

Table of Cases

- A v Maughan (2016) 50 WAR 263: 136
- AB v Western Australia (2011) 244 CLR 390: 5
- Abebe v Commonwealth (1999) 197 CLR 510: 95
- Agius v The Queen (2013) 248 CLR 601: 119
- Aid/Watch Inc v Commissioner of Taxation (2010) 241 CLR 539: 100
- AK v Western Australia (2008) 232 CLR 438: 146, 152
- Akiba v Commonwealth (2013) 250 CLR 209: 183-185
- Akiba v Queensland (No 3) (2010) 204 FCR 1: 183
- Alcan (NT) Alumina Pty Ltd v Commissioner of Territory Revenue (2009) 239 CLR 27: 3-4
- Alqudsi v The Queen (2016) 258 CLR 203: 74-75, 106, 110, 114, 123-126, 132
- Amaca Pty Ltd v Booth (2011) 246 CLR 36: 57, 64-65
- Amaca Pty Ltd v Ellis (2010) 240 CLR 111: 57, 65
- Anthony Horden & Sons Pty Ltd v Amalgamated Clothing and Allied Trades Union of Australia (1932) 47 CLR 1: 10
- Arthur JS Hall & Co v Simons [2002] 1 AC 615: 102
- Assistant Commissioner Condon v Pompano Pty Ltd (2013) 252 CLR 38: 89, 91-92, 110, 112-114
- Attorney-General v British Broadcasting Corporation [1981] AC 303: 95
- Attorney-General (Cth) v Alinta Ltd (2008) 233 CLR 542: 81
- Attorney-General (Cth) v Breckler (1999) 197 CLR 83: 95-96
- Attorney-General (Cth) v Queensland (1990) 25 FCR 125: 164, 166
- Attorney-General (Cth) v The Queen (1957) 95 CLR 529: 87
- Attorney-General (NT) v Emmerson (2014) 253 CLR 393: 40, 110, 113-114, 118
- Attorney-General (SA) v Corporation of the City of Adelaide (2013) 249 CLR 1: 39
- Attorney-General (Vic) v Commonwealth (1945) 71 CLR 2: 27-28, 32
- Australian Communications and Media Authority v Today FM (Sydney) Pty Ltd (2015) 255 CLR 352: 110
- Australian Communist Party v Commonwealth (1951) 83 CLR 1: 41, 44-45, 52
- Australian Competition and Consumer Commission v CG Berbatis Holdings Pty Ltd (2000) 96 FCR 491: 82, 100-101, 109
- Australian Competition and Consumer Commission v Coles Supermarkets Australia Pty Ltd (2014) 317 ALR 73: 60
- Australian Crime Commission v Stoddart (2011) 244 CLR 554: 136-138
- Australian Education Union v Department of Education (2012) 248 CLR 1: 7
- Australian Education Union v General Manager, Fair Work Australia (2012) 246 CLR 117: 110
- Avon Downs Pty Ltd v Federal Commissioner of Taxation (1949) 78 CLR 353: 24
- Aytugrul v The Queen (2012) 247 CLR 70: 119
- Azzopardi v The Queen (2001) 205 CLR 50: 140
- Babaniaris v Lutony Fashions Pty Ltd (1987) 163 CLR 1: 96, 102
- Baiada Poultry Pty Ltd v The Queen (2012) 246 CLR 92: 148-149, 153
- Baini v The Queen (2012) 246 CLR 469: 151
- Baker v The Queen (2012) 245 CLR 632: 119, 122, 140-141
- Bandjalang People No 1 and No 2 v Attorney-General (NSW) [2013] FCA 1278: 171
- Bank Markazi v Petersen 136 S Ct 1310 (2016): 99
- Bannon v The Queen (1995) 185 CLR 1: 141
- Barbaro v The Queen; Zirilli v The Queen (2014) 253 CLR 58: 154
- Barkandji Traditional Owners No 8 v Attorney-General (NSW) [2015] FCA 604: 171
- Barton v Commonwealth (1974) 131 CLR 477: 46, 50
- BBC v Johns [1965] Ch 32: 46
- Biggs v Director of Public Prosecutions (1997) 95 A Crim R 349: 145
- Bond v United States 564 US 211 (2011): 105
