

SHANE PRINCE SC

List of Reported and Significant¹ Cases

1. *D&D Traffic Management Pty Ltd v The Australian Workers' Union* [2022] FCAFC 113, (2022) 178 ALD 164.
2. *Martin Bajelis v Reserve Bank of Australia* [2020] FWC 3740, (2020) 299 IR 1.
3. *SZQYM v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2020] FCA 779, (2020) ALD 579.
4. *C7A/2017 v Minister for Immigration and Border Protection* [2020] FCAFC 63, (2020) 276 FCR 147.
5. *Minister for Immigration and Border Protection v CTW17* [2019] FCAFC 156, (2019) 271 FCR 173.
6. *SZTVU v Minister for Home Affairs* [2019] FCAFC 30, (2019) 268 FCR 497.
7. *AYF16 v Minister for Immigration and Border Protection* [2018] FCAFC 129, (2018) 264 FCR 654.
8. *Vautin v BY Winddown, Inc. (formerly Bertram Yachts) (No 4)* [2018] FCA 426, (2018) 362 ALR 702.
9. *Millers Point Community Assoc. Incorporated v Property NSW* [2017] NSWLEC 92, (2017) 244 LGERA 407.

* APPEARED AS LEAD COUNSEL OR ALONE

¹ 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. **Lewis v Sergeant Riley* [2017] NSWCA 272, (2017) 96 NSWLR 274.
11. *Millers Point Community Assoc. Incorporated v Property NSW* [2017] NSWLEC 92, (2017) 224 LGERA 407.
12. *Shizas v Commissioner of Police* (2017) 268 IR 71.
13. **Hunter Development Corporation v Save Our Rail NSW Inc (No 2)* [2016] NSWCA 375, (2016) 93 NSWLR 704, 220 LGERA 73, [2018] ALMD 1198.
14. **BY Winddown, Inc v Vautin and Eagle Yachts* [2016] FCAFC 168, (2016) 249 FCR 262, 337 ALR 96, [2018] ALMD 1389.
15. **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*.
16. **Milanes v Minister for Immigration and Border Protection* [2015] FCA 1105, (2015) 234 FCR 508, [2016] ALMD 1823
17. **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.
18. **Minister for Immigration v WZARH* [2015] HCA 40, (2015) 256 CLR 326, 90 ALJR 25, 326 ALR 1, [2016] ALMD 10, [2016] ALMD 76.
19. *CFMEU v Endeavour Coal* (2015) 231 FCR 150 (note special leave refused on 11 December 2015).
20. **Special Broadcasting Services v Corbell* [2016] NSWSC 461²

² Unusual case where Slattery J provided detailed reasons for interlocutory injunction.

21. **BZAFM v Minister for Immigration and Border Protection* [2015] FCAFC 41, (2015) 321 ALR 117
22. **SZTES v Minister for Immigration and Border Protection* [2015] FCAFC 158³
23. *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.
24. **SZTIB⁴ v Minister for Immigration and Border Protection* [2015] FCAFC 40, (2015) 321 ALR 81, 149 ALD 449, [2017] ALMD 443, [2017] ALMD 444⁵
25. **SZTEQ v Minister for Immigration and Border Protection* [2015] FCAFC 39; (2015) 229 FCR 497, 321 ALR 44, 145 ALD 577, [2015] ALMD 4586⁶
26. **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
27. **SZGIZ v Minister for Immigration and Citizenship* (2013) 212 FCR 235; (2013) 299 ALR 246; [2013] FCAFC 71⁷.
28. **SZGIZ v Minister for Immigration and Citizenship*; (2013) 281 FLR 459; [2013] FMCA 215⁸

³ This case has been cited in 6 other cases

⁴ Party underlined indicates the party for whom I appeared.

⁵ 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.

⁶ This case has been cited in 80 other cases

⁷ 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.

