

**COURT OF APPEAL  
SUPREME COURT OF QUEENSLAND**

CA NUMBER: 9591/13  
NUMBER : 4516/13

Plaintiff: **Peter Markan**  
AND  
Defendant: **Crime and Misconduct Commission**

**OUTLINE OF ARGUMENTS**

1. I am appealing the decisions of judge David Boddice from 10.10.2013
  - failure, contrary to existing valid laws, to provide the evidence of his competence as the judge,
  - the rejection of my Application to Strike out the Defendant application to strike out my Claim and Statement of Claim,
  - the approval of Crime and Misconduct Commission application to strike out my Claim and Statement of Claim
  
2. The subject of my application to this Court relates to the issues of:
  - the lack of respect for the human rights in Queensland;
  - racist attitude, discrimination and vilification of people who are not lawyers and not of anglo origin and who represent themselves in courts;
  - denial of the protection by law to those people;
  - treatment of those people by ‘public institutions’ and courts as **SECOND CLASS CITIZENS**.
  
3. **I am demanding** that my human rights are acknowledged and respected. In this case the applicable right is that guaranteed to most human beings in civilized countries outside of Queensland – that is the provision 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.**”
  
4. Mr Boddice conduct and decisions have to be looked from following viewpoints:
  - the lack of judge`s ‘competency’ due to flawed selection process
  - the judge`s appearance as a dogged law breaker - he is NOT a law abiding citizen
  - lack of remorse by an arrogant hypocrite, so keen to criticize and make condemning statements about other people failures to follow the laws
  - unlikelihood of Mr Boddice being rehabilitated and making useful contribution to the society
  - anglo law, as practised in Queensland, being one way street - where ordinary people are persecuted, but Lawyers Mafia members disrespecting laws are protected from lawful prosecution.

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Outline of Arguments  
Peter Markan v Crime and Misconduct Commission  
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5. Mr Boddice - broke laws of this State - he is law violator  
 Mr Boddice - deprived me of my human rights entitlement by failing to provide the evidence of his judicial competence (... **'that won't be happening'**...)  
 Mr Boddice - shamed Queensland Legal System by failing to publicly provide the evidence of legitimacy for his selection as the judge
6. The court hearing was in breach of due process of law as guaranteed to me by
  - Observance of Due Process of Law - Statute 1368 - Imperial Act 3
  - Liberty of Subject (1354)
 which are the valid laws in this State - IMPERIAL ACTS APPLICATION ACT 1984 Queensland Legislation.
7. In spite of efforts by Queensland barristers and Queensland judiciary to the contrary
  - the human rights as recognised and codified by **The International Covenant on Civil and Political Rights** - are in fact valid law in Queensland. Therefore, any breaches of those rights are **'criminal offence'** and Mr Boddice committed the criminal offence regardless of his shifty excuse of possessing so called 'immunity'.
8. **The following LAWS provide the evidence of the above claim:**
  - **Australian Constitution**  
*109 Inconsistency of laws*  
 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.  
  
*117 Rights of residents in States*  
 A subject of the Queen, resident in any State, shall not be subject in any other State to any disability or discrimination which would not be equally applicable to him if he were a subject of the Queen resident in such other State.
  - **Australian Human Rights Commission Act 1986** - Schedule 2
  - **Charter of Human Rights and Responsibilities Act 2006** - VICTORIA
  - **Human Right Act 2004** - ACT
9. Another important, internationally recognised document **Bangalore Principles of Judicial Conduct, endorsed by the United Nations Human Rights Commission in 2003** - is unfortunately not ratified in Australia, giving judges opportunity for lame excuses.  
 That document says - Value 6: COMPETENCE AND DILIGENCE  
 Principle: **Competence and diligence are prerequisites to the due performance of judicial office.**
10. Anglo legal system (and its Queensland perverted variant) claims to be based on Roman law, which is considered to be the common denominator of all European legal systems. It is also the subject of international treaties, covenants, obligations and rules - which are ignored by judiciary.
11. People like Mr Boddice can be arrogantly abusive of 'the due process of law' and avoid to comply with law provisions as other people have to, because Queensland Legal Industry remains in hands of few oligarchical families who maintain the cosy arrangements of shielding each other for corrupt and selfish purposes and have means of protection by having family members in all positions of real power.

