

John Wilson

73-year-old [John Wilson](#) does not look like your stereotypical terrorist.



Hunched and with the remains of his white hair flying from the sides of his head, the former dentist is a regular fixture outside NSW courts. Spouting his hyperbole about being a Sovereign Citizen, he appears to be a harmless eccentric.

But to *NSW Counter Terrorism and Special Tactics*, John Wilson is one of more than 300 anti-government extremists who pose a nationwide terrorism threat. He vehemently denies being a danger to anybody, even though he threw a bag of yellow liquid over a Supreme Court Judge in 1997, and has spent time in prison “unlawfully” for contempt of court, in 2006 he attempted a citizen’s arrest of a Supreme Court judge and in 2009, He sent a letter to the police commissioner, threatening to burn down the premises he was evicted from.

“A terrorist generates fear” he says indignantly, *“that is not what I am doing. I am trying to educate people that in a democracy they rule, they have sovereignty.”*

“It means you are your own master, in other words you have the right to your own body, your own freedoms, and if anybody wants to impose something upon you, they have to do it lawfully. If you are a sovereign person, you make the laws for yourself. You decide in your own conscience what you want to do.”

Although Wilson has now run out of money, he has managed to form the Common Law Party. He said that he is the victim of a government conspiracy and that there were hundreds of other Australians who shared his beliefs.

“There would be many hundreds scattered across the continent. The Queenslanders are very conscientious, the Victorians are doing a good job and even now in Western Australia we are getting more and more farmers and ordinary people, saying no, this is not right,” John Wilson said. *“At the moment I have membership of about 95 people, but I haven’t really pushed it.”*

John Wilson has been at war with the State for 20 years. He stopped paying tax 15 years ago after being evicted from his house for refusing to acknowledge the mortgage. *“I will agree to pay tax voluntarily when I am compensated for being unlawfully put in prison by a judge only”* he said defiantly.

He has been to court more than 200 times, starting with a case he brought about banks committing fraud by having variable interest rates. Since then he has become a colourful and entertaining figure in the courts, disrupting proceedings and protesting outside that all judicial powers are tyrannical, and that courts cannot exercise their authority without a jury. *“You must have the judgment of your equals to put you in prison or dispossess you.”*

John Wilson says that “*the word sovereign means the ultimate authority to make and impose laws. That applies to you. If you’re a sovereign person, you make the laws for yourself.*” This, he believes, means sovereign citizens are not obliged to pay taxes or fines, parking fees or have driver licences.

In typical common law style, John Wilson organised large groups of supporters at many of his proceedings, all wearing his trademark yellow t-shirts containing the words in large letters “*Trial by jury is democracy*”, and causing havoc protesting at the single judge. In one such episode in 2006, Adams J became annoyed at the 20 to 30 people in yellow shirts yelling abuse and offensive statements about corruption when a trial by jury was denied, so he ordered them all to leave his court. A supporter [John Peter Bauskis](#) refused to leave, and was subsequently charged with contempt of court, serving 14 days in prison.

John Wilson's litigation history

The relevant history begins in 1996, when John Wilson filed a Statement of Claim against St George Bank alleging that a loan agreement he had was void because the 7-year loan had a fixed interest rate for 5 years, and thereafter a further interest rate would be established either on the then applicable fixed rate or the applicable variable rate for residential home loans. He alleged that that contract was void for uncertainty. The matter came before Master Greenwood by Notices of Motion filed both by John Wilson and the Bank. In *Wilson v St George Bank Limited*, (unreported, 17 September 1996) Master Greenwood determined that there was no basis for his claim and no reasonable cause of action, and dismissed the proceedings. John Wilson appealed to a single judge of the Court. The matter was heard by Hamilton AJ who dismissed the appeal for the reasons given by the Master. He then appealed to the Court of Appeal in [Wilson v St George Bank Limited \[1996\] NSWCA 560](#), who determined that he needed leave to appeal. It held that he should not be given leave because there was no uncertainty about the contract with St George Bank.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-St-George-Bank-Limited-1996-NSWCA-560.pdf>

John Wilson then sought special leave to appeal to the High Court, but leave was refused by Dawson J, Toohey J, and Kirby J in [Wilson v St George Bank Ltd \[1997\] HCATrans 111](#) on the basis that any appeal would not enjoy sufficient prospect of success to warrant the granting of special leave to appeal.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-vSt-George-Bank-1997-HCATrans-111.pdf>

John Wilson filed a Statement of Claim naming as the defendants all of the judicial officers who had been involved in hearing his claim against St George Bank starting with Master Greenwood and including the 3 High Court judges who heard the special leave application. The pleading says only that he had been the victim of a terrible civil wrong, that all of the members of the judiciary had lied or had been party to lies and that there should be a trial by jury of the matter. The Australian Government Solicitor and the State Crown Solicitor both filed Notices of Motion seeking orders that the proceedings be dismissed. The Motions came on for hearing before Murray AJ, who held that the Statement of Claim disclosed no cause of action known to the law, was vexatious and was an abuse of process of the Court. He held that the Statement of Claim did no more than seek to re-litigate a question, which had been decided against him at every step of the judicial hierarchy.

The Bulletin published an opinion piece by David McNicoll which said: “*Wilson must be one of the most determined and loquacious litigants in Australia. Before judges galore, and now Buckingham*

Palace, he seeks to prove that the word 'variable' means certain, whereas his opponents hold that 'variable' means uncertain". John Wilson commenced defamation proceedings against ACP Publishing Pty Ltd alleging that this article defamed him. His first Statement of Claim was struck out by Levine J, who gave him leave to replead, which he did, to which ACP brought a Motion to strike out, and Levine J struck out his Further Statement of Claim, on the grounds it was fundamentally flawed in a number of respects, embarrassing and vexatious.

