

SHANE ERIC JOHN PRINCE

List of Reported and Significant<sup>1</sup> Cases

1. *\*Lewis v Sergeant Riley* [2017] NSWCA 272 (to be reported in NSWLR).
2. *Millers Point Community Assoc. Incorporated v Property NSW* [2017] NSWLEC 92, (2017) 224 LGERA 407.
3. *Shizas v Commissioner of Police* (2017) 268 IR 71.
4. *\*Hunter Development Corporation v Save Our Rail NSW Inc (No 2)* [2016] NSWCA 375, (2016) 93 NSWLR 704, 220 LGERA 73, [2018] ALMD 1198.
5. *\*BY Winddown, Inc v Vautin and Eagle Yachts* [2016] FCAFC 168, (2016) 249 FCR 262, 337 ALR 96, [2018] ALMD 1389.
6. *\*Minister for Immigration v SZSSJ and SZTZI* [2016] HCA 29, (2016) 259 CLR 180, 90 ALJR 901, 334 ALR 653, [2016] ALMD 4442, [2016] ALMD 4448, [2016] ALMD 4451, [2016] ALMD 4452\*.
7. *\*Milanes v Minister for Immigration and Border Protection* [2015] FCA 1105, (2015) 234 FCR 508, [2016] ALMD 1823
8. *\*Minister for Immigration v WZAPN* [2015] HCA 22, (2015) 254 CLR 610, 89 ALJR 639, 320 ALR 467, 146 ALD 480, [2015] ALMD 2778, [2015] ALMD 2784.
9. *\*Minister for Immigration v WZARH* [2015] HCA 40, (2015) 256 CLR 326, 90 ALJR 25, 326 ALR 1, [2016] ALMD 10, [2016] ALMD 76.

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\* APPEARED AS LEAD COUNSEL OR ALONE

<sup>1</sup> Significant cases are those which have been cited by more than ten other cases or were determined on a final basis by a Full Court of the High Court.

10. *CFMEU v Endeavour Coal* (2015) 231 FCR 150 (note special leave refused on 11 December 2015).
11. *\*Special Broadcasting Services v Corbell* [2016] NSWSC 461<sup>2</sup>
12. *\*BZAFM v Minister for Immigration and Border Protection* [2015] FCAFC 41, (2015) 321 ALR 117
13. *\*SZTES v Minister for Immigration and Border Protection* [2015] FCAFC 158<sup>3</sup>
14. *Fair Work Ombudsman v Quest South Perth Holdings Pty Ltd, Contracting Solutions Pty Ltd & Paul Konstek* [2015] HCA 45, (2015) 256 CLR 137, 90 ALJR 107, 255 IR 229, 326 ALR 470, (2015) 67 AILR 102-490, [2016] ALMD 277, [2016] ALMD 459, [2016] ALMD 464.
15. *\*SZTIB<sup>4</sup> v Minister for Immigration and Border Protection* [2015] FCAFC 40, (2015) 321 ALR 81, 149 ALD 449, [2017] ALMD 443, [2017] ALMD 444<sup>5</sup>
16. *\*SZTEQ v Minister for Immigration and Border Protection* [2015] FCAFC 39; (2015) 229 FCR 497, 321 ALR 44, 145 ALD 577, [2015] ALMD 4586<sup>6</sup>
17. *\*Port Kembla Coal Terminal Limited v Construction, Forestry, Mining and Energy Union (New South Wales Branch) (No 2)* (2014) 88 NSWLR 471; [2014] NSWIC 3
18. *\*SZGIZ v Minister for Immigration and Citizenship* (2013) 212 FCR 235; (2013) 299 ALR 246; [2013] FCAFC 71<sup>7</sup>.

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<sup>2</sup> Unusual case where Slattery J provided detailed reasons for interlocutory injunction.

<sup>3</sup> This case has been cited in 6 other cases

<sup>4</sup> Party underlined indicates the party for whom I appeared.

<sup>5</sup> This case has been cited in 2 other cases. This case is referred to in D C Pearce & RS Geddes 'Statutory Interpretation in Australia' Eighth Edition.

