

Good morning. Thank you for this opportunity to speak today, your honor, crown council, court reporter, and other court staff. Thank you to the members of the public who have attended to stand witness. I appreciate all of your time. I see value in this conversation. Based on the evidence presented before the court in Nakusp on July 16 2021, why didn't Judge Sicotti provide me with the due diligence defence available in strict liability offence that the court claims the Income Tax Act is? The answer to that question is very revealing, the Income Tax Act passed by Parliament is an absolute liability offence. There is no due diligence defence and it is unconstitutional as this court has found in similar cases.

The Provincial Court not providing me with the judge made due diligence defence that is provided for clients with Income Tax lawyers says a great deal about this court's application of fairness and partiality when dealing with unrepresented litigants which enforces a belief that lawyers do result in the protection of your rights and unrepresented and not having a lawyer will result in loss of your rights, however my understanding is that I have a presented a very valid valid freedom of expression defence regarding the reporting of criminal activity and breaches of Statutory duties within the entire legal system that should result in resolution of this matter today to not guilty and the undertaking of investigations into this matter it is disappointing of course that this was the only method of communication left available to me.

I think it important to take as many positive steps as soon as possible, delaying or denying is helping no one. If crown disagrees then they can appeal, there is an obvious inherent bias in the crown prosecution, their most senior officer is currently not responding to a charter complaint, and their governing body is claiming that lawyers have no duty to protect the public and are above the law and there are no ethics and no trust in their institution at all.

What larger charter breach can there be than refusing to respond to a Charter complaint. Without enforcement of the enforcement procedure, no law has any power. There is all the evidence here to issue an order for a writ of mandamus on the Minister of Justice to present this matter before Parliament as the only Court of competent jurisdiction to resolve the issues before the court. Parliament does also share a responsibility with this Justice system to resolve this matter fully and to take the personal and collective responsibility that they owe to me and to Canada.

I do understand the bias for everyone who works for the Government regarding the Income Tax Act as it controls much of the revenue for Government and everyone here desperately wants to keep the threat of imprisonment available for the CRA to enforce Democracy, so to speak, which in some ways I also understand, but can you understand how being compelled to attend court before a judge with the discretion to ignore all evidence and punish me with up to seven years imprisonment and up to two hundred thousand dollars in fines felt like from my perspective, the actual threats and abusive processes at the RCMP are disturbing to say the least but for many not a surprise. The weaponization of the family law system by lawyers in Canada is a major problem for children in Canada and the lack of proper procedures and protections is a failure in the Administration of Justice and is resulting in the abuse of hundreds of thousands of Canadians leading to suicides, drug and alcohol abuse, poverty and mental health issues which compromise the integrity of our society.

I am the unwilling messenger here doing my duty as a Canadian. I'm simply going to provide my perspective. I won't presume to present the law as it had been made perfectly clear to me, that only you really know the law and that I do not, as I am not a lawyer or a judge. However if you have questions I would be available as a witness and to provide any other assistance however I should be paid for service in this matter, that is only fair and equal before the law.

I shouldn't have to be doing this job as those that have been paid to do this job have failed to do so that is really the problem here the administration of Justice needs correction but there is also the potential for Canada to provide leadership to the world we could lead judicial reform as the current system is rooted in several thousand years of abuse and oppression. We can do better. We should always keep an open mind, let go of attachments, face our fears, and do the right thing.

Thank you for bearing witness. I do appreciate the difficulty of this situation. I am attempting to do everything in my powers to resolve this professionally and correctly. I have argument that you should be recused, and that all Judges should be recused in this matter. The examination of the issue of fundamental justice might compromise the ability of all involved here to provide me with a fair and impartial trial. The Canadian Judicial Council decided that judges have a discretion to accept or reject the transcript and refuse to permit that discretion to be reviewed, unfortunately that makes this appeal arbitrary and unreviewable discretion is contrary to fundamental justice and Democracy.

It is however irrelevant now, as I simply need your help to move this process forward in order to be afforded any legal rights. I will accept your word that you will provide me a fair and impartial trial. As you can imagine, this has been a very difficult thing for me to do, and yes I do feel threatened, all the time.

In 2005 I was accused of contempt of court twice. Once when I was completely broke as a result of court orders and another occurred after telling a Judge I would be unavailable on the day I was ordered to attend court at 10 am, to set a date for a hearing. I did turn up at 10 am and the Registrar did tell that to Justice McEwan, who put a warrant out for my arrest, as I had to depart to pick up 12 skiers, 30 kilometers from anywhere, with only me to help them. I spent a day in jail for that. Justice McEwan did later understand that something was wrong with my case and took over case management, after asking for my approval, so I was very surprised at trial when Justice Shaw attended.

I think we all understand, that, what I am proposing in my argument is that there is a complete failure throughout the legal system of all accountability. Not once was the right thing to be done done. The reporting of crimes led to retribution. Of course I have fear. Judge Sicotti could have, in his discretion, under the Income Tax Act, sentenced me to seven years imprisonment and about two hundred thousand dollars in fines.

That's the risk that was forced upon me to report a crime in the justice system.

Claiming that reporting a lawyer for fraud on the court, and providing the transcript, could be refuted by calling the Plaintiff to the stand, and requesting that she perjury herself, to protect her lawyer, and preferring that to the transcript, is abhorrent to any sense of justice.

In Provincial Court after being promised a fair and impartial trial, and that any breaches of the Charter would be addressed, the Court then attempted to ignore a constitutional question, and subsequently claimed that their word was the law, despite the evidence, and the complete lack of evidence and argument from the crown. My evidence isn't good enough. I will never know the law as well as a Judge. My rights to Security of the Person are being threatened by being here.

I was threatened that if I don't attend court you will imprison me and if I do attend court, you could imprison me.

