



[3] Since the decision was handed down, Mr Austin has been appointed to the post of Assistant Crown Counsel based on the recommendations of the authorities at the Attorney-General's Chambers and independently of the Full Court's decision.

[4] Also since the Full Court's decision, the practice of employing people on a temporary basis within the public service, as Mr Austin was, has been discontinued.

[5] Consequently, this appeal is an academic exercise in respect of the Full Court's decision and the cases cited by Mr Austin demonstrate that this court will not embark on an academic exercise unless certain requirements are met, such as, the court's satisfaction that the matter is of some general importance.

[6] This is not a matter of general importance. It turned on a particular set of circumstances and the authorities have available to them a method of preventing another occurrence.

[7] For those reasons, the court will not hear arguments on the merits of the appeal.

[8] The court, therefore, orders as follows:

1. The preliminary objection succeeds.
2. The appeal is dismissed as being solely of academic interest.
2. Costs to the respondent to be agreed or taxed.