

2024-2025

THE

COMMONWEALTH

LAW REPORTS

CASES DETERMINED  
IN THE  
HIGH COURT OF AUSTRALIA

**EDITORS**  
P T VOUT, KC  
P G WILLIS, SC

VOLUME 281

LAWBOOK CO.

2026

**REPORTERS**

J A G MCCOMISH

M C ROBERTS

A F SOLOMON-BRIDGE

J R WANG

M J WELLS

*BARRISTERS*

**PRODUCTION EDITORS**

JENNIFER BROCK

MYUNG COLE



© 2026 Thomson Reuters (Professional) Australia Limited

ABN 64 058 914 668

Lawbook Co.

Published in Sydney

Printed by Ligare Pty Ltd, Riverwood, NSW

ISSN 0069-7133

JUSTICES OF THE HIGH COURT OF AUSTRALIA

DURING THE CURRENCY OF THIS VOLUME

THE HONOURABLE STEPHEN JOHN GAGELER, AC, CHIEF JUSTICE

THE HONOURABLE MICHELLE MARJORIE GORDON, AC

THE HONOURABLE JAMES JOSHUA EDELMAN, AC

THE HONOURABLE SIMON HARRY PETER STEWARD, AC

THE HONOURABLE JACQUELINE SARAH GLEESON

THE HONOURABLE JAYNE MARGARET JAGOT

THE HONOURABLE ROBERT THOMAS BEECH-JONES

ATTORNEY-GENERAL

THE HONOURABLE MARK DREYFUS, KC

THE HONOURABLE MICHELLE ROWLAND  
(from 13 May 2025)



**The mode of citation of this volume of  
the Commonwealth Law Reports will be as follows:  
281 CLR**

---

**TABLE OF CASES REPORTED  
IN THIS VOLUME**

123 259 932 Pty Ltd; Cessnock City Council v .....	39
Aboriginal Areas Protection Authority, Chief Executive Officer v Director of National Parks .....	525
Australian Competition and Consumer Commission; Productivity Partners Pty Ltd v .....	338
Australian Competition and Consumer Commission; Wills v .....	338
BBC Chartering Carriers GmbH & Co KG; Carmichael Rail Network Pty Ltd v .....	171
Benjamin Roder (a pseudonym); Director of Public Prosecutions (Vic) v .....	18
Carmichael Rail Network Pty Ltd v BBC Chartering Carriers GmbH & Co KG .....	171
Cessnock City Council v 123 259 932 Pty Ltd .....	39
Delzotto v The King .....	286
Hurt v The King .....	286
Immigration, Citizenship and Multicultural Affairs, Minister for; Lesianawai v .....	1
Immigration, Citizenship, Migrant Services and Multicultural Affairs, Minister for; Khalil v .....	327
Jaken Properties Australia Pty Ltd; Naaman v .....	635
Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs .....	327
Kozik; Redland City Council v .....	202
Kramer v Stone .....	484

Lesianawai v Minister for Immigration, Citizenship and Multicultural Affairs .....	1
Naaman v Jaken Properties Australia Pty Ltd .....	635
National Parks, Director of; Chief Executive Officer, Aboriginal Areas Protection Authority v .....	525
Productivity Partners Pty Ltd v Australian Competition and Consumer Commission .....	338
Public Prosecutions (Vic), Director of v Benjamin Roder (a pseudonym) .....	18
R v ZT .....	137
R; Delzotto v .....	286
R; Hurt v .....	286
Redland City Council v Kozik .....	202
Stone; Kramer v .....	484
Wills v Australian Competition and Consumer Commission .....	338
ZT; R v .....	137

## TABLE OF CASES JUDICIALLY CONSIDERED IN CASES REPORTED IN THIS VOLUME

<i>123 259 932 Pty Ltd v Cessnock City Council</i> (2023) 110 NSWLR 464 Affirmed. <i>Cessnock City Council v 123 259 932 Pty Ltd</i> .....	39
<i>Aboriginal Areas Protection Authority v Director of National Parks</i> [2022] NTSCFC 1 Reversed. Chief Executive Officer, Aboriginal Areas Protection Authority v Director of National Parks .....	525
<i>Anchorage Capital Master Offshore Ltd v Sparkes</i> (2023) 111 NSWLR 304 Considered. <i>Productivity Partners Pty Ltd v Australian Competition and Consumer Commission</i> .....	338
<i>Associated Alloys Pty Ltd v ACN 001 452 106 Pty Ltd (In liq)</i> (2000) 202 CLR 588 Considered. <i>Naaman v Jaken Properties Australia Pty Ltd</i> .....	635
<i>Australian Securities and Investments Commission v Kobelt</i> (2019) 267 CLR 1 Applied. <i>Productivity Partners Pty Ltd v Australian Competition and Consumer Commission</i> .....	338
<i>Bofinger v Kingsway Group Ltd</i> (2009) 239 CLR 269 Explained. <i>Naaman v Jaken Properties Australia Pty Ltd</i> .....	635
<i>Brand v Chris Building Co Pty Ltd</i> [1957] VR 625 Considered. <i>Kramer v Stone</i> .....	484
<i>Cain v Doyle</i> (1946) 72 CLR 409 Explained. Chief Executive Officer, Aboriginal Areas Protection Authority v Director of National Parks .....	525
<i>Carmichael Rail Network Pty Ltd v BBC Chartering Carriers GmbH &amp; Co KG (The BBC Nile)</i> (2022) 295 FCR 81 Affirmed. <i>Carmichael Rail Network Pty Ltd v BBC Chartering Carriers GmbH &amp; Co KG</i> .....	171
<i>Carter Holt Harvey Woodproducts Australia Pty Ltd v The Common- wealth</i> (2019) 268 CLR 524 Considered. <i>Naaman v Jaken Properties Australia Pty Ltd</i> .....	635
<i>Commonwealth, The v Amann Aviation Pty Ltd</i> (1991) 174 CLR 64 Considered. <i>Cessnock City Council v 123 259 932 Pty Ltd</i> .....	39
<i>Corin v Patton</i> (1990) 169 CLR 540 Considered. <i>Kramer v Stone</i> .....	484
<i>Dansie v The Queen</i> (2022) 274 CLR 651 Considered. <i>R v ZT</i> .....	137

<i>David Securities Pty Ltd v Commonwealth Bank of Australia</i> (1992) 175 CLR 353	
Considered. <i>Redland City Council v Kozik</i> .....	202
<i>Director of Public Prosecutions v Benjamin Roder (a pseudonym)</i> [2023] VSCA 262	
Reversed. <i>Director of Public Prosecutions (Vic) v Benjamin Roder (a pseudonym)</i> .....	18
<i>Equity Trust (Jersey) Ltd v Halabi</i> [2023] AC 877	
Considered. <i>Naaman v Jaken Properties Australia Pty Ltd</i> .....	635
<i>Esber v Commonwealth</i> (1992) 174 CLR 430	
Applied. <i>Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs</i> .....	327
<i>Giorgianni v The Queen</i> (1985) 156 CLR 473	
Applied. <i>Productivity Partners Pty Ltd v Australian Competition and Consumer Commission</i> .....	338
<i>Giumelli v Giumelli</i> (1999) 196 CLR 101	
Applied. <i>Kramer v Stone</i> .....	484
<i>Hurt v The Queen</i> (2022) 18 ACTLR 272	
Affirmed. <i>Hurt v The King</i> .....	286
<i>Immigration and Multicultural and Indigenous Affairs, Re Minister for; Ex parte Applicants S134/2002</i> (2003) 211 CLR 441	
Applied. <i>Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs</i> .....	327
<i>Immigration, Citizenship, Migrant Services and Multicultural Affairs, Minister for v Thornton</i> (2023) 276 CLR 136	
Applied. <i>Lesianawai v Minister for Immigration, Citizenship and Multicultural Affairs</i> .....	1
<i>Jagroop v Minister for Immigration and Border Protection</i> (2016) 241 FCR 461	
Applied. <i>Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs</i> .....	327
<i>Jaken Properties Australia Pty Ltd v Naaman</i> (2023) 112 NSWLR 318	
Affirmed. <i>Naaman v Jaken Properties Australia Pty Ltd</i> .....	635
<i>Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs</i> (2024) 305 FCR 26	
Affirmed. <i>Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs</i> .....	327

