

COURT OF APPEAL

**MARGARET McMURDO P
HOLMES JA
PHILIPPIDES JA**

**Appeal No 6642 of 2014
SC No 530 of 2008**

**ATTORNEY-GENERAL FOR THE
STATE OF QUEENSLAND**

Appellant

v

RONALD JAMES DOWNS

Respondent

BRISBANE

FRIDAY, 6 MARCH 2015

JUDGMENT

THE COURT: This appeal purports to be from the order of Ann Lyons J on 20 June 2014 dismissing the appellant's application under s 22 *Dangerous Prisoners (Sexual Offenders) Act* 2003 (Qld) and making auxiliary orders.

At the hearing, the appellant frankly conceded that, in fact, this matter is not an appeal from those orders. The appellant now seeks only an order that this appeal be dismissed but with reasons dealing with the argument raised in the appellant's outline of argument in this Court as to the primary judge's construction of s 22. This amounts to asking this Court for an advisory opinion on an issue which is moot. The Court has no jurisdiction to embark on such an exercise. The appeal should be dismissed. We note the respondent does not seek costs.