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**Chairman**  
Professor Ken McKinnon

**Executive Secretary**  
Jack R. Herman

29 January 2008

Mr Scott Balson  
PO Box 91  
Wellers Hill QLD 4121

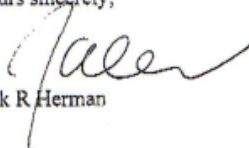
By Fax (07) 38925333

Dear Mr Balson,

The Council has received the attached stat dec from Kevin Lindeberg.

The stat dec has been passed on to the Council's Chairman, Professor Ken McKinnon.

Yours sincerely,

  
Jack R. Herman

Please address all correspondence to the Executive Secretary at address above.

Kevin Lindeberg  
11 Riley Drive  
**CAPALABA QLD 4157**  
19 January 2008

Mr. Jack R. Herman  
Executive Secretary  
Australian Press Council  
Suite 10.02, 117 York Street  
**SYDNEY NSW 2000**

Dear Mr. Herman

**RE: COMPLAINT BY MR. SCOTT BALSON IN RELATION TO THE AUSTRALIAN ARTICLE BY JOURNALIST MR. GREG ROBERTS ON 5 OCTOBER 2007 REGARDING THE HEINER AFFAIR**

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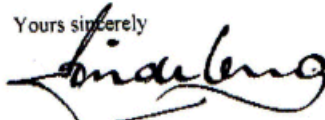
I am aware of an invitation to attend the Australian Press Council hearing on the above matter on Wednesday 30 January 2008 given my clear relevance to the claims under dispute in the Roberts article.

I wish to thank the Council for the invitation to attend to submit relevant evidence and submit myself to questioning.

Unfortunately it is not possible for me to attend.

In order that the Council might place reliance on my evidence in respect of its deliberations, I enclose a 12-page Statutory Declaration dated 18 January 2008 which I believe is highly relevant to the issue under dispute.

Yours sincerely

  
**KEVIN LINDEBERG**

Oaths Act 1867-1988

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STATUTORY DECLARATION

QUEENSLAND }  
TO WIT

I, Kevin Lindeberg of 11 Riley Drive CAPALABA in the State of Queensland, do solemnly and sincerely declare that I am aware of the contents of an article written by journalist Mr. Greg Roberts of **The Australian** on 5 October 2007 entitled "**Far Right behind Shreddergate bid**" which is the subject of Mr. Scott Balson's complaint before the Australian Press Council to be adjudicated on or about 30 January 2008. This Statutory Declaration addresses matters in his complaint as I understand them to be.

I submit that the Roberts article makes certain false and misleading claims constituting defamatory imputations/inferences concerning myself, in breach of the following **Australian Press Council Statement of Principles** No 1, namely: "*Newspapers and magazines ("publications") should not publish what they know or could reasonably be expected to know is false, or fail to take reasonable steps to check the accuracy of what they report.*"

The article may also be in breach of **AJA Code of Ethics No1**. "*Report and interpret honestly, striving for accuracy, fairness and disclosure of all essential facts. Do not suppress relevant available facts, or give distorting emphasis. Do your utmost to give a fair opportunity for reply.*"

**PARTICULAR ONE:**

Mr. Roberts wrote: "**A Coalition of right-wing extremists and conspiracy theorists has been identified as the driving force behind moves to revive the so-called Shreddergate affair as the federal election approaches.**"

**PARTICULAR TWO:**

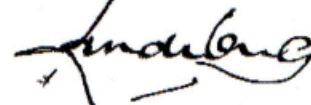
Mr. Roberts wrote: "**The anti-Semitic League of Rights is another vigorous supporter of Mr. Lindeberg.**"

As the whistleblower and aggrieved citizen in the Heiner matter, over its 18-year continuum(irrespective of consideration about electoral cycles or persons involved) I am and have always been unashamedly "**the driving force**" behind efforts to bring the alleged wrongdoing associated with the affair [also known as *Shreddergate*] to a proper and just resolution.

**And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1867-1988**

Taken and Declared before me, at *CAPALABA*

This *18TH* day of *January* 20*08*



*[Signature]*  
A Justice of the Peace  
WILLIAM JOHN YORK  
SOLICITOR

Oaths Act 1867-1988

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**QUEENSLAND }  
TO WIT**

I take no counsel from right-wing extremists or conspiracy theorists in that objective. When necessary, I act on advice of senior counsel.

