



## HIGH COURT OF AUSTRALIA

### NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 29 Sep 2023 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: P2/2023  
File Title: Minister for Immigration, Citizenship and Multicultural Affairs  
Registry: Perth  
Document filed: Form 27B - Appellant's chronology  
Filing party: Applicant  
Date filed: 29 Sep 2023

#### 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.

**Form 27B – Appellant’s chronology**

Note: see rule 44.02.3.

P2/2023

IN THE HIGH COURT OF AUSTRALIA

PERTH REGISTRY

BETWEEN: MINISTER FOR IMMIGRATION, CITIZENSHIP  
AND MULTICULTURAL AFFAIRS

Applicant

and

JOSEPH LEON MCQUEEN

Respondent

**MINISTER’S CHRONOLOGY**

**PART I FORM OF CHRONOLOGY**

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

**PART II CHRONOLOGY**

<b>Date</b>	<b>Event</b>	<b>Application book reference</b>
19 September 2019	The Respondent was convicted of, and sentenced for, committing various drug related offences and commences a full time custodial sentence.	46-56
13 November 2019	The Respondent’s Class BB Subclass 155 Five Year Resident Return Visa was mandatorily cancelled pursuant to s 501(3A) of the <i>Migration Act 1958</i> (Cth). The Respondent was notified of that cancellation and invited to make representations to the Minister pursuant to s 501CA(3) of the Act.	57-63
22 November 2019	The Respondent acknowledged receipt of the notice of visa cancellation and made representations requesting that the Minister revoke the cancellation of his visa.	74 -93

<b>Date</b>	<b>Event</b>	<b>Application book reference</b>
3 January 2020	The Minister (through Departmental officers) wrote to the Responding inviting him to comment upon a national criminal history check released November 2019 that had been received by the Department.	236-238
12 January 2020	The Respondent provided comment to the Minister in response to the invitation to comment upon the national criminal history check.	196-201
16 May 2020	The Respondent provided further information to the Minister in support of his request for his visa to be reinstated and sought an update as to whether a decision about that matter had been made.	202-205
10 June 2020	The Minister (through Departmental officers) wrote to the Respondent requesting that he provide a penal certificate and inviting him to comment upon an immigration report and sentence summary, each prepared by the West Australia Department of Justice.	239-241
11 June 2020	The Respondent provided comment to the Minister in response to the invitation to comment upon the immigration report and sentence summary.	207-208
11 June 2020	The Respondent's partner advised the Minister, through Departmental staff, that the Respondent had been found eligible for parole and sought for the Respondent to remain in Australia.	206
12 June 2020	The Respondent entered immigration detention.	266 (at [2])
24 July 2020	The Respondent sought an update as to whether a decision about the reinstatement of his visa had been made.	209
4 August 2020	The Respondent provided further information to the Minister in support of his request for his visa to be reinstated.	213-215
9 August 2020	The Respondent provided further information to the Minister in support of his request for his visa to be reinstated.	210

<b>Date</b>	<b>Event</b>	<b>Application book reference</b>
21 August 2020	The Respondent provided further information to the Minister in support of his request for his visa to be reinstated.	212
21 August 2020	The Respondent's partner wrote to the Minister, through Departmental staff, seeking reinstatement of the Respondent's visa.	216-217
2 September 2020	The Respondent provided further information to the Minister in support of his request for his visa to be reinstated.	218-219
23 September 2020	The Respondent provided further information to the Minister in support of his request for his Visa to be reinstated.	220-224
14 October 2020	The Respondent provided further information to the Minister in support of his request for his Visa to be reinstated.	225
3 November 2020	The Respondent's legal representative wrote to the Minister, through Departmental staff, providing further information in support of the Respondent's request for his visa to be reinstated and seeking that a decision be made as soon as practicable.	226-233
9 December 2020	The Minister (through Departmental officers) wrote to the Respondent inviting him to comment upon a Departmental file note, as provided with the letter.	242-245
15 December 2020	The Respondent provided a statutory declaration responding to matters raised in the Minister's invitation to comment dated 9 December 2020.	246-247
22 February 2021	The Respondent's partner wrote to the Minister, through Departmental staff, seeking reinstatement of the Respondent's visa.	252-253
13 April 2021	The Minister received the Departmental brief concerning the Respondent's request that the cancellation of his visa be revoked.	267 (at [6])

Date	Event	Application book reference
14 April 2021	The Minister decided that he was not satisfied there was another reason to revoke the cancellation of the visa pursuant to s 501CA(4).	21-40
27 April 2021	The Minister wrote to the Respondent giving notice of the Minister's decision made on 14 April 2021.	270 (at [13])
30 April 2021	The Respondent commenced an application for judicial review of the Minister's decision.	
30 September 2021	The Respondent filed a further amended originating application for judicial review.	254-261
23 March 2022	The primary judge set aside the Minister's decision.	262-307
20 April 2022	The Minister appealed from the primary judge's decision.	308-311
22 December 2022	The Full Court dismissed the Minister's appeal.	312-352
10 January 2023	The Minister filed his application for special leave to appeal from the Full Court's judgment.	359-378

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