



## HIGH COURT OF AUSTRALIA

### NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 28 Oct 2020 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: S169/2020  
File Title: DQU16 & Ors v. Minister for Home Affairs & Anor  
Registry: Sydney  
Document filed: Form 27B - Appellant's chronology  
Filing party: Appellants  
Date filed: 28 Oct 2020

#### 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  
SYDNEY REGISTRY

No. S169 of 2020

BETWEEN:

DQU16  
First Appellant  
DQV16  
Second Appellant  
DQW16  
Third Appellant

10

and

MINISTER FOR HOME AFFAIRS  
First Respondent  
IMMIGRATION ASSESSMENT AUTHORITY  
Second Respondent

**APPELLANTS' CHRONOLOGY**

**Part I:** The appellants' chronology is in a form suitable for publication on the internet.

20

**Part II:** List of principal events

| <b>Date</b> | <b>Event</b>   | <b>Core Appeal Book ref</b>                   |
|-------------|--|---|
| 1980        | First appellant born   |   |
| 1986        | Second appellant born  |   |
| 01-02-10    | First appellant operated an illegal alcohol selling business in an Iraqi city until July 2012  | CAB Tab 1, at 8.20<br>Authority decision [13] |
| 2012        | First appellant discovered that Mahdi Army ( <b>JAM</b> ) was planning to kill him because of his work as an alcohol seller. Following these incidents, he left his home city and hid in Baghdad for about a month | CAB Tab 1, at 7.10<br>Authority decision [9]  |

| <b>Date</b>  | <b>Event</b>  | <b>Core Appeal Book ref</b>   |
|--------------|---|---|
| 22-07-12     | First and second appellant formally married   | CAB Tab 1, at 10.30<br>Authority decision [27]  |
| 25-07-12     | First and second appellants left Iraq   | CAB Tab 1, at 10.20<br>Authority decision [25]  |
| 23-08-12     | First and Second Appellants entered Australia as “unauthorised maritime arrivals”   | CAB Tab 3, at 31.10<br>FCC judgment [3]   |
| 24-08-12     | The first appellant participated in an “entry interview” with the Minister’s delegate   | CAB Tab 1, at 11.20:<br>Authority decision [31]   |
| 22-09-12     | The first appellant participated in an “entry interview” with the Minister’s delegate   | CAB Tab 1, at 11.20:<br>Authority decision [31]   |
| 07-11-12     | The first appellant participated in an “entry interview” with the Minister’s delegate   | CAB Tab 1, at 11.20:<br>Authority decision [31];<br>Summary of interview contained in material before Federal Court Exhibit A (pp 1-18) referred to in CAB Tab 10, at 83.20 |
| August 2013  | Third appellant born  |   |
| August 2013  | First appellant made a permanent protection visa application  | CAB Tab 1, at 8.50:<br>Authority decision [13]<br>(footnote 1)  |
| October 2013 | While the first appellant was in Australia, his family home in Iraq was raided by JAM who searched for alcohol, inquired about the first appellant, and threatened his family | CAB Tab 1, at 7.20:<br>Authority decision [9]   |

| Date        | Event   | Core Appeal Book ref  |
|-------------|---|---|
| August 2014 | While the first appellant was in Australia, his family home in Iraq was again raided by JAM who searched for alcohol, inquired about the first appellant, and threatened his family | CAB Tab 1, at 7.20:<br>Authority decision [9]   |
| 21-07-15    | First appellant invited to make a Temporary Protection Visa   | Contained in Exhibit A (pp. 112-118) of material before Federal Court referred to in CAB Tab 10, at 83.20 |
| 31-08-15    | Appellants applied for Temporary Protection Visa  | CAB Tab 3, at 31.20:<br>FCC judgment at [6]   |
| 03-09-15    | Acknowledgement of valid application for Temporary Protection Visa  | CAB Tab 1, at 6.10:<br>Authority decision [1]:  |
| 09-09-16    | Delegate refused to grant protection visas and found the appellants failed to meet the criteria under the <i>Migration Act</i>  | CAB Tab 3, at 31.20;<br>FCC judgment at [6]:  |
| 15-09-16    | Matter referred to the Authority for review   | CAB Tab 3, at 31.30:<br>FCC judgment at [7]   |
| 04-10-16    | The Authority received a submission from first appellant's representative   | CAB Tab 1, at 6.20<br>Authority decision [4]  |
| 02-11-16    | The Authority refused to grant protection visas to the appellants   | CAB Tab 1, at 5.30;<br>Authority decision   |
| 03-08-17    | Federal Circuit Court hearing and ex tempore judgment, Judge Street dismissed the application for review and made formal orders   | CAB Tab 4, at pp. 41ff  |

| <b>Date</b> | <b>Event</b>  | <b>Core Appeal Book ref</b> |
|-------------|---|-----------------------------|
| 07-08-17    | Further Amended Application filed for judicial review in Federal Circuit Court pursuant to orders made 03-08-17 | CAB Tab 2, at pp. 22ff      |
| 28-08-17    | Reasons of Judge Street published   | CAB Tab 3, at pp. 28ff      |
| 14-12-18    | Justice Rangiah granted an extension of time and leave to appeal  | CAB Tab 5, at pp. 41ff      |
| 22-04-20    | Justice Reeves dismissed the appellants' appeal   | CAB Tab 8, at pp. 71ff      |
| 09-09-20    | Justices Gageler and Keane granted special leave  | CAB Tab 11, at pp. 86ff     |

Dated: 28 October 2020



Carol Webster SC  
T: (02) 9224 1550  
carol.webster@stjames.net.au



Ingrid King  
T: (02) 9224 1510  
[king@stjames.net.au](mailto:king@stjames.net.au)



Emily C Graham  
T: (02) 8815 9446  
[egramam@chambers.net.au](mailto:egramam@chambers.net.au)