESS ACTIONS) [29. AND 194. (PARA. 61.)], AFTER PAROLE BOARD 'OFFICIALLY DETERMINE PAROLE RELEASE IS RECOMMENDED' CSA. s. 67(6) [100.] (THEN FORWARDS TO GOVERNOR [29.] FOR APPROVAL), RECEIVES LIFER'S PAROLE APPLICATION FROM THE PAROLE BOARD, THEN THE SOUTH AUSTRALIAN GOVERNMENT'S SOLE REPRESENTATIVE (WITH CONSTITUTIONAL [1.] COMPETENCE AND JURISDICTION, OPERATING UNDER CH. II [3.] AUTHORITY ALSO), FOR RECEIVING, CONSIDERING AND DETERMINING ([94., 96., 99. AND 100.]), SUCH LIFER'S PAROLE APPLICATION, HAS PERFORMED AND COMPLETED THE '1ST, 2ND AND 3RD' FEATURES OF THE PROCESSING PHASE OF SAID APPLICATION, WITH ASSOCIATED 'OFFICIAL DETERMINATION' BY STATE GOVERNMENT'S ONLY AUTHORISED REPRESENTATIVE (THE PAROLE BOARD), BEING

359. TO 'RECOMMEND PAROLE RELEASE' [100.]. THE FACT THAT BOARD'S OFFICIAL DETERMINATION HAS BEEN MADE ([100.]), AND FORWARDED TO GOVERNOR [29.] FOR "APPROVAL" CSA. s. 67(6)(B) [100.], SHOULD CONCLUDE THE 'CONSIDERATION AND DETERMINATION' PHASES (CSA. ss. 67(4), 67(6), 67(9) [99., 100. AND 107.]), OF THE DUE PROCESS FEATURES OF THE PAROLE APPLICATION TO THE BOARD [94.], WHICH WOULD INCLUDE THE 'ADMINISTRATIVE APPROVAL BY GOVERNOR' [29.] (BEFORE FORMAL NOTIFICATION TO LIFER, WHICH IS

THE '4TH' FEATURE OF THE PROCESSING PHASE BY THE BOARD [94.].

360. AS ABOVE DESCRIBED IN GREATER DETAIL (REGARDING THE CONSTITUTIONALLY PROPER JURISDICTION ([1.]) OF GOVERNOR [29.], UPON GOVERNOR'S RECEIPT OF BOARD'S 'RECOMMENDATION FOR PAROLE RELEASE' [100. AND 101.], WHICH IS IN FACT A 'JUDICIAL BODY REVIEW' ('BODY' BEING CABINET/EXECUTIVE COUNCIL) [33.], OF 'LEGAL SOUNDNESS' OF BOARD'S RECOMMENDATION TO RELEASE ON PAROLE [SEE PARAGRAPHS 353. AND 354. IBID], AND THEREAFTER IF FOUND TO BE 'LEGALLY SOUND', THEN THE JUDICIAL BODY REVIEWS 'BOARD'S 2ND RECOMMENDATION, THEN 3RD RECOMMENDATION'), THE PROCESSING PHASES OF THE PAROLE APPLICATION PROCESS, CHARACTERISED AS 'DUE PROCESS' ACCORDING TO LAW [65.], ARE OBSERVED (IN [94.]) AS '1ST. FEATURE', THEN '2ND. FEATURE', THEN '3RD. FEATURE', THEN '4TH. FEATURE' [SEE PARAGRAPHS 353, 354 AND 360. IBID], AND INCLUDES THEREIN (WITHIN [100.] WHICH IS THE '3RD FEATURE'), THE PROPER DISTINCTIONS BETWEEN '1ST RECOMMENDATION', '2ND RECOMMENDATION', AND '3RD RECOMMENDATION' OF THE BOARD ([100.]), [358. AND 359.].

361. IF CABINET/EXECUTIVE COUNCIL (GOVERNOR [29.], WATSON [194. (PARA. 61.)]), 'REFUSES TO 'APPROVE BOARD'S RECOMMENDATIONS' [SEE PARAGRAPHS 353. AND 354. IBID], ENTIRELY, INCLUSIVELY '1ST, 2ND AND 3RD RECOMMENDATIONS', EMBODIED WITHIN CSA. S. 67(6) [100.], THEN CONSEQUENTIALLY 'DECLINES PAROLE RELEASE TO LIFER' WHICH IS IN DIRECT CONFLICT WITH BOARD'S RECOMMENDATIONS [100.] (AND AS ABOVE DESCRIBED IN GREATER DETAIL, DID NOT HAVE CONSTITUTIONAL ([1.]) JURISDICTIONAL AUTHORITY TO 'DECLINE PAROLE', IT WAS ONLY TO PERFORM 'LEGAL SOUNDNESS REVIEW OF BOARD'S 1ST. RECOMMENDATION', THEN 'CONSIDER/DETERMINE ACCEPTANCE OF BOARD'S 2ND RECOMMENDATION', THEN 'CONSIDER/DETERMINE ACCEPTANCE OF BOARD'S 3RD RECOMMENDATION'), THEN THE SOUTH AUSTRALIAN GOVERNMENT HAS FAILED AND NEGLECTED TO PROPERLY OBSERVE STATUTORY 'DUE PROCESS' ACCORDING TO LAW (COMPETENTLY CREATED, PURSUANT TO AIA. S. 22A, [28.]), INCLUDING BOTH CASE LAW [65.] AND STATUTE, EFFECTING DENIAL (TO THE LIFER APPLICANT), OF FAIR ADMINISTRATION OF THE LAW, IN OTHER WORDS, ABUSE OF PROCESS AND JURISDICTIONAL ABUSE OF AUTHORITY (ULTRA VIRES, [82. AND 83.]).

"DUE PROCESS", EFFECTIVELY MEANS THERE HAS BEEN NO 'ABUSE OF PROCESS' ([65.]).

"ABUSE OF PROCESS", EFFECTIVELY MEANS ~~THE~~ THERE IS A 'DENIAL OF DUE PROCESS' ([65.]).

362. [SEE PARAGRAPHS 351, 352, 353, 354, 355, 356, 357, 358, 359, 360. AND 361. IBID.]
DUE PROCESS FEATURES OF THE PROCESSING PHASE (CSA. s. 67 [94.]

- 1ST. FEATURE - BOARD TO RECEIVE LIFER'S APPLICATION.
- 2ND. FEATURE - BOARD TO CONSIDER APPLICATION.
- 3RD. FEATURE - BOARD TO MAKE DETERMINATION ABOUT APPLICATION.
- 4TH. FEATURE - BOARD TO NOTIFY APPLICANT OF FORMAL DECISION.

BOARD'S RECOMMENDATIONS INTRINSICALLY EMBODIED WITHIN CSA. s. 67(6).

3RD. FEATURE -

- 1ST. RECOMMENDATION - 'LEGAL SOUNDNESS REVIEW' 67(6).
- 2ND. RECOMMENDATION - 'DAY OF RELEASE' 67(6)(A)(i)
- 3RD. RECOMMENDATION - 'LENGTH/DURATION OF PAROLE' 67(6)(A)(ii)

363. LIFER 'PAROLE APPLICANT' MUST APPLY FOR PAROLE TO THE BOARD, PER CORRECT DUE PROCESS REQUIREMENT [94.], NOT TO THE GOVERNOR, NOR GOVERNOR [29.], NOR CABINET/ EXECUTIVE COUNCIL. AFTER PAROLE BOARD HAS 'FORMALLY RECOMMENDED PAROLE RELEASE' FOR RESPECTIVE LIFER [100.], IT WOULD BE ACCURATE TO EXPECT DUE PROCESS HAD BEEN OBSERVED ([65.]), BY THE SOUTH AUSTRALIAN GOVERNMENT AND THEREFORE COMPLIED WITH ACCORDING TO '1ST, 2ND. AND 3RD. FEATURES OF DUE PROCESS OF PAROLE APPLICATION ([94.])'.

364. FOR THE SOUTH AUSTRALIAN GOVERNMENT, BY DIRECT ACTION OF THE PAROLE BOARD, TO THEN SEND/FORWARD THE SAME PAROLE APPLICATION FROM/BY LIFER APPLICANT, WHICH ALREADY INTRINSICALLY INCLUDES FORMAL DETERMINATION, BY COMPETENT STATE INSTRUMENT (THE SOUTH AUSTRALIAN PAROLE BOARD), AS THE ONLY CONSTITUTIONALLY ([1.]) AUTHORISED STATE GOVERNMENT REPRESENTATIVE TO MAKE SAID FORMAL DETERMINATION (OPERATIONALLY ENFORCEABLE UNDER CH. II [3.] JURISDICTIONAL AUTHORITY), TO ANY OTHER GOVERNMENT ENTITY FOR ~~THE~~ THE 'OFFICIAL PURPOSE' OF CONSIDERING BOARD'S RECOMMENDATIONS, AS PER CSA. s. 67(7) [101.], BUT IN FACT KNOWING THAT SUCH GOVERNMENT ENTITIES ENGAGE

