



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

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Details of Filing

File Number: M29/2020
File Title: Minister for Home Affairs & Anor v. FRX17 as litigation repr
Registry: Melbourne
Document filed: Form 27B - Appellant's chronology
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Important Information

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**IN THE HIGH COURT OF AUSTRALIA
MELBOURNE REGISTRY**

**ON APPEAL FROM
THE FULL COURT OF THE FEDERAL COURT OF AUSTRALIA**

BETWEEN: **MINISTER FOR HOME AFFAIRS**
First Appellant

COMMONWEALTH OF AUSTRALIA
Second Appellant

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AND: **FRX17 AS LITIGATION
REPRESENTATIVE FOR FRM17**
Respondent

APPELLANTS' CHRONOLOGY

20 **Part 1:**

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

Part 2:

The following acronyms are used in the following table:

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- **CSAG** – Statement of Agreed Facts common to all proceedings (Common Statement of Agreed Facts)
 - **FRM17 SAG** – Statement of Agreed Facts in FRM17
 - **ABFM** – Joint Appellants' Book of Further Material
 - **FC** – Reasons for judgment of the Full Court of the Federal Court

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Date	Event	Reference in evidence
10 Sept 2012	Minister for Immigration and Citizenship designates the Republic of Nauru as a Regional Processing Country under s 198AB(1) of the <i>Migration Act 1958</i> (Cth)	CSAG [1] ABFM 260
2012-present	Commonwealth enters into contract with various entities for the provision of services on Nauru, including for the provision of health services, security services, education services and other	FC [24] CSAG [6]-[7] ABFM 261

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	support services	
25 Jul 2013	FRM17, a minor, and her family arrive on Christmas Island	FC [35] FRM17 SAG [2] ABFM 311
3 Aug 2013	Commonwealth and Nauru sign a Memorandum of Understanding relating to the transfer to and assessment of persons in Nauru	FC [19] CSAG [2] ABFM 261
20 Aug 2013	FRM17 and her family are taken to Nauru by officers of the Commonwealth. On their arrival in Nauru each member of the family is granted a Nauru Regional Processing Visa	FC [35] FRM17 SAG [3]- [4] ABFM 311
11 Apr 2014	Commonwealth Secretary of the Department of Immigration and Border Protection and the Nauruan Secretary of the Department of Justice and Border Control sign “Administrative Arrangements for Regional Processing and Settlement Arrangements in Nauru”	FC [22] CSAG [5] ABFM 261
22 Sept 2014	FRM17 and her family are determined to be refugees by the Nauruan government	FC [36] FRM17 SAG [6] ABFM 312
20 Oct 2014	FRM17 and her family begin residing in the Nauruan community	FC [36] FRM17 SAG [7] ABFM 312
20 Dec 2017	FRM17 by her litigation representative commences proceedings in the Federal Court, by filing an originating application, application for urgent interlocutory relief and affidavits	FC [39] FRM17 SAG [16] ABFM 312

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	22 Dec 2017	Murphy J of the Federal Court makes interlocutory orders that the appellants “place the [respondent] in a specialist child mental health facility with comprehensive tertiary level child psychiatric assessment”	FC [39] FRM17 SAG [18] ABFM 313
10	24 Dec 2017	FRM17 and her mother and sister arrive in Australia having been brought by the Commonwealth from Nauru under s 198B	FC [40], [255] FRM17 SAG [19] ABFM 313
	9 Feb 2018	Murphy J gives reasons for judgment in relation to FRM17’s interlocutory application: (2018) 262 FCR 1	FRM17 SAG [21] ABFM 313
20	24 Dec 2018	The appellants file an interlocutory application seeking for the originating application to be set aside for want of jurisdiction	FRM17 SAG [22] ABFM 313
30	1 Mar 2019	Griffiths J of the Federal Court orders that questions in this matter, and the related matters, be heard separately from other questions. The matter is to be heard by a Full Court of the Federal Court	
	6 Mar 2019	FRM17 files a Further Amended Statement of Claim	FC [42] FRM17 SAG [20] ABFM 313
40	20 Mar 2019	The appellants file an Amended Defence	FC [43] FRM17 SAG [23] ABFM 313
	7-8 May 2019	Hearing on the separate questions takes place before the Full Court	
50	28 August 2019	Judgment on the separate questions is given by the Full Court	Core Appeal Book, p 5

20 March 2020	Special leave to appeal granted by Kiefel CJ and Nettle J	Core Appeal Book, p 126
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Dated: 8 May 2020



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