Mr. Roberts' claim that "moves to revive" this affair were timed to coincide with the federal election is untrue. The search for justice has been constant and unrelated to any electoral act or other political event.

My counsel, Sydney QC, Mr. David F Rofe, my lawyers Ryan & Bosscher of Brisbane and I undertook an audit of the Heiner affair - as referred to in the Roberts' article - as part of my quest for justice. The audit was concluded after some two years on or about 10 August 2007.

The audit was a forensic analysis of the accumulated evidence of events stretching over some 17 years. It took as long as necessary to complete within all the demands on those doing it. Without gainsay, it was a cautious and dispassionate application of the law to the facts, irrespective of the public position or status of any person(s) involved in the shredding of the Heiner documents as a result of a Goss cabinet decision in February and March 1990.

It was never and is not now a political exercise to "get" Mr. Rudd. The audit commenced when there was no idea or thought that he may become Leader of the Federal Labor Opposition or Prime Minister of Australia as he now is. Mr. Rudd's role in the affair is merely one amongst many dozens of others who may have been involved, as chief of staff to Premier Goss.


On 11 October 2007, Mr. Rofe QC wrote to Mr. Roberts taking strong exception to the construction of his article which inferred that [a] Mr. Rudd was "...the man we are after" and [b] he [Rofe QC] was part of a "coalition of right wing extremists and conspiracy theorists." Mr. Rofe QC stated that he was a professional barrister of 50 years standing and was in no way associated with nor a supporter of any extremist group, left, right or centre.

I am not a member of any political party. I am neither associated with nor a supporter of any extremist group.

I am a member of **Whistleblowers Action Group (Qld)** and **Whistleblowers Australia**. The latter has categorized this (Heiner) matter as one of its four cases of national significance.

**And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1867-1988**

Taken and Declared before me, at **CAPALABA**  
This **18th** day of **JANUARY 2008** 

  
**A Justice of the Peace**  
**WILLIAM JOHN YORK**  
**SOLICITOR**

Oaths Act 1867-1988

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STATUTORY DECLARATION

QUEENSLAND }  
TO WIT

[http://www.uow.edu.au/arts/sts/bmartin/dissent/contacts/au\\_wba/wbns.html](http://www.uow.edu.au/arts/sts/bmartin/dissent/contacts/au_wba/wbns.html)

I have never knowingly sought the support of the **League of Rights** ("the League") or any other known or alleged extremist group in my quest for justice at any time. I have had nothing to do with the League.

I have never knowingly associated myself with anything anti-Semitic or been a Holocaust denier as the article infers by its false linkages of me to the League and other named persons [i.e. Messrs William Pierce, Bradley Smith and Peter Myers]. I have no knowledge or personal acquaintance with any such person.

Such views are contrary to all things that I hold dear spiritually, emotionally and intellectually.

So far as I am aware the League has not ever made a public submission of any kind to a proper authority on the Heiner Affair let alone demonstrate its "**vigorous support.**" Neither has Mr. Balson to my knowledge.

Others have but were all overlooked by Mr. Roberts.

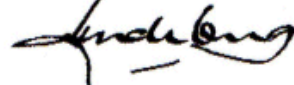
For example, when the affair came under review, the League has never made a public submission of any kind to [a] the Australian Senate in 1994, 1995 or 2004; [b] the Federal House of Representatives in 2003/04; or, to the best of my knowledge, to any Queensland Premier or proper authority as have the **Australian Society of Archivists** and academics such as **Associate Professor David Field** [Law Faculty Bond University] in 2004, [former] **Associate Professor Bruce Grundy** [School of Journalism University of Queensland] in 2004 and on many other occasions, Senior Lecturer **Mr. Alastair MacAdam** [Law Faculty QUT] in 2004, and a **raft of retired superior court judges** in 2007.

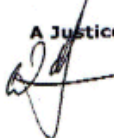
In that sense, the clear inference/imputation of an "association" on my part with "**the anti-Semitic League of Rights**" as being a "**vigorous supporter**" when no such "association" existed, is contrived, highly offensive and defamatory, as well being highly misleading to the reading public.

