2021

THE

AUSTRALIAN CAPITAL TERRITORY LAW REPORTS

THE AUTHORISED REPORTS OF DECISIONS OF THE AUSTRALIAN CAPITAL TERRITORY

EDITOR BRYAN MEAGHER SC

VOLUME 16

LAWBOOK CO.

2021

SENIOR REPORTER BRYAN MEAGHER SC

REPORTERRICHARD DAVIES

PRODUCTION SUPERVISOR MYUNG COLE



© 2021 Thomson Reuters (Professional) Australia Limited
ABN 64 058 914 668
Published in Sydney

Printed by Ligare Pty Ltd, Riverwood, NSW ISSN 0813-7803

Lawbook Co.

SUPREME COURT OF THE AUSTRALIAN CAPITAL TERRITORY

CHIEF JUSTICE

THE HONOURABLE HELEN GAY MURRELL

JUDGES

THE HONOURABLE JOHN DOMINIC BURNS (retired 31 August 2021)

THE HONOURABLE MICHAEL ELKAIM

THE HONOURABLE DAVID MOSSOP

THE HONOURABLE CHRISSA LOUKAS-KARLSSON

ASSOCIATE JUDGE

THE HONOURABLE VERITY ALEXANDRA McWILLIAM

ADDITIONAL JUDGES FROM THE FEDERAL COURT OF AUSTRALIA

THE HONOURABLE STEVEN DAVID RARES

THE HONOURABLE ANTHONY JAMES BESANKO

THE HONOURABLE JAYNE MARGARET JAGOT

THE HONOURABLE LINDSAY GRAEME FOSTER

THE HONOURABLE ANNA JUDITH KATZMANN

THE HONOURABLE MICHAEL ANDREW WIGNEY

THE HONOURABLE IAIN JAMES KERR ROSS, AO

THE HONOURABLE MELISSA ANNE PERRY

THE HONOURABLE DARRYL RANGIAH

THE HONOURABLE BERNA COLLIER

THE HONOURABLE ROBERT JAMES BROMWICH

THE HONOURABLE NATALIE CHARLESWORTH

THE HONOURABLE KATRINA BANKS-SMITH

THE HONOURABLE MICHAEL LEE

THE HONOURABLE THOMAS THAWLEY

THE HONOURABLE MICHAEL WHEELAHAN
THE HONOURABLE PAUL ANASTASSIOU
THE HONOURABLE ANGUS STEWART
THE HONOURABLE MICHAEL O'BRYAN
THE HONOURABLE STEWART ANDERSON
THE HONOURABLE WENDY ABRAHAM

ADDITIONAL JUDGES FROM THE SUPREME COURT OF VICTORIA

THE HONOURABLE ROBERT STANLEY OSBORN
THE HONOURABLE SIMON PAUL WHELAN
THE HONOURABLE PHILLIP GEOFFREY PRIEST
THE HONOURABLE STEPHEN WILLIAMS KAYE, AM

ACTING JUDGES

THE HONOURABLE STEPHEN WALMSLEY
THE HONOURABLE DAVID ROBINSON
THE HONOURABLE ROBERT CROWE
THE HONOURABLE PETER BERMAN
THE HONOURABLE AUDREY BALLA
THE HONOURABLE RICHARD REFSHAUGE
THE HONOURABLE MEGAN LATHAM
THE HONOURABLE VERITY McWILLIAM