

CITATION: *Fisher & Hitchcock v Northern Territory* [2007] NTMC 066

PARTIES: KURT ANTHONY FISHER
v
THE NORTHERN TERRITORY
AMBER CAMERON HITCHCOCK
v
THE NORTHERN TERRITORY

TITLE OF COURT: Local Court

JURISDICTION: Crimes (Victims Assistance)

FILE NO(s): 20519377, 20519445, 20519446, 20519447

DELIVERED ON: 11 October 2007

DELIVERED AT: Darwin

HEARING DATE(s): 21 September 2007

JUDGMENT OF: Mr V M Luppino SM

CATCHWORDS:

Crimes (Victims Assistance) – Assessment of assistance including on account of mental injury or distress.

Crimes (Victims Assistance) – Deduction for conduct contributing – Whether any deduction is against the assessed value of the assistance certificate before the statutory cut off.

Crimes (Victims Assistance) Act ss 4, 5, 8, 9, 10, 13, 15, 17.

Jones v Dunkel (1959) 101 CLR 298, Northern Territory of Australia v Dean [2006] NTCA 6, Ahfatt v Northern Territory, Supreme Court 6 November 1988, Turley v Saffin (1975) 10 SASR 463.

REPRESENTATION:

Counsel:

Applicants: Miss Tregear
Respondent: Mr Rowbottom

Solicitors:

Applicants: Hunt & Hunt
Respondent: Withnalls

Judgment category classification:	B
Judgment ID number:	[2007] NTMC 066
Number of paragraphs:	50

IN THE LOCAL COURT
AT DARWIN IN THE NORTHERN
TERRITORY OF AUSTRALIA

No. 20519377, 20519445,
20519446, 20519447

BETWEEN:

KURT ANTHONY FISHER
Applicant

AND:

THE NORTHERN TERRITORY
Respondent

AND:

AMBER CAMERON HITCHCOCK
Applicant

AND:

THE NORTHERN TERRITORY
Respondent

REASONS FOR DECISION

(Delivered 11 October 2007)

MR VM LUPPINO SM:

1. These are applications for assistance certificates pursuant to the *Crimes (Victims Assistance) Act* (“the Act”). There are four separate claims arising from two discrete incidents.
2. The provisions of the Act relevant to the issues in this matter are set out hereinafter:-

4. Interpretation

(1) In this Act, unless the contrary intention appears –

"assistance certificate" means an assistance certificate issued by the Court under section 8(1);

"injury" means bodily harm, mental injury, pregnancy, mental shock or nervous shock but does not include an injury arising from the loss of or damage to property (which loss or damage is the result of an offence relating to that property);

"offence" means an offence, whether indictable or not, committed by one or more persons which results in injury to another person;

"victim" means a person who is injured or dies as the result of the commission of an offence by another person.

5. Application for assistance certificate

(1) A victim or, where the victim is an infant or the Court is satisfied the victim, because of injury, disease or physical or mental infirmity, is not capable of managing his or her affairs in relation to the application, a person who, in the opinion of the Court, is a suitable person to represent the interests of a victim, may, within 12 months after the date of the offence, apply to a Court for an assistance certificate in respect of the injury suffered by the victim as a result of that offence.

(2)-(4) Omitted

8. Assistance certificate

(1) Upon hearing an application under section 5, the Court may issue an assistance certificate, but shall not issue more than one certificate in respect of any one application.

(2) An assistance certificate shall certify that the Territory shall pay –

(a) in respect of an application under section 5(1), to the victim, an amount specified in the certificate by way of assistance for the injury suffered by the victim;

(b)-(c) Omitted

(3)-(10) Omitted

9. Principles for assessment of assistance

(1) In assessing the amount of assistance to be specified in an assistance certificate in respect of an application under section 5(1) or (2), the Court may, subject to this Act, include an amount in respect of –

- (a) expenses actually incurred as a result of the injury suffered by, or the death of, the victim;
- (b) pecuniary loss to the victim as a result of his or her total or partial incapacity for work;
- (c) pecuniary loss to the dependants of the victim as a result of his or her death;
- (d) any other pecuniary loss arising in consequence of injury suffered by, or the death of, the victim and any other expenses reasonably so incurred;
- (e) pain and suffering of the victim;
- (f) mental distress of the victim;
- (g) loss of the amenities of life by the victim;
- (h) loss of expectation of life by the victim; and
- (j) loss of, or damage to, the clothing of the victim being worn at the time of the commission of the offence.