IN MORE ACTIONS THAN IS CLEARLY DESCRIBED IN STATUTE (AFTER 1-8-1994 [46.], AND UP TO [102.], THEN NEGLECTING AFTER [102.], TO REALISE THE INTRINSIC IMPROPRIETIES WRODED INTO CSA. SS. 67(7A), 67(7B) AND 67(7C) ([28., 45., 82. AND 83.]), INCLUDING 'PERFORMING A CONSTITUTIONALLY UNAUTHORISED ([1.]) CONSIDERATION AND DETERMINATION AGAINST PAROLE APPLICATION PROPER' (EFFECTING A 'DOUBLE-PROCESSING' OF LIFER'S PAROLE APPLICATION (ABOVE DESCRIBED IN GREATER DETAIL)), WITH REAL OPERATIONAL POSSIBILITY OF THEN DENYING PAROLE OUTRIGHT (WHICH SUCH GOVERNMENT ENTITIES ARE NOT CONSTITUTIONALLY AUTHORISED TO COMPETENTLY EFFECT, AS ABOVE DESCRIBED IN GREATER DETAIL, RELATING TO THE VERY SPECIFIC JURISDICTION OF GOVERNOR [29.], PER CONSTITUTIONAL AUTHORITY ([82., 83., 1. AND 3.]), NOT WHAT THE STATE GOVERNMENT IN FACT ILLEGALLY ACTIONS), AND PERFORMING SAID 'CONSIDERATION AND DETERMINATION' BY SUCH MEANS (BY CABINET [29.]), WHICH ILLEGALLY DENY LIFER APPLICANT KNOWLEDGE OF CONTENTS OF GOVERNMENT DOCUMENTS, WHICH ARE 'CONSIDERED' BY SAID CABINET [29.] (OTHER THAN THE APPLICATION WHICH LIFER APPLICANT ORIGINALLY SUBMITTED TO THE PAROLE BOARD [94.]), AND SO NOT KNOWING WHAT GOVERNOR [29.] RECEIVES, RELIES UPON, ETC., AND THEN REFUSES TO INFORM LIFER APPLICANT OF SPECIFIC INFORMATIONS/JUSTIFIABLE LEGAL CAUSES THE GOVERNOR [29.] CLAIMS TO USE TO JUSTIFY LIFER'S PAROLE APPLICATION REFUSAL, IS IN FACT A SERIOUS 'VIOLATION OF DUE PROCESS ACCORDING TO LAW' ([82., 83. AND 65.]), AND A 'VIOLATION OF FAIR ADMINISTRATION OF COMPETENT LAW' ([65., 113., 45., 82. AND 83.]), EQUATING TO ABUSE OF POWER, ABUSE OF PROCESS AND ULTRA VIRES (A DEFECTIVE USE OF LEGAL AUTHORITY).

365. IT IS IMPERATIVE THAT ALL CONCERNED PARTIES MUST BE EQUALLY INFORMED OF ALL MATTERS RELEVANT TO THE CASE AT HAND, AND CONCERNED PARTIES INVOLVED IN THE PROCESS OF PAROLE APPLICATION BY LIFER APPLICANT ([94.]), INCLUDES 'THE LIFER' AND ANY LEGAL PRACTITIONER REPRESENTING THEIR LEGAL INTERESTS ([113.]), AND 'THE STATE GOVERNMENT OF SOUTH AUSTRALIA'.

366. THE GOVERNOR [29. AND 194. (PARA. 61.)], AND CABINET/EXECUTIVE COUNCIL, OPERATIONALLY ACT AS IF THEY ARE RECEIVING A PAROLE APPLICATION DIRECTLY FROM A LIFER PAROLE APPLICANT, INSTEAD OF WHAT THEY ARE ONLY PERMITTED (LEGISLATIVELY,

BEING LEGISLATION WHICH IS CONSTITUTIONALLY COMPETENT AND COMPLIANT, PARTICULARLY COMPLIANT WITH AIA. S. 22A. [28.], WHICH [102., 103., 104. AND 105.] ARE MOST CERTAINLY NOT COMPLIANT WITH, AND WERE IMPROPERLY ASSENTED), TO ACTION WHICH IS TO PERFORM A JUDICIAL BODY [33.] REVIEW OF THE PAROLE BOARD'S 3. FORMAL RECOMMENDATIONS [SEE PARAGRAPH 362. IBID], BECAUSE THE BOARD AND GOVERNOR [29.] ERRONEOUSLY MISREPRESENT THEIR CONSTITUTIONALLY COMPETENT JURISDICTIONAL LIMITATIONS AND BOUNDARIES, THEREBY ENABLING GOVERNOR [29.] TO BREACH ITS OWN CONSTRICTED BOUNDARIES OF OPERATION, FOLLOWING [100.], AND NOT ONLY ENCROACH ON THE JURISDICTIONAL AUTHORITY AND COMPETENCE OF THE PAROLE BOARD, IN MATTERS FOLLOWING [94.] LIFER'S APPLICATION TO THE PAROLE BOARD, BUT ALSO OPERATIONALLY SUBSTITUTE THE OFFICIAL DETERMINATION OF THE PAROLE BOARD [100.],

367. WITH THEIR OWN DETERMINATION, WHICH IS ILLEGAL, YET IT IS STILL DONE. LEGISLATION DOES NOT PERMIT GOVERNOR [29.], TO RECEIVE (REFER 1st. DUE PROCESS FEATURE OF THE PROCESSING PHASE [SEE PARAGRAPH 362. IBID]), A PAROLE APPLICATION FOR SUCH A PURPOSE, IT ONLY CONSTITUTIONALLY ([1.]), PERMITS 'THE PAROLE BOARD' TO RECEIVE SUCH PAROLE APPLICATION PROPER ([94.]), FOR 'CONSIDERATION AND DETERMINATION' OPERATIONAL ACTS, PURSUANT TO [99., 100. AND 107.].

368. WHEN THE STATE GOVERNMENT OF SOUTH AUSTRALIA, THROUGH ASSOCIATED ACTIONS OF THE PAROLE BOARD AND GOVERNOR [29.] (WHICH SPECIFICALLY INCLUDES CABINET/EXECUTIVE COUNCIL), ABUSE THEIR AUTHORITY AND JURISDICTION (AS GOVERNMENT, AND AS REPRESENTATIVES OF THE STATE GOVERNMENT), TO DENY THE LIFER APPLICANT ([94.]), THE GOVERNMENT'S MANDATORY OBSERVANCE OF DUE PROCESS ACCORDING TO COMPETENT LAW (WHICH INCLUDE PROCEDURAL COMPLIANCE), WHOM IT THEN REFUSES TO APPROVE AND GRANT PAROLE TO, EVEN THOUGH PAROLE BOARD ACTUALLY (AS GOVERNMENT'S SOLE COMPETENT AUTHORITY TO MAKE SUCH DETERMINATION, PER [94.] SUBMISSION RIGHTS, ENTITLEMENTS AND CONSTITUTIONALLY COMPETENT ([1.]) LEGAL EXPECTATIONS), WITH OFFICIAL AUTHORITY, INCLUDING BY STATUTORY JURISDICTION AND AUTHORITY, RECOMMENDED FOR PAROLE RELEASE (PER CSA. S. 67(6) [100.]). [65.]

369. SUCH ACTION IS FORM OF 'CRIMINAL ABUSE OF PROCESS', BECAUSE WHAT THE GOVERNOR [29.] DOES AFTER RECEIVING 'PAROLE APPLICATION SUBMISSION MATERIALS' FROM THE

PAROLE BOARD, PURSUANT TO [100. AND 101.], WHICH INCLUDES LIFER APPLICANT'S SUBMISSION PLUS BOARD'S ADDITIONS, WHICH OBVIOUSLY INCLUDES BOARD'S RECOMMENDATIONS FOR PAROLE RELEASE, IS TO THEN SIT AS A "JUDICIAL BODY" [33.] TO EFFECT THE CONSIDERATION AND DETERMINATION PROCEDURES OF THE PAROLE APPLICATION (PROCESS) TO THE BOARD [94.], BY CABINET/EXECUTIVE COUNCIL (A 'CONSIDERATION' OF PAROLE SUITABILITY OF THE LIFER APPLICANT, THEN FORMAL 'DECISION' AFTER SAID 'CONSIDERATION', TO GRANT OR REFUSE PAROLE RELEASE), WHICH THEY ARE NOT CONSTITUTIONALLY [1.] AUTHORISED TO PERFORM [83.].

370. THAT MEANS THE LIFER APPLICANT'S SUBMISSION ([94.]), IS SUBJECTED TO TWO (TIMES) PAROLE SUITABILITY APPLICATION PROCESS, ONE WHICH IS LEGALLY PERFORMED BY THE PAROLE BOARD (PER [94.] CORRECT DUE PROCESS), THE SECOND WHICH IS ILLEGALLY PERFORMED, NOT JUST BECAUSE IT IS DONE BY GOVERNOR, AND GOVERNOR [29.] (WHICH IS CABINET/EXECUTIVE COUNCIL), BUT ALSO DUE TO NOT HAVING ANY CONSTITUTIONAL COMPETENCE ([1.]) TO ENGAGE IN SUCH ADMINISTRATIVE OPERATIONS, AS THAT PARTICULAR JURISDICTIONAL AUTHORITY RESTS ONLY WITH THE PAROLE BOARD OF SOUTH AUSTRALIA, WHICH IS DESCRIBED IN GREATER DETAIL IN OTHER SECTIONS OF ~~THE~~ THIS DOCUMENT.

371. SINCE 1-8-1994 ([46.]), WHEN THE GOVERNOR [29.] RECEIVES THE PAROLE BOARD'S 'RECOMMENDATIONS' FROM THE PAROLE BOARD ([101.]), FOLLOWING BOARD'S FORMAL DETERMINATION WHICH INCLUDED 'RECOMMENDING PAROLE RELEASE' TO RESPECTIVE LIFER APPLICANT, THEN, IN FACT, THE GOVERNOR [29.] IS RECEIVING THE SAME 'DOCUMENT APPLICATION FOR PAROLE' WHICH THE LIFER SUBMITTED TO THE BOARD (PER [94.] DUE PROCESS), AND, IN ADDITION, MATERIALS RELATING TO BOARD'S CONSIDERATION OF SAID SUBMISSION, AND MOST SIGNIFICANTLY, THE ALREADY COMPLETED FORMAL DETERMINATION BY THE PAROLE BOARD, WHICH IS TO 'RECOMMEND PAROLE RELEASE' [100.].

