



THOMAS PRINCE

Bachelor of Science (Advanced) (Hons I and University Medal in Statistics) – University of Sydney

Bachelor of Laws (Hons I and University Medal) – University of Sydney

Master of Laws (with Distinction) – University College, London

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Clerk of Chambers

Michael Wilcox

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Admitted to the legal profession

2010

Admitted as a barrister in NSW

2012

Also entitled to practise in

Australian jurisdictions (Commonwealth, State and Territory)

Thomas has a wide ranging commercial and public law practice, covering:

- Administrative and public law
- Appellate practice
- Commercial law
- Constitutional law
- Corporations law
- Equity
- Public & private international law
- Taxation and revenue

He has appeared in the High Court, and in intermediate appellate courts and at the trial level in various jurisdictions.

Thomas was Associate to the Hon Justice Dyson Heydon AC of the High Court of Australia in 2008 and the Hon Justice Virginia Bell AC also of the High Court in 2009. Thomas was a lawyer in the litigation and taxation departments at Allens Arthur Robinson.

Thomas graduated from the University of Sydney with a Bachelor of Science (Advanced) with First Class Honours and the University Medal in Statistics and a Bachelor of Laws with First Class Honours and the University Medal. He was a Menzies Scholar and completed a Master of Laws degree at University College, London.

He has authored or edited a number of books, including Interpretation (2nd edition), which covers all aspects of Australian law concerning statutory and constitutional interpretation, the interpretation of private legal documents, as well as the interpretation of court orders and the rules of precedent.

PROFESSIONAL EXPERIENCE

2010–2011, 2017–2020: University tutor, University of Sydney

2010–2012: Solicitor, Allens Arthur Robinson

2009: Associate to the Hon. Justice Virginia Bell AC, High Court of Australia

2008: Associate to the Hon. Justice Dyson Heydon AC, High Court of Australia

ADDITIONAL INFORMATION

2014 – 2015: Counsel Assisting the Royal Commission into Trade Union Governance and Corruption

PROFESSIONAL MEMBERSHIPS

Australian Institute of Administrative Law (NSW Chapter); New South Wales Bar Association

PUBLICATIONS

Statutory Interpretation Principles (2nd ed), Perry Herzfeld and Thomas Prince (2020, Thomson Reuters)

Interpretation (2nd ed), Perry Herzfeld and Thomas Prince (2020, Thomson Reuters)

Heydon: Selected Papers and Speeches, Justice John Sackar and Thomas Prince (eds) (2018, Federation Press)

Statutory Interpretation Principles, Perry Herzfeld and Thomas Prince (2014, Thomson Reuters)

Interpretation and Use of Legal Sources, Perry Herzfeld, Thomas Prince and Stephen Tully, (2013, Thomson Reuters)

AWARDS OR PROFESSIONAL RECOGNITION

2021: Best Lawyers: Litigation and Tax Law

2020: Doyles Guide: Recommended Leading Commercial Litigation and Dispute Resolution junior counsel

SELECTED RECENT CASES

Qantas Airways Ltd v Flight Attendants' Association of Australia [2020] FCA 1365 (first instance); [2020] FCAFC 227 (appeal) – for Qantas in proceedings concerning JobKeeper scheme

Queensland Floods Class Action (Rodriguez & Sons Pty Ltd v Queensland Bulk Water Supply Authority t/as Seqwater) – for Seqwater in first instance damages assessment and appeal

Brewster v BMW Australia Ltd [2020] NSWSC 1261 (first instance); [2020] NSWCA 272 (appeal) – for BMW Australia Ltd in proceedings concerning common fund orders in Takata Airbag Class Action

Australian Information Commissioner v Facebook Inc [2020] FCA 1307 – for the Australian Information Commissioner in privacy proceedings against Facebook

CRC Gosford Pty Ltd v Columbus Investment Services Ltd [2020] NSWSC 1153 – acting for beneficiary in commercial trust dispute

Re Application by Commissioner of Australian Federal Police [2020] NSWSC 179; [2020] NSWSC 889 – for the Commissioner in proceeds of crime matter

Haselhurst v Toyota Motor Corp Australia Ltd [2019] NSWSC 1493 (first instance); [2020] NSWCA 66; (2020) 101 NSWLR 890 (appeal) – for BMW Australia in proceedings concerning class closure orders in Takata Airbag Class Action

Vodafone Hutchison Australia Pty Ltd v Australia Competition and Consumer Commission [2020] FCA 117 – for ACCC in merger dispute concerning Vodafone and TPG

BMW Australia Ltd v Brewster [2019] NSWCA 35 (Court of Appeal); [2019] HCA 45; (2019) 94 ALJR 51 (High Court) – for BMW Australia in appeals concerning common fund orders in Takata Airbag Class Action

Commissioner of Taxation v Iannuzzi [2018] FCA 1053 (first instance); [2019] FCAFC 39; (2019) 268 FCR 349 (appeal); [2019] FCA 1818; (2019) 140 ACSR 497 (inquiry) – for Commissioner of Taxation in inquiry into conduct of liquidator

Vella v Commissioner of Police (NSW) [2019] HCA 38; (2019) 93 ALJR 1236 – for plaintiffs in constitutional challenge to validity of *Crimes (Serious Crime Prevention Orders) Act 2016* (NSW)

Moreton Resources Ltd v Innovation and Science Australia [2019] FCAFC 120; (2019) 271 FCR 211 – for Innovation and Science Australia in proceedings concerning R&D tax incentive

Adams Bidco Pty Ltd v Chief Commissioner of State Revenue [2018] NSWSC 735 (first instance); [2019] NSWCA 34 (appeal); [2019] NSWSC 702 (remittal) – for taxpayer in landholder duty dispute

Commissioner of Australian Federal Police v Revell-Read [2019] NSWSC 334 – for the Commissioner in proceedings under the *Mutual Assistance in Criminal Matters Act 1987* (Cth)

Huntingdale Village Pty Ltd (recs and mgrs apptd) v Corrs Chambers Westgarth [2018] WASC 90; (2018) 128 ACSR 168 – for Corrs in dispute concerning choice of law and costs

Faehrmann v Van Vucht [2018] NSWSC 397 – for plaintiff in dispute concerning membership of NSW Greens

Xiao v The Queen [2018] NSWCCA 4; (2018) 96 NSWLR 1 – for CDPP in proceedings concerning sentencing and guilty pleas under Commonwealth law

PRINCIPAL AREAS OF PRACTICE

COMMERCIAL LAW

Administrative Law

Corporations and Securities

Appellate

Banking and Financial Services

Class Actions

Competition and Consumer

Contracts

CRIMINAL

Appellate

Proceeds of crime

EQUITY

Appellate

Trusts

PUBLIC AND ADMINISTRATIVE LAW

Appellate

Constitutional law

Judicial review and administrative law

Proceeds of crime