

NOTIFICATION  
CONSTITUTIONAL QUESTION ACT

In the Provincial Court of British Columbia  
Regina v Trevor Russell Holsworth Court file 26418 Nakusp Registry  
Regina v Trevor Russell Holsworth Court file 26419 Nakusp Registry

Constitutional Question Act

S 8(2) If in a cause, matter or other proceeding

(a) the constitutional validity or constitutional applicability of any law is challenged

The Law in question:

Income Tax Act R.S.C., 1985, c. 1

s 238 (1) Every person who has failed to file or make a return as and when required by or under this Act or a regulation or who has failed to comply with subsection 116(3), 127(3.1) or (3.2) 147.1(7) or 153(1), any of sections 230 to 232, 244.7 and 267 or a regulation made under subsection 147.1(18) or with an order made under subsection (2) is guilty of an offence and, in addition to any penalty otherwise provided, is liable on summary conviction to

a) a fine of not less than \$1,000 and not more than \$25,000; or

b) both the fine described in paragraph 238(1)(a) and imprisonment for a term not exceeding 12 months.

Date of Trial: July 15<sup>th</sup>, 2021 at Nakusp

Particulars:

1. The Income Tax Act provides for a term of imprisonment which is contrary to the Charter of Rights as stated in Reference Re BC Motor Vehicle Act, 1985, 2 SCR 486

Furthermore

S 8 (2) (b) an application is made for a constitutional remedy

Particulars:

1. The Canadian Judicial Council claims by their letter to me dated August 28, 2007 that Judges have absolute unfettered discretion to accept or reject all evidence including the official court record, the transcript.

2. I served the Attorney General of Canada / Minister of Justice David Lametti on March 9<sup>th</sup> 2020 by registered letter through the office of the Deputy Attorney General's office as specified under serving the Crown on the Ministry of Justice website with a charter notice as per s 24(1) of the Charter of Rights.

3. The Charter Notice is attached in Appendix A.

4. No formal response was ever received.

5. No notification to Parliament was ever made.

6. I hereby apply for the constitutional remedy outlined in my Charter Notice to be applied, for the constitutionality of the Courts be checked by Parliament and other such remedies be provided as that court determines.

## Appendix A

Delivered to Deputy Attorney General's office on March 9<sup>th</sup>, 2020

Initials of the receiving agent is M F and the Canada Post item number is RN445243445CA

A copy was also emailed directly to AG/MOJ David Lametti.

Trevor Holsworth  
Box 406 New Denver BC V0G 1S0

David Lametti  
Attorney General of Canada  
Department of Justice Canada  
284 Wellington Street  
Ottawa, Ontario  
Canada K1A 0H8

Federal Judges through the Canadian Judicial Council (CJC) are claiming the right to dispense arbitrary justice contrary to the principles of fundamental justice of which a lack of arbitrariness is the primary factor. The CJC claim that Federal Judges do not have to accept the official transcript of trial as the highest form of evidence possible, that they have the discretion to accept other evidence such as personal testimony in preference. A large number of problems follow from that position and have effected my rights personally and continue to do so. I have requested from the CJC that they explain how they can hold that position with regards to my Charter of Rights or submit my complaint in regards to their position to Parliament to get confirmation of its legality but they have denied both requests.

Section 24 of The Charter of Rights allows me to enforce my rights

"(1) Anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied may apply to a court of competent jurisdiction to obtain such remedy as the court considers appropriate and just in the circumstances."

The only Court of competent jurisdiction to judge the judges who judge the judges is Parliament. I have currently lost most of my legal rights except obviously my right to life but I am in fear of losing that. I am hereby applying to Parliament for the protection of my charter of rights. Obviously urgency is of prime importance.

Yours sincerely,

Trevor Holsworth