If the League, or any other body or person, sought to reproduce extracts from articles published by journalist Piers Akerman, or from any other public document concerning the Heiner affair, then they are free to do so without seeking Mr. Akerman's endorsement or mine. **Once an article is written and published, a**

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A Justice of the Peace  
  
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Oaths Act 1867-1988

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TO WIT

submission or report written and tabled in Parliament, it is irreversibly published to the world, now to the world of cyberspace. It cannot be reversed.

I submit that in his article, Mr. Roberts knowingly and falsely applied the principle of "guilt by association" in order to discredit me and the issue at hand, a practice recently [and rightly] highlighted by **The Australian** journalist Mr. Hedley Thomas in the Haneef case as being unjust and un-Australian. [See **The Australian** 22 December 2007: "**Let us reject guilt by association.**"] In my case there was not even any "association"

Regarding the aforesaid principles, I submit that a breach has occurred concerning suppression of relevant facts.

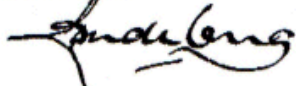
Mr. Roberts had the professional opportunity to report on the **August 2007 Judges' Statement of Concern** addressed to the then Queensland Premier the Hon Peter Beattie about the [handling of] Heiner affair signed by five judges [retired Chief Justice of the Supreme Court of Western Australia, the Hon David Malcolm AC CitWA, retired NSW Supreme Court Justices, the Hon. Jack Lee AO QC, Roddy Meagher QC and Barry O'Keefe AM QC, retired NSW judge Dr Frank McGrath, Mr. Alec Shand QC and QUT senior Law lecturer Mr. Alastair MacAdam] in which they called on him to appoint a Special Prosecutor to investigate the matter.

*Inter alia*, they expressed the concern that the particular criminal law provision [i.e. section 129 of the **Criminal Code** - destruction of evidence] may have been knowingly misinterpreted to advantage the Executive Government and certain civil servants involved in the *prima facie* illegal shredding of the Heiner Inquiry documents on 5 March 1990.

The **August 2007 Judges' Statement of Concern** came into **The Daily Telegraph** [DT] journalist Mr. Piers Akerman's possession by means other than by my hand. He has since publicly confirmed that receipt of the Statement triggered his first article on 18 August 2007.

Copies of the **August 2007 Judges' Statement of Concern** by the instruction of the signatories were provided to: [1] Her Excellency the Governor of Queensland; [2] the Chief Justice of the Supreme Court of Queensland; [3] the Leader of the Queensland Opposition; [4] the President of the Queensland Bar Association; and [5] the President of the Queensland Law Society. This instruction was carried out by my hand.

**And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1867-1988**

Taken and Declared before me, at **CAPALABA**   
This **18<sup>th</sup>** day of **JANUARY 08**

A Justice of the Peace

  
WILLIAM JOHN YORK  
SOLICITOR

Oaths Act 1867-1988

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The **August 2007 Judges' Statement of Concern** cited and concurred with an earlier 2005 public opinion by former Chief Justice of the High Court of Australia, the Right Hon Sir Harry Gibbs GCMG, AC, KBE, that, at least, a *prima facie* offence under section 129 of the **Criminal Code** existed against those involved in the shredding of the Heiner Inquiry documents.

Despite the **August 2007 Judges' Statement of Concern** being at the heart of the Akerman **Daily Telegraph** 18 August 2007 article "**Long Running Scandal threatens Rudd**" – but presented in Robert's article as "Long Running Suppurating Sore – the Heiner Affair" – and being mentioned in the League **On Target** article which ran off the back of the Akerman's column, Mr. Roberts suppressed its highly relevant existence to activities at the time having caused Mr. Akerman to take the story up in the first place.

A person's reputation in the media can be just as easily destroyed as Dr Haneef's liberty was by law-enforcement authorities and an Immigration Minister when "associations" between persons are either willfully or mistakenly presented and/or understood. Either way, it is hard to retrieve a reputation after being sullied across the nation as being either racist, extremist or anti-Semitic.

On the evidence provided in this Statutory Declaration, it is reasonably open to conclude that is the dark abyss into which Mr. Roberts knowingly attempted to cast me.

In terms of further demonstrating bias in his truth-seeking research, Mr. Roberts failed to report that the Queensland Opposition had joined with 5 Independent MPs in the **Queensland Parliament** on 26 May 2006 calling on the Queensland Government to appoint a Special Prosecutor to investigate the affair.

