2001 WESTERN AUSTRALIAN REPORTS

INCORPORATING WESTERN AUSTRALIAN LAW REPORTS

Authorised Law Reports of the SUPREME COURT OF WESTERN AUSTRALIA

EDITOR
ANDREW BEECH

VOLUME 24

PUBLISHED BY LAWBOOK CO.

2002

REPORTERS

CRAIG COLVIN
MADELEINE COX
STEPHEN DAVIES
JAMES EDELMAN
JESSICA EDIS
KATHLEEN FOLEY
RICHARD HOOKER
PETER QUINLAN
DAVID SCULLY
JOSHUA THOMSON

PRODUCTION EDITOR

CAROLYN MAY

Published in Sydney by
Lawbook Co.
100 Harris Street, Pyrmont, NSW
239 George Street, Brisbane, Queensland
77 St George's Terrace, Perth, WA

ISSN 0083-8764

© Council of Law Reporting of Western Australia 2002

SUPREME COURT OF WESTERN AUSTRALIA

Chief Justice

THE HONOURABLE DAVID KINGSLEY MALCOLM AC

Judges

THE HONOURABLE GEOFFREY ALEXANDER KENNEDY AO (retired 5 September 2001)

THE HONOURABLE WILLIAM PAGE PIDGEON (retired 9 February 2001)

THE HONOURABLE DAVID ANDREW IPP
THE HONOURABLE HENRY ALBERT WALLWORK
THE HONOURABLE MICHAEL JOHN MURRAY
THE HONOURABLE ROBERT JOHN MCARTHUR ANDERSON
THE HONOURABLE NEVILLE JOHN OWEN
THE HONOURABLE GRAEME FREDERICK SCOTT
THE HONOURABLE CHRISTOPHER DAVID STEYTLER
THE HONOURABLE KEVIN HORACE PARKER AO

THE HONOURABLE DESMOND CHARLES HEENAN (retired 5 February 2001)

THE HONOURABLE ANTHONY JOHN TEMPLEMAN
THE HONOURABLE CHRISTINE ANN WHEELER
THE HONOURABLE GEOFFREY PETER MILLER
THE HONOURABLE JOHN RODERICK MCKECHNIE
THE HONOURABLE NICHOLAS PAUL HASLUCK
THE HONOURABLE LEONARD WILLIAM ROBERTS-SMITH
THE HONOURABLE CARMEL JOY MCLURE
THE HONOURABLE CHRISTOPHER JAMES LONSDALE PULLIN

Masters

THEODORE REGINALD BREDMEYER CBE CRAIG WILLIAM SANDERSON

COUNCIL OF LAW REPORTING OF WESTERN AUSTRALIA

Chairman

THE HONOURABLE CHRISTOPHER DAVID STEYTLER

Members

E M HEENAN QC K J MARTIN QC W S MARTIN QC C L ZELESTIS QC