

IN THE LOCAL COURT
PARRAMATTA

MAGISTRATE REISS

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WEDNESDAY 12 OCTOBER 2022

2022/00250994 - R v John WILSON

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OFFENCES Destroy or damage property <=\$2,000
 Use carriage service to menace/harass/offend

2022/00250993 - R v JOHN WILSON

15

PERSON IN NEED OF PROTECTION: JENNI ALICIA HARVEY

CLOSED COURT

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COMPLAINT Apprehended violence order

Sergeant Ferguson for the Informant
Accused appeared in person

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HIS HONOUR: John Wilson.

ACCUSED: Good morning.

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HIS HONOUR: You're John Wilson, are you?

ACCUSED: Yeah. That's right. What's your name? What is your name?

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HIS HONOUR: We're not taking turns. You're John Wilson?

ACCUSED: Yeah. Who are you?

HIS HONOUR: I'm the magistrate.

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ACCUSED: Yeah, who? What's your name?

HIS HONOUR: Is it relevant?

ACCUSED: Course it is. You know my name.

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HIS HONOUR: Yes.

ACCUSED: We're equals.

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HIS HONOUR: You can see it on the list outside there.

ACCUSED: I didn't see that.

5 HIS HONOUR: They put the names there. You're John Wilson and--

ACCUSED: Yeah.

HIS HONOUR: Sorry, sir, you're filming?

10 SPEAKER: Is that all right?

HIS HONOUR: No. It's illegal.

ACCUSED: It's not, you know.

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HIS HONOUR: It's an offence. It's an offence. Why are you filming?

SPEAKER: I didn't know it was an offence.

20 HIS HONOUR: But why are you doing it?

SPEAKER: I thought it was interesting.

ACCUSED: It's a public Court.

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HIS HONOUR: All right. Well, perhaps the sheriffs might have a word with him. Perhaps the sheriff's might have a word with him. Who is he to you?

ACCUSED: He's actually a member of what they call a common law group and they're interested in the story.

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HIS HONOUR: No, I can guess what they're interested in. Just a moment.

ACCUSED: I went along to a meeting last Sunday and he was there and I told him about the, I told them all about this and he's come along. He probably--

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HIS HONOUR: All right. Now, just one moment.

ACCUSED: Can I just, while you have--

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HIS HONOUR: No, just wait.

ACCUSED: You have a notice--

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HIS HONOUR: Just wait.

ACCUSED: You have a notice--

HIS HONOUR: Just wait.

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ACCUSED: You have my notice--

HIS HONOUR: I'm telling you to wait.

5 ACCUSED: Yeah, but you have my notice of special appearance.

HIS HONOUR: Wait or you will be in contempt of Court.

ACCUSED: I'm not in contempt Court. You are.

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HIS HONOUR: Can we have the sheriff officer in here, please?

ACCUSED: This is all going on the transcript.

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HIS HONOUR: Stop.

ACCUSED: You have my notice of special--

HIS HONOUR: Stop.

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ACCUSED: --appearance.

HIS HONOUR: Stop.

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ACCUSED: I'm challenging the--

HIS HONOUR: Stop.

ACCUSED: I'm challenging--

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HIS HONOUR: Stop.

ACCUSED: --the jurisdiction of the Court.

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HIS HONOUR: I'll hear from you in a moment.

ACCUSED: You won't hear from me. You've got no jurisdiction to hear it.

HIS HONOUR: Do you have mental health issues?

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ACCUSED: No. Do you?

HIS HONOUR: I'm asking you. Do you have mental health issues?

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ACCUSED: No. Do you? Do you?

HIS HONOUR: You're presenting--

ACCUSED: Why--

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HIS HONOUR: --as having--

ACCUSED: Why--

5 HIS HONOUR: --a mental--

ACCUSED: Why are you doing wrong?

10 HIS HONOUR: Just stop. I'm not going to--

ACCUSED: You are - why are you doing wrong?

HIS HONOUR: Stop. I'm not going to engage with you.

15 ACCUSED: Why are you doing wrong? You were sworn to do right to all manner of people without fear or favour, affection or ill will. Why are you doing wrong?

20 HIS HONOUR: All right, now. There are two matters before the Court.

ACCUSED: No, you cannot have - you cannot hear this. All you, all the--

HIS HONOUR: You follow--

25 ACCUSED: All the--

HIS HONOUR: --my directions.

30 ACCUSED: All that's--

HIS HONOUR: You're not in charge.