He failed to report that the independent **Australian Society of Archivists** [ASA] on earlier occasions, one being to the **Senate Select Committee on the Lindeberg Grievance** on 28 May 2004 and earlier to Parliamentary Criminal Justice Commissioner Ms. Julie Dick SC on 8 October 1999 had done the same.

[http://www.aph.gov.au/Senate/committee/lindeberg\\_ctte/submissions/sub02.pdf](http://www.aph.gov.au/Senate/committee/lindeberg_ctte/submissions/sub02.pdf)

**And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1867-1988**

Taken and Declared before me, at **CAPALABA**

This **18<sup>th</sup>** day of **JANUARY 08**

A Justice of the Peace  
**WILLIAM JOHN YORK**  
SOLICITOR

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TO WIT

The ASA has had a long-standing public position statement [of concern] on the Heiner affair since June 1997 and 18 March 1999. It is **still available** on the ASA's webpage. <http://www.archivists.org.au/asa-position-statement-heiner-affair>

I submit that any objective journalist [with the availability of Google and the ease of discovery] committed to truth-seeking in a professional manner could have promptly found the aforesaid and immediately seen their relevance both historically and contemporarily without any straining whatsoever of the English language concerning the words "supporter" or "backer."

However, if used as they ought to have been to demonstrate their long-term support/backing to my quest for justice, it would have exposed the falsity of **The Australian's** headline assertion because it would have been impossible to present them as "right-wing extremists", "conspiracy theorists", "anti-Semitic" and "Holocaust deniers."

In short, a pattern of predetermination emerges.

Mr. Roberts failed to report that the **House of Representatives Standing Committee on Legal and Constitutional Affairs** had recommended in the August 2004 **Bishop Report** *inter alia* the appointment of a Special Prosecutor to investigate the Heiner affair.

The **Judges' Statement of Concern** had been published in full by Mr. Akerman on his **Daily Telegraph** blog cite on or about 24 August 2007 and it makes reference in its contents to the recommendation of the aforesaid Committee of the Federal Parliament.

In the above, it is open to conclude that such adverse selectivity on the part of Mr. Roberts which omitted highly relevant facts may be seen as a serious abuse of freedom of the press.

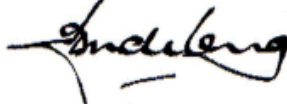
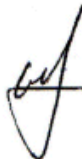
**PARTICULAR THREE :**

**Mr. Roberts wrote: "Several investigations have dismissed claims of a criminal cover-up."**

Mr. Roberts did not cite which so-called investigations made such findings, when they were made, and what were their Terms of Reference.

**And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1867-1988**

Taken and Declared before me, at **CAPALABA**  
This **21<sup>st</sup>** day of **JANUARY 08**

  
  
A Justice of the Peace  
**WILLIAM JOHN YORK**  
SOLICITOR



Oaths Act 1867-1988

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TO WIT

However, contrary to his claim of dismissal of my allegations, he failed to properly report that three 'inquires' - to use the term loosely - had found suspected and/or serious unaddressed wrongdoing. They were: [1] **1994 Senate Select Committee on Public Interest Whistleblowing**; [2] the **1996 Morris QC and Howard Report**; and [3] the **2004 [Bishop] Report by the House of Representatives Legal and Constitutional Affairs Committee**.

Mr. Roberts failed to inform his readership that the **January 1993 Criminal Justice Committee clearance** was wrong in law and in fact. The misinterpretation of section 129 of the **Criminal Code** so concerned the Judges' in their **August 2007 Statement of Concern** that they believed it may have been "knowingly" done to advantage the Executive and certain civil servants owing to its unambiguous wording and intent. Amongst other questionable conduct, the double standards in the application of the criminal law in their view warranted the appointment of a Special Prosecutor to get to the truth of this affair.

The fact is that "the Lindeberg allegations" have never undergone a full and proper independent inquiry despite the claims by the Beattie and Bligh Governments that they have has been "exhaustively investigated."

**PARTICULAR FOUR:**

**Mr. Roberts wrote: "An internet website devoted to Shreddergate is maintained by former One Nation webmaster Scott Balson in co-operation with Kevin Lindeberg, a former union official who first raised allegations of a cover-up of sex abuse at the youth centre in the early 1990s."**

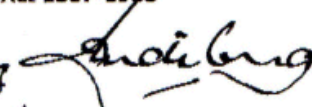
The aforesaid claim contains untruths and makes serious omissions.