My right to legal advice and even my requests for food to make it to Trial were denied. What hope do I have here? Chief Justice Pigeon acting for the Canadian Judicial Council

dismissed my complaint about Judge Shaw's conduct without proper procedure. The Council refused to reconsider their decision on several occasions, ultimately leading Norman Sabourin, lead counsel at the Judicial Council writing to me that my requests were an abuse of process, and refused to bring the matter to the attention of either the Minister of Justice or Parliament.

The claim that Parliament cannot review judicial discretion as not being an element of conduct is incorrect. Judge Shaw ruled based on his discretion in 1999 that the law on child pornography was unconstitutional, he also ruled in a previous case that being one minute late in filing a document was fatal. In my case, Judge Shaw ruled that he could protect a lawyer, committing fraud on the court, by personally calling up the Plaintiff and requesting that she perjure herself.

Those are all the elements of discretion. Are you seriously suggesting that Parliament cannot dismiss a judge who administers his discretion arbitrarily. Is discretion not an element of conduct? Is it not part of good behavior? Is it not part of Parliament's role to Rule for the Peace, Order and Good Government. Justice Pigeon claiming that judicial discretion was not reviewable is unconstitutional. I'm not sure who came up with the concept of unreviewable discretion at the Canadian Judicial Council but that decision should be reviewed for correctness.

The whole matter of the mechanism of the examination and discipline of federal judges requires significantly more efforts to correct than the current amendments proposed.

Historically, the Minister of Justice has denied that there was any further avenue within the review of judicial conduct except to go back to the Judicial Council. Obviously my understanding of the law has expanded from that point and the abusive nature of the Canadian Judicial Council has been examined in more detail before the courts in the Justice Smith case more recently in 1999. I did share my experience with the Canadian National Judicial Institute and they kindly acknowledged my correspondence but declined to respond further.

The failure of the Minister of Justice to respond to a Charter complaint to bring the matter before Parliament is why we are here today, to right or wrong, that is the function of the Justice system. You simply cannot have it on the official record at the Judicial Council that Judges have a right to ignore all the evidence that any Canadian could provide. You are in the position of providing trust but the evidence is contrary and it is killing people, destroying lives, bankrupting the people, who you are supposed to serve.

We need to find solutions, not denial. The truth is that in a system based on the Rule of Law, unfettered discretion is a contradiction in terms. Discretion necessarily implies good faith in discharging a public duty. Fraud and Corruption are always implied as exceptions.

When I reported crimes to the BC Law Society involving lawyers not complying with court orders to provide trust account statements, falsifying and redacting documents to obstruct justice and collusion, written reasons were refused in conflict with their governing document, the Law Society Act. The Law Society requested the plaintiff's lawyer, Greg Stacy provide them his trust account statements but then refused to provide the contents to me. I requested that Stuart Cameron of the BC Law Society, to provide an explanation of how the Law Society was complying with their Statutory duty to protect the public but received no further reply and I forwarded the communication to the BC Ombudsman. After a year of attempts to get the Law Society to provide written reasons, the Ombudsman abandoned the investigation. Prior to being submitted to the Discipline Committee, the senior benchers, whom I believe the Attorney General of BC is a member, decided that on the basis of the evidence in front of them, that there was insufficient evidence, which is true, because the law society had removed all the incriminating evidence from the file and

informed me by letter of the evidence that was presented.

That conduct puts the integrity of the monopoly on the services provided by membership in the Law Society at risk. The refusal of lawyers to protect my Charter rights to a lawyer is a confirmation of the understanding of the problem with the letter from the Canadian Judicial Council.

The failure to provide my right to legal representation by lawyers was held to be of little importance as if the inclusion of a right in the Charter is the same as providing the practical application of that right, and that is a mistake. The Crown Prosecutor has a conflict of interest in this matter, but unfortunately has refused to admit that. I am compelled to accept that as the only way to move this process forward efficiently. My request for a special prosecutor due to the involvement of political actors was not considered, nor was my request for proper disclosure of conflict of interest to a superior. All requests for evidence have been denied, that's a pretty bad start, but not a surprise, as every other attempt to communicate with the legal institutions prior to attending court were ignored. Arguments for the use of alternative dispute resolution methods as well as offers to assist in the provision of evidence to secure prosecution of other much more significant offenders was ignored completely. Letters to the Attorney General's Office and Minister of Justice were ignored, including a Charter of Rights complaint to have the matter heard by Parliament properly served by registered mail to the Deputy Attorney General's office, as required by law. The Attorney General's office still has not provided a response to the Charter complaint.

The Minister of Justice is currently not complying with our Governing document and failing to respect my right to the reporting mechanisms of the charter which is a crime of Obstruction of Justice. I reported the problem to the PM's office along with allegations of improper tampering with the transcripts, and the matter was referred back to David Lametti who finally replied and recommended that I hire a lawyer in private practice, and that he does not provide legal advice to the public. The Minister of Justice further claimed improperly that he had no duty to intervene in the process of the Canadian Judicial Council which is a false statement, I believe designed to obscure the truth.

I sought legal advice on the matter on numerous occasions from the start when I reported the crimes immediately after the trial to the lawyer representing my parents interests. He dismissed the matter as being not worth pursuing which William Westcott, "my lawyer" also confirmed, including that there was significant downsides for me on appeal. Mr Westcott is currently employed as a lawyer for the Provincial Crown, and served me with the disclosure documents at the preliminary hearing in Nakusp.

When I show the letter from the Canadian Judicial Council to any lawyer they refuse further contact with me, one criminal lawyer wrote, "I will not represent you now or ever." Adam Dodeck, the Constitutional Academic wrote to me offering simply, "I have no experience in the matter, Good luck".

