



**IN THE FEDERAL CIRCUIT and
FAMILY COURT OF AUSTRALIA (DIVISION 2)
AT SYDNEY**

File No: SYG839/2022

CAU22
Applicant

**MINISTER FOR IMMIGRATION, CITIZENSHIP, AND MULTICULTURAL
AFFAIRS**
Respondent
ADMINISTRATIVE APPEALS TRIBUNAL
Second Respondent

ORDER

BEFORE: JUDGE LAING
DATE: 15 September 2022
MADE AT: SYDNEY

BY CONSENT, THE COURT ORDERS THAT:

1. The name of the First Respondent be amended to 'Minister for Immigration, Citizenship and Multicultural Affairs'.
2. A writ of certiorari issue directed to the Second Respondent quashing its decision dated 8 February 2022 (AAT file reference: 2113037).
3. A writ of mandamus issue directed to the Second Respondent requiring it to review the decision of a delegate of the First Respondent dated 26 August 2019 according to law.
4. The First respondent to pay the Applicant's costs of the application fixed in the sum of \$6,500.
5. The hearing listed on 21 September 2022 be vacated.




THE COURT NOTES THAT:

The First Respondent accepts that the decision of the Second Respondent is affected by jurisdictional error because it failed, at paragraph [51] of its decision record, to meaningfully engage with the Applicant's protection claims. This error caused the Second Respondent to fail to properly perform a statutory task imposed upon it by the *Migration Act 1958* (Cth).

By the Court

DATE ENTERED: 15 September 2022



Registrar