



Ref: Norway v. Breivik

Case: 11-188627 MED-05

P O Box 5042  
George East, 6539  
Cell: +27 (71) 170 1954

01 September 2012

### Parliamentary Ombudsman

P.O. Box 3 Sentrum NO - 0101 Oslo

Tel: 22 82 85 00 | Toll: 800 800 39 | Fax: 22 82 85 11

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**Slow Case Processing / Failure to Provide Case Processing by Supreme Court Registrar; to Application for Review of 'Breivik Judgement'.**

### Overview:

**Slow Case Processing:** Application for Review of 'Breivik Judgement' filed with Supreme Court Registrar on **27 August 2012** to Set Aside the Judgements (1) 'Necessity (Nodrett) Ruling' and (2) Defendant's Conviction (Finding of Guilt) and Remit to Oslo District Court for hearing of Further Evidence to conclude Objective and Subjective Necessity Test Evidentiary Enquiry. Subsequent follow up requests made on 28 August and 31<sup>st</sup> August requesting Registrar to provide a case number, or clarify their reasons for failure to provide a case number.

### Chronology of Facts:

On **27 August 2012**, I filed<sup>1</sup> an Application for Review of the Breivik Judgement to the Supreme Court Registrar<sup>2</sup>; which requests that the following 'Oslo District Court: Breivik Judgement' decisions be reviewed:

[A.1] Set Aside the Judgements 'Necessity (Nødrett) Ruling' (pg.67):

[A.2] Set Aside Defendant's Conviction (Finding of Guilt) and Remit to Oslo District Court for hearing of Further Evidence to conclude Objective and Subjective Necessity Test Evidentiary Enquiry.

[A.3] If Defendant refuses to cooperate with Further Evidence proceedings; an order to change his plea to 'guilty'; and/or 'Non-Precedent' Setting Declaratory Order

<sup>1</sup> [http://ecofeminist-v-breivik.weebly.com/1/post/2012/08/120827\\_nsc-rev-obj.html](http://ecofeminist-v-breivik.weebly.com/1/post/2012/08/120827_nsc-rev-obj.html)

<sup>2</sup> <http://ecofeminist-v-breivik.weebly.com/27-aug-12-review-applic.html>

[A.4] If Failure of Justice Irregularity Does not Influence Conviction and/or Sentence Verdict; a 'Non-Precedent Setting' Declaratory Order

[B] Set Aside the Judgements Failure to disclose the pending Judicial Ethics violation complaint against Rettens Leder: Wenche Elizabeth Arntzen, filed on 06 June 2012 to the Secretariat for the Supervisory Committee for Judges, as a violation of Aarhus Convention Article 3.(3)(4)(5) principles, and general ECHR public accountability Transparency (Lithgow & others v United Kingdom) principles.

[C] The respondents who oppose this application are ordered jointly and severally to pay their own costs in terms of this application.

On 28 August 2012, I submitted correspondence<sup>3</sup> to Norway Supreme Court Registrar: **Subject: Norway Supreme Court Registrar: Req. Case Number for Notice of Review of 24.08.2012 Breivik Judgement**

"Could you please provide me with a case number for my application for review; or inform me by when you will issue a case number?"

On 31 August 2012, I again submitted correspondence<sup>4</sup> to Norway Supreme Court Registrar: **Subject: [31.08] RE: Norway Supreme Court Registrar: Req. Case Number for Notice of Review of 24.08.2012 Breivik Judgement**

Norway Supreme Court Registrar: I am still waiting for a case number for my application for review. Could you kindly provide such case number or clarify reasons for your failure to do so.

As far as I am aware, and based upon my personal experience; Court Registrars generally issue a court case number immediately or within a day or two, subsequent to filing an application, unless there is a procedural error in the application, whereupon they inform you what the error is, for your correction and refileing.

Respectfully Submitted



Lara Johnstone  
**Radical Honoursty EcoFeminist**  
**Habeus Mentem: Right 2 Legal Sanity**  
[ecofeminist-v-breivik.weebly.com](http://ecofeminist-v-breivik.weebly.com)

Encl:

[A] Email Correspondence

[B] Application for Review of Breivik Judgement: Filing Sheet, Notice of Motion, Founding Affidavit, Proof of Service & Encl.

