

BETWEEN:

CNY17
Appellant



and

Minister for Immigration and Border Protection
First Respondent

and

Immigration Assessment Authority
Second Respondent

APPELLANT'S CHRONOLOGY

20 **Part I:**

We certify that this chronology is in a form suitable for publication on the internet.

Part II:

Key: CAB = Core Appeal Book; ABFM = Appellant's book of further material)

| Date | Event | Ref. |
|-----------------------|---|---|
| 18 August 2013 | Appellant arrives in Australia. | ABFM 92. |
| 20 March 2015 | Appellant breaks a window whilst in immigration detention (March 2015 Incident), which later leads to him being charged with damaging Commonwealth property. | CAB 84-85 [84], [89], [91]; ABFM 48, 102. |
| 29 September 2015 | Minister lifts the bar in s 46A of the <i>Migration Act 1958</i> (Cth) (the Act), thus permitting the Appellant to apply for a protection visa. | CAB 72 [35], 111 [170]. |
| 8 and 9 November 2015 | Appellant participates in protests at Christmas Island Immigration Detention Centre, following the death of another detainee there (November 2015 Incident). | CAB 84 [86]. |
| 26 February 2016 | Appellant pleads guilty to the charge in relation to the March 2015 Incident. Released on his own recognisance to be of good behaviour, and subject to a reparation order for \$820.60. | CAB 84-85 [89]; ABFM 48. |

| Date | Event | Ref. |
|-----------------------------|---|---|
| 16 September 2016 | Appellant applies for protection visa. | CAB 85 [90]. |
| 14 March 2017 | Delegate of the Minister decides to refuse the application for a protection visa, on the basis that he did not consider the Appellant to have met s 36(2)(a) or (aa) of the Act, and not on the basis of s 5H nor s 36(2C). | CAB 86 [93]. ABFM 125-136. |
| 23 March 2017 (possibly) | Matter is referred to the Immigration Assessment Authority (the Authority). | CAB 87 [100]. |
| 23 March 2017 (possibly) | Secretary provides review material to the Authority, pursuant to s 473CB of the Act. Some of the review material (ABFM 5-67) later found by the Full Court of the Federal Court to have been objectively irrelevant to the Authority's task. | CAB 88 [101]; ABFM 147. CAB 78 [62], 99 [132]. |
| 12 May 2017 | Authority affirms the decision to refuse the Appellant's application for a protection visa. | CAB 5. |
| 9 June 2017 | Appellant applies to Federal Circuit Court of Australia for judicial review. | |
| 8 November 2017 | Federal Circuit Court of Australia dismisses application for judicial review. | CAB 52. |
| 30 November 2017 | Appellant appeals to Federal Court of Australia. | |
| 21 September 2018 | Full Court of the Federal Court dismisses appeal (by majority). | CAB 63. |
| 17 May 2019 | Appellant granted special leave to appeal. | CAB 130. |
| 29 May 2019 | Appellant appeals to High Court of Australia. | CAB 132-133. |

Dated: 5 July 2019



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