

April 8-2019

John Christopher Sunol
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11 March 2019

Case number 2017/00033539

**APPEAL BY MR JOHN CHRISTOPHER SUNOL
INFORMATION TO THE MAGISTRATE
NEWCASTLE LOCAL COURT ON 15 MARCH 2019**

Your Honour:

Introduction

1. I am indigent and bankrupt and have remnants of medically diagnosed MVA frontal lobe brain injury.
2. This condition is like a developmental disability, I am told, that affects my short term memory and to some extent my impulse control and judgement.
3. My bankruptcy certificate names the serial complainant Mr Garry Richard Burns, as the sole creditor, to the amount of \$53,000.
4. He is most unhappy that this debt to him will be eliminated through legitimate bankruptcy, caused by him. It is alleged he is fuelled by hatred and vengeance towards me. I have seen his psychologists report and it suggests he has [REDACTED] which is code, I understand, for

John Sunol
12/3/19

Richard Burns on the internet, will expire on March 2, 2019

10. The Newcastle police said that there was however one small problem. They said that Mr Garry Richard Burns had gone to a local court in Sydney, just before the expiry of the good behaviour bond, and arranged a summons to be issued against me for an alleged inadvertant breach of the good behaviour bond arising from a some "retweet" I did.
11. I have not knowingly mentioned the name of Garry Richard Burns on the internet since the start of the 2 March 2017 good behaviour bond. I would be foolish to deliberately mention his name when I know there is an order prohibiting this and when I know he is stalking me every day as a 'fixated person'.
12. The Newcastle police officer appeared to apologise because they knew the alleged breach, if in fact there was a technical breach, would be trivial and not worth persuing in the opinion of any ordinary reasonable person.
13. The Newcastle police said they had no choice but to issue the summons, due to orders from 'higher up' and due to the fact that Mr Garry Richard Burns had bypassed the police and gone to the registrar of a court to arrange the summons himself. This is what I was told if my memory serves me right.
14. They advised me (verbally) that they were getting

sick of this person phoning them from Sydney, sometimes three times a day, trying to get me arrested for one of my many 'tweets'.

15. I must plead NOT GUILTY to this allegation because there is no evidence in the 'information' page of what specific tweet or tweets Mr Garry Burns considers are a breach of bond.
16. All I have received from the Newcastle police in relation to this matter is a two page document.
17. This document consists of nothing more than a 1-paragraph 'allegation' on the first page, under the heading "information".
18. The second page consist only of a short 'summons' signed by Magistrate R G Stone on 27 February 2019.
19. This minimal paperwork I have been given without anny evidence appears to be at variance with the *Law Enforcement (Powers and Responsibilities) Act 2002*.
20. I have not mentioned the name of Mr Garry Richard Burns on the internet as a result of the 'good behaviour bond'. I have shut down my 'blog' in July 2017 to avoid the risk of this happening.
21. The good behaviour bond arose in the first palce because I was told by *Legal Aid* to plead 'guilty' to a charge initiated by Mr Garry Richard Burns. This charge was that that a barely-audible 2-second insult I made in anger about him on a YouTube clip

in January 2017, was a breach of some section of the Federal Telecommunications Act.

22. Since that 2 March 2017 'good behaviour bond' I have had to appear in the Newcastle local court on many occasions as a result of Garry Richard Burns alleging that I have breached the bond. These dates of my forced appearances in court have been 11 May 2017; 16 May 2017; 22 June 2017; 20 July 2017; 18 May 2018; and 7 August 2018. In each of these occasions the court did not rule that I breached the good behaviour bond. Since this current allegation is presumed to be equally trivial and misconceived, then it is reasonable to assume that it is one last attempt by Garry Richard Burns to put a criminal conviction on to me, when I have done nothing wrong, and wasting the court's valuable time.

23. On 2 March 2019 I was given some verbal information by an officer of the Newcastle police that this matter is not about my mentioning the name of Mr Garry Richard Burns on the internet, but something to do with a "retweet" of a journalist's "tweet". They said the journalist was Miranda Divine.

24. I do have a habit of retweeting some of Miranda Divine's tweets. I also retweet tweets from Donald J. Trump, Sky News, The Bolt Report, BBC News (World), Daily Mail U.K., news.com.au, The Sydney Morning Herald, Herald Sun, Real Mark Latham,

Nine News Australia, I checked my twitter account on 3 March 2019 and worked my way back through my numerous tweets to see what I have done.

