

Form 59
Rule 29.02(1)

Affidavit

No VID589 of 2024

Federal Court of Australia

District Registry: Victoria

Division: Human Rights / Other Federal Jurisdiction

Uncle Robbie Thorpe
Applicant

Judicial Registrar Alicia Ditton
Respondent

Affidavit of: Uncle Robbie Thorpe

Address: Camp Sovereignty, "Kings Domain", Melbourne VIC 3004.

Occupation: Truth-Teller Fire-Keeper and Elder.

Date: 17 April 2025

I, Uncle Robbie Thorpe, Truth-Teller Fire-Keeper and Elder, of Camp Sovereignty, "Kings Domain" near "Government House" and Shrine of Remembrance, affirm:

1. I have previously written to the Court about holding a smoking ceremony on the forecourt prior to the hearing in this case. However the Court replied that no smoking could occur because it might cause the shut down of the underground railway station.
2. The Court did not respond to my request to make security arrangements for spears etc to be carried through the court to the courtroom.
3. My previous application to have the hearing at Camp Sovereignty was dismissed by judge McEvoy on 11 November 2024 because it related to an earlier listed hearing date which had now passed.
4. This case concerns Our Law and how exactly it is that Your Law now purports to govern country and everyone here.

Filed on behalf of Uncle Robbie Thorpe, applicant.

Prepared by Uncle Robbie Thorpe.

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Uncle Robbie Thorpe

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5. Previously your courts had explained the Aboriginal Genocide by stating that Our Lands were “terra nullius”. When that lie was no longer tenable— because everyone knows We come from here and have always been here— the new explanation was that We natives could have some rights to some land sometimes as long as our “native title” had not been “extinguished”

6. These days that explanation is no longer tenable because everyone knows about the Aboriginal Genocide (after all, what really is “extinguishment” if not genocide?) and about Our Law.

7. So what is your next explanation going to be for your attempted occupation of Our Lands and purported usurpation of Our Law?

8. The answer seems to be: there is no explanation that is not genocidal— and everyone knows that is the most serious crime there is and that no-one can take another’s land without such theft incurring criminal liability for genocide including complicity in genocide.

9. In this time of truth-telling and treaty-negotiation everyone is aware that there are two laws grinding away here while the words “not justiciable” evaporate into the ongoing Aboriginal Genocide.

10. You need to come through Our Law now and it starts on 30 June 2025 at Camp Sovereignty.

11. The case-management hearing on 11 November 2024 concluded in this way:

HIS HONOUR: All right. Now, I think that’s all the matters that we need to deal with this morning, Uncle Robbie. Was there anything else that relates to those applications that should sensibly be dealt with this morning?

UNCLE ROBBIE THORPE: No. Not really. I just want to mention that it’s Remembrance Day.

HIS HONOUR: Yes. It is Remembrance Day.

UNCLE ROBBIE THORPE: And it’s remembering the Aboriginal people who died, who spilt their blood, actually spilt their blood on this land defending them from foreign invasion.

HIS HONOUR: Yes.

UNCLE ROBBIE THORPE: Where those things haven’t been resolved to this point, hence is why we’re coming into your courts.

HIS HONOUR: Yes.

UNCLE ROBBIE THORPE: And it’s a compromise for me to come to these courts.

HIS HONOUR: Yes.

UNCLE ROBBIE THORPE: Because we’re unceded sovereigns, as even the state government acknowledges, just recently with the Yoorrook Commission.

HIS HONOUR: Yes.

UNCLE ROBBIE THORPE: We never ceded our sovereignty. I don’t know what – how that plays out. We’ve got issues here.

HIS HONOUR: Yes.

UNCLE ROBBIE THORPE: And they’re major issues for Aboriginal people, you know? We’re, you know, people say that it has been genocide going on in this

Uncle Robbie Thorpe 

country for a while, so that's the urgency of the situation, and we want to either exhaust the domestic remedies and get on with the business in the International Criminal Court where these issues belong, not in the domestic colonial courts, but we're never going to see any justice for, you know, these issues. And what's going on around the world is bringing it to life, you know? It's shining a light, and the light is going to come down here on Australia sooner or later, so, you know, that's where we're heading. You can sort it out now.

HIS HONOUR: Yes. Well, I understand what you say about all of that, and what we will do is we will take it bit by bit, and we will determine the applications that you've made, and then we will proceed from there.

UNCLE ROBBIE THORPE: All right.

HIS HONOUR: All right. Thank you, Uncle Robbie, for your appearance today.

UNCLE ROBBIE THORPE: Thank you.

HIS HONOUR: I'm very grateful to you.

UNCLE ROBBIE THORPE: Thank you. You too, your Honour.

HIS HONOUR: Please adjourn the court.

12. Please note that there is no immunity for the crime of genocide and there is no defence of official capacity— so yes, the judge in this case is staring down the barrel of complicity in Aboriginal Genocide.

13. A copy of this application and affidavit will be included in my report to the National Anti-Corruption Commission.

Affirmed by the deponent
at Collingwood
in Victoria
on 17 April 2025



Before me:



Rebecca Courtier
Senior Registrar
Neighbourhood Justice Centre
241 Wellington Street, Collingwood 3066