In terms of what flowed out of the "association" of my name with Mr Balson's, it is clear that Mr. Roberts' objective was to then denigrate my standing in the eyes of the community by a process of "guilt by association" to so-called anti-Semitic and Holocaust-denying groups and/or persons because of their links to Mr. Balson's webpage.

In terms of the phrase "...in co-operation with Kevin Lindeberg" much turns on the words "**co-operation**" and the related word "**maintained**." It is unclear how close or tenuous those words are permitted to be in the minds of Mr. Roberts and the

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A Justice of the Peace  
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SOLICITOR

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Australian Press Council to be utilized within his [Roberts] overall text so as not to breach his Code of Ethics. Within the article's context, it is open to conclude that he was asserting a "close" co-operation and maintenance exists between us when in fact it does not.

I submit that Mr. Roberts had a professional obligation to verify this claim **before** publishing. He did not do so.

I admit that I know Mr. Balson. I have been aware of his webpage for many years, and so would many others, including, one might reasonably believe, investigative journalists like Messrs. Roberts, Thomas, McKenna and Koch and yet no such odium as suggested in Mr. Roberts' 5 October 2007 article has been attributed to me before.

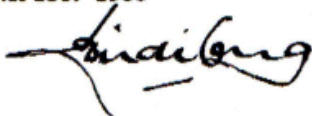
To the best of my knowledge throughout the 18-year life of this affair, I have met Mr. Balson **twice** for limited periods. The first occasion was in the company of others in my home when I was interviewed on film for Mr. Balson's documentary. The second was on a later occasion at his home to view the finished documentary and my "cameo" appearance. My appearance in his documentary "**Enemy of the Smart State**" occurred at his request.


I spoke on the basis of Mr. Balson's preparedness to stand up to a corrupt system operating by double standards. It was within the documentary's context of his pre-trial *prima facie* illegal publishing of [now convicted] paedophile/ALP State politician Mr. Bill D'Arcy's name on the internet, while for the same prohibited 'identifying' conduct two media outlets [i.e. **The Courier-Mail** and **The Bulletin**] escaped prosecution. Mr. Balson's charge was dismissed by the Magistrate.

The issue here however turns on the claim that I have "**co-operated in maintaining**" Mr. Balson's *Shreddergate* webpage. His webpage was neither commenced nor continues at my request anymore than does any other webpage which carries articles about the Heiner affair. While naturally interested in any commentary on the issue wherever it may appear on the internet, I do not sponsor any webpage.

I do not "**maintain**" or "**co-operate**" in the maintenance of Mr. Balson's *Shreddergate* webpage. It is his creation and responsibility.

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This **18<sup>th</sup>** day of **JANUARY 2008** 

  
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However, the closest such words have any relevance is that when I write a submission which becomes a public document by being tabled or published elsewhere and becomes known, it more than likely ends up on his webpage because once it is published, Mr. Balson is entitled to publish it, just as the world is.

It is untrue and/or ludicrous to suggest or infer that any of my numerous submissions and/or papers to the Senate, Federal House of Representatives, archives community and elsewhere on the Heiner affair, for example, were ever done for Mr. Balson's specific purpose on his *Shreddergate* webpage.

To the best of my knowledge, all the material on Mr. Balson's *Shreddergate* webpage is freely available from the public record. Relevantly, the same material, in different quantities and in particulars, appears on other webpages including the Australian Society of Archivists, the Federal Parliament, Trinity College in Perth, The Samuel Griffith Society, Australians for Constitutional Monarchy, ABC-Online Brisbane, and elsewhere.

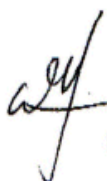
The Heiner affair features in two leading archives/recordkeeping academic books: [1] "Archives: Recording in Society" 2005. (pp243-246) Editors: (Professor) Sue McKemmish, Michael Piggott, Barbara Reed, and Frank Upward, Centre for Information Studies, Charles Sturt University; and [2] "Archives and The Public Good - Accountability and Records in Modern Society" 2002. (pp293-317) Edited by Professor Richard J Cox [Pittsburgh University USA], and Assistant Professor David A Wallace [University of Michigan USA]. I am aware that it is lectured about in universities throughout Australia and the world [for example Monash, Edith Cowan, Manitoba, British Columbia, Cape Town, Michigan, Liverpool [UK], Amsterdam, Moi and Botswana]. Papers on the affair have been delivered at seminars/conferences overseas and nationally by others.

