

THE DESK OF

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SENATOR RODNEY N CULLETON  
Federal Senator for Western Australia

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Lord(s) and Baroness(s)  
House of Lords, Westminster  
London, United Kingdom.

November 7<sup>th</sup>, 2018

[Petition for the Restoration of the Commonwealth-](#)

**First Prayer of Rodney Culleton:**

Dear Lords and Ladies of the House,

Now comes Senator Rod Culleton, as elected for representation of Western Australia for the Senate in the Federal Parliament in 2016 known as the 45th Parliament, on the anniversary of the unconstitutional referral of the 7<sup>th</sup> November 2016 to the public courts, with prayer for relief and in defence of the realm of the Commonwealth of Australia declared 1900 and within spirit of the Australian people.

Whereas the first law recognises the authority and right of the people in constituting the Commonwealth under the Crown of the United Kingdom, this House has the inherent connection with the people of the Commonwealth by the expression within the Preamble of the Commonwealth of Australia Constitution Act:

*“... enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, ... .. and by the authority of the same”*

Whereas the second law binds the Crown, at the second clause identifies and mandates the sovereign, Queen of the Crown that must include inherent with the substantive right of inheritance and successorship:

*“... shall extend to Her Majesty's heirs and successors in the sovereignty of the United Kingdom”*

Whereas the third law provides for the name under which the union of people may be proclaimed:

*“..... shall be united in a Federal Commonwealth under the name of the Commonwealth of Australia”*

Whereas the fifth law, in binding the judiciary and the subjects, binds the Crown:

*“This Act, ... .., shall be binding on the courts, judges, and people of every State and of every part of the Commonwealth...”* - (that must include the United Kingdom).

Whereas the sixth law provides the States inherently being parts of the Commonwealth:

*“The States” shall mean such of the colonies of New South Wales, New Zealand, Queensland, Tasmania, Victoria, Western Australia, and South Australia, including the Northern Territory of South Australia, as for the time being are parts of the Commonwealth ....”*

Whereas section 106, Constitution, mandates the application of the Imperial Colonial Constitutions to the States:

*“The Constitution of each State of the Commonwealth shall, subject to this Constitution, continue as at the establishment of the Commonwealth ....”*

Whereas section 109, Constitution, prevents the State from trespass on the Commonwealth:

*“When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.”*

Whereas section 1, Constitution vests the legislative power and section 61 vests the executive power, inherently subject to the second clause, into the Queen:

*“The legislative power of the Commonwealth shall be vested in a Federal Parliament, which shall consist of the Queen, a Senate, and a House of Representatives ....”*

*“The executive power of the Commonwealth is vested in the Queen and is exercisable by the Governor-General as the Queen's representative ....”*

Whereas section 59, Constitution for disallowance, is an inherent safeguard for Her Majesty's subjects across the seas and at home in the United Kingdom and Ireland exercised by Her Majesty for oversight on an Imperial enactment.

Whereas the constitutional scheme protects the right of the Australian people to the protection of Crown law the availability for recourse to that protection has been denied by an unconstitutional scheme put in place over the decades masqueraded as Australian law for which the following is part:

1. *The Citizenship Act 1948* of the Commonwealth of Australia ought to have been presented to the people under section 128 with a sight to add to section 51(xviii) the word citizen - (refer court book);
2. *The Royal Style and Titles Act 1953* attempted to create a title for adoption where the precondition of 'adoption' carries no right, as required by the second clause, for application in violation of the clause;
3. Section 4, *Royal Style and Titles Act 1953*, attempted to create an application of the title "for use in the Commonwealth of Australia and its Territories" without the authority of the Crown Queen;
4. *The Royal Style and Titles Act 1973* attempted to create a further title for adoption removing the reference to the United Kingdom;
5. Section 1(2), *Royal Style and Titles Act 1973*, attempted to create an alternate jurisdiction to the Commonwealth by application of the title "for use in relation to Australia and its Territories" and without the authority of the Crown Queen;
6. *The Federal Court of Australia Act 1976*, assented to by the Queen of Australia, attempted to create court with a jurisdiction outside the Commonwealth;
7. *The High Court of Australia Act 1979*, assented to by the Queen of Australia, attempted to create court with a jurisdiction outside the Commonwealth;
8. The request by the States, by the *Australia Acts (Request) Act 1985* of the several States, is an act of treachery to alter the federation by unlawful means which intended to remove the application of the Crown from application in the States;
9. The *Australia Acts (Request) Act 1985* of the several States is inconsistent with the laws of the Commonwealth, the several clauses, and contravenes section 109 of the Commonwealth Constitution;

10. *Australia Act 1986* makes mission by intent to alter constitutional arrangements:

“ .... *the Prime Minister of the Commonwealth and the Premiers of the States at conferences held in Canberra on 24 and 25 June 1982 and 21 June 1984 agreed on the taking of certain measures to bring constitutional arrangements affecting the Commonwealth and the States into conformity with the status of the Commonwealth of Australia as a sovereign, independent and federal nation ...* ”;

