



Federal Court of Australia

District Registry: Queensland Registry

Division: General

No: QUD715/2025

**LZLW**

Applicant

**MINISTER FOR IMMIGRATION AND CITIZENSHIP** and another named in the  
schedule

Respondent

### **ORDER**

**JUDGE:** Justice Meagher

**DATE OF ORDER:** 23 March 2026

**WHERE MADE:** Brisbane

#### **THE COURT ORDERS THAT:**

1. A writ of certiorari issue quashing the decision of the Second Respondent (**Tribunal**) dated 23 September 2025.
2. A writ of mandamus issue directed to the Tribunal, requiring it to determine the Applicant's application for review according to law.
3. The First Respondent (**Minister**) pay the Applicant's costs, as agreed or assessed.

#### **THE COURT NOTES THAT:**

1. The Minister concedes that the Tribunal's decision was affected by jurisdictional error arising on account of two aspects of its decision.
2. *First*, the Tribunal (at [41] and [45] of its reasons) indicated that it would not take into account the so-called "third incident" of family violence (that so-called "incident" being referable to alleged family violence conduct on the Applicant's part which was not the subject of a criminal conviction but could amount to a criminal offence involving assault) – however, the Tribunal did take such an incident/conduct into account at, without limitation, [7], [49] and [50(i)] of its reasons.
3. *Second*, the Tribunal (at [41] and [50(i)] of its reasons) indicated that it was the third incident of family violence that the Applicant had accepted in an earlier Tribunal proceeding – however, that was incorrect because it was the second incident of family violence that the Applicant had accepted in the earlier Tribunal proceeding and did not accept before the Tribunal.



4. In light of the matters set out above, the Minister concedes that the Tribunal fell into jurisdictional error in connection with: (1) the Tribunal's decision being affected by illogicality, irrationality and/or unreasonableness; and/or (2) the Tribunal misunderstanding the evidence before it concerning what family violence conduct the Applicant had accepted in the earlier Tribunal proceeding and what family violence conduct the Applicant had challenged in the proceeding before the Tribunal.

Date orders authenticated: 23 March 2026

*Sia Lagos*  
Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.



**Schedule**

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Second Respondent

ADMINISTRATIVE REVIEW TRIBUNAL