

IN THE HIGH COURT OF AUSTRALIA

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Office of the Registry  
Sydney No S110 of 2001

Between -

JOHN WILSON

-

Applicant

and

STATE OF NEW SOUTH WALES

-

Respondent

Application for expedition

GLEESON CJ

-

(In Chambers)

TRANSCRIPT OF PROCEEDINGS

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AT SYDNEY ON THURSDAY, 20 SEPTEMBER 2001, AT 10.19 AM

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MR J. WILSON appeared in person.

MS V.A. HARTSTEIN: May it please the Court, I appear for the respondent to the application. (instructed by Crown Solicitor for New South Wales)

**HIS HONOUR**: Mr Wilson, you are applying for - - -?

**MR WILSON**: Expedition.

**HIS HONOUR**: Expedition of your application for special leave to appeal. What is your attitude to this, Ms Hartstein?

**MR HARTSTEIN**: I do not wish to be heard against it.

**HIS HONOUR:** All right. You do not wish to oppose it.

**MR WILSON:** I did not hear.

**HIS HONOUR:** You are pushing at an open door.

**MR WILSON:** Pushing an open door.

**HIS HONOUR:** Your application is not opposed.

**MR WILSON:** Okay.

**HIS HONOUR:** I have read the papers in support of your application

**MR WILSON:** In fact, what I suggest is that there is a High Court ruling, but only a ruling

**HIS HONOUR:** Your application is not opposed.

**MR WILSON:** Yes, but I want you to institute rule 5 Order 36, which says that you can direct a trial with a jury at any time.

**HIS HONOUR:** No. This is an application for expedition of the hearing of an application for special leave to appeal.

**MR WILSON:** That is right.

**HIS HONOUR:** Your application for expedition is not opposed. I have read the papers and made myself familiar with the history of the matter and,

in the circumstances, I am prepared to accede to your application for expedition. Accordingly, I will make the order you seek.

The order I make is that the application for special leave to appeal in this matter is to be expedited. I will direct that it be listed for hearing on Friday, 23 November. Costs of the application for expedition are to be costs in the application for special leave to appeal.

**MR WILSON:** Could you say that again?

**HIS HONOUR:** Costs of the application for expedition are to be costs in the application for special leave to appeal. I certify for the attendance of counsel in chambers. Thank you.

**MR WILSON:** Could I also ask the Court to administer justice in so far as the original misdemeanor by

**HIS HONOUR:** That is a matter that can be dealt with by the Court when it is properly constituted. I am sitting here as a single Justice of the Court in chambers dealing with an application for expedition and I have just dealt with it in your favour.

**MR WILSON:** Yes, but not to the full extent; only partly.

**HIS HONOUR:** I have dealt with the application for expedition, which is now concluded.

**AT 10.23 AM THE MATTER WAS CONCLUDED**