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Peoples Alliance for Rule of Lore/Law

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1.10.2023

Form 00005. IA & I : Lawful Due Process

001-004 Ray

INDEPENDENT AUDIT & INVESTIGATION

By Crown: We The People of Superior Jurisdiction Audit Team

This Audit may be updated as new content comes to hand.

In the matter of: **PER/CIV/1874/2021**

1. Unit 12/9 O'Conner Close, North Coogee, W.A. [6163]
2. The Possession Order for this matter is deemed **Null and Void**.
3. Due to failure of Lawful Due Process.

How **Westpac** uses Public Servants,

Paid on the Public Purse, to steal properties.

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2. It is acknowledged: by Terra Australis Grand Jury 19: 7th March 2023, that the following event did occur **without Lawful Due Process**. Nor even **Legal** Due Process.
 - 2.1. And further in Grand Jury 23: 3.7.2023 that matter was deemed **Null and Void** due to failure of Lawful Due Process.
3. Let us define that **Lawful and Legal** are two very different jurisdictions, even though these words are used interchangeably by the current system, as a way to confuse and influence Humanity to believe we are existing in a Lawful system.
 - 3.1. Humanity is not in a Lawful system.
 - 3.2. Humanity exists in a private Legal framework of Statute and Legislation. It is not Law.
 - 3.3. Legal is a **subset** of Lawful. Therefore it may break the Law to exist. And it does.
 - 3.4. This legal system uses many instruments to bring that process about. These are extensively identified in other writings on www.executiveorders.life.
 - 3.5. However, for the purpose of focus, for this document, suffice to say, this is the mechanics of a legal system, that **Crown: We The People of Superior Jurisdiction** pay for, nonetheless.
 - 3.6. The word Law may be used, but should not be used, by a system that is only a legal system: that being a private Rule Book of a **Private Members Association**. (PMA)
 - 3.7. As we come to the end of this tired, old, corrupt system, all matters will be made transparent. For the education of Humanity.
 - 3.8. **Maxim of Law: All are accountable for their actions, before the Law.**
 - 3.9. **'Corporate Immunity'** is a legal fiction and does not exist in Law.
4. In the matter of: **PER/CIV/1874/2021**
 - 4.1. Unit 12/9 O'Conner Close, North Coogee, W.A. [6163]
 - 4.2. **Westpac's /CEO Richard Burton** is **not** free to sell this property.

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5. **This property cannot be sold as it is stolen property and therefore encumbered.**
<https://executiveorders.life/frozen-assets-record/entry/5550/?gvid=5686>
6. Despite **Westpac's /CEO Richard Burton** having achieved its own **Default** position,
 - 6.1. **19.12.2019** following the failure to provide remedy to flaws in its documents; a lien and affidavit from raymond-gregory was issued.
 - 6.2. This has remained uncontested, despite the property being repossessed.
 - 6.3. 19/12/2019 NOTARISED UNCONTESTED AFFIDAVIT
 - 6.4. LAWFUL SELF EXECUTING CONTRACT
 - 6.5. PERFECTED LIEN. 19/12/2019
7. By Lawful Due Process, of being unable to perfect the flaws in its mortgage documents, **Westpac / CEO Richard Burton** ignores all such process and declares a **Default** position against the Occupier and Title Holder.
8. **The Supreme Court, by failure of it's own Legal Due Process** wilfully fulfils the instructions from **Westpac's /CEO Richard Burton** and generates:

VIA: CIVIL JUDGEMENTS ENFORCEMENT ACT 2004. PART 5 DIVISION 1. :
 - 8.1. At the time of issuing this Possession Order, there was no current claim in the Court.
 - 8.2. Registrar Davies creates a Possession Order without a valid claim to the Order.
9. A Form 36 PROPERTY (SEIZURE AND DELIVERY) ORDER - REAL PROPERTY.
 - 9.1. on 19 January 2023,
 - 9.2. given to Corporate Sheriffs 20.1.2023.
 - 9.3. **Unidentified Corporate Sheriffs** : Public Servants paid on the Public Purse; out in the landscape with no identification on them.
 - 9.3.1. **Inaugural Australian Grand Jury 23.9.2021: Order 122:**
<https://executiveorders.life/inaugural-australian-grand-jury-2021/>

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All Officers will have their name and ID number available for viewing at all times.