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12. In Queensland, persons selected as ‘judges’ **never have** (as should be in a ‘democratic’ country)
  - any test of ‘professional knowledge’ and abilities,
  - no appraisal of psychological tendencies and human weaknesses,
  - no ethical scrutiny,
  - no ‘competency’ verification,
  - evidence in the past of civil responsibility
  - evidence in the past of moral and ethical responsibility
  
13. As the position implies imposing on others decisions and promoting own infallibility they are saved from trouble only by the nature of the feudal anglo ‘legal system’. No lawyer would dare to seriously ‘challenge’ even the biggest idiot or crook among judges because lawyers have ‘overriding duty to the court’ and if they forget it – their practicing licence will be revoked.
  
14. Since in this legal system ‘judges’ do need any qualifications or competence test there is nothing to prevent a carpenter or bricklayer from obtaining such position.
  
15. There are clearly missing links in the legal arrangements to qualify Queensland and Australia as the ‘democratic country’ - there is no separation of powers and **there is the hegemony of one single group of people in all areas of real power** - that group can be defined as ‘anglos’ and more specifically ‘lawyers mafia’.
  
16. There is no mechanism to balance undue influence of that single group - there is no independent judiciary as one of the 3 pillars of true democracy - **legislature, administration and judiciary.**
  
17. Harry Gibbs said when he was Chief Justice of the Australian High Court:
  - ... ‘it is certainly not democratic that decisions on matters of social and economic policy should be made by unelected judges who are not accountable for their decisions except to their own consciences’.
  
18. Creating of dogmas - centred around the concept of infallibility of anglo judges who are presumed to be never wrong, never stupid, never dishonest.
  
19. All of that is about people who overnight turn from shifty, crooked, lying lawyers into modern day saints. Even Catholic church makes more effort before declaring someone a ‘saint’ than this corrupted, cronyist, pseudo legal system.
  
20. **As ‘de facto’ judge Mr Boddice failed to take into consideration facts against CMC:**
  - My Claim against them arises from their failure to provide me the protection from Lawyers Mafia and they have the duty to provide to me such service looking at the reality of their legal status as admitted in their statements on the official web page.
  
  - They are subcontractors, preferred service provider, in relation to the protection against corruption and ORGANIZED CRIME as per the Social Contract between Queensland government and me as the resident.

- **SECOND way of looking at CMC status and their obligation:**  
State of Queensland is the formally registered corporation (US Securities and Exchange Commissions under No. 0001244818) and I, as the shareholder of that corporation, have voting rights and say in the running of that corporation - while CMC, as being the part of that 'commercial corporation', has duty to pay attention to me.
- CMC has obligation to pursue the 'organized crime' but unlawfully avoids the acknowledgement that 'lawyers mafia' is the serious threat to the people of Queensland and pretends to be oblivious to its existence
- CMC is trying to breach the contract, avoid responsibility and keep taking money for doing nothing in return.

21. As a victim of the crime committed by lawyers/barristers (and their outfits) I have approached this court seeking redress and justice. I have asked the law for protection and the law failed in its duty to protect me and to provide justice thus promoting the idea that the crime, when committed by lawyers, pays. The fact that Queensland legal system is the monopoly of lawyers helps them to avoid responsibility.

**ORDERS SOUGHT –**

- 22. I am requesting the Supreme Court to pronounce the hearing on 10.10.2013 and the 'orders' in this matter (4516/13) by Mr Boddice as null and void – not having any legal consequences, the verdict set aside and order the new hearing.
- 23. I am requesting the Supreme Court to select truly **competent**, independent and impartial arbiter, conforming to internationally recognized standards, to preside over the court hearing against 'Crime and Misconduct Commission'.

Signed: .....

*Applicant*      *PETER MARKAN*

Dated: 06.11.2013