I have however, been very fortunate to have internet access, and the Ministry of Justice has published the law. There is also numerous other resources available by private parties which have been very helpful. Historical context such as the Magna Carta, The French Revolution, The American War of Independence, and the memoirs of Beverly Mclaughlin, David Johnson, as well as peace activists such as Gandhi, Martin Luther King, Bob Marley, Thich Nhat Than and Jesus Christ have also been very instructive. The BC Court of Appeal verdict in Merkel that was handed down on the 29th of november just two couple of days ago was illuminating reading as well. The Crown Prosecution's solution seems to be, if we

just ignore the situation and hope it goes away then we won't have to deal with it or worse let's just ignore my perspective completely and that hold that my perspective has no value whatsoever in this matter. That outlook will ultimately bring about the disrespect for the institutions that we value so highly. I fail to see how I can possibly know the case against me, or have a fair and impartial trial if Judges can plant evidence at trial, that all my requests for evidence be denied, that my perspective and evidence be ignored, and that my freedom of expression right are limited by the needs of the court staff to have lunch, as occurred in Nakusp, but when I requested food just to make it to trial I was denied. Beverly stated in the preamble to David Johnson's book on Trust "Justice shouldn't be some sort of abstract principle, it shouldn't be there for just the well-heeled, and corporations, and that kind of thing, it ought to be there for ordinary Canadians."

The last month researching this case has been an extraordinary experience for me. I took the opportunity to read the law on the matter, researched alternative legal systems, touched into Buddhism, Whistleblower protection and the quest for equal rights throughout history. I watched some incredible movies on these issues like Gandhi, On the Basis of Sex (Ruth Baden Ginsburg) Roots, The Trial of the Chicago Seven, Denial, First Knight, Robin Hood and of course, when my children were younger, we loved the Pixar classic, A Bug's Life. The physical forced exile and restriction of my participation in society by the removal of my driver's license and passport and finances allowed me to spend quality time with my children, to do some gardening, and ride my bike in this beautiful part of the world. I am very thankful for the support of my physical and social media community in many many ways. Of course my favorite movie quote, because it so perfectly reflects the situation in my story is from John Grisham's book "The Rainmaker" about the insurance company that targeted low-income people and denied all claims, killing a child that would otherwise have been saved.

"Every lawyer at least once in every case, feels himself crossing a line that he doesn't really mean to cross, it just happens, and if you cross it enough times, it disappears forever, and then you're nothing but another lawyer joke, just another shark in the dirty water."

The Crown Prosecutor tells me that the proper method of reporting a crime is to the RCMP. I've reported criminal activity on many many occasions. Starting when I was removed from my home in 2005 and a sleeping bag placed on the floor of a 20x20 foot apartment. I requested was denied a rug from my home for the floor I attended my home and removed it she called her lawyer who told her to call the police which she did, and they screamed up the road at high speed within a couple of minutes. I explained the situation and everyone agreed that it was reasonable however over the next two years I was subjected to a terror campaign of breaking entry at my prison cell apartment and at my retail business forcing me to close it abruptly. Anything that I had left remotely unsecured disappeared. Prior to trial my apartment was raided for the last time, coordinated by communication between the two lawyers, and without my consent they coordinated a locksmith to open my apartment and emptied it, including the insurance papers, which they placed in the court file to provide the Judge with an excuse to claim that I would receive insurance for all losses, except for the fact that my ex called the insurance company and shifted the coverage around so that I could not get coverage, although she had resigned already from the company. The insurance company denied my claim. Since I had no money and no trust or belief in the Legal system that was the end of the matter. At the conclusion of the Trial when I inspected the Court file presented to Judge Shaw and noted that almost all documents had been removed or heavily redacted, in particular, removing any mention of

the failure of Greg Stacy to comply with a Court order to provide monthly trust account statements. I communicated directly with both lawyers in regards to that breach although Mr Stacy did not like me doing so and objected to it because I had counsel. I reported the obstruction of justice to the police in person and ultimately was told that I was paranoid or delusional and they refused to take any action. On several occasions when I had caused to report crimes within the legal system I just got zero response except if I made it vague enough at the start to initiate a conversation which I did to the anti-corruption squad of the RCMP when I reported the Minister of Justice for Obstruction of Justice. The RCMP National Division Intake Unit Constable Webster responded and informed me that their mandate is to “safeguard and investigate significant threats to Canada's political, economic, and social integrity, and that they investigate complaints regarding federally elected Members of Parliament.” However when I reported that the Minister of Justice was failing to respond to a charter complaint to have judicial conduct examined by parliament and provided them a copy of my charter complaint they told me any future communications unless solicited will not be reviewed and will be destroyed.

I was not satisfied with that answer and made a complaint to the civilian review and complaints commission. Three days ago I received the reply that in their discretion they claim it is a frivolous and vexatious argument and they would not be responding. There was no signature and the only person's name on their website is chairperson Michelane Lehi. Of course I think it is important for this court to rule on the legality of that discretion.

In March 2020 I was served at my home with the information before this Court by Constable Smith of the New Denver RCMP station. I did take the opportunity to once again report the crimes in the legal system however he laughed at me and in the next three months I was placed in handcuffs in the back of his cruiser outside of my home by force even though I stated I was concerned for my safety and requested to stay in the public view and requested reasons for my arrest. My requests for a lawyer were denied. The reasons provided for the arrest was that of making a false statement. I tried to attend trial on the matter but Provincial Court Crown Council in Nelson Julian Dudley adjourned the matter by letter postmarked the day of the hearing but backdated two weeks and I was denied my right to a hearing on the matter. I requested but did not receive from Crown Prosecutor the GPS records of the RCMP helicopter that circled five times over my house on Easter Monday of 2021 at an elevation of less than five hundred feet. I completely understand the actions as efforts of intimidation.

I fully understand the lack of investigation as protection by the Executive arm of Government of the conduct of the Executive and Judiciary contrary to the Rule of Law. Due to the fact that federal judges through the Judicial Council claim that they have a right to disregard the transcript the actions of every Government Department is arbitrary, as my right to Appeal is subject to that unbounded discretion.