<sup>3</sup> [http://ecofeminist-v-breivik.weebly.com/1/post/2012/08/120828\\_nsc-reg-caseno.html](http://ecofeminist-v-breivik.weebly.com/1/post/2012/08/120828_nsc-reg-caseno.html)  
<sup>4</sup> [http://ecofeminist-v-breivik.weebly.com/1/post/2012/08/120831\\_nsc-bjreview.html](http://ecofeminist-v-breivik.weebly.com/1/post/2012/08/120831_nsc-bjreview.html)

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From: Lara [\*\*@mweb.co.za]

Sent: Monday, August 27, 2012 3:10 PM

To: Crt: SupremeCrt: Chief Justice Tore Schei (\*\*k@domstoladministrasjonen.no); HRET: postmottak (\*\*@hoyesterett.no)

Cc: Helga Mærde Gruer (\*\*@hoyesterett.no); Kjersti Ruud (\*\*@hoyesterett.no) ; Svein Tore Andersen (\*\*@hoyesterett.no) ; Dep.Sec.Gen: Kjersti Buun Nygaard (\*\*@hoyesterett.no); Ch.Justice Tore Schei (\*\*@hoyesterett.no)

Subject: Norway Supreme Court Registrar: Notice of Review of 24.08.2012 Breivik Judgement

TO: Norway Supreme Court Registrar

Respondents:

First: OSLO DISTRICT COURT

Second: KINGDOM OF NORWAY (Prosecution)

Third: ANDERS BEIHRING BREVICK

Fourth: VICTIMS FAMILIES

Please find attached the following for filing in this matter:

\* Notice of Motion: Application for Review of Oslo District Court: Breivik Judgement

- Encl: Lovdata: 2012-08-24: Tingret Oslo: 2011-188627-24 Judgement

\* Founding Affidavit of Lara Johnstone

- Annex A: 03 May 2012: Concourt Ruling: Lara Johnstone: Radical Honesty culture

- Annex B: Cullinan, Cormac: Wild Law: A Manifesto for Earth Justice (Summary)

- Annex C: Clugston, Chris: Sustainability Defined

- Annex D: 13 Aug 2012: Letter to Mr. Anders Breivik

\* PROOF OF SERVICE Affidavit of Lara Johnstone

Dated at George, Southern Cape, South Africa, on 27TH of AUGUST 2012.

Respectfully Submitted,

LARA JOHNSTONE, Pro Se

PO Box 4052, George, 6539

Tel/Fax: (044) 870 7239

Email: jmcswan@mweb.co.za

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Excerpts from Notice of Motion.

PLEASE TAKE NOTICE that the applicant intends to apply for leave to review against parts of the judgement by Rettens Leder: Wenche Elizabeth Arntzen, Fagdommer: Arne Lyng; Meddommere: Ernst Henning Eielsen, Diana Patricia Fynbo and Anne Elisabeth Wisloff, delivered on 24 August 2012 (herein after referred to as the "Oslo District Court: Breivik Judgement").

{ } REVIEW ORDERS REQUESTED:

The following 'Oslo District Court: Breivik Judgement' decisions are reviewed:

[A.1] Set Aside the Judgements ‘Necessity (Nødrett) Ruling’ (pg.67):

[A.2] Set Aside Defendant’s Conviction (Finding of Guilt) and Remit to Oslo District Court for hearing of Further Evidence to conclude Objective and Subjective Necessity Test Evidentiary Enquiry.

[A.3] If Defendant refuses to cooperate with Further Evidence proceedings; an order to change his plea to ‘guilty’; and/or ‘Non-Precedent’ Setting Declaratory Order

[A.4] If Failure of Justice Irregularity Does not Influence Conviction and/or Sentence Verdict; a ‘Non-Precedent Setting’ Declaratory Order

[B] Set Aside the Judgements Failure to disclose the pending Judicial Ethics violation complaint against Rettens Leder: Wenche Elizabeth Arntzen, filed on 06 June 2012 to the Secretariat for the Supervisory Committee for Judges, as a violation of Aarhus Convention Article 3.(3)(4)(5) principles, and general ECHR public accountability Transparency (Lithgow & others v United Kingdom) principles.