When Murray AJ handed down his decision, John Wilson threw two yellow paint bombs at him, and was subsequently charged with contempt of court. The matter first came before Studdert J where John Wilson said that he wanted trial by jury. Studdert J told him that he did not have a right to trial by jury, and he adjourned the matter to enable him to get legal advice. He then filed a Summons in the Court of Appeal asking that proceedings before Studdert J be "terminated" on the grounds that Studdert J had refused him a trial by jury.

On the same day, he filed a Notice of Motion in the Common Law Division seeking to stay the contempt proceedings until the appeal to the Court of Appeal had been determined. Dunford J dismissed the application on the basis that it was well established that proceedings for contempt were not heard by a jury and that, contrary to his submission, section 80 of the *Constitution* was not relevant. The Court of Appeal dismissed what it regarded as an application for leave to appeal from Studdert J's decision on the basis that the appeal had no prospects of success.

John Wilson filed a Notice of Motion for leave to file a requisition for trial by jury. His Affidavit in support relied upon *Magna Carta* and section 80 of the *Constitution*. He later filed another requisition for trial by jury, which also made reference to *Magna Carta* and section 80. The Notice of Motion was heard by Hidden J, who found that:

"For the same reason that Dunford J refused to grant a stay, Willesee [[Registrar of the Court of Appeal v Willesee \[1984\] 2 NSWLR 378](#)] is clear authority for the proposition that trial by jury for contempt is obsolete and that summary trial is now the normal procedure."

John Wilson filed a Notice of Appeal to the Court of Appeal against the judgment of Hidden J, and a Notice of Motion in the Court of Appeal seemingly asking to be able to file a requisition for trial by jury. He later filed a Summons for Leave to Appeal against the judgment of Hidden J and another Notice of Motion in the Court of Appeal seeking leave to file a requisition for trial by jury to try the application for leave to appeal. Registrar Jupp dismissed his Notice of Motion for a jury trial in the Court of Appeal on his Leave to Appeal application. John Wilson's application for leave to appeal against Hidden J's judgment came before a 2-bench Court of Appeal, who dismissed the application principally on the basis that *Willesee* established that there is no right to trial by jury in contempt cases.

John Wilson commenced new proceedings against St George Bank, in effect, challenging the costs order made by the Court in the previous proceedings. From what appeared in the Statement of Claim, he was challenging the decision of Master Greenwood, subsequently upheld by Hamilton AJ, the Court of Appeal and the High Court. He filed a Notice of Motion in the proceedings seeking what he described as a prohibitive injunction to restrain St George Bank from exercising its power of sale in respect of his loan account. This Motion came on for hearing before Grove J, but on that day the Bank provided a letter to John Wilson and the Court saying that they would not take any steps to obtain possession without notice until the proceedings were determined. Before Grove J heard that Motion, John Wilson filed a Notice of Motion for leave to file a requisition for trial by jury, to which St George Bank filed a Notice of Motion to strike out the Statement of Claim and for summary dismissal of the proceedings. The Motions were heard by Bell J who found that the Statement of

Claim did not disclose any valid cause of action and that no material facts were pleaded to give rise to a tenable cause of action, and summarily dismissed the proceedings and his Notice of Motion.

John Wilson then made allegations of judicial corruption against Bell J under the *Crimes Act*, and sought to file documents in the Federal Court to that effect. The Registrar of the Federal Court had given a direction that documents he sought to file not be accepted. In [*Wilson v Bell \[1999\] FCA 800*](#), Beaumont J explained that an allegation of judicial corruption under this provision could only be made out if the judge was a federal judge, or a State judge exercising federal jurisdiction, of which Bell J was neither. The direction was upheld and the application dismissed.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-Bell-1999-FCA-800.pdf>

The St George Bank commenced proceedings for possession of the property in [*St George Bank Limited v John Wilson and Anor \[1999\] NSWSC 1150*](#), as John Wilson and his wife Laraine Joy Wilson fell into default on their mortgage. He filed a defence to the statement of claim, and purporting to act on behalf of his wife, he filed a hand-written letter from her stating she has no desire to attend or participate in any way in the proceedings nor to be represented. She emphasised that:

“This letter is my answer to a request to provide a defence to the action taken by St George Bank against John Wilson and myself - Laraine Joy Wilson. The proceedings, to date, have been without my full knowledge or consent. John wishes to pursue the matter even at the risk of self-destruction and the loss of our home. I do not. I have no means of controlling his actions, I have no means of paying the mortgages or costs. Having signed the loan and mortgage papers, unwillingly, under duress - my husband’s - is something I regret .”

John Wilson’s defence consisted largely of a complaint about the judgments of Master Greenwood and the other judges up to and including the High Court Judges, and asserted fraudulent activities on the part of the Bank. He had earlier filed a Motion for leave to file a requisition for trial by jury, positing that he claimed the right to have all issues, including issues of law, determined by a jury, and that *Magna Carta* guaranteed such right. After Simpson J informed him it was to be decided by a judge sitting without a jury, he left the court and the matter proceeded in the absence of both defendants. Summary judgment was entered for the Bank, and Her Honour pointed out that the substance of the defence John Wilson pleaded was the same issue that had been determined against him by Master Greenwood as upheld by the other judges up to and including the High Court.

