

Commonwealth Public Official

It has become popular through the assertions of [Wayne Glew](#) to style oneself a "Commonwealth Public Official" by swearing the oath contained in the schedule to the *Constitution*, to enable a status by which one could arrest "unlawful" authorities.



This is despite the Supreme Court utterly rejecting that notion in no uncertain terms in [Re Glew; Ex Parte The Hon Michael Mischin MLC Attorney General WA 2014 WASC 107](#): (at 59):

"When told that if he did not address the proposed grounds of appeal the court would adjourn and decide the matter on the papers, he responded by saying that if the court did that he would formally charge the judges as he claimed to be entitled to do as a Commonwealth public official. This was absurd histrionics. He is not, and was not, a Commonwealth official; there was no basis for charging anyone and his remarks were nothing less than preposterous. The incongruity of Mr Glew's contentions, and of his claims, was plainly obvious to their Honours and must have been obvious to any fair-minded, reasonable observer. No such observer could attach any credit or plausibility to Mr Glew's behaviour, which was that of an ignorant man disastrously pursuing his own obsession."

<https://freemandelusion.com/wp-content/uploads/2018/07/re-glew-ex-parte-the-hon-michael-mischin-mlc-attorney-general-wa-2014-wasc-107.pdf>

The Impersonation of a Commonwealth public official is actually an offence under [Division 148 of the Criminal Code 1995](#) which provides:

Division 148—Impersonation of Commonwealth public officials

148.1 Impersonation of an official by a non-official

(1) A person other than a Commonwealth public official commits an offence if:

- (a) on a particular occasion, the person impersonates another person in that other person's capacity as a Commonwealth public official; and
- (b) the first-mentioned person does so knowing it to be in circumstances when the official is likely to be on duty; and
- (c) the first-mentioned person does so with intent to deceive.

Penalty: Imprisonment for 2 years.

(2) A person other than a Commonwealth public official commits an offence if:

- (a) the person falsely represents himself or herself to be a Commonwealth public official in a particular capacity; and
- (b) the person does so in the course of doing an act, or attending a place, in the assumed capacity of such an official.

Penalty: Imprisonment for 2 years.

(2A) For the purposes of subsection (2), it is immaterial whether that capacity as a Commonwealth public official exists or is fictitious.

(3) A person other than a Commonwealth public official commits an offence if:

- (a) the person:

- (i) impersonates another person in that other person's capacity as a Commonwealth public official; or

- (ii) falsely represents himself or herself to be a Commonwealth public official in a particular capacity; and

- (b) the first-mentioned person does so with the intention of:

- (i) obtaining a gain; or

- (ii) causing a loss; or

- (iii) influencing the exercise of a public duty or function; and

- (c) if subparagraph (a)(i) applies—the first-mentioned person also does so with intent to deceive.

Penalty: Imprisonment for 5 years.

(3A) For the purposes of subparagraph (3)(a)(ii), it is immaterial whether that capacity as a Commonwealth public official exists or is fictitious.

(4) The definition of *duty* in section 130.1 does not apply to this section.

(5) To avoid doubt, for the purposes of this section:

- (a) *impersonation* does not include conduct engaged in solely for satirical purposes; and

- (b) *false representation* does not include conduct engaged in solely for satirical purposes.

The definition of an actual Commonwealth public official is listed in the dictionary of the [Criminal Code 1995](#) and even when he was a serving Western Australian Police officer Wayne Glew didn't fall within any of these definitions.

Criminal Code Act 1995 (Cth)

Commonwealth public official means:

- (a) the Governor-General; or

- (b) a person appointed to administer the Government of the Commonwealth under section 4 of the Constitution; or

- (c) a Minister; or

- (d) a Parliamentary Secretary; or

- (e) a member of either House of the Parliament; or

- (f) an individual who holds an appointment under section 67 of the Constitution; or

- (g) the Administrator, an Acting Administrator, or a Deputy Administrator, of the Northern Territory; or

- (h) a Commonwealth judicial officer; or

- (i) an APS employee; or

- (k) an individual employed by the Commonwealth otherwise than under the *Public Service Act 1999*; or

- (l) a member of the Australian Defence Force; or

- (m) a member or special member of the Australian Federal Police; or

- (n) an individual (other than an official of a registered industrial organisation) who holds or performs the duties of an office established by or under a law of the Commonwealth, other than:

- (i) the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*; or

- (ii) the *Australian Capital Territory (Self-Government) Act 1988*; or

- (iii) the *Corporations Act 2001*; or

- (v) the *Northern Territory (Self-Government) Act 1978*; or

- (o) an officer or employee of a Commonwealth authority; or

- (p) an individual who is a contracted service provider for a Commonwealth contract; or