[C] The respondents who oppose this application are ordered jointly and severally to pay their own costs in terms of this application.

#### {II} GROUNDS FOR REVIEW:

The application for review is based on the grounds of (A) Irregularities & Illegalities in the Proceedings before the Oslo District Court: in terms of (1) A Failure of Justice and Failure of a True and Correct Interpretation of the Facts; (2) Judicially Un-Investigated Facts; (3) Failure of Application of Mind and (4) Rejection of Admissible or Competent Evidence: (i) Prosecutor & Judges failure to examine objective and subjective necessity test; and (ii) Courts denial of due process to applicants Habeus Mentem and Amicus Curiae applications.

[A.1.a] Necessity Judgement fails to provide any necessity criminal provisions that prohibit killing of Government Officials in case of Necessity.

[A.1.b] Necessity Judgement Ignores that Criminal Necessity provisions do not prohibit the killing of Government Officials in case of objective and subjective Necessity.

[A.1.c] Necessity Judgement’s Erroneous interpretation of Necessity related criminal law provisions and international necessity related human rights law.

[A.1.d] Necessity and Guilt Judgement’s Failure to conduct required Objective and Subjective Tests for Defendant’s Necessity Defence:

[A.1.e] Necessity and Guilt Judgement’s Absence of Objective and Subjective Test Enquiry and Conclusions Renders it Inadequate

[A.1.f] Necessity and Guilt Judgement’s Absence of Clarification Upon which party the Onus of Proof lies in a Case of Necessity; and how or why their evidence was insufficient renders the Judgements Conclusions inadequate.

[A.1.g] Necessity and Guilt Judgement’s Absence of Objective and Subjective Test Enquiry and Conclusions Renders it Discriminatory Precedent

[A.1.h] Necessity Judgements ‘Extreme Political Objectives’ conclusion is unsupported in the Absence of Objective and Subjective Necessity Test

[A.1.i] Necessity Judgements ‘Extreme Political Objectives’ conclusion is unsupported in the Absence of Objective and Subjective Necessity Test; and is a Patriarchal Left vs. Right Wing Blame Game

Parasite Leeching Polarization - not a Matriarchal Ecological and Psychological Integrity Root Cause Problem Solving - conclusion.

[B] Judgement's Transparency Failure violates Aarhus Convention principles and public accountability impartiality principles.

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Table of Contents of Founding Affidavit:

- \* Review: "Oslo District Court: Breivik Judgement"
- \* Legal Interest: Judicially Un-Investigated Facts
- \* Legal Questions: Matriarchal Ecological Wild Law Legal Principles Worldview
- \* The Parties:
- \* Failure of Justice: Judicially UnInvestigated Facts: Necessity and Guilt:
- \* Oslo Court: Breivik Defence of Necessity:
- \* Prosecutor Eng and Holden 'Refuse to touch Breivik's Principle of Necessity':
- \* Necessity in Norwegian Law:
- \* Norwegian Necessity Judgement: Subjective and Objective Test:
- \* Necessity Defence: International and Foreign Law:
- \* Common Law Necessity Defence Cases Resulting in Innocence Verdicts or Severe Mitigation of Sentencing:
- \* Civil Disobedience Political Necessity Defence Cases Resulting in Innocence Verdicts or Severe Mitigation of Sentencing:
- \* Military Necessity and International Humanitarian Law:
- \* Military Necessity: use of Nuclear Weapons for Self-Preservation:
- \* Military Necessity in Nuremberg German High Command Trial:
- \* Military Necessity: The Rendulic Rule: Importance of the Subjective Test:
- \* Military Necessity: Rendulic Rule: Subjective Honesty in current Military Doctrine:
- \* Onus of Proof: Norwegian State or Breivik to Prove Necessity?
- \* Transparency Disclosure: Correspondence to Mr. Breivik and Mr. Geir Lippestad:
- \* Environmental Transparency: Aarhus Environment Info Transparency Convention
- \* ECHR: Lithgow on Transparency: Precise and Accessible Legislation:
- \* The interests of justice: Multicultural Matriarchy vs. Monocultural Patriarchy?
- \* Multi-cultural Law Must (a) avoid Mono-cultural legal Hegemony, (b) draw on legal cultural diversity:

