THE QUEENSLAND LAWYER

Volume 24, Number 1

August 2003

CONVEYANCING AND PROPERTY LAW	
Trade Practices Act, s 51aa before the High Court	5
INSURANCE LAW	
Disclosure: It's what affects the risk that matters	8
TORT LAW	
High Court decision on liability of school authorities	10
FAMILY LAW	
Superannuation: Changes to the way it is dealt with in family law proceedings	14
Do the super splitting laws apply to the "traditional" property consent order?	18
Medical professionals' protection: Doctrine of double effect – an update	21
Withdrawal of medical treatment	22
ARTICLE	
Uniform Civil Procedure Rules, r 212 and "expert reports": "For your eyes only?" – Ashley Jones	
This article examines the application of r 212(2) of the Uniform Civil Procedure Rules to a "statement or report of an expert". Because the rule operates to abrogate legal professional privilege, the potential application of legal professional privilege to documents connected with such reports is considered. Recent authorities defining a "statement or report of an expert" are discussed. Finally, the court's discretion to order relief from the duty to disclose is considered specifically in relation to "statements or	
reports" of experts".	25
ROOK DEVIEWS	22

REPORTS OF THE DISTRICT COURT OF QUEENSLAND

Kimtran Pty Ltd v Downie (Procedure)	35 49
O'Keefe v Marks (Traffic Law)	
Schmidt v Stickens (Magistrates)	61

Guidelines for Contributors

Contributions to the journal are welcome and should be sent to the Production Editor, *The Queensland Lawyer*, Lawbook Co, PO Box 3502, Rozelle, NSW 2039 (mail), 100 Harris St, Pyrmont, NSW 2009 (courier) or by email to qldlawyer@thomson.com.au, for forwarding to the Editor.

Manuscript

- Submission of a manuscript will be held to imply that it is original, unpublished work and has not been submitted for publication elsewhere.
- Personal details (name, qualifications, position) for publication and a delivery address, email address and phone number must be included with the manuscript.
- · Manuscript must be submitted electronically via email or on disk in Microsoft Word format.
- Manuscript should not exceed 10,000 words for articles or 1,500-2,000 words for section commentary or book reviews.
- An abstract of 100-150 words is to be submitted with article manuscripts.
- 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.
- Contributors of articles receive 25 free offprints of their article and a copy of the part in which the article is published.
 Other contributors receive a copy of the part to which they have contributed.

Style

1. Levels of headings should be clearly indicated (no more than four levels).

2. Cases

- Case citation follows case name. Where a case is cited in the text, the citation should follow immediately rather than as a
 footnote.
- Give at least two and preferably all available citations, the first listed being the authorised reference.
- Australian citations should appear in the following order: authorised series; Lawbook Co/ATP series; other company series (ie, CCH, Butterworths); media neutral citation.
- "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].
- · For international cases best references only should be included.

3. Legislation should be cited as follows:

Trade Practices Act 1974 (Cth), s 51AC. The full citation should be repeated in footnotes.

4 Rooks

- Books should be cited as follows: Macken JJ, O'Grady P, Sappideen C and Warburton G, *The Law of Employment* (5th ed, Lawbook Co., 2002) p 55.
- 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:
 - 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], https://subscriber.lawbookco.com.au viewed 25 June 2002.

For further information visit the Lawbook Co. website at http://www.lawbookco.com.au or contact the Production Editor.

SUBSCRIPTION INFORMATION

The Queensland Lawyer comprises six parts a year.

Customer Service and sales inquiries:

Tel: 1800 650 522 Fax: 61 2 8587 7200

Web: www.lawbookco.com.au
Email: service@thomson.com.au

Editorial inquiries: Tel: (02) 8587 7000

HEAD OFFICE

100 Harris Street PYRMONT NSW 2009 Tel: (02) 8587 7000 Fax: (02) 8587 7100



© Thomson Legal & Regulatory Limited ABN 64 058 914 668 trading as Lawbook Co.

ISSN 0312-1658

Typeset by Lawbook Co, Pyrmont, NSW Printed by Ligare Pty Ltd, Riverwood, NSW