



SNAPSHOT OF INJUSTICES

The Australian Justice Tribunal

When it comes to the criminal antics of some legal practitioners and certain members of the Australian Judiciary, I doubt that The Australian Justice Tribunal would have witnessed it all; but we must be close to saturation, surely. Our Organisation handles the most difficult legal matters within the justice system and we do not shy away from a fight.

But before we take a look at the injustices themselves we would do well to understand some of the motivating factors behind many of the obscure Judgments delivered in Australian Courts.

Matters influencing the judiciary

Legal Profession

If there is any likelihood of discrediting the reputation of the legal profession then there is a greater than 50% possibility of a Judge delivering a decision which favours that profession. And this is a universally understood premise.

Government Agencies

If the reputation and image of a government agency is at stake then Officers within that agency – no matter how grievous their conduct – will more than likely be protected by the Judge. And that means you lose.

High-profile Law Firms

Judges are reluctant to rule against litigants who are represented by high-profile Law Firms. It is a well-understood premise that the higher the profile of your legal representation (Counsel definitely included) the greater your chances of winning. It's all about money buying justice. And we must not forget that many Judges were once former partners of these Law Firms before accepting their Bench appointments.

Greater Good

In general, a Judge will carefully weigh up the profiles of the opposing litigants before the judgment is delivered. For instance, if ruling in favour of a small business against a large multinational corporation would mean opening the floodgates to endless litigation against the larger company then the Judge will consider the damage created and weigh it against the massive amount of good being offered by that same company.

And so, even though a small business may have just cause, the greater good will win and the Judgment will be skilfully written after the Judge has cherry-picked the arguments that are needed to create that win. And the arguments that should have created a legally just win will be dismissed and not even referred to.

So, bearing the above influences in mind, here are some of the more intriguing antics and outcomes that have denied Australians the natural justice they deserved.

Legal Greed

Imagine being threatened with criminal prosecution by a government agency because the franchise agreements prepared by your solicitors were deemed illegal. And then to be told by the same solicitors that these agreements could be sanitised (i.e. corrected to comply with the Act) costing you no more than \$70,000?

Little wonder that the client left that Law Firm with an outstanding bill of approximately \$94,000; never to be paid and to this day never pursued by that Law Firm.

The arrogance of a Lawyer charging a client \$70,000 to clean up his own mess could only be matched by another Lawyer.

Tax Deduction Untrue

You have taken out a full-page advertisement in a major Australian newspaper advertising for franchisees who will need to pay a franchise fee totalling \$145,000 comprised of \$125,000 as prepaid management fees and \$20,000 as the fee itself.

A government agency known as the Australian Competition and Consumer Commission (ACCC) then hauls you into a Federal Court claiming, among other false claims, that the \$125,000 was not tax deductible (even though they knew it was).

Under the Trade Practices Act the ACCC has the right to make a statement and you have to prove them wrong; that is, prove your innocence. So, they start with the assumption of guilt and your chances of winning against this particular agency become wafer thin.

In Court, you explain the Australian Taxation Office's stance on "Prepaid Expenses" in a very accurate and concise manner believing that any fool could understand how those prepaid expenses could be claimed as a tax deduction.

But the Judge's agenda is to protect government Officers from civil or criminal prosecution and in his Judgment he does it well by stating that the tax deductibility you held out to the Australian public "was untrue". In short, he is saying that you are little more than a con artist, and as a consequence your entire business life is turned upside down and millions of dollars are lost along with your reputation.

Assaulted by Police

You never have and never will deal in cannabis or any other related substances. You are well educated in multiple trades and more than capable of providing for your family. You work on oil rigs for years, then begin establishing two businesses in your home town of Alice Springs. You appoint a caretaker to protect your worksheds and engine maintenance equipment. He lives on site to cut your costs.

But he begins dealing in cannabis after business hours and is caught on police surveillance video. But he is dealing on your premises. Premises now deemed under Northern Territory law as 'Crime Used'.

The caretaker is criminally charged and so are you, but only after suffering an unprovoked, physically violent arrest which leaves you permanently disabled. And under the draconian NT Criminal Property Forfeiture Act, your worksheds (including all equipment, clients' cars, and five Harley Davidsons) are seized.

You are then jailed circumstantially, for crimes you did not commit, leaving your partner of 18 years and three small children to fend for themselves. The pain intensifies as rogue NT coppers delight in harassing your partner while you are incapable of defending her.

