

BREAKING: Double-Fault: Visa Revoked Again, Djokovic Faces Deportation

Novak Djokovic faces deportation again after the Australian government revoked his visa for a second time, the latest twist in the ongoing saga over whether the No. 1-ranked tennis player will be allowed to compete in the Australian Open despite being unvaccinated for COVID-19.

Immigration Minister Alex Hawke said Friday he used his ministerial discretion to cancel the 34-year-old Serb's visa on public interest grounds—just three days before play begins at the Australian Open, where Djokovic has won a record nine of his 20 Grand Slam titles.

Djokovic's lawyers were expected to appeal at the Federal Circuit and Family Court, which they already successfully did last week on procedural grounds after his visa was first canceled when he landed at a Melbourne airport.

A hearing was scheduled for Friday night.

Deportation from Australia can lead to a three-year ban on returning to the country, although that may be waived, depending on the circumstances.

Hawke said he canceled the visa on "health and good order grounds, on the basis that it was in the public interest to do so." His statement added that Prime Minister Scott Morrison's government "is firmly committed to protecting Australia's borders, particularly in relation to the COVID-19 pandemic."

Morrison himself welcomed Djokovic's pending deportation. The whole episode has touched a nerve in Australia, and particularly in Victoria state, where locals went through

hundreds of days of lockdowns during the worst of the pandemic and there is a vaccination rate among adults of more than 90%.

Australia is currently facing a massive surge in virus cases driven by the highly transmissible omicron variant. On Friday, the nation reported 130,000 new cases, including nearly 35,000 in Victoria state. Although many infected people aren't getting as sick as they did in previous outbreaks, the surge is still putting severe strain on the health system, with more than 4,400 people hospitalized. It's also causing disruptions to workplaces and supply chains.

"This pandemic has been incredibly difficult for every Australian but we have stuck together and saved lives and livelihoods. ... Australians have made many sacrifices during this pandemic, and they rightly expect the result of those sacrifices to be protected," Morrison said in a statement. "This is what the Minister is doing in taking this action today."

Everyone at the Australian Open—including players, their support teams and spectators—is required to be vaccinated for the illness caused by the coronavirus. Djokovic is not inoculated and had sought a medical exemption on the grounds that he had COVID-19 in December.

That exemption was approved by the Victoria state government and Tennis Australia, apparently allowing him to obtain a visa to travel. But the Australian Border Force rejected the exemption and canceled his visa when he landed in Melbourne on Jan. 5.

Djokovic spent four nights in an immigration detention hotel before a judge on Monday overturned that decision. That ruling allowed Djokovic to move freely around Australia and he has been practicing at Melbourne Park daily to prepare to play in a tournament he has won each of the past three years.

He had a practice session originally scheduled for mid-

afternoon Friday at Rod Laver Arena, the tournament's main stadium, but pushed that to the morning and was finished several hours before Hawke's decision was announced in the early evening.

After the visa cancellation from Hawke, media started gathering outside the building where Djokovic reportedly was meeting with his lawyers.

An Australian Open spokeswoman said tournament organizers did not have any immediate comment on the latest development in Djokovic's situation, which has overshadowed all other storylines heading into the year's first Grand Slam event.

Tennis Australia announced that nine players would hold pre-tournament news conferences Saturday, and Djokovic's name was not on the list.

With his legal situation still in limbo, Djokovic was placed in the tournament bracket in Thursday's draw, slated to face Miomir Kecmanovic in an all-Serbian matchup in the first round.

According to Grand Slam rules, if Djokovic is forced to pull out of the tournament before the order of play for Day 1 is announced, No. 5 seed Rublev would move into Djokovic's spot in the bracket and face Kecmanovic.

If Djokovic withdraws from the tournament after Monday's schedule is released, he would be replaced in the field by what's known as a "lucky loser"—a player who loses in the qualifying tournament but gets into the main draw because of another player's exit before competition has started.

And if Djokovic plays in a match—or more—and then is told he can no longer participate in the tournament, his next opponent would simply advance to the following round and there would be no replacement.

Melbourne-based immigration lawyer Kian Bone said Djokovic's lawyers face an "extremely difficult" task to get court orders over the weekend to allow their client to play next week.

Speaking hours before Hawke's decision was announced, Bone said: "If you left it any later than he has done now, I think from a strategic standpoint, he's really hamstringing Djokovic's legal team, in terms of what sort of options or remedies he could obtain."

Djokovic's lawyers would need to go before a duty judge of the Federal Circuit and Family Court, or a higher judge of the Federal Court, to get two urgent orders. One order would be an injunction preventing his deportation, such as what he won in court last week.

The second would force Hawke to grant Djokovic a visa to play.

"That second order is almost notprecedented," Bone said. "Very rarely do the courts order a member of the executive government to grant a visa." {eo}

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