

B E T W E E N:

**PLAINTIFF S297/2013**

Plaintiff

and

**MINISTER FOR IMMIGRATION AND  
BORDER PROTECTION**

First defendant

and

**THE COMMONWEALTH OF AUSTRALIA**

Second defendant



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**PLAINTIFF'S CHRONOLOGY**

Date	Event	Reference
19 May 12	• Plaintiff arrived in Australia as an “offshore entry person” and was detained, he has been in immigration detention since	SC [6]
23 Sep 12	• Minister lifted the bar under s 46A and the plaintiff made an application for a protection visa	SC [9]
	• Plaintiff made an application for a protection visa	SC [9]
23 Dec 12	• Then Leader of the Opposition and the Shadow Minister for Immigration and Citizenship issued a joint press release entitled “Government must live within its means: Humanitarian programme”	SC [32]
Jan 13	• Then Opposition released a booklet entitled “Our plan: real solutions for all Australians”	SC [33]
11 Feb 13	• Delegate refused to grant the plaintiff a protection visa	SC [10]

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21 Feb 13	• Plaintiff applied to Refugee Review Tribunal for review of the delegate's decision	SC [11]
17 May 13	• Tribunal remitted plaintiff's matter for reconsideration	SC [12]
01 Jun 13	• Plaintiff became an "unauthorised maritime arrival" by reason of legislative amendments	SC [7]
Aug 13	• Then Opposition released a booklet entitled "The Coalition's policy to clear Labor's 30,000 border failure backlog"	SC [34]
08 Oct 13	• Department made submission SM2013/03183 to the Minister entitled "Transitional arrangements for current permanent Protection visa application"	SC [35]
17 Oct 13	• <i>Migration Amendment (Temporary Protection Visas) Regulation 2013 (Cth) (TPV Regulation)</i> made	SC [16]
18 Oct 13	• <i>TPV Regulation</i> commenced	SC [16]
22 Nov 13	• Minister held a press conference ("Operation Sovereign Borders update")	SC [36]
28 Nov 13	• Department made submission SM2013/03705 to the Minister entitled "Legislative Change to more effectively manage illegal maritime arrivals in the community"	SC [37]
02 Dec 13	• Senate disallowed the whole of the <i>TPV Regulation</i>	SC [17]
	• Minister purported to make a determination under s 85 ( <b>December 2013 determination</b> )	SC [18]
	• Minister issued a media release entitled "Labor fulfils people smugglers' promise by abolishing TPVs"	SC [38]
03 Dec 13	• December 2013 determination registered in the Federal Register of Legislative Instruments	SC [20]
	• Prime Minister and Minister held a press conference ("Operation Sovereign Borders; temporary protection visas; parliamentary sitting calendar; ABC; same sex marriage; a fairer funding agreement for schools; Indonesia")	SC [39]
04 Dec 13	• Department made submission SM2013/03752 to Minister entitled "Proposed amendment to Protection visa Regulations"	SC [40]

	• Minister issued a media release entitled “Government acts swiftly to deny people smugglers’ promise of permanent visas”	SC [41]
	• Minister was interviewed on “7.30” current affairs programme	SC [42]
05 Dec 13	• Minister decided to amend the Migration Regulations to ensure unauthorised arrivals would not be eligible for protection visas	SC [21]
06 Dec 13	• Minister held a press conference (“Operation Sovereign Borders update”)	SC [43]
11 Dec 13	• Department made submission SM2013/03831 to the Minister entitled “Visa options for IMAS and UAAs who cannot be granted protection Visas”	SC [44]
12 Dec 13	• <i>Migration Amendment (Unauthorised Maritime Arrival) Regulation 2013 (Cth) (UMA Regulation)</i> made	SC [22]
13 Dec 13	• Minister held a press conference (“Operation Sovereign Borders update”)	SC [45]
14 Dec 13	• <i>UMA Regulation</i> commenced	SC [22]
17 Dec 13	• Treasurer and Minister for Finance issued the Mid-Year Economic and Fiscal Outlook 2013-2014	SC [31]
18 Dec 13	• Department made submission SM2013/03894 to the Minister entitled “Revoking the cap on the onshore component of the 2013-14 Humanitarian Programme”	SC [46]
19 Dec 13	• Minister revoked the December 2013 determination	SC [23]
	• Revocation of the December 2013 determination registered in the Federal Register of legislative Instrument	SC [24]
20 Dec 13	• Minister issued a media release entitled “Further action to deny permanent visas to illegal arrivals”	SC [47]
	• Minister held a press conference (“Operation Sovereign Borders update”)	SC [48]
27 Dec 13	• Minister issued a media release entitled “First 100 days of Operation Sovereign Borders finishes with no illegal boat arrivals”	SC [49]

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| 15 Jan 14 | <ul style="list-style-type: none"> <li>• Department made submission SM2014/00106 to the Minister entitled “Continuing to achieve the policy objective of no permanent Protection visa grants to IMAS”</li> <li>• Minister held a press conference (“Operation Sovereign Borders update”)</li> </ul>  | SC [50]<br><br>SC [51] |
| 06 Feb 14 | <ul style="list-style-type: none"> <li>• Minister issued a media release entitled “Sri Lanka boat arrivals returned to Colombo”.</li> </ul>  | SC [52]                |
| 04 Mar 14 | <ul style="list-style-type: none"> <li>• Minister purported to make a determination under s 85<br/>(<b>March 2014 determination</b>)</li> <li>• Department made submission SM2014/00554 to the Minister entitled “Capping the Onshore Protection component of the Humanitarian Programme”</li> </ul> | SC [26]<br><br>SC [53] |
| 05 Mar 14 | <ul style="list-style-type: none"> <li>• March 2014 determination registered in the Federal Register of Legislative Instruments</li> </ul>   | SC [27]                |
| 06 Mar 13 | <ul style="list-style-type: none"> <li>• Minister issued a media release entitled “Honouring our promise to provide more resettlement places to offshore humanitarian applicants”</li> </ul>   | SC [54]                |
| 24 Mar 14 | <ul style="list-style-type: none"> <li>• Maximum number of protection visas that may be granted pursuant to the March 2014 determination is reached</li> </ul>   | SC [28]                |
| 27 Mar 14 | <ul style="list-style-type: none"> <li>• Senate disallowed the whole of the <i>UMA Regulation</i></li> <li>• Minister issued a media release entitled “Labor and Greens once again vote to honour people smugglers’ promise”</li> </ul>  | SC [29]<br><br>SC [55] |
| 07 Apr 14 | <ul style="list-style-type: none"> <li>• Minister was interviewed on the “2GB Ray Hadley” current affairs programme</li> </ul>   | SC [56]                |



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