- Braysich v The Queen (2011) 243 CLR 434: 119
- British American Tobacco Australia Ltd v Western Australia (2003) 217 CLR 30: 129
- Bropho v Western Australia (1990) 171 CLR 1: 45
- Brown v The Queen (1986) 160 CLR 171: 75, 124-125
- Brown v West (1990) 169 CLR 195: 45
- Brown v Western Australia [2001] FCA 1462: 172
- Buck v New South Wales (Unreported, Federal Court of Australia, Lockhart J, 7 April 1997): 170

TABLE OF CASES

- Buckley v Thomas (1554) 1 Plowden 118; 75 ER 182: 59
- Bugmy v The Queen (2013) 249 CLR 571: 122, 153, 157-158
- Burmah Oil Co Ltd v Lord Advocate [1965] AC 75: 52
- Burns v Ransley (1949) 79 CLR 101: 52
- Burns v The Queen (2012) 246 CLR 334: 119
- Cabal v United Mexican States (2000) 186 ALR 188: 109
- Cadder v Her Majesty's Advocate [2010] 1 WLR 2601: 102
- Cadia Holdings Pty Ltd v New South Wales (2010) 242 CLR 195: 40, 44, 46-48
- Callanan v B [2005] 1 Qd R 348: 137
- Cameron v The Queen [2004] WASCA 16: 130
- Cancer Voices Australia v Myriad Genetics Inc (2013) 99 IPR 567: 62
- Case of Proclamations (1611) 12 Co Rep 74; 77 ER 1352: 48
- Castle v The Queen; Bucca v The Queen [2016] HCA 46: 152
- Certain Lloyd's Underwriters v Cross (2012) 248 CLR 378: 5-7
- Cesan v The Queen (2008) 236 CLR 358: 147-148, 152
- Cheatle v The Queen (1993) 177 CLR 541: 127, 131-132
- Cheng v The Queen (2000) 203 CLR 248: 125-126
- Chu Kheng Lim v Minister for Immigration, Local Government and Ethnic Affairs (1992) 176 CLR 1: 95
- Churnside v Western Australia [2016] WASCA 146: 158
- Clayton v The Queen (2006) 81 ALJR 439: 122
- Close on Behalf of the Githabul People v Minister for Lands [2007] FCA 1847: 171
- CMB v Attorney-General (NSW) (2015) 256 CLR 346: 155
- Coco v The Queen (1994) 179 CLR 427: 45
- Colina, Re; Ex parte Torney (1999) 200 CLR 386: 100
- Commissioner for Railways (NSW) v Agalianos (1955) 92 CLR 390: 5
- Commissioner of Police (NSW) v Eaton (2013) 252 CLR 1: 9
- Commissioner of the Australian Federal Police v Zhao (2015) 255 CLR 46: 19, 119, 134, 136
- Commonwealth v Akiba (2012) 204 FCR 260: 183
- Commonwealth v Colonial Combing, Spinning & Weaving Co Ltd (1922) 31 CLR 421: 42, 46, 48, 54
- Commonwealth v Hospital Contribution Fund of Australia (1982) 50 CLR 49: 88
- Commonwealth v Tasmania (1983) 158 CLR 1: 34, 166-167
- Commonwealth v Yarmirr (2001) 208 CLR 1: 177, 179
- Construction, Forestry, Mining and Energy Union v Boral Resources (Vic) Pty Ltd (2015) 256 CLR 375: 19
- Corporate Affairs Commission (NSW) v Yuill (1991) 172 CLR 319: 4
- Cox v Western Australia [2007] FCA 588: 172
- CPCF v Minister for Immigration and Border Protection (2015) 255 CLR 514: 37, 39-40, 42, 44, 46, 50
- Craig v South Australia (1995) 184 CLR 163: 20-21
- Crump v New South Wales (2012) 247 CLR 1: 98, 110, 118
- Cunliffe v Commonwealth (1994) 182 CLR 272: 38
- D'Arcy v Myriad Genetics Inc (2014) 224 FCR 479: 62-63
- D'Arcy v Myriad Genetics Inc (2015) 258 CLR 334: 57, 62-63
- Dalgarno v Hannah (1903) 1 CLR 1: 82
- David Jones Finance & Investments Pty Ltd v Federal Commissioner of Taxation (1991) 28 FCR 484: 109