- (q) an individual who is an officer or employee of a contracted service provider for a Commonwealth contract and who provides services for the purposes (whether direct or indirect) of the Commonwealth contract; or

- (r) an individual (other than an official of a registered industrial organisation) who exercises powers, or performs functions, conferred on the person by or under a law of the Commonwealth, other than:

- (i) the *Corporations (Aboriginal and Torres Strait Islander) Act 2006*; or

- (ii) the *Australian Capital Territory (Self-Government) Act 1988*; or

- (iii) the *Corporations Act 2001*; or

- (v) the *Northern Territory (Self-Government) Act 1978*; or


- (vii) a provision specified in the regulations; or

- (s) an individual who exercises powers, or performs functions, conferred on the person under a law in force in the Territory of Christmas Island, the Territory of Cocos (Keeling) Islands or the Territory of Norfolk Island; or

- (t) the Registrar, or a Deputy Registrar, of Aboriginal and Torres Strait Islander Corporations.

He has great difficulty differentiating between jurisdictions of the Commonwealth v the States in most things, in this claim that a Western Australian Police officer is somehow a Commonwealth police officer, or "Commonwealth public official". The WA Police is a department of the State, not the Commonwealth. Feds are only involved in a matter when it is within their jurisdiction, and not State jurisdiction.

Document from "[James Rech](#) CPO"


S13, 15F Crimes Act 1914
(Cth) Commonwealth Public Official

CERTIFICATE OF ACKNOWLEDGEMENT

Be It Known,

That James Peter Rech, 1289 McEes Road, Dandenong North, Victoria in the State of Australia, is authorised as follows to act for the Crown, Her Majesty ELIZABETH THE SECOND, her heirs and successors as the Lawful Sovereign of Australia, in respect of all offences complained of or becoming known to him/her, in his/her capacity as a Commonwealth Public Official by the authority of the below reproduced Acts.

1. Crimes Act 1914—S13 Institution of proceedings in respect of offences:
Unless the contrary intention appears in the Act or regulation creating the offence, any person may:
(a) institute proceedings for the commitment for trial of any person in respect of any indictable offence against the law of the Commonwealth; or
(b) institute proceedings for the summary conviction of any person in respect of any offence against the law of the Commonwealth punishable on summary conviction.
2. The Dictionary to the Criminal Code Act 1995 states: at (r.) in the Definition of a Commonwealth Public Official that "an individual who exercises powers, or performs functions conferred on a person by or under any law of the Commonwealth is a Commonwealth Public Official.
3. In pursuance of the above cited Commonwealth Acts and legislation, James Peter Rech accordingly affirms by identification that as a subject of Her Majesty ELIZABETH THE SECOND, he/her enjoys the above cited rights and all protected rights as found within the Preamble of the Commonwealth of Australia Constitution Act 1900, within the body of the Act, within the Imperial Acts Application Act 1922 and within the International Covenant of Civil and Political Rights as reproduced in Schedule 2 of the Human Rights and Equal Opportunity Commission Act 1986.
4. Further in pursuance of the above cited Commonwealth Acts and legislation, James Peter Rech is claiming his/her right to act as a Commonwealth Public Authority under the Crimes Act 1914 and a Commonwealth entity under the Criminal Code Act 1995, is entitled to the full protection of the Judicial Power of the Commonwealth in respect of his/her property.

Noted under my Hand and Seal AND SIGNED BY JAMES PETER RECH (VICTORIAN MEMBER LICENSED 026676926 SIGNED) AT MELBOURNE AUSTRALIA


Dated at MELBOURNE this 3RD day of NOVEMBER 2011

A Notary Public: M Kraus

Recipient: JAMES PETER RECH

Signature: [Signature]

MICHAEL KRAUS
NOTARY PUBLIC
MELBOURNE VICTORIA
AUSTRALIA
My appointment is not
limited by 2018



[Mike Holt](#)'s idea of preparing for the 2022 Federal Election:



Mick Holt

21 April at 13:12 · 🌐

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Download the CPO form here and follow the instructions....

<https://commonlaw.earth/are-you-ready-to-serve/>

Many others have followed in his footsteps attempting to contend this concept in the courts, such as in [Woolnough & Anor v Isaac Regional Council \[2019\] QSC 54](#) (from 3):

"There remains a final matter to consider. At the outset of the trial on 27 August 2018 I noted a document filed by the plaintiffs bore a stamp endorsement worded "Commonwealth of Australia 1955 Public Official". I enquired of the Woolnoughs whether either of them knew the source of the stamp and Mr Woolnough volunteered the stamped endorsement came from a stamp that he had a stamp-maker make. The exchange which ensued is contained at T1-2 to T1-5 of the trial transcript. I enquired of Mr Woolnough whether he saw that by the stamp he appeared to be representing himself to be some sort of publicly appointed official. He responded:

"Not a public appointed official, your Honour. I am a volunteer."

