

*IN THE MATTER OF AN APPLICATION BY MS. NEWETT FOR LEAVE TO
APPEAL*
[2024] HCASL 128
S35/2024

- 1 The applicant seeks leave to appeal from a decision of a single Justice of this Court (Gleeson J) refusing leave to file an application to reopen an application for special leave to appeal from a decision of the Federal Circuit and Family Court of Australia (Division 1) Appellate Jurisdiction, which was dismissed by this Court (Gordon and Steward JJ) (*Ms. Newett v Mr. Newett & Ors* [2023] HCASL 186). By way of subsequent application filed on 11 April 2024, the relief sought also includes a grant of leave for "the inclusion of affidavits of several supporting witnesses from like-cases" and an order that such affidavits be adduced into evidence in any appeal. The applicant was invited to file the affidavits she would seek to put before the Court on appeal by Friday 3 May 2024, however, none were filed, nor was any communication received from the applicant in response to the invitation.
- 2 For leave to appeal to be granted, it is necessary for the applicant to establish that the decision from which leave to appeal is sought is attended with sufficient doubt to warrant reconsideration and, if so established, that substantial injustice would result if leave were refused, supposing the decision to be wrong. Nothing in the applicant's application for leave to appeal raises any, let alone sufficient, reasons to doubt the correctness of the decision of Gleeson J. Accordingly, there is no basis for a grant of leave to appeal. The applicant has also failed to demonstrate any bases justifying the grant of the relief sought in the application filed on 11 April 2024.
- 3 The interlocutory application filed on 11 April 2024 is refused and leave to appeal is refused.

Edelman J
Jagot J

9 May 2024