## TABLE OF CASES JUDICIALLY CONSIDERED

ix

<i>Kramer v Stone</i> (2023) 112 NSWLR 564	
Affirmed. <i>Kramer v Stone</i> .....	484
<i>M v The Queen</i> (1994) 181 CLR 487	
Applied. <i>R v ZT</i> .....	137
<i>Maguire v Makaronis</i> (1997) 188 CLR 449	
Considered. <i>Naaman v Jaken Properties Australia Pty Ltd</i> .....	635
<i>McRae v Commonwealth Disposals Commission</i> (1950) 84 CLR 377	
Applied. <i>Cessnock City Council v 123 259 932 Pty Ltd</i> .....	39
<i>Paciocco v Australia and New Zealand Banking Group Ltd</i> (2016) 258 CLR 525	
Applied. <i>Productivity Partners Pty Ltd v Australian Competition and Consumer Commission</i> .....	338
<i>Pell v The Queen</i> (2020) 268 CLR 123	
Considered. <i>R v ZT</i> .....	137
<i>Productivity Partners Pty Ltd v Australian Competition and Consumer Commission</i> (2023) 297 FCR 180	
Affirmed. <i>Productivity Partners Pty Ltd v Australian Competition and Consumer Commission</i> .....	338
<i>R v Baden-Clay</i> (2016) 258 CLR 308	
Considered. <i>R v ZT</i> .....	137
<i>R v Bauer (a pseudonym)</i> (2018) 266 CLR 56	
Considered. <i>Director of Public Prosecutions (Vic) v Benjamin Roder (a pseudonym)</i> .....	18
<i>R v Delzotto</i> (2022) 298 A Crim R 483	
Affirmed. <i>Hurt v The King</i> .....	286
<i>Redland City Council v Kozik</i> (2022) 11 QR 524	
Affirmed. <i>Redland City Council v Kozik</i> .....	202
<i>Robinson v Harman</i> (1848) 154 ER 363	
Applied. <i>Cessnock City Council v 123 259 932 Pty Ltd</i> .....	39
<i>Rural Press Ltd v Australian Competition and Consumer Commission</i> (2003) 216 CLR 53	
Applied. <i>Productivity Partners Pty Ltd v Australian Competition and Consumer Commission</i> .....	338
<i>SKA v The Queen</i> (2011) 243 CLR 400	
Considered. <i>R v ZT</i> .....	137

<i>Stubbings v Jams 2 Pty Ltd</i> (2022) 276 CLR 1	
Applied. <i>Productivity Partners Pty Ltd v Australian Competition and Consumer Commission</i> .....	338
<i>Tanwar Enterprises Pty Ltd v Cauchi</i> (2003) 217 CLR 315	
Considered. <i>Naaman v Jaken Properties Australia Pty Ltd</i> .....	635
<i>Waltons Stores (Interstate) Ltd v Maher</i> (1988) 164 CLR 387	
Considered. <i>Kramer v Stone</i> .....	484
<i>Woolwich Equitable Building Society v Inland Revenue Commissioners</i> [1993] AC 70	
Considered. <i>Redland City Council v Kozik</i> .....	202
<i>Yorke v Lucas</i> (1985) 158 CLR 661	
Applied. <i>Productivity Partners Pty Ltd v Australian Competition and Consumer Commission</i> .....	338
<i>ZT v The King</i> [2023] NSWCCA 241	
Affirmed. <i>R v ZT</i> .....	137

# STATUTES, RULES, ETC JUDICIALLY CONSIDERED

## COMMONWEALTH

### **Acts Interpretation Act 1901**

s 7(2): Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs .....	327
--	-----

### **Administrative Appeals Tribunal Act 1975**

s 43(1): Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs .....	327
---	-----

### **Carriage of Goods by Sea Act 1991**

Art 3(8): Carmichael Rail Network Pty Ltd v BBC Chartering Carriers GmbH & Co KG .....	171
s 8: Carmichael Rail Network Pty Ltd v BBC Chartering Carriers GmbH & Co KG .....	171
Sch 1: Carmichael Rail Network Pty Ltd v BBC Chartering Carriers GmbH & Co KG .....	171
Sch 1A: Carmichael Rail Network Pty Ltd v BBC Chartering Carriers GmbH & Co KG .....	171

### **Competition and Consumer Act 2010**

s 21: Productivity Partners Pty Ltd v Australian Competition and Consumer Commission .....	338
s 22: Productivity Partners Pty Ltd v Australian Competition and Consumer Commission .....	338
s 139B: Productivity Partners Pty Ltd v Australian Competition and Consumer Commission .....	338
s 224(1): Productivity Partners Pty Ltd v Australian Competition and Consumer Commission .....	338
Sch 2: Productivity Partners Pty Ltd v Australian Competition and Consumer Commission .....	338

### **Crimes Act 1914**

s 16AAB: Hurt v The King .....	286
s 85ZM: Lesianawai v Minister for Immigration, Citizenship and Multicultural Affairs .....	1
s 85ZR: Lesianawai v Minister for Immigration, Citizenship and Multicultural Affairs .....	1
s 85ZS: Lesianawai v Minister for Immigration, Citizenship and Multicultural Affairs .....	1

### **Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Act 2020**

Sch 6, item 3: Hurt v The King .....	286
--------------------------------------	-----

### **Criminal Code**

s 474.22A: Hurt v The King .....	286
----------------------------------	-----

**International Arbitration Act 1974**

s 7: Carmichael Rail Network Pty Ltd v BBC Chartering Carriers GmbH & Co KG .....	171
---	-----

**Migration Act 1958**

s 496: Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs .....	327
s 499: Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs .....	327
s 500(1): Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs .....	327
s 501(1): Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs .....	327
s 501(2): Lesianawai v Minister for Immigration, Citizenship and Multicultural Affairs .....	1

**NEW SOUTH WALES****Children (Criminal Proceedings) Act 1987**

s 14: Lesianawai v Minister for Immigration, Citizenship and Multicultural Affairs .....	1
--	---

**Criminal Appeal Act 1912**

s 6: R v ZT .....	137
-------------------	-----

**NORTHERN TERRITORY****Northern Territory Aboriginal Sacred Sites Act 1989**

s 4(1): Chief Executive Officer, Aboriginal Areas Protection Authority v Director of National Parks .....	525
s 34(1): Chief Executive Officer, Aboriginal Areas Protection Authority v Director of National Parks .....	525

**QUEENSLAND****Local Government Act 2009**

s 92: Redland City Council v Kozik .....	202
s 94: Redland City Council v Kozik .....	202
s 96: Redland City Council v Kozik .....	202