As I have no meaningful right to Appeal from a decision in an audit before the CRA I understand it correctly as being arbitrary, and will not be subject to that abuse. I will stand my ground on that issue forever, until this issue is resolved. Denial of that understanding is not going to be helpful.

In regard to the ruling on the voir-dire at trial, the judge ruled that Crown proved voluntariness in my participation as being proven beyond a reasonable doubt ignoring all of my arguments regarding the involuntariness of every aspect of this proceeding from the threat of imprisonment in the initial contact letter from the CRA to the structure of the absolute liability offence of the Income Tax Act. Section 238 is exactly worded the way it is because that is exactly how Parliament intended it to be. Combined with the judicial discretion to ignore all evidence, claimed by the Judicial Council, the whole procedure is

abusive. I do wish to express my appreciation for the compassion that Judge Sicotte displayed in his partial resolution of the matter within his jurisdiction and discretion. In regards to the Constitutionality of the Income Tax Act there was no defence offered to my argument at Trial and yet my argument ultimately failed because the Judge claimed he just knew the law, but could not point to any law, and Crown Prosecution now admits that the constitutionality of section 238 has never been checked. I was confused initially, why, at trial, the Judge would have skipped over the constitutional question of the Income Tax Act which was listed in the Constitutional Question first, but instead read in the Constitutional Question regarding the Minister of Justice failing to comply with the Charter, which was listed at the bottom of the page. The Judge first claimed that he had not been provided the Constitutional Question regarding the ITA and delayed that argument several times until it became impossible to avoid. I only discovered the existence of the idea of testing constitutionality and the concept of strict and absolute liability three weeks before trial as I became increasingly concerned with the prospect of facing a Court that had a discretion to imprison me for up to seven years and penalize me several hundred thousand dollars in fines. Based on my prior experiences I feel like I was correctly concerned about a possible denial of my rights and the possibility of retribution. I have done more research on the matter now and understand the problem in greater depth. We all know that section 238 of the Income Tax Act is an absolute liability offence and the Government would very much like to keep it that way. They would very much like to keep the punishment stick of imprisonment in existence despite the fact that similar acts of Parliament have been declared unconstitutional. Absolute liability is Strict liability with no due diligence defence available. In my research I found lawyers websites that claimed exactly that and also declared that in order to resolve the conflict the so-called judge-made law defence has been provided. If you are represented by a lawyer, and the lawyer's websites make it very clear that without a lawyer your rights may not be respected which in this case was true. It is a self-fulfilling prophecy created by the inherent bias of the Judges in order to justify the representation of lawyers. I was denied legal representation here, because of my prior experiences, and the incorrect responses of those involved. A right of due diligence was not provided to me by Judge Sicotte explicitly complying with the Income Tax Act as it is written. There are other portions of the Income Tax Act which do explicitly provide the due diligence defence and are strict liability offences. The judge-made law precedent was not applied in my case in an unequal application of the law. The Constitutionality of the Income Tax Act 238 was not checked correctly, according to the law, and the reason is undeniably the bias of the Court, to control the purse strings of the collection of taxes, that contribute to your wages, but denying me even a dime of that money in my unpaid efforts to protect the Charter of Rights from the Human Rights abuses that the United Nations have warned us about and are the entire purpose of the Charter of Rights, to be a constitution, a governing document. A governing agreement between the public and our representatives and public servants who serve the public. I made every possible effort to comply with the law, given my circumstances but I witnessed a failure in the Rule of Law at every turn by those in the Executive and the Judiciary, Public Service and Parliament in a blindness to hold on to Powers that are contrary to the law. The correct legal response for Judge Sicotte at the Provincial Court given the evidence before the court, was to rule that section 238 of the Income Tax Act was unconstitutional, and then Crown could appeal to this Court, or amendments could be made at Parliament.

At the conclusion of my divorce back in 2005 I spent several years with severe post-traumatic stress syndrome. I experienced obviously severe depression with the loss of all

my legal rights and financial stability. I spent the entire profits for three years, well over a hundred thousand dollars cleaning up a diesel spill caused during the divorce, placing it all on a multitude of credit cards, to do the right thing, which was to clean up the mess and not to just pass the responsibility to a completely innocent party. At the time I was also suffering a broken leg from a logging accident and lost three years of work. WCB inspectors came to visit me personally at my home within a week of the accident but failed to inform me that they were not there to help me at all, they were there to investigate if my bankrupt company that I was working for had breached the WCB act. I received exactly zero benefits.

The impacts upon me were also very much responsible for the ending of the relationship with my children's mother. It is very unfortunate that she is currently attempting to abuse me through the legal system with complete support from lawyers and judges as all the evidence has been placed before all concerned. It is an unfortunate part of the human experience that people are drawn to power for the purposes of exploiting and abuse, particularly those with particular knowledge, or in a position of trust over another. We all know this to be wrong. This matter must be resolved impartially. My security and the security of my children must be assured. I should not have to live in fear that my children rights to their father might be abused further.

During the devastation in the tourism industry which is my financial lifeblood I have received exactly zero CERB benefits, my requests for assistance have been repeatedly met with denial and hostility as if my requesting help was offensive. The Crown Prosecution claims that this is all irrelevant in this case. Crown believes mistakenly that everything that I believe is wrong and that only their perspective is correct. I disagree, to claim that I should attend a court to dispute a child custody order and child maintenance order in the face of the evidence before this court is abusive. The lawyer for the Plaintiff, Marta Brus, and the lawyer I retained know the primary facts of this case, but refused to deal with the issues. Marta Brus made claim to the court that I should be punished for holding my opinion and sought and received that punishment upon me, without serving me, and without providing me an opportunity to speak in my defence, nor did they attempt to reconcile any differences by mediation in good faith as required by the separation agreement, signed by both parties and despite my offers to mediate on any issue. The lawyer that I retained I provided argument for the problem but he refused to represent the interests of his client categorically insisting that I intend a Court, the Judges of which claim a discretion to ignore everything that I present, with lawyers, whose law society claim that they are not bound by any law, and protected in that failure by the Attorney Generals of the Province of BC and Canada and the Minister of Justice is abusive.

