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## DISSENTING VOICES STANDING FIRM!

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### Communiqué - 12 March, 2012

**By: Carlo Mattogno, Jürgen Graf, and Thomas Kues**

In late December 2011, we received a long text entitled **Holocaust Denial and Operation Reinhard. A Critique of the Falsehoods of Mattogno, Graf and Kues**. The authors are **Jonathan Harrison, Roberto Muehlenkamp, Jason Myers, Sergey Romanov and Nicholas Terry**. The object of their critique are the following three books:

\* **Mattogno, Carlo, Jürgen Graf, Treblinka: Extermination Camp or Transit Camp?**, Theses & Dissertation Press, Chicago 2004.

\* **Mattogno, Carlo, Belzec in Propaganda, Testimonies, Archeological Research and History**, Theses & Dissertation Press, Chicago 2004.

\* **Graf, Jürgen, Thomas Kues and Carlo Mattogno, Sobibor. Holocaust Propaganda and Reality**, The Barnes Review, Washington 2010.

It stands to reason that we could not afford to ignore such a challenge because this would have been tantamount to surrender. Initially we considered contenting ourselves with a short reply, pointing out the most glaring fallacies and idiocies in the arguments of our opponents, but we then decided to use the „steam roller method“ instead, discussing and refuting all major arguments our five adversaries adduce in their paper.

This means that our response will be extremely long (several hundreds of pages). The bulk of our rebuttal will be written by Carlo Mattogno. This is inevitable because Mattogno, being the most prolific writer of us, is the main target of our adversaries' attacks. Since Mattogno's part will have to be translated from Italian into English, this alone will inevitably delay the publication of our reply, not to mention the fact that the three of us will have to coordinate our texts in order to reduce the inevitable repetitions to a minimum.

Should Caroline Sturdy Colls publish her paper about her archeological research at Treblinka before we have finished our rebuttal, Thomas Kues will include an analysis of her results in his chapter on the excavations at Belzec and Sobibor.

For the aforementioned reasons, our response will probably not be ready before July or August. Much to our regret, this delays the beginning of our study upon the *Einsatzgruppen*. On the other hand, after the publication of our reply we will not have the slightest obligation to pay any further attention to anything MM. Harrison, Muehlenkamp, Myers, Romanov and Terry might write in the future.

## Günter Deckert Reports

### Again Sentenced to Five Months of Prison because of § 130 German Penal Code Günter Deckert – born 1940 at Heidelberg

My “crime” this time – in 2007 I facilitated the publishing the German edition of Carlo Mattogno’s **Auschwitz – The First Gassings**. The original Italian version appeared in 1992 followed by an English version in 2002.

Though most of the text in question had already been translated by one or two people, some pages in English as well as in Italian had not been done, and so I completed the task. My involvement is acknowledged at page two, namely, that I do not share the author’s statements and conclusions. Lawyers whom I asked for advice had recommended me to have that statement included thinking that it would prevent the legal system from prosecuting me.

Nevertheless, just on four years ago five members of the political police raided my home, which made it my 12<sup>th</sup> “special visit”! They took my PC as well as two copies of the Mattogno book, one of which was my author’s copy and the other copy had been sent to me by a German woman living in England; she complained of the many misprints therein. Months later my PC was returned – broken! Mannheim’s public prosecutor Grossmann, had initiated this action after the Bundesamt für Verfassungsschutz – Central Office for the Protection of the Constitution had drawn his attention to the book!

In summer 2009 the accusation was accepted by my home town’s, Weinheim Amtsgericht - County Court. I appeared without a lawyer because at this legal level it is not necessary to have legal representation. I only wanted to see how the single sitting judge assessed the accusation. The summary judgment made on that day sentenced me to four months prison suspended for three years, and a fine of 600 Euros together with court costs. Prosecutor Grossmann had asked for six months prison – and we both appealed the decision to the Landgericht Mannheim – District Court. This is a minor court – Kleine Strafkammer consisting of one professional judge, in my case Judge Roos as president, plus two jurors who were about my age. Mannheim is also the **Nürnberg** of a number of German revisionists – as well as Fred leuchter, Hans Schmidt, Fredrick Töben, Siegfried Verbeke, et al. As to the Germans, Mahler, Zündel, Rudolf, Stolz, I have only three German copies left of the documentation: **Die Mannheimer Ketzer-Prozesse - § 130: 'Holocaust...'-Leugnung 2005 – 2009 gegen Ernst Zünde, Germar Rudolf, Sylvia Stolz** – 304 pages, some in English taken from the The Barnes Review and The First Freedom, soft cover, 30 USD, shipping included. It is recommended to enclose the mone in your letter.