**Local Government (Finance, Plans and Reporting) Regulation 2010**

reg 28: Redland City Council v Kozik .....	202
reg 32: Redland City Council v Kozik .....	202

**Local Government Regulation 2012**

reg 94: Redland City Council v Kozik .....	202
reg 98: Redland City Council v Kozik .....	202

## VICTORIA

**Jury Directions Act 2015**

s 61: Director of Public Prosecutions (Vic) v Benjamin Roder (a pseudonym) .....	18
---	----

**Corrigenda**

**247 CLR 1 at 2, paragraph 9, line 1:** For “Kerry Gavin Crump” read “Kevin Garry Crump”.

**281 CLR 286 at 316, paragraph [77], line 1:** For “On his appeal” read “On the appeal”.

## TABLE OF CASES CITED IN THE JUDGMENTS

**Note: The page numbers are those where the case is cited in each judgment in a report**

123 259 932 Pty Ltd v Cessnock City Council (2023) ...	55, 88, 89, 112, 122, 133, 136
123 259 932 Pty Ltd v Cessnock City Council [No 2] (2021) .....	81, 87, 111, 113, 115
A v Hayden (1984) .....	536, 545, 557, 583, 591, 627
Aboriginal Affairs, Minister for v Peko-Wallsend Ltd (1986) ....	334, 335, 385
Aboriginal Areas Protection Authority, Chief Executive Officer v Director of National Parks (2022) .....	532, 572, 577
Adams v Cape Industries Plc (1990) .....	198
Adler v Australian Securities and Investments Commission (2003) .....	451
Adrenaline Pty Ltd v Bathurst Regional Council (2015) .....	232, 269
Agricultural Land Management Ltd v Jackson [No 2] (2014) .....	664, 668
Agro Co of Canada Ltd v The Regal Scout (1983) .....	192
Agusta Pty Ltd v Provident Capital Ltd (2012) .....	669
Aiken v Short (1856) .....	264
AK v Western Australia (2008) .....	145, 146
Akai Pty Ltd v People’s Insurance Co Ltd (1996) .....	192
Akai Pty Ltd v People’s Insurance Co Ltd (1997) .....	192, 193
Alam v Alam (2023) .....	505
Alder v Keighley (1846) .....	90
Aldwell v Bunday (1876) .....	108
Ali v Australian Competition and Consumer Commission (2021) .....	398
Allen v Tobias (1958) .....	97
Allison (a pseudonym) v The Queen (2021) .....	319
Aluminium Industrie Vaassen BV v Romalpa Aluminium Ltd (1976) .....	665
Amalgamated Investment & Property Co Ltd (In liq) v Texas Commerce International Bank Ltd (1982) .....	521
Amann Aviation Pty Ltd v The Commonwealth (1990) .....	96
Anchorage Capital Master Offshore Ltd v Sparkes (2023) .	341, 390, 391, 413, 414, 447, 480
Ancient Order of Foresters in Victoria Friendly Society Ltd v Lifeplan Australia Friendly Society Ltd (2018) .....	260, 649
Anderson v McPherson [No 2] (2012) .....	262
Andrabbell Ltd (In liq), Re (1984) .....	665
Anglia Television Ltd v Reed (1972) .....	71, 72, 106
Anning v Anning (1907) .....	505

Armory v Delamirie (1722) .....	96, 104
Armstead v Royal & Sun Alliance Insurance Co Ltd (2024) .....	92
Arsalan v Rixon (2021) .....	92
Ashbury v Reid (1961) .....	410
Associated Alloys Pty Ltd v ACN 001 452 106 Pty Ltd (In liq) (2000) ..	635, 644, 645, 656, 668
Atlantic Coast Line Railroad Co v Florida (1935) .....	225, 237, 238, 241, 276-278
Atlantic Lottery Corporation Inc v Babstock (2020) .....	260
Attorney-General (NSW) v World Best Holdings Ltd (2005) .....	454, 455
Attorney-General v Donaldson (1842) .....	589, 613
Attorney-General's Application (No 1 of 2002) (NSW), Re (2002) .....	6
Austotel Pty Ltd v Franklins Selfserve Pty Ltd (1989) .....	500
Austral Pacific Group Ltd (In liq) v Airservices Australia (2000) .....	565, 585
Australasian United Steam Navigation Co Ltd v Hiskens (1914) .....	190
Australia and New Zealand Banking Group Ltd v Westpac Banking Corporation (1988) .....	226, 227, 230, 234, 259, 261, 264, 283
Australian Broadcasting Corporation v Lenah Game Meats Pty Ltd (2001) .....	669
Australian Competition and Consumer Commission v ACN 117 372 915 Pty Ltd (In liq) (formerly Advanced Medical Institute Pty Ltd) (2015) .....	399
Australian Competition and Consumer Commission v Baxter Healthcare Pty Ltd (2007) .....	535, 543, 545, 546, 594, 595
Australian Competition and Consumer Commission v C G Berbatis Holdings Pty Ltd (2003) .....	277, 457, 464, 465, 503
Australian Competition and Consumer Commission v Lux Distributors Pty Ltd (2013) .....	398, 457
Australian Competition and Consumer Commission v Medibank Private Ltd (2018) .....	396
Australian Competition and Consumer Commission v Productivity Partners Pty Ltd [No 3] (2021) ...	366, 370, 376, 382-387, 393, 394, 408, 414, 416, 427, 429, 432, 451-453, 467-469, 482, 483
Australian Competition and Consumer Commission v Quantum Housing Group Pty Ltd (2021) .....	466
Australian Competition and Consumer Commission v TPG Internet Pty Ltd (2013) .....	479
Australian Education Union v Department of Education and Children's Services (2012) .....	576
Australian Education Union v General Manager of Fair Work Australia (2012) .....	580
Australian Financial Services and Leasing Pty Ltd v Hills Industries Ltd (2014) .....	224, 227, 234, 235, 259, 283
Australian Securities and Investments Commission v Citigroup Global Markets Australia Pty Ltd [No 4] (2007) .....	663
Australian Securities and Investments Commission v Hellicar (2012) .....	228

Australian Securities and Investments Commission v Kobelt (2019) .....	340, 380-382, 396-400, 412, 413, 433, 435, 453, 455, 456, 458, 463, 464, 468-471, 481
Australian Securities and Investments Commission v National Exchange Pty Ltd (2005) .....	400
Australian Woollen Mills Pty Ltd v The Commonwealth (1954) .....	261
Badenach v Calvert (2016) .....	107
Baghlaf Al Zafer Factory Co BR for Industry Ltd v Pakistan National Shipping Co (1997) .....	193
Baghlaf Al Zafer Factory Co BR for Industry Ltd v Pakistan National Shipping Co [No 2] (1999) .....	193, 194
Bahar v The Queen (2011) .....	308, 320
Bahr v Nicolay [No 2] (1988) .....	651
Baltic Shipping Co v Dillon (1993) .....	56, 90
Bangoura v The King (2024) .....	166
Bank of Credit and Commerce International SA [No 8], In re (1997) .....	644
Bank of New South Wales v The Commonwealth (1948) .....	563, 575
Banks v Williams (1910) .....	57
Barclays Bank Ltd v W J Simms Son & Cooke (Southern) Ltd (1980) ...	230, 264
Barnes v Addy (1874) .....	660, 665, 666
Barnes v Eastenders Cash & Carry Plc (2014) .....	261, 262
Barton v Morris (2023) .....	262
Bass v Permanent Trustee Co Ltd (1999) .....	534, 535, 543
Baylis v Bishop of London (1913) .....	276
Belconnen Lakeview Pty Ltd v Lloyd (2021) .....	480
Bell Bros Pty Ltd v Shire of Serpentine-Jarrahdale (1969) .....	239
Bellgrove v Eldridge (1954) .....	77
Benedetti v Sawiris (2013) .....	262
Beqiri v The Queen (2017) .....	29
Berry v CCL Secure Pty Ltd (2020) .....	68-70, 72, 77, 95, 96, 103, 104, 107, 110, 133
Birtchnell v Equity Trustees, Executors and Agency Co Ltd (1929) .	662, 664
Bize v Dickason (1786) .....	224, 225, 232, 233
Black v Garnock (2007) .....	669
Blatch v Archer (1774) .....	96
Blunden v The Commonwealth (2003) .....	585
Boardman v Phipps (1966) .....	664
Boensch v Pascoe (2019) .....	643
Bofinger v Kingsway Group Ltd (2009) .....	259, 635, 651, 652, 656, 663
Bolwell v Australian Telecommunications Commission (1982) .	558, 559, 596, 625
Bosanac v Federal Commissioner of Taxation (2022) .....	579, 588
Bostock v Jardine (1865) .....	262

