

Glenn Thompson. 14 Coutts Street Bulimba QLD 4171

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12th August 2013

Mr. R. Brett
Inspector
Victorian Inspectorate
PO Box 617 Collins Street
West Melbourne. Victoria 8007

By Email: info@vicinspectorate.vic.gov.au

Dear Mr. Brett

Complaint against the IBAC – Your Reference VI0093

Thank you for your letter of 9th August 2013 in response to my letter dated 26th July 2013.

However with the greatest respect to you have not addressed the issues of my complaint at all, in addition the law and the facts and circumstances are not as stated and implied in your letter. For the moment I assume that you misunderstood my complaint, the facts and the law and I ask that you consider the following.

My unequivocal complaint to you was that the IBAC dismissed each of the separate complaints set out in numbered paragraphs 1 through 8 of my letter of complaint to the IBAC and that it had wrongly dismissed those complaints pursuant to section 63 of the Independent Broad-based Anti-corruption Commission Act 2011. ("the Act"). You did not address this complaint at all. I have previously provided you with a copy of my letter of complaint to the IBAC but for your convenience I attach a further copy below.

You appear to have erroneously relied on a misconstruction of the wording of the IBAC's letter to me dated July 2013 and this letter misleadingly asserts that my complaints were deferred because "*at the present*" my complaint "*does not warrant investigation*". On the face of it this is a deferral to some time other than "*at the present*" and cannot be construed as advising of a permanent dismissal.

As advised to you, because the IBAC's letter did not adequately (or at all) define reasons for dismissal (or deferral) I made a telephone inquiry with the IBAC and upon inquiry, the fact, advised to me by the IBAC, and communicated to you in my complaint to you, was that each of my complaints had been permanently dismissed in purported pursuance of section 63 of the Act and that the dismissal was under the hand of the commissioner.

The fact is that you have not addressed either the facts of the IBAC letter or my specific complaint in respect of wrongful application of section 63 of the Act but instead appear to have relied upon a misconstruction of the IBAC's letter and in particular a misconstruction to the effect that the IBAC's letter advises permanent dismissal as distinct from unspecified deferral of my complaints. You appear to have then erroneously treated those dismissals as having been properly made pursuant to section 67 of the Act which provides for dismissal of complaints which do not warrant investigation.

I therefore reaffirm and renew my outstanding complaint to you in respect of the wrongful application of section 63 of the Act to each of my complaints.

In respect of my complaint against Justice Osborn and your construction of the IBAC's letter, your letter states that the IBAC must investigate, dismiss or refer a complaint and then asserts that the IBAC's **decision** in this instance was to dismiss my complaint and that there is nothing in the material provided by me which indicates that the IBAC's decision was not proper.

Your letter implies that the IBAC may simply decide whether to dismiss, investigate or refer, respectfully, this is simply not so.

The Act provides;

15 Functions of the IBAC

- (2) Without limiting the generality of subsection (1), the IBAC has the following functions—
 - (a) to identify, expose and investigate serious corrupt conduct

58 IBAC must dismiss, investigate or make referral

In relation to any complaint or notification to the IBAC, the IBAC must, in accordance with this Act—

- (a) dismiss the complaint or notification if there are grounds to do so; or
- (b) investigate the complaint or notification; or
- (c) make a referral of the complaint or notification.

It is clear that the IBAC **must** investigate dismiss or refer a complaint and can only dismiss a complaint if, and only if, in accordance with the Act, there are grounds for that dismissal.

The lawful grounds for such dismissals in accordance with the Act are found at sections 60, 63 and 67 of the Act.

Subsections 60(2) and (4) provide that IBAC must dismiss a complaint where the alleged conduct is not serious corrupt conduct or the complaint is trivial, frivolous or vexatious or lacks substance and credibility.

In respect to complaints against Judicial Officers section 63 provides that the IBAC must dismiss a complaint where the complaint **directly** relates to the **merits** of a decision, order or judgment.

Section 67 of the Act provides limited discretion to the IBAC.