<sup>6</sup> This case has been cited in 80 other cases

19. *\*SZGIZ v Minister for Immigration and Citizenship*; (2013) 281 FLR 459; [2013] FMCA 215<sup>8</sup>
20. *\*WZARB v Minister for Immigration and Citizenship* (2013) 302 ALR 657; (2013) 136 ALD 77; [2013] FCA 523<sup>9</sup>
21. *\*SZQKC v Minister for Immigration and Citizenship* (2012) 206 FCR 253; (2012) 126 ALD 245; [2012] FCA 249<sup>10</sup>
22. *\*SZQDZ v Minister for Immigration and Citizenship* (2012) 200 FCR 207; (2012) 286 ALR 331; (2012) 126 ALD 63; [2012] FCAFC 26<sup>11</sup>
23. *\*Professional Administration Service Centres Pty Ltd v Commissioner of Taxation* (2012) 295 ALR 52; [2012] FCAFC 180<sup>12</sup>
24. *\*SZQDI v Minister for Immigration and Citizenship* (2012) 207 FCR 106; (2012) 131 ALD 270; [2012] FCA 932<sup>13</sup>
25. *\*MZYPW v Minister for Immigration and Citizenship* (2012) 289 ALR 541; (2012) 128 ALD 520; [2012] FCAFC 99<sup>14</sup>
26. *Endeavour Coal Pty Ltd v Association of Professional Engineers, Scientists and Managers, Australia* (2012) 206 FCR 576; (2012) 290 ALR 326; (2012) 128 ALD 571; (2012) 217 IR 154; [2012] FCA 764<sup>15</sup>

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<sup>7</sup> Affirmed by the High Court in refusing the Minister's application for special leave. The Government introduced legislation to overcome the effect of the decision which was passed on 14 May 2014- *Migration Amendment Act 2013*. This case has been referred to in 86 other decisions.

<sup>8</sup> This case has been cited in 9 other cases

<sup>9</sup> This case has been cited in 4 other cases

<sup>10</sup> This case has been cited in 10 other cases

<sup>11</sup> This case has been cited in 129 other cases

<sup>12</sup> This case has been cited in 3 other cases

<sup>13</sup> This case has been cited in 1 other case

<sup>14</sup> This case has been cited in 46 other cases

27. <sup>\*16</sup>*Plaintiff S10/2011 v Minister for Immigration and Citizenship; Kaur v Minister for Immigration and Citizenship; Plaintiff S49/2011 v Minister for Immigration and Citizenship; Plaintiff S51/2011 v Minister for Immigration and Citizenship* (2012) 246 CLR 636<sup>17</sup>
28. <sup>\*Re Crown Employees (Public Sector - Salaries 2011) Award (No 3)</sup> (2011) 210 IR 458; [2011] NSWIRComm 104<sup>18</sup>
29. *Endeavour Coal Pty Ltd v Association of Professional Engineers, Scientists and Managers, Australia (Collieries' Staff Division)* [2012] FCA 764; (2012) 206 FCR 576; (2012) 290 ALR 326; (2012) 128 ALD 571; (2012) 217 IR 154.
30. *Endeavour Coal Pty Ltd v Association of Professional Engineers, Scientists and Managers, Australia (Collieries' Staff Division)* [2012] FWAFB 1891; (2012) 217 IR 131<sup>19</sup>
31. *PPHF v Director-General of Security* (2011) 193 FCR 436; (2011) 121 ALD 473; [2011] FCAFC 70<sup>20</sup>
32. <sup>\*Tran v Commonwealth</sup> (2010) 187 FCR 54; (2010) 271 ALR 1; (2010) 116 ALD 29; [2010] FCAFC 80<sup>21</sup>
33. *Minister for Immigration and Citizenship v SZNVW* (2010) 183 FCR 575; (2010) 114 ALD 666; [2010] FCAFC 41<sup>22</sup>

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<sup>15</sup> This case has been cited in 17 other cases. This case is referred to in 'Fair Work Legislation'2014

<sup>16</sup> In this case I was lead by Lloyd SC, however I conducted a half day of the hearing before the Full Court of the High Court on my feet.

<sup>17</sup> This case has been cited in other 125 cases. This case is referred to in D C Pearce & RS Geddes 'Statutory Interpretation in Australia' Eighth Edition.

<sup>18</sup> This case has been cited in 11 other cases

<sup>19</sup> This case has been cited in 17 other cases. This case is referred to in 'Fair Work Legislation'2014

<sup>20</sup> This case has been cited in 5 other cases

<sup>21</sup> This case has been cited in 17 other cases This case is referred to in D C Pearce 'Statutory Interpretation in Australia', Seventh Edition and D C Pearce & RS Geddes 'Statutory Interpretation in Australia' Eighth Edition.

