

NEW SOUTH WALES COURT OF APPEAL
NEW SOUTH WALES COURT OF CRIMINAL APPEAL
 Status of decisions appealed to the High Court of Australia
 June 2020

1. Cases decided

High Court decisions of 2020 in cases on appeal from the NSW Court of Appeal or the Court of Criminal Appeal.

Case Name	Date of decision	HCA File Number	NSWCA / NSWCCA Citation	High Court Citation	Outcome
Scenic Tours Pty Ltd v Moore	24 April 2020	S298/2018	[2018] NSWCA 238	[2020] HCA 17	Appeal allowed
Swan v R	18 March 2020	S34/2019	[2018] NSWCCA 260	[2020] HCA 11	Appeal dismissed
R v Grech; R v Kadir	5 February 2020	S265/2018 S284/2018	[2017] NSWCCA 288	[2020] HCA 1	Appeal allowed

2. Cases reserved

Cases on appeal from the NSW Court of Appeal or Court of Criminal Appeal heard by the High Court and awaiting judgment.

Case Name	Date heard	HCA File Number	NSWCA / NSWCCA Citation
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3. Special leave granted

Cases on appeal from the NSW Court of Appeal or Court of Criminal Appeal granted special leave and not yet heard.

Case Name	Date leave granted	HCA File Number	NSWCA / NSWCCA Citation
Wigmans v AMP Ltd	17 April 2020	S317/2019	[2019] NSWCA 243

4. Pending special leave applications

Cases in which applications for special leave to appeal from decisions of the NSW Court of Appeal or Court of Criminal Appeal are pending determination. Please note that the accuracy of this list is dependent on compliance with r 41.03 of the High Court Rules 2004.

Case Name	Date filed in High Court	HCA File Number	NSWCA / NSWCCA Citation
Herbert v NSW Land and Housing Corporation	2 June 2020	S89/2020	[2020] NSWCA 80
Kostov v Director of Public Prosecutions (NSW) (No 2)	1 June 2020	S90/2020	[2020] NSWCA 94
Studholme v Rawson	21 May 2020	S83/2020	[2020] NSWCA 76
Feldman v Polaris Media Pty Ltd as Trustee of the Polaris Media Trust t/as The Australian Jewish News	29 April 2020	S65/2020	[2020] NSWCA 56
Stoltenberg v Bolton; Loder v Bolton	24 April 2020	S55/2020	[2020] NSWCA 45
Rodny v Weisbord	30 March 2020	S45/2020	[2020] NSWCA 22
Tanious v NSW Land and Housing Corporation	23 March 2020	S1284/2020	[2020] NSWCA 35
Wood v State of New South Wales	28 February 2020	S6/2020	[2019] NSWCA 313
Anderson v The Council of Trinity Grammar School	8 January 2020	S1/2020	[2019] NSWCA 292
Small v Phillips	9 October 2019	S301/2019	[2019] NSWCA 222

5. Special leave refused

Cases from the NSW Court of Appeal or Court of Criminal Appeal refused special leave to appeal in 2020.

Case Name	Date determined	HCA File Number	NSWCA / NSWCCA Citation	Outcome
Wiggins Island Coal Export Terminal Pty Ltd v New Hope Corporation Ltd; Northern Energy Corporation Ltd (in liq) v New Hope Corporation Ltd	12 June 2020	S4/2020; S5/2020	[2019] NSWCA 316	Application dismissed with costs
Hamide v R	12 June 2020	S348/2019	[2019] NSWCCA 219	Application dismissed
Alou v R	12 June 2020	S341/2019	[2019] NSWCCA 231	Application dismissed
Jackson v R	12 June 2020	S19/2020	[2020] NSWCCA 5	Application dismissed
Clarke v South Eastern Sydney Local Health District	12 June 2020	S22/2020	[2020] NSWCA 8	Application dismissed
Attorney General for New South Wales v Melco Resorts & Entertainment Limited	10 June 2020	S46/2020	[2020] NSWCA 40	Application dismissed with costs
Visual Building Construction Pty Ltd v Armitstead (No 2)	13 May 2020	S349/2020	[2019] NSWCA 280	Application dismissed with costs
Allianz Australia Insurance Ltd v Certain Underwriters at Lloyd's of London Subscribing to Policy Number B105809GCOM0430	24 April 2020	S334/2019	[2019] NSWCA 271	Application dismissed with costs
Issakidis v R	24 April 2020	S7/2020	[2019] NSWCCA 302	Application dismissed
Allchin v R; Skepevski v R	22 April 2020	S344/2019	[2019] NSWCCA 278	Application dismissed
Crump v R	17 April 2020	S328/2019	[2016] NSWCCA 2	Application dismissed
Kabic v AAI Limited t/as GIO	18 March 2020	S320/2019	[2019] NSWCA 247	Application dismissed with costs
Roach v R	18 March 2020	S308/2019	[2019] NSWCCA 160	Application dismissed
JH v R	18 March 2020	S314/2019	[2017] NSWCCA 22	Application dismissed
Vok v Director of Public Prosecutions (NSW)	18 March 2020	S327/2019	[2019] NSWCA 242	Application dismissed
Karout v R	11 March 2020	S324/2019	[2019] NSWCCA 253	Application dismissed
Mekhail v Hana; Mekail v Hana	11 March 2020	S312/2019; S313/2019	[2019] NSWCA 197	Application dismissed with costs
Environment Protection Authority v Grafil Pty Ltd; Environment Protection Authority v Mackenzie	14 February 2020	S260/2019	[2019] NSWCCA 174	Application dismissed
Bevan v Coolahan	14 February 2020	S298/2019	[2019] NSWCA 217	Application dismissed with costs

Case Name	Date determined	HCA File Number	NSWCA / NSWCCA Citation	Outcome
Bank of Queensland Ltd v AIG Australia Ltd	14 February 2020	S264/2019	[2019] NSWCA 190	Application dismissed with costs
Boscolo v NSW Land and Housing Corporation	13 February 2020	S304/2019	[2019] NSWCA 246	Application dismissed
Barrak v City of Parramatta Council	12 February 2020	S295/2019	[2019] NSWCA 213	Application dismissed with costs
Tran v R	12 February 2020	S268/2019	[2018] NSWCCA 220	Application dismissed
G Capital Corporation Pty Ltd v Roads and Maritime Services	5 February 2020	S307/2019	[2019] NSWCA 234	Application dismissed with costs
R v Fangaloka	5 February 2020	S276/2019	[2019] NSWCCA 173	Application dismissed
Duraisamy v Sydney Trains	5 February 2020	S323/2019	[2019] NSWCA 269	Application dismissed
Barkat v Roads and Maritime Services	5 February 2020	S319/2019	[2019] NSWCA 240	Application dismissed
Li v R	5 February 2020	S311/2019	[2019] NSWCCA 228	Application dismissed