- Davis v Commonwealth (1988) 166 CLR 79: 34, 36, 38-39, 44-46, 48, 50, 54
- Deakin v The Queen (1984) 58 ALJR 367: 153
- Deeral v Charlie [1997] FCA 1408: 171
- Defrenne v Sabena [1976] ECR 455: 101
- Deputy Commissioner of Taxation v Warrick (No 2) (2004) ATC 4779: 109
- Director of Public Prosecutions (Cth) v De La Rosa (2010) 243 FLR 28: 153
- Director of Public Prosecutions (Cth) v Keating (2013) 248 CLR 459: 14, 119
- Director of Public Prosecutions (Cth) v Poniatowska (2011) 244 CLR 408: 119
- Donoghue v Stevenson [1932] AC 562: 73, 79, 138
- Duncan v Independent Commission Against Corruption (2015) 256 CLR 83: 110, 114, 118
- Electrolux Home Products Pty Ltd v Australian Workers' Union (2004) 221 CLR 309: 13, 135
- Elias v The Queen (2013) 248 CLR 483: 154
- Ellis v Deheer [1922] 2 KB 113: 144
- Environmental Protection Authority v Caltex Refining Co Pty Ltd (1993) 178 CLR 477: 15-16
- Evans v New South Wales (2008) 168 FCR 576: 45
- Fardon v Attorney-General (Qld) (2004) 223 CLR 575: 89
- Farey v Burvett (1916) 21 CLR 433: 46
- Fazzolari v Parramatta City Council (2009) 237 CLR 603: 14

TABLE OF CASES

- Federal Commissioner of Taxation v Consolidated Media Holdings Ltd (2012) 250 CLR 503: 3
- Federal Commissioner of Taxation v Official Liquidator of EO Farley Ltd (1940) 63 CLR 278: 42
- Fejo v Northern Territory (1998) 195 CLR 96: 177-178
- Felton v Mulligan (1971) 124 CLR 367: 128
- Fencott v Muller (1983) 152 CLR 570: 109, 117, 128
- Filippou v The Queen (2015) 256 CLR 47: 149, 151-152
- Firebird Global Master Fund II Ltd v Republic of Nauru (2015) 258 CLR 31: 4
- Gassy v The Queen (2008) 236 CLR 293: 152
- Gedeon v Commissioner of the New South Wales Crime Commission (2008) 236 CLR 120: 21
- Giannarelli v Wraith (1988) 165 CLR 543: 103
- Gillard v The Queen (2003) 219 CLR 1: 122
- Giris Pty Ltd v Federal Commissioner of Taxation (1969) 119 CLR 365: 82-83
- Gould v Brown (1998) 193 CLR 346: 86, 95, 112
- Graham v The Queen (2016) 333 ALR 447: 142-143
- Green v The Queen; Quinn v The Queen (2011) 244 CLR 462: 155
- Grollo v Palmer (1995) 184 CLR 348: 88, 105
- Gumana v Northern Territory (2007) 158 FCR 349: 173-175, 177
- Ha v New South Wales (1997) 189 CLR 465: 102
- Hamilton v Oades (1989) 166 CLR 486: 133
- Hammond v Commonwealth (1982) 152 CLR 188: 124, 133
- Handlen v The Queen (2011) 245 CLR 282: 152
- Harris v Caladine (1991) 172 CLR 84: 95
- Haskins v Commonwealth (2011) 244 CLR 22: 110, 118
- Hazell v Hammersmith and Fulham LBC [1992] 2 AC 1: 103
- Highstoke Pty Ltd v Hayes Knight GTO Pty Ltd (2007) 156 FCR 501: 94, 109
- Hili v The Queen; Jones v The Queen (2010) 242 CLR 520: 123, 153-154, 156
- Hilton v Wells (1985) 157 CLR 57: 88
- Hocine v Minister for Immigration and Multicultural Affairs (2000) 99 FCR 269: 109
- Hogan v Hinch (2011) 243 CLR 506: 110, 123
- Honeysett v The Queen (2014) 253 CLR 122: 119
- House v The King (1936) 55 CLR 499: 24, 154
- Huddart, Parker & Co Pty Ltd v Moorehead (1909) 8 CLR 330: 95, 132
- Hughes v Western Australia; Rizeq v Western Australia (2015) 299 FLR 197: 118, 127-130