34. *PPHF, VGZS and BYRH and Director-General of Security, Re* (2010) 119 ALD 407;  
[2010] AATA 1020<sup>23</sup>
35. *\*SZMWT v Minister for Immigration and Citizenship* (2009) 109 ALD 473; [2009]  
FCA 559<sup>24</sup>
36. *\*SZMTJ v Minister for Immigration and Citizenship (No 2)* (2009) 109 ALD 242;  
[2009] FCA 486<sup>25</sup>
37. *\*SZHEW v Minister for Immigration and Citizenship* [2009] FCA 783<sup>26</sup>
38. *\*Deva v University of Western Sydney* (2009) 229 FLR 380; (2009) 182 IR 75; [2009]  
NSWSC 280<sup>27</sup>
39. *\*Kumar v Minister for Immigration and Citizenship* (2009) 176 FCR 401; (2009) 109  
ALD 44; [2009] FCAFC 55<sup>28</sup>
40. *\*Bakers Delight Holdings Ltd v Industrial Court of New South Wales, Illawarra  
Breads Pty Ltd and Ors* (2009) 186 IR 361; [2009] NSWCA 126<sup>29</sup>
41. *\*Telstra Corporation Ltd v Todd* (2009) 183 IR 423; [2009] FCA 518<sup>30</sup>
42. *\*Deva v University of Western Sydney* (2008) 175 IR 89; [2008] EOC 93-497; [2008]  
NSWCA 137<sup>31</sup>

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<sup>22</sup> This case has been cited in 168 other cases

<sup>23</sup> This case has been cited in 2 other cases

<sup>24</sup> This case has been cited in 5 other cases

<sup>25</sup> This case has been cited in 19 other cases

<sup>26</sup> This case has been cited in 25 other cases

<sup>27</sup> This case has been cited in 2 other cases. This case is referred to in Breen Creighton & Andrew Stewart 'Labour Law', Fifth Edition.

<sup>28</sup> This case has been cited in 7 other cases

<sup>29</sup> This case has been cited in 3 other cases

<sup>30</sup> This case has been cited in 1 other case

<sup>31</sup> This case has been cited in 25 other cases

43. *Transport Workers' Union of New South Wales v Australian Industrial Relations Commission* (2008) 166 FCR 108<sup>32</sup>; (2008) 100 ALD 453; (2008) 245 ALR 258
44. *Tubbo Pty Ltd v Minister Administering the Water Management Act 2000* [2008] NSWCA 356, (2008) 302 ALR 299<sup>33</sup>
45. *Grigor-Scott v Jones* (2008) 168 FCR 450; (2008) 102 ALD 1; [2008] FCAFC 14<sup>34</sup>
46. *Lowe v BEA Systems Pty Ltd* (2008) 180 IR 212; [2008] NSWIRComm 220<sup>35</sup>
47. *Transport Workers' Union of New South Wales v Australian Industrial Relations Commission, TNT (Australia) Pty Ltd and Riteway Transport Pty Ltd* (2008) 166 FCR 108; (2008) 245 ALR 458; (2008) 171 IR 84; (2008) 100 ALD 453; [2008] FCAFC 26<sup>36</sup>
48. *\*SZLHP v Minister for Immigration and Citizenship* (2008) 172 FCR 170; [2008] FCAFC 152<sup>37</sup>
49. *\*SZLDG v Minister for Immigration and Citizenship* (2008) 166 FCR 230; (2008) 244 ALR 140; (2008) 99 ALD 550; [2008] FCA 11<sup>38</sup>
50. *\*SZKCQ v Minister for Immigration and Citizenship* (2008) 170 FCR 236; (2008) 247 ALR 657; (2008) 102 ALD 250; [2008] FCAFC 119<sup>39</sup>
51. *\*SZGIY v Minister for Immigration and Citizenship* [2008] FCAFC 68<sup>40</sup>

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<sup>32</sup> This case is referred to in D C Pearce 'Statutory Interpretation in Australia', Seventh Edition.

