

MCKNIGHT
v
MILLER
[2025] HCADisp 198
P14/2025

- 1 The applicant seeks special leave to appeal from the whole of the judgment of the Court of Appeal of the Supreme Court of Western Australia (Buss P, Vaughan and Hall JJA), which allowed an appeal from the decision of the District Court of Western Australia (Levy DCJ), which in turn allowed an appeal from the decision of the Magistrates Court of Western Australia (Magistrate T Darge).
- 2 This application is an unsuitable vehicle for the point of principle it seeks to raise. The application seeks to raise a question of principle concerning the recoverability of credit hire charges for a replacement vehicle payable under car hire agreements (see *Arsalan v Rixon* (2021) 274 CLR 606). As there was a finding that the hiring costs were unreasonable because they exceeded those payable to "mainstream motor vehicle rental companies", the issue of principle does not arise.
- 3 Special leave to appeal is refused with costs.

Gageler CJ
Gordon J
Edelman J
Steward J
Gleeson J
Jagot J
Beech-Jones J

4 September 2025