(2) For the purposes of subsection (1)(f), mental distress does not include grief.

10. Behaviour of victim, &c., to be taken into account

(1) In considering an application for assistance, and in assessing the amount of assistance to be specified in an assistance certificate, the Court shall have regard to the conduct of the victim and to any other matters it considers relevant.

(2) Where the Court, on having regard under subsection (1) to the conduct of the victim, is satisfied that the victim's conduct contributed to the injury or death of the victim it shall reduce the amount of assistance specified in the assistance certificate by such amount as it considers appropriate in all the circumstances.

13. Limitation on amount

(1) The amount specified in an assistance certificate in respect of an application under –

- (a) section 5(1) or (2) – shall be not more than \$25,000 (including any amounts specified under section 9) or less than \$100; or
- (b) section 5(2A) – subject to subsection (3), shall be \$3,000.

(2)-(3) Omitted

15. Procedure

(1) On the hearing by the Court of an application under section 5, the procedure of the Court is, subject to this Act, the Regulations and any rules or practice directions made or given specifically for the conduct of the business of the Court under this Act, within the discretion of the Court.

(2) The hearing of an application under section 5 shall be conducted with as little formality and technicality, and with as much expedition, as the requirements of this Act and a proper consideration of the application permit.

(3) Subject to this Act, the Court is not bound by any rules of evidence but may inform itself on any matter in such manner as it thinks fit.

(4) Omitted

17. Proof and evidence

(1) A fact to be proved by an applicant in proceedings under this Act shall be sufficiently proved where it is proved on the balance of probabilities.

(2) In proceedings under this Act, the Court may receive in evidence any transcript of evidence in proceedings in any other court, and may draw any conclusions of fact therefrom that it considers proper.

(3) In proceedings under this Act, all evidence other than the evidence referred to in subsection (4) is to be given by affidavit.

(4)-(6) Omitted

3. The respondent does not dispute that each of the applicants is a “victim” within the meaning of the Act and concedes that none of the provisions which disentitle applicants as set out in section 12 of the Act apply. The issues for decision are:-
 - (i) The assessment of the amount of the various assistance certificates including the extent of any allowance for mental distress pursuant to section 9(1)(f) of the Act;
 - (ii) Whether there is any conduct contributing on the part of Fisher and, if so, the amount to be deducted on that account pursuant to section 10(2) of the Act;
 - (iii) Whether any deduction on account of section 10(2) of the Act is to be made against the amount assessed for the assistance certificate before application of the statutory maximum set by section 13(1)(a) or after that cut off is applied;
4. All evidence before me was in the form of affidavit, statutory declaration or otherwise in documentary form. Briefly, the facts of this matter are that on 26 May 2005 the two applicants attended at the premises of Michael Bunch, one of the offenders in the matter, with the expectation that Fisher would collect a sum of money owed to him by Bunch. On arrival Fisher entered the premises while Hitchcock waited outside in the vehicle. There were a number of other persons present in addition to Bunch, including a man known as Mark Simpson.
5. Fisher alleges that immediately upon entering the premises he was grabbed from behind and held by one person while Bunch struck him to the head with a baseball bat. A number of others then joined in the assault on Fisher and he was struck numerous times around the head and body and knocked to the ground. When on the ground, the offenders continued to strike Fisher. In particular, Bunch with the baseball bat and Simpson with a hammer, hit

Fisher around the head a number of times, each very hard in the lead up to when Fisher lapsed into unconsciousness. When he woke shortly after, he attempted to crawl away and another offender approached him with a chain and began hitting him all over the head and body with the chain. Bunch and Simpson continued to hit him with the baseball bat and hammer respectively, at that time. Simpson was charged with offences based on these allegations but following a trial by jury, Simpson was acquitted of those charges. Fisher was then punched a number of times to the face and then had his legs and arms tied. At some point a gun was produced and one offender gave instructions to another offender to shoot Fisher if he moved. Threats of death were made to Fisher at various times during this ordeal and at one time a rifle was held pointed at Fisher's head.

