

2013-2014
WESTERN
AUSTRALIAN
REPORTS

INCORPORATING WESTERN AUSTRALIAN LAW REPORTS

**The Authorised Law Reports of the
SUPREME COURT OF WESTERN AUSTRALIA**

EDITOR
SAM VANDONGEN SC

CONSULTING EDITOR
JOSHUA THOMSON

VOLUME 46

LAWBOOK CO.

2014

REPORTERS

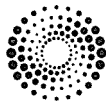
JAYE ALDERSON
ROBERT CLARKE
PETER CLAY
ALEXIS HENRY-COMLEY
CLAUDIA HENFRY
EMILY SIMS
SARAH SOMERSET
ALEXANDER VIAL
WILLIAM YOO

PRODUCTION EDITOR

LINDA PEARSON

© State of Western Australia (2014)

This publication is copyright. Except as permitted under the *Copyright Act 1968*, no part of this publication may be reproduced or communicated by any process without the prior written permission of the Attorney General of Western Australia.



THOMSON REUTERS

2014 Thomson Reuters (Professional) Australia Limited

ABN 64 058 914 668

Lawbook Co.

Published in Sydney

ISSN 0083-8764

SUPREME COURT OF WESTERN AUSTRALIA

Chief Justice

THE HONOURABLE WAYNE STEWART MARTIN

COURT OF APPEAL

President

THE HONOURABLE CARMEL JOY McLURE

Judges

THE HONOURABLE CHRISTOPHER JAMES LONSDALE PULLIN
(retired 30 April 2014)

THE HONOURABLE MICHAEL JOHN BUSS
THE HONOURABLE DAVID WALLACE NEWNES
THE HONOURABLE GRAEME HAROLD MURPHY
THE HONOURABLE ROBERT ANTHONY MAZZA

GENERAL DIVISION

Judges

THE HONOURABLE JOHN RODERICK McKECHNIE
THE HONOURABLE ERIC MICHAEL HEENAN
THE HONOURABLE RENE LUCIEN LE MIERE
THE HONOURABLE CAROLYN FRANCES JENKINS
THE HONOURABLE RALPH LLOYD SIMMONDS
THE HONOURABLE ANDREW ROBERT BEECH
THE HONOURABLE JOHN ANTHONY CHANEY
THE HONOURABLE KENNETH JAMES MARTIN
THE HONOURABLE STEPHEN DAVID HALL
THE HONOURABLE EDWIN MICHAEL CORBOY
THE HONOURABLE JANINE PRITCHARD
THE HONOURABLE JEREMY DAVID ALLANSON
THE HONOURABLE JAMES JOSHUA EDELMAN
THE HONOURABLE JEREMY CLIVE CURTHOYS
THE HONOURABLE ROBERT MACKENZIE MITCHELL
(appointed 2 October 2014)

Master

CRAIG WILLIAM SANDERSON

EDITORIAL COMMITTEE

Chairman

THE HONOURABLE KENNETH JAMES MARTIN

Editor

SAM VANDONGEN SC

Members

C L ZELESTIS, QC

CG COLVIN SC

JOSHUA THOMSON