

Club Grubbery - Raw transcript of interview:

## 2024-07-11 - Graham and John speak with Jacquie Dundee about her life in the law...

Well, G'day everyone and, uh, welcome to Club Grubbery. And it's a remarkable day today, Wednesday the 26th of June, cause Julian Assange was set free today on Saipan Island. Johnny, um, how good was that?

Well, magnificent hoodie and, um, not before time. And I just hope that, uh, I just hope that he's able to get back here and, uh, and tell his story freely and that he hasn't been, been, uh, given a gag order or something.

But

anyway, time will tell. Indeed it will. And, uh, hasn't his life changed and is it going to be forever changed? The Australian newspaper, uh, really blotted its copy book today. They brought out a scathing piece on him. It was just disgusting reading.

Yeah. Well, look, some of these journalists leave a lot to be desired.

I went to the Tucker Carlson, uh, event yesterday in Canberra and The Sydney Morning Herald's portrayal of what went on there was, was absolutely misleading. There are no other words to describe it. It was just a disgrace. Uh, Taffer Carlson did, did nothing, uh, to, to allow them to write that piece on, on, uh, on him about Putin and disallowing him a visa.

I mean, it was just completely mad. Uh, so I'm really, really, uh, it's, it's a joke that they are not, um, they're not representing, uh, what's going on and they're misrepresenting. And that's very unfortunate because here we are with this cooker helmet on, uh, trying to, uh, Spread some truth. Yeah, we're truth.

We're actually telling the truth, but

we're labelled with the misinformation. Indeed we are, and join us tonight, Jackie Dundee. Jackie's a researcher of incredible energy into the legal issues around Australia, and in particular the Australian Constitution of 1901, the Commonwealth of Australia Constitution.

Jackie Dundee, welcome to the show. Thank you very much, John and Graeme. Thank you. Now, you and I go back a long way because after I made my video. Uh, which went nuts within 24 hours. I found myself on a zoom call with a few other people with Sally Olson. And I was introduced to you at that time. And you were giving me some brief on, you know, what my legal standing was and all that.

So, uh, you and I go back way back to then, Jackie, we don't always see eye to eye on every issue, but, um, that doesn't matter because we live in a democratic country. I think it's still democratic. Isn't it?

Yeah. So that's questionable.

That's questionable,

but

you, you have been, uh, you have been working hard, uh, with Dr.

Uh, Beverly Pease, who we, uh, peers who, sorry, who we interviewed the other night. And everyone loved it. Man, they fell in love with it. We fell in love with it. Uh, and you've been sort of doing research and things like that for, um, how do you find the lady personally?

Both Dr. Beverly and her twin sister, Dr.

Valerie are an absolute inspiration. So I'm in the background of the team. So there's a, there's a team that, uh, researches, we're a very small team, but we research constitution and high court case law principles. And, um, Um, working with, uh, Dr. Beverly and Dr. Valerie, as I said, it's, they are an inspiration.

I've been into the court with Dr. Valerie now probably at least half a dozen times. And I tell you, they breed them tough in the mallee. These two women are amazing. Their intellect, uh, their staunchness and strength. Is as I said, inspirational is one of the best ways that I can put it. I have the utmost respect for both of them.

They're beautiful women and they, they are standing their ground. They are standing by their oaths as doctors to look after their patients. So Dr. Valerie has been persecuted by APRA and like it's, it's an absolute reversal. Her license was suspended because they're classing her as a danger to the public.

By writing lawful exemptions. So what's more dangerous, writing lawful exemptions, um, for people who are anxious and depressed and going to lose their jobs if they don't take part in a, um, in an experimental Medication being injected into them, or is it a danger to the public for the doctors to be gagged by associations such as APRA and disallow them under threat of loss of license, deregistration, suspension of license, if they tell the truth.

I'm really sorry. I'm really sorry that you mentioned APRA because John is particularly fond of APRA.

And

I know that he'd be somewhat offended at your comments there, Jackie. Sorry, John.

Martin Fletcher is, uh, needs to be charged.

You mentioned Martin Fletcher too. I mean, the next thing you'd be talking about is Brad hazard and Kerry chant and John will go off his face.