6. In the course of this assault on Fisher, one of the offenders pulled Hitchcock out from the car. She then heard Fisher calling out and she ran in that direction. She saw Fisher on his knees with one offender holding his arms behind his back. His face was unrecognisable. Hitchcock was then taken out by one of the offenders and taken back to her car. At that point Hitchcock saw one of the offenders exit the premises and get a hose and then wash blood out from inside of the premises.
7. When Hitchcock asked one of the offenders what was happening, the reply was in words to the effect that Bunch had enough of "Kurt's shit", that he wanted \$20,000 and that they would only be allowed to leave when he got \$20,000.
8. At about this time a police officer attended the premises in relation to an unrelated matter. Hitchcock managed to inform the police officer about what was happening and the police officer then left and returned shortly afterwards with a number of other police members.
9. The offenders then placed Fisher and Hitchcock into a motor vehicle and drove off. They drove around a police officer who was attempting to stop

the vehicle. Police pursued the vehicle. The offenders abandoned the vehicle in bush land near Yarrawonga where Police found Fisher and Hitchcock in the vehicle. Fisher was then taken to hospital for treatment to the injuries.

10. The injuries suffered by Fisher as a result of the events on this occasion are severe. The extent of the injuries is depicted in photographs submitted as part of the evidence in this case. Fisher sustained multiple injuries consisting of bruises, grazes and scratches in multiple areas. Bruising to the face was extensive as was the swelling to the face and eyes. There were large bruises to the rear side of both arms. The most significant injury was the damage to Fisher's right eye and socket which had been badly fractured. Surgery was required to rectify the condition but that could not occur immediately due to the extent of swelling. When the surgery was performed on 9 June 2005, a plate was inserted to support his eye.
11. Understandably, Fisher describes the pain he suffered at the time as extreme. Residually he still has pain in the face on occasions. The plate and the supporting titanium mesh and screws in the face feel like he has something in the eye and this causes intermittent irritation. He has scars on his eyebrow and under the eye from the assault.
12. Fisher's vision out of the right eye has been affected. Later checks revealed that the retina had become detached and Fisher is now permanently blind in that eye. Consequential disabilities are the inability to perceive depth and difficulty in concentrating when watching television or reading. He has no vision to the right side of his body. He has regular headaches and has had to use eye drops everyday since the injury.
13. Fisher says that he was traumatised as a result of the assault and, understandably in my view, thought that he was going to be killed on that occasion.

14. Currently, there has been no improvement to Fisher's right eye vision. The right eye has changed colour and he has been informed that the eye will eventually turn white in colour. He says it is very noticeable at present and he is self-conscious. He has been informed that although surgery has a small chance that his vision will improve, there is a significant risk of development of sympathetic ophthalmia with the result that he will lose the sight of both eyes. Understandably, he has declined that surgery.
15. He says that he has had migraines regularly since the injury and he continues to experience pain on his face at the point of the insertion of the titanium plate. The scar around his eye is a visible three centimetre scar above the right eyebrow as well as similar scars around the right cheekbone.
16. In terms of psychological matters, both Fisher and Hitchcock have received counselling at Amity Community Services. The counselling was conducted by Mr John Maher. His formal qualifications at the time were that he was a registered nurse and was undertaking post graduate studies in the area of health sciences. He had worked in mental health since 1979. Although these qualifications might amply qualify Mr Maher to work as a counsellor and although that work clearly gives him exposure to people suffering a post traumatic stress disorder, the qualifications fall well short of those required to diagnose that type of recognised mental injury. He lacks the expertise to make that diagnosis. However his report remains useful in the assessment process for the reasons set out below.
17. His report dated 18 April 2006 regarding Fisher notes that Fisher referred himself to Amity Community Services and first presented on 6 July 2005. Subsequent appointments were on 7 July 2005, 4, 8 and 23 August 2005 and 12 September 2005. Mr Maher was also aware of the second incident (see paragraph 20 below) occurring a short time later.
18. Mr Maher notes that Fisher reported regular panic attacks, disrupted sleep, vivid regular flashbacks, intense psychological distress, hyper vigilant

behaviour, constant hot flushes, breathing difficulty and suicidal ideation. He reported that Fisher was scared of going out in public and that he had typical anxiety symptoms consisting of increased heart rate and temperature, breathing difficulties, gastric disorder, dizziness, outbursts of anger and irritability.