<https://freemandelusion.com/wp-content/uploads/2022/05/St-George-Bank-Limited-v-John-Wilson-and-Anor-1999-NSWSC-1150.pdf>

Back to the Contempt of Court charge, John Wilson filed an application for special leave to appeal to the High Court, which was heard by Gaudron and Callinan JJ in [*Wilson v The Prothonotary \[1999\] HCATrans 101*](#). They held that section 80 of the *Constitution* had no application and that the decision of the Court of Appeal was correct.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-The-Prothonotary-1999-HCATrans-101.pdf>

Notwithstanding what the Court of Appeal and the High Court had said, John Wilson filed a further Notice of Motion in the Common Law Division seeking leave to file a requisition for trial by jury. This time his Affidavit based his application on article 14 of the United Nation’s *International Covenant on Civil and Political Rights*. That Motion came before Sully J, who dismissed the application, concluding it was *“in every sense the same as the application dealt with successively by Hidden J, by the Court of*

Appeal and by the High Court". He made reference to his reliance on the ICCPR, but went on to say that his submissions in that regard were "wholly and transparently without merit either in law or in fact" and said that the application before him was not supported by any submission of substance differing from submissions, which had previously been put on the earlier application.

John Wilson filed a Summons for Leave to Appeal to the Court of Appeal against the decision of Sully J. In response to that Summons the Prothonotary filed a Notice of Motion in the Court of Appeal seeking an order that the Summons for Leave to Appeal be dismissed on the basis that the question of whether he was entitled to a jury had already been determined by the Court of Appeal.

John Wilson filed a Notice of Motion seeking to vacate the hearing date of the contempt Summons to allow him to proceed with his application for leave to appeal to the Court of Appeal that he had filed. That Motion came before Smart AJ who dismissed the application saying it seemed to him that the matter had been authoritatively determined by the High Court.

The Summons for contempt was heard by Wood CJ at CL who found the contempt proved and convicted John Wilson on the 2 counts in [*Prothonotary v Wilson \[1999\] NSWSC 1148*](#).

<https://freemandelusion.com/wp-content/uploads/2022/05/Prothonotary-v-Wilson-1999-NSWSC-1148.pdf>

His Honour then heard submissions on sentence, and in [*Prothonotary v Wilson \[1999\] NSWSC 1114*](#) imposed a sentence of a fixed term of 2 years imprisonment commencing on that day.

<https://freemandelusion.com/wp-content/uploads/2022/05/Prothonotary-v-Wilson-1999-NSWSC-1114.pdf>

The Court resumed shortly a few days later in [*Prothonotary v Wilson \[1999\] NSWSC 1115*](#), as Wood CJ had neglected to deal with certain sentencing requirements. It was further ordered that John Wilson will not be eligible for parole given the absence of any sign of contrition or insight into the wrongness of his belligerent conduct and defiance of the Court, with his refusal to acknowledge the criminality involved in the throwing of paint bombs at a judicial officer.

<https://freemandelusion.com/wp-content/uploads/2022/05/Prothonotary-v-Wilson-1999-NSWSC-1115.pdf>

John Wilson then obtained solicitors to act for him, who filed a Notice of Appeal against his convictions and against the sentence that was imposed. In the meantime the Summons for Leave he filed came on for hearing in the Court of Appeal by a bench comprising Meagher, Sheller and Heydon JJA in [*Wilson v The Prothonotary \[2000\] NSWCA 16*](#). In a judgment delivered by Sheller JA he said:

"In my opinion, in light of the decisions of Hidden J, this Court and the High Court ... the present application for leave to appeal is a proceeding which can be appropriately described as one amounting to an abuse of the process of the Court. I am quite satisfied, for that reason, the Court may order that the proceedings be dismissed."

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-The-Prothonotary-2000-NSWCA-16.pdf>

In [*Wilson v The Prothonotary \[2000\] NSWCA 23*](#) the Court of Appeal (Sheller and Heydon JJA, Meagher JA dissenting) quashed the Contempt of Court sentence and in lieu sentenced John Wilson to a term of imprisonment of 3 months and 20 days.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-The-Prothonotary-2000-NSWCA-23.pdf>

John Wilson commenced proceedings against the State of New South Wales saying that he had been treated unlawfully by being imprisoned on 2 occasions. He sought compensation of \$5 million. On the same day, he filed a requisition for trial by jury. The State of New South Wales applied to dismiss the proceedings on the grounds that no reasonable cause of action was disclosed, that the proceedings were frivolous or vexatious and that they constituted an abuse of the process of the Court. He filed a Notice to Set Down for Trial by Jury, and later a Notice of Motion for expedition of the proceedings and that the case be set down for trial generally by a jury. The Notice of Motion came on for hearing before Sully J, where he claimed that the Court had no jurisdiction to deal with the Notice of Motion because he was asserting he had been wrongly imprisoned as a consequence of decisions of judges of the Court. The only way, he said, that he could properly be tried was by a jury. Sully J said that there was no serious basis upon which it could be contended that the Court did not have jurisdiction to deal the Notice of Motion, and overruled his preliminary objection.

John Wilson filed a Summons for Leave to Appeal to the Court of Appeal against Sully J's decision in that regard. The Summons was heard by Meagher and Handley JJA. Initially, John Wilson asked each of them to disqualify themselves for bias, but they declined to do so. They then heard the Summons for Leave to Appeal but dismissed it on the basis that they could discover no error in Sully J's judgment. John Wilson immediately announced that he would be appealing to the High Court.

John Wilson filed an application for special leave to appeal in the High Court, and an application for Expedition of the proceeding, which went unopposed in [*Wilson v NSW \[2001\] HCATrans 346*](#).