9.3.2. arrive at the property 22 February 2023 at approximately 9am and proceeded to evict the Sentient Being and Title Owner of the property. .

9.4. Using **Public Property**, car: License Number **1HJG 248** to fulfil failure of Legal Due Process resulting in stolen property.

9.5. And Public Property car License Number : **1QCD 685**

9.6. Proprietor was locked on the balcony by unidentifiable Sheriffs, whilst matters were undertaken including access to all private effects.

9.7. All chattel and personal effects have been removed from the Property, to an unknown location. Despite Shani Claassen of Thomas Geer/ TG Legal, alleging she was seeking authority from the Magistrates Court to do so. It had already been done.

10. Landgate Requirements for Due Process:

<https://www0.landgate.wa.gov.au/for-individuals/Land-Transactions-toolkit/land-titles-registration-policy-and-procedure-guides/practice-manual/land-ownership,-land-titles-and-landgate/reg-05-service-of-court-orders-upon-the-registrar>

10.1. **REG-05 Service of Court Orders upon the Registrar**

10.2. **1 Overview**

10.2.1. *Where a Court Order affects land, the Registrar of Titles should be joined as a party to the action.*

This did not happen.

10.2.2. *Writs of Summons and Court Orders must be served on the Registrar at Landgate's Midland office in accordance with **the Rules of the Supreme Court.***

This did not happen.

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10.2.3. *The sealed copy of any Court Orders must be sighted by a responsible officer (preferably an Assistant Registrar) from the Title Dealings Section of Landgate at the time of service.*

This did not happen.

10.2.4. *Delivery of Court Orders to Landgate in another manner (fax, email, post, etc) does not constitute proper service upon the Registrar, unless the order itself specifically authorises service in that manner.*

11. The Supreme Court when later questioned: via email dated 23.3.2023 why this **essential** process was absent:

11.1. Conor McErlean

Associate to Principal Registrar McDonald | Supreme Court of Western Australia

11.2. On 3 April 2023, replied in the following way:

'The Court cannot provide any information about Landgate or its processes'.

11.3. This is a Supreme Court process. The onus was upon the Supreme Court to ensure the Form 36 PROPERTY (SEIZURE AND DELIVERY) ORDER - REAL PROPERTY was presented to Landgate for verification of due process.

11.4. These are the **Rules of the Supreme Court.**

11.5. Thus the Supreme Court fails its own Rules and does not seem to know it had these responsibilities, passing the focus to Landgate.

12. Further, when the legal team for **Westpac's /CEO Richard Burton** was questioned as to why the Landgate process was absent:

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12.1. Shani Claassen, in her personal capacity; of Thomas Geer/ TG Legal replied on 20 March 2023 :

12.1.1. 4 *the Default Judgment was not, and **is not required** to be filed with Landgate, and your assertions to that effect are incorrect; and*

12.1.1.1. What is the **substantiation of this claim** by Classen ?

Simply saying it is not required is gross incompetence.

Why is it not required? This is the critical element to ensure property is not being stolen.

12.1.2. This is failure of this legal systems own Legal Due Process, rendering this property to be stolen.

12.1.3. Further, Claassen, in her personal capacity; states

12.1.3.1. Westpac denies that it, its agent and/or our office:

12.1.3.2. (a) has committed any offence against you; and

12.1.3.3. (b) are liable to you for any alleged damages.

12.1.3.4. For the avoidance of doubt we confirm that Westpac will not hold its enforcement action and/or mortgagee sale of the Property, and will proceed to list and sell the Property **pursuant to its mortgagee rights.**

12.1.3.5. However: **The Reserve Bank** clearly states that:

12.1.3.5.1. *Australian banks **generally do not retain any rights to mortgages (or any other asset) once they are securitised.***

All the rights and benefits of the asset pass to the note holders of the securitisation special purpose vehicle. Under Australia's prudential framework, banks must pass on in full the risks and benefits of an

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asset in order to ensure that they are no longer required to hold regulatory capital against the asset (known as the 'clean sale' test). Ends.....

