

NEW SOUTH WALES COURT OF APPEAL
NEW SOUTH WALES COURT OF CRIMINAL APPEAL
 Status of decisions appealed to the High Court of Australia
 October 2021

1. Cases decided

High Court decisions of 2021 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
Edwards v The Queen	6 October 2021	S118/2020	[2020] NSWCCA 57	[2021] HCA 28	Appeal dismissed
Fairfax Media Publications; Nationwide New Pty Ltd; Australian New Channel Pty Ltd v Voller	8 September 2021	S105/2020; S106/2020; S107/2020	[2020] NSWCA 102	[2021] HCA 27	Appeal dismissed with costs
Namoa v The Queen	14 April 2021	S68/2020	[2020] NSWCCA 62	[2021] HCA 13	Appeal dismissed
Wigmans v AMP Ltd	10 March 2021	S317/2019	[2019] NSWCA 243	[2021] HCA 7	Appeal dismissed

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
Walton v ACN 004 410 833 Limited (formerly Arrium Limited) (In Liquidation)	7 October 2021	S151/2020	[2020] NSWCA 157
Arsalan v Rixon	8 September 2021	S159/2020	[2020] NSWCA 115
Nguyen v Cassim	8 September 2021	S162/2020	[2020] NSWCA 115
Park v The Queen	2 September 2021	S61/2021	[2020] NSWCCA 90
Hamilton (a pseudonym) v The Queen	22 June 2021	S146/2020	[2020] NSWCCA 80

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
Hoang v The Queen	10 September 2021	S6/2021; S7/2021; S8/2021; S9/2021	[2018] NSWCCA 166
Tapp v Australian Bushmen's Campdraft & Rodeo Association Ltd	16 April 2021	S208/2020	[2020] NSWCA 263
NSW Commissioner of Police v Cottle	12 April 2021	S149/2020	[2020] NSWCA 159
Hofer v The Queen	12 March 2021	S163/2020	[2020] NSWCCA 244

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
RC v The Queen	12 October 2021	S169/2021	[2020] NSWCCA 76
Prouten v Chapman	11 October 2021	S166/2021	[2021] NSWCA 207
Stanizzo v Fregnan	6 October 2021	S163/2021	[2021] NSWCA 195
Page v Sydney Seaplanes Pty Ltd	1 October 2021	S160/2021	[2021] NSWCA 204
BA v The Queen	30 September 2021	S156/2021	[2021] NSWCCA 191
Williams v The Queen	29 September 2021	S155/2021	[2021] NSWCCA 25
Hassan v Sydney Local Health District	27 September 2021	S152/2021	[2021] NSWCA 197
Hassan v Sydney Local Health District	24 September 2021	S150/2021	[2021] NSWCA 187
Mohareb v Kelso	23 September 2021	S145/2021	[2021] NSWCA 213
Azari v The Queen	22 September 2021	S144/2021	[2021] NSWCCA 199
Ahern v Aon Risk Services Australia Ltd	17 September 2021	S140/2021	[2021] NSWCA 166
TL v The Queen	15 September 2021	S134/2021	[2020] NSWCCA 265
Irmak v The Queen	9 September 2021	S129/2021	[2021] NSWCCA 178

Case Name	Date filed in High Court	HCA File Number	NSWCA / NSWCCA Citation
Almona Pty Ltd v Parklea Corporation Pty Limited	8 September 2021	S128/2021	[2021] NSWCA 171
Harris v Water NSW	6 September 2021	S126/2021; S127/2021	[2021] NSWCCA 184
Wraydeh v Fairfax Media Publications Pty Limited	17 August 2021	S118/2021	[2021] NSWCA 153
Wraydeh v Nationwide News Pty Limited	17 August 2021	S117/2021	[2021] NSWCA 153
Fisher v The Queen	9 August 2021	S115/2021	[2021] NSWCCA 91
Wollongong City Council v Williams	6 August 2021	S112/2021	[2021] NSWCA 140
Stephens v The Queen	6 August 2021	S111/2021	[2021] NSWCCA 152
Sidoti v Hardy	23 June 2021	S90/2021	[2021] NSWCA 105
Gould v The Queen	7 June 2021	S78/2021	[2021] NSWCCA 92
FX v The Queen	24 May 2021	S72/2021	[2020] NSWCCA 189
Medich v The Queen	21 April 2021	S53/2021	[2021] NSWCCA 36

5. Special leave refused

Cases from the NSW Court of Appeal or Court of Criminal Appeal refused special leave to appeal in 2021.

