

# Court library notes

by Frieda Evans, Librarian

## NEW BOOKS

This is a selection of the volumes received by the library in September 1999.

National Committee for Uniform Succession Law Administration of estates of deceased persons. QLRC. 1999. 346.056 QUEE

Jennifer Hickey & Stephen Cumines Apprehended violence orders: a survey of magistrates. Judicial Commission of NSW. 1999. 345.02555 HICK

Aboriginal Land Commissioner Carpentaria Downs/Balbirini Land Claim No. 160: Report and recommendation of the former Aboriginal Land Commissioner. 1999. 346.04321 CARP

Select Committee on Native Title Rights in Western Australia Report of the Select Committee on Native Title Rights in Western Australia. The Committee. 1998. 346.04321 WEST

## RECENT ARTICLES

### Aborigines, Aust

Triggs, Gillian - Australia's indigenous peoples and international law: validity of the Native Title Amendment Act 1998 (Cth) Melbourne University Law Review Vol 23(2) 1999 pp: 372-415

### Civil trials

Potter, Sandra - Guidelines for the use of technology in civil matters Law Institute Journal Vol 73(9) 1999 pp: 72-75

### Courts

Lake, Jo - The development and implementation of a constitutional partnership: making the courts more effective Journal of Judicial Administration Vol 9(1) 1999 pp: 37-54

### Criminal law

Moen, David PA - The cyclone of change on 'no case to answer' submissions - Kiwi Electrix case Brief Vol 26(7) 1999 pp: 19-20

Jennings, Anthony F - More resounding silence - Part 1 and Part 2 New Law Journal Vol 149 1999 pp: 1180-1182, 1232-1233

Tolmic, Julia - Intoxication and criminal liability in New South Wales a random patchwork? Criminal Law Journal Vol 23(4) 1999 pp: 218-237

Konstantopoulos, Voula - Review of criminal liability for self-induced intoxication Law Institute Journal Vol 73(8) 1999 pp: 60-63

West, Andrew - Streamlining criminal proceedings Queensland Lawyer Vol 20(1) 1999 pp: 18-20

### Cross-vesting

Tunstall, Ian - Can cross-vesting be restored? Law Society Journal Vol 37(8) 1999 pp: 63-65

Scattini, Damian - High court pendulum swings - cross vesting falls Plaintiff Vol Issue 34 1999 pp: 12-13

### Damages

Turner, Clive - High Court: contractual damages for professional negligence are not reduced by client's contributory negligence Queensland Lawyer Vol 20(1) 1999 pp: 5-8

Panetta, Rossana - Damages for wrongful administrative decisions Australian Journal of Administrative Law Vol 6(4) 1999 pp: 163-187

### Dispute resolution

Ferguson, David - Expert determination of disputes: the Fermentation Industries case Australian Dispute Resolution Journal Vol 10(3) 1999 pp: 161-164

### Estoppel

Edwards, Jane - Negotiating parties and equitable estoppel: is there a duty of good faith Australian Business Law Review Vol 27(4) 1999 pp: 300-318

### Family law

Benjamin, Robert - Can child maintenance arrears be discharged after maintenance orders cease to be in force? Law Society Journal Vol 37(7) 1999 pp: 24, 26

### Fraud

Smith, Russell G - Best practice in fraud prevention Trends and Issues in Crime

and Criminal Justice Vol No 100 1998

### Insurance

Knoll, David D - Insuring against insolvency risk Insurance Law Journal Vol 10(3) 1999 pp: 193-214

Dobbie, Mark M - Directors and officers insurance - auditors entitled to indemnity Insurance Law Journal Vol 10(3) 1999 pp: 295-301

### Insurance law

Bloomfield, Jane - Medical defence organisation membership - not a substitute for malpractice insurance Insurance Law Journal Vol 10(3) 1999 pp: 227-261

Sutton, Kenneth - Formation of contract Australian Business Law Review Vol 27(4) 1999 pp: 324-326

### Intellectual property

Bosch, Sue - Stamp duty on dealings in intellectual property Law Institute Journal Vol 73(9) 1999 pp: 53-55

Wisely, George - IP issues in commercial website establishment Law Institute Journal Vol 73(9) 1999 pp: 59-61

### Intoxication

Konstantopoulos, Voula - Review of criminal liability for self-induced intoxication Law Institute Journal Vol 73(8) 1999 pp: 60-63

### Judges

Lloyd, David - Judicial accountability Judicial Review Vol 4(2) 1999 pp: 87-100

Sheller, CSC - Judgment writing Judicial Review Vol 4(2) 1999 pp: 127-140

Carlton, Alfred P - An independent judiciary at the turn of the century Australian Journal of Administrative Law Vol 6(4) 1999 pp: 10-11, 13-14

Craven, Greg - Judicial activism in the High Court - A response to John Toohey University of Western Australia Law Review Vol 28(2) 1999 pp: 214-224