<sup>33</sup> This case has been cited in 13 other cases

<sup>34</sup> This case has been cited in 13 other cases

<sup>35</sup> This case has been cited in 1 other case

<sup>36</sup> This case has been cited in 45 other cases

<sup>37</sup> This case has been cited in 39 other cases

<sup>38</sup> This case has been cited in 9 other cases

<sup>39</sup> This case has been cited in 64 other cases

<sup>40</sup> This case has been cited in 61 other cases

52. *\*SZITH v Minister for Immigration and Citizenship* (2008) 105 ALD 541; [2008] FCA 1866<sup>41</sup>
53. *\*SZGUP v Minister for Immigration and Citizenship* (2008) 100 ALD 518; [2008] FCA 183
54. *\*Kelly v Saadat-Talab* (2008) 72 NSWLR 305; (2008) 228 FLR 284; (2008) 251 ALR 398; [2008] NSWCA 213<sup>42</sup>
55. *\*SZLSW v Minister for Citizenship and Immigration* (2008) 103 ALD 580; [2008] FCA 1321<sup>43</sup>
56. *\*Saadat-Talab v Australian Federal Police* (2007) 215 FLR 205; (2007) 178 A Crim R 527; [2007] NSWSC 1353<sup>44</sup>
57. *\*Minister for Immigration and Citizenship v Applicant A125 of 2003* (2007) 163 FCR 285; (2007) 243 ALR 691; (2007) 98 ALD 246; [2007] FCAFC 162<sup>45</sup>
58. *\*SZEOP v Minister for Immigration and Citizenship* [2007] FCA 807<sup>46</sup>
59. *Construction, Forestry, Mining and Energy Union (New South Wales Branch) v Port Kembla Coal Terminal Ltd* (2007) 169 IR 141; [2007] NSWIRComm 296<sup>47</sup>
60. *Commonwealth of Australia v Griffiths* (2007) 245 ALR 172; (2007) 70 NSWLR 268; [2007] NSWCA 370<sup>48</sup>

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<sup>41</sup> This case has been cited in 5 other cases

<sup>42</sup> This case has been cited in 5 other cases. This case is referred to in D C Pearce & RS Geddes 'Statutory Interpretation in Australia' Eighth Edition

<sup>43</sup> This case has been cited in 8 other cases

<sup>44</sup> This case has been cited in 2 other cases

<sup>45</sup> This case has been cited in 77 other cases

<sup>46</sup> This case has been cited in 7 other cases

<sup>47</sup> This case has been cited in 5 other cases

<sup>48</sup> This case has been cited in 71 other cases

61. *United KFPW v National Union of Workers, New South Wales Branch* (2006) 158 IR 336; [2006] NSWIRComm 391<sup>49</sup>
62. *\*SZEGX v Minister for Immigration and Multicultural and Indigenous Affairs* [2006] FCA 166<sup>50</sup>
63. *\*SZEEU v Minister for Immigration and Multicultural and Indigenous Affairs* (2006) 150 FCR 214; (2006) 230 ALR 1; [2006] FCAFC 2<sup>51</sup>
64. *\*SZEEF v Minister for Immigration & Multicultural & Indigenous Affairs* (2006) 233 ALR 331; [2006] FMCA 661<sup>52</sup>
65. *\*NW v New South Wales Fire Brigades* (No 2) [2006] NSWADT 61<sup>53</sup>
66. *\*NBKS v Minister for Immigration and Multicultural and Indigenous Affairs* (2006) 156 FCR 205; (2006) 237 ALR 592; 93 ALD 313; [2006] FCAFC 174<sup>54</sup>
67. *\*Minister for Immigration and Multicultural and Indigenous Affairs v SZFHC* (2006) 150 FCR 439; (2006) 231 ALR 630; [2006] FCAFC 73<sup>55</sup>
68. *\*Hussein v Secretary, Department of Immigration and Multicultural and Indigenous Affairs* (2006) 90 ALD 285; [2006] FCA 286<sup>56</sup>
69. *\*SZHSQ v Minister for Immigration and Multicultural Affairs* (2006) 155 FCR 159; [2006] FCA 1295<sup>57</sup>

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<sup>49</sup> This case has been cited in 3 other cases

