

IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY

No S169 of 2014

BETWEEN

10

CPCF
Plaintiff

and



**MINISTER FOR IMMIGRATION AND
BORDER PROTECTION**
First Defendant

20

and

THE COMMONWEALTH OF AUSTRALIA
Second Defendant

ANNOTATED
PLAINTIFF'S CHRONOLOGY

Part I:

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

30 **Part II:**

DATE	EVENT	SPECIAL CASE BOOK REF
13 June 2014	The Plaintiff was a passenger on an Indian flagged vessel (the "Vessel"), which left Pondicherry, Republic of India for its intended destination of Australia.	57 [4]-[5]
29 June 2014	The Vessel was intercepted by an Australian border protection vessel ("Commonwealth ship"), following which maritime officers from the Commonwealth ship boarded the Vessel,	58-59 [12]-[13]

Date of document: 11 September 2014

Filed on behalf of the Plaintiff by:

SHINE LAWYERS

Level 9

299 Elizabeth Street

Sydney NSW 2000

Contact: George Newhouse

T: 02 8754 7222

F: 02 9267 5650

Email: gnewhouse@shine.com.au

DATE	EVENT	SPECIAL CASE BOOK REF
	detained the persons on board and placed them on the Commonwealth ship.	
1 July 2014	The National Security Committee of Cabinet decided that the Plaintiff and the other persons on the Vessel should be taken to India.	60 [16]
1 – 10 July 2014	The Commonwealth ship travelled towards India and maritime officers continued to detain the Plaintiff and the other persons from the Vessel on the Commonwealth ship.	60 [20(a)]
7 July 2014	A Writ of Summons was filed in the High Court of Australia by a person on the Vessel, representing a class which included the Plaintiff. The High Court (Crennan J) granted an interim interlocutory injunction restraining the surrender of the class to the government of Sri Lanka.	
10 – 22 July 2014	The Commonwealth ship was near India and maritime officers continued to detain the Plaintiff and the other persons from the Vessel on the Commonwealth ship.	60-61 [20(b)]
18 – 21 July 2014	The Commonwealth ship travelled and took other steps for re-provisioning	61 [20(c)]
23 July 2014	The First Defendant decided that it was not practicable to complete the process of taking the Plaintiff and the other persons from the Vessel to India within a reasonable period of time and that those persons should be taken to the Territory of the Cocos (Keeling) Islands.	61 [21]
23 – 27 July 2014	Maritime officers on the Commonwealth ship took the Plaintiff (and the other persons from the Vessel) to the Territory of the Cocos (Keeling) Islands and, during the voyage, continued to detain the Plaintiff (and the other persons from the Vessel) on the Commonwealth ship.	61 [22]
24 July 2014	Justice Hayne stated a case for the consideration of the Full Court.	
27 July 2014	The Plaintiff and the other persons from the Vessel were taken to a place in the Territory of the Cocos (Keeling) Islands and were detained by officers under s 189(3) of the <i>Migration Act</i> 1958 (Cth).	61 [23]

DATE	EVENT	SPECIAL CASE BOOK REF
28 July 2014	Justice Hayne vacated the order referring the case stated to the Full Court.	
29 July 2014	Amended Writ of Summons and Amended Statement of Claim filed.	4
13 August 2014	Second Further Amended Defence filed.	31
14 August 2014	Amended Reply filed	50
25 August 2014	Special Case filed	56

DATED: 11 September 2014



Ron Merkel QC
Craig Lenehan
Jay Williams
David Hume
Rachel Mansted

Counsel for the plaintiff