



## HIGH COURT OF AUSTRALIA

### NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 04 May 2021 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

#### Details of Filing

File Number: M1/2021  
File Title: Plaintiff M1/2021 v. Minister for Home Affairs  
Registry: Melbourne  
Document filed: Form 27B - Plaintiff's chronology  
Filing party: Plaintiff  
Date filed: 04 May 2021

#### Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

IN THE HIGH COURT OF AUSTRALIA  
MELBOURNE REGISTRY

BETWEEN:

**PLAINTIFF M1/2021**  
Plaintiff

and

**MINISTER FOR HOME AFFAIRS**  
Defendant

### PLAINTIFF'S CHRONOLOGY

#### 10 Part I: Publication

This chronology is in a form suitable for publication on the internet.

#### Part II: Chronology

<b>Date</b>	<b>Event</b>	<b>Reference</b>
24 December 1986	The plaintiff was born in the Republic of Sudan.	Special Case (SC), [4] (SCB 70); Annexure C to SC (SCB 85)
30 January 2006	The plaintiff was granted a Refugee and Humanitarian (Class XB) visa, subclass 202 (Global Special Humanitarian).	SC, [5] (SCB 70); Annexure A to SC (SCB 76-78)
3 June 2006	The plaintiff entered Australia as the holder of a Refugee and Humanitarian (Class XB) visa, subclass 202 (Global Special Humanitarian).	SC, [6] (SCB 71)
19 September 2017	The plaintiff was convicted in the Dandenong Magistrates' Court of two	SC, [8] (SCB 71)

Date	Event	Reference
	counts of unlawful assault and sentenced to an aggregate term of 12 months' imprisonment.	
27 October 2017	A delegate of the defendant cancelled the plaintiff's visa pursuant to s 501(3A) of the <i>Migration Act 1958</i> (Cth) (the <b>Cancellation Decision</b> ).	SC, [9]-[10] ( <b>SCB 71</b> ); Annexure B to SC ( <b>SCB 80-83</b> )
1 November 2017	The plaintiff received notice of the Cancellation Decision.	SC, [11] ( <b>SCB 71</b> )
26 November 2017	With the assistance of a fellow inmate, the plaintiff made a request for revocation of the Cancellation Decision, and made representations to the defendant about revocation.	SC, [11]-[14] ( <b>SCB 71-72</b> ); Annexure C to SC ( <b>SCB 85-88</b> ); Annexure D to SC ( <b>SCB 90-114</b> )
11 May 2018	The plaintiff made further representations about revocation of the Cancellation Decision.	SC, [14] ( <b>SCB 72</b> ); Annexure E to SC ( <b>SCB 116</b> )
9 August 2018	A delegate of the defendant purported to decide, pursuant to s 501CA(4) of the Migration Act, not to revoke the Cancellation Decision (the <b>Non-Revocation Decision</b> ) and gave reasons (the <b>Reasons</b> ).	SC, [15] ( <b>SCB 72</b> ); Annexure F to SC ( <b>SCB 118-127</b> )
20 August 2018	The plaintiff received the Non-Revocation Decision and Reasons.	SC, [16] ( <b>SCB 72</b> )
14 September 2018	The plaintiff applied for a Protection (Class XA) visa.	SC, [18] ( <b>SCB 72</b> )

<b>Date</b>	<b>Event</b>	<b>Reference</b>
September 2018	The plaintiff completed his custodial sentence and was transferred to immigration detention. He has been in immigration detention since that time.	SC, [20] <b>(SCB 73)</b>
2 September 2020	The plaintiff was transferred to Christmas Island. He has been detained there since that time.	SC, [20] <b>(SCB 73)</b>
21 September 2020	The plaintiff's application for a Protection (Class XA) visa was refused by a delegate of the defendant. The plaintiff received the delegate's reasons for decision on or around this date.	SC, [19] <b>(SCB 72);</b> Annexure G to SC <b>(SCB 129-176)</b>
22 October 2020	The plaintiff first obtained legal advice from Victoria Legal Aid, about options to review or challenge the Non-Revocation Decision.	SC, [21] <b>(SCB 73)</b>
Before 12 November 2020	Victoria Legal Aid referred the matter to Justice Connect.	SC, [22] <b>(SCB 73)</b>
23 November 2020	Justice Connect obtained advice from counsel.	SC, [23] <b>(SCB 73)</b>
1 December 2020	Corrs Chambers Westgarth accepted instructions from Justice Connect to act for the plaintiff on a pro bono basis.	SC, [24] <b>(SCB 73)</b>
14 December 2020	Corrs Chambers Westgarth obtained instructions from the plaintiff.	SC, [25] <b>(SCB 73)</b>
23 December 2020	Corrs Chambers Westgarth obtained instructions from the plaintiff.	SC, [25] <b>(SCB 73)</b>
24 December 2020	The plaintiff attempted to file an application for constitutional writs in	SC, [26] <b>(SCB 73)</b>

<b>Date</b>	<b>Event</b>	<b>Reference</b>
	respect of the Non-Revocation Decision (the <b>Application</b> ), but it was not accepted for filing.	
5 January 2021	The plaintiff filed the Application.	SC, [27] <b>(SCB 73);</b> <b>SCB 4-39</b>
9 February 2021	The defendant filed a response.	<b>SCB 40-59</b>
16 February 2021	The plaintiff filed a reply.	<b>SCB 60-65</b>
30 March 2021	The matter came before Gordon J, who referred the matter to a Full Court subject to the parties agreeing a Special Case.	<b>SCB 67-68</b>
13 April 2021	The plaintiff filed a Special Case.	
27 April 2021	The matter came before Gordon J for directions.	
28 April 2021	The plaintiff filed a Special Case (amended).	<b>SCB 69-176</b>

**Dated:** 4 May 2021



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