COURT LIBRARY NOTES

NT Judgments

All decisions previously available on the Scaleplus web site have been successfully loaded and are now available at www.nt.gov.au/ntsc. This includes decisions to 24 May 2002, with those; decisions handed down since then being loaded in hte near future. Once this is completely up to date, decisions will be uploaded promptly after being handed down.

NT LEGISLATION

Legislative changes in August 2002, notified in the NT Government Gazette

New Regulations

21/2002 Port By-Laws (7.8.02)

22/2002 Harbour Craft By-Laws Repeal By-Laws (7.8.02)

23/2002 Marine (Small Craft) Regulations (7.8.02)

24/2002 Marine (Pleasure Craft) Regulations (7.8.02)

25/2002 Misuse of Drugs Regulations (1.8.02)

26/2002 Traffic Regulations (7.8.02)

27/2002 Water Supply and Sewerage Services Regulations (7.8.02)

28/2002 Darwin City Council By-Laws (16.8.02)

29/2002 Administration and Probate Regulations (30.8.02)

30/2002 Public Trustee Regulations (30.8.02)

 $31/2002\, Northern\, Territory\, Rail\, Safety\, Regulations\, (30.8.02)\\ 32/2002\, \, Local\, \, Government\, \, (Accounting)\, \, Regulations$

(30.8.02)

Commencements

19/2002 Meat Industries Amendment Act (2.9.02)

RECENT ARTICLES

Aborigines, Aust - cultural heritage

Kerwin, Dale - A comment on aboriginal cultural protection in Australia, Indigenous Law Bulletin, Vol 5(16) 2002 pp: 14-16

Alcoholism

Tolmie, Julia - Alcoholism and criminal liability, Modern Law Review, Vol 64(5) 2002 pp: 688-709

Capital gains tax

Bevan, CJ-GST and CGT-implications for judgments, Australian Bar Review, Vol 22(3) 2002 pp: 192-216

Capital punishment

Burnside, Julian - R v Ryan, Victorian Bar News, Vol 121 2002 pp: 50

Case management

Sackville, Ronald - From access to justice to managing justice - the transformation of the judicial role, Journal of Judicial Administration, Vol 12(1) 2002 pp: 5-24

Civil procedure

Porter, Sandra - Guidelines for the use of technology in civil matters, Law Institute Journal, Vol 76(7) 2002 pp: 62-64

Courts

Greacen, John M - An administrator's perspective: developing performance measures for trial and appellate courts, Judges' Journal, Vol 41(2) 2002 pp: 40-45

Launch of the new County Court of Victoria: 31 May 2002, Victorian Bar News, Vol 121 2002 pp: 21-30

Reeves, John-On court etiquette and judicial salaries, Balance, Vol July 2002 pp: 15

Porter, Sandra - Guidelines for the use of technology in civil matters, Law Institute Journal, Vol 76(7) 2002 pp: 62-64

Criminal law

Norrie, Alan - From criminal law to legal theory: the mysterious case of the reasonable glue sniffer, Modern Law Review, Vol 65(4) 2002 pp: 538-555

Alcoholism and criminal liability, Modern Law Review, Vol 64(5) 2002 pp: 688-709

Damages

Hore-Lacey, Dyson - Exemplary damages in police misconduct cases - sending a message or slap on the wrist, Plaintiff, Vol 52 2002 pp: 34-37

Discovery

Naismith, Peter - Discovery of electronic evidence, Bulletin, Vol 24(6) 2002 pp: 12-14

Dispute resolution

Spencer, David - Case notes - the latest on court ordered mandatory mediation, Australian Dispute Resolution Journal, Vol $13(3)\ 2002\ pp:\ 162-173$

Spencer, David - The backdoor solution to enforcing ADR clauses, Law Society Journal, Vol 40(6) 2002 pp: 70-72

Domestic violence

Cunneen, Chris - Preventing violence against indigenous women through programs which target men, University of New South Wales Law Journal Forum, Vol 8(1) 2002 pp: 24-28

Memmott, Paul - Community - based strategies for combating indigenous violence, University of New South Wales Law Journal Forum, Vol 8(1) 2002 pp: 11-15

Lawrence, Carmen - A national disgrace: violence against women and children in indigenous communities, University of New South Wales Law Journal Forum, Vol 8(1) 2002 pp: 8-10

Education law

Tronc, Keith - A plaintiff lawyer's guide to suing sexual predator teachers, Plaintiff, Vol 52 2002 pp: 38-40

Electronic courts

McDonough, John - eCourt initiations in the Federal Court, Brief, Vol 29(7) 2002 pp: 30-31