372. WHAT THE GOVERNOR [29.], AND CABINET/EXECUTIVE COUNCIL THEN DO IS TO VOID THE BOARD'S RECOMMENDATIONS [SEE PARAGRAPH 362 IBID] (WHICH IS ALSO ILLEGAL AS THEY DO NOT HOLD CONSTITUTIONALLY ([1.]) COMPETENT JURISDICTION TO DO SO, YET THEY STILL DO IT), AND POLITICALLY (AS IT IS DONE BY POLITICIANS), CONDUCT A 'CONSIDERATION' (JUST LIKE PAROLE BOARD DOES CSA. S. 67(4) [99.]), OF LIFER APPLICANT'S PAROLE SUBMISSION, EXCEPT IT IS NOT CONDUCTED WITH

LEGISLATIVELY APPROVED (CSA. s. 67(4) [99.]), 'CONSIDERATIONS' IN MIND, IT IS OVERWHELMINGLY GOVERNED BY 'THE POLITICAL AGENDA OF THE GOVERNMENT' (WATSON [194. (PARA. 61)], [174., 175. AND 176.]), WHICH IS ALSO ILLEGAL AS 'POLITICAL PRISONERS' ARE NOT CONSTITUTIONALLY ([1.]) PERMITTED BY THE CLCA [31.], YET THAT TOO IS STILL PERFORMED BY CABINET [29.], THEN (IF THE GOVERNOR [29.] REFUSES TO APPROVE BOARD'S RECOMMENDATIONS [100.]), THE GOVERNOR [29.] IMPROPERLY AND UNCONSTITUTIONALLY ([1.]) SUBSTITUTES THE BOARD'S OFFICIAL AND FORMAL RECOMMENDATIONS [100.], WITH THE GOVERNOR'S [29.] OWN (SUBVERSIVELY) PSUEDO-FORMAL 'DETERMINATION', ~~THE~~ ~~DETERMINATION OF~~ WHICH WAS IMPROPERLY AND UNLAWFULLY CONSTRUCTED AND CREATED ([82., 83. AND 65.]), ^{AND} ~~IT~~ IT THEREAFTER IS IMPROPERLY REGARDED BY STATE CABINET AS JUDGMENT, THEREFORE 'ABSOLUTE IN OFFICIAL ACKNOWLEDGEMENT BY THE STATE GOVERNMENT' AS 'FINAL'. THIS MATTER IS DESCRIBED IN GREATER DETAIL IN OTHER SECTIONS OF THIS DOCUMENT.

373. TECHNICALLY, THE RESPECTIVE LIFER'S PAROLE APPLICATION HAS ALREADY BEEN FORMALLY AND OFFICIALLY CONSIDERED (CSA. s. 67(4) [99.]), AND DETERMINED (CSA. s. 67(6) [100.]), BY STATE GOVERNMENT'S COMPETENT INSTRUMENT [14. AND 33.] (THE PAROLE BOARD), PRIOR TO EVEN BEING FORWARDED TO GOVERNOR [29.], AND IN FACT THAT IS THE ONLY REASON GOVERNOR [29.] EVEN RECEIVES SUCH LIFER'S PAROLE APPLICATION SUBMISSION FROM PAROLE BOARD, BEING THAT PAROLE HAS BEEN RECOMMENDED BY THE PAROLE BOARD, THEREFORE SUCCESSFUL TO THE LIFER APPLICANT (FOR PAROLE, UP TO THIS POINT), BUT THEN STATE GOVERNMENT COMPLETELY ~~ACTS~~ ACTS OUTSIDE THEIR CONSTITUTIONAL JURISDICTION (ULTRA VIRES [82., 83. AND 65.]), EFFECTIVELY PERPETRATING JURISDICTIONAL FRAUD, AND DENIES ~~THE~~ LIFER FAIR AND HONEST OBSERVANCE OF LIFER'S LEGAL RIGHTS (WITHIN THE PAROLE APPLICATION PROCESSING PHASE).

374. THE CONSTITUTION [1.] DOES NOT PERMIT 'MULTIPLE - JUDGMENTS' FOR THE SAME MATTER, BUT THAT IS EXACTLY WHAT STATE ~~GOVERNMENT~~ GOVERNMENT IS PERPETRATING AGAINST LIFER PAROLE APPLICANTS, WHEN THEIR PAROLE 'RECOMMENDATIONS' [100.] ARE REJECTED THEN DECLINED BY GOVERNOR AND CABINET [29.],

BECAUSE THE SAME PAROLE APPLICATION SUBMITTED BY THE LIFER APPLICANT, IS NOT JUST BEING ADMINISTRATIVELY 'PROCESSED TWICE' ('FIRST BY' PAROLE BOARD (AS IS REQUIRED OF AND BY THE BOARD [94.]), ENDING IN DETERMINATION (BY STATE GOVERNMENT'S SOLE REPRESENTATIVE), CSA. s. 67(6) [100.], BUT THEN 'SECOND BY' GOVERNOR AND CABINET/EXECUTIVE COUNCIL [IN SITTING] [29.]), IT IS ALSO BEING JUDICIALLY [33.] 'PROCESSED TWICE', WHEREBY PAROLE BOARD SITS AS A "JUDICIAL BODY" [33.] TO PROCESS PAROLE APPLICATION BY LIFER, THEN AFTER CSA. s. 67(6) [100.], GOVERNOR AND CABINET/EXECUTIVE COUNCIL [29.] SITS AS A "JUDICIAL BODY" [33.] TO PROCESS 'PAROLE APPLICATION SUBMISSION RECOMMENDATIONS FROM THE BOARD', PER. CSA. s. 67(7) [101.], WITH THE MAJOR DIFFERENCE FROM 'ADMINISTRATIVE PROCESSING', IS THAT THE FORMAL OPERATIONS AND ACTIONS OF A "JUDICIAL BODY" [33.], ON BEHALF OF STATE GOVERNMENT OF SOUTH AUSTRALIA, AS ITS REPRESENTING "STATE INSTRUMENTALITY" [33.], IS VERY 'CONTROLLED IN ITS JURISDICTION' AND 'OVERSIGHT GOVERNED TO MAINTAIN LIABILITY AND ACCOUNTABILITY' (SO, PARALLELING THE 'ADMINISTRATIVE DOUBLE-PROCESSING', THE 'JUDICIAL BODY' [33.] 'DOUBLE PROCESSING' IS 'FIRST BY' PAROLE BOARD (AS IS REQUIRED OF AND BY THE BOARD [94.]), ENDING IN DETERMINATION (BY STATE GOVERNMENT'S SOLE REPRESENTATIVE), CSA. s. 67(6) [100.], AS A JUDICIAL BODY JUDGMENT, BUT THEN 'SECOND BY' GOVERNOR AND CABINET/EXECUTIVE COUNCIL [IN SITTING] [29.], AS A JUDICIAL BODY JUDGMENT (WHERE SUCH JUDGMENT OF GOVERNOR [29.] IS IN FACT UNCONSTITUTIONAL AND ILLEGAL ([1.]))).

375. THE 'DOUBLE-PROCESSING' IS IMPROPER AND VIOLATES DUE PROCESS [65.]

376. THE GOVERNOR, AND GOVERNOR [29.] (BEING CABINET/EXECUTIVE COUNCIL (WATSON [144. (PARA. 61.)])), OBVIOUSLY ACKNOWLEDGE THE BOARD'S 'RECOMMENDATIONS' TO SOME EXTENT, BEING THAT THE BOARD MUST HAVE RECOMMENDED PAROLE RELEASE OF SPECIFIC LIFER APPLICANT, PRIOR TO AND ~~PREREQUISITE~~ PREREQUISITE TO BEING THEN FORWARDED TO GOVERNOR [29.] FOR APPROVAL. HOWEVER, AFTER GOVERNOR [29.] RECEIVES SAID BOARD 'RECOMMENDATIONS' ([100. AND 101.]), THE GOVERNOR AND CABINET/EXECUTIVE COUNCIL IMPROPERLY DISREGARD THE ALREADY DETERMINED 'PAROLE RELEASE RECOMMENDATIONS' [100.], THEREBY VOIDING (ILLEGALLY), SUCH

FORMAL DETERMINATIONS BY THE BOARD [100.], AND PROCEED WITH WHAT THE GOVERNOR [29.] (CABINET/EXECUTIVE COUNCIL), BELIEVES IS THEIR JURISDICTIONAL RIGHT TO DO, WHICH IS TO PERFORM AN EVALUATION AND CONSIDERATION OF LIFER'S PAROLE APPLICATION 'AFRESH', AS IF THEY WERE TAKING PLACE OF THE PAROLE BOARD, AND VOIDING WHAT THE BOARD HAD ALREADY ACCOMPLISHED AND DETERMINED (WHICH WAS PURSUANT TO CSA. S. 67 THROUGH TO CSA. S. 67(6)), AND 'CONSIDERS' ([99.]), SAID PAROLE APPLICATION AFRESH, AS A 'JUDICIAL BODY WITH ADMINISTRATIVE JURISDICTION', AND WITH ADDITIONAL SPECIAL JURISDICTION, EVEN THOUGH CLAIMED 'SPECIAL JURISDICTION' IS NOT EVEN AFFIRMATIVELY WORDED IN THE CONSTITUTION [1.] OR STATE LEGISLATION (IN ANY LEGALLY COMPETANT WAY).

377. THESE OPERATIONAL ACTIONS BY GOVERNOR AND CABINET/EXECUTIVE COUNCIL [29.], ARE IN FACT UNCONSTITUTIONAL, AND IF THEY THEN ALSO REJECT SAID LIFER'S PAROLE APPLICATION AND REFUSE TO GRANT PAROLE RELEASE (ESPECIALLY AFTER BOARD HAS ALREADY RECOMMENDED RELEASE ON PAROLE), EQUATING TO DOUBLE-PROCESSING, THE DESCRIBED ACTIONS OF GOVERNOR [29.], ARE ALSO ILLEGAL. THESE ISSUES ARE DESCRIBED IN MORE SPECIFIC DETAILS IN OTHER SECTIONS OF THIS DOCUMENT.