⁸ This case has been cited in 9 other cases

29. **WZARB v Minister for Immigration and Citizenship* (2013) 302 ALR 657; (2013) 136 ALD 77; [2013] FCA 523⁹
30. **SZQKC v Minister for Immigration and Citizenship* (2012) 206 FCR 253; (2012) 126 ALD 245; [2012] FCA 249¹⁰
31. **SZQDZ v Minister for Immigration and Citizenship* (2012) 200 FCR 207; (2012) 286 ALR 331; (2012) 126 ALD 63; [2012] FCAFC 26¹¹
32. **Professional Administration Service Centres Pty Ltd v Commissioner of Taxation* (2012) 295 ALR 52; [2012] FCAFC 180¹²
33. **SZQDI v Minister for Immigration and Citizenship* (2012) 207 FCR 106; (2012) 131 ALD 270; [2012] FCA 932¹³
34. **MZYPW v Minister for Immigration and Citizenship* (2012) 289 ALR 541; (2012) 128 ALD 520; [2012] FCAFC 99¹⁴
35. *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 764¹⁵
36. **¹⁶Plaintiff S10/2011 v Minister for Immigration and Citizenship; Kaur v Minister for Immigration and Citizenship; Plaintiff S49/2011 v Minister for Immigration and*

⁹ This case has been cited in 4 other cases

¹⁰ This case has been cited in 10 other cases

¹¹ This case has been cited in 129 other cases

¹² This case has been cited in 3 other cases

¹³ This case has been cited in 1 other case

¹⁴ This case has been cited in 46 other cases

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

¹⁶ 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.

Citizenship; Plaintiff S51/2011 v Minister for Immigration and Citizenship (2012) 246 CLR 636¹⁷

37. **Re Crown Employees (Public Sector - Salaries 2011) Award (No 3)* (2011) 210 IR 458; [2011] NSWIRComm 104¹⁸

38. *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.

39. *Endeavour Coal Pty Ltd v Association of Professional Engineers, Scientists and Managers, Australia (Collieries' Staff Division)* [2012] FWAFB 1891; (2012) 217 IR 131¹⁹

40. *PPHF v Director-General of Security* (2011) 193 FCR 436; (2011) 121 ALD 473; [2011] FCAFC 70²⁰

41. **Tran v Commonwealth* (2010) 187 FCR 54; (2010) 271 ALR 1; (2010) 116 ALD 29; [2010] FCAFC 80²¹

42. *Minister for Immigration and Citizenship v SZNVW* (2010) 183 FCR 575; (2010) 114 ALD 666; [2010] FCAFC 41²²

43. *PPHF, VGZS and BYRH and Director-General of Security, Re* (2010) 119 ALD 407; [2010] AATA 1020²³

¹⁷ 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.

¹⁸ This case has been cited in 11 other cases

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

²⁰ This case has been cited in 5 other cases

²¹ 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.

²² This case has been cited in 168 other cases

²³ This case has been cited in 2 other cases

44. **SZMWT v Minister for Immigration and Citizenship* (2009) 109 ALD 473; [2009] FCA 559²⁴
45. **SZMTJ v Minister for Immigration and Citizenship (No 2)* (2009) 109 ALD 242; [2009] FCA 486²⁵
46. **SZHEW v Minister for Immigration and Citizenship* [2009] FCA 783²⁶
47. **Deva v University of Western Sydney* (2009) 229 FLR 380; (2009) 182 IR 75; [2009] NSWSC 280²⁷
48. **Kumar v Minister for Immigration and Citizenship* (2009) 176 FCR 401; (2009) 109 ALD 44; [2009] FCAFC 55²⁸
49. **Bakers Delight Holdings Ltd v Industrial Court of New South Wales, Illawarra Breads Pty Ltd and Ors* (2009) 186 IR 361; [2009] NSWCA 126²⁹
50. **Telstra Corporation Ltd v Todd* (2009) 183 IR 423; [2009] FCA 518³⁰
51. **Deva v University of Western Sydney* (2008) 175 IR 89; [2008] EOC 93-497; [2008] NSWCA 137³¹
52. *Transport Workers' Union of New South Wales v Australian Industrial Relations Commission* (2008) 166 FCR 108³²; (2008) 100 ALD 453; (2008) 245 ALR 258