Boulton v The Queen (2014) .....	309
Bowlay Logging Ltd v Domtar Ltd (1978) .....	60
Bradken Consolidated Ltd v Broken Hill Pty Co Ltd (1979) ...	543, 587, 589, 594, 596, 619
Brady v Stapleton (1952) .....	670
Brambles Security Services Ltd v Bi-Lo Pty Ltd (1992) .....	670
Brand v Chris Building Co Pty Ltd (1957) .....	485, 508
Breen v Williams (1996) .....	655, 662-665, 671-673
Brenner v First Artists' Management Pty Ltd (1992) .....	260
Briginshaw v Briginshaw (1938) .....	188
Bristol and West Building Society v Mothew (1996) .....	665, 672
British American Tobacco Australia Ltd v Western Australia (2003) .....	585
British Broadcasting Corporation v Johns (1965) .....	545, 562, 621
Bropho v Western Australia (1990) ....	309, 325, 535, 536, 538, 543-547, 549, 555-558, 562, 564, 565, 568, 570, 579-581, 585-592, 594-598, 622-625, 628, 629, 632
Brown v Inland Revenue Commissioners (1965) .....	662
Browning v Brachers (2005) .....	100, 104
Bruton Holdings Pty Ltd (In liq) v Federal Commissioner of Taxation (2009) .....	641, 655, 667
Buhr v Barclays Bank (2001) .....	656
Burgess v Rawnsley (1975) .....	262
Burns v MAN Automotive (Aust) Pty Ltd (1986) .....	70
Burns v The Queen (1975) .....	143, 160
Butcher v Lachlan Elder Realty Pty Ltd (2004) .....	479
C-Shirt Pty Ltd v Barnett Marketing and Management Pty Ltd (1996) ....	652
Cain v Doyle (1946) .....	525, 536-540, 542-547, 550, 553-567, 569, 570, 572-574, 577-579, 581-584, 586-589, 594-599, 601, 606, 609, 610, 612, 613, 616-618, 624-627, 632, 633
Callow v Tillstone (1900) .....	445
Calverley v Green (1984) .....	579
Campbell v Backoffice Investments Pty Ltd (2009) .....	447
Campomar Sociedad Limitada v Nike International Ltd (2000) .....	479
Canadian Broadcasting Corporation v Attorney-General (Ontario) (1959) .....	557, 585, 587
Capital Duplicators Pty Ltd v Australian Capital Territory (1992) .....	555
Carmichael Rail Network Pty Ltd v BBC Chartering Carriers GmbH & Co KG (The BBC Nile) (2022) .....	181, 198, 201
Carr v JA Berriman Pty Ltd (1953) .....	62, 64
Carter Holt Harvey Woodproducts Australia Pty Ltd v The Commonwealth (2019) .....	635, 640, 643-646, 654, 655, 667, 668, 673
CCC Films (London) Ltd v Impact Quadrant Films Ltd (1985) .....	105
CCIG Investments Pty Ltd v Schokman (2023) .....	425
Chan v Zacharia (1984) .....	662-665, 673

Chang v Registrar of Titles (1976) .....	651
Chaplin v Hicks (1911) .....	75
Charles v Jones (1887) .....	651, 656
Chesterfield, Earl of v Janssen (1751) .....	456
China Ocean Shipping Co v South Australia (1979) .....	587
Clark v Macourt (2013) .....	57, 70, 90
Clarke v Shee (1774) .....	276
Clay v Clay (2001) .....	664
Clifton Manufacturing Co v United States (1935) .....	232
Clough v Leahy (1904) .....	536, 583, 614
Cobbe v Yeoman’s Row Management Ltd (2008) .....	260, 512
Coco v The Queen (1994) .....	325
Commercial Bank of Australia Ltd v Amadio (1983) .....	456, 465, 467
Commonwealth Bank of Australia v Kojic (2016) .....	396, 435, 436
Commonwealth, The v Amann Aviation Pty Ltd (1991) .	40, 60, 63, 65-75, 77, 90, 91, 93, 95, 96, 101-104, 107, 108, 110, 118, 129-134
Commonwealth, The v Evans Deakin Industries Ltd (1986) .....	544
Commonwealth, The v Mewett (1997) .....	585
Commonwealth, The v New South Wales (1923) .....	584
Commonwealth, The v Rhind (1966) .....	534, 587, 596
Commonwealth, The v SCI Operations Pty Ltd (1998) .....	250, 251
Commonwealth, The v Verwayen (1990) .....	235, 500, 502, 503, 508, 512
Commonwealth, The v Western Australia (Mining Act Case) (1999) .....	543, 545, 590, 607
Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia v Queensland Rail (2015) .....	575
Coomber, In re; Coomber v Coomber (1911) .....	665
Corin v Patton (1990) .....	485, 501, 504, 505, 511, 513, 521
Costello v Secretary, Department of Transport (1979) .....	334
Cowan v Milbourn (1867) .....	458
Crabb v Arun District Council (1975) .....	513, 517, 518, 520
Craig v South Australia (1995) .....	16
Crown Melbourne Ltd v Cosmopolitan Hotel (Vic) Pty Ltd (2016) .	500, 503, 509, 522
CSR Ltd v Cigna Insurance Australia Ltd (1997) .....	186, 193
Cullen Investments Ltd v Brown (2017) .....	663
Dansie v The Queen (2022) .....	137, 144-146, 156, 158, 169
Darley Main Colliery Co v Mitchell (1886) .....	90
David Securities Pty Ltd v Commonwealth Bank of Australia (1992) .....	203, 226-228, 230-232, 234, 235, 251, 259, 261, 263-268, 272, 277, 278, 283
Davis v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs (2023) .....	554, 555, 565, 576, 592