19. Mr Maher described the symptoms as indicative of a post traumatic stress disorder. He said that the condition was responding well but that the renewed fears resulting from the second incident inhibited the success of his treatment.
20. The second incident previously referred to again involved both applicants. It forms the basis of the second set of claims. The offender was Simpson. The allegation is that on 29 June 2005, both applicants were in their vehicle when they noticed a vehicle driven by Simpson following behind them in a menacing way for some distance. That vehicle then pulled up alongside the applicants' vehicle and Simpson made a threat directed at both applicants. The threat was in the form of words to the effect of "*you're fucking dead, I'm going to fucking kill you*".
21. The issue of conduct contributing arises as Bunch claims that the attack on Fisher was a direct result of threats which Fisher made to him and his family. The evidence of Hitchcock reveals that one of the offenders in the first incident told Hitchcock that the episode resulted because Bunch had had enough of "Kurt's shit" and wanted \$20,000 (see paragraph 7 above). Bunch claims that this refers to the said threats. He elaborates upon this in an affidavit sworn on 20 December 2006. He claims there was a history of threats made by Fisher regarding money which Fisher claimed Bunch owed him. He says that a number of the threats occurred in the presence of Hitchcock.
22. Bunch attests that the threats became worse in the weeks leading up to 26 May 2005 such that Fisher threatened to kill his wife and children. He

claimed that Fisher had approached him a number of times and also came out to his work premises as well as his residence.

23. Bunch claims that he was fearful for the life of his children. In his affidavit Bunch says that on 26 May 2005, Fisher came to his premises and he suggests that this was unexpected. He claims that Fisher came in, pushed him and threatened him. He said that Fisher pushed him into a wall and that resulted in an injury to the back of his head. He says that he grabbed the first thing he could to stop the assault (referring to the baseball bat which must have been conveniently located at the time), that he then used that to assault Fisher and that others then joined in and the situation spiralled out of control.
24. Fisher denies these allegations. Hitchcock also denies any knowledge of any threats. The respondent has not been able to produce any supporting evidence from the other offenders involved. The onus of proof in relation to this issue rests with the respondent.
25. It is always difficult to make findings of fact based solely on affidavit evidence where one party asserts something which the other specifically denies. Absent some objective basis upon which to discriminate between the conflicting versions or the opportunity to test credibility by cross-examination, a finding based solely on credit of witnesses giving conflicting testimony in written form without more is difficult. In such a situation the matter may fall to be resolved by default largely on the basis that the party with the burden of proof has not discharged that onus.
26. However, in my view there are reasons why the claim made by Bunch should be rejected on the available evidence. Viewing the nature of the assault and the circumstances objectively, it appears most unlikely to me that if Fisher had gone to Bunch's premises at a time when other people are present, apparently acquaintances of Bunch, the last thing he would do would be to start threatening and assaulting Bunch. Furthermore, the claim by Bunch

that he grabbed the first thing he could when Fisher began assaulting him, which was a baseball bat which apparently just happened to be conveniently in a position that he could readily lay his hands on it, beggars belief.

Similarly as to Bunch's claim that the others just joined in and the whole thing got out of control. The extent of the injuries suffered and the extent of the gang assault upon Fisher, in my view, further discredits Bunch's claim. The assault simply goes much too far to make Bunch's explanation credible.

27. The demand by Bunch for a large sum of money as some form of compensation for his trouble is also at odds with his version. If the assault was to deter Fisher from making threats in relation to a debt, then it makes no sense to detain him and aggravate the situation by demanding money before his release.
28. I have read the transcript of Bunch's evidence in the Supreme Court. I have also considered the findings of Riley J in the course of his Honour's sentencing remarks. The matters stated by Bunch in his affidavit in these proceedings are largely consistent with his evidence in the Supreme Court. Central to both is his claim that he did not lure Fisher there on the pretence of paying him some money. Riley J however said that "*...I find beyond reasonable doubt that Michael Bunch developed a plan to assault Mr Fisher....He invited Mr Fisher to come to the shed with a promise that he would pay him money.*" Clearly his Honour did not accept Bunch's version. The body of the sentencing remarks are inconsistent with Bunch's claim that Fisher attacked him shortly after Fisher arrived at the premises. As I have said, that is something which I think is unlikely in all the circumstances in any event. To the contrary the sentencing remarks confirm that Fisher was beset upon by at least Bunch and one other almost immediately after he entered the premises. In light of the foregoing, the evidence of Bunch which largely minimises his culpability by suggesting that Fisher attended unexpectedly, that he grabbed the first thing he could when Fisher attacked

him i.e., the conveniently located baseball bat and that thereafter things spiralled out of control, is untenable.

