
Response to Question on Notice

Australian Federation of Disability Organisations

Exposure Draft of the Human Rights and Anti-Discrimination Bill 2012

Question 1

Page 21 of Hansard – Senator Humphries

Senator HUMPHRIES: When you say they have been deemed to be vexatious but you dispute that definition, do you mean the courts have deemed them to be vexatious?

Ms Hall: No, I do not mean the courts. But certainly other people perceive them as being vexatious. What we want is a fairly strict understanding of what might be a vexatious claim.

Senator HUMPHRIES: But that is what the courts are there to determine. Have you got any examples of where courts have found claims to be vexatious that you would not consider to be vexatious?

Ms Hall: I cannot give you any specific examples at this stage.

Senator HUMPHRIES: You might take that on notice if you like...

Response to the Question on Notice from Senator Humphries:

"We do not have any specific examples of people who have been deemed to be vexatious litigants by the Court. However, people with disability who bring a series of matters are sometimes considered to be "professional litigants". This is certainly not the case".