DD Growth Premium 2X Fund (In liq) v RMF Market Neutral Strategies (Master) Ltd (2017) .....	274
Demagogue Pty Ltd v Ramensky (1992) .....	479
Dhanhoa v The Queen (2003) .....	160
Dillwyn v Llewelyn (1862) .....	505, 513-515, 518-520
Discount & Finance Ltd v Gehrig's NSW Wines Ltd (1940) .....	507
Doney v The Queen (1990) .....	145, 146
Donis v Donis (2007) .....	503
Double G Communications Plc v News Group International Ltd (2011) ...	104
Dryden v Madison County (1997) .....	236, 284
Dryden v Madison County (1998) .....	284
Dryden v Madison County (1999) .....	236, 283
Du Cros v Lambourne (1907) .....	478
Dui Kol v The Queen (2015) .....	308
Eastman v Director of Public Prosecutions (ACT) (2003) .....	14
Edwards v The Queen (1993) .....	159, 160
Electrolux Home Products Pty Ltd v Australian Workers' Union (2004) .	325, 563
Em v The Queen (2007) .....	143
Epar, The (1984) .....	196
Equity Trust (Jersey) Ltd v Halabi (2022) .	635, 640, 641, 646, 647, 651, 653, 668
Equuscorp Pty Ltd v Haxton (2012) .	226, 227, 234, 244, 259, 261, 262, 267, 271, 274, 277
Esber v The Commonwealth (1992) .....	328, 334-336
European Bank Ltd v Evans (2010) .....	89, 90
F Sharkey & Co Pty Ltd v Fisher (1980) .....	625, 626
Falcke v Scottish Imperial Insurance Co (1886) .....	271
Farah Constructions Pty Ltd v Say-Dee Pty Ltd (2007) ....	227, 259, 261, 666
Farnell v Bowman (1887) .....	585, 615, 616
Feather v The Queen (1865) .....	613-615
Federated Engine-Drivers and Firemen's Association of Australasia v Broken Hill Proprietary Co Ltd (1911) .....	562
Fennell v The Queen (2019) .....	164, 168
Fernandez v Government of Singapore (1971) .....	186
Fibrosa Spolka Akcyjna v Fairbairn Lawson Combe Barbour Ltd (1943) .	224, 261, 262
Filippou v The Queen (2015) .....	144
Fitzgerald v F J Leonhardt Pty Ltd (1997) .....	226, 234, 244
Flood v Irish Provident Assurance Co Ltd (1910) .....	262
Foran v Wight (1989) .....	502, 512
Fostif Pty Ltd v Campbells Cash & Carry Pty Ltd (2005) .....	231, 262
Fox v Percy (2003) .....	164, 167

Friend v Brooker (2009) .....	259, 649
Frugtniet v Australian Securities and Investments Commission (2019) ....	335, 336
Galambos v Perez (2009) .....	661
Garcia v National Australia Bank Ltd (1998) .....	503
Garrett v The Queen (1977) .....	34
Garth v The Queen (2016) .....	309
Gibson Motorsport Merchandise Pty Ltd v Forbes (2006) .....	649
Gifford v Strang Patrick Stevedoring Pty Ltd (2003) .....	325
Gillett v Holt (2000) .....	521, 522
Giorgianni v The Queen (1985) ...	341, 387-389, 410-412, 426, 427, 443-446, 475, 476, 478, 480
Gipp v The Queen (1998) .....	29
Giumelli v Giumelli (1999) .....	485, 500, 503, 514, 516, 518-520
Glenn v Federal Commissioner of Land Tax (1915) .....	645
Gol Linhas Aereas SA v MatlinPatterson Global Opportunities Partners (Cayman) II LP (2022) .....	198
Good Living Co Pty Ltd v Kingsmede Pty Ltd (2021) .....	396, 397
Grain Elevators Board (Vic) v Dunmunkle Corporation (1946) .....	563
Great China Metal Industries Co Ltd v Malaysian International Shipping Corporation, Berhad (1998) .....	190
Great Western Railway Co v Sutton (1869) .....	239-241, 280
Greater Manchester Police, Chief Constable of the v Wigan Athletic AFC Ltd (2007) .....	270
GreCon Dimter Inc v JR Normand Inc (2005) .....	187
Green v The Queen (2011) .....	308
Grimaldi v Chameleon Mining NL [No 2] (2012) .....	661, 662, 666, 672
Grundt v Great Boulder Pty Gold Mines Ltd (1937) .....	513
Guest v Guest (2022) .....	512, 515, 521, 522
Guinness Mahon & Co Ltd v Kensington and Chelsea Royal London Borough Council (1999) .....	262, 274
Ha v New South Wales (1997) .....	581
Hadley v Baxendale (1854) .....	55, 89, 117, 134
Haines v Bendall (1991) .....	56, 70
Hamersley Iron Pty Ltd v Forge Group Power Pty Ltd (In liq) (2018) ....	645
Hamilton v Geraghty (1901) .....	508
Harry v Kreutziger (1978) .....	398
Hartwig v Hack (2007) .....	13, 14
Hecht Co v Bowles (1944) .....	225
Henderson v Merrett Syndicates Ltd (1995) .....	665, 672
Herdegen v Federal Commissioner of Taxation (1988) .....	668
Hewett v Court (1983) .....	644, 669
Hilton v Barker Booth & Eastwood (a firm) (2005) .....	664

HML v The Queen (2008) .....	31
Hocking v Director-General of the National Archives of Australia (2020) .....	534, 554, 555, 575, 609, 611
Hofer v The Queen (2021) .....	167
Hollandia, The (1982) .....	190
Hollandia, The (1983) .....	188, 190-192, 194, 196-198
Holt v Markham (1922) .....	276
Holt v United Security Life Insurance & Trust Co (1909) .....	71
Hospital Products Ltd v United States Surgical Corporation (1984) .....	649, 661-665, 670
Houghton v Immer (No 155) Pty Ltd (1997) .....	97
Howard v Federal Commissioner of Taxation (2014) .....	664
Hudson v Robinson (1816) .....	262
Hughes v Metropolitan Railway Co (1877) .....	513
Hughes v The Queen (2017) .....	31, 32
Hurt v The King (2024) .....	580
Hurt v The Queen (2022) .....	309
IMM v The Queen (2016) .....	36
Immigration and Border Protection, Minister for v SZMTA (2019) .....	16
Immigration and Ethnic Affairs, Minister for v Wu Shan Liang (1996) ....	186
Immigration and Multicultural and Indigenous Affairs, Re Minister for; Ex parte Applicants S134/2002 (2003) .....	328, 335
Immigration, Citizenship, Migrant Services and Multicultural Affairs, Minister for v Thornton (2023) .....	2, 4, 5, 8-10, 12-14, 16
Indussa Corporation v SS Ranborg (1967) .....	194, 195
Industrial Development Consultants Ltd v Cooley (1971) .....	663
Investment Trust Companies v Revenue and Customs Commissioners (2017) .....	242
Inwards v Baker (1965) .....	512
J & S Holdings Pty Ltd v NRMA Insurance Ltd (1982) .....	267
Jackson v Royal Bank of Scotland Plc (2005) .....	89
Jacobsen v Rogers (1995) . 535, 538, 543, 545, 555, 557, 558, 562, 589, 594, 624, 625	
Jagroop v Minister for Immigration and Border Protection (2016) ...	328, 333, 334, 337
Jaken Properties Australia Pty Ltd v Naaman (2022) .....	641, 660
Jaken Properties Australia Pty Ltd v Naaman (2023) . 641, 642, 650, 652, 654, 662-664, 669, 670, 672	
Jaques v Golightly (1776) .....	262
Jenyns v Public Curator (Qld) (1953) .....	234, 382, 398
Jiminez v The Queen (1992) .....	427
Jindal Iron and Steel Co Ltd v Islamic Solidarity Shipping Co Jordan Inc (2004) .....	199, 200