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-NSW-2001-HCATrans-346.pdf>

The grounds were said to include the constitutionality of laws, the right to trial by jury and the abuses of the processes of the Court. The application was heard by McHugh and Callinan JJ in [*Wilson v State of New South Wales \[2001\] HCATrans 623*](#). They dismissed the application saying that there were no grounds for thinking that the Court of Appeal was wrong.

https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-State-of-New-South-Wales-S110_2001-2001-HCATrans-623.pdf

John Wilson filed a Notice of Motion in the proceedings asking for an injunction to prevent any Judge or Master assigned to deal with the case from acting until he or she produced the warrant by which he or she claimed jurisdiction to determine any part of the case without a jury. That Motion and the Defendant's Motion to dismiss the proceedings came on hearing before Hidden J who dismissed the Motion on the basis that the issue had already been agitated before Sully J, and Sully J had found against him. Hidden J also dismissed his proceedings on the basis that the Statement of Claim had no prospects of success because it was based upon the claimed right to a jury trial for the contempt proceedings, which had already been decided against him.

John Wilson filed another Statement of Claim against St George Bank and the State of New South Wales, attempting to claim compensation of \$5 million for what was said to be the wrong decision of Simpson J in giving summary judgment to the Bank. It appears that he made application to the

vacation judge (Hulme J) for an early return date for his Notice of Motion in the proceedings seeking a stay of Simpson J's order. Hulme J refused the application saying that he was not satisfied on the evidence before him that there was any point in shortening the time for the return of the Notice of Motion. He then made a further application on the following day to Hulme J with a further Affidavit in support of the application. Hulme J dismissed the application saying that none of the further matters put forward by Mr Wilson provided evidence which would be of any use in support of his Notice of Motion.

He applied to the vacation judge (then Sully J) seeking a stay of Simpson J's order until his Notice of Motion was heard. Sully J made enquiries and ascertained that the Sheriff had already taken possession of John Wilson's property, and said in those circumstances, there was nothing he was able to do.

John Wilson filed a requisition for trial by jury in the proceedings and a Notice to Set Down for Trial by Jury. His Notice of Motion for a stay of Simpson J's order came before Hulme J where John Wilson applied for Hulme J to disqualify himself, on grounds he had refused his applications for an earlier date, had been antagonistic towards him on those occasions, and as the State of New South Wales paid Hulme J's salary and he was suing the State of New South Wales in the proceedings, it was a conflict of interest. Hulme J refused the application on all grounds. John Wilson then said he intended to appeal his decision and shortly afterwards, left the courtroom. Hulme J proceeded to hear the application of the Defendant to dismiss John Wilson's Motion for a stay, which he dismissed for the same reasons that Sully J had given for refusing the stay, namely, that the Writ had been executed.

John Wilson filed another Notice to Set Down for Trial by Jury. He filed an Affidavit at the same time annexing various documents alleging fraud and corruption on the part of the Bank and the judges of the Court. The State of New South Wales filed a Motion for summary dismissal of the proceedings. The Notice of Motion was heard by Adams J who struck out the Statement of Claim and said that the Affidavits demonstrated that his complaints against Simpson J had no basis in fact, let alone law.

John Wilson filed a Summons for Leave to Appeal to the Court of Appeal against the order of Adams J. In his summary of argument, he alleged that Adams J had acted in bad faith and that his judgment was deceitful, unlawful and malicious. The argument also put forward the submission that the Motion ought to have been heard by a jury. The Summons was heard by Priestley and Stein JJA who held that his chances of succeeding on appeal were so slim that there was no point in granting leave to appeal. John Wilson then filed an application for special leave to appeal to the High Court.

The Deputy Commission of Taxation commenced proceedings in the District Court of Parramatta claiming \$48,621.18, being income tax, instalments of provisional tax and additional charges for late payment of the other amounts. John Wilson filed his Defence alleging that the method of levying the tax was wrong, and that the relevant laws were invalid. He claimed hardship and claimed the right to trial by jury. He filed a Notice of Cross-Claim against the Deputy Commissioner of Taxation and added the Commonwealth of Australia and State of New South Wales as Cross-Defendants. The Cross-Claim included his complaints about the case Master Greenwood heard and the appeals from that decision. It also asserted that the *Income Tax Assessment Act 1997* (Cth) was invalid because a law made by the Crown of the United Kingdom of Great Britain and Ireland was and ought to have been made by the Legislature, said to mean the King. He claimed \$5 million in unliquidated damages by reason of the claim of the Deputy Commissioner of Taxation. He also filed a requisition for trial by jury on the same day. Subsequently, the Registrar of the District Court rejected these documents because they had been filed out of time without leave. John Wilson attempted to re-file them on 2

subsequent occasions, until eventually, the Registrar informed him that he was not permitted to file a cross-claim without the leave of the Court.

John Wilson commenced proceedings in the Common Law Division of the Supreme Court against the State of New South Wales complaining about the fact that the Registrar of the District Court rejected his documents. He asked relief by way of certiorari and mandamus requiring the District Court to perform its duty by reinstating his Cross-Claim. On the same day, he filed a requisition for trial by jury in those proceedings, and a Notice to Set Down for Trial by Jury and a Notice of Motion for expedition.

In the meantime, the Deputy Commissioner of Taxation filed a Notice of Motion in the District Court proceedings seeking summary judgment, and the State of New South Wales filed a Motion for summary dismissal of the Supreme Court proceedings, or in the alternative, for a stay by reason of there being an abuse of process. The matter came for hearing before Adams J. John Wilson asked for a trial by jury, which was refused by Adams J, and he then asked for an adjournment on the basis that he was exhausted and emotionally distraught by what Adams J had done in a previous case involving him. The adjournment was granted.