### Judges - Biography

Jim Muirhead - a great lawyer Bulletin Vol 21(8) 1999 pp: 15

### Judgments

O'Loughlen, Michael - Whether courts must give reasons for decision Australian Law Journal Vol 73(9) 1999 pp: 630-633

### Law office management

Livermore, Maree - How to keep clients coming back to your website Law Society Journal Vol 37(7) 1999 pp: 36

### Legal costs

Arnold, Chris - Predicting and managing legal costs Law Institute Journal Vol 73(9) 1999 pp: 76-80

### Legal profession

Barravecchio, Joe - Are you covered? - entrepreneurial work and PI insurance Law Institute Journal Vol 73(9) 1999 pp: 66-67, 69-71

Brookes, Simone - Time to abolish lawyers' immunity from suit Alternative Law Journal Vol 24(4) 1999 pp: 175-177

### Liquor law

Hauritz, Marg - Reducing violence in licensed venues: community safety action programs Trends and Issues in Crime and Criminal Justice Vol No 101 1998

### Mareva injunctions

Wyvill, Alistair - Law of fraudulent conveyances as the jurisdictional foundation for Mareva Injunctions Australian Law Journal Vol 73(9) 1999 pp: 672-685

### Media law

Leder, Richard - Lights, camera, action in the courts Law Institute Journal Vol 73(8) 1999 pp: 64-68

### Mediation

Vann, Vicki J - Confidentiality in court sponsored mediation: disclose at your own risk? Australian Dispute Resolution Journal Vol 10(3) 1999 pp: 195-205

### Medical law

Bloomfield, Jane - Medical defence organisation membership - not a substitute for malpractice insurance Insurance Law Journal Vol 10(3) 1999 pp: 227-261

### Medical negligence

Reid, Scarlet - Res ipsa loquitur: a Chameleon in medical negligence cases Journal of Law and Medicine Vol 7(1) 1999 pp: 75-86

### Mortgages

Aitken, Lee - Equity and the defaulting mortgagor: a case for statutory relief? Law Society Journal Vol 37(7) 1999 pp: 67-68

### Native title

Flynn, Leonie - What does "negotiate in good faith" mean for the grantee party in a right to negotiate process? Australian Mining and Petroleum Law Journal Vol 18(2) 1999 pp: 153-168

### Negligence

Legg, Michael - The High Court's decision on concurrent liability and contributory negligence in *Astley v Austrust Limited* Australian Bar Review Vol 18(3) 1999 pp: 262-282

### Partnership

Keen, John - The Full Court giveth and the Full Court taketh away: effects of the Supreme Court decision in 'Duke Group' Bulletin Vol 21(7) 1999 pp: 24-25

### Privilege

McNicol, S B - Client legal privilege and legal professional privilege: considered, compared and contrasted Australian Bar Review Vol 18(3) 1999 pp: 189-213

### Professional negligence

Turner, Clive - High Court: contractual damages for professional negligence are not reduced by client's contributory negligence Queensland Lawyer Vol 20(1) 1999 pp: 5-8

### Security

Prenzler, Tim - Regulating private security in Australia Trends and Issues in Crime and Criminal Justice Vol No 98 1998

### Sentencing

Shute, Stephen - Who passes unduly lenient sentences? How were they listed?: a survey of Attorney-General's Reference Cases, 1989-1997 Criminal Law Review 1999 pp: 603-626

### Stamp duties

Bosch, Sue - Stamp duty on dealings in intellectual property Law Institute Journal Vol 73(9) 1999 pp: 53-55

### Succession

Crago, Neville - Bequests of tangible chattels in succession University of Western Australia Law Review Vol 28(2) 1999 pp: 199-213

### Torts

McLean, Sheila A M - Law, ethics and medical progress: Allies or adversaries? Journal of Law and Medicine Vol 7(1) 1999 pp: 25-35

### Violence

Hauritz, Marg - Reducing violence in licensed venues: community safety action programs Trends and Issues in Crime and Criminal Justice Vol No 101 1998

### Witnesses

Davidson, Tom - Assessing the credit of witnesses Judicial Review Vol 4(2) 1999 pp: 141-152

### Y2K

Ellinson, Dean - Year 2000 Information Disclosure Act 1999 (Cth) explained Australian Business Law Review Vol 27(4) 1999 pp: 262-266

## NT LEGISLATION

Legislative changes in September 1999, notified in the *NT Government Gazette*

### New Acts

10/99  
Nursing Act 1999 (s 93 - 25.3.99) (Rest - 6.10.99)

### New regulations

Tipperary Waters By-laws

### New reprints

Mining Act - 25.8.99

Commercial Passenger (Miscellaneous) Regulations - 1.1.99

Justices (Territory Infringement Notices Enforcement Scheme) Regs - 1.7.99

Passenger Bus Regulations - 1.1.99

Private Hire Car Regulations - 1.1.99

Taxis Regulations - 1.1.99

Tourist Vehicles Regulations - 1.1.99

### Repealed legislation

Nursing - Repealed by 10/1999