I will not subject myself willingly to that abuse. The reason that the mother of my children bypassed our separation agreement requirement for mediation and ran to court is obviously because she understood, quite correctly, according to the evidence, that she had more power in that venue. That in itself is a problem. I will not subject my children to that abuse, my boys spent four months denied access to their father, by their mother, who was empowered, and encouraged in that abusive conduct with the full knowledge of the abuse that I had suffered through, in the court system. The restriction to my access to my children was enforced by the school in a mistake of law as to the difference between primary care and sole custody. At this time the custody issue is practically resolved except for the existence of a court order the issue of resolution of child support is not resolvable at this time although there is sufficient evidence to realize that there are significant problems that affect the fairness of the process.

I do not know if the bias displayed by Justice Shaw at trial in 2006 was in the incorrect



protection of a lawyer, or the partiality to the Plaintiff, or to the partiality to a woman, but I do know that it is wrong. My children know that it is wrong. Every Canadian knows that it is wrong. My boys understand the problem in the same way that they know that they would not play soccer with an umpire that was so obviously biased. My children understand that 80% of custody disputes end up with the mother and they have no interest in that occurring. I don't talk much more than that with the boys about this matter but it has affected us deeply. Unfortunately, it is too late for the boy of my first marriage who I met at two years old until the legal system destroyed that relationship. The child did not speak to his mother for over a year. I provided unconditional child love to that child. The family law system is categorically failing in its role to provide the "best interest of the child" and that failure is well documented and I do not need to labor over the details here. This matter also requires examination by Parliament to comply with their duty to provide "Peace, Order, and Good Government."

I do understand the challenge of administering the Family Law Act and there are problems with the Constitutionality and enforcement of that Act which also require the attention of Parliament. Failing to do so is placing the profits of lawyers above the "best interest of the child", which again is wrong. At this time I'm being called to the Nakusp court on January 22 2022 with the demand to provide documents to the FMEP under penalty of imprisonment once again, and I will be compelled to make the same argument despite the office of the FMEP, all the way up to the BC Attorney General David Eby being fully informed of the problem. I point out the facts that are not in dispute in the separation agreement which fully sets out my assets and liabilities. I can't do better than the facts that are agreed upon, although there is a problem with the imbalance of power in this matter as I discussed with the lawyer who drew up the separation agreement. In mediation, power imbalances are a factor that are addressed, but in my experience, imbalances of power within the legal system are deemed irrelevant because they favor the interests of the lawyers. Obviously there is a power imbalance. Unfortunately Greg Stacy was retained as the independent legal advisor on the separation agreement although I did refuse to sign any document with his name on it, the mother of my children seems to think it important to keep attaching his name to the separation agreement. My driver's license was removed, but they have returned it now after over a year, but I still have not had my Passport returned. I have explained the entire situation to those involved including the Passport Office but have received no response, or the advice to hire a lawyer and we do not provide legal advice to the public. The problem that this situation represents is certainly not specific to me, the mechanisms of the Family Law Act have been weaponized as a tool of abuse, rather than a tool of justice. I feel like I'm being extorted.

My father is turning 87 years old this spring and I want very much, God willing, to see him again and of course I want my children to come with me for a visit as my father is too old now to travel from Australia. I need my passport returned so that I can return to Canada with my children and not be denied entry to my birth country and be a father to my children.

I have a great deal of experience in the act of judging. I am responsible for people's lives in the course of my job as a backcountry ski guide. 20 years ago I also rented the avalanche equipment to the party with Justin Trudeau's brother when he drowned in Kokanee lake in very tragic circumstances. I personally contributed funds to the Trudeau foundation for the construction of the Kokanee glacier chalet. I have taught and guided thousands of people, backcountry skiing over the last 25 years. I have almost zero formal qualifications for that role and am not employable anywhere else than to be self-employed. In my profession I

examine my conflict of interest as part of my job every moment. I examine a vast number of factors contributing to the safety of my clients and I'm very proud of my safety record. I care about my clients. The money that I receive as payment for the services is thanks but I do not do a better job if I'm paid more or if I'm tipped. I do the best job that I can do for everyone, regardless. My client's safety is my number one concern at all times and I do that by examining the evidence before me, as well as understanding that I don't know everything, and to take proper precautions knowing that my clients want an outstanding experience. I deliver that by putting my clients first, not by doing what they want me to do but by doing the right thing to the best of my ability, in complete humility and service. It has been an honor for me and has brought much joy to many, many people. We do need more love in this world.

My father was one of the scientists that discovered the cumulative effects of pollution on the mercury levels of fish in the Great Lakes that resulted in the shutdown of the fisheries, because of immediate health concerns. My mother once dined with the Queen of England, Our Monarch. She was invited because of my her voluntary service to the community. My first personal experience with corruption was crossing the border from Guatemala to Mexico when I was eighteen, traveling on less than ten dollars a day. A border guard wanted me to bribe him so that, as he said, he wouldn't find drugs in my bag. I declined that offer.

25 years ago as i was entering professional development in the ski industry there were two major accidents in the backcountry and I witnessed how protection by membership in a professional association works, and I accepted that operating outside of a professional association can result in a higher standard of care and my understanding of how mutual self-protection works. There is an incredible difference however, between making an error and purposely breaking the law, particularly by those entrusted at the highest level and with the care of the Public as their duties.

