



Federal Court of Australia

District Registry: Queensland Registry

Division: General

No: QUD566/2025

JADE LEVI ROWE

Applicant

MINISTER FOR IMMIGRATION AND CITIZENSHIP and another named in the
schedule

Respondent

ORDER

JUDGE: Justice Longbottom

DATE OF ORDER: 13 May 2026

WHERE MADE: Brisbane

THE COURT NOTES THAT:

A. The First Respondent concedes that the decision of the Second Respondent is affected by jurisdictional error. In particular, the Second Respondent failed to afford procedural fairness to the Applicant by relying upon adverse information concerning the *Returning Offenders (Management and Information) Act 2025* (NZ) when assessing the extent of the impediments the Applicant would face if removed to New Zealand at [139] of its decision, without inviting the Applicant's comment on that information. That error was material.

THE COURT ORDERS BY CONSENT THAT:

1. A writ of certiorari issue directed to the Second Respondent quashing its decision dated 22 August 2025.
2. A writ of mandamus issue directed to the Second Respondent requiring it to determine the application made to it for review of the decision of a delegare of the First Respondent dated 29 May 2025 according to law.
3. The First Respondent pay the Applicant's costs, as agreed or assessed.

Date orders authenticated: 13 May 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