

2009-2010

THE

AUSTRALIAN

CAPITAL TERRITORY

LAW REPORTS

THE AUTHORISED REPORTS OF DECISIONS OF  
THE AUSTRALIAN CAPITAL TERRITORY

**EDITOR**  
BRYAN MEAGHER SC

VOLUME 4

LAWBOOK CO.

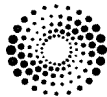
2011

**REPORTERS**

STEVEN HAUSFELD  
JAMES LAWTON  
■ BRYAN MEAGHER SC  
JOHN PLUMIDIS  
DAN SHILLINGTON  
RICHARD G THOMAS  
CS WARD

**PRODUCTION SUPERVISOR**

MYUNG COLE



**THOMSON REUTERS**

© 2011 Thomson Reuters (Professional) Australia Limited

ABN 64 058 914 668

Lawbook Co.

Published in Sydney

Printed by Ligare Pty Ltd, Riverwood, NSW

ISSN 0813-7803

SUPREME COURT OF THE AUSTRALIAN CAPITAL  
TERRITORY

**CHIEF JUSTICE**

THE HONOURABLE TERENCE JOHN HIGGINS, AO

**JUDGES**

THE HONOURABLE MALCOLM FORGAN GRAY, RFD  
THE HONOURABLE RICHARD CHRISTOPHER REFSHAUGE  
THE HONOURABLE HILARY RUTH PENFOLD  
THE HONOURABLE JEFFREY ERNEST JOHN SPENDER  
(resigned, 19 July 2010)  
THE HONOURABLE DONNELL MICHAEL RYAN  
THE HONOURABLE MICHAEL FRANCIS MOORE  
THE HONOURABLE SHANE RAYMOND MARSHALL  
THE HONOURABLE ANTHONY MAX NORTH  
THE HONOURABLE MARGARET ACKARY STONE  
THE HONOURABLE ANNABELLE CLAIRE BENNETT, AO  
THE HONOURABLE BRUCE THOMAS LANDER  
THE HONOURABLE JOHN ALFRED DOWSETT  
THE HONOURABLE STEVEN DAVID RARES  
THE HONOURABLE DENNIS ANTILL COWDROY, OAM  
THE HONOURABLE PETER ROSS GRAHAM  
(retired, 6 September 2010)  
THE HONOURABLE RICHARD FRANCIS EDMONDS  
THE HONOURABLE ANTHONY JAMES BESANKO  
THE HONOURABLE JOHN RONALD MANSFIELD  
THE HONOURABLE ROBERT JOHN BUCHANAN  
THE HONOURABLE LINDSAY GRAEME FOSTER  
THE HONOURABLE JAYNE MARGARET JAGOT  
THE HONOURABLE ANNA JUDITH KATZMANN  
(appointed, 17 September 2010)

**MASTERS**

MASTER DAVID CLEMENT DAROLD HARPER, OAM

**ADVISORY BOARD**

THE HONOURABLE RICHARD CHRISTOPHER REFSHAUGE

BRYAN MEAGHER SC

JAYNE REECE