378. THE 'PAROLE-RELEASE APPLICATION' BY LIFER IS A 'SINGLE JUDICIAL MATTER' (JUDICIAL BEING 'JUDICIAL BODY' [33.], AND PAROLE APPLICATION PROPER WHICH FOLLOWS CRIMINAL LAW SENTENCING (THEREFORE CRIMINAL LAW ENTITLEMENTS ALSO, UNDER CH. III [3.]), AND SO IS ALSO A 'LEGAL PROCEEDING' (WHICH IS QUALIFIED BY CSA. S. 77 [110. AND 113.]), AND THEREFORE FURTHER PROTECTED UNDER OBSERVANCE OF AIA. SS. 16(1), 16(2), 16(3), 16(4) [17, 22., 23., 24., 25., 26. AND 28.]). LEGISLATION [94.] MANDATES PAROLE BOARD JUDICIALLY PROCESS (WITH JUDICIAL BODY [33.] ADMINISTRATIVE JURISDICTION ONLY), SAID 'SINGLE MATTER'. LEGISLATION DOES NOT POSITIVELY OR AFFIRMATIVELY SPECIFY IN WORDS ([64.]), THAT THE PAROLE BOARD'S FORMAL DETERMINATION CSA. S. 67(6) [100.], IS OR MUST BE VOIDED ONCE THE GOVERNOR [29.] RECEIVES THE BOARD'S RECOMMENDATIONS FROM THE BOARD ([100.]).

379. IN FACT, IF THE BOARD'S RECOMMENDATIONS [100.] FOR A LIFER'S PAROLE RELEASE

WERE TO BE 'DISREGARDED' BY GOVERNOR [29.], TO THEN ALLOW GOVERNOR [29.] TO PERFORM A 'PAROLE APPLICATION CONSIDERATION' AFRESH, THAT ACT WOULD FAIL AT FIRST TECHNICAL HURDLE OF [94.] DUE PROCESS, THEN [96.], THEN [98.], THEN [99.], THEN [100., 101., 106., 107. AND 110.], AND PROBABLY ONE OF THE MOST BASIC 'CONSTITUTIONALLY [1.] PROTECTED RIGHTS' IS [113.], WHICH WOULD ALSO BE STOLEN FROM THE LIFER APPLICANT DUE TO CABINET CONFIDENTIALITY.

380. THEREFORE, THE BOARD'S 'RECOMMENDATIONS' [100.] MUST NOT BE VOIDED, MUTED OR DISREGARDED BY GOVERNOR ([101.]), UPON RECEIPT BY GOVERNOR [29.], AND IN FACT MUST BE, WITH ABSOLUTE REGARD TO THE VERY SPECIFIC ADMINISTRATIVE BOUNDARIES HELD AGAINST GOVERNOR [29.], AND CABINET/EXECUTIVE COUNCIL, THE ONLY FIELD OF INVESTIGATION PERMITTED TO GOVERNOR [29.] [AS EXPRESSED IN PARAGRAPH 362. IBID], WHILST GOVERNOR [29.] ENGAGES IN "JUDICIAL BODY" REVIEW ([33.]) OF BOARD'S THREE RECOMMENDATIONS, PER RELEVANT LIFER'S PAROLE APPLICATION, AFTER [100.]. THIS MATTER IS DESCRIBED IN GREATER DETAIL IN OTHER SECTIONS OF THIS DOCUMENT.

381. ANOTHER REASON WHY IT IS UNCONSTITUTIONAL [1.] FOR THE GOVERNOR AND CABINET/EXECUTIVE COUNCIL [29.], TO DISENGAGE THE VERY STRICT FIELD OF REVIEW OF BOARD'S THREE RECOMMENDATIONS [SEE PARAGRAPH 362 IBID], THEN CROSS-LINK AND CROSS-~~ASSOCIATE~~ ASSOCIATE GOVERNOR'S RECEIPT CSA. s. 67(7) [101.], WITH A CLAIMED ADDITIONAL AUTHORITY TO THEN, AFTER DECLINING ALL THREE BOARD RECOMMENDATIONS (WITHIN [100.]), TO OUTRIGHT REFUSE WHOLE PAROLE RELEASE APPLICATION, WHICH I ACCUSE STATE GOVERNMENT OF ~~NEVER HAVING~~ ^{NEVER HAVING} SINCE 1-8-1994 [46.] ANYWAY, IS BECAUSE WHEN GOVERNOR [29.] 'REFUSES TO APPROVE PAROLE RELEASE' (WHICH, EVEN AFTER [102.], I ACCUSE GOVERNOR [29.] OF NEVER HAVING CONSTITUTIONALLY COMPETENT AUTHORITY ([1.]), TO OPERATIONALLY PERFORM ANYWAY, WHICH IS ALSO WHY WATSON [194.] INCORPORATES SO MANY ERRONEOUS CLAIMS BY THAT COURT), THE SOUTH AUSTRALIAN GOVERNMENT THEN APPLIES FRAUDELENTLY ASSENTED LEGISLATION, INCLUDING CSA. ss. 67(9)(C), 67(10) [108. AND 109.], WHICH VIOLATES ~~THE~~ A.I.A. s. 22A. [28.], AND ARBITRARILY AND ILLEGALLY INCREASES THE LIFER'S 'CRIMINAL LAW SENTENCE', AS DETERMINED AND IMPOSED [45.] BY THE CRIMINAL LAW SENTENCING COURT, INCLUDING NON-PAROLE ~~PERIOD~~ PERIOD, WHICH

is CONSTITUTIONALLY ([1.]) PROHIBITED BECAUSE ONLY A CRIMINAL LAW SENTENCING COURT HAS JURISDICTIONAL COMPETENCE (CH. III [3.]), TO VARY A LIFER'S SENTENCE INCLUDING EXTENDING LIFER'S NON-PAROLE PERIOD ([38. AND 45.]), NOT PARLIAMENT (BY AMENDING CORRECTIONAL SERVICES LEGISLATION (CH. I [3.])), NOT STATE GOVERNMENT (BY ASSUMING THEY HAVE AUTHORITY TO DO SUCH ACT, WHICH IN FACT THEY DO NOT (CH. II [3.])), ONLY THE JUDICATURE (CH. III [3.]), WHILST OBSERVING AND OPERATIONALLY EFFECTING THE RELEVANT CRIMINAL LAW SENTENCING LEGISLATION [45.].

382. THIS IS FURTHER EVIDENCE THAT THE GOVERNOR [29.] AND CABINET MUST NOT ENTERTAIN/PURSUVE ANY ACTION OUTSIDE REVIEW OF BOARD'S THREE RECOMMENDATIONS ([100. AND ~~100~~ 101.]), SUCH AS 'CONSIDERATION OF WHOLE PAROLE RELEASE APPLICATION WITH ASSUMED RIGHT TO ALSO 'REJECT' SAME, THEN ADD AT LEAST ANOTHER 12 MONTHS SENTENCE TO LIFER'S COURT IMPOSED NPP', BY CONSEQUENTIAL OPERATION OF IMPROPERLY ASSENTED CSA. SS. 67(9)(C), 67(10) [108. AND 109.], AS SUCH ACTIONS (OUTSIDE SCOPE OF JUDICIAL BODY [33.] REVIEW OF SAID THREE RECOMMENDATIONS (EMBODIED WITHIN CSA. S. 67(6) [100.]), FROM AND BY THE BOARD), ARE ILLEGAL (AGAINST [45.]), AND THAT CRIMINAL LAW SENTENCING LEGISLATION MUST BE OBSERVED WHEN CHANGING A LIFER'S CRIMINAL LAW SENTENCE, AND ONLY A SUPREME COURT JUDGE (OR HIGHER RANK), IS PERMITTED TO SIT ON BENCH TO SENTENCE A LIFER [192.]. THIS MATTER IS DESCRIBED IN GREATER DETAIL IN OTHER SECTIONS OF THIS DOCUMENT, REGARDING WHAT IN FACT IS A VERY NARROW SCOPE OF JURISDICTIONAL AUTHORITY OF GOVERNOR [29.] (AND CABINET/EXECUTIVE COUNCIL), FOLLOWING CSA. S. 67(6) [100.], EVEN THOUGH THE GOVERNOR AND GOVERNOR [29.] HAVE CRIMINALLY EXCEEDED SUCH AUTHORITY AND LIMITED SCOPE, ON NUMEROUS OCCASIONS, WHILST IN THE ACT OF 'RECEIVING THEN INVESTIGATING PAROLE RELEASE MATERIALS FROM THE BOARD', SINCE 1-8-1994 ([46.]).

383. WHEN DEALING WITH 'PAROLE APPLICATIONS BY PRISONERS, WHICH ARE REJECTED/REFUSED BY THE PAROLE BOARD' CSA. S. 67(9) [107. AND 108.], YOU CAN'T SIMPLY OR EASILY COMPARE THE TWO VERY DIFFERENT PROCESSES OF 'BOARD REJECTION', BECAUSE, AS REVEALED WITHIN ABOVE SECTIONS OF THIS DOCUMENT, AFTER THE BOARD ENTERS THE '2ND FEATURE OF THE PROCESSING PHASE' OF A PRISONER'S APPLICATION FOR PAROLE [SEE PARAGRAPH 362 IBID], THE 'CONSIDERATION', THE CONTRAST BETWEEN A 'LIFER'S APPLICATION

FOR PAROLE' AND A 'NON-LIFER'S APPLICATION FOR PAROLE' IS SO MEASUREABLY DIFFERENT, TO THE EXTENT OF BEING DISCRIMINATORY, DUE TO THE MANNER IN WHICH THE SOUTH AUSTRALIAN GOVERNMENT REPEATEDLY VIOLATES DUE PROCESS/CORRECT PROCEDURE, AGAINST LIFER APPLICANTS (WHICH THE NON-LIFERS NEVER EXPERIENCE OR SUFFER), SINCE 384. 1-8-1994 [46.], AND CONTINUING UP TO 1-1-2016. A NON-LIFER'S INCARCERATION MUST CONCLUDE, AT THE VERY LATEST, AT THE COMPLETION OF THE DATE OF 'HEAD-SENTENCE' AND NO LATER, OTHERWISE IT IS ILLEGAL DETENTION. HOWEVER, UNDER REGIMES PERPETRATED BY THE STATE GOVERNMENT OPERATING WITH CH. II AUTHORITY [3.], WHEN GOVERNOR [29.] 'REFUSES/REJECTS PAROLE RELEASE OF A PARTICULAR LIFER' (EVEN THOUGH AS ABOVE DESCRIBED, THEY HAVE NEVER HAD CONSTITUTIONAL [1.] JURISDICTION OR AUTHORITY TO REJECT APPLICATION BY LIFER), THE ONLY WAYS THE CONVICTED LIFER CAN BE RELEASED FROM CUSTODY THEN IS TO EITHER DIE IN CUSTODY, OR HAVE THEIR COURT IMPOSED NPP REPEATEDLY AND ILLEGALLY EXTENDED BY THE STATE GOVERNMENT, WITH ONLY A FAINT GLIMMER THAT ONE DAY THE STATE MIGHT GRANT PAROLE (BUT THEY SHOULD NOT HOLD THEIR BREATH BECAUSE THE GOVERNOR'S [29.] INVOLVEMENT IS PURELY POLITICALLY BASED ([173., 174., 175., 176. AND 194. (PARA. 61.)]), AND HAS NO REGARD TO CONSTITUTIONAL COMPETENCE [1.], OR FAIR-PLAY, OR FAIR ADMINISTRATION OF LAW, OR THE OBSERVANCE OF DUE PROCESS [65.]. SO MUCH FOR 'FINALITY IN SENTENCING', AND WHY DOES THE STATE GOVERNMENT PERPETRATE A 'SHIFTING SENTENCE' UPON A LIFER WHOSE PAROLE APPLICATION THEY REJECT?

