

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.]¹. [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} ~~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.]¹), IS VERY NARROW, AND IN BEING SO NARROW IN SCOPE IT DOES NOT BREACH

THE MANDATORY COMPLIANCE REQUIREMENT OF [28.1], THEN ILLEGALLY USE SUCH ^{Authority} 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 [100.1], 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 [29.1] 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 [194.1], 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 [94.1]).

391. IT IS INCREDIBLE TO REALISE THAT THE PAROLE BOARD HAS ENTERAINED THE FALSE AUTHORITY AND JURISDICTION OF GOVERNOR [29.1], SINCE 1-8-1994 ([46.1]), WITHOUT EVEN KNOWING AND EFFECTING THE FULL CONSTITUTIONAL COMPETENCE, JURISDICTION AND

AUTHORITY ([1.1]) WHICH IT HAS OWNED SINCE 1-8-1994 ([46.1]). 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 [46.1], 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 GOVERNORS [29.1] LIMITED AUTHORITY CONCERNING 'AUTOMATIC PAROLE ENTITLEMENTS AND RIGHTS' (AS ACCRUED RIGHTS, OWNED BY LIFERS ('PRISONER A' TYPE)), PRIOR TO 1-8-1994 [46.1], WAS ADMINISTRATIVELY CONTROLLED THROUGH THE CSA. [124, 125, 126, 127, AND 128.1], AND LATER AGREEMENTS INCLUDING [129, AND 130.1]. 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 [139.1].

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 'BOARDS (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} 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 [L.I.] PROTECTED ACCRUED RIGHT AND ENTITLEMENT TO 'AUTOMATIC PAROLE', WITH EVEN GREATER CHARACTERISTIC OF EQUATING IN REAL TERMS AND REAL OPERATIONAL EFFECT, ~~WHICH~~ 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 LATER 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" "BOARDS' 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.]), ~~THOSE~~ 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'?