²⁴ This case has been cited in 5 other cases

²⁵ This case has been cited in 19 other cases

²⁶ This case has been cited in 25 other cases

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

²⁸ This case has been cited in 7 other cases

²⁹ This case has been cited in 3 other cases

³⁰ This case has been cited in 1 other case

³¹ This case has been cited in 25 other cases

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

53. *Tubbo Pty Ltd v Minister Administering the Water Management Act 2000* [2008] NSWCA 356, (2008) 302 ALR 299³³
54. *Grigor-Scott v Jones* (2008) 168 FCR 450; (2008) 102 ALD 1; [2008] FCAFC 14³⁴
55. *Lowe v BEA Systems Pty Ltd* (2008) 180 IR 212; [2008] NSWIRComm 220³⁵
56. *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 26³⁶
57. **SZLHP v Minister for Immigration and Citizenship* (2008) 172 FCR 170; [2008] FCAFC 152³⁷
58. **SZLDG v Minister for Immigration and Citizenship* (2008) 166 FCR 230; (2008) 244 ALR 140; (2008) 99 ALD 550; [2008] FCA 11³⁸
59. **SZKCQ v Minister for Immigration and Citizenship* (2008) 170 FCR 236; (2008) 247 ALR 657; (2008) 102 ALD 250; [2008] FCAFC 119³⁹
60. **SZGIY v Minister for Immigration and Citizenship* [2008] FCAFC 68⁴⁰
61. **SZITH v Minister for Immigration and Citizenship* (2008) 105 ALD 541; [2008] FCA 1866⁴¹

³³ This case has been cited in 13 other cases

³⁴ This case has been cited in 13 other cases

³⁵ This case has been cited in 1 other case

³⁶ This case has been cited in 45 other cases

³⁷ This case has been cited in 39 other cases

³⁸ This case has been cited in 9 other cases

³⁹ This case has been cited in 64 other cases

⁴⁰ This case has been cited in 61 other cases

⁴¹ This case has been cited in 5 other cases

62. **SZGUP v Minister for Immigration and Citizenship* (2008) 100 ALD 518; [2008] FCA 183
63. **Kelly v Saadat-Talab* (2008) 72 NSWLR 305; (2008) 228 FLR 284; (2008) 251 ALR 398; [2008] NSWCA 213⁴²
64. **SZLSW v Minister for Citizenship and Immigration* (2008) 103 ALD 580; [2008] FCA 1321⁴³
65. **Saadat-Talab v Australian Federal Police* (2007) 215 FLR 205; (2007) 178 A Crim R 527; [2007] NSWSC 1353⁴⁴
66. **Minister for Immigration and Citizenship v Applicant A125 of 2003* (2007) 163 FCR 285; (2007) 243 ALR 691; (2007) 98 ALD 246; [2007] FCAFC 162⁴⁵
67. **SZEOP v Minister for Immigration and Citizenship* [2007] FCA 807⁴⁶
68. *Construction, Forestry, Mining and Energy Union (New South Wales Branch) v Port Kembla Coal Terminal Ltd* (2007) 169 IR 141; [2007] NSWIRComm 296⁴⁷
69. *Commonwealth of Australia v Griffiths* (2007) 245 ALR 172; (2007) 70 NSWLR 268; [2007] NSWCA 370⁴⁸
70. *United KFPW v National Union of Workers, New South Wales Branch* (2006) 158 IR 336; [2006] NSWIRComm 391⁴⁹