Equally, I have never controlled what appeared over many years on a webpage emanating out of the University of Queensland School of Journalism newspapers *The Weekend Independent* and *The Independent Monthly* called *The Justice Project* which centred, in large measure, on the Heiner affair as the cover-up both expanded and has been exposed over the years.

The Heiner affair is a "public" issue. Material on the public record does not rest in my ownership or control, especially when articles have been published in the media, books, articles, tabled or made in speeches in Parliament or in its committee systems and recorded in *Hansard*, or privileged and published by inquiries.

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SOLICITOR

Oaths Act 1867-1988

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STATUTORY DECLARATION

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TO WIT

For example, I am aware that all material on another dedicated webpage called "the Heiner affair" <http://www.heineraffair.info/> has been recently put together from the material on the public record.

The internet and its blogs has become the unfettered vehicle to communicate information and ideas of, for and by ordinary citizens which in earlier times was the sole province a few who owned, controlled or worked for the media, and who, if they wished, could set and impose their own agenda on others.

Mr. Roberts has inferred by use of "guilt by association" that I was "extreme right-wing" and a "conspiracy theorist" and an associate of [alleged] groups which foster "anti-Semitism" and "Holocaust denial" because the League mentioned the Heiner affair on its webpage and because Mr. Baison had published on his blog-type webpage commentary by some alleged racist and extremist groups.

It does not follow that neither I nor the quest for justice in this affair [as publicly desired by many people and bodies of high reputation including some of Australia's most eminent jurists], are either captive or supportive of those so-called "associated" forces, and yet Mr. Roberts saw fit to selectively mention them in his article of 5 October 2007 and then to claim forthrightly that they are "...the driving force."

I submit that he was deliberately attempting to impose an agenda of denigration and ridicule on me and the affair of "guilt by association" through the powerful aegis of **The Australian**.

Relevantly, this agenda is exposed through subsequent articles by its journalists Messrs. Hedley Thomas, Michael McKenna, Tony Koch and Greg Roberts, including editorial comment in mid-October 2007 on this matter.

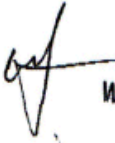
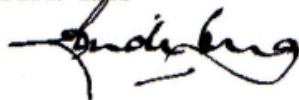
It is strongly open to conclude that this concerted effort to denigrate this affair and me by "guilt by association", alleging "obsession" on my part, omitting known relevant facts with highly selected material sprung into action after the first Akerman article appeared in **The Daily Telegraph**, an effort which oddly ran contrary to the views earlier expressed in **The Courier-Mail** under Mr. Mitchell's editorship.

Therefore, I submit that if the Australian Press Council's watchdog role is worth anything in the eyes of the public when serious abuse of press freedom may have occurred, it is essential, in this instance, for the Roberts' 5 October 2007 article not

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A Justice of the Peace

**WILLIAM JOHN YORK**  
SOLICITOR

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STATUTORY DECLARATION

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be seen in isolation to all Heiner affair articles in **The Australian** by Messrs. Thomas, McKenna, Koch and himself, including editorial comment, around this period, as well as earlier articles in **The Courier-Mail** when Mr. Mitchell was editor because nothing has changed materially since 2001 concerning this affair but only worsened with the emergence of additional confirming evidence revealing a continuing wide spread cover-up.

To demonstrate that an unprofessional predetermined mindset disposed to ridicule existed within **The Australian before** a keyboard was touched, I cite a relevant public admission by journalist Mr. Thomas on his blog site about the Heiner affair. He made it during a subsequent debate/discussion on the Haneef case when a contributor brought up the equal relevance of the Heiner affair to the important matter of governments respecting due process. Mr. Thomas stated on Wednesday 28 November 2007 at 09.20am "...I loved the Heiner Affair - but as a circus of colour, whacky conspiracy theories, and overall silliness. It was also one of the greatest beatups in Queensland's recent history...."