John Alexander’s Clubs Pty Ltd v White City Tennis Club Ltd (2010) ....	649, 652, 662, 663
John Taylors (a firm) v Masons (a firm) (2001) .....	662
Johnson v Perez (1988) .....	70
Johnson v Youden (1950) .....	411, 475, 476
Jones v Barkley (1781) .....	234
Jones v Dunkel (1959) .....	451
Jones v Matrix Partners Pty Ltd; Re Killarnee Civil & Concrete Contractors Pty Ltd (In liq) (2018) .....	654, 657, 667
Jones v The Queen (1997) .....	144
JS v The Queen (2022) .....	32-34, 37
Juliana, The (1822) .....	234, 398
Kakavas v Crown Melbourne Ltd (2013) .....	456, 464, 465
Karim v The Queen (2013) .....	308, 310, 320, 322
Kelleher v Parole Board (NSW) (1984) .....	14
Kelly v Cooper (1993) .....	664
Kelly v Mina (2014) .....	668
Kemp v The King (1951) .....	34
Kemtron Industries Pty Ltd v Commissioner of Stamp Duties (1984) .....	646, 668
Kern Corporation Ltd v Walter Reid Trading Pty Ltd (1987) .....	651
Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs (2023) .....	333, 334
Khalil v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs (2024) .....	334
Khan v Mahmood (2021) .....	505
Kimberley NZI Finance Ltd v Torero Pty Ltd (1989) .....	479
King v The Queen (2012) .....	427
Kingstreet Investments Ltd v New Brunswick (2007) .....	283, 285
Kiriri Cotton Co Ltd v Dewani (1960) .....	267, 272
KLDE Pty Ltd v Commissioner of Stamp Duties (Qld) (1984) .....	651
Kozik v Redland City Council (2021) .....	211
Kramer v Stone (2023) .....	496-498, 500, 509-512, 523
L Albert & Son v Armstrong Rubber Co (1949) .	57, 60, 63, 66-68, 70, 71, 73, 74, 92, 93, 98, 102, 103, 109
Lady Windsor’s Case (Sadler v Evans) (1766) .....	276
Law Debenture Trust Corporation Plc, The v Elektrim SA (2009) .....	104
Lee v New South Wales Crime Commission (2013) .....	325
Legione v Hateley (1983) .....	502, 513
Lemery Holdings Pty Ltd v Reliance Financial Services Pty Ltd (2008) .	648, 654, 655, 669, 673
Lesianawai v Minister for Home Affairs (Migration) (2019) .....	6

Lesianawai v Minister for Immigration, Citizenship and Multicultural Affairs (2023) .....	6
Lesianawai v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs (2022) .....	6
LJP Investments Pty Ltd v Howard Chia Investments Pty Ltd (1990) .....	97
Longstaff v Birtles (2001) .....	662
Lord Napier and Ettrick v Hunter (1993) .....	649
Louth v Diprose (1992) .....	456, 465
Lowe v The Queen (1984) .....	308
Lumbers v W Cook Builders Pty Ltd (In liq) (2008) .....	242, 271, 277
Lussier v Runyon (1995) .....	225
Luton v Lessels (2002) .....	213
M v The Queen (1994) .....	137, 144-147, 157-159, 161, 163
Macleod v Australian Securities and Investments Commission (2002) .....	565
Macleod v The Queen (2003) .....	477
Magaming v The Queen (2013) .....	301, 306, 320
Magill v The Queen (2013) .....	29
Maguire v Makaronis (1997) .....	635, 649, 662, 665, 672
Maharaj v Johnson (2015) .....	669
Mann v Paterson Constructions Pty Ltd (2019) .	227, 259, 261, 262, 277, 325, 580
Marathon Asset Management LLP v Seddon (2017) .....	104
Markarian v The Queen (2005) .....	301, 306, 320
Martin v Andrews (1856) .....	261, 262
Mason v New South Wales (1959) .....	228, 239
Masson v Parsons (2019) .....	96, 579
Matthews v Chicory Marketing Board (Vic) (1938) .....	237
McBride v The Queen (1966) .....	427
McNamara v Consumer Trader and Tenancy Tribunal (2005) ..	533, 535, 542, 545, 563-565, 598, 621, 627
McRae v Commonwealth Disposals Commission (1950) .....	40, 61-63, 66-69, 71-74, 96, 98-100, 118, 128, 129, 131-134
Medical Benefits Fund of Australia Ltd v Cassidy (2003) .....	480
Mega Yield International Holdings Ltd v Fonfair Co Ltd (2014) .....	60
Meridian Global Funds Management Asia Ltd v Securities Commission (1995) .....	436
Mersey Docks and Harbour Board Trustees v Cameron (1865) .	562, 613, 615
MFA v The Queen (2002) .....	37, 144
Military and Paramilitary Activities in and against Nicaragua (Nicaragua v United States of America) (1984) .....	187
Miller & Associates Insurance Broking Pty Ltd v BMW Australia Finance Ltd (2010) .....	479
Mining Act Case (The Commonwealth v Western Australia) (1999) .	543, 545, 590, 607

Moore v Scenic Tours Pty Ltd (2020) .....	91
Moore v Smith (1859) .....	613, 622, 623
Moses v Macferlan (1760) .....	223-225, 232, 233, 275, 276
Moss v Civil Aeronautics Board (1975) .....	237
Muldrock v The Queen (2011) .....	301
Mummery v Irvings Pty Ltd (1956) .....	99
Murphy v Overton Investments Pty Ltd (2004) .....	97
Muschinski v Dodds (1985) .....	261, 262
Myers v Hurley Motor Co (1927) .....	225, 276
MZAPC v Minister for Immigration and Border Protection (2021) .....	16
Naaman v Sleiman (2015) .....	658
Nathanson v Minister for Home Affairs (2022) .....	16
National Australia Bank Ltd v Budget Stationery Supplies Pty Ltd (1997) .....	251
National Commercial Banking Corporation of Australia Ltd v Batty (1986) .....	224
New Zealand Netherlands Society Oranje Inc v Kuys (1973) .....	664
News Ltd v Australian Rugby Football League Ltd (1996) .....	652
Newsweek Inc v Florida Department of Revenue (1998) .....	284
Nikolay Malakhov Shipping Co Ltd v SEAS Sapfor Ltd (1998) .....	199, 200
Norberg v Wynrib (1992) .....	650, 661
North Australian Aboriginal Justice Agency Ltd v Northern Territory (2015) .....	325
NSW Trotting Club Ltd v Council of the Municipality of the Glebe (1937) .....	507
NT Power Generation Pty Ltd v Power and Water Authority (2004) .	535, 578
O’Dea v Western Australia (2022) .....	574, 583
O’Halloran v R T Thomas & Family Pty Ltd (1998) .....	665, 672
OBG Ltd v Allan (2007) .....	438
Octavo Investments Pty Ltd v Knight (1979) ....	640, 643, 654, 655, 667, 673
Oil Platforms (Islamic Republic of Iran v United States of America) (2003) .....	187
Olsson v Dyson (1969) .....	505, 506, 513-517
Omak Maritime Ltd v Mamola Challenger Shipping Co (2010) ....	70-72, 74, 91, 100, 104-106
Ovidio Carrideo Nominees Pty Ltd v Dog Depot Pty Ltd (2006) ....	231, 232, 268
Owners of cargo lately laden on board the ship or vessel Andhika Samyra v Owners and/or demise charterers of the ships or vessels Andhika Samyra (1988) .....	196
Pacific Carriers Ltd v BNP Paribas (2004) .....	512
Paciocco v Australia & New Zealand Banking Group Ltd (2014) .....	398