ACCUSED: All that's been done--

35 HIS HONOUR: Stop, Mr Wilson.

ACCUSED: No, I won't stop at all. You stop because I am--

40 HIS HONOUR: You're not in charge.

ACCUSED: --challenging the jurisdiction of the Court.

HIS HONOUR: You're not in charge.

45 ACCUSED: You're not in charge.

HIS HONOUR: Yes, I am.

50 ACCUSED: No, you are not. I challenge the jurisdiction of the Court.

HIS HONOUR: Now, do you wish to plead guilty--

ACCUSED: This is a legal procedure--

5 HIS HONOUR: Do you wish to enter--

ACCUSED: --so I'm challenging the jurisdiction of the Court.

10 HIS HONOUR: Do wish to plead guilty--

ACCUSED: I plead to--

HIS HONOUR: --or not guilty?

15 ACCUSED: --to a jury, not to you. You have no jurisdiction.

HIS HONOUR: I do.

20 ACCUSED: No, you do not, and I challenge the jurisdiction. There must be a jury and panel to determine the challenge.

HIS HONOUR: No, no, no, no. That's all bogus.

25 ACCUSED: It's not all bogus. You're a liar. That is legal procedure.

HIS HONOUR: All right. You're in contempt.

ACCUSED: International.

30 HIS HONOUR: You're in contempt.

ACCUSED: No. You are in contempt. You are interfering with the administration of justice.

35 HIS HONOUR: Can we get the sheriff officer down here?

ACCUSED: You are interfering with the administration of justice. You are in contempt. So the legal procedure, I challenge the jurisdiction of the Court.

40 HIS HONOUR: Do you have an updated record there, sergeant?

ACCUSED: You cannot determine anything. You have no jurisdiction. I challenge the jurisdiction of the Court.

45 SPEAKER If I might approach.

HIS HONOUR: Yes, well.

50 ACCUSED: Get the sheriff to arrest this man. The sheriff must arrest you. You, you're in contempt of Court. You are breaking the rule of law.

HIS HONOUR: All right. Again, do you wish to plead guilty or not guilty?

5 ACCUSED: Quite frankly, shut up. You have no jurisdiction in this Court whatsoever. None whatsoever. I am challenging the jurisdiction of the Court. You are in breach of the rule of law. There's legal procedure that I challenge the jurisdiction of the Court, and then a jury is empanelled to determine the jurisdiction of the Court.

10 HIS HONOUR: All right. Now, we also have an application for an AVO as well, Sergeant?

ACCUSED: As bloody determined--

15 PROSECUTOR: Yes.

ACCUSED: --by a jury, and I challenge the jurisdiction of the Court.

20 HIS HONOUR: I've heard you, Mr--

ACCUSED: There it is. It's on record. Challenge the jurisdiction of the Court. There it is. Challenge. Are you coming to arrest this character? You know your duty.

25 PROSECUTOR: Your Honour, seeking a final order.

ACCUSED: The jury--

30 PROSECUTOR: Conditions 1, 2, 3, 8.

ACCUSED: The jury of - the duty of a judge is to ensure that people can exercise their rights in Court and say--

35 HIS HONOUR: In that, that's related - can you remain silent, please?

ACCUSED: No. You remain silent.

HIS HONOUR: Is that related to--

40 ACCUSED: You've got no jurisdiction to say anything.

HIS HONOUR: --the charge matter?

45 ACCUSED: Arrest him.

PROSECUTOR: Yes.

HIS HONOUR: Yes, all right, and there's a--

50 ACCUSED: He's destroying this country. He's destroying the rule of law.

HIS HONOUR: Are you seeking an interim order--

ACCUSED: Your job--

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HIS HONOUR: --because there's no--

ACCUSED: --is to ensure that--

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HIS HONOUR: --order in place now.

ACCUSED: --that people can exercise their rights in Court in safety. I have the right to trial by jury and he's denying me that. I am challenging the jurisdiction of the Court. You must arrest that character.

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HIS HONOUR: Sorry, what interim orders are you seeking?

PROSECUTOR: As per the application.

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ACCUSED: Just be quiet, lady--

HIS HONOUR: Which is order 1--

ACCUSED: --because this is a..(not transcribable)..

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HIS HONOUR: --2, 3 and 8.

PROSECUTOR: 1, 2, 3 and 8.

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ACCUSED: This is a stay of proceedings until the jurisdiction is decided by a jury. You cannot judge in your own cause. It must be determined by a jury.

HIS HONOUR: All right. Now, I presume that there are mental health issues at play here.

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ACCUSED: What is your name, by the way? Why won't you admit to a name?

