



## HIGH COURT OF AUSTRALIA

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#### Details of Filing

File Number: S142/2022  
File Title: Barnett v. Secretary, Department of Communities and Justice  
Registry: Sydney  
Document filed: Form 27B - Appellant's chronology  
Filing party: Appellant  
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#### Important Information

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IN THE HIGH COURT OF AUSTRALIA  
SYDNEY REGISTRY

BETWEEN:

**BARNETT**  
Appellant

and

**SECRETARY, DEPARTMENT OF COMMUNITIES AND JUSTICE**  
Respondent

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### APPELLANT'S CHRONOLOGY

#### Part I: Certification as to publication

1. The appellant certifies that this chronology is in a form suitable for publication on the internet. Identifying information and dates have been anonymised as per the courts below.

#### Part II: List of principal events leading to the litigation

2. References are to paragraphs of the reasons of the Full Court ([2022] FedCFamC1A 20, 'AJ') and the primary judge ([2021] FamCA 439, 'J') and to page numbers of the Core Appeal Book ('CAB') and the Appellant's Further Materials ('AFM').

| No. | Date             | Event                                                                                                                                                                                                                                                                                                                           | Reference                                                                                                             |
|-----|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| 1.  | About 2016       | The father (who was born in Ireland) and the applicant mother (who was born in Australia) met and formed a relationship in Ireland                                                                                                                                                                                              | CAB 11, J [22]                                                                                                        |
| 2.  | 2019             | 'Z' (' <b>the child</b> ') was born (exact date is given in the suppressed reasons)                                                                                                                                                                                                                                             | CAB 11, J [24]                                                                                                        |
| 3.  | 30 August 2020   | The mother left Ireland with the child                                                                                                                                                                                                                                                                                          | CAB 12, J [39]                                                                                                        |
| 4.  | 3 September 2020 | The father initiated a proceeding in the District Court of the City E Metropolitan District (' <b>District Court</b> ') seeking an order for appointment as the guardian of the child pursuant to s 6A, and for custody of the child pursuant to s 11, of the <i>Guardianship of Infants Act 1964</i> (IR) (' <b>the Act</b> ') | CAB 15, J [52]<br>s 6A application:<br>AFM 301<br>s 11 application:<br>AFM 302<br>(Full Court versions: AFM 143, 142) |
| 5.  | 13 October 2020  | The father initiated a further proceeding in the District Court seeking a declaration of guardianship pursuant to s 6F of the Act                                                                                                                                                                                               | CAB 17, J [60]<br>Application:<br>AFM 144                                                                             |
| 6.  | 3 November 2020  | Application under s 6F served on the mother                                                                                                                                                                                                                                                                                     | CAB 17, J [60]                                                                                                        |

|     |                   |                                                                                                                                                     |                                          |
|-----|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| 7.  | 29 October 2020   | The District Court made an order in the sec 6A proceeding appointing the father guardian of the child jointly with the mother                       | CAB 16, J [53];<br>and AFM 147-8         |
| 8.  | 2 November 2020   | The child was granted Australian citizenship                                                                                                        | CAB 52, AJ [11]                          |
| 9.  | 24 November 2020  | The father filed an application with the Irish Central Authority for the return of the child in accordance with the Hague Convention                | CAB 52, AJ [12]                          |
| 10. | 9 December 2020   | The s 6F proceeding was listed for 6 December. It was heard over 6 days, apparently non-consecutive, extending into February 2021.                  | CAB 18, J [66]                           |
| 11. | 16 February 2021  | The State Central Authority filed an application in the Family Court of Australia (as it was then known) seeking the return of the child to Ireland | CAB 12, J [42]<br>Application:<br>AFM 88 |
| 12. | 12 April 2021     | The District Court made an order in the s 6F proceeding                                                                                             | CAB 18, J [70]<br>AFM 277                |
| 13. | 31 May 2021       | Hearing before the primary judge                                                                                                                    | CAB 5                                    |
| 14. | 25 June 2021      | Reasons and orders of the primary judge                                                                                                             | CAB 39                                   |
| 15. | 27 September 2021 | Hearing before the Full Court                                                                                                                       | CAB 48                                   |
| 16. | 18 February 2022  | Reasons and orders of the Full Court                                                                                                                | CAB 65                                   |

Dated 25 November 2022



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