Case Name	Date determined	HCA File Number	NSWCA / NSWCCA Citation	Outcome
Landmark Roofing Pty Ltd v SafeWork NSW	14 October 2021	S86/2021	[2021] NSWCCA 95	Application dismissed with costs
Kassab (a pseudonym) v The Queen	14 October 2021	S57/2021	[2021] NSWCCA 46	Application dismissed
Robert Taylor (a pseudonym) v The queen	14 October 2021	S21/2021	[2020] NSWCCA 46	Application dismissed
Agha v Devine Real Estate Concord Pty Ltd	7 October 2021	S87/2021	[2021] NSWCA 29	Application dismissed with costs
VP v The Queen	7 October 2021	S77/2021	[2021] NSWCCA 11	Application dismissed
Gersbach v Gersbach	7 October 2021	S92/2021	[2020] NSWCA 153	Application dismissed
Parker v The Queen	10 September 2021	S230/2020	[2020] NSWCCA 206	Application dismissed
ASSK Investments Pty Ltd v AMA Group Limited	9 September 2021	S54/2021	[2021] NSWCA 45	Application dismissed with costs
Mahommed v Unicom	9 September 2021	S94/2021	[2021] NSWCA 108	Application dismissed
Vagg v The Queen	2 September 2021	S69/2021	[2020] NSWCCA 134	Application dismissed
Kennedy v The Queen	2 September 2021	S18/2021	[2019] NSWCCA 242	Application dismissed
Macquarie International Health Clinic Pty Ltd v Sydney Local Health District	13 August 2021	S216/2020	[2020] NSWCA 274	Application dismissed with costs
Tikomaimaleya v The Queen	12 August 2021	S207/2020	[2017] NSWCCA 214	Application dismissed
Bussey v The Queen	12 August 2021	S51/2021	[2020] NSWCCA 280	Application dismissed
Cosco v Hutley	12 August 2021	S31/2021	[2021] NSWCA 17	Application dismissed with costs
Fan v South Eastern Local Health District	12 August 2021	S52/2021	[2021] NSWCA 36	Application dismissed
Zepinic v Health Care Complaints Commission	12 August 2021	S38/2021	[2021] NSWCA 25	Application dismissed
Hastwell v Health Care Complaints Commission	12 August 2021	S41/2021	[2021] NSWCA 22	Application dismissed
Hastwell v Legal Services Commissioner Mr John McKenzie	12 August 2021	S39/2021	[2021] NSWCA 20	Application dismissed
PFC v The Queen	5 August 2021	S40/2021	[2021] NSWCCA 8	Application dismissed
Muswellbrook Shire Council v Mangoola Coal Operations Pty Ltd	5 August 2021	S55/2021	[2021] NSWCA 46	Application dismissed with costs

