

BETWEEN:

PLAINTIFF S4/2014

Plaintiff

and

**MINISTER FOR IMMIGRATION AND
BORDER PROTECTION**

First defendant

**THE COMMONWEALTH OF
AUSTRALIA**

Second defendant



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PLAINTIFF'S CHRONOLOGY

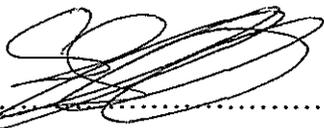
Date	Event	Reference
2008 - 2011	The Minister for Immigration and Citizenship established and implemented the Refugee Status Assessment and Independent Merits Review processes.	SC [9]
07 Jan 11	The Minister for Immigration and Citizenship announced the establishment of an administrative process, called the "Protection Obligations Determination" (POD) process, for the assessment of claims by offshore entry persons that Australia owed them protection obligations.	SC [10]
01 Mar 11	The POD process commenced.	SC [12]
13 Dec 11	Plaintiff arrived in Australia as an "offshore entry person" and was detained.	SC [6]
14 Dec 11	Plaintiff interviewed by a departmental officer, claiming that he feared persecution in Myanmar due to his Rohingya ethnicity.	SC [15]
28 Feb 12	Plaintiff prepared and lodged a request for a POD.	SC [16]

Dated: 3 June 2014

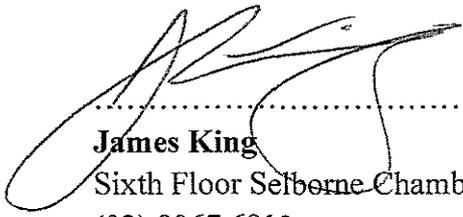
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13 Apr 12	The departmental officer who conducted the plaintiff's Protection Obligations Evaluation (POE) was satisfied that the plaintiff was a person to whom Australia owed protection obligations.	SC [17]
	A departmental officer wrote to the plaintiff, stating that the officer was satisfied that the plaintiff was a person to whom Australia owed protection obligations.	SC [18]
18 Apr 12	Plaintiff's case referred to ASIO for security assessment.	SC [19]
06 Jan 14	The plaintiff commenced this proceeding.	
21 Jan 14	The department received advice that a non-prejudicial (clear) security assessment had been furnished and that the security assessment process was finalised with respect to the plaintiff.	SC [20]
04 Feb 14	The department made submission SM2014/00309 to the Minister entitled "Managing the legacy caseloads of UMAs", and submission SM2014/00311 entitled "Ministerial intervention under section 195A – Unauthorised Maritime Arrival".	SC [21] SC [22]
	The Minister exercised power under s 195A(2) to grant a Temporary Safe Haven (Class UJ subclass 449) visa and a Temporary (Humanitarian Concern) (Class UO subclass 786) visa to the plaintiff.	SC [23]
14 Feb 14	The plaintiff made an application for a Protection (Class XA) visa.	SC [29]
17 Feb 14	The solicitors for the defendants wrote to the solicitors for the plaintiff to the effect that the Minister does not consider the plaintiff's visa application to be valid.	SC [32]
01 Jun 13	Plaintiff became an "unauthorised maritime arrival" by reason of legislative amendments.	SC [7]
12 Dec 13	<i>Migration Amendment (Unauthorised Maritime Arrival) Regulation 2013 (Cth) (UMA Regulation) made.</i>	
14 Dec 13	<i>UMA Regulation commenced.</i>	
27 Mar 14	Senate disallowed the <i>UMA Regulation</i> .	SC [29]


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