

CLEANAWAY OPERATIONS PTY LTD (ACN 010 745 383)

v

HANEL

[2026] HCADisp 48

A26/2025

- 1 The applicant seeks special leave to appeal from part of the judgment of the Court of Appeal of the Supreme Court of South Australia (Livesey P, Lovell and Bleby JJ), which granted the applicant leave to appeal but dismissed an appeal from a judgment of the Supreme Court of South Australia (Kourakis CJ), which relevantly dismissed an appeal against two convictions of failing to comply with a health and safety duty following a trial before Magistrate Smart in the Magistrates Court of South Australia.

- 2 There is no reason to doubt the correctness of the decision of the Court of Appeal, and the matter is an unsuitable vehicle to address any question about the extent to which the prosecution should be held to the particulars of the charge.

- 3 Special leave to appeal is refused.

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

12 March 2026