I thereafter adjourned consideration of the significance or otherwise of the stamped endorsement of the document filed in Court to the conclusion of the trial. The trial having concluded, I return to consideration of the significance of the endorsement. The endorsement by Mr Woolnough was obviously calculated at using the Court's filing and serving of documents process as a means of misleading others about the righteousness and power of his cause by conferring the false imprimatur of Commonwealth officialdom on him and or his document.

On the face of it this involves Mr Woolnough falsely representing himself to be a Commonwealth public official contrary to s 148.1 Criminal Code Act 1995 (Cth), an offence known as Impersonation of Commonwealth public officials, punishable in its simpliciter form with two years imprisonment, potentially more depending on aggravating circumstances. It might also arguably constitute the misdemeanour of False Assumption of Authority contrary to s 96 Criminal Code (Qld), punishable with 3 years imprisonment.

<https://freemandelusion.com/wp-content/uploads/2019/06/woolnough-anor-v-isaac-regional-council-2019-qsc-54.pdf>

From [***Althaus v Australia Meat Holdings Pty Ltd & Ors \[2010\] QCA 312:***](#)

"The appellant has subsequently asserted that he is a Commonwealth public official, Commonwealth entity or authority so that his matters must be dealt with in a court upon which Federal jurisdiction has been conferred under Ch III of the Constitution. He claims to be a Commonwealth public official because s 13 of the Crimes Act 1914 (Cth) permits any person to institute either summary proceedings or proceedings for commitment for trial in respect of Commonwealth offences and the Criminal Code Act 1995 (Cth) defines "Commonwealth Public Official" as including "an individual ... who exercises powers, or performs functions, conferred on the person by or under a law of the Commonwealth." Under the Criminal Code, a "Commonwealth authority" is "a body established by or under a law of the Commonwealth" and "person" is defined as including a "Commonwealth authority that is not a body corporate." "Commonwealth entity" means the Commonwealth or a Commonwealth authority. All of those descriptions then, the appellant says, fit him and he is entitled to the protection of the Commonwealth's judicial power.

The appellant's claim to be a Commonwealth public official, authority or entity whose matters must be heard by a court exercising Federal jurisdiction under Ch III, is a nonsense. Assuming that there exists a Commonwealth Act in which no contrary intention appears in respect of the general capacity to prosecute conferred by s 13, and assuming (in the absence of any evidence) that the appellant is "an individual who exercises [s 13] powers" so as to make him a Commonwealth public official, that confers no right of having his matters heard in the Federal Court. Nor will it make him a body established by or under a law of the Commonwealth so as to be a Commonwealth authority or a Commonwealth entity. A body may be a person for certain purposes but an individual person cannot be a body by himself, let alone one established by or under law."

<https://freemandelusion.com/wp-content/uploads/2019/06/althaus-v-australia-meat-holdings-pty-ltd-2010-qca-312.pdf>

From [***Tatana v Commonwealth DPP \[2011\] VSC 316:***](#)

"The applicant, who appears in person, seeks to appeal to this Court from orders made by the Magistrates' Court at Melbourne on 22 February 2011. On that day, the Magistrates' Court struck out a multitude of charges filed by the applicant ostensibly as a "Commonwealth Public Official" against 17 persons under the Criminal Code Act 1995. The charges ranged from perverting the judicial power of the Commonwealth, producing false and misleading documents to a Commonwealth entity, making false and misleading statements and documents to a Commonwealth entity, obtaining by deception property belonging to a Commonwealth entity, conspiracy to defraud a Commonwealth entity, obstructing a Commonwealth public official and obtaining a financial advantage by deception from a Commonwealth entity.

The references to Chapter III of the Constitution and the judicial power of the Commonwealth make no sense, the references to Mr Tatana being a Commonwealth public official are silly, and

the balance seems to be directed at impeaching the judicial authority of court and the significance of the Commonwealth referendum of 1999. It is simply not possible to distil from the notice of appeal any question of law. I am afraid to say this is all nonsensical and cannot be taken seriously."

<https://freemandelusion.com/wp-content/uploads/2019/06/tatana-v-director-of-public-prosecutions-2011-vsc-316.pdf>



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