

Bad will over \$7m inheritance

ANDREW DOWDELL

SURVIVING cousins of a wealthy spinster will receive a greater share of her \$7 million estate — but the children of cousins who died before her will not receive a cent — the state's highest court has ruled.

Monica Gertrude Farrelly had never married or had children when she died aged 98 in November 2012, sparking a protracted court battle to decide how far along the family tree she intended her generos-

ity to extend. The case, which focused on Ms Farrelly's intentions, was a warning of the importance of using "precise language" when writing a will, the Full Court court found.

Ms Farrelly's will — made a decade before her death — bequeathed a total of \$3.2 million to specific relatives and organisations, including separate \$500,000 donations to private schools St Mary's Cabra School and Xavier College at Gawler, plus \$100,000 for the Calvary Hospital.

The remaining \$4 million of the estate was to be equally shared by "those children of the deceased brothers and sisters of both my late mother and father who survive me".

"If any beneficiary under my will does not survive me ... but leaves a surviving child or children who shall be living at the date of my death ... I DIRECT that such child or children shall take ... which his or their parent otherwise would have taken," Ms Farrelly wrote.

While the 12 surviving cousins took no issue with the will, a son of one of Ms Farrelly's deceased cousins launched a failed bid to receive his late parent's share.

After an initial trial, Supreme Court judge Tom Gray ruled the children of deceased cousins were not entitled to any inheritance.

After an appeal, the Full Court last month delivered a majority 2-1 ruling backing Justice Gray's original rejection of the claim.

Chief Justice Chris Kourakis and Justice Tim Stanley found the "difficult question" of Ms Farrelly's intent was made harder by a lack of evidence about her relationship with her extended family, which settled in much of the midnorth region.

Justice Stanley rejected the argument that Ms Farrelly wanted to benefit a broad group of her relatives and she would never have intended one or two surviving cousins to inherit the bulk of the \$4m if

the other cousins had died before her. In a dissenting minority judgment, Justice Kevin Nicholson found that even the children of surviving cousins would likely receive their share in a relatively "a short space of time" once their parents died.

"To draw a will in terms that would restrict the benefit to that next generation on the basis of the survivorship of their parent suggests a construct that would not result in an outcome intended by (Ms Farrelly)," Justice Nicholson found.

Breastmilk to beat allergy

WOMEN who eat peanuts while their children are breastfeeding could cut their babies' chances of becoming allergic.

Infants' immune systems can be "primed" to handle peanuts by being breastfed traces of them, a study has found.

It follows years of warnings not to give babies peanuts, which could be ditched in Britain this year, as experts increasingly agree parents should "not delay" in feeding them to children.

Canadian researchers followed 545 mothers and their children, of whom nearly one in 10 were sensitive to peanuts by age seven. But only 17 per cent of children became allergic if their mother ate peanuts while breastfeeding and then introduced them to the food before the age of one.

The study by the universities of Manitoba and British Columbia, published in the *Journal of Allergy and Clinical Immunology*, said: "... risk could be further reduced in breastfed infants."

Safety report lacks details

ADAM LANGENBERG

THE widow of a construction worker says it is not good enough that the Government has released only a portion of a report into a series of failed prosecutions into workplace deaths.

Pam Gurner-Hall, whose partner Jorge Castillo-Riffo died after being crushed by a scissor lift at the new Royal Adelaide Hospital site, said Attorney-General John Rau released only the report's recommendations to her at a meeting yesterday.

South Australia's Premier Jay Weatherill denied the report was embarrassing for the Government, saying that it contained "important changes about improving the effectiveness and efficiency of our prosecutorial process".

"We are always willing to expose ourselves to reviews that improve the quality of our performance when it comes to prosecuting workplace safety issues," Mr Weatherill said.

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Fashion to spring into full bloom

CATHERINE CLIFTON
ADELAIDE MATTERS

FLORAL prints are an intrinsic part of spring fashion collections but this year there is more than a token offering.

Botanical-inspired designs, from bold leaf prints and tropical foliage to dainty flowers, are a popular inclusion in many fashion collections.

Jumpsuits and jackets, tops and dresses are adorned in floral print, while blooms have also been used as embellishment on jackets, bags and shoes.

Florals are part of the season's vibrant colour theme but also appear in more romantic styles; off-the-shoulder designs and garments with oversized sleeves or draping fabrics.

A useful addition to the wardrobe is a bold floral scarf which can be teamed with a contrasting floral print for an 'on trend' print-on-print outfit or worn with minimalist block colours.

Floral print is just one of the trends appearing on the runway at the East End Social presents Vogue Festival Wrap Party on Saturday, October 14.

The street party and runway show, part of the Adelaide Fashion Festival, will be in Vardon Ave from 1pm-5pm.



LEFT: Hydra maxi dress (\$270), Tigerlily
ABOVE RIGHT: Orchid jumpsuit (\$99), Harvey the Label
RIGHT: Verushka dress (\$299), Saba

Pictures: ROY VANDERVEGT/AAP

Model: Selina, Pride Models
Hair: Clip Joint
Make-up: Media Make Up
Styling: Nic Lynch

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