

## Curriculum Vitae

### Jon Papalia

John Toohey Chambers, Level 3 Citibank House  
37 St Georges Terrace, Perth WA 6000

#### Admission

Supreme Court of Western Australia 2016

High Court of Australia 2018

#### Selected appearances

##### Administrative Appeals Tribunal

*Re WPDS and Minister for Immigration, Citizenship and Multicultural Affairs* [2023] AATA 3797 – unled, for the respondent.

Review of a decision not to revoke the mandatory cancellation of a visa – validity of application filed prior to deemed notification.

*Re XFKR and Minister for Immigration, Citizenship and Multicultural Affairs* [2023] AATA 95 – unled, for the respondent.

Review of a decision to refuse a protection visa because of s 36(1C) exclusion.

*Re Uwangabe and Minister for Immigration, Citizenship and Multicultural Affairs* (Citizenship) [2022] AATA 4118 – unled, for the respondent.

Review of a decision to refuse conferral approval – character and identity.

*Re FYQV and Minister for Immigration, Citizenship and Multicultural Affairs* [2022] AATA 3768 – unled, for the respondent.

Review of a decision to refuse a protection visa on character grounds – concurrent review of related decision – validity of decision after statutory amendment requiring prior decision.

*Re Allen and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* (2020) 82 AAR 338 – unled, for the respondent.

Review of a decision not to revoke the mandatory cancellation of a visa – role of the Tribunal to conduct merits review – leading questions – weight to be given to an expert opinion where not briefed properly.

##### State Administrative Tribunal

*Re Nursing and Midwifery Board of Australia and Cant* [2023] VR 30 – unled, for the applicant.

Disciplinary proceedings for professional misconduct by a registered nurse – inappropriate relationships – clinical performance.

*Re Medical Board of Australia and Forgione* [2022] WASAT 67- unled, for the applicant.

Disciplinary proceedings for professional misconduct by a medical practitioner – determination of penalty where parties consent but the Tribunal does not agree with the length of a disqualification order.

*Re Medical Board of Australia and Dayananda* [2021] VR 88- unled, for the applicant.

Disciplinary proceedings for professional misconduct by a medical practitioner –inappropriate sexual contact with and unlawful sexual assault of patient – disqualification order – prohibition order.

#### Federal Circuit and Family Court of Australia

*BOF23 v Minister for Immigration, Citizenship and Multicultural Affairs* [2023] FedCFamC2G 530 – unled, for the respondent.

Urgent review of an “AAT Act migration decision” given by the Tribunal President concerning reconstitution.

*APF23 v Minister for Immigration, Citizenship and Multicultural Affairs* [2023] FedCFamC2G 182 – unled, for the respondent.

Application for an injunction to restrain removal from Australia.

*CLF21 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2021] FedCFamC2G 186 – unled, for the respondent.

Judicial review – proper interpretation of s 116(1)(e) of the Migration Act.

*Searle v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2021] FedCFamC2G 94 – unled, for the respondent.

Judicial review – whether relevant matters considered – whether applicant afforded procedural fairness – whether any bias on the part of the Tribunal – Ministerial Discretion.

*AFP21 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2021] FCCA 1322 – unled, for the respondent.

Practice and Procedure – Application for transfer from Perth to Melbourne.

#### Federal Court of Australia

*Kabamba v Administrative Appeals Tribunal* [2024] FCA 514 – unled, for the respondent.

Citizenship – Appeal on a question of law - whether Tribunal failed to take into account relevant considerations – whether Tribunal decision was legally unreasonable.

*MZAPC v Minister for Immigration, Citizenship and Multicultural Affairs* [2023] FCA 877– led by C.I. Taggart, for the respondent.

Application for leave to appeal from interlocutory decision of the Circuit Court – exercise of non-compellable powers - whether leave to appeal required.

*AKW22 v Commonwealth of Australia* [2023] FCA 786 – unled, for the respondent.

Application for habeas corpus and an injunction restraining removal from Australia.