

PUBLIC STATEMENT BY GERRARD TATE

Concerning the Intended Lodgement of Constitutional Writs in the High Court of Australia

I, **Gerrard Tate**, issue this public statement to clarify my position, place relevant matters on the public record, and avoid any uncertainty as to the steps I am taking in relation to proposed constitutional proceedings.

I confirm that I have accessed the **High Court of Australia Digital Lodgement System Portal** and commenced the procedural steps necessary to lodge **Applications for Constitutional or Other Writs** pursuant to **Chapter III of the Commonwealth Constitution, section 75(v)** of the Constitution, and the **Judiciary Act 1903 (Cth)**.

I. Basis for Seeking Constitutional Relief

The course I am taking is grounded in established constitutional and statutory authorities, including:

- **Section 75(v) of the Constitution** — conferring original jurisdiction upon the High Court to issue **mandamus, prohibition, and injunctions** against officers of the Commonwealth.
- **Judiciary Act 1903 (Cth)** — governing the High Court's jurisdiction and procedural mechanisms for constitutional writs.
- **High Court Rules 2004** — prescribing the procedural requirements for filing a **Form 12 – Application for Constitutional or Other Writs**.
- **Administrative Decisions (Judicial Review) Act 1977 (Cth)** — relevant to the reviewability of administrative conduct.
- **Charter of Human Rights and Responsibilities Act 2006 (Vic)** — governing the conduct of Victorian public authorities.
- **Australian Federal Police Act 1979 (Cth)** — regulating the powers, duties, and accountability of the Australian Federal Police.

Taken together, these authorities recognise the availability of judicial relief where executive action is unclear, legally uncertain, or alleged to exceed lawful authority.

II. Ambiguity Arising from the AFP Directive

On **19 June 2026**, an AFP officer issued a **directive** which appeared to restrict or prohibit my correspondence with the **Attorney-General's Department**.

However, the AFP **failed to identify**:

- whether the directive originated from the **Attorney-General of the Commonwealth**, or
- whether it originated from the **Attorney-General of the State of Victoria**.

This ambiguity is material, given that:

- the **Commonwealth Attorney-General** is governed by the **Law Officers Act 1964 (Cth)**, and
- the **Victorian Attorney-General** is governed by the **Constitution Act 1975 (Vic)** and associated ministerial instruments.

In my view, that lack of specificity creates a material jurisdictional uncertainty. Without proper clarification, the directive is difficult to understand, difficult to comply with, and vulnerable to judicial scrutiny.

III. Reason for Naming Multiple Respondents

Because the issuing authority has not been identified, I consider it necessary, for procedural completeness and fairness, to name the following **Respondents** in the proposed High Court proceedings:

1. **The Australian Federal Police**
2. **The Attorney-General of the Commonwealth of Australia**
3. **The Attorney-General of the State of Victoria**

The High Court, exercising its constitutional jurisdiction, will determine:

- whether the directive was issued under **Commonwealth authority**,
- whether it was issued under **Victorian authority**, or
- whether it was issued without lawful authority at all.

This approach is intended to preserve the integrity of the proceedings, ensure that all potentially relevant authorities are before the Court, and prevent any later contention that a necessary party was omitted.

IV. Public Record and Closing Statement

For clarity, I place the following matters on the public record:

- I have accessed the **High Court Portal** for the purpose of lodging the relevant writs;
- I will proceed against the **AFP**, the **Commonwealth Attorney-General**, and the **Victorian Attorney-General**;

- The High Court will determine which Attorney-General, if any, issued the directive; and
- I will continue to act strictly within the bounds of Australian constitutional and statutory law.

This statement is issued **with prejudice** and may be relied upon in any court or tribunal as part of the procedural and evidentiary history of this matter.