Paciocco v Australia & New Zealand Banking Group Ltd (2015) .....	397-399, 408, 412, 413, 454, 455, 458, 460, 461, 463, 464, 466
Paciocco v Australia & New Zealand Banking Group Ltd (2016) .....	56, 340, 380, 396, 436, 454-456, 470, 471
Parkdale Custom Built Furniture Pty Ltd v Puxu Pty Ltd (1982) .....	447
Pavey & Matthews Pty Ltd v Paul (1987) .....	226, 244, 259, 275, 277
Pell v The Queen (2019) .....	165
Pell v The Queen (2020) .....	137, 144, 146-149, 164-167, 169
Pennington v Waine (2002) .....	505
Permanent Building Society (In liq) v Wheeler (1994) .....	665, 672
Peters v The Queen (1998) .....	477
Pfennig v The Queen (1995) .....	31
Phelan v Middle States Oil Corporation (1955) .....	649
Phoenix Life Assurance Co, Re (1862) .....	262
Pickett v Western Australia (2020) .....	574, 583
Pilmer v Duke Group Ltd (In liq) (2001) .....	650, 661, 664
Pipikos v Trayans (2018) .....	503
Plaintiff S157/2002 v The Commonwealth (2003) .....	258
Plimmer v Mayor, Councillors, and Citizens of the City of Wellington (1884) .....	518-520
Plowright v Lambert (1885) .....	663
Porton Capital Technology Funds v 3M UK Holdings Ltd (2011) ....	100, 104
Potter v Minahan (1908) .....	325
Probuild Constructions (Aust) Pty Ltd v Shade Systems Pty Ltd (2018) ..	538
Productivity Partners Pty Ltd v Australian Competition and Consumer Commission (2023) .	367, 369-378, 381, 382, 386, 387, 392-396, 398, 403, 405-408, 414, 415, 417, 419, 421, 428, 430, 432, 439-441, 448, 467, 469, 473, 480
Productivity Partners Pty Ltd v Australian Competition and Consumer Commission (2024) .....	503
Project Blue Sky Inc v Australian Broadcasting Authority (1998) .....	255
Prudential Assurance Co Ltd v Revenue and Customs Commissioners (2013) .....	284
Public Prosecutions (Cth), Director of v Haidari (2013) .....	320
Public Prosecutions (Vic), Director of v Benjamin Roder (a pseudonym) (2024) .....	162
Public Prosecutions (Vic), Director of v Benjamin Roder (a pseudonym) (2023) .....	25, 27, 30, 32, 34
Pyrene Co Ltd v Scindia Navigation Co Ltd (1954) .....	199
Quinlivan v Australian Competition and Consumer Commission (2004) ...	413
R v Anna Rowan (a pseudonym) (2024) .....	574, 583
R v Baden-Clay (2016) .....	137, 144, 146, 166
R v Bauer (a pseudonym) (2018) .....	18, 25, 27, 31, 32, 34

R v Boston (1923) .....	476
R v Buckett (1995) .....	411
R v Carroll (2002) .....	34
R v Cook; Ex parte Twigg (1980) .....	576
R v Creamer (1966) .....	476
R v Deacon (2019) .....	321
R v Eldorado Nuclear Ltd (1983) .....	558, 559, 625, 626
R v Foster (1984) .....	14
R v Gaylor (1857) .....	445
R v Glennan (1970) .....	389
R v Hillier (2007) .....	144
R v Hurt [No 2] (2021) .....	309
R v Karabi (2012) .....	320
R v Latif; Ex parte Director of Public Prosecutions (Cth) (2012) .....	320
R v McCarthy (1993) .....	411
R v Nguyen (2010) .....	144
R v Nitu (2012) .....	320
R v Pot (2011) .....	308, 321
R v Robert Millar (Contractors) Ltd (1969) .....	389, 478
R v Rogerson (1992) .....	476
R v Rohan (a pseudonym) (2024) .....	476
R v Ross-Jones; Ex parte Green (1984) .....	576
R v Salmon (1880) .....	445
R v Selu; Ex parte Director of Public Prosecutions (Cth) (2012) .....	320
R v Stokes (1990) .....	411, 476
R v Storey (1978) .....	34
R v Sutton (1908) .....	616
R v Swaffield (1998) .....	143
R v Tannous (1987) .....	410, 411
R v ZT (2022) .....	143
Rafferty v Madgwicks (2012) .....	411
Ramsden v Dyson (1866) .....	509, 517
Redbourn Group Ltd v Fairgate Developments Ltd (2018) .....	104
Redland City Council v Kozik (2022) .....	211, 284
Regal (Hastings) Ltd v Gulliver (1942) .....	663, 664
Residential Housing Corporation v Esber (2011) .....	651
Residential Tenancies Tribunal (NSW) and Henderson, Re; Ex parte Defence Housing Authority (1997) .....	535, 536, 538, 545, 555, 559, 560, 565, 589-591, 596, 597, 626
Riches v Hogben (1985) .....	503, 506, 507, 514, 516-520
Roberts v Ahern (1904) .....	543, 590, 591, 616
Robinson v Harman (1848) .....	40, 56-60, 64-67, 70, 72, 90, 105, 117, 131
Rosario-Torres v Hernandez-Colon (1989) .....	225
Rothmore Farms Pty Ltd (In liq) v Belgravia Pty Ltd (2005) ...	641, 660, 675

Rover International Ltd v Cannon Film Sales Ltd [No 3] (1989) .....	266
Rowland v Divall (1923) .....	266
Roxborough v Rothmans of Pall Mall Australia Ltd (2001) .....	224, 225, 227, 230, 231, 238, 261, 262, 274, 276, 277, 285
Rural Bank of NSW v Municipality of Bland (1947) .....	563
Rural Press Ltd v Australian Competition and Consumer Commission (2002) .....	390, 447, 476-479
Rural Press Ltd v Australian Competition and Consumer Commission (2003) .....	341, 387, 389, 411, 447, 477, 481
Sadler v Evans (Lady Windsor's Case) (1766) .....	276
Sargent v ASL Developments Ltd (1974) .....	72
Sargood Bros v The Commonwealth (1910) .....	228
Schellenberg v Tunnel Holdings Pty Ltd (2000) .....	99
School Facility Management Ltd v Governing Body of Christ the King College (2021) .....	270
Sellers v Adelaide Petroleum NL (1994) .....	107
SGH Ltd v Federal Commissioner of Taxation (2002) .....	540, 542
Shaw v Applegate (1977) .....	512
Shepherd v The Queen (1990) .....	25, 29, 31, 32, 34, 162
Shi v Migration Agents Registration Authority (2008) .....	335
Sidhu v Van Dyke (2014) .....	500, 502, 503, 509, 512, 514, 516, 519, 520
Sidney Bolsom Investment Trust Ltd v E Karmios & Co (London) Ltd (1956) .....	502
Sinclair v Brougham (1914) .....	277
SKA v The Queen (2011) .....	137, 144, 146, 147, 165
Skelton v Collins (1966) .....	95
Smethurst v Commissioner of the Australian Federal Police (2020) .....	669
Smith v Bromley (1741) .....	234
Smith v The Queen (2017) .....	410
Societe d'Avances Commerciales v Merchants' Marine Insurance Co (The Palitana) (1924) .....	164
Somerset v Stewart (1772) .....	434
Soteria Insurance Ltd v IBM United Kingdom Ltd (2022) ....	58, 60, 105, 106
South Australian Cold Stores Ltd v Electricity Trust (SA) (1957) ....	228, 239, 267
South of Scotland Electricity Board v British Oxygen Co Ltd (1959) .....	239-241, 280-282
Spain, Kingdom of v Infrastructure Services Luxembourg Sarl (2023) .....	188
Span v Maricopa County Treasurer (2019) .....	232
Spence v Crawford (1939) .....	268
Stag Line Ltd v Foscolo, Mango & Co Ltd (1932) .....	188
Stamp Duties (NSW), Chief Commissioner of v Buckle (1998) .....	640, 644, 646, 654, 655, 667, 668, 673