385. AN EXAMINATION OF ALL SOUTH AUSTRALIAN (LIFER ONLY) PAROLE APPLICATIONS BETWEEN 1-1-1987 AND 1-1-2016, WILL SHOW THAT SINCE TRUTH IN SENTENCING [46.] CAME INTO OPERATION ON 1-8-1994, MANY LIFERS HAVE BEEN 'RECOMMENDED FOR PAROLE RELEASE BY THE BOARD', PER CSA. S. 67(6) ([100.]), ONLY TO THEN BE 'REFUSED BY THE GOVERNOR [29.] AND EXECUTIVE COUNCIL/CABINET', AND USUALLY ALSO BEING GIVEN NO REASON WHY GOVERNOR [29.] AND THE POLITICIANS (WATSON [194. (PARA. 61.)]), REFUSED TO GRANT PAROLE, WHICH IN FACT AND EFFECT, IS A VIOLATION OF SUCH LIFER'S CONSTITUTIONAL RIGHT TO FAIR ADMINISTRATION OF THE LAW, INCLUDING FULL DISCLOSURE OF REASONING ASSOCIATED WITH JUDICIAL DECISIONS AFFECTING THEIR LIBERTY IN SOCIETY (AS A PAROLEE), PER. [36., 37., 38. AND 45.]. IT IS BY

MANDATE DEFINED WITHIN THE ABSOLUTE JURISDICTION AND AUTHORITY OF THE CONSTITUTION [1.], THAT ALL CRIMINAL LAW SENTENCING MATTERS MUST BE OPERATIONALLY PURSUED AND EFFECTED, INCLUDING IMPOSED AND WHERE RELEVANT, ALSO AMENDED, BY NO OTHER (WITHIN AUSTRALIA), THAN THE AUSTRALIAN CRIMINAL LAW COURTS, ACTIONING THE COMPETENT JURISDICTION AND AUTHORITY OF CHAPTER III OF THE AUSTRALIAN CONSTITUTION [1.], BEING THE JUDICATURE [3.], AND THEREFORE, IT IS AN ABSOLUTE FACT IN AUSTRALIAN CONSTITUTIONAL (1.) LAW, THAT 'NO POLITICIAN SHALL EVER ENGAGE IN PURSUIT OF OR EFFECT RESULT OF ANY CRIMINAL LAW SENTENCE, UPON ANY PERSON WITHIN SOUTH AUSTRALIAN BORDERS, BECAUSE FIRSTLY, MEMBERS OF PARLIAMENT CANNOT HOLD SEAT AS A CRIMINAL COURT JUDGE, SECONDLY, MEMBERS OF PARLIAMENT CANNOT IMPOSE CRIMINAL LAW SENTENCE UPON A LIFER (ONLY A CRIMINAL LAW SENTENCING COURT CAN), THIRDLY, MEMBERS OF PARLIAMENT HOLD SEAT UNDER CH. II AUTHORITY AND JURISDICTION [3.] (GOVERNMENT OF THE DAY), AND THEREFORE HAVE NO JURISDICTION WITHIN THE JUDICATURE, FOURTHLY, THE OPERATIONAL EFFECTING OF AN INCREASE OF PENALTY OF SENTENCE, BY DIRECT INVOLVEMENT OF GOVERNOR (OF STATE), GOVERNOR [29.] WHICH INCLUDES CABINET/EXECUTIVE COUNCIL, IS A CRIMINAL VIOLATION OF AUSTRALIAN CONSTITUTIONAL LAW (1. AND 3.), AS 'POLITICAL PRISONERS ARE NOT PERMITTED TO BE CREATED (THROUGH ARREST OR CONVICTION OR SENTENCING)', AND SO ANY SENTENCE IMPOSED BY ILLEGAL MEANS (NOT BY CRIMINAL LAW SENTENCING COURT), UNDER SUCH ENVIRONMENT IS A POLITICAL SENTENCE ('POLITICAL PRISONER'), NOT A CRIMINAL LAW SENTENCE. THESE ARE BUT A FEW CLARIFIERS, OF WHICH THERE ARE MANY MORE. [1., 3., 4., 5., 6., 7., 8., 9., 10., 11., 12., 28., 32., 35., 36., 37., 38., 45., 65., 82., 83., 84., 113., 123., 124., 125., 126., 127., 128., 131., 139., 174., 175., 176., 196., 197., 198. AND 194. (PARA. 61.)].

386. IF THE SOUTH AUSTRALIAN GOVERNMENT COMPLIED WITH ALL THE PARTICULARS DESCRIBED WITHIN [35.], THEREBY EFFECTING COMPLIANCE WITH [45.], AS FAR AS 'STATE WANTING TO REFUSE PAROLE RELEASE TO LIFER', THEN ENGAGING REQUIREMENTS IN [38.], A LOT OF THE CRIMES OF THE STATE, AGAINST LIFER APPLICANTS ([94.]), WOULD NOT HAPPEN AND PRISONER WOULD NOT BE SO CRIMINALLY ABUSED BY ILLEGAL ACTIONS OF STATE GOVERNMENT.

IN THIS PART, POWERS OF THE PAROLE BOARD ARE PRIMARY SUBJECT MATTER FOR INVESTIGATION.

387. IT HAS BEEN PUBLICLY DISCLOSED BY THE SOUTH AUSTRALIAN PAROLE BOARD, MANY TIMES SINCE 1-8-1994 ([46.]), THAT THE BOARD IS FRUSTRATED BY STATE GOVERNMENT'S REFUSAL TO PROVIDE THE BOARD, FOLLOWING CSA. SS. 67(6), 67(7) [100. AND 101.], WITH 'REASONS FOR GOVERNOR'S [29. AND 194. (PARA. 61.)], REJECTION OF THE BOARD'S RECOMMENDATIONS CSA. S. 67(6) [100.] (AS DEFINED PER REQUIREMENT IN CSA. SS. 67(6), 67(6)(A)(i), 67(6)(A)(ii) [100.], [SEE PARAGRAPH 362. IBID])'. [132., 173., 174., 175., 176., 188. AND 189.]

388. WHAT I DON'T UNDERSTAND IS WHY THE PAROLE BOARD DECLINED OR REFUSED TO INVOKE THE INTENTION OF PARLIAMENT, IN THE AUTHORITY OF CSA. SS. 63(1)(B), 63(1)(C), 63(2)(A) [202. AND 203.], AND HOLD THE GOVERNOR, THE PREMIER, THE ATTORNEY-GENERAL, AND CABINET/EXECUTIVE COUNCIL TO ACCOUNT FOR SUCH REFUSAL TO PRODUCE?

389. OBVIOUSLY, CABINET CONFIDENTIALITY WILL NOT BE BREACHED ([194. (PARA. 133.)]), SO DISCUSSIONS OF AND BY CABINET AND DECISIONS OF AND BY CABINET/EXECUTIVE COUNCIL, IN TRANSCRIBED FORM, WILL NOT BE RELEASED TO THE PAROLE BOARD, AND CANNOT BE RELEASED EITHER, YET THE FORMAL INVOCATION, BY SUMMONS, OF [202.], WOULD BRING TO LIGHT IN A CRIMINAL COURT ARENA (IF PART OF PENALTY CAN BE IMPRISONMENT FOR ANY PERIOD OF TIME, THEN CRIMINAL LAW JURISDICTION IS IN EFFECT), THE IMPROPER ACTIONS OF GOVERNOR AND GOVERNOR [29.], WHERE THEY FIRSTLY CLAIM JURISDICTION AND AUTHORITY TO 'HAVE INVESTIGATIVE DISCRETION, OF WHETHER OR NOT TO GRANT PAROLE TO A LIFER' (THOUGH, AS I HAVE DESCRIBED ABOVE, IN OTHER SECTIONS OF THIS DOCUMENT, THE ACTUAL FIELD/SCOPE OF JURISDICTION AND AUTHORITY FOR THE GOVERNOR [29.], AFTER RECEIVING BOARD'S THREE RECOMMENDATIONS (WITHIN [100.], [SEE PARAGRAPH 362. IBID]), IS VERY NARROW, AND IN BEING SO NARROW IN SCOPE IT DOES NOT BREACH

THE MANDATORY COMPLIANCE REQUIREMENT OF [28.]), THEN 'ILLEGALLY USE SUCH FRAUDULENT AUTHORITY (WHICH IS A FALSE AUTHORITY), AND ILLEGALLY REFUSE TO GRANT PAROLE RELEASE TO RESPECTIVE LIFER APPLICANT, AND REFUSE TO PRESENT WRITTEN REASONS FOR REJECTING BOARD'S THREE RECOMMENDATIONS (WITHIN [100.]), AND REFUSE TO PRESENT WRITTEN REASONS FOR REFUSING TO APPROVE LIFER'S PAROLE RELEASE APPLICATION, AND BOARD'S DECISION TO RELEASE LIFER-ON PAROLE'.