- 12.1.3.5.2. *All mortgages are securitised into a tranche via a Special Purpose Vehicle where a second set of investors are invited to leverage against the asset. These are largely institutional investors, such as Superannuation and Insurance. This creates a fresh pressure to ensure repayments are made, as the interest component of the repayment, is the income for the second tier of investors.*
- 12.1.3.5.3. *Due to the **Power of Attorney** claimed by the bank, written into the mortgage document, which most mortgagors would be unaware of; there is not need to disclose this second tier of investors to the Originator of the mortgage.*
- 12.1.3.5.4. *This constitutes **Unconscionable Conduct** and therefore a failure of the duties of the Fiduciary Trustee.*
- 12.1.3.5.5. *As part of the 8 essentials of a valid contract, contracts must not have hidden hands, or the contract is deemed **NULL and VOID**.*

12.1.3.6. Claassen also states:

- 12.1.3.6.1. Furthermore, we refer to our email dated 24 February 2023 with respect to arranging for a time to collect the chattels by no later than 3 April 2023. Can you please confirm when you would like to collect the chattels, noting that if you fail to collect the chattels, Westpac may proceed to deal with / **dispose of** the chattels after 3 April 2023, without further notice
- 12.1.3.6.2. This action is **strictly forbidden** and is further **Harm and Injury** of this crime scene. All those participating in such action are 100% personally

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liable and accountable.

13. Parties Liable:

13.1. All parties failed to offer identification, except David from the corporate Sheriff's Office.

13.2. All are liable and accountable in their personal and private capacity.

13.3. As per **Maxim of Law: All Are Accountable for their actions.**

13.4. Rams Privacy Officer

13.4.1. Belinda Greaves

13.5. CEO Westpac

13.5.1. Richard Burton

13.5.2. 1 x Westpac photographer - unidentifiable.

13.6. TG Legal + Technology

13.6.1. Hendrik Van Aswegen: Melbourne Office

13.6.2. Shani Claassen: Perth Office Level 27, Exchange Tower,
2 The Esplanade, Perth WA 6000 Australia

13.7. Property Management Company Ocean Edge Apartments

13.7.1. CEO Eleanor Loguidice

13.7.2. Loguidice instructed her caretaker: Tony - to facilitate access to property.

To trespass pursuant to the High Court Trespass Notice, to breach said notice; and grant electronic protected security reserved for the exclusive owner access only, to unknown and **unidentified** parties.

13.8. Corporate Sheriffs

13.8.1. X 2 - 1 **unidentifiable and refused to be identified.** Assuming is Sheriff Street, based on saying 'do not email me again, or I'll have you for defamation of character.'

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13.8.2. The other is: Sheriff David. The only individual who part identified himself.

13.9. Police Officers

13.9.1. Constable PD 17144 Armani

13.9.2. Constable PD 17635 Mecham

13.9.3. These Officers fail to be trained to recognise authentic documents and blindly act on the command of Superiors, thus endangering their future livelihoods.

13.10. Locksmith

13.10.1. who aided and abetted by breaking the lock to gain unlawful entry.

13.10.2. No identifiable tags on him.

13.10.3. This individual would surely know he is committing a crime, or would attend the scene in a professional capacity with full identification available.

13.11. Landgate :

13.11.1. Graeme Gammie. CEO

13.11.2. In the face of these details, currently, there is no follow up Due Process to ensure the Property Title cannot be changed.

14. Damages are currently:

1) Lien: = \$1.25M as per flawed contract x 10 = \$12.5M.

2) Plus interest. @ 5% p/a. = \$62 500 p/a.

As from the date of the perfected lien and Affidavit. 19.12.2019.

3) Trespass at \$1 million per individual

4) \$100 000 per day for each day of dispossession and eviction, for each individual listed as complicit in the unlawful dispossession.

15. This Audit may be updated as new content comes to hand.

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