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QUEENSLAND CRIMINAL CODE: FROM ITALY TO ZANZIBAR

Rt Hon Sir Harry Gibbs GCMG AC KBE

This article is an edited version of an oration delivered on 19 July 2002 in Queensland’s Banco Court to mark the opening of the exhibition, “The Queensland Criminal Code: From Italy to Zanzibar – Antecedents and Descendants, An Explanation of Ideas”. The exhibition was curated by the Supreme Court History Program, under the auspices of the Supreme Court Library, and was timed to coincide with the XVIth Congress of the International Academy of Comparative Law, held in Brisbane in July 2002. 232

“GUIDE TO JUDICIAL CONDUCT”: A NEW HANDBOOK FOR JUDGES

Hon J B Thomas AM

Now for the first time Australia has a Guide to Judicial Conduct (published in 2002 by AIJA for the Council of Chief Justices of Australia). It is not a binding code. It is a statement of principles prepared at the request of the Chief Justices of Australia to provide judges and magistrates with practical guidance about conduct expected of them as holders of judicial office. The Council of Chief Justices has no authority to impose prescriptive standards upon judges. As its Chairman, Chief Justice Murray Gleeson has pointed out, judges are independent, not only of government, but also of one another (State of the Judicature Address, 14 October 2001, p 6). What authority does the guide have? Is it any good? Does it go far enough? To answer these questions we need to take a fresh look at judge’ traditions and the way in which they fulfil community needs. 240

COMMUNICATION OF DISTRESS

Dr John Ellard

There are many kinds of injury and many of them provide a basis for litigation. Assessing the presence and the nature of psychological injury is not easy: the diagnostic categories

have their own problems. This lecture, given in Queenstown, New Zealand, at a meeting of the Section of Forensic Psychiatry of the Royal Australasian College of Psychiatrists, was directed at psychiatrists but legal practitioners may find it of general interest and of use in assessing the complaints of those who consult them. The pattern of illness in the community changes with the years. Poliomyelitis, once epidemic in Australia, is now rarely seen while AIDS has become a concern. Similar changes occur in psychiatry. Schizophrenia, common now, is difficult to discover in clinical records from before the 18th century. Its manifestations have changed in my lifetime. A consideration of the military experience shows that the consequences of severe stress have shown and continue to show the same metamorphosis.	246
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- Proof pages will be sent to contributors. Authors are responsible for the accuracy of case names, citations and other references. Excessive changes to the text cannot be accommodated.
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- “At” references should only refer to the best available citation, eg: *Mabo v Queensland [No 2]* (1992) 175 CLR 1 at 34; 66 ALJR 408; 107 ALR 1.
- Where only a media neutral citation is available, “at” references should be to paragraph, eg: *YG & GG v Minister for Community Services* [2002] NSWCA 247 at [19].
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Trade Practices Act 1974 (Cth), s 51AC. The full citation should be repeated in footnotes.

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- In footnotes do not use *ibid* or *op cit*. The following style is preferred:
 - 4. Austin RP, “Constructive Trusts” in Finn PD (ed), *Essays in Equity* (Law Book Co, 1985).
 - 5. Austin, n 4, p 56.

5. Journals

- Journal articles should be cited as follows (wherever possible use official abbreviations not the full name for journal titles): Odgers S, “Police Interrogation: A Decade of Legal Development” (1990) 14 Crim LJ 220.
- In footnotes do not use *ibid* or *op cit*. The following style is preferred:
 - 6. Sheehy EA, Stubbs J and Tolmie J, “Defending Battered Women on Trial: The Battered Woman Syndrome and its Limitations” (1992) 16 Crim LJ 220.
 - 7. Sheehy et al, n 6 at 221.

6. Internet citations

- Cite internet publication as for any other document, with URL underlined in angle brackets, and date the document was viewed, eg: Ricketson S, *The Law of Intellectual Property: Copyright, Designs and Confidential Information* (Lawbook Co., subscription service) at [16.340], <http://subscriber.lawbookco.com.au> viewed 25 June 2002.

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