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31 OCTOBER 2022

scott: white v STATE OF NSW (INC) & SUBSIDIARIES
Matter Number: 2022/00045725

Dear Elizabeth

Re: Magna Carta 1215; Duty to the Self Represented Petitioner & Gross Non-Compliance

I have been made Indigent because of the DEPARTMENT OF COMMUNITIES AND JUSTICE COVID-19 'vaccine mandate' Policy.

I was dismissed as an employee of CSNSW for insisting that I fundamentally have the right to decide what goes into my body without fear of punishment from Corporate-Government Agents re-presenting for THE CROWN IN RIGHT OF NEW SOUTH WALES.

I stated that 'informed consent' must be provided by CSNSW as it was CSNSW mandating that I be injected with an experimental drug that neither stops people receiving or transmitting COVID-19.

I insisted that a duty of care must be provided by the DEPARTMENT OF COMMUNITIES AND JUSTICE as the institution mandating an experimental drug into the bodies of employees if any injury or death is caused by their COVID-19 'vaccine mandate' Policy.

For stating these simple truths I was and still am being punitively intimidated and punished by the NSW Government and its Agents.

The 'choice' presented to me by the DEPARTMENT OF COMMUNITIES AND JUSTICE was to either be poisoned with a premeditated genocidal bioweapon or to be poor and unable to provide for myself and my family.

As such I am a 'self represented petitioner' in this Unfair Dismissal Claim.

Throughout the entire process of my Unfair Dismissal Claim I have categorically stated that I am NOT a NATURAL PERSON; PARTY; JURIDICAL PERSON; INDIVIDUAL; CITIZEN; HUMAN BEING; MONSTER; OSTENTUM or of PRODIGIOUS BIRTH etc via the CERTIFICATE OF BERTH imposed upon me under duress and without my consent and therefor I cannot be the consequent LEGAL FICTION known as SCOTT RICHARD WHITE.

I am a 'free man', a sovereign living soul & man; protected by Natural Law and the Common Law Constitution. As a free and sovereign living soul and man I am endowed with God-given rights that cannot be denied or removed; answering only to the supreme power and divine creator.

The INDUSTRIAL RELATIONS COMMISSION OF NSW (via THE CROWN IN RIGHT OF NEW SOUTH WALES) and its AGENTS understand to me. I do not stand under the Corporation!

Eminent Human Rights Barrister Geoffrey Roberson AO KC stated "You cannot have democracy without Magna Carta's guarantee of the rule of law". The foundation stone of the Constitution of Australia is the Magna Carta 1215; a peace treaty made between the king of England and his people to serve as a perpetual charter of human rights enshrined within our Common/Constitutional Law.

The Magna Carta (Latin for 'Great Charter') sets out the laws which the king and everyone else had to follow for the first time. The Full Text can be found in this link: <http://reclaimliberty.com/magna-carta-full-text/>

All Commonwealth governments (including the Crown) are subservient to the people, who are not to be ruled by the state. The purpose of the Magna Carta 1215 is to prevent the erosion of Sovereignty and prohibit foreign rule.

Clause 61 of the Magna Carta covers the right to appeal to a committee of 25 Barons for redress against a tyrant and is the highest Law since it is of Royal Assent and existed prior to any parliament.

This means no Parliament can amend it without the explicit will of the people and any Act or Statute that proceeds it, must uphold it.

Subsequently, Parliament is unable to adapt, modify or remove it without the explicit consent of the people and to do so would be an act of High Treason punishable with life imprisonment or death (Treason Act 1795).

Australia has National Sovereignty meaning we are a nation of sovereign and free peoples. The monarch is merely in service to the sovereign people and MUST abide by their sworn Oath and contract to uphold the common law (within the Coronation Oath Act).

Australia has no lawful monarch at this juncture in time and the office of sovereign is vacant because the Coronation Oath Act has been breached many times since 1953.

The Peoples Security Clause is Article 61 of the Magna Carta. Clause 61 ensures the ruling Crown upholds the Constitution. If it is breached, the aggrieved party, the people, can rise up against it via 'Lawful Rebellion' to restore inalienable rights and freedoms until remedy is established.

I have attached a video and the link of the Right Honourable Lord Judge; Chief Justice of England and Wales explaining Clause 61 of the Magna Carta 1215: <https://www.youtube.com/watch?v=U-FDA5sTwJM>

There has been a long and concerted attempt to undermine the idea of a constitution and claim Parliament is sovereign, essentially placing Parliament above the law – our Common Law - which refers to our basic moral values, right and wrong, no harm, loss, injury, fraud or breach of the peace.

