



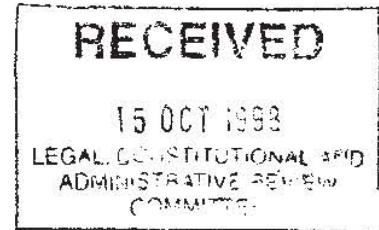
CHAMBERS OF THE CHIEF JUSTICE
SUPREME COURT
BRISBANE

FROM CHIEF JUSTICE PAUL de JERSEY

13 October 1998

Our Ref: 1:192

Mr Garry Fenlon MLA
Chair
Legal, Constitutional and Administrative Review Committee
Parliament House
George Street
BRISBANE QUEENSLAND 4000



Dear Mr Fenlon

Inquiry into Issues of Electoral Reform
Raised in the Mansfield Decision

The only matter I wish to raise in response to your letter of 2 October 1998 inviting submissions concerns the possibility of appeal from determinations of the Court of Disputed Returns. This is the matter to which Mr Justice Mackenzie refers in para 155 of his judgments.

The Judges of the Supreme Court recently gave some consideration to this issue, although I stress not in the context of any particular inquiry or case. As a matter of general principle, the Judges were of the view that there should be a right of appeal limited to matters of law from determinations of the Court of Disputed Returns. I surmise that the need for expeditious resolution in this arena may have prompted the removal of even limited avenue for appeal from previous legislation. It is, these days, possible to convene a Court of Appeal without delay, and acknowledging the sometimes momentous significance of the determinations of the Court of Disputed Returns, it does seem desirable that a right of appeal, so limited, be introduced.

Because of the sensitivity of these matters generally, I would prefer that, at least at this stage, this submission be kept confidential.

Yours sincerely

A handwritten signature in cursive script that reads "Paul de Jersey".

Hon Justice P de Jersey
Chief Justice



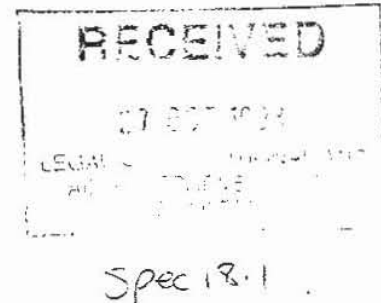
FROM CHIEF JUSTICE PAUL de JERSEY

CHAMBERS OF THE CHIEF JUSTICE
SUPREME COURT
BRISBANE

23 October 1998

Our Ref: 1:192

Mr Gary Fenlon MLA
Chair
Legal, Constitutional and Administrative Review Committee
Legislative Assembly of Queensland
Parliament House
George Street
BRISBANE QUEENSLAND 4000



Dear Mr Fenlon

**Inquiry into Issues of Electoral Reform
Raised in the Mansfield Decision**

With relation to your letter dated 19 October 1998, and noting your comments, I confirm that I have no objection to your making our earlier submission public.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Paul de Jersey'.

Hon Justice P de Jersey
Chief Justice