Euthanasia

Amarasekara, Kumar - The legalisation of euthanasia in the

COURT LIBRARY NOTES

Netherlands: lessons to be learnt, Monash University Law Review, Vol 27(2) 2001 pp: 179-196

Evidence

Naismith, Peter - Discovery of electronic evidence, Bulletin, Vol 24(6) 2002 pp: 12-14

Berman, Peter - The ten commandments of evidence in chief - How to do the best for your client when calling evidence, Plaintiff, Vol 52 2002 pp: 6-13

Griffin, John - Expert witnesses - the continuing dilemma, Plaintiff, Vol 52 2002 pp: 24-28

Federal court

McDonough, John - eCourt initiations in the Federal Court, Brief, Vol 29(7) 2002 pp: 30-31

Freedom of speech

Campbell, Enid - Judges freedom of speech, Australian Law Journal, Vol 76(8) 2002 pp: 499-511

GST

Bevan, CJ-GST and CGT-implications for judgments, Australian Bar Review, Vol 22(3) 2002 pp: 192-216

Davis, Annette - Property transactions, GST and the ATO, Bulletin, Vol 24(6) 2002 pp: 11

Main, Jim - GST on sale of residential property, Law Society Journal, Vol 40(7) 2002 pp: 29

Pickup, Harvey - GST on counsel's fees and the solicitor's obligations, Brief, Vol 29(7) 2002 pp: 15-16

insurance law

Cumpston, Richard - Losses, profits and gaps in public liability insusrance, Law Society Journal, Vol 40(6) 2002 pp: 50-51

Harrison, Sarah - The Privacy amendments - what do they mean for general insurance claims? Insurance Law Journal, Vol 13(3) 2002 pp: 270-289

Judges

Campbell, Enid - Judges freedom of speech, Australian Law Journal, Vol 76(8) 2002 pp: 499-511

Sackville, Ronald - From access to justice to managing justice - the transformation of the judicial role, Journal of Judicial Administration, Vol $12(1)\ 2002\ pp:\ 5-24$

Gleeson, Murray - Global influences on the Australian judiciary, Australian Bar Review, Vol 22(3) 2002 pp: 164-191

Carlton, Alfred P-The American Judiciary - cornerstone of society, Judges' Journal, Vol 41(2) 2002 pp: 22-26

Barrett, RI-Advertising for judges, Australian Law Journal, Vol 76(7) 2002 pp: 407-408

Stagg, Nick - After the dust settles on Kirby: who should defend the judiciary, Brief, Vol 29(6) 2002 pp: 7-10

Judgments

Bevan, CJ-GST and CGT-implications for judgments, Australian Bar Review, Vol 22(3) 2002 pp: 192-216

Land rights

Thomson, Nigel - A complex balancing act - an experience of land rights policy in the post-conflict environment in East Timor, Bulletin, Vol 24(6) 2002 pp: 29-33

Law office management

Vincent, Richard - What are the commercial and corporate law effects of incorporating legal practices? Law Society Journal, Vol 40(6) 2002 pp: 48-51

Trundle, Ivan - E-mail netiquette, e-lists and attachments, Incite, Vol 23(7) 2002 pp: 20

Malcolm, Jeremy - Practical e-mail security for lawyers, Brief, Vol 29(6) 2002 pp: 20-31

Legal costs

Pickup, Harvey - GST on counsel's fees and the solicitor's obligations, Brief, Vol 29(7) 2002 pp: 15-16

Legal ethics

Beaumont, Nicholas - What are reasonable prospects of success? Law Society Journal, Vol 40(7) 2002 pp: 42-43

Legal profession

Vincent, Richard - What are the tax effects of incorporating legal practices? Law Society Journal, Vol 40(6) 2002 pp: 44-47

Beaumont, Nicholas - What are reasonable prospects of success? Law Society Journal, Vol 40(7) 2002 pp: 42-43

Magistrates

Hiskey, Garry - Mutual observation, reflection and discussion and professional development for managements, Journal of Judicial Administration, Vol 12(1) 2002 pp: 39-56

Medical negligence

Madden, Bill - Medical negligence compensation update - NSW and Commonwealth developments, Plaintiff, Vol 52 2002 pp: 29-33

Mental impairment

Giezen, John van der - Unfit to plead - unsentenced prisoners in Western Australia, Indigenous Law Bulletin, Vol 5(16) 2002 pp: 10-13

Negligence

Spigelman, J J - Negligence: the last outpost of the Welfare State, Australian Law Journal, Vol 76(7) 2002 pp: 432-451 **Personal injuries**

Clayton, Julie - Privacy legislation and personal injury practice, Plaintiff, Vol 52 2002 pp: 41-44

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