I do understand the problem facing Canada in the form described in the book, "Why Nations Fail" regarding political and legal institutions which fail to apply the Rule of Law and tend toward Dictatorships and Abuses of Power when the extractive nature of their administration becomes intolerable to an abusive degree resulting in their ultimate failure. Richard Wagner and Beverly McLaughlin have both acknowledged this reality. The current Chief Justice of the Supreme Court states "Canadians have built a Democratic system that truly works, it works so well that we don't even notice it. It's like oxygen in the air, necessary for life, but not something we necessarily think about it, till it isn't there anymore, by which point, of course, it's too late, we can't take what we've built for granted, our nation and our institutions are strong because Canadians continue to have confidence in them. I'm not saying all of what we've worked for will disappear, but it can, other countries know this very well, their citizens have once thought, it can't happen here, it can't, until it does, we live in troubled times."

If the rule of law is not applied then we run the very real risk of creating the disasters that the preamble of the united nations declaration of human rights warns us of. I was a child in Kenya in 1974 when Idi Amin was in power in Uganda, I saw Rhodesia in all its glory, before the coming to power of Robert Mugabe. I did my first year of law school in Canberra, in Australia, at the steps of the High Court when Justice Lionel Murphy was being indicted on charges of perverting the course of justice. He was attempting to influence a court case involving a lawyer. I understand the principles involved as we all do here, everyone does, from my children, to every Canadian that I talk to on the streets, they say, my case sounds like what we hear about Russia, or China, or some third world country.

I communicated the problems to my Member of Parliament, who refused to become involved. I communicated the problem to Jenica Atwin when, as the Green Party Member of Parliament she sponsored a petition to bring attention to Judicial Accountability. She crossed the floor less than a month later after being approached by the Liberal Party. I communicated the problem to the Parliamentary Justice Committee on Human Rights and Justice but a gatekeeper there deleted the submissions including a submission to require the Judicial Council to be included in the list of government bodies subject to the Freedom of Information Act, as my efforts to retrieve my personal file from that institution were denied, in contradiction to the Open Court Principle. The Parliamentary Ethics Commissioner Dion has accepted a complaint regarding the conduct of the Minister of Justice David Lametti, but he does have a poor track record of reporting, which probably has something to do with how long he has remained in that office, despite the ongoing failures in accountability. I do understand the difficult nature of the issue and the desire to protect one's friends, but there are much larger issues at stake here. I do understand the lack of accountability at the level of Members of Parliament and the Executive through the Prime Minister Justin Trudeau and the Minister of Justice David Lametti and the Governor General Mary Simpson's office. I do understand that the lack of financial disclosure by Members of Parliament through the lobbying act as comparable to lawyers and judges not wanting their personal integrity examined.

Parliament has a significant part to play in this story, the issue of Judge Shaw's suitability as a judge was examined in Parliament in 1999 until, the then, Minister of Justice Anne McLellan pleaded for Parliament, for the justice system to self-regulate and Judge Shaw was empowered to complete his destruction of the Charter during my trial in the family law system in 2006. Parliament should take responsibility and complete their role which they abdicated at the time despite all the warnings that any reasonable person could see in R. v. Sharpe, using a freedom of expression argument, Judge Shaw declared that the law against child pornography was unconstitutional. I provided similar argument at trial, my defence was for the protection of the Charter of Rights.

I was denied justice, that is not equal treatment under the law, as the Supreme Court held early, on the reference in the Charter, to a free and democratic society is not a mere description, it is the final standard against which purported limitations on the rights the Charter secures must be measured.

We have a chance to take this opportunity and create solutions that could benefit all of mankind and place Canada firmly in a position of leadership and inspire the rest of the world for the best result of humanity. Self-interest and short-term interests are a problem that should always be openly discussed, prior to decisions being made. This court has a role to complete the process according to the law. In my earlier correspondence with Minister of Justice and Justin Trudeau I wrote on several occasions concerning my security of the person and requesting assurances regarding my safety, that question has never been answered the threat has been left hanging. I do need your personal assurance for my safety at this time. I watched the inquest into the assassination of Peter DeGroot of Slocan by the RCMP held in this courtroom. It was not lost on me, that a perception of a threat, to the administration of the justice system in that case, met with a loss of his right to life and a delay of seven years before the 'delivery of justice' at the inquest. Interestingly, the mother of my children delivered the official pronouncement of death in that matter.

There is however a clear path forward, one that is grounded in the law, and brings back this matter to the attention of Parliament, a duty that they failed, back in 1999. They too should

take responsibility for their actions, although at this time, some accountability should be shared by the prime minister and Minister of Justice. It is the right thing to do. This is exactly why section 99 exists in the Constitution. It is the purpose of ministerial responsibility in a Democracy. Delay will cause further damage and make recovery from the situation even more difficult. Denial serves no good purpose. The issuing of a writ of mandamus for the minister of justice to present this matter to Parliament is the correct legal procedure to resolve this matter before the court. The Minister of Justice should remain impartial, and refrain from further comment on the matter at Parliament, due to his conflict of interest.