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From: Lara [\*\*@mweb.co.za]

Sent: Tuesday, August 28, 2012 10:41 AM

To: Crt: SupremeCrt: Chief Justice Tore Schei (\*\*@domstoladministrasjonen.no); HRET: postmottak (\*\*@hoyesterett.no)

Cc: Helga Mærde Gruer (\*\*@hoyesterett.no); Kjersti Ruud (\*\*@hoyesterett.no); Svein Tore Andersen (\*\*@hoyesterett.no) ; Dep.Sec.Gen: Kjersti Buun Nygaard (\*\*@hoyesterett.no); Ch.Justice Tore Schei (\*\*@hoyesterett.no)

Subject: Norway Supreme Court Registrar: Req. Case Number for Notice of Review of 24.08.2012 Breivik Judgement

Norway Supreme Court Registrar

Could you please provide me with a case number for my application for review; or inform me by when you will issue a case number?

Respectfully,

Respectfully Submitted,

LARA JOHNSTONE, Pro Se  
PO Box 4052, George, 6539  
Tel/Fax: (044) 870 7239  
Email: \*\*@mweb.co.za

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From: DA (postmottak) [\*\*@domstoladministrasjonen.no]  
Sent: Tuesday, August 28, 2012 10:47 AM  
To: Lara  
Subject: Lest: Norway Supreme Court Registrar: Req. Case Number for Notice of Review of 24.08.2012 Breivik Judgement

Meldingen

Til: DA (postmottak)  
Emne: Norway Supreme Court Registrar: Req. Case Number for Notice of Review of 24.08.2012 Breivik Judgement

Sendt: 28. august 2012 10:41:20 (UTC+01.00) Amsterdam, Berlin, Bern, Roma, Stockholm, Wien

ble lest 28. august 2012 10:46:48 (UTC+01.00) Amsterdam, Berlin, Bern, Roma, Stockholm, Wien.

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From: Lara [\*\*@mweb.co.za]  
Sent: Tuesday, August 28, 2012 10:53 AM  
To: Crt: Pros Holden. MJus: Grete Faremo (\*\*@jd.dep.no); NO: MinJustice: Pol Advisor: Astrid Bergmal (\*\*@jd.dep.no); NO: MinJustice: Admin: Karin Bugge (\*\*@jd.dep.no); NO: MinJustice: Admin: Anne Herse (\*\*@jd.dep.no); NO: MinJustice: Admin: Thor Aass (\*\*@jd.dep.no); NO: MinJustice: Comm: Gunnar Johansen (\*\*@jd.dep.no) ; NO: MinJustice: Admin: Kjersein Askholt (\*\*@jd.dep.no); NO: MinJustice: Admin: Knut Reinskou (\*\*@jd.dep.no); NO: MinJustice: Admin: Hans Sjovold (\*\*@jd.dep.no); NO: MinJustice: Admin: Hans Ostgaard (\*\*@jd.dep.no); NO: MinJustice: Int Director: Tonje Meinich (\*\*@jd.dep.no); NO: MinJustice: Admin: Mette Stangerhaugen (\*\*@jd.dep.no); NO: MinJustice: Admin: Marianne Vollan (\*\*@jd.dep.no); NO: MinJustice: Admin: Sissil Pettersen (\*\*@jd.dep.no); NO: MinJustice: Ch.Staff: Morten Ruud (\*\*@jd.dep.no)  
Cc: NO: FRP: Storting (\*\*@stortinget.no); NO: Hoyre: Office (\*\*@stortinget.no); NO: Venstre: Storting: (\*\*@venstre.no); NO: Soc. Left: Storting (\*\*@sv.no); NO: Rodt: Leder: Turid Thomassen (\*\*@raudt.no); NO: PM: Jens Stoltenberg: (\*\*@smk.dep.no)  
Subject: Min. Justice: G. Faremo: RE: Review of 24.08.2012 Breivik Judgement: Confirm receipt by Pros. Holden & Engh, via. Min.Justice & Politie:

Min. of Justice: Grete Faremo

Ms. Faremo,

Could you please ask Prosecutors Holden and Engh to confirm receipt of the 27 August 2012 Application for Review of Oslo District Court: Breivik Judgement delivered on 24 August 2012; submitted to them via your office?

