

*LEGAL AID NSW*  
v  
*SECRETARY, DEPARTMENT OF SOCIAL SERVICES & ANOR*  
[2025] HCADisp 261  
M63/2025

- 1       The applicant seeks special leave to appeal from the judgment of the Full Court of the Federal Court of Australia (Thawley and Hespe JJ, Kennett J dissenting) which dismissed a statutory appeal from a decision of the (then) Administrative Appeals Tribunal (Kyrrou J, Senior Member Kennedy and Senior Member Trotter). The applicant was granted leave to intervene in the court below pursuant to r 9.12 of the *Federal Court Rules 2011* (Cth).
- 2       Because there will be a grant of special leave in proceeding M65/2025, which will raise each of the two grounds sought to be raised by the applicant in this proceeding thereby removing the special circumstances in which the applicant (as intervenor in the Full Court) brings this application, special leave in this case will be refused with no order as to costs.

Gageler CJ  
Gordon J  
Edelman J  
Steward J  
Gleeson J  
Jagot J  
Beech-Jones J

6 November 2025