The correct legal response regarding sentencing would be to dismiss all charges and dismiss all fines as a result of the inherent abuse of process. I have made every conceivable effort to right a wrong, and crown should not seek punishment for that. The issue of the constitutionality of minimum mandatory sentencing should also be examined in this matter. Lastly, the ruling in Jordan in regards to providing me a trial within a reasonable time in this matter was breached, the information was sworn on January 8 2020 and the trial was on July 15 2021 18 months and seven days seven days late. My right to a fair and impartial trial were also not provided prior to sentencing. If you do have any questions on the precedents or some of the evidence or the law that I discuss I would be happy to provide further details. I did not want to insult your intelligence and knowledge by assuming to inform the court of the law. I understand that Judges are assumed to know the law. I merely can express my experience. Punishing me for being the messenger is incorrect and serves no societal purpose, will not reform me, or stop me standing my ground. The problems that this case communicates is a complete failure to apply the rule of law within almost all of the structures of government, when a duty is owed to protect the public, failure to protect the clients of the legal system, and the failure of the legal system itself. People under your care are committing suicide, children are being abused, and suffering. Justice is delayed and denied. Financial devastation for the people you serve, those that should be subject to criminal charges, are being released, or minimally charged, with lawyers receiving payment that is far above that which is justifiable merely for their services. When corruption is accepted by Government, Nations inevitably fail. It has been proven again and again throughout history. The Constitutional requirement for Parliament to legislate for the "Peace, Order and Good Government" requires that this matter be sent to Parliament due to the successive failures within the legal system to self-regulate. There has been a failure in the public trust and a breach of our Governing document. The Crown, unfortunately is still maintaining that nothing here indicates a possibility that there could be a failure to provide a fair and impartial trial. That argument implies that lawyers can alter court documents, don't have to comply with court orders, their law societies may protect their conduct, and apply a system designed to sidestep the requirements of their governing Act of Parliament, to provide written reasons. The BC Law Society, refusing to respond to my written requests for an explanation, given the facts, that they are complying with their governing statute, that provides for their monopoly. Judges claim that they are unbounded, that they have unbounded and unreviewable discretion, contrary to the Charter and Fundamental Justice. The Minister of Justice is actively obstructing justice and refusing to present the problem to Parliament. All evidence in the Government hands is refused to me. The CRA audits, the Judicial Council, the court records from the 2006 trial are still missing in action. At trial in Nakusp, Judge Sicotte promised me a fair trial but then claims he knows the law and actively avoids trying to judge, to judicially determine if the Income Tax Act is unconstitutional. Upon further investigation by Crown they can find no such decision to

justify that verdict. Crown further claims that anything outside of a very narrow interpretation of the facts is irrelevant and my opinion and experiences are irrelevant.

This court claims that they could have legitimately exercised their discretion and sentenced me to seven years in jail for bringing the matter of corruption in the legal system to their attention, despite my pleas for mercy and complying with my sworn oath to uphold the Charter of Rights, which everyone here, has also sworn, to uphold the entire public service, the combined legal powers of the Attorney General of BC, the Attorney General of Canada, and the Minister of Justice office, plus the denial of service, from every lawyer, including civil liberties groups and constitutional lawyers. Obstruction of Justice by the Minister of Justice and denial of my right to an answer to a Constitutional Question prior to trial, and you still claim you can provide me with a fair impartial trial - let's go out into the street and ask some random Canadians how they feel about that question, which the court denied me asking the CRA agent at trial.

Unfortunately there's also been efforts to control my freedom of speech in this matter through the internet. Section 22 of the Charter, the denial of effective communication to citizens violates free expression where it wants warrants the greatest protection, the sphere of political discourse.

Today I request the full and complete judicial resolution of this matter. The consequences of a failure to act is a continuation of the abuse upon myself, and the continuation of the failure in the rule of law, and the subsequent failure to resolve a lack of confidence that the people have in the justice system. The success of the justice system is being judged from the incorrect perspective. The correct perspective is that of the Canadian people, the Charter's reference to a free and democratic society is not a mere description as the supreme court held, it is the final standard, against which purported limitations on the rights the charter secures must be measured. It is true that rights must sometimes be limited, even in a free and democratic society, but the Charter exists because of a recognition by its framers and by the constituents that those in power are apt to disregard rights and to seek to limit them, for the sake of convenience or out of ignorance, or even spite or hatred. Some limitations may appear defensible in principle but on closer examination are not supported by evidence, go too far, or do more harm than good, but others are incompatible with free and democratic societies as a matter of principle. It is unnecessary to scrutinize their tailoring to their purpose or weigh up their benefit, their effects the Charter bars them categorically. The imposition of official beliefs or the requirement to express beliefs is the sort of thing that simply must not happen in a free and democratic society. It is incompatible with Freedom and Democracy. Claiming that we must trust the court system despite evidence to the contrary and threaten jail for contempt would not be lawfully enforceable. Political beliefs such as discussion regarding the powers, or abuse of powers of the court, should not be treated any differently. Ultimately this case is about abuse of power, the limits of discretion, the rule of law and the capability of our systems to internally regulate. We are seeing societal collapse because of these failures. Society's confidence in our political systems, legal systems, enforcement systems and the role of family in bringing the next generation into a world that will keep them safe and act in their best interest. We are all failing and calling it success.

Last month I wrote to Prime Minister Trudeau but I received no reply. I said: "I think it is important for me to state that given the seriousness of the matters that I bring up, and my treatment thus far, it is very fair for me to be extremely fearful of the Government's lack of response. Why should I feel this way. I should feel safe. It is important to view this situation from my perspective. Your minister of justice David Lametti's office has been properly served with a Charter complaint to bring to the attention of Parliament, the matter

of federal judges claiming powers that go beyond the limits provided for in the Charter of Rights. His failure to respond whatsoever to a charter complaint is an obstruction of justice and brings the administration of justice into disrepute. It is illegal, and unconstitutional. It is a breach of the Charter of Rights to fail to respond to a Charter complaint. Your administration is claiming it is not bound by our Governing document, the Parliamentary Ethics Commissioner has been notified and has accepted the complaint. I have attempted to notify the Parliamentary Committee on Justice and Human Rights but a gatekeeper at that committee has refused to present any evidence to the committee. The RCMP national intake unit tasked with the mandate to safeguard and investigate significant threats to Canada's political and economic and social integrity has refused to investigate and threatened to destroy evidence despite their mandate to investigate complaints concerning federal elected members of parliament. This matter is a failing from a matter of Judge Shaw's fitness as a judge that was put before Parliament on february 2nd 1999. Parliament was determined at that time to respond, however based on the pleas from the then minister of justice Anne Mcclellan they permitted the justice system to resolve the matter internally, however the consequence of that is reverberating still, and will destroy the integrity of Canada's justice system unless immediate steps are taken to resolve the integrity of the Charter of Rights and that involves political leadership.