Oddly however, under Mr. Mitchell's leadership at the time, **The Courier-Mail** had published, with Mr. Thomas on staff along with Mr. Koch, an editorial on 22 February 1999, which called for "**Heiner affair needs full investigation**"; and, on 14 July 1999 [p17], an opinion piece by investigative journalist Mr. Michael Ware under the heading "**A shred of evidence**" in which he concluded, on the facts, that this affair had not been properly investigated causing him to say: "...So, if someone tries to tell you that the Heiner issue or the shredding of the Heiner documents has been investigated, you can laugh them away. But, before we put the whole saga to bed, the sole question that remains is not why we should re-investigate this hoary old chestnut. Rather, do we actually want the answers that we've never really sought?"

The Ware question is just as relevant today as it was then, if not more so. Now, in 2007/08, a raft of retired superior court judges and many others, including a former Chief Justice of the High Court of Australia, the Right Hon Sir Harry Gibbs, underpinned by the relevant 2004 binding authority of the Queensland Appeal Court in materially similar **R v Ensbey** and related cases law dating back to 1891 [i.e. **R v Vreones**], have declared that the criminal law was broken with no one being held to account, and they want answers in order to maintain public confidence in government and the rule of law.

This is the same unanswered Ware question still being asked in 2007/08: "**Is executive government above the law regarding the deliberate act of**


**And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1867-1988**

Taken and Declared before me, at **CAPALABA**

This **18<sup>TH</sup>** day of **JANUARY 08**



A Justice of the Peace



**WILLIAM JOHN YORK  
SOLICITOR**

Oaths Act 1867-1988

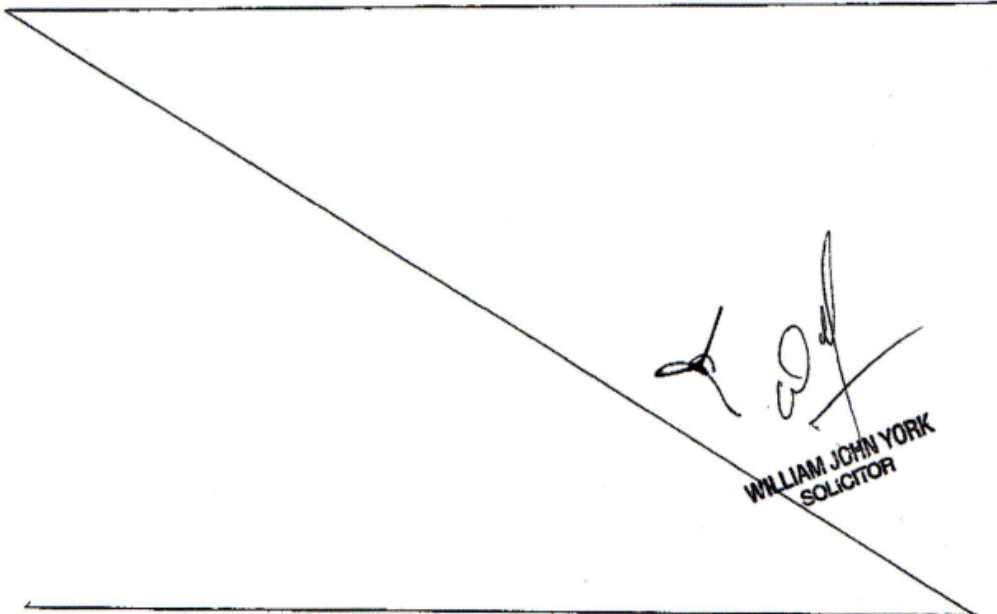
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STATUTORY DECLARATION

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destroying public records when known to be required in judicial proceedings?"

On the weight of compelling evidence, I respectfully submit that Mr. Roberts in his article of 5 October in **The Australian "Far Right behind Shreddergate bid"** failed to live up to reasonable standards of ethical journalism, and was in breach of proper journalistic principles as set out by the Australian Press Council and the AJA.



*[Handwritten Signature]*  
WILLIAM JOHN YORK  
SOLICITOR

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1867-1988

Taken and Declared before me, at **CAPALABA**

This **18<sup>th</sup>** day of **JANUARY 2008**

*[Handwritten Signature]*

*[Handwritten Signature]*

A Justice of the Peace

WILLIAM JOHN YORK  
SOLICITOR