The Deputy Commissioner of Taxation's Notice of Motion to strike out the Statement of Claim eventually came on for hearing before Dunford J in [Wilson v State of New South Wales \[2001\] NSWSC 880](https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-State-of-New-South-Wales-2001-NSWSC-880.pdf). John Wilson asserted that Dunford J had no jurisdiction because he was sitting without a jury. Dunford J gave judgment that day in which he said that the proceedings were completely misconceived. He said the proceedings were also improperly constituted because the proper parties, including the Deputy Commissioner of Taxation and the District Court, had not been joined as defendants. He found that no reasonable cause of action or ground for mandamus or certiorari was disclosed, and he was satisfied that the proceedings were an abuse of process. Accordingly, he dismissed the proceedings.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-State-of-New-South-Wales-2001-NSWSC-880.pdf>

John Wilson filed a Notice of Motion in the District Court asking that his Cross-Claim be reinstated, and then a Motion seeking orders that the Court be constituted by a judge and jury, and that the jury be properly informed of its responsibilities, and requisitioned for a Grand Jury. These 3 motions, together with the Motion of the Deputy Commissioner for summary judgment, came before Delaney J of the District Court, who first considered at length but rejected the motions had to be heard by a jury, and dismissed the Motion seeking a Grand Jury on the basis that no such jury was available in the District Court. He then considered the Motion to file a Cross-Claim out of time, noting that most of the matters raised by the Cross-Claim had already been determined in the Supreme Court, and that general matters raised concerning the validity of laws had been dealt with in the Federal and the High Court, and concluded the Cross-Claim claimed \$5 million which was well beyond the jurisdiction of the District Court, and refused the relief sought in that Motion. Finally, Delaney J dealt with the Deputy Commissioner's Motion seeking summary judgment, at which point John Wilson absented himself from the Court because of the previous judgment in relation to his right to have his Cross-Claim reinstated. Delaney J said that he considered the matters raised by him in his Defence to the Deputy Commissioner's claim had been dealt with in other Courts and in particular, the judgment of O'Keefe J in *Matchett v Deputy Commissioner of Taxation*; *Lattimore v Deputy Commissioner of Taxation*. His Honour struck out the Defence and gave judgment for the Plaintiff.

John Wilson filed a Summons for Leave to Appeal to the Court of Appeal, having earlier filed a Holding Summons for Leave to Appeal. In a brief judgment, Handley and Hodgson JJA said that the

four judgments by Judge Delaney were correct for the reasons he had given. Accordingly, they dismissed the Summons for Leave to Appeal. John Wilson then filed an application for special leave to appeal in the High Court.

John Wilson filed a Summons in the Common Law Division of the Supreme Court against the Honourable Robert John Carr MP seeking declarations that Mr Carr was guilty of treason and treachery in removing the Governor from Government House and from advising the Governor to give Royal Assent to legislation which took away the common right to trial by jury. The Summons also sought orders that the Defendant be punished for such treason and treachery. The Crown Solicitor, acting for Mr Carr, filed a Motion seeking that the proceedings be dismissed. The matter came before Grove J in [*Wilson v Carr \[2002\] NSWSC 184*](#), where John Wilson sought to file a requisition for trial by jury but Grove J would not accept it. Grove J then held that the proceedings were entirely misconceived, that there was no possible merit in the Summons and that there was no possible prospect of the relief sought being granted. In those circumstances, Grove J dismissed the proceedings.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-Carr-2002-NSWSC-184.pdf>

John Wilson's applications for special leave to appeal to the High Court came up, both in his second challenge to the St George Bank and against the Deputy Commissioner of Taxation.

His summary of argument in the first contained the same arguments that he had put forward earlier in these proceedings and in the prior proceedings, although in some greater detail. They included such matters as his right to trial by jury and the corruption of the judiciary. The special leave application was heard by Gummow and Callinan JJ in [*Wilson v St George Bank Limited and Anor \[2003\] HCATrans 586*](#) who refused special leave, saying that there was no reason to doubt the correctness of the decision reached by the Court of Appeal.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-St-George-Bank-Limited-and-Anor-2003-HCATrans-586.pdf>

The matter against the Deputy Commissioner of Taxation was heard by Kirby and Heydon JJ in [*Wilson v Deputy Commissioner of Taxation \[2003\] HCATrans 403*](#). Special leave was refused. Kirby J held that the points which Mr Wilson raised were without merit and they had been raised to avoid paying his taxes in accordance with the law. No error was shown in the orders of the Court below. The Deputy Commissioner sought costs on an indemnity basis. This was because John Wilson had advanced the same arguments concerning trial by jury as he had advanced on 2 previous occasions in the High Court on special leave applications. The High Court agreed, saying that the contentions were without legal merit and that other litigants deserved protection from futile claims of the same kind.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-Deputy-Commissioner-of-Taxation-2003-HCATrans-403.pdf>

John Wilson was fined \$50 plus court and professional costs by Magistrate Garbett for failing to vote at the 2003 State general election. He then filed a Summons in the Common Law Division of the Supreme Court against the State Electoral Office asking that the order of the Magistrate be set aside and seeking an order that the matter be set down for trial by jury. Subsequently, he filed an Amended Summons naming the State of New South Wales as the Second Defendant. The State of New South Wales moved to have the Amended Summons dismissed. The Motion came on for hearing before Adams J who J found that it was clear beyond demonstration that the Affidavit of the

Plaintiff in support of the Amended Summons expressed no valid ground for the relief sought, and that the proceedings were vexatious, dismissed the Amended Summons and ordered John Wilson to pay the costs of the Motion.

Subsequently, a judgment in the sum of \$5,683.32 was filed in relation to the costs order, and a Writ for Levy of Property and a Notice of Motion for Levy of Property were filed. Leave to issue the Writ was granted, and the Sheriff wrote to John Wilson in relation to the seizure of property. That letter prompted the next set of proceedings.