We're in a very inverted world at the moment. We've got a, uh, government that I call a criminal cartel. They are absolutely, blatantly disregarding the constitution and all of these, uh, statutes and legislation that they create is, it's just an illusion that they're operating lawfully and they have totally forgotten that, uh, all of the acts that they create, whether by the federal parliament or by the state parliament, are subject to the constitution.

So they, they seem to have forgotten that. I don't think they've ever read it, have they? No, I don't think they have, to be honest. I've spoken with several politicians and they go, Oh, Constitution. Whereas, yeah, they have to adhere to it. It is actually the legal framework for Parliament, for the Government.

That's what they must adhere to. It's not written for us.

And we all know that yet we have, we do have a really good governor general now, uh, John and Jackie, who on 770, 000, I believe tax free year plus expenses and, uh, living in a mansion by Lake Burley Griffin, um, what could possibly go wrong? I mean, she will surely be pulling the government into account, won't she?

Well, let's not forget too, buddy, that she's also Let's not

hold our breath.

Access to the, uh, to the prime minister's jet with the en suite.

Probably, probably related somehow. There also, there seems to be a lot of, uh, relatives working within different sections,

absolutely related. Now, Jackie Dundee, let's, let's project ourselves forward to, uh, the, uh, the application to the high court by Dr.

Beverly. Yes. And we assume that it won't, it'll be seen as, uh, as not a vexatious claim and it will be heard. Tell us about the legal grounding behind what she's doing, her standing and all that sort of stuff. What do you know, and how can you explain it in simple terms to our, to our viewers?

Okay, so in simple terms, and look, this is applicable to millions of Australians.

And, you know, the, the businesses and the corporations that were lied to by the government. So, in particular, going into the employee employer relationship, so just, just from that standpoint alone. You've got section 109 of the constitution, which is if a law of the state is inconsistent with the law of the commonwealth, the latter shall prevail, and the former to the extent of the inconsistency will be invalid.

So what's occurred here is you've got the Fair Work Act, which is a federal act, and that is king. It is a very, it's a fully comprehensive act. contained within that act at section 26 of the Fair Work Act. specifically states that this act is to the exclusion of any state industrial law. Now at section 26 of the Fair Work Act, it also goes into detail of what would be classed or defined as a state industrial law.

And that is just, just two of those 20 plus points are if a law of the state is trying to put regulations into the workplace. Another one is if a law of the state is trying to impose, uh, conditions into the workplace and there's a whole heap more. So what you need to do with acts is you need to see, it's all very good in, um, in theory, how they're written, but you've got to look at how they are being used in their practical operation or substance.

So in the general application. So these state health acts, uh, actually, they're a bit of a chameleon because they're interfering in a lot of different, um, fields. So in particular, with the Fair Work Act, it was under the state health acts across Australia, which is where they chose, uh, put these directions in.

Oh, sorry. My sister. Sorry. Um, this is where they put in the directions that people had, they were mandating the vaccinations. Oh, shoot. Sorry. I have to turn that right down. Good. Um, so they, they cannot do that. And this is, I noticed Beverly covered this. It is the Commonwealth government cannot do indirectly what they can't do directly.

So what they did was they used the States and the States. threatened businesses and corporations with penalties if they, if they continue to employ people absent a vaccination certificate. And it's very interesting now, I think over the last it's probably over the last six or twelve months now that the government have actually said that they require all of these businesses and corporations who compiled or gathered all of these vaccination certificates from their employees to now destroy them.

Very interesting what's going on. So when the High Court determines whether a state act, if there is a direct inconsistency, Or an indirect inconsistency. So they look at the both of these indirect and direct. So section 109 pertaining to the inconsistency between a state law and a federal law. So an indirect inconsistency, this is how I remember it, which would be easy for Australians as well, is if the Commonwealth government have expressly evinced their intention.

So if they have written it within the act. Which they have within the Fair Work Act. This act is to the exclusion of any state industrial law. And a state industrial law, I will reiterate, would be any state law that is putting conditions, regulations, etc. into the workplace. So there is a blatant Uh, indirect inconsistency between a federal and a state law, and the federal law is superior.

So the direct inconsistency is if a state law would alter, impair, or detract from the operation of a federal act. And these state health acts totally stopped, they totally stopped the operation of a federal act, saying that you couldn't go to work if you weren't vaccinated. So it's, it's a pretty clear cut case, a very clear cut case.