67 Complaints or notifications to the IBAC that do not warrant investigation

- (1) Subject to sections 60(2), 60(4), 60(5), 63 and 65, the IBAC, in its absolute discretion, may determine that a complaint or a notification to the IBAC does not warrant investigation.

That discretion is limited to determining that a complaint does not warrant investigation. Guidance examples of complaints which may be determined to not warrant investigation are defined at subsection 67(2) and include such things as the subject matter of the complaint is trivial or frivolous or the complaint is vexatious or, in all of the circumstances, the conduct alleged does not warrant investigation.

Subsection 67(1) does not provide unfettered discretion to not investigate complaints and particularly does not provide discretion to the IBAC to not perform its defined function and not identify, expose and investigate serious corrupt conduct and not investigate non trivial complaints in respect of corrupt conduct as defined in section 4 of the Act.

The Act does not provide any discretion at all to not investigate instances of serious corrupt conduct. If it did it would leave the Commissioner with unimpeachable discretion to not investigate the corrupt conduct of friends and/or professional associates and contemporaries. In other words, if the Act provided such discretion the Act would defeat itself, this is absurd.

I believe that on any reading my complaint to the IBAC, as provided to you, contains and clearly sets out allegations of “corrupt conduct” as expressly defined in section 4 of the Act and that corrupt conduct included “relevant offences” as defined in the Act. In particular each of the separate complaints made in numbered paragraphs 1, 2, 3, 4, 6 and 7 of my letter of complaint to the IBAC specifically include and are allegations of perverting the course of justice and of

conspiring to pervert the course of justice in the Supreme Court and Magistrates Court of Victoria. It is obvious that these things must and do constitute serious corrupt conduct.

In light of the above, and from your letter, it would appear that you conclude either or both of the following:

- a) that the Act, presumably section 67, provides for unfettered discretion for the Commissioner to dismiss instances of serious corrupt conduct as not warranting investigation and/or
- b) the conduct complained of by me in each of paragraphs 1, 2, 3, 4, 6 and 7 of my letter of complaint to the IBAC, and paragraphs 1 to 7 collectively, do not constitute serious corrupt conduct and are so trivial as to be properly subject to discretionary dismissal pursuant to section 67 as not warranting investigation.

However the IBAC did not dismiss my complaints in accordance with the issues contained in your letter. Therefore while your apparent view of these things disturbs me it is entirely irrelevant and I cannot, did not and do not complain to you as though your construction of the IBAC's dismissal of my complaints was conduct of the IBAC.

In light of the above neither the IBAC's true conduct nor my initial complaint to you that the IBAC dismissed each of my several complaints in purported pursuance of section 63 of the Act has been addressed by you. I now restate and renew that complaint to you.

- Section 63 applies in respect to complaints which **directly** relate to the **merits** of a decision, order or judgment.
- The complaints set out in each of my numbered paragraphs 1, 3, 4, 5, 6 and particularly 7 of my letter of complaint to the IBAC cannot be construed as even relating to the merits of a decision, order or judgment.
- In numbered paragraph 2 of my letter of complaint I allege that Justice Robert Osborn fabricated Reasons for Judgment the known effect of which was to ignore, deny and conceal the fact of and the matters and things giving rise to my first complaint. Obviously an investigation of this complaint against Justice Robert Osborn requires a consideration of the Reasons for Judgment but this complaint cannot be construed as a complaint which **directly** relates to the **merits** of a decision, order or judgment. It is specifically and unequivocally an allegation that Justice Robert Osborn engaged in serious corrupt conduct and his Reasons for Judgment were a product or component of that serious corrupt conduct.
- The act provides for the examination of decisions, orders and judgments by former judicial officers for the purpose of ascertaining whether or not those decisions, orders were corruptly made. Any suggestion that such investigation cannot be made would appear to be in the face of the Act and would frustrate the Act and render corrupt judicial officers immune to the intent and purpose of the Act.

In view of the facts set out above I believe and say that the dismissal of each of my complaints in purported pursuance of section 63, or any other belatedly substituted section, was wrong at law.

I now require you to address the facts and my specific complaint to you as a matter of urgency.

I also require an express reply such that I and others may rely on it. If my complaints are considered trivial please say so.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Glenn Thompson', with a stylized flourish at the end.

