# 1989 WESTERN AUSTRALIAN REPORTS

INCORPORATING WESTERN AUSTRALIAN LAW REPORTS

Authorized Law Reports of The SUPREME COURT OF WESTERN AUSTRALIA

EDITOR

KENNETH J MARTIN, LLM

PUBLISHED BY

THE LAW BOOK COMPANY LIMITED

AUSTRALIA

# Published in Sydney by

The Law Book Company Limited 44-50 Waterloo Road, North Ryde, NSW 490 Bourke Street, Melbourne, Victoria 40 Queen Street, Brisbane, Queensland 81 St George's Terrace, Perth, WA

# ISSN 0083-8764

© Council of Law Reporting of Western Australia 1990

Wholly set up and printed by
The Law Book Company Limited, Sydney, NSW

# SUPREME COURT OF WESTERN AUSTRALIA

### Chief Justice

THE HONOURABLE DAVID KINGSLEY MALCOLM

# **Judges**

THE HONOURABLE ALKIN ROBERT ALEXANDER WALLACE
THE HONOURABLE PETER FREDERICK BRINSDEN
THE HONOURABLE CHARLES HOWARD SMITH
THE HONOURABLE GEOFFREY ALEXANDER KENNEDY
THE HONOURABLE WILLIAM PAGE PIDGEON
THE HONOURABLE BARRY WILLIAM ROWLAND
THE HONOURABLE EDWARD MORRISSEY FRANKLYN
THE HONOURABLE PAUL LAURENCE SEAMAN
THE HONOURABLE ROBERT DAVID NICHOLSON
THE HONOURABLE TERENCE ALAN WALSH
THE HONOURABLE DAVID ANDREW IPP
THE HONOURABLE HENRY ALBERT WALLWORK

### COUNCIL OF LAW REPORTING OF WESTERN AUSTRALIA

### Chairman

THE HONOURABLE BARRY WILLIAM ROWLAND

### **Members**

E M HEENAN, QC W S MARTIN, LLB C L ZELESTIS, LLB