390. THE CONFINEMENT OF PAROLE BOARD'S COMPETENT JURISDICTION AND AUTHORITY, AND THE VERY NARROW SCOPE OF GOVERNOR [29.] AND CABINET/EXECUTIVE COUNCIL COMPETENT JURISDICTION AND AUTHORITY, IS EXPRESSED IN ABOVE PARAGRAPHS, INCLUDING [PARAGRAPHS 300, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 319, 320, 321, 349, 350, 351, 352, 353, 354, 356, 357, 358, 359, 360, 361 AND 362. IBID]. THE COURT WAS ERRONEOUS IN WATSON [194.], WHERE IT DESCRIBED GOVERNOR AS HAVING 'BROAD SCOPE', WHICH I HAVE DEMONSTRATED IN OTHER SECTIONS OF THIS DOCUMENT IN DEFINITIVE EXPRESSION (IN RELATION TO ROLE OF GOVERNOR, AND JURISDICTION OF SAME, WITHIN PAROLE APPLICATION PROCESSES [94.]).

391. IT IS INCREDIBLE TO REALISE THAT THE PAROLE BOARD HAS ENTERTAINED THE FALSE AUTHORITY AND JURISDICTION OF GOVERNOR [29.], SINCE 1-8-1994 ([46.]), WITHOUT EVEN KNOWING AND EFFECTING THE FULL CONSTITUTIONAL COMPETENCE, JURISDICTION AND AUTHORITY ([1.]) WHICH IT HAS OWNED SINCE 1-8-1994 ([46.]). PAROLE BOARD HAS ITS AUTHORITY WRITTEN IN STATUTE AND CASE LAW (REGARDING PAROLE APPLICATIONS BY LIFERS IN SOUTH AUSTRALIA), PER CSA. s. 67 DUE PROCESS. PRIOR TO [46.], THE AUTHORITY OF GOVERNOR, GOVERNOR AND CABINET/EXECUTIVE COUNCIL, AND PAROLE BOARD WAS VERY LIMITED CONCERNING LIFERS APPLYING FOR PAROLE. THE BOARD'S LIMITED AUTHORITY, AND GOVERNOR'S [29.] LIMITED AUTHORITY CONCERNING 'AUTOMATIC PAROLE ENTITLEMENTS AND RIGHTS' (AS ACCRUED RIGHTS, OWNED BY LIFERS ('PRISONER A.' TYPE)), PRIOR TO 1-8-1994 [46.], WAS ADMINISTRATIVELY CONTROLLED THROUGH THE CSA. [124., 125., 126., 127. AND 128.], AND LATER AMENDMENTS INCLUDING [129. AND 130.].

392. PARLIAMENT, WHO CREATED AND PASSED SUCH LEGISLATIVE AMENDMENTS (EFFECTING 'AUTOMATIC PAROLE ENTITLEMENTS'), AGAIN HEARD OF THE RIGHTS AND ENTITLEMENTS OF 'AUTOMATIC PAROLE FOR LIFERS' IN PARLIAMENT IN 1994 [139.].

393. PRIOR TO 1983 LEGISLATIVE AMENDMENTS (WHICH BROUGHT IN 'AUTOMATIC PAROLE FOR LIFERS' [139.], LATER EXPRESSED AS [124., 125., 126., 127. AND 128.]), THE LIFER COULD APPLY FOR PAROLE, BUT "THE PAROLE BOARD HAD A DISCRETION AS TO WHETHER OR NOT THE PRISONER SHOULD BE RELEASED." [SOURCE IS HANSARD OF [136.] AT PAGE 922]
394. THEN THE 'BOARD'S (AND GOVERNOR'S [29.]) DISCRETION' WAS REMOVED FROM BOARD AND GOVERNOR BY 1983 CSA. AMENDMENTS, EFFECTING 'AUTOMATIC PAROLE'.
395. WITHIN THE BOARD'S "DISCRETION" (PRE 1983 AMENDMENTS), WAS THE INTRINSIC LINK AND ASSOCIATED COLLABORATION WITH GOVERNOR, BEING 'ABSOLUTE DISCRETION', DETERMINING IF LIFER APPLYING FOR PAROLE WAS GRANTED PAROLE RELEASE OR NOT. AFTER 1983 AMENDMENTS BOTH PAROLE BOARD AND GOVERNOR [29.], HAD THE (PRIOR) 'ABSOLUTE DISCRETION' TAKEN FROM THEM AND REPLACED WITH 'NO DISCRETION', ABOUT PAROLE RELEASE FOR LIFER APPLICANT (PROVIDING LIFER APPLICANT MET CONDITIONS FOR RELEASE ON PAROLE), WHICH IS WHERE THE 'AUTOMATIC PAROLE' EFFECT CAME INTO PLAY.
396. THE JURISDICTION ON THE BOARD (AFTER [126., 127. AND 128.], AND PRIOR TO [46.] AT 1-8-1994), IS DESCRIBED IN CSA. SS. 66(3), 66(3)(A), 66(3)(B) [128.], WHEREIN THE 'NO DISCRETION' FEATURE APPLIED, AND THE JURISDICTION OF THE 'GOVERNOR' IN CSA. S. 66(3)(B) [128.], ALSO HAD 'NO DISCRETION' AVAILABLE TO THEM. THEREFORE, THE GOVERNOR ([29.]), WITH 'NO DISCRETION' PERMITTED IN WORDING WITHIN CSA. ([64.]), HAD A VERY NARROW SCOPE OF 'AUTHORITY WITHIN WHICH IT WAS CONSTITUTIONALLY COMPETENT ([1.]) TO OPERATIONALLY EFFECT AN 'OUTCOME'. NOTE THE SPECIFIC WORDING IN [128.] "... IS TO BE SUBJECT TO THE GOVERNOR FOR APPROVAL.". NOTE THE SIMILARITY IN WORDS IN CSA. S. 67(6)(B) [100.] "... TO THE GOVERNOR FOR APPROVAL.". THE LAST FIVE WORDS IS EXACTLY THE SAME!
397. MY ARGUMENT (AGAINST THE PAROLE BOARD, GOVERNOR [29.], AND THE STATE GOVERNMENT OPERATING UNDER CH. II [3.] AUTHORITY), IS THAT BOTH PORTIONS OF TEXT, THAT FROM [128.], AND THAT FROM [100.], DON'T JUST 'LOOK THE SAME', THEY IN FACT AND IN LAW, HAVE THE 'SAME MEANING AND ASSOCIATED JURISDICTIONAL COMPETENCE AND AUTHORITY', WHICH HAS BEEN FURTHER DESCRIBED IN ABOVE SECTIONS OF THIS DOCUMENT, WHICH IS LIMITED AND RESTRICTED TO ONLY 'REVIEWING THE

BOARD'S RECOMMENDATIONS', WHERE IN [128.] THE BOARD IS RESTRICTED TO ONLY TWO RECOMMENDATIONS, SHOWN IN CSA. s. 66(3)(B), AND IS "PERIOD OF PAROLE", AND "THE CONDITIONS", BUT IN [100.] THE BOARD IS RESTRICTED TO THREE RECOMMENDATIONS, SHOWN IN CSA. ss. 67(6), 67(6)(A)(i), 67(6)(A)(ii), AND IS "RECOMMEND... PRISONER BE RELEASED FROM PRISON ON PAROLE", AND "A DAY ON WHICH", AND "A PERIOD OF".

398. WITH THE RESTRICTED 'TWO RECOMMENDATIONS' DESCRIBED IN LAST PARAGRAPH, THEY ARE 'DISCRETIONARY RECOMMENDATIONS' BECAUSE THE BOARD HAS OPTIONS ATTACHED TO THEM. THE FIRST OF THE TWO IS DESCRIBED IN CSA. ss. 66(2) [127.], AND RELATES TO 'CONDITIONS ON PAROLE' (66(2)(A), 66(2)(B)). THE SECOND OF THE TWO IS DESCRIBED IN CSA. s. 66(3)(A) [128.], AND RELATES TO 'TERM OF PAROLE' (66(3), 66(3)(A)). THEY ARE BOTH THEN EMBODIED WITHIN CSA. s. 66(3)(B) [128.], AS "ITS RECOMMENDATIONS AS TO THE PERIOD OF PAROLE AND THE CONDITIONS".

399. IN THE LAST PARAGRAPH, THE FIRST RECOMMENDATION CSA. s. 66(2) (CONDITIONS), HAS ITS EQUAL IN CSA. s. 67(6)(A)(i), DESCRIBED IN [PARAGRAPH 362, IBID] AS THE '2ND RECOMMENDATION OF THE 3RD FEATURE', AND THE SECOND RECOMMENDATION CSA. s. 66(3)(A) (TERM), HAS ITS EQUAL IN CSA. s. 67(6)(A)(ii), DESCRIBED IN [PARAGRAPH 362, IBID] AS THE '3RD RECOMMENDATION OF THE 3RD FEATURE'. ALL FOUR RECOMMENDATIONS (FROM CSA. s. 66 AND CSA. s. 67.), ARE 'DISCRETIONARY RECOMMENDATIONS' IN THAT THE BOARD CAN DECIDE AT ITS OWN DISCRETION, THE CONDITIONS OF PAROLE AND THE DURATION OF PAROLE.

