

2011 - 2015

THE  
TASMANIAN  
REPORTS

THE AUTHORISED REPORTS OF DECISIONS OF  
THE SUPREME COURT OF TASMANIA

**EDITOR**

**L W MAHER**

**VOLUME 23**

PUBLISHED FOR THE  
COUNCIL OF LAW REPORTING  
OF TASMANIA BY

**THOMSON REUTERS**

2016

# COUNCIL OF LAW REPORTING FOR TASMANIA

## *CHAIRMAN*

The Hon Justice DAVID PORTER

## *MEMBERS*

MICHAEL CRISP  
TODD KOVACIC  
LAURENCE MAHER (Editor)  
DR JANE NIELSEN  
JENNIFER RUDOLPH

## **REPORTERS**

GREG BARNES  
BENEDICT BARTL  
ROLAND BROWNE  
DAN COOMBES  
ANTON HUGHES  
GARTH O'RAFFERTY  
KEN STANTON  
SAM THOMPSON

Published by

Thomson Reuters  
19 Harris Street, Pyrmont, NSW

ISSN 0085-7106

**THE JUDGES**  
OF THE  
**SUPREME COURT OF TASMANIA**

DURING THE PERIOD COMPRISED IN THIS VOLUME

The Hon EWAN CHARLES CRAWFORD  
Chief Justice

The Hon ALAN MICHAEL BLOW, ●AM  
Chief Justice

The Hon PETER ETHRINGTON EVANS

The Hon ALAN MICHAEL BLOW, ●AM

The Hon SHAN EVE TENNENT

The Hon DAVID JAMES PORTER

The Hon HELEN MARIE WOOD

The Hon STEPHEN PETER ESTCOURT

The Hon ROBERT WILLIAM PEARCE

The Hon STEPHEN JAMES HOLT  
Associate Judge

---

*ATTORNEYS-GENERAL*

The Hon BRIAN NEAL WIGHTMAN MHA  
(Until 31 March 2014)

The Hon Dr VANESSA GOODWIN MLC  
(From 31 March 2014)

*SOLICITORS-GENERAL*

GEOFFREY LEIGH SEALY sc  
(Until 16 May 2014)

FRANCIS COUNSEL NEASEY  
(Acting, from 19 May 2014 until 31 August 2014)

MICHAEL ERNEST O'FARRELL sc  
(From 1 September 2014)

## MEMORANDUM

On 10 November 2014, the Hon David Lindsey Harper AM QC was sworn in as an Acting Judge of the Supreme Court of Tasmania until the determination of a motion to review in the matter of *Ellis v Cardwell* and any applications for consequential orders. His Honour held office until 3 December 2014.