⁴² 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

⁴³ This case has been cited in 8 other cases

⁴⁴ This case has been cited in 2 other cases

⁴⁵ This case has been cited in 77 other cases

⁴⁶ This case has been cited in 7 other cases

⁴⁷ This case has been cited in 5 other cases

⁴⁸ This case has been cited in 71 other cases

⁴⁹ This case has been cited in 3 other cases

71. **SZEGX v Minister for Immigration and Multicultural and Indigenous Affairs* [2006] FCA 166⁵⁰
72. **SZEEU v Minister for Immigration and Multicultural and Indigenous Affairs* (2006) 150 FCR 214; (2006) 230 ALR 1; [2006] FCAFC 2⁵¹
73. **SZEEF v Minister for Immigration & Multicultural & Indigenous Affairs* (2006) 233 ALR 331; [2006] FMCA 661⁵²
74. **NW v New South Wales Fire Brigades* (No 2) [2006] NSWADT 61⁵³
75. **NBKS v Minister for Immigration and Multicultural and Indigenous Affairs* (2006) 156 FCR 205; (2006) 237 ALR 592; 93 ALD 313; [2006] FCAFC 174⁵⁴
76. **Minister for Immigration and Multicultural and Indigenous Affairs v SZFHC* (2006) 150 FCR 439; (2006) 231 ALR 630; [2006] FCAFC 73⁵⁵
77. **Hussein v Secretary, Department of Immigration and Multicultural and Indigenous Affairs* (2006) 90 ALD 285; [2006] FCA 286⁵⁶
78. **SZHSQ v Minister for Immigration and Multicultural Affairs* (2006) 155 FCR 159; [2006] FCA 1295⁵⁷
79. **Hussein v Secretary of the Department of Immigration and Multicultural Affairs* (No2) 155 FCR 304; 92 ALD 89; [2006] FCA 1263⁵⁸

⁵⁰ This case has been cited in 16 other cases

⁵¹ This case has been cited in 689 other cases

⁵² This case has been cited in 12 other cases

⁵³ This case has been cited in 14 other cases

⁵⁴ This case has been cited in 37 other cases

⁵⁵ This case has been cited in 113 other cases

⁵⁶ This case has been cited in 4 other cases

⁵⁷ This case has been cited in 29 other cases

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

80. *Koroitamana v Commonwealth of Australia* (2006) 227 CLR 31; 227 ALR 406; 80 ALJR 1146 [2006] HCA 28⁵⁹
81. **Seyfarth v Minister for Immigration and Multicultural and Indigenous Affairs* (2005) 142 FCR 580; [2005] FCAFC 105⁶⁰
82. **Aussie Home Loans v X Inc Services* [2005] ATPR 42-060; [2005] NSWSC 285⁶¹
83. **NAWZ v Minister for Immigration and Multicultural and Indigenous Affairs* [2004] FCAFC 199⁶²
84. **NAUV v Minister for Immigration and Multicultural and Indigenous Affairs* (2004) 82 ALD 784; [2004] FCAFC 124.⁶³
85. *Miller v University of New South Wales* (2003) 132 FCR 147; (2003) 200 ALR 565; [2003] FCAFC 180⁶⁴
86. *The Owners Strata Plan No 56443 v Regis Towers Real Estate Pty Ltd* (2003) 58 NSWLR 78; [2003] NSWCA 274⁶⁵
87. **NAUV v Minister for Immigration and Multicultural and Indigenous Affairs* (2003) 79 ALD 149; [2003] FCA 1319⁶⁶

⁵⁹ This case has been cited in 15 other cases

⁶⁰ This case has been cited in 7 other cases

⁶¹ 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.

⁶² This case has been cited in 61 other cases

⁶³ This case has been cited in 12 other cases

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

⁶⁵ This case has been cited in 9 other cases

⁶⁶ 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

88. *NATB v Minister for Immigration and Multicultural and Indigenous Affairs*(2003) 133 FCR 506⁶⁷; (2003) 80 ALD 799; [2003] FCAFC 292;
89. **Re Minister for Immigration & Multicultural & Indigenous Affairs; Ex parte Applicant S190 of 2002* [2002] HCA 39; (2002) 191 ALR 569⁶⁸
90. *Owners - Strata Plan No 51487 v Broadsand Pty Ltd* [2002] NSWSC 770⁶⁹
91. *Inspector Ian Batty v Graincorp Operations Ltd* [2002] NSWIRComm 49⁷⁰
92. *Finance Sector Union of Australia v Commonwealth Bank of Australia* (2001) 106 IR 172; [2001] FCA 335⁷¹
93. *PP Consultants v Finance Sector Union of Australia* [2000] HCA 59; (2000) 201 CLR 648; (2000) 75 ALJR 191; (2000) 21 Leg Rep 2⁷²

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

⁶⁸ This case has been cited in 11 other cases

⁶⁹ This case has been cited in 11 other cases

⁷⁰ This case has been cited in 18 other cases

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

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