400. IT IS NOW APPROPRIATE TO NOTE THE PRIMARY DIFFERENCES BETWEEN CSA. s. 66 [126.], WHICH HAS NO DISCRETION ATTACHED TO IT (HENCE 'AUTOMATIC PAROLE', WHERE THE BOARD, GOVERNOR AND GOVERNOR [29.] (CABINET/EXECUTIVE COUNCIL), HAVE NO CONSTITUTIONAL [1.] JURISDICTION OR AUTHORITY TO REFUSE PAROLE RELEASE OF LIFER, IF LIFER MEETS REQUIRED CONDITIONS, WHICH WERE WRITTEN INTO CSA. ss. 66(2)(A)(i), 66(2)(A)(ii), 66(2)(B)), THEREFORE REGARDING CSA. s. 66(1) [126.], IT IS NOT A RECOMMENDATION (EITHER, BECAUSE IT IS A MANDATORY OPERATIONAL EVENT WHICH MUST BE EFFECTED BY THE SOUTH AUSTRALIAN GOVERNMENT (SEE "SHALL ORDER THAT" [126.], AND APPLICATION OF AIA. s. 34 [30.]), COMPARED TO CSA. s. 67(6) [100.], WHICH IS ENTIRELY DISCRETIONARY UPON THE BOARD (BECAUSE WITHIN THE BOARD'S

CONSTITUTIONAL [1.] COMPETENCE TO MAKE DETERMINATION (WITH DISCRETIONARY RIGHT AND JURISDICTIONAL AUTHORITY), THE BOARD HAS A DISCRETION AVAILABLE TO THEM, WITHIN [100.] TO EITHER 'RECOMMEND PAROLE RELEASE' OR 'REFUSE TO RELEASE' WHICH THEN EMPLOYS CSA. s. 67(9) [107.], THEREFORE REGARDING CSA. s. 67(6) [100.], IT IS A DISCRETIONARY RECOMMENDATION (WHICH IS DESCRIBED FURTHER AT [PARAGRAPH 362. IBID] AS THE '1ST RECOMMENDATION OF THE 3RD FEATURE', WHEREBY WITHIN THE '3RD FEATURE' (WHEREIN THE BOARD MAKES ITS 'RECOMMENDATIONS'), THE 1ST RECOMMENDATION IS WHETHER OR ~~■~~ NOT TO GRANT PAROLE, AND ONLY IF PAROLE IS RECOMMENDED BY THE BOARD, WILL THE BOARD THEN PROGRESS TO THE 2ND AND 3RD RECOMMENDATIONS (FOR APPROVAL BY GOVERNOR [29.], BUT WHERE PAROLE IS NOT RECOMMENDED ^{THEN} ~~RECOMMENDED~~ BOARD DOES NOT MAKE ANY 2ND OR 3RD RECOMMENDATIONS)), ALL THREE BOARD RECOMMENDATIONS ARE DISCRETIONARY IN SUCH RESPECT.

401. IN BOTH THE CSA. s. 66 (66(1), 66(2), 66(3)), AND CSA. s. 67(6) (67(6), 67(6)(A)(i), 67(6)(A)(ii)), [126., 127., 128. AND 100.], THERE ARE ~~■~~ THREE DISTINCT EVENTS WHICH MUST MAINTAIN THEIR RESPECTIVE INDIVIDUALITY. WITHIN THE CSA. s. 66 GROUP (OF THREE), THE FIRST IS MANDATORY, AFTER WHICH THE NEXT TWO HAVE DISCRETIONARY CHARACTERISTICS. WITHIN THE CSA. s. 67. GROUP (OF THREE), THE FIRST IS DISCRETIONARY (AND IF PAROLE IS RECOMMENDED THEN), THE NEXT TWO HAVE DISCRETIONARY CHARACTERISTICS, ALSO.

THREE DISTINCT EVENTS

CSA. s. 66. GROUP	CSA. s. 67. GROUP
66(1) MANDATORY 'AUTOMATIC PAROLE' (NO DISCRETION) (NOT A RECOMMENDATION)	67(6) DISCRETIONARY 'PAROLE' (WITH DISCRETION) (IS A RECOMMENDATION)
66(2) PAROLE CONDITIONS (DISCRETIONARY RECOMMENDATIONS)	*IF PAROLE RECOMMENDED THEN - 67(6)(A)(i) DAY OF 'PAROLE RELEASE' (DISCRETIONARY RECOMMENDATION)
66(3)(A) PAROLE LENGTH (DISCRETIONARY RECOMMENDATIONS)	67(6)(A)(ii) PAROLE LENGTH (DISCRETIONARY RECOMMENDATION)

402. IN THE LAST PARAGRAPH THE TABLE IDENTIFIES THE CSA. s. 66 GROUP OF THREE DISTINCT EVENTS (FIRST, 66(1) WHICH IS MANDATORY (AND HAS THE ADDITIONAL DISTINCTION OF BEING A CONSTITUTIONALLY ([1.]) PROTECTED ACCRUED RIGHT AND ENTITLEMENT TO 'AUTOMATIC PAROLE', WITH EVEN GREATER CHARACTERISTIC OF EQUATING IN REAL TERMS AND REAL OPERATIONAL EFFECT, ~~OWN~~ TO A 'DEFACTO HEAD SENTENCE WHICH IS NOT "LIFE"', AND HAS BEEN DESCRIBED IN GREATER DETAIL IN OTHER SECTIONS OF THIS DOCUMENT, AND IS BY CHARACTER, ONE OF THE TWO FUNDAMENTAL ITEMS STOLEN FROM ME BY THE STATE GOVERNMENT, 'MY ACCRUED RIGHT TO AUTOMATIC PAROLE', THE OTHER IS 'MY ACCRUED RIGHT TO REMISSIONS SYSTEM CALCULATED TO MY 2002 JUDGMENT' ([74., 80., 78., 77., 137., 139., 45., 53. AND 75.])), SECOND, 66(2) WHICH IS A RECOMMENDATION AND HAS DISCRETIONARY ASPECTS (REGARDING CONDITIONS RELEVANT TO RESPECTIVE LIFER), THIRD, 66(3)(A) WHICH IS A RECOMMENDATION AND HAS DISCRETIONARY ASPECTS (REGARDING LENGTH OF PAROLE RELEASE, BETWEEN THREE YEARS AND TEN YEARS)), AND THE CSA. s. 67(6) GROUP OF THREE DISTINCT EVENTS (FIRST, 67(6) WHICH IS A RECOMMENDATION AND HAS DISCRETIONARY ASPECTS (REGARDING 'TO APPROVE' OR 'TO REFUSE' PAROLE RELEASE OF RESPECTIVE LIFER), SECOND, 67(6)(A)(i) WHICH IS A RECOMMENDATION AND HAS DISCRETIONARY ASPECTS (REGARDING DAY OF PAROLE RELEASE, AS A RECOMMENDED DATE), THIRD, 67(6)(A)(ii) WHICH IS A RECOMMENDATION AND HAS DISCRETIONARY ASPECTS (REGARDING LENGTH OF PAROLE RELEASE)).

403. WITHIN THE CSA. s. 66 GROUP, WHICH ALSO EMBODIES THE SENTENCING STANDARDS WHICH WERE IN OPERATION IMMEDIATELY PRIOR TO TRUTH IN SENTENCING AMENDMENTS, WHICH CHANGED ON 1-8-1994 [46.], THE AUTHORITY OF THE BOARD AFTER EFFECTING CSA. s. 66(1) [126.], WAS TO 'MAKE RECOMMENDATIONS WHICH WERE THEN FORWARDED TO GOVERNOR [29.] FOR APPROVAL' ([127. AND 128.]), AND IF GOVERNOR [29.] DID NOT APPROVE THE BOARD'S TWO RECOMMENDATIONS (BEING WITHIN CSA. ss. 66(2) AND CSA. s. 66(3)(A)), OR EVEN IF ONLY ONE RECOMMENDATION WAS APPROVED BY GOVERNOR [29.], THEN WHICHEVER WAS 'NOT APPROVED' WAS RETURNED TO THE BOARD, FOR AMENDING, AND THE AMENDED RECOMMENDATION WAS AGAIN RETURNED TO THE GOVERNOR [29.], AND SO ON UNTIL BOTH RECOMMENDATIONS (OF THE BOARD), WERE 'APPROVED BY THE GOVERNOR' [29.]. THOSE DESCRIBED ACTIONS, WHICH WERE

WRITTEN CLEARLY, POSITIVELY AND AFFIRMATIVELY IN THE RELEVANT LEGISLATION [64.], AT [126., 127. AND 128.], IDENTIFIED THE INTENTIONS OF PARLIAMENT, SPECIFICALLY REGARDING THE RESTRICTED JURISDICTION OF THE BOARD [126.], AND FOLLOWING THE ACTIONS OF THE BOARD ([126., 127. AND 128. (CSA. s. 66(3)(A))]), THEN, THE VERY NARROW SCOPE AND JURISDICTION OF THE GOVERNOR [29.] WHICH 404. THEREIN INCLUDED CABINET/EXECUTIVE COUNCIL. SUCH CONFINEMENT OF RESTRICTED JURISDICTIONAL COMPETENCE OF GOVERNOR [29.], IS ANCHORED WITH ONLY THE 'OPERATIONAL APPROVAL OF BOARD'S RECOMMENDATIONS' (ALTHOUGH, AS ABOVE DESCRIBED, IF GOVERNOR [29.] DOES NOT APPROVE A BOARD'S RECOMMENDATION, THEN RESPECTIVE RECOMMENDATION IS SENT FROM GOVERNOR [29.] BACK TO THE BOARD FOR AMENDING, THEN BACK TO GOVERNOR [29.] FOR APPROVAL, AND SO ~~ON~~ ON UNTIL GOVERNOR [29.] APPROVES BOARD'S RECOMMENDATIONS), SHOWN AS CSA. s. 66(2)(B) [127.] "BY THE BOARD AND APPROVED BY THE GOVERNOR", AND CSA. s. 66(3)(B) [128.] "IS TO BE SUBJECT TO THE GOVERNOR FOR APPROVAL.", AND IN NO WAY DOES IT PERMIT THE GOVERNOR, GOVERNOR [29.], OR CABINET/EXECUTIVE COUNCIL TO PURSUE ANY OPERATIONAL OUTCOME (RELATING TO PAROLE APPLICATION BY PRISONER, PER [126.] ACCRUED RIGHTS AND ENTITLEMENTS), WHICH TAKES AWAY FROM THE RESPECTIVE LIFER THEIR ABSOLUTE, CONSTITUTIONALLY ([1.]) PROTECTED, ACCRUED RIGHT TO 'AUTOMATIC PAROLE RELEASE', IN SIMPLE TERMS, THE GOVERNOR [29.] CAN'T OFFICIALLY 'CONSIDER' OR 'DETERMINE' IF A LIFER SHOULD BE RELEASED ON PAROLE (THE GOVERNOR [29.] HAD NO SUCH JURISDICTION OR DISCRETION).