It's usually one or the other. It's either a direct inconsistency or an indirect. We've got both in, in this matter. So all going well with, with this case, uh, if we knock out, so it's in Victoria and going into the high court. So we need Australians behind this. We need Australians to be aware that that been hoodwinked.

It was absolutely unlawful, and this government does not adhere to the rule of law. They are blatantly disregarding it, and it's like they have got an utter disdain for the constitution. They are totally disregarding it. They're not adhering to it at all. They're just doing what they want to push things through.

So, as I said, the federal government couldn't do it. Scott Morrison said that. We can't mandate vaccination. No, you can't. And neither can the states. Thanks.

Well, Professor Augusto Zimmerman has come out and said that that's, uh, that's a hill that he's prepared to die on the defense of our Commonwealth of Australia constitution of 1901.

And it just seems like it's been totally, totally disregarded. I mean, There are so many parts of that constitution that do provide us with human rights, even though we don't have a, a bill of human rights, um, that give us so much protection that was totally disregarded. So if, if Valerie, if Valerie wins, well, that's, that's a real blow against DARPA and, uh, Even Beverly said, it seems like APRA, the hunter, is about to become the hunted.

And I think Valerie's going to do it from looking at some of the stuff she's done. If, if, uh, if Beverly wins, what does this do for people like John, who's on camera with us, uh, who've been mandated into oblivion around the country?

If Beverly wins this, this case, the state health acts will be invalidated, which means every state health act.

Which is, these are the platforms, this is the legislative authority that sits above the Chief Health Officers. They'll be knocked out. All the Chief Health Officers will be in the, uh, dog cube. Wow. It will knock them out. Like, this is really big stuff and, um, Dr. Valerie, uh, like she's an absolute trooper.

We're having a very hard time, um, the courts, the prosecutor in Dr. Valerie's case are refusing to disclose Martin Fletcher's state of residence, refusing. It's, it's imperative that we know what, what his state of residency is. This is the other thing. It's as if the states at the time of federation could not cope with, uh, the thought of relinquishing their, their power.

It was just, it was unrestrained. It was out of control. And this is why the constitution was put in place, but as we can see what's happening before us, like you've got APRA. Which is what the Australian, uh, Health Practitioners Regulatory Authority, okay, so, or association. That is a state, uh, organization or association.

Only federal associations have the right to use the word Australian. So the APRA in each state around Australia shouldn't have A at the front. It should be V for Victoria's Health Practitioners Regulatory Association, for example. New South Wales, NSW. No, it's PH, isn't it? Practitioners. Anyhow, so they should have the initial of their state.

They shouldn't have the A standing for Australia. And it's the same with the National Law, which is a Queensland Act. And we're also questioning that as to whether the correct processes were put in place for each of the states to adopt the national law, because they can't just bring another state's law into play unless the correct process has been, you know, been gone through.

So we're in all kinds of, um, it's all an illusion. They're playing a game. And making out as though they are operating lawfully, but they are not. Far from it. So the, the importance with um, Martin Fletcher and his state

of residency, is, I would like to know, how many doctors around Australia, Martin Fletcher has made the claim against.

Because, he's not, He is not a Commonwealth officer when 98 percent 99 percent sure, and they are refusing to answer this question. So if he's not a Commonwealth officer, he's simply an officer in New South Wales, and his head of the opera, New South Wales, we could be head of the entire, but he has only got jurisdiction within New South Wales.

He's got no jurisdiction to lay charges anywhere else in Australia. It's an important question that we need answered, you know, by the courts and they're refusing to answer it, which is, uh, which is saying a lot in itself. And, you know, unfortunately, Dr. Valerie was telling me that, um, 16 doctors have committed suicide to date.

And, uh, I am presuming it is because of r taking their licenses off them or suspending their licenses and they can't do this indefinitely. This is the thing if, if they make the claim, they've totally flicked this. You see what was happening was the public health officials were coming into the doctors and laying charges and then just leaving it, and the doctors were then going and getting lawyers.

And going into, uh, VCAT or NCAT as the applicant. Now, that's not how it works. You go in as the applicant and lose, you've got no appellate rights. That's not, so if you're charged by the police, they are the applicant in the court case and you are the defendant. See how they flipped everything around? It's crazy what is going on.