The Mannheim trial started on November 14<sup>th</sup> and finished on February 2<sup>nd</sup>. It resulted in those five months of prison without probation. The trial took this long because I had changed my tactics in order to make the court understand why I was in favour of revisionism. I gave all the reasons and proofs still possible to be brought before a court without being accused again of breaking the law. We do not have the concept of “absolute privilege” that exists in Common Law where anything canvassed in court cannot be used against an accused to attract another charge. This happens in Germany where, for example, lawyer Ludwig Bock, who had defended me in my 1990s court case was himself charged with offending against **§ 130**. This was the reason why he on 8 November 1999 remained silent as Fredrick Töben’s lawyer when Töben was before the Mannheim District Court, and it was one of Töben’s grounds for appealing against his imposed 10 months prison sentence.

At the beginning it seemed that Judge Roos had doubts as to the problem of “publicity” of “distribution” of the book necessary to sentence a person. But in the end he jumped upon the suggestion of prosecutor Grossmann stating that the possibility of coming across the book via the internet **4**. fulfilled the requirements of § 130.

On the sixth trial day the five months prison sentence was handed down, and I immediately advised the court I would appeal this decision to the Karlsruhe Regional Court – Oberlandesgericht because such an appeal has to be made within a week of sentencing. Then, after receiving the written sentence I have a month in which to make my submissions to the appeal court. Its decision may be handed down some time before the end of this year. If it goes against me I can then appeal to the Bundesverfassungsgericht – Constitutional Court – at Karlsruhe.

Trial reports, especially the judgement day, were carried nationwide but unfortunately not objectively written. German democracy that guarantees basic rights does not extend to those individuals who think nationalistically. Those interested in learning more may ask for the six trial reports plus some of my motions. The English translation of the reports etc., done by Carlos W. Porter, will soon be finished. You can get them either via an e-mail attachment – free of costs, donations welcome – from [Gunter.Deckert@gmx.de](mailto:Gunter.Deckert@gmx.de) or via snail mail – about 30 pages A4 for 10 dollars, from: Günter Deckert, Postfach 100 245, D-69442 Weinheim an der Bergstraße, Germany.

**IN MATTER OF POLITICAL PRISONER  
BRENDON O'CONNELL, WESTERN AUSTRALIA**

Dear Colleen,

Please find enclosed information Brendon O'Connell requested me to ensure you receive. He also asked me to impress upon you the significance of his case in regards to both the injustice that has occurred, but more importantly, the precedence this conviction of racial vilification against him sets for the rest of us.

Just briefly, my personal view of this situation is that there is an obvious injustice carried out by the Law Society at the behest of not-so-hidden powers working against Brendon. This all seems to have happened because of opinions he has expressed on his beliefs regarding the Israeli occupation of Palestine, the Zionist infiltration of our society and other sensitive information on security backdoors in our communications and defence systems etc.

I do not know if *all* of Brendon's claims check out as a matter of fact, but do know a good majority do and can be evidenced. I must say at this outset that I do not necessarily agree with the way Brendon has conducted himself in the court hearings and the manner in which he has gone about presenting material into the public arena.

However, at the crux of all of this, I see a man whose character and deeds do reflect an honourable intention to do the right thing: build awareness for the down-trodden, abused Palestinians and warn people about a threat to our own society. This man has been convicted for three years in a maximum security prison and is enduring a terrible injustice, ongoing harassment and abuse *-all for expressing an opinion in the heat of an argument.*

As you will soon see - if not apparent to you from what you know already - once you dig a little past the surface of this case you will see the despicable conduct of those who are supposedly there to represent justice and deal a fair hand to those who may have done wrong.

**As of the 7<sup>th</sup> of March Brendon has started a hunger strike in defiance and protest of the injustice and continued abuse that attempts to beat him into submission. He says that he will not eat until he is free.**

<http://brendonoconnellincarcerated2.blogspot.com.au/>

Colleen, I implore you to take a good look at Brendon's case with fresh eyes and objectivity. He has not had a fair hearing from the media as his side of the story has remained largely unheard and he has been portrayed with bias, accusations of racism and personal attack. Essentially, argumentum ad hominem has been employed against Brendon resulting in a fallacy situation that is truly upside down. It certainly does not fit with reality and needs to be corrected.

I am sure you'll agree Colleen, that freedom of speech and the right to hold one's own opinion is probably one of the most important pillars of a free and healthy society. Even if an opinion seems extreme, or it turns out incorrect, it is our freedom of speech that must be held dear and defended to the last breathe.