- IMM v The Queen (2016) 330 ALR 382: 119
- Inco Europe Ltd v First Choice Distribution [2000] 1 WLR 586: 8
- Independent Commission Against Corruption v Cunneen (2015) 256 CLR 1: 4, 9, 120
- International Finance Trust Co Ltd v New South Wales Crime Commission (2009) 240 CLR 319: 10, 13, 89, 91-92, 110, 118
- James v The Queen (2014) 253 CLR 475: 142-143
- James v Western Australia [2002] FCA 1208: 172
- John Pfeiffer Pty Ltd v Rogerson (2000) 203 CLR 503: 46
- Johnson v Kent (1975) 132 CLR 164: 46
- Judiciary and Navigation Acts, Re (1921) 29 CLR 257: 87, 111
- K-Generation Pty Ltd v Liquor Licensing Court (2009) 237 CLR 501: 6, 10, 12, 89, 92, 110
- Kable v Director of Public Prosecutions (NSW) (1996) 189 CLR 51: 88-91, 99, 104-105, 110-111
- Karpany v Dietman (2013) 252 CLR 507: 184
- Kennedy v The Queen [2010] NSWCCA 260: 159
- Kentwell v The Queen (2014) 252 CLR 601: 157
- King v The Queen (2012) 245 CLR 588: 119
- Kingswell v The Queen (1985) 159 CLR 264: 125-126
- Kirk v Industrial Court (NSW) (2010) 239 CLR 531: 11, 20, 90, 110
- Kleinwort Benson Ltd v Lincoln City Council [1999] 2 AC 349: 103-104
- Kline v Official Secretary to the Governor-General (2013) 249 CLR 645: 53
- Koowarta v Bjelke-Petersen (1982) 153 CLR 168: 117, 162-163, 172
- Kuczborski v Queensland (2014) 254 CLR 51: 110-111, 114, 118
- Labour Relations Board of Saskatchewan v John East Iron Works Ltd [1949] AC 134: 95
- Lacey v Attorney-General (Qld) (2011) 242 CLR 573: 2, 6, 13-14, 155-156
- Lai v Chamberlains [2007] 2 NZLR 7: 101
- Lane v Morrison (2009) 239 CLR 230: 110, 118
- Lange v Australian Broadcasting Corporation (1997) 189 CLR 520: 46
- Leask v Commonwealth (1996) 187 CLR 579: 38-39
- Lee v New South Wales Crime Commission (2013) 257 CLR 196: 14, 17-19, 119, 124, 133-135
- Lee v The Queen (2014) 253 CLR 455: 18, 119, 134-136, 152
- Likiardopoulos v The Queen (2012) 247 CLR 265: 122, 143
- Lindsay v The Queen (2015) 255 CLR 272: 153
- Linkletter v Walker 381 US 618 (1965): 101
- Love v Attorney-General (NSW) (1990) 169 CLR 307: 96

TABLE OF CASES

- Mabo v Queensland (1989) 166 CLR 186: 163, 172
- Mabo v Queensland (No 2) (1992) 175 CLR 1: 73, 79, 164-169, 177-178, 180, 181-183, 185
- McAuliffe v The Queen (1995) 183 CLR 108: 122
- McBain, Re; Ex parte Australian Catholic Bishops' Conference (2002) 209 CLR 372: 111
- McCloy v New South Wales (2015) 257 CLR 178: 39-40
- Magaming v The Queen (2013) 252 CLR 381: 110, 118
- Manitoba Language Rights, Re [1985] 1 SCR 721: 102
- Mansfield v The Queen (2012) 247 CLR 86: 119
- Marbury v Madison 5 US (1 Cranch) 137 (1803): 99
- Marckx v Belgium (1979) 2 EHRR 330: 101
- Medical Board (Vic) v Meyer (1937) 58 CLR 62: 83
- Mellifont v Attorney-General (Qld) (1991) 173 CLR 289: 95
- Members of the Yorta Yorta Aboriginal Community v Victoria [1998] FCA 1606: 181
- Members of the Yorta Yorta Aboriginal Community v Victoria (2001) 110 FCR 244: 181
- Members of the Yorta Yorta Aboriginal Community v Victoria (2002) 214 CLR 422: 174, 177, 181
