

2021-2022
WESTERN
AUSTRALIAN
REPORTS

INCORPORATING WESTERN AUSTRALIAN LAW REPORTS

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

EDITOR
ERIC HEENAN SC

VOLUME 59

LAWBOOK CO.

2024

REPORTERS

ETHAN HEYWOOD

AMY JOSEPH

HUGH KOPSEN

GREGORY STOCKTON

PRODUCTION EDITOR

ANNE MOK

© State of Western Australia (2024)

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™

2024 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 PETER DAMIEN QUINLAN

COURT OF APPEAL

President

THE HONOURABLE MICHAEL JOHN BUSS

Judges

THE HONOURABLE GRAEME HAROLD MURPHY

THE HONOURABLE ROBERT ANTHONY MAZZA

THE HONOURABLE ROBERT MACKENZIE MITCHELL

THE HONOURABLE ANDREW ROBERT BEECH

THE HONOURABLE JANINE CLARE PRITCHARD

THE HONOURABLE JOHN CAMERON VAUGHAN

THE HONOURABLE STEPHEN DAVID HALL

(appointed 3 October 2022)

GENERAL DIVISION

Judges

THE HONOURABLE RENE LUCIEN LE MIERE

(retired 26 February 2022)

THE HONOURABLE KENNETH JAMES MARTIN

THE HONOURABLE EDWIN MICHAEL CORBOY

(retired 9 December 2022)

THE HONOURABLE JEREMY DAVID ALLANSON

THE HONOURABLE JEREMY CLIVE CURTHOYS

THE HONOURABLE PAUL ALLAN TOTTLE

THE HONOURABLE BRUNO FIANNACA

THE HONOURABLE JOSEPH McGRATH

THE HONOURABLE GAIL ANN ARCHER

THE HONOURABLE ANTHONY SAMUEL DERRICK

THE HONOURABLE JENNIFER HILDA SMITH

THE HONOURABLE JENNIFER MARY HILL

THE HONOURABLE JUSTICE LARISSA MONIQUE STRK

THE HONOURABLE JUSTICE MARCUS NATHAN SOLOMON

(appointed 4 August 2021)

THE HONOURABLE JUSTICE AMANDA LOUISE FORRESTER

(appointed 1 July 2022)

THE HONOURABLE JUSTICE SAMUEL ALEXANDER VANDONGEN
(appointed 2 November 2022)

THE HONOURABLE JUSTICE MICHAEL GRANT LUNDBERG
(appointed 23 November 2022)

Master

CRAIG WILLIAM SANDERSON

EDITORIAL COMMITTEE

Chairman

THE HONOURABLE KENNETH JAMES MARTIN

Editor

ERIC HEENAN SC

Members

C L ZELESTIS, QC

CG COLVIN SC

JOSHUA THOMSON SC