



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 14 Jan 2026 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

Details of Filing

File Number: M6/2026
File Title: In the matter of an application by Uncle Robbie Thorpe for spe
Registry: Melbourne
Document filed: Application for leave to appeal to Court below
Filing party: Applicant
Date filed: 14 Jan 2026

Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.



Rules 64.02, 64.03, 64.30, 64.31

Form 64A

IN THE SUPREME COURT OF VICTORIA

AT MELBOURNE

IN THE COURT OF APPEAL

Case: S EAPCI 2024 0091

Filed on: 09/08/2024 04:37 PM

File No.

In the matter of a proposed proceeding, on the application of UNCLE ROBBIE THORPE¹

UNCLE ROBBIE THORPE²
Applicant

APPLICATION FOR LEAVE TO APPEAL

Date of Document: 8 August 2024

Filed on behalf of: Uncle Robbie Thorpe³
CAMP SOVEREIGNTY
“Kings Domain”
Melbourne VIC 3004

Telephone: 0422 200 696
Ref: Aboriginal Genocide Writ
Email: bunjilfire@gmail.com

1. Decision from which the application for leave is made

Judicial Officer: The Honourable Justice Richards

Court: Practice Court, Common Law Division, Supreme Court of Victoria.

Date of decision made: 12 July 2024.

Court/file number: S ECI 2024 01879

Is the whole of the decision sought to be appealed or being appealed? YES

2. Is leave to appeal required? YES

¹ *The plaintiff is to be addressed in the proceeding as ‘Uncle Robbie Thorpe’ or ‘Uncle Robbie’, and the title of the proceeding is amended accordingly.*

Order of the Honourable Justice Richards made 19 July 2024, date authenticated 22 July 2024, in the proceedings *Uncle Robbie Thorpe v Magistrates Court of Victoria & Attorney-General of Victoria*, in the Supreme Court of Victoria, S ECI 2024 01011.

See also <https://www.commonground.org.au/article/guide-for-respectfully-communicating-with-elders>

² *See footnote 1 above.*

³ *See footnote 1 above.*

3. If leave to appeal is not required, state why: N/A

4. Is an oral hearing of leave application requested? NO

5. Reasons for granting leave to appeal:

1. It is reasonably arguable that the Court erred.
 2. The Court of Appeal is likely to direct the Court to make the orders sought.
 3. The appeal involves important principles of general application in supreme courts of the States and Territories of the Commonwealth of Australia.
 4. The applicant is a victim of ongoing genocide of First Peoples by Charles Windsor and “State of Victoria”.
 5. It involves a matter arising under the Constitution Act, Cth, 1903. Form 19A will be filed and served on AGs once this present application is afoot— filed and assigned court proceeding number.
 - (i) Whether it is implicit and inherent in the Constitution that a judicial officer can not validly direct an Aboriginal genocide claim submitted for filing to the Court not be received for filing by the Court.
 - (ii) Whether it is implicit in your Constitution that no decision of a judicial officer of any court in your State of Victoria or Commonwealth of Australia can be valid that allows legitimises attempts incites conspires aids abets Aboriginal genocide.
 6. It involves a matter arising under the Genocide Convention Act, 1949, Cth, and the International Criminal Court Act, 2002, Cth.— whether Court officials including judicial officers are required to take all steps to prevent Aboriginal genocide and such necessary steps include the immediate filing and issue of an Aboriginal genocide claim.
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6. Grounds or proposed grounds of appeal and question of law:

1. The judge erred in ruling that the originating motion submitted for filing on 16 March 2024 with eFiling ID 396086 be refused.
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2. The judge erred in failing to state the essential fact that the nominated three additional judges were all Aboriginal.

“... three specially appointed Associate Justices, being Irene Watson, a law professor from South Australia, Tony McAvoy SC, a barrister based in Sydney, and Justice Louise Taylor, a Judge of the Supreme Court of the Australian Capital Territory” [2].

3. The judge erred in inferring that the plaintiff had suggested that the Chief Justice appoint Associate Justices:

“Further, the Chief Justice cannot appoint Associate Justices to the Court, even on a special or temporary basis. Appointments to the Supreme Court of Victoria are made by the Governor in Council.²

² *Supreme Court Act 1986* (Vic), s 104(1).” [9]

But the document in question nowhere suggests the Chief Justice can or should “appoint Associate Justices” but merely give directions upon their appointment.

Under GROUNDS at the heading SYSTEMIC RACISM, the document states:

“2. (c) The Court has a duty to request Jaclyn Symes, the Attorney-General, to appoint as Justices for this special court three people from outside the State of Victoria and also to appoint First Peoples to these positions”.

4. The judge erred in inferring that all specialist courts aka “specialist lists” and some general divisional courts were within the power of of the Supreme Court of Victoria even though there is no specific legislative enactment for those **specialist** “courts”/“lists”/“divisions”/“areas”.

“Power to constitute a special court or tribunal resides with the Parliament of Victoria, not the Supreme Court.” [9]

See the tribunals set out in applicants Written Case signed 8 August 2024.

5. The judge erred in inferring that, **absent such legislative enactment**, any exercise of judicial power in any case in any court not specifically created by Parliament is valid.

See the Constitution (Supreme Court) Act 1989⁴.

⁴ <https://www.legislation.vic.gov.au/in-force/acts/constitution-supreme-court-act-1989/003> and https://content.legislation.vic.gov.au/sites/default/files/bbe40245-0dfb-33ac-b135-7d9dcce61dc6_89-22aa003%20authorised.pdf

6. The judge's decision not to direct the registrar to file the application for leave to appeal was in and of itself an act of Aboriginal genocide

- (i) causing Us serious mental harm with the intention to reject the document and knowledge of the consequence of such rejection within the meaning of Article 30 of the Statute of the International Criminal Court.
- (ii) deliberately imposing on us conditions of life (including the condition of not being able to access your courts to stop and prevent Aboriginal genocide) likely to destroy Us in whole or in part with the intention to reject the document and knowledge of the consequence of such rejection within the meaning of Article 30 of the Statute of the International Criminal Court.

7. The judge erred in not being Aboriginal!!!.

7. Orders sought:

The Prothonotary to seal the applicants' originating motion submitted for filing on 16 March 2024 with eFiling ID 396086.

8. Other applications: N/A

9. Extension of time requested: NO

10. Stay applied for: NO

11. Is the application for leave or appeal urgent? YES

The applicant is a First Peoples' recognised Elder, and as such he is an acknowledged victim of the admitted ongoing genocide by Charles Windsor and officers of "State of Victoria".

12. Persons to be served with notice:

- (i) Second Respondent, the Attorney-General of the State of Victoria, the Honourable Jaclyn Symes MP
- (ii) The Attorney General of the Commonwealth of Australia, the Honourable Mark Dreyfus KC MP.

APPLICANTS' WRITTEN CASE 8 August 2024 attached.

OTHER REQUIRED DOCUMENTS attached

Date: 8 August 2024

Signed



CAMP SOVEREIGNTY