State Authorities Superannuation Board v Commissioner of State Taxation (WA) (1996) ....	538-540, 542-544, 546, 555, 558, 574, 589, 593, 596-598, 625
State Revenue (Vic), Commissioner of v Royal Insurance Australia Ltd (1994) .....	228-230, 260
Steele v Williams (1853) .....	239, 281
Stephens v The Queen (2022) .....	325, 580
Stewart v Atco Controls Pty Ltd (In liq) (2014) .....	242, 271
Stewart v White (2011) .....	413
Stone v Kramer (2021) .....	495-499, 510, 512
Story Parchment Co v Paterson Parchment Paper Co (1931) .....	97, 98
Strickland v Turner (1852) .....	262
Stubbings v Jams 2 Pty Ltd (2022) ....	340, 380, 381, 396-400, 453, 454, 463, 464, 468, 469, 481
Sue v Hill (1999) .....	534, 554, 555, 574
Sullivan v O'Connor (1973) .....	94
Superannuation Fund Investment Trust v Commissioner of Stamps (SA) (1979) .....	567, 620
Sutherland Shire Council v Heyman (1985) .....	90
Svenson v Payne (1945) .....	508, 509
Sydney Harbour Trust Commissioners v Ryan (1911) .....	615, 616
SZTAL v Minister for Immigration and Border Protection (2017) ....	410, 438
Tabcorp Holdings Ltd v Bowen Investments Pty Ltd (2009) .....	56, 70, 90
Tabet v Gett (2010) .....	107
Takaro Properties Ltd v Rowling (1982) .....	130
Tanwar Enterprises Pty Ltd v Cauchi (2003) .....	457, 635, 651
Taxation, Deputy Commissioner of v State Bank (NSW) (1992) .....	534, 540, 542, 562
Taxation, Federal Commissioner of v Futuris Corporation Ltd (2008) .....	258
Taxation, Federal Commissioner of v Linter Textiles Australia Ltd (In liq) (2005) .....	644
Taxation, Federal Commissioner of v Tomaras (2018) .....	535, 543, 545, 546, 564, 579, 589, 590
Taylor v Laird (1856) .....	271
TC Industrial Plant Pty Ltd v Robert's Queensland Pty Ltd (1963) .	62, 64-66, 72, 91, 92, 100, 101, 118
Telstra Corporation Ltd v Worthing (1999) .	538-540, 543, 544, 546, 550, 555, 560, 561, 566, 589, 595, 596, 609, 626, 627
Temple of Preah Vihear (Cambodia v Thailand) (1962) .....	187
Test Claimants in the FII Group Litigation v Commissioners for Her Majesty's Revenue and Customs (2008) .....	229
Test Claimants in the FII Group Litigation v Commissioners for Her Majesty's Revenue and Customs (2014) .....	229

Test Claimants in the FII Group Litigation v Revenue and Customs Commissioners (2012) .....	228, 229, 264
Test Claimants in the Franked Investment Group Litigation v Commissioners of the Inland Revenue (2010) .....	229
Texaco Puerto Rico Inc v Department of Consumer Affairs (1995) .....	225
Thomas v Lindop (1950) .....	411
Thompson v Palmer (1933) .....	509, 512
Thorne v Kennedy (2017) .....	503, 579
Thorner v Major (2009) .....	502
Ti Leaf Productions Ltd v Baikie (2001) .....	60
Tobin v The Queen (1864) .....	613, 614
Towers v Barrett (1786) .....	261
Townsville Hospitals Board v Townsville City Council (1982) .	534, 542, 563, 566, 591, 598, 599, 620, 621, 624, 627
Trautwein v Richardson (1946) .....	641
Truthful Endeavour Pty Ltd v Condon (2015) .....	645
Unique International College Pty Ltd v Australian Competition and Consumer Commission (2018) .....	399, 400
United Australia Ltd v Barclays Bank Ltd (1941) .....	72
United States v Behan (1884) .....	57, 58
United States v Hoar (1821) .....	543, 589
United States v Peoni (1938) .....	443
Uniting Church in Australia Property Trust (Vic) v Ian Hartley Architects Pty Ltd (2022) .....	413
University of Wales v London College of Business Ltd (2016) .....	104
Vacuum Oil Co Pty Ltd v Wiltshire (1945) .....	640, 644, 657, 667
Vimar Seguros y Reaseguros, SA v M/V Sky Reefer (1995) .....	195-197, 200
Vodafone Ltd v Office of Communications (2020) .....	240, 241, 282
Vunilagi v The Queen (2023) .....	572
Waikato Regional Airport Ltd v Attorney-General (2001) .....	240, 241, 281
Waikato Regional Airport Ltd v Attorney-General (2003) .....	239, 240, 281
Walker v Liscarray (1807) .....	262
Wall v Bright (1820) .....	669
Waltons Stores (Interstate) Ltd v Maher (1988) ..	485, 500-502, 508-513, 515, 516, 521, 522
Webb v O'Sullivan (1952) .....	309
Weiss v The Queen (2005) .....	163
Wenham v Ella (1972) .....	70, 90
Werrin v The Commonwealth (1938) .....	267, 584, 585
Westdeutsche Landesbank Girozentrale v Islington London Borough Council (1994) .....	262
Weston v Downes (1778) .....	276

White Arrow Express Ltd v Lamey's Distribution Ltd (1995) .....	77
White v Jones (1995) .....	663
Whitehorn v The Queen (1983) .....	146
Wik Peoples v Queensland (1996) .....	662
Williams v The Commonwealth (2012) .....	554, 555, 576
Williams v Washington Metropolitan Area Transit Commission (1968) ...	237, 241, 280
Wilson v Northampton and Banbury Junction Railway Co (1874) .....	97, 100
Wong v The Queen (2001) .....	322
Woolwich Equitable Building Society v Inland Revenue Commissioners (1992) .....	203, 212, 228-230, 240, 263, 264
Works (WA), Minister for v Gulson (1944) .....	616
Wurridjal v The Commonwealth (2009) ...	538, 545, 546, 555, 561, 562, 589, 596, 627
Wynyard Investments Pty Ltd v Commissioner for Railways (NSW) (1955) .....	535, 542, 545, 555, 563-565, 578, 618, 619, 621, 624, 627
X v Australian Prudential Regulation Authority (2007) ....	538, 539, 546, 550, 556, 589, 627
Yam Seng Pte Ltd v International Trade Corporation Ltd (2013) ...	71, 72, 74, 91, 100, 104-106
Yorke v Lucas (1985) .....	341, 387, 389, 410, 411, 413, 444-446, 474-480
Zaburoni v The Queen (2016) .....	410, 438
Zheng v Cai (2009) .....	563
Zhu v Treasurer (NSW) (2004) .....	95
Zoneff v The Queen (2000) .....	160
ZT v The King (2023) .....	143, 151-159, 161, 162, 168, 169