While many people including legal professionals will argue that we have no such Constitution, that Magna Carta 1215 has been repealed by subsequent Acts, this is a fallacy. The British parliamentary Cabinet Manual is clear that statute is drawn from Magna Carta 1215 and not from any subsequent copies or revisions to the Constitution.

Parliament can repeal or amend any Act of Parliament (statute). Parliament though was not a party to the original Common Law contract, and cannot, therefore, amend or repeal it lawfully, and thus its original provisions remain intact.

This is a direct quote from the United Kingdom Parliament website:

“Of enduring importance to people appealing to the charter over the last 800 years are the famous clauses 39 and 40:

“No free man shall be seized, imprisoned, dispossessed, outlawed, exiled or ruined in any way, nor in any way proceeded against, except by the lawful judgement of his peers and the law of the land.”

“To no one will we sell, to no one will we deny or delay right or justice.”

These clauses remain law today, and provided the basis for important principles in English law developed in the fourteenth through to the seventeenth century, and which were exported to America and other English-speaking countries. Their phrasing, ‘to no one’ and ‘no free man’ gave these provisions a universal quality that is still applicable today”

<https://www.parliament.uk/about/living-heritage/evolutionofparliament/originsofparliament/birthofparliament/overview/magnacarta/magnacartaclauses/>

Clauses 39 and 40 of the Magna Carta was restating a universally accepted principle when it declared that no action detrimental to a free man’s life, limb or property was to be taken without a prior judgment in a lawfully constituted court:

“Nullus liber homo capiatur vel imprisonetur aut disseisiatur aut utlagetur aut exuletur aut aliquo modo destruatur, nec super eum ibimus nec super eum mittemus nisi per legale iudicium parium suorum vel per legem terre.

No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgement of his equals or by the law of the land.”

<https://magnacarta.moadoph.gov.au/clause/39/>

“Nulli vendemus, nulli negabimus aut differemus rectum aut iusticiam.

To no one will we sell, to no one deny or delay right or justice.”

<https://magnacarta.moadoph.gov.au/clause/40/>

I have established as a Statement of Fact that Clauses 39, 40 and 61 of the Magna Carta 1215 have standing in Australian Constitutional Law.

Clause 39 of the Magna Carta explicitly and implicitly state that a 'Free Man' shall not be 'stripped of his rights', 'deprived of his standing' and have 'force used against him', 'except by the lawful judgement of his equals or the law of the land'. This is the origin of the idea that no government can unjustly deprive any man of their "life, liberty or property".

The CSNSW COVID-19 'vaccine mandates' and the NSW 'Public Health Orders' are in direct contradiction of Clause 39 and 40 of the Magna Carta 1215.

Clause 61 of the Magna Carta gives a free and sovereign man the lawful right to oppose unjust, unlawful, unconstitutional and unreasonable Government policy.

As I am self represented free and living sovereign man involved in an Unfair Dismissal Claim against Corporate-Government Agents and it is imperative that I am afforded a fair hearing, without bias or prejudice.

There are procedural duties that the INDUSTRIAL RELATIONS COMMISSION OF NSW and the DEPARTMENT OF COMMUNITIES AND JUSTICE must follow to provide me a fair hearing.

I have provided (some) sections of these duties with the statements and links below:

"Self-represented parties - The common law provides that everyone has the right to represent themselves in court in both civil and criminal matters.

The court has a duty, in both civil and criminal matters, to give persons who represent themselves a fair hearing, and it may be appropriate for the court to give some assistance to such persons in order to fulfil that duty."

<https://www.judcom.nsw.gov.au/publications/benchbks/equality/section10.html#p10.3.4>

In Re F: Litigants in Person Guidelines^[49] (“*Re F*”) the Full Court of the Family Court considered the principles in *Johnson v Johnson*^[50] and set out revised guidelines for judges when dealing with SRLs. Those guidelines are:^[51]