Case Name	Date determined	HCA File Number	NSWCA / NSWCCA Citation	Outcome
HDI Global Specialty SE v Wonkana No 3 Pty Limited	16 December 2020	S231/2020	[2020] NSWCA 296	Application dismissed with costs
AC Holdings Co Pty Ltd v Super Vision Resources Ltd BVI Registered No 1810534	24 June 2021	S28/2021	[2020] NSWCA 319	Application dismissed with costs
Sayadi v The Queen	17 June 2021	S229/2020	[2020] NSWCCA 28	Application dismissed
FB v The Queen	17 June 2021	S228/2020	[2020] NSWCCA 137	Application dismissed
Order of AHEPA NSW Inc Pty Ltd v Lianos	17 June 2021	S19/2021	[2020] NSWCA 304	Application dismissed with costs
French v Bremner	20 May 2021	S11/2021	[2020] NSWCA 339	Application dismissed
Bailey v WIN Television NSW Pty Limited	20 May 2021	S10/2021	[2020] NSWCA 352	Application dismissed with costs
Sydney Capitol Hotels Pty Ltd v Bandelle Pty Limited	20 May 2021	S233/2020	[2020] NSWCA 303	Application dismissed with costs
Zepinic v Chateau Constructions (Aust) Limited	13 May 2021	S12/2021	[2020] NSWCA 291	Application dismissed
Arcidiacono v The Owners - Strata Plan No 61233	15 April 2021	S213/2020	[2020] NSWCA 269	Application dismissed with costs
Arcidiacono v The Owners - Strata Plan No 17719	15 April 2021	S212/2020	[2020] NSWCA 269	Application dismissed with costs
Maradaca Pty Limited v Wormald	15 April 2021	S227/2020	[2020] NSWCA 289	Application dismissed with costs
Craig v Johnson	15 April 2021	S234/2020	[2020] NSWCA 278	Application dismissed
Chief Commissioner of State Revenue v Benidorm Pty Ltd	12 April 2021	S221/2020	[2020] NSWCA 285	Application dismissed with costs
Curran v The Queen	12 April 2021	S186/2020	[2020] NSWCCA 171	Application dismissed
Khedrlarian v Bauer Media Pty Ltd t/as Network Services Company and Workers Compensation Nominal Insurer	8 April 2021	S232/2020	[2020] NSWCA 288	Application dismissed with costs
Hunt v Longhurst	8 April 2021	S214/2020	[2004] NSWCA 91	Application dismissed
Choi v University of Technology Sydney	8 April 2021	S16/2021	[2020] NSWCA 342	Application dismissed
El Ali v The Queen	11 March 2021	S54/2020	[2019] NSWCCA 207; [2019] NSWCCA 289	Application dismissed
DRJ v Commissioner of Victims Rights	11 March 2021	S195/2020	[2020] NSWCA 242	Application dismissed with costs
Australian Consulting Engineers Pty Limited v Mistrina Pty Ltd	11 March 2021	S184/2020	[2020] NSWCA 223	Application dismissed with costs

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Feldman v Nationwide News Pty Ltd	4 March 2021	S218/2020	[2020] NSWCA 260	Application dismissed with costs
Commissioner of Police, New South Wales Police Force v Zisopoulos	4 March 2021	S192/2020	[2020] NSWCA 236	Application dismissed with costs
Whitehaven Coal Mining Ltd v Davies	4 March 2021	S183/2020	[2020] NSWCA 219	Application dismissed with costs
Makowski v Legal Profession Admission Board	4 March 2021	S243/2020	[2020] NSWCA 305	Application dismissed
Lawrence v Ciantar	4 March 2021	S210/2020	[2020] NSWCA 89; [2020] NSWCA 186	Application dismissed
Jonval Builders Pty Limited v Commissioner for Fair Trading	25 February 2021	S196/2020	[2020] NSWCA 233	Application dismissed with costs
Hari Singh by his next friend Ambu Kanwar v Lynch	11 February 2021	S147/2020	[2020] NSWCA 152	Application dismissed with costs
Chief Commissioner of State Revenue v Downer EDI Engineering Pty Ltd	11 February 2021	S134/2020	[2020] NSWCA 126	Application dismissed with costs
Field v The Queen	11 February 2021	S141/2020	[2020] NSWCCA 105	Application dismissed
Loder v Bolton	11 February 2021	S132/2020	[2020] NSWCA 45	Application dismissed with costs
Mohareb v Saratoga Marine Pty Ltd	10 February 2021	S189/2020	[2020] NSWCA 235	Application dismissed
Karlsson v Griffith University	10 February 2021	S178/2020	[2020] NSWCA 176	Application dismissed
Mao v AMP Superannuation Limited	4 February 2021	S194/2020	[2018] NSWCA 72	Application dismissed

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