

VICTORIAN REPORTS

THE AUTHORISED LAW REPORTS OF THE
SUPREME COURT OF VICTORIA

VOLUME 50
2014-2016

EDITOR
P G WILLIS SC

Published for the
COUNCIL OF LAW REPORTING IN VICTORIA
BY
LITTLE WILLIAM BOURKE
AUSTRALIA
2017



Little William Bourke

	Little William Bourke (ABN 65 610 951 089).
AUSTRALIA	Level 22 52 Martin Place Sydney NSW 2000 Australia
ELECTRONIC	victorianreports.com.au littlewilliambourke.com.au

National Library of Australia Cataloguing-in-Publication entry

ISBN-13: 978-1-925633-03-0

ISBN-10: 1-925633-03-9

ISSN: 0042-5214 (print); 2208-4886 (online).

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Printed in Australia.

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Memoranda

2016

- 18 January Margaret Cairns Gourlay was re-appointed a Judicial Registrar.
- 4 March The Honourable Robert Frank Redlich, a Judge of Appeal since 2006, resigned.
- 24 May Peter Barrington Kidd was appointed a Judge of the Trial Division.
- 5 July Leonie Margaret Englefield was appointed a Judicial Registrar.
- 25 July Maree Evelyn Kennedy was appointed a Judge of the Trial Division.
- 1 August The Honourable Ross McKenzie Robson, a Judge of the Trial Division since 2007, resigned.

2017

- 24 January Patricia Matthews was appointed a Judicial Registrar.
- 24 January Mark William Pedley was re-appointed a Judicial Registrar.
- 26 January In the Australia Day Honours List, the Honourable Mark Samuel Weinberg, a Judge of Appeal since 2008, was appointed an Officer of the Order of Australia.
- 26 January In the Australia Day Honours List, the Honourable Stephen Pendrill Charles, a Judge of Appeal from 1995 to 2006 was appointed an Officer of the Order of Australia.
- 26 January In the Australia Day Honours List, the Honourable Kevin Harcourt Bell, a Judge of the Trial Division from 2005, was appointed a Member of the Order of Australia.
- 26 January In the Australia Day Honours List, The Honourable Kevin John Mahony, an Associate Judge from 1983 to September 2012, was appointed a Member of the Order of Australia.
- 20 February Julie Kirsten Clayton was appointed a Judicial Registrar.
- 15 June The Honourable Allan William McDonald AO QC, a Judge of the Court from 1988 to 2002, died aged 80 years.

Obituaries

The Honourable Allan William McDonald AO QC

The Hon. Allan McDonald AO QC served the State of Victoria as a judge of the Supreme Court for 14 years. He died on Thursday 15 June 2017 aged 80 years. He was married with four children. Allan McDonald was a man of deep and abiding humanity who had a profound personal influence on a generation of judges.

Allan McDonald graduated in law from The University of Melbourne in 1958, took articles with Vernon Wilcox MLA and signed the Bar Roll in 1961. He read with William Crockett (later Justice Crockett of the Supreme Court) and they were to become life-long friends.

As a barrister his Honour's practice was broad, covering the common law, commercial law and divorce. His Honour took silk in 1977. Notably, he represented the State Electricity Commission in the Ash Wednesday Bush Fires case. At his farewell to the profession in 2002 the then Chairman of the Bar, Robert Redlich QC described him as "one of the last great all-rounders". He served as a member of the Bar Council and the Victorian Bar's Executive Committee.

Allan McDonald was appointed a Justice of the Supreme Court in 1988 and served with distinction in all jurisdictions of the Court until his retirement in 2002.

His Honour's contribution as a judge was fundamental and he was involved in every aspect of the Court's work. He was the inaugural Principal Judge of the Commercial & Equity Division (later the Commercial Court) and he served on the Court's Executive Committee. He was described by the Hon. Kenneth Hayne AC QC in a eulogy as embodying the Court's "institutional pride, institutional memory and institutional conscience". He was a trail-blazing judge in his focus on judicial health, well-being and happiness.

Allan McDonald devoted himself not only to the law but also to the wider community. He played a critical role in the formation of the Law School at Deakin University as Chair of its Advisory Panel and was later awarded an honorary Doctorate of Laws by Deakin University.