John Wilson filed a Statement of Claim in the Supreme Court as a result of the letter from the Sheriff concerning the seizure of property to satisfy the judgment for costs. The Statement of Claim also asked for "relief by a jury" because the costs were not awarded by a jury. Once again, he made a claim for compensation of \$5 million. The State of New South Wales was also sued on the basis that it was vicariously liable for the acts of the Sheriff. An Affidavit filed at the same time contained the usual submissions that caught up passages from the Bible with Magna Carta and various other pieces of legislation that John Wilson asserts guarantees him trial by jury for every sort of legal proceeding.

The Crown Solicitor acting for the Defendants filed a Motion seeking that the Statement of Claim be dismissed. This Notice of Motion was heard by Grove J in [Wilson v New South Wales Sheriff \[2006\] NSWSC 991](#), along with 2 similar Notices of Motion concerning another litigant in person, Eric Jury, who had brought proceedings against the Sheriff and the State of New South Wales. (See [Jury v NSW Sheriff, Jury v State of NSW, Wilson v NSW Sheriff \[2006\] NSWSC 988](#), and [Jury v New South Wales Sheriff \[2006\] NSWSC 990](#)) John Wilson made his usual submissions that Grove J had no authority to hear the applications because there was no jury present, and also because he had never been validly appointed as a Judge. Grove J overruled those preliminary objections, and then dealt with the Defendant's Notices of Motion in circumstances of great difficulty (as the transcript discloses) because whilst he was delivering his judgment, John Wilson constantly spoke over the top of him and personally abused the Judge. Grove J held, however, that the assertions in the Statement of Claim put forward by John Wilson were doomed to failure and had no prospects of success. In those circumstances, he dismissed the proceedings.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-New-South-Wales-Sheriff-2006-NSWSC-991.pdf>

John Wilson was the subject of a consumer complaint to the Dental Board made by a former patient who alleged that a crown fitted by him was inadequate. The complaint was referred to the Dental Care Assessment Committee, who recommended to the Board that he refund the fee for the crown, but he failed to do so. An appointment was made for John Wilson to meet with the Dental Board, but instead he filed a Statement of Claim in the Supreme Court naming the Dental Board of New South Wales and the State of New South Wales as Defendants. The Statement of Claim raised yet again the assertion that he was entitled to a jury but also asserted that Professor Marie Bashir AC was never validly appointed as the Governor and that that meant that the *Dental Practice Act 2001* to which she had given her assent as Governor was illegitimate legislation. On this occasion, John Wilson claimed \$25 million, a five-fold increase on earlier claims for compensation made. The Crown Solicitor acting on behalf of both Defendants brought a Notice of Motion to dismiss the proceedings, which ultimately came before Simpson J. John Wilson's behaviour was such that he was removed from the Court at the Judge's direction on 2 occasions. Simpson J determined that the purported Statement of Claim was incomprehensible, disclosed no reasonable cause of action, and even on its most liberal reading contained no statement of any questions of law or fact for determination by the Court. She held that it was vexatious, frivolous and an abuse of the proceedings of the Court, and she struck it out.

John Wilson filed a Statement of Claim in the Supreme Court naming the Crown Solicitor as the Defendant. The Statement of Claim complained of what took place before Simpson J, asserting because there was no jury, the Court had no jurisdiction to determine the Motion. On this occasion, he only asked for \$5 million in compensation. The Crown Solicitor applied to have the proceedings dismissed, which came before Adams J. John Wilson again insisted on pressing his application for a jury to hear the Motion, an application which Adams J dismissed. Adams J then said that it was manifest that the Statement of Claim disclosed no cause of action and was an abuse of process. The proceedings were dismissed and John Wilson was ordered to pay costs.

John Wilson was found guilty in the Local Court of 4 alleged offences for failing to lodge tax returns for the years ending 30 June 2001, 2002, 2003 and 2004, and was fined \$400 and ordered to pay court costs of \$65 within 28 days. When he did not pay the fine or costs, he was served with a Notice of Suspension of Licence by the State Debt Recovery Office. He commenced proceedings in the Supreme Court against the State Debt Recovery Office and the State of New South Wales in relation to his conviction in the Local Court for the tax offences and in relation to the issue of the Notice of Suspension. The complaint was the usual one that he had been denied a trial by jury and that, therefore, the Local Court had no jurisdiction. On this occasion, he claimed compensation of \$100 million. The Defendants filed a Notice of Motion seeking that the proceedings be dismissed, while John Wilson filed a requisition for trial by jury. The Defendants' Motion came on for hearing before Adams J. John Wilson made the usual application for a trial by jury in relation to the Motion, which was rejected by Adams J who then went on to determine that the Statement of Claim raised no possible cause of action and should be dismissed with costs. He then filed a Holding Summons for Leave to Appeal to the Court of Appeal against the judgment of Adams J. The written submissions contained the usual mix of biblical references, *Magna Carta* and other legislation that he said justified his right to a jury, and the usual pseudo-philosophical analysis of what the law and justice was supposed to be about. It came before Mason P and Tobias JA, who dismissed the Summons with costs, seemingly, for the reasons that Adams J had given in relation to the Notice of Motion.

