



## HIGH COURT OF AUSTRALIA

### NOTICE OF FILING

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#### Details of Filing

File Number: S103/2020  
File Title: Minister for Immigration and Border Protection v. Makasa  
Registry: Sydney  
Document filed: Form 27B - Appellant's chronology  
Filing party: Appellant  
Date filed: 30 Jul 2020

#### Important Information

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IN THE HIGH COURT OF AUSTRALIA  
 SYDNEY REGISTRY

No. S103 of 2020

BETWEEN: **Minister for Immigration and Border Protection**  
 Appellant

and

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**Likumbo Makasa**  
 Respondent

### APPELLANT'S CHRONOLOGY

#### Part I: Certification

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

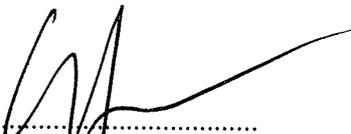
#### Part II

Date	Event	Appeal Book Reference
23 November 2001	The Respondent arrived in Australia	16 [70]
24 July 2005	The Respondent committed <i>common assault</i>	9 [11]
9 November 2005	The Respondent was convicted of three counts of <i>common assault</i>	9 [11]
18 May 2006	The Respondent committed three driving offences	9[13]
31 August 2006	The Respondent committed <i>aggravated sexual assault</i> and three counts of <i>sexual intercourse with a person above the age of 14 years and under the age of 16 years</i>	9[16]- 10[18]
27 September 2007	The Respondent was convicted of the above three driving offences ( <i>negligent driving; drive with high range PCA; and, never licensed person drive vehicle on road</i> )	9[13]
26 October 2009	The Respondent was convicted of <i>aggravated sexual assault</i>	9 [15]

	and three counts of <i>sexual intercourse with a person above the age of 14 years and under the age of 16 years</i> – sentenced to imprisonment for 2 years	
8 October 2010	Respondent’s conviction for <i>aggravated sexual assault</i> was quashed and convictions for <i>sexual intercourse with a person above the age of 14 years and under the age of 16 years</i> was varied to have commenced on 4 March 2008	10[21]
5 July 2011	Decision of a delegate of the Appellant to cancel Respondent’s visa under s 501(2) of the <i>Migration Act 1958</i> ( <b>Delegate’s decision</b> )	68 [27]
1 August 2011	The Respondent sought review of delegate’s decision in the Administrative Appeals Tribunal ( <b>Tribunal</b> )	
29 January 2013	The Respondent appealed against convictions for <i>sexual intercourse with a person above the age of 14 years and under the age of 16</i>	10[23]
8 November 2013	The Tribunal set aside Delegate’s decision and made a decision not to exercise the power to cancel the respondent’s visa. This was upon remittal from the Full Court of the Federal Court of Australia, which had made orders on 2 April 2012 setting aside a prior decision of the Tribunal, which had been adverse to the Respondent.	28 [4]
14 August 2015	Respondent’s appeal against convictions for <i>sexual intercourse with a person above the age of 14 years and under the age of 16 years</i> dismissed	10[23]
24 January 2017	Respondent convicted of <i>fail to comply with reporting obligations</i> and fined \$300	68 [28]
3 May 2017	Respondent convicted of <i>drive with middle range PCA – 1st offence</i> and fined \$1,200 and disqualified from driving for 12 months.	68 [28]
18 October 2017	Decision of the Appellant to cancel Respondent’s visa under s 501(2) of the <i>Migration Act 1958</i> (Cth) ( <b>Cancellation Decision</b> )	6
21 November 2017	Respondent filed originating application for judicial review of the Cancellation Decision in the Federal Court of Australia	29 [8]
31 October 2018	Orders and judgment of the Federal Court of Australia dismissing the application	47, 24

19 November 2018	Respondent filed notice of appeal to the Full Court of the Federal Court of Australia	50
24 December 2019	Orders of the Full Court of the Federal Court of Australia allowing the appeal	78
28 February 2020	The Full Court of the Federal Court of Australia published its judgment and pronounces further orders	81, 57
19 March 2020	The Appellant applied for special leave to appeal	
12 June 2020	The High Court of Australia (Gordon and Edelman JJ) granted special leave to appeal	89
24 June 2020	The Appellant filed notice of appeal to the High Court of Australia	92
6 July 2020	The Respondent filed a notice of contention	96

Dated: 30 July 2020

  
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