Aside from being an outstanding judge, Allan McDonald was an outstanding athlete. His Honour played football, rowed and was an excellent runner. He was a member of the Geelong College Athletics and Relay Teams and he also won the Geelong College Cup for Athletics. He set a University of Melbourne record in the 100 yards dash of 9.9 seconds and won a Victorian Championship in the 4 x 110 yards relay in 1960. At University, his Honour was awarded a 'Full Blue' for Athletics two years in a row.

His Honour's contribution to Australian sporting life was extensive. He was President and Life Governor of Athletics Australia and a Life Member of Athletics Victoria. He was Chairman of the Council of the Victorian Amateur Athletics Association and President of the Australian Athletics Union. His

Honour was also a life member of the Melbourne University Athletics Club and was its patron for 30 years. The Hon Allan McDonald was awarded the Australian Sports Medal, awarded under royal warrant, in 2000.

Long after his Honour's retirement from the bench his contributions continued. He was a member of the Melbourne Health Human Research Ethics Committee, Chairman of the Victorian Institute of Forensic Mental Health, and a Member of the Court of Arbitration for Sport. He was also Vice-President of the Melbourne Cricket Club.

In the Australia Day Honours List for 2011, his Honour was made an Officer of the Order of Australia for distinguished service to the law and to the judiciary, particularly the implementation of mediation initiatives and administrative reforms, and as a mentor, to medical research ethics, and to a range of sporting organisations.

The Hon. Allan McDonald was an outstanding athlete, lawyer, barrister and judge. He was a devoted family man. He was an inspiration for generations of lawyers, barristers and judges. He will be greatly missed.

MLW

The Honourable Rosemary Anne Balmford AM

The Hon. Rosemary Balmford AM gave long and distinguished service to the people of Victoria, the legal profession, the judiciary and the Courts. She was the first female Justice of the Supreme Court of Victoria on her appointment in 1996. She was a leader of women in the law. She died in August 2017.

Rosemary Norris was awarded the Supreme Court Prize for 1954, graduating in law with First Class Honours from The University of Melbourne. She served articles with Whiting and Byrne and went on to become a partner at that firm. While working as a solicitor, she also lectured at the Melbourne Law School, being the first woman to do so.

In 1971, Rosemary Balmford was appointed the founding executive director of the Leo Cussen Institute for Continuing Legal Education. She pioneered practical legal training, established the Continuing Legal Education Board and co-created a course that is said to be one of the best in the common law world.

She was appointed to the Victorian Equal Opportunity Board in 1979 and heard the landmark case of *Wardley v Ansett Transport Industries*. Rosemary Balmford was then in 1983 appointed as a Senior Member of the federal Administrative Appeals Tribunal, she went on to the bench of the County Court in 1993, and then on to her role as a Justice of the Supreme Court of Victoria, where she presided over the Valuation, Compensation and Planning List.

From 1996 until her retirement from the Bench in 2003, Justice Balmford sat in every area of the court's jurisdiction. She was the first woman to preside over a murder trial in Victoria.

Justice Balmford felt strongly that "the presence of female role models is of great importance in establishing in the minds of young women, in all professions and walks of life, an awareness that they can aspire, as can their brothers, to any appropriate position in this state."

Apart from a distinguished legal career, Rosemary Balmford was a distinguished amateur ornithologist. She played an important role in data gathering and pioneered bird atlassing in Australia and served as Secretary of the Royal Australasian Ornithologists' Union.

In 2012, she was appointed a Member of the Order of Australia for service to the judiciary, to the practice of law in Victoria, and to the study of ornithology.

Justice Balmford was a friend and mentor to women who have come to the Bench. Her open door was regarded as an invitation to her colleagues to call by. She was an inspiration to generations of lawyers, barristers and judges.

MLW

Changes to the criteria for listing members of the Court and the Council

From Volume 50 onwards, the inclusion of members of the Court and the Council listed in the front pages of a volume will in each case be determined by membership at the date appearing at the top of each list (being a date proximate to the publication date of the volume).

This differs from the previous practice of listing all those who were members over the courts of time spanned by the dates of the decisions reported in the particular volume.