Our world is absolutely inverted. It's crazy what is going on. Our world is absolutely inverted. Look, Dr. Beverly is an amazing woman and I think she will get this, uh, this case over the line if we can get it in, but we do, um, we've got a lot of cases that we are working on and we do ask, um, I sent you through the link today, Graham, for, I think it's a give, give, send, go to support Dr.

Beverly. We also have one for Dr. Valerie because Dr. Valerie isn't just, um, She's got numerous cases going. Dr. Valerie won't go into all of them, but um,

yeah,

she's got one on the 5123A as well. And I noticed Dr. Beverly touched on that as well. So, you know, like I think we are all aware, those of us that know, we know, the corruption and the manipulation, the twisting of things is, has got to stop.

It is absolutely, absolute corruption. In this country and they are persecuting innocent people and it's all for our purpose. But um, yeah, so we got Dr. Beverly doing the section 109. Dr. Valerie is doing numerous cases and uh, the 5123a that is going in to the High Court. Like there's, there's sort of two aspects uh, to the 5123a and I noticed uh, Dr.

Beverly did touch on that. So you've got uh, In 1945, there was the attorney general of Victoria versus the Commonwealth. And that case was, uh, brought about to the attorney general of Victoria wanted some kind of guideline or regulations to be set by the high court because the Commonwealth government were just spending, spending, spending money.

So what occurred with that case is. It was determined that under section 51, 23 a and all the subject matter that is listed in there, The Commonwealth only have a fiscal power, so they can only provide the funding to any of those services. And then, after it's, after medical and dental services, uh, are mentioned at 5123A, in brackets, so as to emphasize and put importance on it, is so as not to authorize any form of civil conscription.

And this is exactly what has occurred. So, You cannot civilly conscript, uh, so APRA, for example, is, uh, they're, they're laying down the guidelines, they're basically civilly conscripted doctors to, to follow their guidelines or lose their licenses or, you know, be gagged or lose your licenses or get suspended.

It's, it's a form of civil conscription, I suppose. But the, the other aspect of that is when it was put to the, but the states can, okay, so the states can make laws pertaining to those services, but only regulatory laws for the providers of those services. So this is where you see, you know, associations such as APRA.

But when it was put to the Australian people, um, at referendum, as Dr Beverly said, this was pertaining to whether or not Australians wanted the governments to be able to have any say in their medical, their doctor patient relationship. And Australians, I think pretty unanimously voted no, that's none of the government's business.

So they've, they've stepped into contract law here, doctor patient relationship. is king. It is contract law and there is no third party has any rights or obligations. So we're in a mess on all kinds of different levels.

Johnny. Yeah, Jackie, um, look, we, we, we know that we've had, uh, problems with, uh, cases being adjudicated properly.

In the courts, uh, they're renowned for it worldwide at the moment, uh, for dismissing, uh, cases, even when, uh, very senior barristers have been. have been involved, but very, very few of these self represented cases, uh, have had any success at all in, in the High Court on, on that. Okay.

What cases have there been self represented in the High Court today?

Well, I mean, look at, uh, Billy Bay's case, for instance. Um, you know, there's been very few that have, you know, Got to, um, base one. And I, I know, for example, in the industrial relations court, uh, there is concern that amongst the, the, the legal fraternity that, um, those that have been, uh, you know, so desperate that they've had to represent themselves, uh, in, in those jurisdictions have created a trial behind them of.

Decisions, which, uh, don't lend themselves to, uh, favorable outcomes for anyone following them. Um, and you know, I, look, I'm, I've just been dev devil's advocate here. I mean Oh, no, no, no. It's good. We need you. If, if you're, if you're a neurosurgeon, uh, you know, you have to be qualified to be a neurosurgeon.

Absolutely. Uh, if you're a commercial pilot. Flying for Qantas, you have to, um, you know, go through that pathway. Um, what, what makes it okay? I mean, where do we get to this situation where we disregard the legal. Fraternity and the experts in constitutional law, people like Augusta Zimmerman, that, you know, should really be front and center in this sort of, uh,

I went and saw Augusta Zimmerman.

I've got to reach out to him and have a word with him. But look, basically, John, any barrister solicitor or QC, they sit the bar and then they swear their oath to the state. You've got a major conflict of interest. And as we've gone over all of these cases, and I mean, I spoke to Graeme about one close to home the other day.

