

.....INGLIS.....

V.

.....MOORE AND OTHERS.....

ORIGINAL

REASONS FOR JUDGMENT

ORAL Judgment delivered atSYDNEY.....

onMONDAY 22 NOVEMBER 1976.....

RM74/30574

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INGLIS

v.

MOORE & ORS.

ORDER

Appeal dismissed with costs.

INGLIS

v.

MOORE & ORS.

JUDGMENT

BARWICK C.J.

ORAL

INGLIS

v.

MOORE & ORS.

Mr. Justice Mason ordered that the plaintiff's action be stayed on the ground that its initiation and prosecution were vexatious and oppressive and constituted an abuse of the process of this Court. The plaintiff has appealed against this order. We have heard her various submissions but I have heard nothing to cause me to doubt that the making of that order by his Honour was correct. Indeed, I have become convinced that his Honour was well justified in staying the action. The substantial difference between the action in the Supreme Court and this action is that in the latter declarations are sought that crimes under the Crimes Act, 1914 as amended (Cth) have been committed and illegal acts and unconstitutional acts done and additional parties suitable to those declarations have been added.

The plaintiff has disclosed here what has been her purpose in seeking the declarations. That purpose underlines the vexatious nature of the proceedings. For that conclusion I do not need to express my opinion as to whether this Court should make any such declarations. It is sufficient to say that in my opinion this appeal should be dismissed.

INGLIS

v.

MOORE AND OTHERS

JUDGMENT

(ORAL)

STEPHEN J.

INGLIS

v.

MOORE AND OTHERS

I agree and am also in full agreement with the reasons for judgment of Mr. Justice Mason, from which this appeal is brought.

INGLIS

v.

MOORE AND OTHERS

JUDGMENT
(ORAL)

JACOBS J.

INGLIS

v.

MOORE AND OTHERS

I agree.

INGLIS

v.

MOORE AND ORS.

ORAL
JUDGMENT

AICKIN J.

INGLIS

v.

MOORE AND ORS.

I agree.