<sup>50</sup> This case has been cited in 16 other cases

<sup>51</sup> This case has been cited in 689 other cases

<sup>52</sup> This case has been cited in 12 other cases

<sup>53</sup> This case has been cited in 14 other cases

<sup>54</sup> This case has been cited in 37 other cases

<sup>55</sup> This case has been cited in 113 other cases

<sup>56</sup> This case has been cited in 4 other cases

<sup>57</sup> This case has been cited in 29 other cases



70. *\*Hussein v Secretary of the Department of Immigration and Multicultural Affairs* (No2) 155 FCR 304; 92 ALD 89; [2006] FCA 1263<sup>58</sup>
71. *Koroitamana v Commonwealth of Australia* (2006) 227 CLR 31; 227 ALR 406; 80 ALJR 1146 [2006] HCA 28<sup>59</sup>
72. *\*Seyfarth v Minister for Immigration and Multicultural and Indigenous Affairs* (2005) 142 FCR 580; [2005] FCAFC 105<sup>60</sup>
73. *\*Aussie Home Loans v X Inc Services* [2005] ATPR 42-060; [2005] NSWSC 285<sup>61</sup>
74. *\*NAWZ v Minister for Immigration and Multicultural and Indigenous Affairs* [2004] FCAFC 199<sup>62</sup>
75. *\*NAUV v Minister for Immigration and Multicultural and Indigenous Affairs* (2004) 82 ALD 784; [2004] FCAFC 124.<sup>63</sup>
76. *Miller v University of New South Wales* (2003) 132 FCR 147; (2003) 200 ALR 565; [2003] FCAFC 180<sup>64</sup>
77. *The Owners Strata Plan No 56443 v Regis Towers Real Estate Pty Ltd* (2003) 58 NSWLR 78; [2003] NSWCA 274<sup>65</sup>
78. *\*NAUV v Minister for Immigration and Multicultural and Indigenous Affairs* (2003) 79 ALD 149; [2003] FCA 1319<sup>66</sup>

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<sup>58</sup> This case is referred to in 'Stuarts Guide to Employment Law', third edition and Breen Creighton & Andrew Stewart 'Labour Law', Fifth Edition

<sup>59</sup> This case has been cited in 15 other cases

<sup>60</sup> This case has been cited in 7 other cases

<sup>61</sup> This case has been cited in 13 other cases It also has been referred to in 'The Modern Contract of Employment', Neil and Chin and Breen Creighton & Andrew Stewart 'Labour Law', Fifth Edition.

<sup>62</sup> This case has been cited in 61 other cases

<sup>63</sup> This case has been cited in 12 other cases

<sup>64</sup> This case has been cited in 101 other cases. This case is referred to in Breen Creighton & Andrew Stewart 'Labour Law', Fifth Edition

<sup>65</sup> This case has been cited in 9 other cases

79. *NATB v Minister for Immigration and Multicultural and Indigenous Affairs*(2003) 133 FCR 506<sup>67</sup>; (2003) 80 ALD 799; [2003] FCAFC 292;
80. \**Re Minister for Immigration & Multicultural & Indigenous Affairs; Ex parte Applicant S190 of 2002* [2002] HCA 39; (2002) 191 ALR 569<sup>68</sup>
81. *Owners - Strata Plan No 51487 v Broadsand Pty Ltd* [2002] NSWSC 770<sup>69</sup>
82. *Inspector Ian Batty v Graincorp Operations Ltd* [2002] NSWIRComm 49<sup>70</sup>
83. *Finance Sector Union of Australia v Commonwealth Bank of Australia* (2001) 106 IR 172; [2001] FCA 335<sup>71</sup>
84. *PP Consultants v Finance Sector Union of Australia* [2000] HCA 59; (2000) 201 CLR 648; (2000) 75 ALJR 191; (2000) 21 Leg Rep 2<sup>72</sup>

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<sup>66</sup> This case has been cited in 11 other cases. This case is referred to in D C Pearce & RS Geddes 'Statutory Interpretation in Australia' Eighth Edition

<sup>67</sup> This case is referred to in D C Pearce 'Statutory Interpretation in Australia', Seventh Edition. This case has been cited in 8 other cases

<sup>68</sup> This case has been cited in 11 other cases

<sup>69</sup> This case has been cited in 11 other cases

<sup>70</sup> This case has been cited in 18 other cases

<sup>71</sup> This case has been cited in 15 other cases. This case is referred to in 'Fair Work Legislation' 2014

<sup>72</sup> This case has been cited in 48 other cases. This case is referred to in Breen Creighton & Andrew Stewart 'Labour Law', Fifth Edition