25. On 5 March 2019 I retweeted 2 of Miranda Divine's tweets. One was about shootings in Melbourne and one was about the Sydney Cricket Ground controversy with Alan Jones. On 3 March 2019, I retweeted Miranda Divine's article on George Pell.
- On 27 February I retweeted Miranda Divine's tweet about a transgender wrestler. On 21 February I retweeted Miranda Divine's tweet about Julie Bishop quitting. On 20 February I retweeted 3 of Miranda Divine's tweets: one about the Light Rail, one about Malcolm Turnbull, and one about cybersecurity in Canberra.
26. On this check of my twitter account done on 11 March 2019, there are none of my tweets that now exist past 14 February 2019. They have all been deleted by Twitter. The information page referred above says that I breached the bond by doing a retweet on 12 January 2019, but now there is no way of verifying this unless the prosecution can produce a screen shot. If no screen shot exists, then this charge against me cannot be properly substantiated as one would expect to be necessary in a court of law.
27. I did check what Miranda Divine wrote in her column on 12 January 2019 and found it was an

article entitled "Let free speech and commonsense prevail" (copy attached). So on the balance of probabilities I did more likely than not tweet out this article, but there is no hard proof.

28. Dozens of other people would have tweeted out this article by Miranda Divine, so clearly my doing so did not produce any detriment to Garry Richard Burns.

29. This article by Miranda Divine is relevant to the *Burns v Sunol* saga because it suggests a public scandal wherein the problem is caused by Garry Richard Burns and not me.

30. Since I opened my twitter account in June 2013, I have made 30,900 tweets. That is an average of 15 tweets per day over the past 300 weeks.

31. I have not knowingly committed any wrongdoing.

32. This charge is at not consistent with prosecution policy of the Commonwealth Director of Public Prosecution, as published on their website.

33. I have been told by a friend that this case should be dismissed under *Section 10 (3) of the Crimes (Sentencing Procedure) Act 1999* because it is clearly vexatious, frivolous and trivial in the mind of an ordinary reasonable person.

34. I am pleading NOT GUILTY for the above reasons.

35. Therefore if this matter cannot be dismissed due to triviality, lack of hard evidence, and since it is vexatious litigation initiated by a person with a

proven track record, I now seek an adjournment of these proceedings until I can find a competent pro bono lawyer to provide proper legal representation. This request is made under the High Court of Australia's decision in *Dietrich v The Queen*.

Yours sincerely,

John Christ. 17 ~~13~~ / 19.

JOHN CHRISTOPHER SUNOL

Attached: the subject suspected article by Miranda Divine.

MIRANDA DEVINE

Let free speech and common sense prevail

All hail a great escape, not Trudeau

Rahaf Mohammed Alqunin in Bangkok, and (inset) her tweet. Picture: AP

THE good news is that 18-year-old Saudi refugee Rahaf Mohammed Alqunin is safe, now that Canada has granted her asylum.

She tweeted a triumphant "I did it" message yesterday to her 82,000 new Twitter followers, along with a muscle emoji and photos of herself in a business class seat on a Korean Air flight out of Bangkok bound for Canada via Seoul.

All the same, it was rather galling to see the insufferable Canadian prime minister, Justin Trudeau, reap the glory of saving this valiant young rebel, who faced a grim fate if forced to return to her angry family in Saudi Arabia once she had renounced Islam.

"Canada is a country that understands how important it is to stand up for human rights, to stand up for women's rights around the world, and I can confirm that we have accepted the UN's request," Trudeau said at a press conference, looking like the cat that swallowed the cream.

The implication being that Australia, the first country cited as a haven for Alqunin when this story exploded last week, doesn't stand up for women's rights.

But before the usual suspects accuse the Morrison government of dithering, we need to remember that Alqunin always cited Canada as her preferred destination.

"I seek protection in, particular from the following country: Canada/United States/ Australia/United Kingdom", she tweeted last Sunday while barricaded inside a Bangkok hotel room, begging the world to save her from Thai authorities trying to

deport her and a father and brother determined to drag her home.

She chose Canada and that's her right (though it shows seriously bad taste). In the end, it's been a win-win for Australia because we heeded her plight but didn't have to disrupt our orderly refugee process, regardless of topless feminist protests.

As for Trudeau, helping refugees is not about grandstanding on the odd high-profile case but putting in a consistent effort over time.

Australia's record of resettling refugees is second to none. We are the most generous country

per capita in the world, ahead of Canada, not to mention the US, the other country in the top three.

Between 2004 and 2016, we settled 158,217 refugees, while Canada settled 191,801 and the US 828,128. But per head of population Australia comes out on top, at six refugees per thousand, compared to Canada's five and the US at three.

Obviously, we can't give every Saudi woman asylum from their sexist prisons. Change has to come from within.

