

between

BUGS BUNNY

Plaintiff

and

DAFFY DUCK

First Defendant

ANATINE ENTERPRISES PTY LTD

Second Defendant

EXAMPLE SUBMISSIONS

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These submissions

1. These submissions are intended to demonstrate the use of Pandoc to compile legal documents and typeset them using \LaTeX or X_{\LaTeX} .
2. This document was compiled using a template which reflects the style customarily used in Western Australia.

Jurisdictional error

3. In *Kirk*,¹ the High Court held that a State Supreme Court's jurisdiction to review administrative decisions for jurisdictional error was constitutionally entrenched.

Judicial determination of *Wednesbury* unreasonableness in Australia has in practice been rare. Nothing in these reasons should be taken as encouragement to greater frequency. This is a rare case [99].

Rescission

2. The power to 'rescind' or 'avoid' a contract may be conferred by a statutory provision, the terms of the contract, or the general law. The law of contract got into a muddle for a long time because of the word 'rescission' and the confusion that

¹*Kirk v Industrial Court (NSW)* [2010] HCA 1 [99] (L L Cool J).

arose in applying it to different kinds of termination.² In some contexts, rescission refers to termination for breach or repudiation.³

3. While a contract which has been terminated (or ‘discharged’) for breach may be described as having ‘come to an end,’ it is more accurate to say that the injured party is absolved from further performance of the contract,⁴ as the contract remains on foot for the purpose of enforcement.⁵

Fundamental aspects of criminal justice

4. The history of Australian law stretches back to England and antiquity. As the last surviving outpost of the trial by jury, the field of criminal law might be thought more antiquated than most. But in *X7 v Australian Crime Commission*, Hayne and Bell JJ observed:

It is ... necessary to exercise some care in identifying what lessons can be drawn from the history of the development of criminal law and procedure. Questions about criminal trial process may be illuminated by reference to historical considerations. But there are some features of criminal trial process which, although now considered to be fundamental, are of relatively recent origin. So, for example, what now are axiomatic principles about the burden and standard of proof in criminal trials were not fully established until, in 1935, *Woolmington v Director of Public Prosecutions* decided that “[t]hroughout the web of the English Criminal Law one golden thread is always to be seen, that it is the duty of the prosecution to prove the prisoner’s guilt.” Any reference to the history of the privilege against self-incrimination, or its place in English criminal trial process, must also recognise that it was not until the last years of the nineteenth century that an accused person became a competent witness at his or her trial [100].

Multi-level lists

5. You can even use Markdown to create what are sometimes called:

- 4.1. multi-level lists; or
- 4.2. outline numbering,

but as you can see, there are some bugs to be worked out!

Dated this 1st day of May 2015

W E COYOTE
Counsel

²*Koompahtoo Local Aboriginal Land Council v Sanpine Pty Ltd* (2007) 233 CLR 115, 118 (Gleeson CJ, in argument).

³*Koompahtoo* [50], [52] (Gleeson CJ, Gummow, Heydon & Crennan JJ); *Heyman v Darwins Ltd* [1942] AC 356, 361–362 (Viscount Simon LC), 379–385 (Lord Wright).

⁴*Heyman*, 399 (Lord Porter); *Shevill v Builders Licensing Board* (1982) 149 CLR 620, 626 (Gibbs CJ).

⁵*Codelfa Construction Pty Ltd v State Rail Authority (NSW)* (1982) 149 CLR 337, 364 (Mason J).