

HIGH COURT OF AUSTRALIA

EDELMAN J

IN THE MATTER OF AN APPLICATION BY
DJURAN BUNJILEENEE FOR LEAVE TO ISSUE
OR FILE

[2026] HCASJ 29

Date of Judgment: 4 September 2026

M80 of 2026

ORDERS

1. *The application for leave to issue or file a constitutional or other writ filed 10 August 2026 is refused.*
2. *The application for admission of fresh evidence filed 2 September 2026 is refused.*

Representation

The plaintiff is unrepresented

1 EDELMAN J. By this ex parte application filed on 10 August 2026 under r 6.07.3 of the *High Court Rules 2004* (Cth), the applicant seeks leave to issue or file an application for a constitutional or other writ which the applicant seeks to have heard before a Full Court of six Justices (excluding Steward J, who gave the direction requiring the applicant to seek leave). The applicant requires leave because, on 24 July 2026, Steward J directed the Registrar, pursuant to r 6.07.2 of the *High Court Rules*, to refuse to issue or file the applicant's proposed application without the leave of a Justice.

2 The principal relief sought in the proposed application is a writ of mandamus (alternatively, an injunction) directed to the proposed defendant to that application, the Hon Anthony Albanese MP, compelling him to "fulfill his clear constitutional duty to declare peace and an end to all hostilities against Aboriginal Peoples" and to commence "a truth-telling peace-treaty process". Further relief sought includes "[a]n order that the Defendant advise the King and the Governor General to make identical declarations forthwith" and "[a]n order that the Defendant forthwith establish an Office of Truth-Telling [a]nd Treaty ... and Aboriginal Injustice ... within the Department of Prime Minister and Cabinet with legislation to follow in the same way as he has recently with the other tech-bro AI".

3 The applicant claims to have sent an email on 22 July 2026 to the Office of the Prosecutor of the International Criminal Court ("ICC") accusing five individuals of "conspiracy and complicity in the ongoing Aboriginal genocide". The applicant claims that "[c]urrent domestic legislation and practice means that only the Prime Minister is amenable to the jurisdiction of this Court". The application for leave to issue or file is supported by a 161-page affidavit and exhibits filed on 10 August 2026 which include communications with the Office of the Prosecutor of the ICC and assertions concerning "the ongoing Aboriginal Genocide" and the jurisdiction of the "ICC Prosecutor" to prosecute the named individuals for genocide.

4 On 2 September 2026, the applicant filed a further application in relation to his application for leave to issue or file a constitutional or other writ. The further application was for the admission of fresh evidence as detailed in a supporting affidavit concerning "[f]urther Article 15 Communications to the Office of the Prosecutor of the International Criminal Court numbered Four, Five, Six, Seven and Eight". Nothing in this further application or supporting affidavit makes the applicant's claims any more tenable or any less confused.

5 The assessment of documents the subject of a r 6.07.2 direction is based upon consideration of the documents on their face which, almost inevitably, takes place on the papers and without an oral hearing.¹ Leave will ordinarily be refused

¹ *Re Young* (2020) 94 ALJR 448 at 451 [12]; 376 ALR 567 at 570.

2.

where the proposed application clearly appears on its face to fall outside the jurisdiction of the Court, to be frivolous or vexatious, or to be an abuse of the Court's process, categories which include applications which are confused or manifestly untenable (ie manifestly hopeless).²

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It is plain on the face of the proposed application and the supporting affidavit, either with or without the application and supporting affidavit concerning the admission of fresh evidence, that the applicant seeks to invoke this Court's original jurisdiction on a basis that is both confused and manifestly hopeless. The proposed application is vexatious and an abuse of process. Leave to issue or file the proposed application for a constitutional or other writ is refused. The application for admission of fresh evidence is also refused. Orders should be made consistently with r 13.04 of the *High Court Rules*.

² *Re Young* (2020) 94 ALJR 448 at 451 [11], [13]; 376 ALR 567 at 570; *Citta Hobart Pty Ltd v Cawthorn* (2022) 276 CLR 216 at 246-247 [73].