1. a judge should ensure as far as is possible that procedural fairness is afforded to all parties whether represented or appearing in person in order to ensure a fair trial;
2. a judge should inform the litigant in person of the manner in which the trial is to proceed, the order of calling witnesses and the right which he or she has to cross examine the witnesses;
3. a judge should explain to the litigant in person any procedures relevant to the litigation;
4. a judge should generally assist the litigant in person by taking basic information from witnesses called, such as name, address and occupation;
5. if a change in the normal procedure is requested by the other parties such as the calling of witnesses out of turn the judge may, if he/she considers that there is any serious possibility of such a change causing any injustice to a litigant in person, explain to the unrepresented party the effect and perhaps the undesirability of the interposition of witnesses and his or her right to object to that course;
6. a judge may provide general advice to a litigant in person that he or she has the right to object to inadmissible evidence, and to inquire whether he or she so objects. A judge is not obliged to provide advice on each occasion that particular questions or documents arise;
7. if a question is asked, or evidence is sought to be tendered in respect of which the litigant in person has a possible claim of privilege, to inform the litigant of his or her rights;
8. a judge should attempt to clarify the substance of the submissions of the litigant in person, especially (sic) in cases where, because of garrulous or misconceived (sic) advocacy, the substantive issues are either ignored, given little attention or obfuscated ...
9. where the interests of justice and the circumstances of the case require it, a judge may:
 - draw attention to the law applied by the court in determining issues before it;
 - question witnesses;
 - identify applications or submissions which ought to be put to the court;
 - suggest procedural steps that may be taken by a party;
 - clarify the particulars of the orders sought by a litigant in person or the bases for such orders.

The concept of the judicial officer’s role when assisting a SRL in court was considered in *Kenny v Ritter*.^[52]

The courts have recognised that when faced with a litigant in person, a measure of judicial intervention is not simply permissible but necessary, in order to ensure a fair hearing. The nature of the duty of a judge conducting a trial with a self-represented party has been the subject of a number of authoritative discussions. The general approach which a court should take to a litigant in person in civil proceeding was addressed by Samuels JA in *Rajski v Scitec Corporation Pty Ltd*:

In my view, the advice and assistance which a litigant in person ought to receive from the court should be limited to that which is necessary to diminish, so far as this is possible, the disadvantage which he or she will ordinarily suffer when faced by a lawyer, and to prevent destruction from the traps which our adversary procedure offers to the unwary and untutored. But the court should be astute to see that it does not extend its auxiliary role so as to confer upon a litigant in person a positive advantage over the represented opponent.

The scope of the duty of the court to the litigant in person is constrained by the fact that the judge must endeavour to maintain the appearance of impartiality.

when the self-represented litigant is before the court, the judge must ensure that a fair trial takes place. In order to achieve this, the judge is required to assist the self-represented litigant. However, the judge must equally ensure that despite any assistance to the litigant in person, the perception of impartiality is maintained.^[53]

https://www.judcom.nsw.gov.au/publications/benchbks/judicial_officers/self_represented_litigants.html#d5e19864

In *Nobarani v Mariconte* (2018) 265 CLR 236, ***the High Court allowed an appeal and remitted the matter for a new trial as the self-represented appellant was denied procedural fairness in the sense of a “substantial wrong or miscarriage”***, as required by r 51.53(1) of the UCPR, because he was denied the possibility of a successful outcome. The trial judge made no directions for the taking of any steps, or filing or service of any documents by the appellant. The appellant was therefore denied the opportunity to cross-examine a significant witness, locate another witness and call an expert witness.

https://www.judcom.nsw.gov.au/publications/benchbks/civil/unrepresented_litigants.html#p1-0800

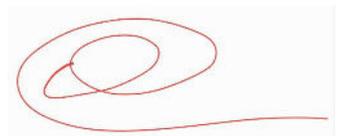
As a Statement of Fact I have not been afforded a 'fair hearing' in this Matter as is stipulated and referenced above by the founding Principles of Manga Carta 1215 and the directions provided by the Judicial Commission of NSW.

Therefore as a free and sovereign living man I demand that a new IRC Commissioner and DCJ Representatives for the Respondent be assigned to this Unfair Dismissal Claim instantly and that Gross Non-Compliance be ruled by the Full Bench of the INDUSTRIAL RELATIONS COMMISSION OF NSW on the respective Corporate Agents:

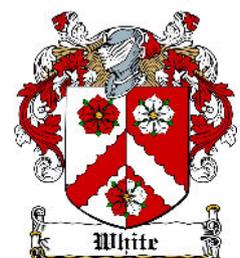
NSW IRC Industrial Registrar and Agent Elizabeth Robinson;
NSW IRC Commissioner and Agent Christopher Muir;
NSW DCJ Solicitor and Agent Allisar Katrib;
NSW DCJ Assistant and Agent William Jardine;
NSW DCJ Manager and Agent Stephen Doran;
Junior Counsel Barrister for 5 WENTWORTH Miles Foran.

In Good Faith and Yours Sincerely

scott: white



Authorised by my Autograph;
To be Treated as an Affidavit;
Notice to the Above De-Facto,
Governmental Services Corporate Agencies;
The Free & Living Soul & Man,
Having Taken Dominion Over the Land,
The Air, The Water & Law;
Created By & Son of God;
As Principal, As Fiduciary,
As Trustee, An Adult Man; **scott: white**



Contact: scott@NSWGovernmentisCorrupt.com