Brendon was most impressed with your book and matter-of-fact way of covering the recent Glendinning case. He thinks if there is anyone in the truth forsaken mainstream media that will actually represent this story accurately, it is you. He said at the very least that you should be given the opportunity.

I also add that this could be a very good opportunity for the West Australian newspaper to take up the torch of truth and shine a light into some dark corners, all in the defence of justice and our freedom of speech.

If you have ever spoken or read comments from the Germans and Jews who survived through the reign of Hitler, you would know that one of their greatest regrets is that they did not speak up when they had the chance. It is the responsibility of those who have free speech to exercise it and come to the defence of those that don't. I can only guess that you are aware, more than most, of this responsibility and burden we all bear to speak the truth, let it be known and do what is right for those that are wronged. For this, I thank you for what you have done so far.

I trust your good judgement will guide you to do the right thing, deal with the sensitive issues with a good dose of diplomacy and your subsequent waltzing of words dance the dance of truth so justice is done.

Yours Sincerely,

Mark Taylor - [mdmt777@gmail.com](mailto:mdmt777@gmail.com)

**Honourable Terry Redman,**

I am contacting your office in regards to Brendon O'Connell who is currently in your care at Casuarina Prison. Brendon is on his 7<sup>th</sup> day of a hunger strike that he is conducting in defiance and protest to the injustice and abuse he is enduring. I can personally attest to this injustice and abuse he has endured as I have been witness from the commencement of actions against him.

Out of deep concern for both Brendon's predicament, and that of the subject matter quintessence: Freedom of Speech, I am contacting you with the hope of us reaching a resolution in an agreeable manner that can result in a win-win position for both parties thus avoiding a very public exposé.

Brendon has indicated to me that he is happy to assign power of attorney so I can act as a fiduciary on his behalf in this matter. If required, confirmation of this can be provided by Brendon himself otherwise I will be happy to organise a written statement from him.

I trust you are aware of the gravity of this situation and the obvious pressure of time it presents so I cordially request your immediate attention to this matter. I can be reached either by reply email or my mobile number #####.

Regards,

Mark-David: Medland-Taylor. Without Prejudice, UCC1-308.



**Tuesday, 13 March 2012**

**Day Six of Brendon O'Connell's hunger strike.**

**Mr Brendon O'Connell**

**Locked Bag 1**

**KWINANA WA 6966**

**Australia**

**If you are new to this blog please read from the first post 08/03/2012 here -**

**<http://brendonoconnellincarcerated2.blogspot.com.au/2012/03/brendon-speaks-from-casuarina-prison.html>**

**<http://brendonoconnellincarcerated2.blogspot.com.au/>**

## **Fredrick Töben to face Federal Court of Australia – AGAIN!**

**The Taxing Master  
Federal Court of Australia  
ADELAIDE 5000**  
20 March 2012

### **Re: Federal Court of Australia No NSD 327 of 2001**

Dear Taxing Master Bochner

The enclosed letter from Mr Steven Lewis – dated 16 March 2012 and referring to the 10 April 2012 taxing date astounds me because it was my understanding that last year upon my paying the demanded court costs awarded by Lander J and taxed by you I would not be put through another Costing Process, it being a closure to the matter.

I say this especially because Mr Lewis, Mr Jones, et al, claimed they were doing this legal work pro bono and for political reasons, i.e. fighting 'holocaust denial', thereby serving the Jewish community's interests and not Australia's interests.

I also enclose the item where I inform interested parties of the political persecution process that Steven Lewis engaged in against me as part of his bid to unseat the sitting Wentworth Member of Parliament, Mr Malcolm Turnbull. It was on 20 July 2010 that Mr Lewis addressed the plenum of the NSW Jewish Board of Deputies, and where he predicted that 'we're about to bankrupt Töben'. That Lewis failed in this matter of bankrupting me must surely be influencing the current action against me.

Please advise.

Dr Fredrick Töben

0417088217  
[toben@toben.biz](mailto:toben@toben.biz)

**COPY:**

S Lewis  
Slater & Gordon  
PO Box 1584  
SYDNEY NSW 2001

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**Item sent to all Australian Federal Politicians**

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**Memo from Dr Töben,**

**Adelaide:**

**0417088217**

[toben@toben.biz](mailto:toben@toben.biz)

**25 August 2011**

**Dear**

I submit to you the following information that may shed light on the legal principle of 'conflict of interest'.

The matter should also be of interest to you because it arose out of the Racial Discrimination Act where allowance is made for the Jewish religion to be categorized as a racial entity while the Christian and Muslim religions are not captured by this act.