What we are finding when we go over High Court cases such as Palmer versus Azad, uh, Cottrell versus Romanus. What is occurring is they are not asking the correct questions. They are not putting in the correct arguments. So some of them are just not constitutional matters at all. So yeah, Mr, Mr. Dunning, uh, Clyde Palmer's QC, he pulled the same stunt, um, with another case.

What was it? Liberty Works versus the Commonwealth. They did exactly the same thing. Puts in the original writ, says that it's a constitutional matter. Doesn't, he's, uh, his arguments are not engaging the judicial powers of the Commonwealth. Well, you can, you can actually read in Palmer where, uh, Chief Justice Capel questions him and said, because in the roots, he was going to be challenging the validity of the Emergency Management Act and, or the actions of the executive officers, the chief health officers.

He didn't even bother arguing or challenging the validity of the Emergency Management Act. So Chief Justice Capel has questioned him three times and said, Mr. Dunning, are you challenging the validity of the Emergency

Management Act? No. She asks him again. She asks him for a third time. And she said, well, we don't have a constitutional matter.

So it's been set as a high court principle. And this is what Kazan versus hazard. For example, it's the same with cultural versus Romanus. Both of those cases should have been in the high court because the restraint of the constitution operates upon the legislative authority and not the actions of executive officers.

So that occurred in both of these cases. We, you know, we spent a bit of time on the phone to Tony. I think it was about half, at least half an hour, 45 minutes sending through the high court principal saying, Tony, it can't be Kazam versus Hazard. It needs to be Kazam versus the state of New South Wales, because it's not a constitutional matter challenging chief health officers directions.

The bottom line is, is you've got the legislative authority being the health acts. And this is where the CHO's sit, the health officers sit under there, they get their power from here. So if you're challenging only the directions of the chief health officers, that is an assumption, that this is valid. They need to challenge this, get rid of that, the directions are gone.

They've got no authority. So, other than William Bay, and I do, I didn't follow William Bay's case, I know we did assist him with something, but he went off track and didn't do the arguments that he was told to do. And this is the thing, they will lead you astray, they will divert you and distract you as best they can.

There was the baby's case. There was a, there's been a number of them. Um,

What was the baby's case?

Well, the baby's case was, was obviously represented, but, uh, you know, once again, that, that they never got traction at the high court.

Who, who was, who did that case?

Julian Gillespie.

Oh, yeah. Okay. The baby's case.

Yeah. The Australian baby's case. They they said they didn't have a uh they didn't have a litigant. They needed a litigant to uh to proceed. So, once again, it was ruled out on standing which seems to be the standard uh phrase that we hear out of these judges when these cases are knocked on the head. It's all about standing and um you know, it's uh And even

when you do get a judge stand up, I mean, we, we had a very brave, um, Deputy Fair Work Commissioner in Lyndall Dean, uh, make a very sound judgment that, that was essentially, uh, uh, overruled, um, by, by two other, uh, commissioners.

Um, uh, she was a dissenting, um, uh, judgment in, in, in that case, but we see what happens when, when, when When judges make sound decisions, they're sent off for training.

Yes. I hear what you're saying. Look, for me, this is a, it's like a double edged sword as well. I mean, Augusto, uh, doesn't have any faith in the high court.

And I think most Australians have got no, no faith in the judicial system at all. But when we look over the high court cases, the high court justices, have made the correct decisions based on the arguments that were presented to them. So this is the thing. It's all dependent on how the argument is put forward.

So, look, I'll give you another example. Like in Palmer versus WA, uh, just it's sometimes like they're giving us hints how to address this. So there's been numerous cases, as I said, where they just have not had, um, but it's not putting the arguments that are needed to be put forward. So in Palmer versus WA, Justice Edelman actually made it clear he, at paragraph, uh, 291, I think it is, he was quoting Dr.

Coburn from the Sydney debates. And he broached the topic there of The quarantine power cannot transcend trade and commerce, for to do so would be something that is prohibited by the constitution. So that, that wasn't even addressed. How long can a quarantine power operate for? It cannot destroy trade and commerce.

And this is a thing we were looking at, um, I think it was the Public Health and Wellbeing Act last night at section 198. 7c. And in there, they've got this roll over power where they can put in the, uh, the lockdown order for four weeks and then they can roll it over. But even within there, it says that it cannot exceed six months.