Glenn Thompson

12th June 2013

The Commissioner
Independent Broad-Based Corruption Commission
Level 1, North Tower,
459 Collins Street,
Melbourne, VIC 3000

By email submit@ibac.vic.gov.au

Dear Sir.

Corruption – Supreme Court of Victoria.

I refer to you the material which I have set out on the website <http://courtsontrial.com>

I say and allege that the material on that website will lead you to conclude as follows;

1. That on or about November 2005 the lawyers Major General Garde QC (now Justice Garde), Jim Delany SC, Sharron Burchell, Greg Ahern, Michelle Elizabeth Dixon and Steven Mark Edward conspired together to pervert the course of justice and obtain a wrongful judgment of the Supreme Court of Victoria.
2. That on or about November 2006 Justice Robert Osborn acted to pervert the course of justice by authoring and publishing purported Reasons for Judgment which were fabricated by him the known effect of which was to ignore, deny and conceal the fact of and the matters and things giving rise to my first allegation.
3. That on or about April 2007 Justice Osborn and/or other officers of the Supreme Court either alone or in conspiracy with one another to fraudulently fabricate supposed “Authenticated Orders” of the Supreme Court for the purpose of disallowing or rendering invalid an appeal substantially based on the first two allegations.
4. That on or about May 2007 the lawyers Steven Mark Edward and Sharon Burchell and others colluded or conspired with the authors of the abovementioned fabricated “Authenticated Orders” to utter them.
5. That subsequently each of Justices, Buchanan, Beach, Redlich, Neave and Mandy became adequately aware of the matters and things giving rise to allegations 1, 2 and 3 as to give rise to a belief by them that my allegations as to those things were not without substance and they wrongly and corruptly ignored and denied those matters and things.
6. That during the period about December 2006 until August 2009, in proceedings in the Court of Appeal the lawyers mentioned in item 1 above individually and collectively relied on the judgments and Reasons of each of Master Efthim and Justice Osborn while knowing full well that they had obtained those judgments and Reasons in the corrupt circumstances now alleged by me.
7. That on or about December 2009 the Lawyers Katherine Styles and Barrister Richard A Harris conspired with one another and the CEO of the Macedon Ranges Shire Council, Mr. Peter Johnson to pervert the course of justice by relying on a certificate under s242(2) of the Local Government act and signed by the said Peter Johnson while either knowing full well that the matters and things set out in that certificate were false or alternatively without reasonable or adequate grounds for a belief as to the matters and things set out in that certificate.
8. The other matters and things set out in the website <http://courtsontrial.com>

A few notes.

The website was not authored by me for the purpose of referring these things to you. I established that website during the currency of the Court of Appeal proceedings for the purpose of publicly exposing the corruption. Initially it was set out in very basic manner and as I now know with insufficient detail for people to understand very complex issues. I then had what one could perhaps describe as an emotional aberration and was not able to face the personal anguish these things caused.

I then wrote first drafts of a book which I was intending to have professionally or cooperatively edited for hard copy publishing. I then decided to essentially copy that draft book to the web. The layout is a consequence of the initial draft of the book which was intended to give a brief insight in Chapter 1 to induce a reader to quickly establish that on the face of it outrageous allegations are not without foundation. The substantive detail being in Chapters 2 and following.

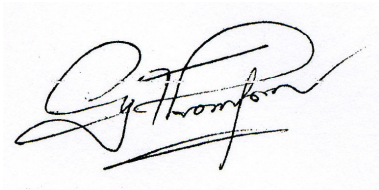
From time to time in the material on the web my emotion is on display but having regard to the astounding material set out I trust you will read with a little empathy for stresses caused to me and my family.

I was aware that your commission was impending but to be frank, having regard to me experiences I held little hope, however I recently read your legislation and I now believe that the government is serious and that investigation and consideration by your commission is truly independent. It was upon reading the legislation that I am confident to refer the material to you.

I will in all probability make some more but less serious allegations in the near future.

Thank you.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Glenn Thompson', with a stylized flourish at the end.

Glenn Thompson