**HIGH COURT OF AUSTRALIA  
  
COURTROOM NO. 2**

**Parkes Place, Canberra  
  
By video connection  
  
TUESDAY, 21 DECEMBER 2021**

**AT 2:00 PM AEDT**

**(11:00 AM AWST)**

**BEFORE HER HONOUR JUSTICE GORDON**

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|  | GARLETT  **G R Donaldson SC** (appearing remotely) | THE STATE OF WESTERN AUSTRALIA & ANOR  **J A Thomson SC** (Solicitor-General of Western Australia) **H C Richardson** (for the second respondent) (appearing remotely)  **Submitting appearance for the first respondent** |

Rosemary Musolino   
**Deputy Registrar**