

BEALE
v
HARVIE & ANOR
[2024] HCASL 82
S163/2023

- 1 The applicant requires an extension of time within which to seek special leave to appeal from a judgment of a single judge of the Federal Circuit and Family Court of Australia (Division 1) exercising appellate jurisdiction (Austin J) summarily dismissing an appeal from a decision of the Federal Circuit and Family Court of Australia (Division 1) (Wilson J), which in turn dismissed an application for the removal of the Independent Children's Lawyer in parenting proceedings pursuant to r 10.27(2)(b) of the *Federal Circuit and Family Court of Australia (Family Law) Rules 2021* (Cth) on the basis that the applicant failed to appear at the hearing.
- 2 The circumstances of the application have the effect that the application is not an appropriate vehicle to consider any questions of law raised in the application. In the circumstances, the interests of the administration of justice also do not support the grant of special leave. Accordingly, it would be futile to grant an extension of time.
- 3 Special leave to appeal is refused.

Edelman J
Jagot J

11 April 2024