- Military Rehabilitation and Compensation Commission v May (2016) 257 CLR 468: 4
- Miller v The Queen (2016) 90 ALJR 918: 122
- Milne v The Queen (2014) 252 CLR 149: 119
- Minister for Aboriginal Affairs v Peko-Wallsend Ltd (1986) 162 CLR 24: 20
- Minister for Immigration and Border Protection v SZSSJ (2016) 90 ALJR 901: 25
- Minister for Immigration and Citizenship v Li (2013) 249 CLR 332: 20, 23-24
- Minister for Immigration and Citizenship v SZJGV (2009) 238 CLR 642: 7
- Minister for Immigration and Multicultural Affairs v Eshetu (1999) 197 CLR 611: 21, 23
- Minister for Immigration and Multicultural Affairs, Re; Ex parte Miah (2001) 206 CLR 57: 2-3
- Mohamed Samsudeen Kariapper v SS Wijesinha [1968] AC 717: 95
- Mok v Director of Public Prosecutions (NSW) (2016) 90 ALJR 506: 130-131
- Momcilovic v The Queen (2011) 245 CLR 1: 14, 90-91, 93, 96, 98, 100, 110, 118-119, 127-129, 130
- Mraz v The Queen (1955) 93 CLR 493: 145-146, 148, 150
- Muldock v The Queen (2011) 244 CLR 120: 122, 157-158
- Munda v Western Australia (2013) 249 CLR 601: 122, 157, 159
- Murphy v Electoral Commissioner [2016] HCA 36: 39-40
- NAAV v Minister for Immigration and Multicultural and Indigenous Affairs (2002) 123 FCR 298: 109
- National Research Development Corporation v Commissioner of Patents (1959) 102 CLR 252: 62-63
- Neal v The Queen (1982) 149 CLR 305: 159
- New South Wales v Commonwealth (1915) 20 CLR 54: 84-86, 107
- New South Wales v Commonwealth (2006) 229 CLR 1: 37
- NH v Director of Public Prosecutions (2016) 334 ALR 191: 144
- Nicholas v The Queen (1998) 193 CLR 173: 95
- Nix v Hedden 149 US 304 (1893): 60
- North Australian Aboriginal Justice Agency Ltd v Northern Territory (2015) 256 CLR 569: 105, 110, 113-114
- North Ganalanja Aboriginal Corporation and Bidangu Aboriginal Corporation of and on Behalf of the Waanyi People v Queensland and CRA Exploration Pty Ltd (1995) 61 FCR 1: 168-169
- North Ganalanja Aboriginal Corporation and Waanyi People v Queensland (1996) 185 CLR 595: 169
- Northern Territory v Alyawarr, Kaytetye, Warumungu, Wakaya Native Title Claim Group (2005) 145 FCR 442: 173, 175-176, 177
- Northern Territory v Arnhem Land Aboriginal Land Trust (2008) 236 CLR 24: 175
- Northern Territory v GPAO (1999) 196 CLR 553: 86
- NSW Aboriginal Land Council v Minister Administering the Crown Lands Act (2016) 260 CLR 232: 44, 47
- Nudd v The Queen (2006) 80 ALJR 614: 150-151
- O'Grady v The Queen (2014) 252 CLR 621: 157
- Palmer v Ayres; Ferguson v Ayres (2017) 91 ALJR 325: 93, 109-110, 112
- Pape v Commissioner of Taxation (2009) 238 CLR 1: 27-28, 30-35, 37-40, 44-46, 48, 50, 52, 54, 56
- Patch v Western Australia [2008] FCA 944: 173
- Patel v The Queen (2012) 247 CLR 531: 119
- Pedersen v Young (1964) 110 CLR 162: 119, 127
- Petersen v Western Australia (2016) 50 WAR 45: 149, 151-152
- Pfeiffer v Stevens (2001) 209 CLR 57: 48
- Pfennig v The Queen (1995) 182 CLR 461: 142
- Pfizer Overseas Pharmaceuticals v Eli Lilly & Co (2005) 225 ALR 416: 57, 62

TABLE OF CASES

- PGA v The Queen (2012) 245 CLR 355: 136, 138-139
