1994-1995

THE

SOUTH AUSTRALIAN STATE REPORTS

ELLIOTT JOHNSTON QC

VOLUME 64

LBC INFORMATION SERVICES

1996

REPORTERS

TOM BIRCHALL **GEOFF BRITION** TIM BRYANT MATTHEW GOODE ANDREW HALL PAUL HEYWOOD-SMITH MARTIN HINTON NICHOLAS ILES **ELLIOTT JOHNSTON QC** MELANIE LITTLE ANN McLEAN CLAIRE O'CONNOR ELIZABETH OLSSON D H PEEK M A PERRY DAVID RIGGALL SYDNEY TILMOUTH QC

PRODUCTION EDITOR CLEMENTINE MAK

Published in Sydney by LBC Information Services 50 Waterloo Road, North Ryde, NSW 560 Lonsdale Street, Melbourne, Victoria 40 Queen Street, Brisbane, Queensland 77 St George's Terrace, Perth, WA

ISSN 0049-1470

© 1996 The Law Book Company Limited t/as LBC Information Services

Typeset by LBC Information Services, North Ryde, NSW Printed by Ligare Pty Ltd, Riverwood, NSW

JUDGES OF THE SUPREME COURT

THE HONOURABLE JOHN JEREMY DOYLE, CHIEF JUSTICE THE HONOURABLE LEONARD JAMES KING, CHIEF JUSTICE (retired 28 April 1994) THE HONOURABLE BRIAN ROTHWELL COX THE HONOURABLE ROBERT FINEY MOHR (retired 28 July 1995) THE HONOURABLE RODERICK GRANT MATHESON THE HONOURABLE DEREK WILLOUGHBY BOLLEN THE HONOURABLE ROBIN RHODES MILLHOUSE THE HONOURABLE GRAHAM CLIFTON PRIOR THE HONOURABLE LESLIE TREVOR OLSSON THE HONOURABLE JOHN WILLIAM PERRY THE HONOURABLE KEVIN PATRICK DUGGAN THE HONOURABLE EDWARD PICTON MULLIGHAN THE HONOURABLE BRUCE MALCOLM DEBELLE THE HONOURABLE MARGARET JEAN NYLAND THE HONOURABLE BRUCE THOMAS LANDER THE HONOURABLE HORTON CLEMENT WILLIAMS

ATTORNEY-GENERAL

THE HONOURABLE K TREVOR GRIFFIN, MLC