11. The use of section 51 (xxxviii) to enact the *Australia Act 1986* is to unlawfully circumvent the use of s128 which otherwise prohibits constitutional change;

12. Section 51 (xxxviii) draws on the power of the parliament of United Kingdom:

“*the exercise. .... of any power which can at the establishment of this Constitution be exercised only by the Parliament of the United Kingdom...* ”;

13. The Parliament of the United Kingdom may not alter the Commonwealth Constitution as the Crown, bound by the second and fifth clauses, is subject to section 128;

14. The Parliament of the United Kingdom in enacting the *Australia Act 1986 (UK)* purposely omitted the words of qualification, ‘sovereign and independent’, for the Commonwealth of Australia;

15. The current *Australia Act 1986 (UK)* acts as a barrier for any request from the Australian governments to alter any of the constitutional provisions for the Commonwealth set by Imperial law and as such the totality of the clauses in the *Commonwealth of Australia Constitution Act 1900 (UK)* remain in force and effect unaltered; and

16. The *Royal Style and Titles Act of 1953 and 1973*, the *Australia Acts (Request) Act 1985* of the several States, the *Australia Act 1986* and others created a circumstance in the courts of the various jurisdictions where remedy for constitutional breach and trespass could not be sought.

It is a nonsense under the current framework of applied laws in Australia, and to be denied for any right that exists under the Queen and Crown of the United Kingdom, for any argument or submission to be made before a court constituted and operating under the Queen of Australia.

There is no court within the several States nor is there a federal court in Australia that may provide any of the subjects' remedy to the constitutional trespass that is systematic throughout the Commonwealth of Australia.

By stealth design of the removal of the Crown each of Her Majesty's' subjects is unwittingly committing an act of sedition where equity will not avail as for equity to be granted equity has to be done and equity follows the law.

The impossible situation in the Commonwealth, where the courts of law have been removed, must be attended by this House and call for the restoration of the Commonwealth. The Commonwealth is the right of every one of the people of the Commonwealth and of every one of the people of the United Kingdom.

I come to this House as I know of no opportunity afforded by the venues in Australia as such numerous attempts have not availed a hearing that was, or appeared, open and fair. It is most compelling to understand of the forces arrayed against me to defeat my attempt to have the Crown restored within the lawmaking and the courts application so that the Commonwealth may be rightfully available. Submitted to that end is notice of indisputable evidence of the governments and courts having concealed the fraud removing the Commonwealth by stealth.

Purposeful to the above are two constitutional reports made in 1988 in which the Constitutional Commission and Advisory Committees published information and made recommendations that evidences the knowledge that the constitutional parameters for the Commonwealth had been departed from for a considerable time. Not only was there no agenda promoted to return to those parameters and restore the Commonwealth but there has been an active concealment of the constitutional trespasses identified in the reports of 1988 for which agenda of the report was to take steps and advance the alteration within the Constitution and recognise that departure from the Commonwealth as valid.

As exhibited to the court book of this petition for evidence, the recent document, Notice of Extracts - Queen and Crown, First & Final Constitutional Commission Reports 1988, of Darren Dickson, of Bayswater Melbourne, provides the extracts of the report to do with the Queen of Australia and its inherent lack of constitutional recognition.

It is most noteworthy to understand that the various governments and court officials have known of these facts of departure from the law for thirty years and failed to announce or remedy the contempt as defined in section 24 (A) of the *Crimes Act 1914 (Cth)* and section 44 (a) of the *Criminal Code 1913* for my State of Western Australia.

I pray the House may consider the restoration of the Commonwealth for which Her Majesty has promised the people at Her Coronation to serve and rule faithfully.

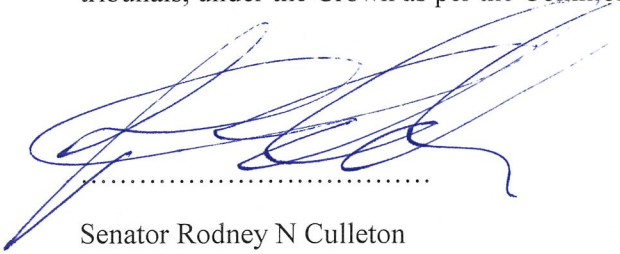
**God Save The Queen**

**Relief:**

**Order 1:** The House of Lords deliver the Law and restore the Commonwealth and its Courts.

**Order 2:** The House of Lords reconstitute the Parliament in the name of Her Majesty Queen Elizabeth II.

**Order 3:** The House of Lords reconstitute the jurisdiction of all public courts, and tribunals, under the Crown as per the Commonwealth Constitution Act 1900 (UK).



Senator Rodney N Culleton

Executed First Prayer of Rodney Culleton – House of Lords



Witness (1)

Name: Ioanna Culleton

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Witness (2)

Name: Laona Jones

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Witness (3)

Name: Leslie John Reid

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Executed by the Parties on the 7<sup>th</sup> November 2018