

# THE QUEENSLAND LAWYER

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## ARTICLE

### **What value the bare ipse dixit? – Jack Pappas**

The decision in *Makita (Australia) Pty Ltd v Sprowles* (2001) 52 NSWLR 105; [2001] NSWCA 305 usefully surveys the common law in relation to expert opinion evidence and the theoretical underpinnings of the rule in relation to such evidence. The *Evidence Act 1995* (Cth) has modified the common law rules to a significant degree. Expert opinion evidence is encountered on a daily basis in legal practice and yet some practitioners clearly do not understand the rules at common law or under statute. This article aims to point up the main rules and to illustrate some of the pitfalls in the hope that practitioners will more readily be able to see the light of expert's train coming at them down the litigation tunnel. ....

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5. Austin, n 4, p 56.

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7. Sheehy et al, n 6 at 221.

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Editorial inquiries:

**Tel: (02) 8587 7000**

### HEAD OFFICE

100 Harris Street PYRMONT NSW 2009

Tel: (02) 8587 7000 Fax: (02) 8587 7100



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