

10 September 2010

The Inspector of Police
c/- Firearms Services
5th Floor, City Police Station
43 Liverpool Street
HOBART TAS 7000

Dear Sir,

KINGSTON BEACH GOLF CLUB WILDLIFE CULL

I acknowledge receipt of your infuriating correspondence of 8 September 2010.

Your assertion that the proposed cull involves "*a significant public safety risk*" is ludicrous and very strongly offensive. It will be contested in the Supreme Court. I am drafting the necessary process. All of your documents will be discoverable and if, as I suspect, it appears that in fact this is policy driven and a calculated deliberate attack on private rights, then separate proceedings will be initiated against you personally, claiming from you damages, including aggravated and exemplary damages, for misfeasance in public office.

Further, there is every reason for the cull to occur without delay. It had already been approved, as I have pointed out to you, by the relevant wildlife authorities.

You are hereby requested, under and pursuant to s.29 of the *Judicial Review Act 2000*, to provide a written statement relating to your decision which complies with the remaining provisions of that Act.

Your attention is drawn to ss.30 and 31.

If you do not comply with this request the issue will also be forced, contemporaneously, in the Supreme Court.

No doubt you will take comfort in the delay inherent in that process, which probably means that I will not obtain relief before the relevant permits expire. That is as may be. The order of the Court will be relied upon in relation to a fresh application to the wildlife authorities. And you can assume that I will do all in my power to force the appeal to a hearing without delay.

Further, what you have done here illustrates why this legislation requires amendment to circumscribe or altogether abolish this rule, which strongly detracts from landowner's rights. That is a matter for the politicians in due course. Clearly the Commissioner's discretion cannot be relied upon.

I will inform the Club of the outcome of this application, which is likely to result in the course becoming unplayable for the next several months, until the cull is undertaken. In other words it will need to be closed, with insolvency the likely result. That is entirely to be laid at your door. The damages for that, if the club pursues the issue, will be very substantial.

Yours faithfully,



A.J. ABBOTT