For The Attention Of:
The Australian Human Rights Commission
Professor Gillian Triggs
And Supervisor National Information Service
Rebecca Gieng

Reference 2017-00439

Thank you Rebecca for your response to our original letter dated 25th Dec 2016 addressed to Prof Gillian Triggs, and thank you for forwarding our original letter to the Investigation and Conciliation Service for consideration and response.

If you would be so kind as to forward this response to your letter dated 11th Jan 2017 that would also be greatly appreciated.

Thank you for your mention of the ICCPR (international Covenant on Civil & Political Rights) I will forward our information to them as well, with thanks.

For your information, we have contacted several Federal, State and Local MP’s including the former Premier of NSW, Mike Baird. So again thank you for this information. To clarify, our reason’s for contacting the Human Rights Commission was in a large part due to the massive failings of both The State & Federal Governments in helping us, and the many sick people we are assisting.

I will be forwarding our correspondence to the new NSW Premier Gladys Berejiklian in the hope that she may be able to uphold the many promises Mike Baird was not able to honour.

In reference to one paragraph in your return correspondence, I would like to share that I am confused, and I would like you to either, help me understand, or at the very least, accept my reasons for feeling confused.

I refer to the following paragraph

“The Commonwealth only has the power to inquire into complaints alleging a breach of human rights when they involve an act or practise of the Commonwealth. The Commission has no power to inquire into alleged breaches of human rights by state government bodies, such as the NSW Police, private organisations or individuals”

1. Narcotic Drugs Amendment Act 2016 section 7a.

   In my understanding, the amendments to the Narcotic Drugs Amendment Act 2016 have (being put very simply), moved State Control of Medicinal Cannabis in a large part back to the Federal Government. As a result of this many researchers and growers nationally have been completely railroaded and the possible supply of medicinal cannabis to our clients has been thwarted for some time. This most certainly is a Federal issue, caused and created consciously by the Federal Government. Consequently it most certainly is a responsibility of the Human Rights Commission to investigate this, as it is and will cause untold suffering to many thousands of Australians for a very significant amount of time, and the Federal Government are most certainly significant contributors to the problem.

2. The Australian Constitution section 109

   “When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid”

   This section of our Australian constitution states quite clearly that Commonwealth Law does override state law so consequently the Human Rights Commissions as a Federal body does have the power to intervene in State Matters with the support of The Federal Government.
3. If the Commonwealth only has the power to inquire into Commonwealth matters but not Matters of The States or Territories as you suggest, and Australia is made up of several States and Territories. Then, The Commonwealth effectively has no power to intervene and is consequently completely redundant. Both our Federal Government and The Aust Human Rights Commission are then nothing more than bureaucratic entities, with no ability to do anything.

Without wishing to offend Rebecca, as this is not my intent. I am unable to comprehend your logic and reasoning for explaining why you are not able to assist us. Your information makes a mockery of The Australian Human Rights Commission, The Australian Federal Government and The Australian Constitution, which I might add is one of the founding pillars of our legal system.

Fundamental Human Rights Concerns Rebecca are Fundamental Human Rights Concerns. For example......
If we were to suggest a mythical situation whereby the NSW Government turned Fascist and begun murdering its own people with firing squads !!! We can then from your information, deduce that The Aust Human Rights Commission would not intervene as it would be a State Matter not a Federal One. Forgive the gross analogy but it makes my point blindingly clear.

The fundamental “Right To Life” is something that no State or Federal Government should violate. It is immoral, unethical and Illegal. We wish the persecution to stop, along with the lies and misinformation, and we wish for an Australian Human Rights Commission that has the power to do something about Australian Human Rights. We will do, what we need to do, as both our moral and ethical responsibility and right, but we ask again for your support and intervention to help the many people in need, persecuted for their right to life.

Much respect Paul Robert Burton

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