

# HIGH COURT OF AUSTRALIA

GORDON J

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IN THE MATTER OF AN APPLICATION BY KEITH  
EDWARD STANSMORE JACKSON FOR LEAVE  
TO ISSUE OR FILE

[2025] HCASJ 36

*Date of Judgment: 29 September 2025*

P37 of 2025

## ORDER

- 1. The ex parte application filed on 9 September 2025 for leave to issue or file an application for a constitutional or other writ is refused.*

## Representation

The applicant is unrepresented



1 GORDON J. This is an ex parte application for leave to issue or file an application for a constitutional or other writ against the Attorney-General for Western Australia. The relief that the applicant seeks in the proposed application for a constitutional or other writ is, relevantly, "[t]hat the [Court] quash for jurisdictional error ... a) Decision and orders of Master Russell dated 31 January 2025 in CIV 2150 of 2023; b) Decision and orders of the Court of Appeal (*Jackson v NAB* [2025] WASCA 80) dated 23 May 2025" ("the decisions and orders"); "[a]n order declaring the decisions and orders invalid or void" and that this Court, in substance, "enable the matter to be reheard in the interest of the Rule of Law and natural justice".

2 On 2 September 2025, Beech-Jones J directed that, pursuant to r 6.07.2 of the *High Court Rules 2004* (Cth), the application for a constitutional or other writ against the Attorney-General for Western Australia was not to be issued or filed without the leave of a Justice first had and obtained by the applicant. This application for leave to issue or file the application is supported by an affidavit affirmed by the applicant on 8 September 2025. I have read the applicant's four affidavits filed in support of the application for leave to issue or file the proposed application for a constitutional or other writ, as well as the proposed application for a constitutional or other writ against the Attorney-General for Western Australia.

3 Neither the application for a constitutional or other writ against the Attorney-General for Western Australia, nor any of the applicant's supporting affidavits, discloses any rational legal argument that could support the relief sought. The claims set out in the proposed application against the Attorney-General for Western Australia are manifestly hopeless. Moreover, to the extent the proposed application for a constitutional or other writ seeks to quash the decisions and orders, it is inappropriate for the original jurisdiction of this Court to be invoked as an alternative to remedying allegedly erroneous judgments by way of an application for special leave to appeal from the judgment of the Court of Appeal of the Supreme Court of Western Australia.<sup>1</sup>

4 Given that a document the subject of an application under r 6.07.3 of the *High Court Rules* is to be considered "on its face",<sup>2</sup> it is implicit that the application falls to be determined without an oral hearing.<sup>3</sup> The ex parte

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1 See, eg, *Construction Forestry Mining and Energy Union v Director of the Fair Work Building Industry Inspectorate* (2016) 91 ALJR 1 at 8 [22]; 338 ALR 360 at 367 and the authorities cited.

2 *High Court Rules*, r 6.07.1.

3 *Re Young* (2020) 94 ALJR 448 at 451 [12]; 376 ALR 567 at 570.

2.

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