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CASENOTE

Duke Group Ltd (in liq) v Alamain Investments Ltd
[2003] SASC 272 – *Greg Reinhardt*.....65

ARTICLES

The Federal Court of Australia as a court of criminal appeal for the Australian Capital Territory: Part II – *Janet Hope and Duncan Longstaff*

From 1977 to 2002 the Federal Court of Australia functioned as a court of appeal for the Australian Capital Territory in both civil and criminal matters. This is the second of a pair of articles documenting the history of the Federal Court's role as a court of criminal appeal for the Australian Capital Territory. Together, the two articles comprise three parts. The first part contains background material on criminal appeals, the administration of justice in the Australian Capital Territory to 1977, and constitutional issues relating to Territory judicial power. The second deals with the operation of the Federal Court as a court of criminal appeal in principle and in practice. The third part documents the events leading to the establishment of the Australian Capital Territory Court of Appeal and the end of the Federal Court's special role in the appeal system of the Australian Capital Territory.67

Solving human problems or deciding cases? Judicial innovation in New York and its relevance to Australia: Part I – *Andrew Phelan*

Over the past decade, hundreds of experimental courts have sprung up across the United States of America, testing new solutions to problems like addiction, domestic violence, child neglect and quality-of-life crime. These "problem-solving courts" include specialised drug courts, domestic violence courts, community courts,

family treatment courts, mental health courts, gun courts and others. While each of these initiatives targets a different problem, they all use the authority of courts in new ways – to improve outcomes for victims, communities and defendants. In the process, they all seek to shift the focus of courts from simply processing cases to achieving tangible results like safer streets and stronger families. Part I of this article describes the environment in which judicial innovation has occurred in New York and examines problem-solving drug courts. Part II, to be published in the February 2004 part of the journal, explores how the problem-solving approach has developed in family, domestic violence, youth and community courts; while Part III, to be published in the May 2004 part of the journal, considers the relevance of these courts to Australia.98

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5. Austin, n 4, p 56.

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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.

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