

**COURT OF APPEAL  
SUPREME COURT OF QUEENSLAND**

CA NUMBER: 3595/13  
Number : 928/13

Applicant : Peter Markan  
AND  
Defendant : Bar Association of Queensland

**NOTICE OF APPEAL**

To the respondent  
And to the Registrar of Supreme Court of Queensland,

**TAKE NOTICE that this Notice to Appeal is amended due to the fact of Judge Roslyn G Atkinson rejecting my request for THE STAY OF PROCEEDINGS on 24.04.2013**

TAKE NOTICE that the appellant appeals to the Court of Appeal against the whole order by judge Roslyn G Atkinson of Supreme Court of Queensland

1. Date of Judgment: 17.04.2013  
Description of Proceedings: Supreme Court NUMBER : 928/13  
Description of parties involved in the proceedings :  
    Plaintiff : Peter Markan  
    AND  
    Defendant : Bar Association of Queensland

Name of Primary Court Judge: Roslyn G Atkinson  
Location of Primary Court: SUPREME COURT OF QUEENSLAND

**2. GROUNDS –**

- The subject of my application to this Court relates to the issue of the lack of respect for the human rights in Queensland and the issue of racist attitude, discrimination and vilification of people who are not lawyers and not of anglo origin and who represent themselves in courts.
- The Applicant **demand**s that his human rights are acknowledged and respected. Particularly, the provisions of **Article 14 of The International Covenant on Civil and Political Rights** – ‘All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, **everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.**’
- The Applicant rejects the motion of ‘impartiality’ which Ms Roslyn G Atkinson attributed to herself during the hearing on 17.04.2013 as unlawful and illegal.

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NOTICE OF APPEAL  
Filed by Peter Markan  
Form 64, Version 4  
Uniform Civil Procedure Rules 1999  
Rule 747(1)

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Name: Peter Markan  
Address:  
  
Phone :  
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- Ms Roslyn G Atkinson, although knowing that what she does is WRONG, she choose to preside over the court hearing (17.04.2013) where **she was a judge in her own case** and she did not express any feeling of guilt or remorse.
- Such conduct is the **abuse of internationally recognized legal standards** preserved in Latin canon ‘Nemo iudex in causa sua’ that means, literally, no-one should be a judge in their own cause. That was done in spite of Ms Roslyn G Atkinson being President of Queensland Branch of the International Commission of Jurists, therefore being expected to be conscious and aware of the international standards.
- Such conduct is also the abuse of **Article 14 of The International Covenant on Civil and Political Rights** – which is included in federal legislation **Australian Human Rights Commission Act 1986** – as Schedule 2.
- Australia, on federal level, ratified The International Covenant on Civil and Political Rights in 1980. That covenant, which Australia has voluntarily entered in, set out in clear terms Australia's international human rights obligations. Australia is bound to comply with their provisions and to implement them domestically. Ratification of the covenant by the Australian Federal government encourages Australian courts ( including Queensland ) to take their provisions into account in their interpretations and judgments.
- The entitlement to an impartial tribunal is one of the most important human rights and fundamental freedoms recognized by international law. The fact that in this corrupt and rotten, mafia infested State, there is officially sanctioned disgraceful abuse and discrimination affecting 99% of Queenslanders, by the shameful lack of ANY FORMAL LEGISLATION, has to be addressed.
- The issue if such human rights are ‘officially’ recognized is irrelevant in the view that **those rights exist regardless** and are NATURAL HUMAN RIGHTS as the natural composition of human beings themselves.
- The Applicant requests the Court to determine if Ms Atkinson is attempting to pervert the Charter for Australian Human Rights Commission Act 1986 ( Schedule 2 ) and the Applicant requests the Court to determine if Ms Atkinson conduct constitutes the offence - '**an attempt to pervert course of justice**'.
- Ms Roslyn G Atkinson, during the court hearing on 24.04.2013, disregarded my request for THE STAY OF PROCEEDINGS in spite of being informed that I lodged the application for the Appeal from her previous decision in this matter. By doing so she showed DISRESPECT to the legal system she is working for, the court procedures and for her own senior judicial colleagues.
- The Applicant requests the Court to determine if her conduct constitutes the offence - '**the indirect contempt of court**'.
- Ms Atkinson is involved in the abuse of judicial discretion which has been exercised arbitrarily and capriciously and in bad faith. The abuse resulted in a manifest injustice.

- Ms Roslyn G Atkinson conduct brings the administration of justice in Queensland into disrepute and has impact on the issue of integrity and respect for the law affecting Queensland legal system as the whole. It is embarrassingly embarrassing that a Supreme Court judge would dare to act in such disgraceful manner.
- Denial of a neutral, impartial arbiter to preside over the court hearing deprived me the access to justice, deprived me of fair hearing, denied me recognition and equality before the law.

**3. ORDERS SOUGHT –**

- The Applicant requests the Supreme Court to disqualify Ms. Atkinson to hear the case against ' Bar Association of Queensland '.
- The Applicant requests the Supreme Court to pronounce the hearing on 24.04.2013 in this matter ( 928/13 ) by Ms. Atkinson as null and void – not having any legal consequences, the verdict set aside and order the new hearing.
- The Applicant requests the Supreme Court to select truly neutral, independent and impartial arbiter, conforming to internationally recognized standards, to preside over the court hearing against ' Bar Association of Queensland '.

**4. RECORD PREPARATION**

I undertake to cause a record to be prepared and lodged, and to include all material required to be included in the record under the rules and practice directions and any order or direction in the proceedings.

**PARTICULARS OF THE APPLICANT:**

Name: Peter Markan  
Plaintiff’s residential or business address:

**Address for service:**  
Peter Markan

**PARTICULARS OF THE RESPONDENT:**

Chief Executive Officer  
Bar Association of Queensland  
Level 5 , Inns of Court  
107 North Quay  
Brisbane , Qld 4000

Signed: .....

Description: *Applicant*

Dated: 29.04.2013

This application is to be served on:

1.Chief Executive Officer  
Bar Association of Queensland

2.Roslyn G Atkinson  
SUPREME COURT OF QUEENSLAND

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