- Phyball on Behalf of the Gumbaynggirr People v Attorney-General (NSW) [2014] FCA 851: 171
- Pinkstone v The Queen (2004) 219 CLR 444: 130-131
- Plaintiff M61/2010E v Commonwealth (2010) 243 CLR 319: 6, 25
- Plaintiff M68/2015 v Minister for Immigration and Border Protection (2016) 257 CLR 42: 40, 44-46, 48-51
- Plaintiff M70/2011 v Minister for Immigration and Citizenship (2011) 244 CLR 144: 3, 21-22
- Plaintiff M150/2013 v Minister for Immigration and Border Protection (2014) 255 CLR 199: 5-6, 9
- Plaintiff S4/2014 v Minister for Immigration and Border Protection (2014) 253 CLR 219: 4, 9-10
- Plaintiff S10/2011 v Minister for Immigration and Citizenship (2012) 246 CLR 636: 25
- Plaintiff S156/2013 v Minister for Immigration and Border Protection (2014) 254 CLR 28: 40
- Plaintiff S297/2013 v Minister for Immigration and Border Protection (2014) 255 CLR 179: 6, 9
- Police v Dunstall (2015) 256 CLR 403: 120
- Pollentine v Bleijie (2014) 253 CLR 629: 110, 114, 118
- Pollock v The Queen (2010) 242 CLR 233: 141, 149
- Polyukhovich v Commonwealth (1991) 172 CLR 501: 95-96
- Port of Portland Pty Ltd v Victoria (2010) 242 CLR 348: 48
- Porter v The King; Ex parte Yee (1926) 37 CLR 432: 86
- POS Media Online Ltd v Queensland Investment Corporation [2001] FCA 809: 101
- Potter v Minahan (1908) 7 CLR 277: 45
- Power v The Queen (1974) 131 CLR 623: 153
- Precision Data Holdings Ltd v Wills (1991) 173 CLR 167: 98
- Project Blue Sky Inc v Australian Broadcasting Authority (1998) 194 CLR 355: 4-5, 9, 20
- Public Service Association and Professional Officers' Association Amalgamated of NSW v Director of Public Employment (2012) 250 CLR 343: 83, 99, 110
- Public Service Association of South Australia v Federated Clerks' Union of South Australia (1991) 173 CLR 132: 11
- Public Service Association of South Australia Inc v Industrial Relations Commission of South Australia (2012) 249 CLR 398: 11, 110
- Queen Victoria Memorial Hospital v Thornton (1953) 87 CLR 144: 94
- Queensland v Congoo (2015) 256 CLR 239: 2
- R v Baden-Clay (2016) 258 CLR 308: 119, 139-140
- R v Beckett (2015) 325 ALR 385: 119
- R v Bernasconi (1915) 19 CLR 629: 86
- R v Borkowski (2009) 195 A Crim R 1: 155
- R v Connell; Ex parte Hetton Bellbird Collieries Ltd (1944) 69 CLR 407: 23
- R v Davison (1954) 90 CLR 353: 81, 94-96, 111
- R v Duncan; Ex parte Australian Iron and Steel Pty Ltd (1983) 158 CLR 535: 50
- R v Federal Court of Bankruptcy; Ex parte Lowenstein (1938) 59 CLR 556: 88, 95
- R v Fernando (1992) 76 A Crim R 58: 158-159
- R v Getachew (2012) 248 CLR 22: 4, 142-143
- R v GW (2016) 328 ALR 583: 119, 142-143
- R v Hughes (2000) 202 CLR 535: 48, 50
- R v Hush; Ex parte Devanny (1932) 48 CLR 487: 42
- R v Independent Broad-based Anti-corruption Commissioner (2016) 256 CLR 459: 19, 119, 134-136
- R v Inhabitants of All Saints, Worcester (1817) 6 M & S 194; 105 ER 1215: 137-138
- R v Jagee; Ruddock v The Queen [2016] 2 WLR 681: 122
- R v Khazaal (2012) 246 CLR 601: 119
- R v Kidman (1915) 20 CLR 425: 45, 51
- R v Kirby; Ex parte Boilermakers' Society of Australia (1956) 94 CLR 254: 86-88, 95
