

# THE QUEENSLAND LAWYER

Volume 25, Number 4

February 2005

## CONVEYANCING AND PROPERTY LAW

<b>Real estate agents, brochures and misleading or deceptive conduct .....</b>	<b>173</b>
--	------------

## TORT LAW

<b>Professional Standards Act 2004 (Qld) .....</b>	<b>177</b>
--	------------

## ARTICLE

### **From prison hulks to Penalties and Sentences in Queensland: Lessons learned or history repeated – Geraldine Mackenzie**

Understanding the history of crime and punishment allows a better contextual knowledge of current issues in sentencing. This article explores the background to modern sentencing law in Queensland, looking at the history of punishment in Britain, in particular what led to transportation, and Queensland's history of crime and punishment as a colony. It argues that the harsh beginnings of Queensland as a penal colony were significant in the development of criminal law in that State. A number of underlying themes recur, including law and order concerns and prison overcrowding, which have not abated in modern times .....	181
---	-----

<b>BOOK REVIEWS .....</b>	<b>193</b>
---------------------------	------------

## REPORTS OF THE DISTRICT COURT OF QUEENSLAND

<b>Carlin Auction Services (Qld) Pty Ltd v Gonchee (Torts).....</b>	<b>195</b>
<b>H v Queensland (Limitation of Actions) .....</b>	<b>209</b>



# Guidelines for Contributors

## Submission and licence agreement instructions

All contributions to the journal are welcome and should be sent, with a signed licence agreement, 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](mailto:qldlawyer@thomson.com.au), for forwarding to the Editor. Licence agreements can be downloaded via the internet at [http://www.lawbookco.com.au/authorsupport/d\\_authorJournals.asp](http://www.lawbookco.com.au/authorsupport/d_authorJournals.asp). If you submit your contribution via email, please confirm that you have printed, signed and mailed the licence agreement to the attention of the Production Editor at the mailing address noted above.

## Letters to the Editor

By submitting a letter to the editor of this journal for publication, you agree that Thomson Legal & Regulatory Limited, trading as Lawbook Co., may edit and has the right to, and may license third parties to, reproduce in electronic form and communicate the letter.

## Manuscript

- Manuscript must be original, unpublished work that 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.
- This Journal complies with DEST Specification 4.3.4 for the peer review process. Each article is, prior to publication, reviewed in its entirety by a qualified expert who is independent of the author.

## 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 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. 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 should be cited as follows:

Odgers S, "Police Interrogation: A Decade of Legal Development" (1990) 14 Crim LJ 220.

Wherever possible use official abbreviations not the full name for journal titles.

- 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 references should be cited as follows:

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. Underline the URL and include the date the document was viewed.

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: 1300 304 195**

**Fax: 1300 304 196**

**Web:** [www.lawbookco.com.au](http://www.lawbookco.com.au)

**Email:** [LRA.Service@thomson.com](mailto:LRA.Service@thomson.com)

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