405. WITHIN THE CSA. s. 67 GROUP ([SEE PARAGRAPH 401. IBID]), WHICH EMBODIES THE SENTENCING STANDARDS KNOWN AS TRUTH IN SENTENCING LEGISLATION [46.], COMMENCING 1-8-1994 [46.], THE AUTHORITY OF THE BOARD WITHIN THE PROCESSING PHASES OF A PAROLE-RELEASE APPLICATION BY LIFER [94.], DESCRIBED AT [PARAGRAPH 362. IBID], AS THE '3RD FEATURE' WHEREIN THE BOARD 'MAKES A DETERMINATION' (TO RECOMMEND ~~THE~~ PAROLE RELEASE, WHICH IN FACT FORMS THE '1ST RECOMMENDATION OF THE BOARD' WITHIN CSA. s. 67(6) [100.]), IS TO 'MAKE RECOMMENDATIONS WHICH ARE THEN FORWARDED TO GOVERNOR [29.] FOR APPROVAL' ([100.]), AND IF GOVERNOR [29.] DID NOT APPROVE ANY OR ALL OF THE BOARD'S THREE RECOMMENDATIONS (BEING WITHIN CSA, ss. 67(6),

67(6)(A)(i) AND 67(6)(A)(ii)), THEN WHICHEVER WAS 'NOT APPROVED' BY GOVERNOR [29.] SHOULD HAVE BEEN RETURNED TO THE BOARD, FOR AMENDING, AND THE AMENDED RECOMMENDATION/S SHOULD HAVE AGAIN BEEN FORWARDED TO GOVERNOR [29.] FOR APPROVAL, AND THEN REPEAT THE 'RETURN PROCESS' UNTIL ALL THREE BOARD RECOMMENDATIONS ARE 'APPROVED BY THE GOVERNOR' [29.]. THOSE DESCRIBED ACTIONS, WHICH WERE WRITTEN CLEARLY, POSITIVELY AND AFFIRMATIVELY IN THE RELEVANT LEGISLATION ([64.]), AT [100. AND 101.], IDENTIFIED THE INTENTIONS OF PARLIAMENT, SPECIFICALLY REGARDING THE RESTRICTED JURISDICTION OF THE BOARD [100.], AND FOLLOWING THE ACTIONS OF THE BOARD ([100. (CSA. ss 67(6), 67(6)(A)(i), 67(6)(A)(ii))]), THEN THE VERY NARROW SCOPE AND JURISDICTION OF THE GOVERNOR [29.] WHICH THEREIN

406. INCLUDED CABINET/EXECUTIVE COUNCIL. SUCH CONFINEMENT OF RESTRICTED JURISDICTIONAL COMPETENCE OF GOVERNOR [29.], IS ANCHORED WITH ONLY THE 'OPERATIONAL APPROVAL OF BOARD'S THREE RECOMMENDATIONS' (ALTHOUGH, AS ABOVE DESCRIBED, IF GOVERNOR [29.] DOES NOT APPROVE A BOARD'S RECOMMENDATION, THEN RESPECTIVE RECOMMENDATION IS SENT FROM GOVERNOR [29.] BACK TO THE BOARD FOR AMENDING, THEN BACK TO GOVERNOR [29.] FOR APPROVAL, AND SO ON UNTIL GOVERNOR [29.] APPROVES ALL THREE BOARD RECOMMENDATIONS), SHOWN AS CSA. s. 67(6) [100.] "RECOMMEND TO THE GOVERNOR THAT THE PRISONER BE RELEASED", AND CSA. s. 67(6)(A)(i) [100.] "DAY... TO BE RELEASED ON PAROLE", AND CSA. s. 67(6)(A)(ii) [100.] "PERIOD... PRISONER SHOULD CONTINUE ON PAROLE", WITH ALL THREE BOARD RECOMMENDATIONS THEN BEING FORWARDED "TO THE GOVERNOR FOR APPROVAL." (CSA. s. 67(6)(B) [100.]), AND IN NO WAY DOES IT PERMIT THE GOVERNOR, GOVERNOR [29.], OR CABINET/EXECUTIVE COUNCIL TO PURSUE ANY OPERATIONAL OUTCOME (RELATING TO PAROLE APPLICATION BY PRISONER, PER [94.] ACCRUED RIGHTS AND ENTITLEMENTS), WHICH TAKES AWAY FROM THE RESPECTIVE LIFER THEIR ABSOLUTE, CONSTITUTIONALLY ([1.]) PROTECTED, ACCRUED RIGHT TO HAVE 'THE SENTENCE DETERMINED AND IMPOSED UPON THEM BY THE CRIMINAL LAW SENTENCING COURT, AND NO SUBSTITUTED AND FRAUDULENTLY CREATED STATE GOVERNMENT INCREASE IN PENALTY OF SAME COURT'S SENTENCE, WHOLELY ENFORCED BY THE STATE GOVERNMENT REGARDING PENALTY OF SENTENCE IN TERM OF INCARCERATION, AND PAROLE ATTRIBUTES', IN SIMPLE TERMS, THE GOVERNOR [29.] CAN'T OFFICIALLY 'CONSIDER'

OR 'DETERMINE' IF A LIFER SHOULD BE RELEASED ON PAROLE (THE GOVERNOR [29.] HAS NO SUCH JURISDICTION OR DISCRETION WITHIN CONSTITUTIONAL [1.] COMPETENCE).

407. I HIGHLIGHT THE SIGNIFICANT SIMILARITY IN WORDS BETWEEN [126., 127. AND 128.] AND [100.], REGARDING 'APPROVAL OF GOVERNOR, TO THE GOVERNOR FOR APPROVAL, ETC.', IN THAT THERE IS NO NEGATIVE EXPRESSION AVAILABLE TO THE GOVERNOR WITHIN SUCH SECTIONS OF RESPECTIVE LEGISLATION. THEREFORE, THEY HAVE THE SAME MEANING, WHICH IS WHAT I'VE ARGUED IN ABOVE SECTIONS OF THIS DOCUMENT, BEING THAT GOVERNOR IS ONLY CONSTITUTIONALLY AUTHORISED TO "APPROVE" "BOARD'S RECOMMENDATIONS", AND IS NOT AUTHORISED TO 'REFUSE A PAROLE APPLICATION PROPER'.

408. TO OBSERVE [64.], I MUST ASK THE MOST OBVIOUS QUESTIONS OF THE PAROLE BOARD, THE GOVERNOR, CABINET/EXECUTIVE COUNCIL AND THE STATE GOVERNMENT OF SOUTH AUSTRALIA:

- 1) WHO TOLD PAROLE BOARD THAT GOVERNOR [29.] COULD 'REFUSE A PAROLE APPLICATION'? CONSIDERING, CONSTITUTION [1.] DOESN'T AUTHORISE THEM [29.]!
- 2) WHO TOLD GOVERNOR AND CABINET THAT THEY HAD 'AUTHORITY TO REFUSE PAROLE APPLICATION OUTRIGHT'? CONSIDERING, CONSTITUTION [1.] DOESN'T AUTHORISE THEM [29.]!
- 3) WHERE ARE THE CLEAR WORDS WITHIN CSA [46.] WHICH PURPORT TO GIVE THE GOVERNOR, GOVERNOR [29.] AND CABINET/EXECUTIVE COUNCIL, THEIR CLAIMED JURISDICTIONAL AUTHORITY TO 'CONSIDER A PAROLE APPLICATION PROPER', AND/OR 'MAKE ANY DETERMINATION REGARDING PAROLE APPLICATION PROPER', AND/OR 'REFUSE/REJECT ANY PAROLE APPLICATION PROPER'? CONSIDERING, NOT ONLY DO SUCH (REQUIRED) WORDS NOT EXIST (BETWEEN [46.] AND [102., 103., 104. AND 105.]), ~~THESE~~ THOSE REQUIRED WORDS NEED TO BE VISIBLE SO WE CAN ACTUALLY SEE THEM!
- 4) THE ILLEGAL CREATION AND ASSENT INTO LEGISLATION, OF [102., 103., 104. AND 105.], NEGLECTS TO OBTAIN OR RECEIVE CONSTITUTIONAL [1.] COMPETENCE IN ITS FRAUDULENTLY CLAIMED JURISDICTION AND AUTHORITY, AND IN FACT IS PROHIBITED FROM BEING 'LAWFULLY CREATED, IN SUCH WORDED MANNER AND IN ITS OPERATIONAL INTENTIONS', BY CH. I [3.] JURISDICTION, CH. III [3.] AUTHORITY,

THE CONSTITUTION [1.], AIA. s. 12 [16.], AIA. s. 22A. [28.], CLSA. [34.], CLSA. s. 56. [45.], CLSA. s. 32. [38.], CSA. s. 77(3) [113.], CSA. s. 77(4)(c), [131.] AND [196.] ("NO RETROSPECTIVE OPERATION", HCA), SO WHY WAS S.A. PARLIAMENT ALLOWED TO BE 'UNLAWFULLY USED' TO 'CREATE A CRIMINALLY FALSE AUTHORITY', FOR THE STATE GOVERNMENT (CH.II [3.]) TO THEN 'ILLEGALLY EFFECT INTO OPERATION' (VIA GOVERNOR AND CABINET/EXECUTIVE COUNCIL [29.], AND IN SUCH A MANNER AND EFFECT TO THEN 'CAUSE CRIMINAL DETRIMENT TO A LIFER PAROLE APPLICANT'?