29. In relation to the threats allegedly made by Fisher, Riley J said, at page 8 of the transcript of his sentencing remarks, “*Mr Bunch said that Mr Fisher had made threats against his family and that was the catalyst for the offending. There is some support for this in the evidence that was led at the trial of Mr Simpson. An independent observer overheard Mr Bunch talk of the threats to his family.*” It is unclear as to whether this evidence was accepted. One thing is clear however and that is that the origin of the evidence is not independent as it is only evidence of a self serving remark made by Bunch.
30. It is also apparent from the affidavit of Mr Rowbottom that Simpson was given an opportunity to provide an affidavit on this issue but declined without offering any explanation. It is appropriate to draw inference that Simpson would not support Bunch’s claim based on *Jones v Dunkel* (1959) 101 CLR 298. According to Mr Rowbottom’s affidavit, Simpson supports the claims of threats made by Fisher to Bunch in some way. Although the Act allows me to rely on this hearsay evidence (see section 15(3)), I do not consider it appropriate to do so given the apparently deliberate decision by Simpson not to provide an affidavit.
31. For the foregoing reasons, I reject the evidence of Bunch on this issue. That being the only evidence in relation to the issue of a deduction pursuant to section 10(2) of the Act, no deduction on that account will be ordered. That means that it is unnecessary for me to consider the related issue of whether any such deduction is to be applied against the assessed value of the claim before the statutory cut off in section 13(1)(a) of the Act or against the amount of the assistance certificate after that cut off. This only becomes an issue in cases such as this one where the common law assessment of the claim exceeds the statutory maximum in section 13(1)(a). Nonetheless, I will express a brief view. There is no direct authority on the point.

Although I was referred to the case of *Northern Territory of Australia v Dean* [2006] NTCA 6 and although the Court of Appeal there dealt with section 10(2) of the Act, that was on another point and I can draw no guidance from that authority. In my view on a proper construction of section 10(2) of the Act, even having regard to the legislation being beneficial in nature the clear wording of section 10(2) ie, “...it shall reduce the amount of assistance specified in the assistance certificate by such amount as it considers appropriate...” would require the deduction to be made after the statutory cut off was applied.

32. In relation to Hitchcock and the assessment of her claim in relation to the first incident, the claim is mostly in relation to psychological matters. The evidence reveals that other than the offenders taking Hitchcock by the arm to direct her to different places, no force was applied to Hitchcock. Nonetheless, as Riley J described it in his sentencing remarks, she suffered a terrifying ordeal.
33. The minimal physical symptoms account for the scarcity of evidence in relation to such symptoms. Indeed the only evidence of any physical injuries is Hitchcock’s own evidence in her affidavit where she states that she suffered generalised bruising and cuts. Clearly these were minor in nature. The psychological impacts however are understandably much greater. Her liberty was deprived, she saw the aftermath of a very vicious assault on her partner Fisher and both she and Fisher were forcibly taken in a car in an attempt by the offenders to flee the police. Clearly, all this amounted to a traumatic episode, consistent with the description in her affidavit.
34. In terms of the psychological impact, she describes suffering nightmares and having difficulty sleeping such as to require the use of sleeping pills. She says that she is scared to go out at night and is very anxious and fearful of

repeat episodes. She is especially concerned of her capacity to protect her young daughter.

35. In relation to the threat made by Simpson in the second incident, she said that she took the threat seriously given the extent of the assault on Fisher. I consider that to be perfectly understandable. She says that she is fearful that she may see Simpson or one of the other offenders when she goes out. Her victim impact statement refers to a tendency not to go out at night out of concern and fear of being further assaulted.
36. The claim of Hitchcock is almost exclusively of a psychological nature, however the extent of the medical evidence is scant. The evidence is confined to a report, again of Mr John Maher and I repeat my earlier comments concerning Mr Maher's expertise. As with Fisher, Hitchcock self referred to Amity Community Services for counselling and first consulted Amity on 6 July 2005. Subsequent appointments also coincided with those of Fisher and were on 7 July 2005, 4, 8 and 23 August 2005 and 12 September 2005.
37. Mr Maher notes that Hitchcock reported a disturbed sleep pattern and bad nightmares concerning the first incident. She, like Fisher, had vivid regular flashbacks causing anxiety and panic attacks. She, again like Fisher, had intense psychological distress and was hyper vigilant. The symptoms Hitchcock suffered are the same symptoms as were specified for Fisher, save that Hitchcock also had symptoms of tinnitus and outbursts of anger.
38. Mr Maher again diagnosed a post traumatic stress disorder resulting from the incident on 26 May 2005. Throughout Hitchcock's treatment at Amity, Mr Maher reported that her anxiety levels improved to the stage where she started to venture out of her home and was starting to maintain a normal lifestyle. Noting the dates of her consultations with Mr Maher, this must have occurred within a relatively short time of the offence.