HIS HONOUR: I presume that there are mental health issues here--

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ACCUSED: There's no, not on my--

HIS HONOUR: --so I'll take that into account--

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ACCUSED: Not on my part.

HIS HONOUR: --in how I deal--

ACCUSED: You are evil.

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HIS HONOUR: --with Mr Wilson.

ACCUSED: You are evil. You are sworn to--

5 HIS HONOUR: 1, 2, 3 and 8.

ACCUSED: --do right and you refuse to do right.

10 HIS HONOUR: What do you wish to say about whether an interim
apprehended personal violence order should be made--

ACCUSED: Again--

15 HIS HONOUR: --a temporary order?

ACCUSED: --shut up.

HIS HONOUR: All right. So I take it--

20 ACCUSED: You have no--

HIS HONOUR: I'll make it on the basis of the complaint.

25 ACCUSED: You have no jurisdiction whatsoever. None.

HIS HONOUR: I make an interim order.

ACCUSED: This is all going on the transcript.

30 HIS HONOUR: 1, 2, 3--

ACCUSED: And it is all going, going to justice.

HIS HONOUR: --and 8.

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ACCUSED: And you will, will be imprisoned.

HIS HONOUR: I'll enter--

40 ACCUSED: Because you're in contempt--

HIS HONOUR: --a plea of--

ACCUSED: --of court, you're--

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HIS HONOUR: --not guilty in relation to the two charges.

50 ACCUSED: You have no authority to do any such thing. Who the hell do you
think you are? You are evil. You are doing wrong. You're sworn to do right
and you are doing wrong. You are a perjurer. Not only that, you're a traitor to

this country. We have common law in this country and that means trial by jury. You are denying that. That is treason.

HIS HONOUR: All right. So brief to be served by--

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ACCUSED: What is your name?

HIS HONOUR: --the - now, we'll just see.

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ACCUSED: This is all going on the record and you're a witness.

HIS HONOUR: Did somebody speak to the gentleman at the back because he was filming, he was recording at some stage?

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ACCUSED: He can do whatever he likes.

HIS HONOUR: He's been--

ACCUSED: He hasn't even got a..(not transcribable)..

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SPEAKER: Your Honour, the footage has been deleted, your Honour.

HIS HONOUR: All right. Thank you. So--

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ACCUSED: Nothing. Just--

HIS HONOUR: --brief to be served by--

ACCUSED: --shut up.

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HIS HONOUR: --9 November--

ACCUSED: You cannot say anything. I have challenged the jurisdiction of this Court.

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HIS HONOUR: --and back--

ACCUSED: There is a..(not transcribable)..stay of proceedings--

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HIS HONOUR: --back before the Court--

ACCUSED: --and the jurisdiction must be determined.

HIS HONOUR: --on 16--

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ACCUSED: Not by you.

HIS HONOUR: --November--

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ACCUSED: It's got to be determined by a jury--

HIS HONOUR: --for reply.

5 ACCUSED: --under common law. You are violating common law. You are a criminal. You're a fraud, a liar, a criminal, a traitor and a fool. A fool.

HIS HONOUR: Is that all?

10 ACCUSED: No, it's not all.

HIS HONOUR: All right. So the brief will be served. I've entered pleas of not guilty because you refuse to enter a plea. The brief will be served on you by 9 November. You have--

15 ACCUSED: What's your name, by the way?

HIS HONOUR: You have to come back--

20 ACCUSED: Why won't you admit to a name?

HIS HONOUR: I thought you told me to shut up. You're to--

ACCUSED: I told you to shut up and you...(not transcribable)..

25 HIS HONOUR: You're to come back to the Court--

ACCUSED: You've got no jurisdiction.

30 HIS HONOUR: --on the--

ACCUSED: You are contemptible. You are in contempt of Court.

35 HIS HONOUR: You are to come back to the Court on 16 November. Yes, thank you. If he can be escorted out, please, with his friend. 16 November you come back.

ACCUSED: You're a fool.

40 SPEAKER: Thank you, John. Thank you.

ACCUSED: What's his name?

SPEAKER: I have no idea.

45 ACCUSED: No idea. I've got on idea either. All it takes for evil to--

HIS HONOUR: Out, out.

50 ACCUSED: --triumph is--

HIS HONOUR: Out.

ACCUSED: -- good men do nothing.

5 HIS HONOUR: Out.

ACCUSED: And you're a fool.

10 HIS HONOUR: All right.

ADJOURNED PART HEARD TO WEDNESDAY 16 NOVEMBER 2022