You then mount a successful Appeal and are released. But it is not over by a long shot. The system will continue to fail you and your family time and time again over 10 agonising years.

Finally, the wheel begins to turn as one by one an ever-increasing groundswell of supporters put their shoulders to that wheel under the guidance of The Australian Justice Tribunal.

This is the true yet incredible story of a man whose innate character bears testimony to the strength and resilience of only those few who could possibly stand against the injustices of a flawed legal system and a corrupted police culture protected by the shield of law.

Wrongly Convicted – 20 years imprisonment

The criminal conviction against Henry Keogh must rank as one of the gravest miscarriages of justice ever inflicted on an Australian, thanks to the efforts of overzealous SA Police and an unqualified Forensic Pathologist who lied in his presentation of fabricated forensic findings; findings that sealed the conviction of the accused.

The involvement of The Australian Justice Tribunal became critical to Henry's release as the link below describes:

[About Henry Keogh](http://www.theajt.org.au/ahk.html) – www.theajt.org.au/ahk.html

Forging the Seal of the Supreme Court

When we think of forgery we imagine the hand copying of someone's signature, or engraving plates to be used in the printing of bank notes; but forgery can also take place when a genuine Supreme Court Seal is affixed to a Supreme Court document and that document is then assigned to a different case simply by hand altering the Case File Number.

And even though the Seal itself has not been forged it instantly becomes a forgery the moment the Case Number is substituted for another.

Now, that is a simple explanation which is slightly more complex as described in the link below:

[Forging the Court Seal](http://www.theajt.org.au/scwp.pdf) (Collateral Abuse of Process) – www.theajt.org.au/scwp.pdf

Justice Causing Illness and Suicide

Imagine, for just a few moments, that you have invested a quarter of a million dollars of your family savings into a mechanical carparking project which was, during the first four and a half years of development, plagued with violent intervention on the part of a fraudulent inventor. Nonetheless, you shared in the joy of winning World Bank funding for your European manufacturers and took pride in seeing the company you had invested in being awarded the highest export market development grant (EMDG) available in our nation.

You then derived a deep sense of achievement by working tirelessly to develop your franchise business in a designated international territory. But now for the past three years, you, along with many others, have been forced to endure a federal court battle based on the lies and deception of government officers as they move vigorously to support that fraudulent inventor. Fortunately, expert witnesses testify continuously in your company's favour, giving you hope that life can continue as it should. You eagerly await the results of trial.

After ten agonizing months, enter the Judge. He slams all of you with his litany of vile fabricated reasons for his judgment which culminates in the world being told that your franchise marketing program is nothing more than a scam. And I say, "your", because you, along with others, assisted in the development of that program.

If you have truly put your feet in the shoes of a franchisee or investor there will be a gut-wrenching, sickening feeling that begins to overwhelm you; and particularly knowing that your life was being destroyed solely to prevent government officers within the Australian Competition and Consumer Commission (ACCC) and Australian Government Solicitor (AGS) from being criminally prosecuted by the directors of the company you had invested in. The Judge had convincingly protected them.

The helplessness that ensued would cause suicide and terminal illnesses.

Courtroom Criminal antics

It is well-recognised that all Judges are human first and Judges second; each of them having their own biases depending on their experiences while practising law prior to being appointed to the Bench. And of course their own life experiences from their youth will impact their judgments to varying degrees.

And so, colouring a Judge's mind during the course of judicial proceedings can be easily done by both ends of the Bar table if our legal representatives can get away with slipping unrelated material to the Judge.

But how could this be achieved without the other side realising what is happening? Well, it's really quite simple if the Lawyer starts by priming a local journalist to write a damaging newspaper article about the character of the individual who has not yet been served with Court documents. And nor have the documents been filed at the Court registry which is important because what that Lawyer is about to do would be doubly unlawful if judicial proceedings were underway.

Government agencies such as the ACCC and AGS are very skilled at this type of subterfuge. And in the instance now being explained, the article published contained false information from beginning to end. It was perfect for the agency's purposes.

And in the instance being described here, the Court documents were then filed and served. The next step was to find an opportune time during trial when the Judge would ask for a document to be handed up to him. This was the cue for the instructing solicitor to slip the offending newspaper article between the pages of that document before Counsel took it and handed it to the Court Officer. The article was defamatory in the extreme and the tactic worked.

Justice had been defeated and innocent defendants along with their franchisees, investors and staff paid a devastating price.