



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 24 Apr 2024 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

Details of Filing

File Number: S39/2024
File Title: State of New South Wales v. Wojciechowska & Ors
Registry: Sydney
Document filed: Form 27B - Appellant's chronology
Filing party: Appellant
Date filed: 24 Apr 2024

Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY

No. S39 of 2024

BETWEEN:

State of New South Wales
Appellant

and

Paulina Wojciechowska
First Respondent

Registrar of NSW Civil and Administrative Tribunal
Second Respondent

Commissioner of Police NSW Police Force
Third Respondent

Secretary of NSW Department of Communities and Justice
Fourth Respondent

Registrar of District Court of New South Wales
Fifth Respondent

APPELLANT'S CHRONOLOGY

Part I: Internet publication

This chronology is in a form suitable for publication on the internet.

Part II: Chronology of principal events

	Date	Event	Reference
1	2018	Officers of the NSW Police Force attended a property belonging to Ms Wojciechowska	J [2], CAB 74
2	Nov 2018	Ms Wojciechowska relocated to Tasmania	J [3], CAB 74
3	Dec 2019	Ms Wojciechowska commenced Tribunal proceeding 2019/382033 against the third	J [17], CAB 78

	Date	Event	Reference
		respondent (Commissioner), seeking review of the conduct of NSW Police pursuant to s 55 of the PPIP Act, and alleging breach of s 16 of the PPIP Act	
4	Late 2020	Ms Wojciechowska filed interlocutory applications in Tribunal proceeding 2019/382033 seeking that the Tribunal decline to exercise jurisdiction	J [18], CAB 78
5	12 Mar 2021	Tribunal found it has jurisdiction to hear proceeding 2019/382033 and published <i>EFB v Commissioner of Police, NSW Police Force</i> [2021] NSWCATAD 55	J [18], CAB 78; CAB 5-21
6	10 May 2021	Ms Wojciechowska commenced Tribunal proceeding 2021/129993 against the fourth respondent (Secretary), seeking review of a decision made by the Secretary relating to an access application under the GIPA Act	J [8], CAB 75
7	Sep 2021	Ms Wojciechowska commenced proceedings in tort against the appellant and third respondent in the District Court	J [20], CAB 79
8	Sep 2021	Commissioner decided to refuse to deal with Ms Wojciechowska's access application under s 60(1)(b) of the GIPA Act	J [26], CAB 80
9	Sep 2021	Ms Wojciechowska raised a preliminary issue in proceeding 2021/129993, challenging the Tribunal's jurisdiction to determine her application	J [10], CAB 76
10	Oct 2021	Tribunal dismissed jurisdictional challenge and application for review in proceeding 2021/129993; published <i>Wojciechowska v Secretary, Department of Communities and Justice</i> [2021] NSWCATAD 298.	J [11], CAB 77
11	Oct 2021	Ms Wojciechowska filed an amended statement of claim in the District Court, seeking leave to make application the subject of Tribunal proceeding 2019/382033 in the District Court instead	J [20], CAB 79

	Date	Event	Reference
12	Nov 2021	Ms Wojciechowska filed an appeal to the Appeal Panel of the Tribunal from the decision in proceeding 2021/129993. The appeal was given proceeding number 2021/322248	J [8], CAB 75; J [12], CAB 77
13	Nov 2021	Ms Wojciechowska commenced Tribunal proceeding 2021/333475 against the Commissioner, seeking review of the September 2021 decision refusing to deal with her access application under the GIPA Act	J [23], CAB 79
14	Mar 2022	Tribunal declined in proceeding 2021/333475 to refer the question of whether the Tribunal's power under s 100 of the GIPA Act is administrative or judicial in nature to the Supreme Court	J [24], CAB 79
15	22 Mar 2022	Tribunal made procedural orders in proceeding 2019/382033 and published <i>EFB v Commissioner of Police</i> [2022] NSWCATAD 99	J [19], CAB 79; CAB 22-38
16	Apr 2022	In proceeding 2021/333475, the Tribunal remitted the access decision to the Commissioner for reconsideration	J [25], CAB 80
17	Apr 2022	Ms Wojciechowska commenced Tribunal proceeding 2022/123205 against the Secretary, seeking review of a decision made by the Secretary relating to an access application under the GIPA Act	J [28], CAB 80
18	29 May 2022	Ms Wojciechowska commenced proceeding 2022/155046 in the Equity Division of the Supreme Court of NSW, seeking to challenge the Tribunal's jurisdiction to determine proceedings 2019/382033, 2021/333475 and 2022/123205	N/A
19	Jun 2022	Tribunal stayed proceeding 2021/333475	J [25], CAB 80

	Date	Event	Reference
20	Jun 2022	Ms Wojciechowska commenced Tribunal proceeding 2022/194626 against the Commissioner, seeking review of the conduct of NSW Police pursuant to s 55 of the PPIP Act, alleging breach of ss 8-14 and 16-18 of the PPIP Act, and seeking damages under s 55(2)(a)	J [29], CAB 81
21	12 Jul 2022	Appeal Panel of the Tribunal ordered that proceeding 2021/322248 be stayed pending the determination of proceeding 2022/155046 in the Supreme Court of NSW	J [12], CAB 77
22	26 Jul 2022	Ms Wojciechowska filed an amended summons in proceeding 2022/155046 in the Supreme Court of NSW. This included, among other amendments, the addition of proceeding 2022/194626 to the proceedings which Ms Wojciechowska contended the Tribunal had no jurisdiction to determine	J [31], CAB 82; CAB 50-52
23	15 Aug 2022	Proceeding 2022/155046 was transferred to the Common Law Division of the Supreme Court of NSW	N/A
24	30 Sep 2022	Tribunal determined that it would take no action in proceeding 2022/194626	J [30], CAB 81; CAB 39, 49
25	4 Oct 2022	Ms Wojciechowska commenced proceeding 2022/295461 in the Court of Appeal, seeking to challenge the Tribunal's and the Appeal Panel's jurisdiction to determine proceedings 2021/129993 and 2021/322248	J [8], CAB 75; J [13], CAB 77
26	14 Feb 2023	Mitchelmore JA made orders removing proceeding 2022/155046 to the Court of Appeal (now proceeding 2023/53137), then remitting the proceeding other than prayer 1 of the amended	J [31], CAB 82

	Date	Event	Reference
		summons to the Common Law Division of the Supreme Court of NSW	
27	24 Apr 2023	Hearing in Court of Appeal proceedings 2023/53137 and 2022/295461	N/A
28	17 Aug 2023	Court of Appeal gave judgment in proceeding 2023/53137	CAB 122
29	17 Aug 2023	Court of Appeal gave judgment in proceeding 2022/295461	N/A
30	17 Aug 2023	Court of Appeal published reasons for judgments: <i>Wojciechowska v Secretary, Department of Communities and Justice; Wojciechowska v Registrar, Civil and Administrative Tribunal</i> [2023] NSWCA 191	CAB 65
31	7 Mar 2024	Special leave to appeal against part of the judgment in proceeding 2023/53137 granted on conditions	CAB 131
32	21 Mar 2024	Appellant filed notice of appeal	CAB 134
33	22 Mar 2024	Appellant gave notice of constitutional matter pursuant to s 78B of the <i>Judiciary Act 1903</i> (Cth)	CAB 138
34	10 Apr 2024	Ms Wojciechowska filed notice of cross-appeal and notice of contention	CAB 142, 150

Date: 24 April 2024



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