This means that Jewish interests in Australia are legally protected against criticism while that of Christian and Muslim interests are not – clearly an injustice, especially in the light of the perversity created by a rampant 'political correctness' where the fundamental concept of TRUTH has no home.

As truth is the foundation stone of our civilisation it is imperative that you as a Member of Australia's Federal Parliament speak out and oppose those who stifle our free expression.

Most sincerely

Dr Fredrick Töben

Adelaide

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## **Prime Uglies at work trying to stifle free expression**

- 1.** The matter of Jeremy Shaun Jones on behalf of the Executive Council of Australian Jewry v Gerald Fredrick Töben began in 1996 before the HREOC where it came to a hearing because Jones refused to participate in any conciliation discussions, as is now obligatory under the 'overarching principles' within various state and federal legal bodies.
- 2.** On account of both state and federal legal Aid refusing to fund the action begun in the FCA I refused to participate in legal proceedings, which led to a summary judgment in 2002.
- 3.** In November 2006 Jones initiated a contempt of court action that led to my three months imprisonment in 2009 and orders for court costs in 2010.
- 4.** Two offers of cost settlement were made and rejected and bankruptcy proceedings were initiated. Costs were paid and the bankruptcy move was defeated.
- 5.** On 8 July 2011 costs were awarded against me in the action that enabled me to defeat the bankruptcy moves.
- 6.** On this same day, before FCA Justice Besanko handed down his Judgment, I sent an email that I had been sent the night before, which contained a link to a video made on 20 July 2010. In this video clip Mr Steven Lewis, of Slater & Gordon, Sydney, appeared before the NSW Jewish Board of Deputies Plenum.



In the clip Steven Lewis, right, appears with Malcolm Turnbull, left, and Mathew Robertson, centre, all three standing for the Seat of Wentworth at the 2010 Federal election –

<http://www.jwire.com.au/news/wentworth-candidates-address-board-of-deputies-plenium/10541>

7. Among other things Steven Lewis' comment of interest begins at 17.40 minutes into the DVD clip, where he states the following:

**'And since then I've become a lawyer, for better or for worse, and continued my work with the community.**

**I was able for the last four years to work on the Töben case, after the good work undertaken by Peter Wertheim, Robert Goot, and before him Justice Rothman when he was at the bar.**

**We're able to jail Töben for contempt. We're about to bankrupt Töben. We're able to fight back to the Holocaust deniers and put them in jail, and that is something that I feel great proud that I've been able to achieve that result with the help of this community.'**

8. This explains why Jeremy Jones or anyone of the Executive Council of Australian Jewry refused to negotiate with me and settle the matter. I was always ready to negotiate and resolve the disagreement as to what material I had on the website that was considered to be offensive. I was always ready to discuss and compromise but the stance coming from Lewis, et al, was absolutely no compromise, seeking a court determination. Since the November 2006 contempt action was begun in the FCA the then Applicant, Jeremy Shaun Jones, never once appeared in court and it was thus correct for me to assume that Steven Lewis was using Slater & Gordon as a base for his personal vendetta against me that had nothing to do with securing justice bu8t all to fulfil his political ambitions.

9. It is thus clear that this whole proceeding begun in HREOC, then transferred to the Federal Court of Australia has been politically motivated. There was never any serious move on Steven Lewis to resolve the dispute through discussion – and I should therefore not have to bear the costs of this politically motivated action.



**Steven Lewis addressing the NSW JBD on 20 July 2010**

**10.** It is significant to note alleged Respondent Jones is reported as stating:

**“Not a cent has been received...and although the costs have been awarded to me, any funds received would go straight into the ECAJ revenue as they funded the case. The money reflects only the costs incurred in running the case...not a cent is due to me personally.”**

<http://www.jwire.com.au/news/toben-in-court-facing-bankruptcy/16626#more-16626>

**11.** This also indicates that because the Executive Council of Australian Jewry – ECAJ – could not act against me in the FCA, as it had before the Human Rights and Equal Opportunity Commission – HREOC – beginning in 1996, Respondent Jones was being used, as a patsy/proxy/a pawn by the ECAJ to run the case against me. This is contrary to all the principles of law.

**12.** This above fact further explains why alleged Respondent Jeremy Jones was nowhere to be seen in court and Solicitors Lewis/Wertheim of Slater & Gordon conducted the case without Mr Jones being present. Hence the court has Mr Lewis’ Affidavits only. In fact, it appears that the law firm, Slater & Gordon, was intimately and directly involved in this action against me. This would amount to ‘unconscionable conduct’ within the meaning of the Competition & Consumer Act 2010, §131, Schedule 2, section 20, 21 and 22.

Submitted for your consideration

Dr Töben

Adelaide

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