

The Australian Institute of Administrative Law

Invites you to an Online Presentation

Responses to *NZYQ v Minister for Immigration, Citizenship and Multicultural Affairs*: how the use of visa conditions and the threat of removal to Nauru may justify the grant of a protection visa

Presenter: Dr Sverre Gunnensen, Barrister, Victorian Bar

Chair: Perry Q Wood, Managing Partner, Australian Migration Lawyers

Synopsis

A consequence of the High Court of Australia's decision in *NZYQ* was that the Commonwealth was no longer permitted to indefinitely detain some 280 non-citizens and was required to release them into the community (the **NZYQ Cohort**). Upon release, the Commonwealth imposed Bridging R Visas Class WR (**BVRs**) which can contain onerous conditions including curfew and electronic monitoring. However, these onerous conditions are factors that the Minister, and by extension the Administrative Review Tribunal can (and should) consider when deciding whether to grant a protection visa. This webinar will consider *RXJT and Minister for Immigration and Multicultural Affairs (Migration)* [2025] ARTA 691 (in which the presenter appeared on a successful merits review application), the imposition of BVR conditions, and explore how the possibility of removal to Nauru, i.e., through a revived implementation of the early 2000's Pacific Solution, can be a relevant consideration in dealing with applications for protection visas.

Sverre Gunnensen practises in public administrative law, criminal prosecutions, and commercial litigation with a particular focus on technology law. Before being called to the Bar, Sverre was a Senior Lawyer at the Australian Government Solicitor, where he focused on Customs Act prosecutions and general public law matters, including jurisdictional issues in federal litigation. He has also previously worked at Arnold Bloch Leibler, where he gained experience in complex commercial litigation, including cybercrime-related disputes. With a PhD in artificial intelligence and industry experience in technology development, Sverre offers strong expertise in computational intelligence and technology-related disputes, particularly in emerging digital and AI legal issues.

Chair: **Perry Q Wood** is Immediate Past National President of the Australian Institute of Administrative Law and one of Australia's leading administrative and human rights lawyers.

Date: Thursday 28 August 2025

Venue: Online via Zoom

Time: 4.30 pm AEST (4.00pm SA: 2.30pm WA)

Cost: Admission is free for AIAL Members

Please book via the TryBooking link below

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Note: Except in WA, CPD points apply.

WA Practitioners attending should note that this event is not covered by the AIAL WA Chapter's QA Provider accreditation and CPD points will not be accredited by AIAL.

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