- R v Liang (1995) 82 A Crim R 39: 154
- R v LK (2010) 241 CLR 177: 110, 131
- R v Ludeke; Ex parte Australian Building Construction Employees' and Builders Labourers' Federation (1985) 159 CLR 636: 96
- R v Mooney (Unreported, Court of Criminal Appeal of Victoria, 21 June 1978): 157
- R v Myers [1998] AC 124: 141
- R v OC (2015) 90 NSWLR 134: 136
- R v Pinkstone (2001) 24 WAR 406: 130-131
- R v Pollock [2008] QCA 205: 141
- R v Porter (2001) 53 NSWLR 354: 130
- R v Quinn; Ex parte Consolidated Foods Corporation (1977) 138 CLR 1: 94-95, 105
- R v Secretary of State for the Home Department; Ex parte Northumbria Police Authority [1989] 1 QB 26: 46, 52
- R v Secretary of State for Home Department; Ex parte Simms [2000] 2 AC 115: 12, 45
- R v Sharkey (1949) 79 CLR 121: 51-52
- R v Spicer; Ex parte Australian Builders' Labourers' Federation (1957) 100 CLR 277: 94-95
- R v Toohey; Ex parte Northern Land Council (1981) 151 CLR 170: 20

TABLE OF CASES

- R v Trade Practices Tribunal; Ex parte Tasmanian Breweries Pty Ltd (1970) 123 CLR 361: 96
- R v Way (2004) 60 NSWLR 168: 157
- R v Willoughby [1975] WAR 19: 130
- R (Anufrijeva) v Secretary of State for the Home Department [2004] 1 AC 604: 45
- R (Bancourt) v Secretary of State for Foreign and Commonwealth Affairs [2009] 1 AC 453: 47
- R (Jackson) v Attorney-General (UK) [2006] 1 AC 262: 45
- R (Miller) v Secretary of State for Exiting the European Union [2016] EWHC 2768 (Admin): 47
- R (Miller) v Secretary of State for Exiting the European Union [2017] UKSC 5: 47
- Ratten v The Queen (1974) 131 CLR 510: 150-151
- Refugee Review Tribunal, Re; Ex parte Aala (2000) 204 CLR 82: 20
- Residential Tenancies Tribunal (NSW), Re; Ex parte Defence Housing Authority (1997) 190 CLR 410: 44, 45, 50
- Richardson, Re 160 NE 655 (1928): 105
- Rizeq v Western Australia [2016] HCATrans 233: 118, 127
- Roach v The Queen (2011) 242 CLR 610: 119, 142
- Roche v Kronheimer (1921) 29 CLR 329: 83
- Royal Bank of Scotland plc v Etridge (No 2) [2002] 2 AC 773: 102
- RPS v The Queen (2000) 199 CLR 620: 140
- Rubibi Community v Western Australia (No 2) (2001) 114 FCR 523: 170
- Rubibi Community v Western Australia (No 7) [2006] FCA 459: 170
- Ruddock v Vadarlis (2001) 110 FCR 49: 57, 71-72
- Ruddock v Vadarlis (No 2) (2001) 115 FCR 229: 71
- S v Boulton (2006) 151 FCR 364: 137
- Saeed v Minister for Immigration and Citizenship (2010) 241 CLR 252: 2-3, 12, 24
- Sampi v Western Australia (No 3) [2005] FCA 777: 173-176
- Saraceni v Jones (2012) 246 CLR 251: 109-110, 112
- Shell Company of Australia Ltd v Federal Commissioner of Taxation [1931] AC 275: 95
- Simic v The Queen (1980) 144 CLR 319: 148
- Sio v The Queen (2016) 334 ALR 57: 119
- SKA v The Queen (2011) 243 CLR 400: 147
- Skelton v Collins (1966) 115 CLR 94: 138
- Smith v Western Australia (2014) 250 CLR 473: 144
- Smith v Western Australia (No 2) [2016] WASCA 136: 144
- Solomons v District Court of New South Wales (2002) 211 CLR 119: 119, 127, 129
- South Australia v Totani (2010) 242 CLR 1: 12, 90-91, 106, 110, 113, 118
