SPENCER
v
MEDICAL BOARD OF AUSTRALIA
[2026] HCADisp 274
M92/2026

1 The applicant seeks special leave to appeal from a decision of the Court of Appeal of the Supreme Court of Victoria (Kaye JA and Hay A-JA), dismissing the applicant's application for leave to appeal against two decisions of the Victorian Civil and Administrative Tribunal (Vice President Judge Daly) to stay a disciplinary proceeding brought against the applicant by the respondent and to dismiss an application that Judge Daly recuse herself from that disciplinary proceeding.

2 The proposed appeal against the recusal decision has no apparent prospects of success and it is not otherwise in the interests of the administration of justice, either generally or in the particular case, to grant special leave to appeal against the stay decision.

3 Special leave to appeal is refused.

Edelman J
Gleeson J

5 November 2026