GIO Insurance commenced proceedings against John Wilson seeking payment of worker's compensation insurance in the sum of \$563.93 plus costs, and default judgment was entered against him in North Sydney Local Court in the sum of \$1389.60, with a Writ of Levy of Property issued in that sum. GIO later filed a Notice of Motion seeking that the Court authorise the Sheriff to enter the premises of John Wilson for the purposes of executing the Writ of Levy of Property. The Sheriff issued a Notice of Seizure which notified John Wilson that the Sheriff was authorised to seize a Toyota RAV4 white four-wheel-drive vehicle. That led John Wilson to file a Summons in the Common Law Division of the Supreme Court naming as Defendants GIO General Limited, Local Court of New South Wales, Parliament of New South Wales, Sheriff of New South Wales and State of New South Wales. The claim, in essence, was that because there was no jury in the Local Court, the judgment was illegal and void, and everything flowing from it was illegal and void. The Parliament was said to be responsible for passing legislation which permitted the Magistrate to sit at the Local Court. On this occasion, he claimed \$150 million damages which included exemplary damages. The Defendants filed Notices of Motion seeking to dismiss the proceedings, which were heard by Harrison AsJ who delivered a reserved judgment in [Wilson v GIO General Ltd \[2007\] NSWSC 1445](https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-GIO-General-Ltd-2007-NSWSC-1445.pdf), and said that the Plaintiff's Summons was untenable, was an abuse of process of the Court and could not be cured by amendment. In those circumstances, she dismissed the Summons with costs.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-GIO-General-Ltd-2007-NSWSC-1445.pdf>

John Wilson filed a Statement of Claim in the Supreme Court against the Attorney General, Mr Hatzistergos, and the Crown Solicitor, Mr Knight. This Statement of Claim arose from demands that

had been made by the State Crown for him to remove from his website copies of transcripts of proceedings, on the basis that the Crown was the owner of the copyright, and no permission had been obtained by him to post those transcripts. The Statement of Claim alleged a conspiracy to perpetrate a fraud to censor illegally and to intimidate him. The Defendants filed a Motion seeking orders that the proceedings be dismissed. Before that Motion came on for hearing, John Wilson filed a Motion for the empanelment of a special jury to determine the jurisdiction of the Court. The Motions came on for hearing before Adams J in [Wilson v Hatzistergos \[2008\] NSWSC 230](#). John Wilson conducted the proceedings in the usual fashion which involved him talking over the top of the Judge and making insulting submissions. He was eventually removed from the courtroom. He was given the opportunity to return if he was prepared to remain silent but he refused and was again removed. Adams J held that the relief claimed in the Statement of Claim was impossible to obtain by the law of New South Wales. He held that it disclosed no reasonable cause of action and was manifestly frivolous and vexatious. He struck it out with an order for costs.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-Hatzistergos-2008-NSWSC-230.pdf>

John Wilson filed a Summons in the Supreme Court naming the State of New South Wales as the Defendant, seeking that a jury adjudge that he had been unlawfully arrested and imprisoned and that it award him \$150 million in damages. The Affidavit in support referred to an arrest by 2 police officers in 2008. When the Summons was mentioned, he was ordered to file a Statement of Claim. He did not do so and the Defendant filed a Notice of Motion to have the proceedings dismissed. That Motion came before Hislop J who ordered that the proceedings be stayed until he filed and served the Statement of Claim, which he then did but did not supply particulars as he was directed by the Registrar to do, and the Defendant again filed a Notice of Motion to dismiss the proceedings. The Motion came before Adams J who noted that John Wilson simply made speeches about trial by jury and asserted that he (Adams J) could not hear the application. Once again, because he would not remain silent, Adams J had him removed from the courtroom. He then held that the Defendant had overwhelmingly established its right to the order dismissing the proceedings.

In [Attorney General of NSW v Wilson \[2010\] NSWSC 1008](#), Davies J of the Supreme Court declared John Wilson to be a vexatious litigant (at 146, 142-143, 154):

"Between 4 July 1996 and 17 October 2007 Mr Wilson commenced 14 sets of proceedings in the Court. When it is considered that the majority of individuals in our community would never institute legal proceedings, and those that do would ordinarily have a need to do so once or twice in their lives, commencing 14 separate Supreme Court actions in 11 years can be said to be the institution of proceedings "frequently".

Many of the proceedings he commenced, and most of the applications he made, were attempts to re-litigate matters which had already been determined against him, and sometimes on many occasions. In particular, his claim that he was entitled to trial by jury for the determination of motions filed was made time and again, sometimes even to the same judge, when the matter had been determined against him. The matter is particularly highlighted in the proceedings where the High Court granted an indemnity costs order because Mr Wilson was raising for the third time before the High Court matters which it had already determined against him. All of the proceedings commenced by Mr Wilson constituted an abuse of the process of the Court concerned and were instituted and pursued without reasonable ground. Applications that he made both in his own proceedings and in proceedings commenced against him seeking trial by jury, particularly for the hearing of

notices of motion, were an abuse of process of the Court and were pursued without reasonable ground.

Accordingly, I make the following orders:

(1) Pursuant to s 8(7)(b) Vexatious Proceedings Act 2008 John Wilson is prohibited from instituting proceedings in New South Wales other than with leave of an appropriate court under that Act.

(2) Any legal proceedings instituted by John Wilson in any court or tribunal in New South Wales before the date of this order are hereby stayed.

(3) Order that John Wilson is not to be allowed to file and is hereby restrained from filing and also from serving any Notice of Motion in any proceedings currently before any court or tribunal in New South Wales, and is not to be allowed to make and is hereby restrained from making any oral application in such proceedings without the leave of a judge of an appropriate court under that Act.

(4) The Defendant is to pay the Plaintiff's costs of the proceedings."

<https://freemandelusion.com/wp-content/uploads/2019/05/attorney-general-of-nsw-v-wilson-2010-nswsc-1008.pdf>

The decision was appealed in [***John Wilson v The Attorney General of New South Wales \[2011\] NSWCA 10***](#) and the appeal was dismissed.