But good luck to Alqunin. Let's hope she offers a beacon of hope to women in the Islamic world.

Here's an idea for a flagging government to win over a sullen electorate — a Minister for Common Sense. This minister's sole role would be to abolish red tape and kill off the quangos that erode our freedoms and sap our initiative.

First job would be to get rid of the plethora of anti-discrimination bodies around the country, from the Human Rights Commission to various state anti-discrimination boards.

Instead of slicing us up into ever more victim groups whose feelings need to be protected, let us resolve our conflicts ourselves in the usual way of civilised societies — by forgiving each other, evolving social norms and gaining understanding in the process, without the heavy hand of the legislative thought police reducing us to hopeless ciphers of the state.

We have now reached the absurd point where a drag queen who called his transgender neighbour in a Sydney public housing block a "fat man in a dress" was dragged before the NSW Civil and Administrative Tribunal and found guilty of "transgender vilification" under anti-discrimination legislation.

This trivial neighbourhood squabble required the tribunal to hold a hearing and a case conference in 2015, with voluminous documents filed by both parties. Finally, after much deliberation, the 6000-word decision was handed down by three members of the tribunal, who found the drag queen guilty as charged and commanded he publish a retraction within 21 days or pay a \$2000 fine.

Monty Python could not have scripted it better.

Then there was the case of the thug convicted of assault occasioning actual bodily harm for bashing another man in a Sydney nightclub. He was fined \$1100 for the assault.

But when the victim complained to the Anti-Discrimination Board that the assailant also had called him a "faggot", the fine levied was far greater — \$10,000 for homosexual vilification.

How did offensive speech become a worse crime than physical violence?

Whatever the well-meaning reasons for establishing anti-discrimination bodies in the first place, they infantilise the populace and render them incapable of resolving simple interpersonal disputes.

But even worse, they have become an ideological bludgeon to criminalise speech and repress certain ideas.

No one demonstrates the case better than Ber-

nard Gaynor, the decorated former Iraq war veteran and Queensland father of eight who is quietly being martyred by LGBTIQ activists on the altar of anti-discrimination legislation.

So far, this six-year saga has involved more than 80 separate legal actions, and has wended its way through the the High Court, anti-discrimination tribunals, local courts and the Federal Court, with yet another decision looming next month.

It all began with Gaynor tweeting in 2013 that "I wouldn't let a gay person teach my children and I am not afraid to say it."

The consequences of that tweet and Gaynor's refusal to back down have been dire.

He was sacked by the Army and has been hit with 36 discrimination complaints by gay activist Gary Burns, who is backed by pro-bono legal teams.

So far it has cost Gaynor his house and almost \$400,000 in legal fees, with crowd-sourced donations to his blog the only way that he has stayed solvent.

He faces hefty fines and he even fears jail, although he has prevailed in almost every action so far.

You can disapprove of Gaynor's orthodox Catholic line on sexual matters but, if the state can facilitate this campaign against one man's free speech, no one is safe.

At no stage has any of the public servants administering this circus called time on what is clearly a campaign.

The brutal anti-discrimination machinery grinds on, regardless of common sense.

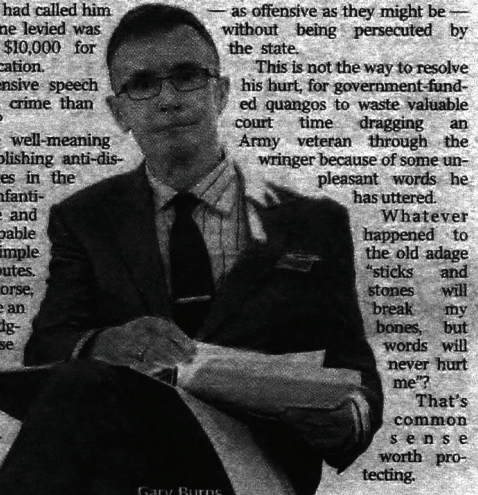
"The reason anti-discrimination laws exist is conservative politicians are too afraid to say 'No' and the Left want them because it gives them power over society," Gaynor says.

Burns, who says that he has suffered homosexual vilification in his past, deserves sympathy but Gaynor should be allowed to defend his beliefs — as offensive as they might be — without being persecuted by the state.

This is not the way to resolve his hurt, for government-funded quangos to waste valuable court time dragging an Army veteran through the wringer because of some unpleasant words he has uttered.

Whatever happened to the old adage "sticks and stones will break my bones, but words will never hurt me"?

That's common sense worth protecting.



Gary Burns

John Chisholm