I submit the following quotes from Parliament from all sides of the political spectrum from 1999.

“it is important for Parliament to reassert its intention, both with respect to the Charter and respect to the criminal code.”

“We have a duty to protect citizens as legislators.”

“We have an obligation to conduct ourselves in a manner that respects the Rule of Law.”

“This is the highest court in the land, the people of Canada assume that the House of Commons is the Supreme power in the Country, under this Justice Minister the Government has allowed the Courts to become the lawmakers.”

“The Charter of Rights and Freedoms is a legal instrument we have given ourselves to guarantee the Fundamental Rights and Freedoms of everyone. This is the instrument we can be proud of and rightly so it represents our core values.”

“In the final analysis, who is on the hook if a judge screws up, it is the prime minister and the justice minister.”

“I believe that in Canada we have a system where we have Parliamentary supremacy, that means we have a responsibility, we cannot abdicate it and say that every question has to go to the Supreme Court. We can act here in the House. The Minister of Justice is not defending the Rule of Law, she is undermining it today, by refusing to assert the sovereignty of this Parliament to defend innocent children.”

“The whole issue of trusting the judicial process to resolve this tragic situation is wrong. If we are ever going to send a message to the Judiciary that Parliamentary supremacy over legislation is meaningful and if the public at large is going to receive that message as well there is no better time to use than at this time, when something so offends the common sensibilities of people.”

“They place greater emphasis on the importance of the authority of Judges as opposed to those of us who place greater emphasis on the importance of the authority of Parliament.”

“It is a legitimate debate to have in a Democracy. This is not a political issue, there are members of all parties who will support this motion this evening. I call on my colleagues on all sides of the House to not impute motives to one another here, but let us assert the

sovereignty of this Parliament. We can act, the Constitution gives us the power to act, and we must act. To do otherwise is to abdicate our Fundamental Democratic responsibility.”  
“I point out that what distinguishes our society from non-democratic societies is the Rule of Law”

“There is no question that no one in this House today has indicated anything but abhorrence for the decision of Judge Shaw.”

then concluded: “Mr Speaker, I rise on a point of order. Based on an earlier decision of a vote in this House. May I recommend we close this place and let judges and courts run the country.” and that was because Parliament failed to remove Judge Shaw.

I also had the good fortune to read “Trust” by the former Governor General of Canada. I just include a summary of quotes from the introduction, the forward, and the first chapter. The message is clear. The by-line of the book is “20 ways to build a better country” by David Johnson, who is also a lawyer. He was the 28th governor general of Canada. He dedicates it “to children who offer their trust instinctively and with full expectation of fairness”

The Forward was written by the Right Honorable Beverly McLaughlin, former Chief Justice of the Supreme Court of Canada.

“One of the most important challenges of our day, how to make trust, maintain trust in ourselves, and our institutions. Trust in most Democracies is decreasing yet without trust, our Democracies cannot function effectively. How can we restore trust? by making ourselves worthy of trust by building trust around us and by creating a more trustworthy and trusted country.”

She went on, “We sometimes feel that our individual actions cannot make a meaningful and lasting difference in the complex world we inhabit. This book puts lie to that feeling, it demonstrates that every one of us, high or humble, can work to increase trust, in ourselves, our society, and our country.”

In the introduction of “an Invitation to Trust” says

“Trust, as a firm belief in the reliability truth or ability of someone, or something, or the acceptance of the truth of a statement. Trust is the bedrock of Democracy. Democracy depends on a Rule of Law that strives toward justice. That rule of law depends on a trust, a trust in each other as citizens, and a trust between citizens and the institutions that stand for, and serve them. Trust in these relationships means sharing a belief in basic facts, people who trust are reluctant to tailor facts to their views, instead of their views to the facts. If one does not consider anything to be true, if one believes facts are fungible commodities, if one thinks that journalism is a sham, and history a con, then the rule of law cannot work, and if the Rule of Law cannot work then our Democracy and its institutions are doomed. We tend to think little about trust because it is a curious quality, that is almost always more noticeable in its absence than its presence, as if something much more likely to be lost than gained. Well-placed trust grown out of active inquiry, rather than blind acceptance, equipped with this understanding we can then, with eyes wide open, identify, explore, evaluate the attitudes, habits, and approaches that make a person trustworthy, that make a business, organization or public institution trustworthy and that make a country trustworthy.... Make yourself worthy of trust. One. Never manipulate. Trusting relationships, based on a true, full and plain disclosure, and a commitment never to distort or deceive, full and true disclosure of relevant information in all aspects of a democratic society gives citizens the capacity to filter truths from falsehoods, an important distinction must be made between manipulation and persuasion. The worst leaders manipulate by

failing to disclose vital information, or by disclosing only the information that supports their views, decisions and actions. The best leaders persuade in great part, by being open about their motives and goals. The urgent need for someone in authority to act in a way to preserve trust, or at least, prevent a substantial erosion of that trust. Disclose fully and truly. Share credit, accept responsibility and above all, never manipulate and certainly never deceive. I hope I have made myself clear.”

I go on and finish with my letter to Justin Trudeau.

“I know that your father was instrumental in the efforts to bring the Charter of Rights to the People of Canada. Follow and extend your legacy by protecting your fathers. The people will love you for it. There is much work to be done. I am available and I want to help to restore the integrity of your office, Parliament and the Justice system. Leadership is required. I attach the communication with the Parliamentary Commissioner of Ethics, The United Nations, the Minister of Justice and the brief provided to the Parliamentary Committee on Justice and Human Rights. I am currently in the court system and this situation is compromising the integrity of the RCMP, the crown prosecution office, Judges, the Minister of Justice, Parliament and your own office. The people are looking for your leadership.”