39. As with Fisher, Mr Maher said that the second incident had caused renewed fears which inhibited the success of the treatment.
40. The definition of injury in the Act includes “*mental injury*”. Section 9(1)(f) of the Act, which itemises the matters which can be taken into account in an assistance certificate, specifically refers to an amount in respect of “*mental distress of the victim*”.
41. The scant nature of the medical evidence in the matter in relation to both applicants does not mean that the applicants have not satisfied the onus of proof. In *Ahfatt v Northern Territory*, Supreme Court 6 November 1988, Mildren J approved a passage from the judgment of Bray CJ in *Turley v Saffin* (1975) 10 SASR 463 at 473-4 to the effect that where there is no evidence one way or the other to support a claim for loss some damages are presumed as a result, namely the court will presume that a claimant would suffer what an ordinary person similarly circumstanced would suffer. The obligation on the claimant is to show that the loss had more effect than it would have on such an ordinary person similarly circumstanced.
42. Having regard to the nature and extent of the evidence in relation to mental injury and mental distress, and relying on the principal in *Ahfatt v Northern Territory*, notwithstanding that Mr Maher’s qualifications to diagnose a post traumatic stress disorder are questionable, the traumatic nature of the events experienced by both applicants entitles me to presume that they would each have suffered to the extent of an ordinary person similarly circumstanced.
43. I approach the question of the assessment on that basis and take a global approach to the various assessments having regard to the factors to be taken into account as specified in section 9(1) of the Act.
44. In relation to the applicant Fisher and with respect to the offence occurring 26 May 2005, having regard to the extent of the injury, the extent of the pain and suffering and the extent of the permanent disabilities resulting from the

injuries, I am satisfied that the common law assessment of damages for that injury would far exceed the statutory cut-off in section 13(1)(a) of the Act, hence I order an assistance certificate at the maximum of \$25,000.00 in relation to that claim.

45. In relation to Fisher's claim for the offence occurring 29 June 2005, the evidence of Mr Maher indicates that the psychological effect of that, over and above that occasioned as a result of the offence on 26 May 2005, was a retardation of the healing process. It is also relevant to the overall assessment that Fisher's counselling sessions comprised a total of five sessions, the last occurring on 12 September 2005. Absent any more recent evidence of current disability and having regard to Mr Maher's assessment which could only relate to the position as at the date of that consultation, I conclude that the extent of the mental distress attributable to the latter incident is minimal and I assess that in the sum of \$500.00.
46. In relation to the claims by Hitchcock, I assess the amount of her assistance in relation to the first incident at \$5,000.00. In relation to the offence occurring 29 June 2005, the foregoing comments made in relation to Fisher equally apply to Hitchcock. I likewise assess the amount of her assistance in relation to the second incident at \$500.00 on a global basis.
47. Hitchcock also claims that her fear of being out alone, in particular at night, has resulted in a loss of income. Other than that bare statement, there is no evidence to support that claim. Her application in claim number 20519446 pleads a loss of income in the range of \$200.00 to \$600.00 per week with the assertion that further details are to be provided. No further details or evidence has been provided. Absent proof of any such loss, I have not made any allowance on that account in the foregoing assessments.
48. Neither applicant has claimed or provided evidence as to any other pecuniary loss, specifically in the nature of medical expenses. Therefore no allowance is made on that account.

49. In summary therefore, I issue assistance certificates as follows:-

1. Kurt Fisher:-

(a) File number 20519445: \$25,000.00.

(b) File number 20519377: \$500.00.

2. Amber Cameron Hitchcock:-

(a) File number 20519446: \$5,000.00.

(b) File number 20519447: \$500.00.

50. I will hear the parties to any ancillary orders.

Dated this 11th day of October 2007.

Mr VM LUPPINO
STIPENDIARY MAGISTRATE