Now, they had Victorians in lockdown for longer than that. So they don't even adhere to their own laws. But once again, that was something that was noted in Palmer, um, with the section 92. So it's your freedom of movement. And, you know, Gretwick versus Johnson is a, an early 40s high court case where it is determined that even in a state of emergency such as wartime, the constitution cannot be suspended even pro tempore, even temporarily.

It still stands strong. So you, the quarantine power cannot transcend. Trade and commerce. That's the bottom line of it. Yes.

That's been our problem. The constitution has just been totally ignored.

It has. It's been totally ignored. This is another interesting thing, seeing as you mentioned the, uh, the Fair Work Commission.

So the Fair Work Commission, uh, the tribunal, sorry, the Fair Work Tribunal. That was created under the Fair Work Act. And it is only for, um, arbitration and conciliation. between the parties, providing both of those parties are agreeable. And this is, this is the irony of the Fair Work Tribunal, is that it cannot, it doesn't have any jurisdiction to hear anything under the Fair Work Act, because that's federal.

And it doesn't have any jurisdiction to hear anything under the constitution. Because only courts can. Tribunals and commissions can't. Is it Fairwood Commission or Tribunal? John?

I'm not that familiar with it actually, to be honest with you, because anything I've had anything to do with comes under state law, because they're state awards, so they go through the Industrial Relations Commission, um, but Uh, which is

ruled by the Federal Act.

Nurses, nurses employed in, uh, in nursing homes are covered by the Federal Act. Uh, whereas nurses employed in, in hospitals in New South Wales would be employed under a State Act.

No, that's incorrect. Everybody, every single Australian comes under the Fair Work Act 2009. Every single Australian. That is a Federal Act, Australia wide.

And those State laws are inferior. That And that is something that is, it's pivotal, it is pivotal that people, it's, it's an absolute, this is what Dr. Beverley's case is, this is what Australians need to be made aware of, it doesn't matter what your State Act says, there is a Federal Act, the Fair Work Act, that is king, and no State Act can come in and interfere with the employee employer relationship, that's the argument.

very much.



Unbelievable. We've seen, we've seen judgments coming out of Queensland, for example, about, uh, about unlawful mandates there relating to, uh, paramedics. And, uh, I think it was, it was nurses health anyway. And, uh, even though the judgment was in favor of those people who are mandated out of their jobs, nothing's changed, but no, it was the police and, uh, police and paramedics and, and, uh, for police, apparently many of them have gone back to work or a lot of them have.

But as far as the paramedics are concerned, there's no budging from Queensland Health and nurses are the same. They're still not employing the mandated nurses.

You see, this is another issue. This is discrimination. That would be another case. That would be another case. But state laws cannot come in and interfere in any employee employer relationship Australia wide.

Because the Fair Work Act is to the exclusion of any state industrial law, and that is any state law, such as the Public Health Act, any law whatsoever, even state industrial, it's to the exclusion of. John, you need that one.

Well, I don't agree with you, but anyway, I mean, because, you know, they wouldn't have the Act there unless, let's say, they were, I mean, otherwise it would be a waste of time, you might as well just have a Federal Act.

Right. That's

exactly right. That's exactly right. And that is, that is a question that is a question that we would like to put to the high court. So under the heads of power under section 51, so if they are classed as concurrent powers, what is the point of the states being able to create laws or legislation if there is a federal act that covers it all?

This

is not my opinion. I'm telling you. Law here. And that's what the constitution states. Well, I'm not a lawyer, so I'm not, uh, I'm not sure of the actual.

But that's 109. That is section 109 of the constitution. That is exactly how it's written. Very

odd to me that, uh, you know, say for instance, paramedics or nurses employed by New South Wales Health under a New South Wales state award, uh, would then be, uh, working under a federal award because the state award doesn't exist.

I'm not saying, no, no, no, hold on. I'm not saying that the state award does not exist. What I'm saying is, The Federal Fair Work Act is supreme over that state award. So if that state award, that state act, has anything that is inconsistent with the Fair Work Act, it's wiped out. And that's what section 109 says.

If a law of the state is inconsistent with the law of the commonwealth, the latter shall prevail, the commonwealth, and the former to the extent of the inconsistency is invalid. That is section 109. What happens

if a company in New South Wales is being paid 20 but in the federal award they're being paid 30, do they do the same thing?

Which, which one, which one stands?

