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Thu, 31 Mar, 2:34 pm

Hi David - is the SG appearing in court today? Sorry for left field Q

Yes sorry I understand there's Estimates questions. Sorry for not letting you know earlier. Fast moving since last night. AG urgently decided to remove into the High Court a NSW liberal preselection case. SG appeared at mention today. I'm out of office now but will ask s 47F and s 47F to fill you in.

Many thanks

Delivered



iMessage





**From:** s 47F  
**To:** s 47F  
**Subject:** FW: Hearing report - Camenzuli v Morrison & Ors - High Court of Australia [AGSDMS-DMS.FID4610414]  
 [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]  
**Date:** Tuesday, 12 April 2022 4:59:56 PM

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**From:** s 47F  
**Sent:** Thursday, 31 March 2022 6:01 PM  
**To:** Gartmann, Petra <Petra.Gartmann@pmc.gov.au>  
**Cc:** Lewis, David <David.Lewis@ag.gov.au>; s 47F  
 s 47F  
**Subject:** FW: Hearing report - Camenzuli v Morrison & Ors - High Court of Australia [AGSDMS-DMS.FID4610414] [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]

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Hi Petra

Below is AGS's report on the hearing in the above proceedings today. The matter was removed into the High Court on the Attorney's application (as of right) and then remitted to the NSW Court of Appeal. The NSW Court of Appeal is expected to hear the matter at 10:15am tomorrow.

Also, here are the brief talking points we provided to the AGO this afternoon:

- On Wednesday 30 March my Office received a copy of a notice issued under s 78B of the Judiciary Act 1903 that the matter of *Camenzuli v Morrison* in the NSW Court of Appeal raised a constitutional issue.
- Notices are required to be issued under s 78B of the Act when a constitutional issue is raised in court proceedings and are required by the Act to be sent to all Attorneys-General.
- I considered the notice and determined that the matter raised constitutional issues of sufficient significance to warrant applying to the Court to have the matter removed into the High Court.
- Today, the High Court made the order removing the matter and then remitted the matter to the NSW Court of Appeal in light of considerations of urgency, efficiency, and utility.

Regards

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A/g Special Adviser  
 Office of Constitutional Law  
 Attorney-General's Department

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