- Spectrum Plus Ltd (in liq), Re [2005] 2 AC 680: 101
- Stuart v The Queen (1959) 101 CLR 1: 122
- Stubley v Western Australia (2011) 242 CLR 374: 119
- Sue v Hill (1999) 199 CLR 462: 95
- SW Hart & Co Pty Ltd v Edwards Hot Water Systems (1985) 159 CLR 466: 116
- Tabcorp Holdings Ltd v Victoria (2016) 90 ALJR 376: 4
- Tajjour v New South Wales (2014) 254 CLR 508: 39, 113, 118
- Taylor v The Owners – Strata Plan 11564 (2014) 253 CLR 531: 8
- TCL Air Conditioner (Zhongshan) Co Ltd v Judges of the Federal Court of Australia (2013) 251 CLR 533: 93, 94, 96, 110-111
- Thomas v Mowbray (2007) 233 CLR 307: 95
- Thompson v Randwick Corporation (1950) 81 CLR 87: 20
- Vadarlis v Minister for Immigration and Multicultural Affairs [2001] HCATrans 625: 71
- Victoria v Commonwealth and Hayden (1975) 134 CLR 338: 27-31, 34, 36, 46, 55
- Victorian Council for Civil Liberties Inc v Minister for Immigration and Multicultural Affairs (2001) 110 FCR 452: 71
- Victorian Stevedoring & General Contracting Company Pty Ltd v Dignan (1931) 46 CLR 73: 82-83
- Waanyi People's Native Title Application, Re (1995) 129 ALR 118: 168
- Wainohu v New South Wales (2011) 243 CLR 181: 91-92, 105-107, 110, 112
- Wakim, Re; Ex parte McNally (1999) 198 CLR 511: 86, 95
- Waterside Workers' Federation of Australia v JW Alexander Ltd (1918) 25 CLR 434: 87-88
- Wayman v Southard 23 US (10 Wheat) 1 (1825): 86
- Weiss v The Queen (2005) 224 CLR 300: 146-148, 150-152
- Weissensteiner v The Queen (1993) 178 CLR 217: 140
- Wentworth Securities v Jones [1980] AC 74: 8
- Western Australia v Bell (No 3) [2014] WASC 341: 126
- Western Australia v Brown (2014) 253 CLR 507: 184-185
- Western Australia v Commonwealth (1995) 183 CLR 373: 100-101, 103, 165
- Western Australia v Ward (2002) 213 CLR 1: 177, 179-182

TABLE OF CASES

- Western Australia v Wilsmore (1982) 149 CLR 79: 117
- White v Director of Military Prosecutions (2007) 231 CLR 570: 94-95
- Whitehorn v The Queen (1983) 152 CLR 657: 150
- Wik Peoples v Queensland (1996) 187 CLR 1: 169, 177-178, 180
- Wilde v The Queen (1988) 164 CLR 365: 146-148
- Williams v Commonwealth (2012) 248 CLR 156: 27, 33-37, 40, 42, 45-46, 48-52, 54-56
- Williams v Commonwealth (2014) 252 CLR 416: 27, 32, 34, 38, 40, 44, 50, 55, 56
- Wilsmore v Court [1983] WAR 190: 117
- Wilson v Anderson (2002) 213 CLR 401: 177, 180-182
- Wong v The Queen (2001) 207 CLR 584: 154, 156
- Wotton v Queensland (2012) 246 CLR 1: 11
- Wurridjal v Commonwealth (2009) 237 CLR 309: 126
- X7 v Australian Crime Commission (2013) 248 CLR 92: 16-19, 119, 123, 132-135
- Yaegl People No 1 v Attorney-General (NSW) [2015] FCA 647: 171
- Yager v The Queen (1977) 139 CLR 28: 57, 61, 109, 117, 131
- Yanner v Eaton (1999) 201 CLR 351: 177, 179
- Yumbulul v Reserve Bank of Australia (1991) 21 IPR 481: 163
- Yungngora Association Inc v Amax Iron Ore Corporation (Unreported, Supreme Court of Western Australia, Wallace J, 7 March 1980): 173
- Zaburoni v The Queen (2016) 256 CLR 482: 119
- Zanon v Western Australia (2016) 50 WAR 1: 136, 152
- Zheng v Cai (2009) 239 CLR 446: 1-2, 25