Well I guess some of that becomes, would come under contract law. So the thing is fair, if the Fair Work Act has determined. The wages. That's, that's what they have to adhere to. The states cannot ignore what is in the Fair Work Act. It is absolutely supreme over any state law.

If

you've got a paramedic who's getting 20 in New South Wales under a state award, but the federal award says they can be paid 30, which one, which one, which one? Federal. Federal. The

federal law. Absolutely. Absolutely. The federal law is supreme.

That's why we're in the mess that we're in because the, the federal law Absolutely.

Becausecause Australians.

Yeah.

The federal law has been superseded illegally.

Absolutely it is. Mm-Hmm. And this is something all Australians need to be made aware of. They need to go to their employers and say, excuse me, I'm under the Fair Work Act. A federal act, a Commonwealth act here. And what you're telling me is inconsistent with it.

So

what a minefield. No

state, no state law. Oh, sorry. No, let me, let me, let me correct this. Any state law or state award that is providing conditions or regulations in the workplace would be defined as a state industrial law. Okay. Now that's fine. So long as it is not detracting, impairing, or altering From the operation of the federal law.

You see what I'm saying? So the state health acts stopped the employee employer relationship. Cause they said, you can't work unless you're vaccinated. You see what I'm saying? They can't do that.

John,

John's doubting, John's very doubtful. Oh no, look,

I, look, I'm not, uh, it's just one of those minefield areas that I'm not, I'm not versed in it.

I'm not, not an expert. Go and have a look

at Queensland Rail. Queensland Rail, I think it was, uh, 2018. It's a fairly new case. That's, uh, That's got a good basis in there.

So we're going to find out in less than a week now, whether Dr. Beverly's fronting the high court or she might not front in person, but that the case will be, uh, will be decided upon.

Um, if that doesn't, if I decide that it's vexatious and they're not going to pursue it, where

to from there? Well, I think we're at the, I think we're at the original, uh, writ of summons at the moment. So this is, it's very hard to get into the High Court, very hard. So usually what we will do, we then, uh, usually you've got to seek leave of the justice.

They, they are refusing the writs of summons and saying you need a form 31, which is to seek leave of the justice. It then, you lodge all that with the High Court and then a justice looks over the case and sees if it is, uh, this is the thing, if a case is ill conceived or vexatious, they're not going to hear it.

But if it is good, good constitutional argument, there's, there's no grounds for it. We've got a very good case in at the moment, when, that Australians need to get behind as well. This is one pertaining to council. Council is not a constitutional authority. So the question to the government is, or to the, to the Commonwealth.

Is, did, did, uh, did you win a referendum to have, uh, council put in as a third tier of government? There were two referendums and both failed, yet they still installed council as a third tier of government. Not only that, the states then delegated the council lawmaking abilities. I'm sorry, but the constitution under 51 has only given the Commonwealth.

Or the federal parliament and the state parliament lawmaking power, not council. We, we are totally being screwed over by this country and under it's all illusion that they're doing things lawfully. They're not, they're not adhering to the rule of law at all.

Well, that's, uh, that's been very enlightening.

And we, uh, we look forward to hearing more about Dr. Beverly's case. She's going to keep us informed. We'd love it if you would keep us in the loop too, Jackie. Um, because, uh, there's a lot riding on this and we're just, we're just totally in love with those two ladies. They are just incredible people.

They're real Australians. And, you know, John said after we finished filming Beverly the other night, It was like you, like Nana turning up with a cake, you know, or tea and scones. It's just beautiful. They are,

they are the most, they're just so beautiful. They're so, they're so humble and they're just amazing.

Like I am in awe of both Dr. Beverly and Dr. Valerie. As I said, I've, uh, been in court with Dr. Valerie, and I tell you, she's just, she doesn't stand for any rubbish. She'll put it, she'll just, she stands and says, no, you've got that wrong. I disagree with that.

She's like a headmistress at a, at an old boarding school.

She's lovely. Anyway, we've got to, we've got to go to a break and then we'll be back after the break. But Jackie Dundee, thanks for all the effort that you're putting in. And, uh, we just, we hope and pray that this works for these two amazing ladies. And, uh, and as I said, keep us in the loop because we'd really love to spread some more good news.

There's a lot to be thankful for in this country, but we've got a lot of work to do. So Jackie, thanks so much for your time tonight. It's been great having you on. Thank you. And to all of you who are watching Club Grubbery, John and I'll be back after the break.