Copies of documents are available at:

<http://ecofeminist-v-breivik.weebly.com/nom--affidavit.html>

Respectfully,

LARA JOHNSTONE, Pro Se

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PO Box 4052, George, 6539  
Tel/Fax: (044) 870 7239  
Email: jmcswan@mweb.co.za

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From: Morten Ruud [\*\*@jd.dep.no]  
Sent: Tuesday, August 28, 2012 12:03 PM  
To: Lara  
Subject: Lest: Min. Justice: G. Faremo: RE: Review of 24.08.2012 Breivik Judgement: Confirm receipt by Pros. Holden & Engh, via. Min.Justice & Politie:

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From: Postmottak Høyre [\*\*@stortinget.no]  
Sent: Tuesday, August 28, 2012 12:46 PM  
To: Lara  
Subject: Lest: Min. Justice: G. Faremo: RE: Review of 24.08.2012 Breivik Judgement: Confirm receipt by Pros. Holden & Engh, via. Min.Justice & Politie:

Meldingen

Til: Postmottak Høyre  
Emne: Min. Justice: G. Faremo: RE: Review of 24.08.2012 Breivik Judgement: Confirm receipt by Pros. Holden & Engh, via. Min.Justice & Politie:  
Sendt: 28. august 2012 10:53:21 (UTC+01.00) Amsterdam, Berlin, Bern, Roma, Stockholm, Wien  
ble lest 28. august 2012 12:45:56 (UTC+01.00) Amsterdam, Berlin, Bern, Roma, Stockholm, Wien.

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From: Lara [\*\*@mweb.co.za]  
Sent: Friday, August 31, 2012 2:43 PM  
To: Crt: SupremeCrt: Chief Justice Tore Schei (\*\*@domstoladministrasjonen.no); HRET: postmottak (\*\*@hoyesterett.no)  
Cc: Helga Mærde Gruer (\*\*@hoyesterett.no); Kjersti Ruud (\*\*@hoyesterett.no); Svein Tore Andersen (\*\*@hoyesterett.no) ; Dep.Sec.Gen: Kjersti Buun Nygaard (\*\*@hoyesterett.no); Ch.Justice Tore Schei (\*\*@hoyesterett.no); Crt: Lippestad: Tord Jordet (\*\*@advokatlippestad.no); Crt: Victims: Siv Hallgren (\*\*@elden.no); Crt: Victims: Frode Elgesem (\*\*@thommessen.no); Crt: Victims: Mette Yvonne Larsen (\*\*@advokatstabell.no); Crt: Pros Holden. MJus: Grete Faremo (\*\*@jd.dep.no); Crt: Pros Holden. Politie: Org.Crime (\*\*@politiet.no)  
Subject: [31.08] RE: Norway Supreme Court Registrar: Req. Case Number for Notice of Review of 24.08.2012 Breivik Judgement

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Second: KINGDOM OF NORWAY (Prosecution)  
Third: ANDERS BEIHRING BREVICK  
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Application for leave to review against parts of the judgement by Rettens Leder: Wenche Elizabeth Arntzen, Fagdommer: Arne Lyng; Meddommere: Ernst Henning Eielsen, Diana Patricia Fynbo and Anne Elisabeth Wisloff, delivered on 24 August 2012 (herein after referred to as the “Oslo District Court: Breivik Judgement”).

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[C] The respondents who oppose this application are ordered jointly and severally to pay their own costs in terms of this application.

Respectfully,

LARA JOHNSTONE, Pro Se  
PO Box 4052, George, 6539  
Tel/Fax: (044) 870 7239  
Email: \*\*@mweb.co.za

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From: Mette Larsen [\*\*@advokatstabel.no]  
Sent: Friday, August 31, 2012 3:00 PM  
To: Lara  
Subject: Lest: [31.08] RE: Norway Supreme Court Registrar: Req. Case Number for Notice of Review of 24.08.2012 Breivik Judgement

Meldingen ble lest 31. august 2012 12:59:35 UTC.