

FXF18 & ANOR
v
MINISTER FOR IMMIGRATION AND MULTICULTURAL AFFAIRS & ANOR
[2024] HCASL 314
C13/2024

- 1 The applicants seek special leave to appeal from a judgment of a single judge of the Federal Court of Australia exercising appellate jurisdiction (Jackman J), dismissing an appeal from the Federal Circuit and Family Court of Australia (Judge Given), which in turn dismissed the applicants' application for judicial review of a decision of the Administrative Appeals Tribunal not to grant the applicants protection visas. The applicants have filed a notice of a constitutional matter, and the first applicant has filed an application seeking various interlocutory relief along with supporting affidavit.
- 2 Nothing in the application for special leave to appeal, or in the notice of a constitutional matter or interlocutory application, raises any doubt about the correctness of the Federal Court's judgment. No genuine constitutional issue arises. An appeal to this Court would not enjoy any prospects of success. In these circumstances, the first applicant's interlocutory application, which has no prospects of success, should be refused.
- 3 Special leave to appeal is refused.

Edelman J
Jagot J

5 December 2024