<https://freemandelusion.com/wp-content/uploads/2019/05/john-wilson-v-the-attorney-general-of-new-south-wales-2011-nswca-10.pdf>

A month later, John Wilson applied for leave to institute proceedings for defamation against Nationwide News Pty Ltd, in [***Attorney General in and for the State of New South Wales v Wilson \[2011\] NSWSC 221***](#). The application was dismissed by Harrison J, who noted (at 5-6):

"Mr Wilson's affidavit does not disclose a single fact that could conceivably have anything to do with a cause of action against Nationwide News Pty Ltd for defamation. The affidavit does not refer to Nationwide News Pty Ltd. It does not refer to defamation. It does not refer to any publication. It does not refer to any defamatory words, defamatory meanings or imputations, or anything vaguely concerned or connected with any alleged cause of action in defamation or indeed any cause of action at all. On the contrary, the affidavit contains ... a series of discursive and disconnected statements about the Magna Carta, the right to trial by jury, the Constitution, Habeas Corpus, the Holy Bible, the Bill of Rights 1689 and the Universal Declaration of Human Rights. There are others as well. The affidavit is also replete with quotations from Thomas Jefferson, Halsbury's Laws of England, Lord Edward Coke and Lysander Spooner. None of the matters referred to or quoted strikes me as bearing in any meaningful or helpful way upon the leave sought or the cause of action alleged."

<https://freemandelusion.com/wp-content/uploads/2022/05/Attorney-General-in-and-for-the-State-of-New-South-Wales-v-Wilson-2011-NSWSC-221.pdf>

In [***Condon v Wilson \[2012\] FMCA 1069***](#) an application to be joined as a respondent in proceedings commenced by Mr Condon as trustee of John Wilson's bankrupt estate was approved, notwithstanding that at the same time he asserted that he does not recognise the jurisdiction of the court, or his bankruptcy, and claims it is necessary that there be a trial by jury. He continued to interrupt the hearing by interjecting "no jurors, no jurors".

<https://freemandelusion.com/wp-content/uploads/2022/05/Condon-v-Wilson-2012-FMCA1069.pdf>

In [Condon v Wilson \(No.2\) \[2012\] FMCA 1070](#) (the same day) John Wilson also took issue with the appointments of all judges, including the judges of the Federal Court as well as this Court, on the basis that none of the judges are legitimate judges and their appointments are frauds, repeating that he has an automatic right to trial by jury.

<https://freemandelusion.com/wp-content/uploads/2022/05/Condon-v-Wilson-No-2-2012-FMCA1070.pdf>

In [Wilson v Condon \[2013\] FCA 184](#) he asserted that he had clear evidence from the Privy Council that the judges appointment was “*totally fraudulent*” and that the whole of the structure of the courts in Australia is a “total fraud” and that the Federal Court is not a court. When asked whether he wished to have the appeal listed for hearing or whether he wanted the judge to strike it out, his response was that he did not want them to do anything and that they were “*a fraud*”. He repeated the phrase “*you are a fraud*” several times to various questions. He sought what he described as a “*peremptory stay of proceedings*” until the jurisdiction of the Court was determined, and wanted the court to empanel a “*special jury*” to determine this. When this was denied, he then said: “*This is more than just fraud, this is treason this is incredible treason against the people of Australia. You and your brothers are denying us our lawful rights, our lawful rights to the lawful judgment of our equals. That is democracy and we had that right since Magna Carta guaranteed it and you are disregarding it. You are incredibly corrupt, incredibly evil.*” The appeal was dismissed on the basis that the notice of appeal was embarrassing, the conduct of the appellants abusive and vexatious.

<https://freemandelusion.com/wp-content/uploads/2022/05/Wilson-v-Condon-2013-FCA-184.pdf>

In 2016, John Wilson was back in the courts, as he believed that he may have been defamed by a report broadcast by the Australian Broadcasting Commission, and sought leave to institute proceedings otherwise prohibited by the terms of the 2010 order. This application appears to have been more coherent, as in [Application by John Wilson \[2016\] NSWSC 1527](#) the Court made orders directing the applicant to serve relevant persons with a copy of documentation concerning his application.

<https://freemandelusion.com/wp-content/uploads/2019/05/application-by-john-wilson-2016-nswsc-1527.pdf>

The “relevant persons” were the proper officer of the Australian Broadcasting Commission, the Attorney General, and the Solicitor General. They were each served but filed no submissions with the Court within the specified time frame of 21 days from receipt of the documentation, so the application was determined on the basis of evidence and submissions from the applicant only. Leave was granted to pursue preliminary discovery in [Application by John Wilson \(No 2\) \[2016\] NSWSC 1822](#) although I cannot locate an outcome of these proceedings, nor were they cited in any further cases, hence I can only assume the defamation case never went ahead.

<https://freemandelusion.com/wp-content/uploads/2019/05/application-by-john-wilson-no-2-2016-nswsc-1822.pdf>

John Wilson left this comment on the *Australian Paralegal Foundation* website in 2017:

“Dear Rob, You show your true colors with your statements that, ” The term “common law” is itself common, but most people do not know exactly what it means. Its meaning, though, is

pretty simple: it refers to unwritten, judge-made law (as opposed to written, or statutory, law). That is the lie that that the corrupt and treacherous legal profession implement constantly to deny people justice and conceal their own malfeasance. Common law is what is says. It is the law of the people, by the people and for the people. Common law is democracy. It is made by the unanimous judgments of juries. Trial per pais. You will have to read Sir William Blackstone and Lysander Spooner. That is where you have blown your cover.”

In early 2022, John Wilson was attending the protests in Canberra preaching his usual sermons about trial by jury.

[John Wilson's Dilemma](#)

<https://freemandelusion.com/wp-content/uploads/2018/07/john-wilsons-dilemma.pdf>

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