

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

Profile

Jon has a wide-ranging national practice in public and administrative law. He regularly appears in the Administrative Appeals Tribunal, Federal Circuit and Family Court and the Federal Court of Australia, as well as other courts and tribunals.

Jon holds a Bachelor of Laws/Bachelor of Arts from Murdoch University and a Master of Legal Practice (with Merit) from the Australian National University. He joined John Toohey Chambers in January 2024 and was formerly a senior lawyer with the Australian Government Solicitor and the National Offshore Petroleum Safety and Environmental Management Authority. Between 2015 and 2017, Jon was the Associate to the Hon Justice Fiannaca at the Supreme Court of Western Australia.

Jon holds a Negative-Vetting 1 (Secret) security clearance and is happy to travel for inter-state briefs as required.

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 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 in light of 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 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 Pepulani [2021] WASAT 128- unled, for the applicant.

Disciplinary proceedings for professional misconduct by a medical practitioner – determination of penalty where dishonesty in dealing with Ahpra and the Board - penalty determined on the papers .

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.

Federal Court of Australia

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.

CSE18 v Minister for Immigration, Citizenship and Multicultural Affairs [2022] FCA 1211 – unled, for the respondent.

Application for an extension of time to appeal – whether appeal incompetent in any event.