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- Riverina Transport Pty Ltd v Victoria (1937) 57 CLR 327: 73
- Roach v Electoral Commissioner (2007) 233 CLR 162: 45, 47, 105, 192, 215
- Roe v Wade 410 US 113 (1973): 44
- Rookes v Barnard [1964] AC 1129: 142
- Rowe v Electoral Commissioner (2010) 243 CLR 1: 46, 106, 192
- Roxborough v Rothmans of Pall Mall Australia Ltd (2001) 208 CLR 516: 67, 80, 81
- Ruddock v Vadarlis (2001) 110 FCR 491: 106, 126
- Ruhani v Director of Police (2005) 219 ALR 199: 154
- S and Marper v United Kingdom (2008) 48 EHRR 50: 274
- Saeed v Minister for Immigration and Citizenship (2010) 241 CLR 252: 89, 174
- Salkeld v Johnson (1854) 2 Ex 256: 141
- Scala v Mammolitti (1965) 114 CLR 153: 23
- Second Employers' Liability Cases 223 US 1 (1912): 97
- Secretary of State for the Home Department v AF (No 3) [2010] 2 AC 269: 270
- Secretary of State for the Home Department v MB; Secretary of State for the Home Department v AF [2008] 1 AC 440: 269-271
- SGH Ltd v Federal Commissioner of Taxation (2002) 210 CLR 51: 145, 159, 169, 171
- Sharp v Rangott (2008) 167 FCR 225: 236
- Sharpe v Wakefield (1888) 22 QBD 239: 138
- Shell Company of Australia Ltd v Federal Commissioner of Taxation (1930) 44 CLR 530: 212
- Shenton v Tyler [1939] Ch 620: 142
- Singh v Commonwealth (2004) 222 CLR 322: 114, 151, 153, 165
- Soering v UK (1989) 11 EHRR 439: 262-263
- Sorby v Commonwealth (1983) 152 CLR 281: 32, 34
- South Australia v Totani (2010) 242 CLR 1: 21, 106
- South Australian Commissioner for Prices and Consumer Affairs v Charles Moore (Aust) Ltd (1977) 139 CLR 449: 142, 145
- Spratt v Hermes (1965) 114 CLR 226: 166
- Stephens v Abrahams (No 2) (1903) 29 VLR 229: 141
- Stephens v West Australian Newspapers Ltd (1994) 182 CLR 211: 192
- Storey v Lane (1981) 147 CLR 549: 149
- Street v Queensland Bar Association (1989) 168 CLR 461: 55, 127, 139, 145
- Sue v Hill (1999) 199 CLR 462: 63, 109, 146
- Sugar v BBC [2012] UKSC 4: 273
- Sullivan v Moody (2001) 207 CLR 562: 81
- Sydney Local Health Network v QY [2011] NSWCA 412: 89
- Taikato v The Queen (1996) 186 CLR 454: 122
- Tame v New South Wales (2002) 211 CLR 317: 86
- Tasmania v Commonwealth (1904) 1 CLR 329: 49, 52, 136, 138, 144-145, 162
- The Amphill Peerage [1997] AC 547: 240
- Theophanous v Herald & Weekly Times Ltd (1994) 182 CLR 104: 53, 56-57, 124, 140, 155-156, 158, 167, 192
- Thomas v Mowbray (2007) 233 CLR 307: 19-21
- TM Burke Pty Ltd v City of Horsham [1958] VLR 209: 142
- Tracey, Re; Ex parte Ryan (1989) 166 CLR 518: 26-27, 168
- Trimble v Hill (1879) 5 App Cas 342: 287

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- Truth About Motorways Pty Ltd v Macquarie Infrastructure Investment Management Ltd (2000) 200 CLR 591: 147
- Tyrer v United Kingdom (1978) 2 EHHR 1: 262
- Uebergang v Australian Wheat Board (1980) 145 CLR 266: 51, 170
- United States v Cronin 466 US 648 (1984): 236
- Van Diemen's Land Co v Table Cape Marine Board [1906] AC 92: 137
- Vasiljkovic v Commonwealth (2006) 227 CLR 614: 21
- Victor Chandler International v Customs and Excise Commissioners [2002] 2 All ER 315: 143
- Victoria v Australian Building Construction Employees' and Builders Labourers' Federation (1982) 152 CLR 25: 30
- Victoria v Commonwealth (1957) 99 CLR 575: 113, 147, 150, 166, 171, 193, 206
- Victoria v Commonwealth (the Industrial Relations Act Case) (1996) 187 CLR 416: 147
- Victoria v Commonwealth (the Payroll Tax Case) (1971) 122 CLR 353: 113, 150, 166-167, 206
- Victorian Stevedoring and General Contracting Co Pty Ltd v Dignan (1931) 46 CLR 73: 159
- Wacal Developments Pty Ltd v Realty Developments Pty Ltd (1978) 140 CLR 503: 142
- Wacando v Commonwealth (1981) 148 CLR 1: 142
- WACB v Minister for Immigration and Multicultural and Indigenous Affairs (2004) 79 ALJR 94: 94
- Wainohu v New South Wales (2011) 243 CLR 181: 19, 21, 106, 193
- Wakim, Re; Ex parte McNally (1999) 198 CLR 511: 61-63, 109, 120, 147, 159-160, 168, 193
- Walter Hammond & Associates v New South Wales [1997] HCATrans 104: 75
- Warnecke v Equitable Life Assurance Society of the United States [1906] VLR 482: 142
- Waterside Workers' Federation of Australia v JW Alexander Ltd (1918) 25 CLR 434: 25
- Watson v Lee (1979) 144 CLR 374: 93-94, 144
- West v Commissioner of Taxation (NSW) (1937) 56 CLR 657: 111-112
- Western Australia v Chamberlain Industries Pty Ltd (1970) 121 CLR 1: 154
- Western Australia v Commonwealth (1975) 134 CLR 201: 52
- Western Australia v Commonwealth (1995) 183 CLR 373: 52, 100, 123, 125, 146-147, 149-152, 159
- Whitehorn v The Queen (1983) 152 CLR 657: 238
- Whiteley v Chappell (1868) LR 4 QB 147: 226
- Wik Peoples v Queensland (1996) 187 CLR 1: 48, 56, 69, 301-302, 306
- Williams v Commonwealth (2012) 288 ALR 410: 47, 106, 192, 193
- Williamson v Ah On (1926) 39 CLR 95: 33
- Wilson v Minister for Aboriginal and Torres Strait Islander Affairs (1996) 189 CLR 1: 31
- Woolley, Re; Ex parte Applicant M276 of 2003 (2004) 225 CLR 1: 21
- Woolmington v Director of Public Prosecutions [1935] AC 462: 95
- Wragg v New South Wales (1953) 88 CLR 353: 54, 168
- XYZ v Commonwealth (2006) 227 CLR 532: 147
- Z v United Kingdom (2002) 34 EHRR 3: 266