## THE QUEENSLAND LAWYER

Volume 30, Number 4

## November 2010

<b>EDITORIAL</b>
------------------

A review of jury selection	151
Hails and farewells	151
ADMINISTRATIVE LAW – Bill Lane and Eleanor Dickens	
Twelve months on – Reflections on the key issues considered by the Queensland Civil and Administrative Tribunal	152
CONVEYANCING AND PROPERTY LAW – Dr Bill Dixon	
Out, damned spot: Queensland Environmental Management Register notations and the vexed problem of compliant presale seller notices - Stephen E Jones	161
CRIMINAL LAW – Andrew West	
The new Court of Appeal Practice Direction no 2 of 2010	166
HEALTH AND GUARDIANSHIP LAW – Lindy Willmott and Dr Ben White	
Mandatory reporting of health professionals – Dr Fiona McDonald	172
INDUSTRIAL LAW – Dr Kristy Richardson	
NK Collins Industries Pty Ltd v Twigg – How Might Kirk v Industrial Relations Commission (NSW) (2010) 239 CLR 531 apply in Queensland?	177
TORT LAW – Amanda Stickley	
Duty of care for mental harm suffered by rescuers – Jennifer Yule	182
ARTICLES	
Getting more than the judgment debtor can give? – Dr Bill Dixon	
Prior to the decision of the High Court in <i>Black v Garnock</i> (2007) 230 CLR 438 it was an established principle in Queensland that a judgment creditor acting under an enforcement warrant could take no interest beyond what the judgment debtor could give. However, the decision of the High Court called this principle into question. This article examines the current position in the context of s 120 of the <i>Land Title Act 1994</i> (Qld), Queensland Titles Office practice and standard contractual provisions. This examination is further informed by the recent decision of Martin J in <i>Secure Funding Pty Ltd v Doneley</i> [2010] QSC 91.	184
NK Collins Industries Pty Ltd v Twigg – How Might Kirk v Industrial Relations Commission (NSW) (2010) 239 CLR 531 apply in Queensland?	182

## Your first day in court: A beginner's guide to what to say and where to stand – Andrew McLean Williams and Dr Bridget Cullen Mandikos

In the past 10-years, University legal education has seen an increase in practical advocacy training exercises for law students. Despite this development, many of the details pertaining to actual court appearances are not taught within academic confines. Experience gained teaching law students, and mentoring junior lawyers, suggests that some of the most basic matters relating to manner of address, order of seating, and the way in which material is "read," cause junior lawyers as much trepidation as the actual merits of their case. This article canvasses the unwritten rules relating to courtroom practice, in an effort to ease the angst of junior practitioners. 190 BOOK REVIEW - Judge Michael Shanahan Lawyers' Professional Responsibility by G E Dal Pont – Christy Mellifont ...... 196 Commercial Law: Commentary and Materials by Gail Pearson, Simon Fisher, Elisabeth Peden and Greg Tolhurst – Callan Lloyd ..... 197 REPORTS – Federal Magistrate Michael Jarrett Chisholm v Williams (Appeal and new trial) 199 Wall Street Developments Pty Ltd v Egerton (Procedure) ..... 202 M v Gray (Magistrates) **VOLUME 30 – 2010** Table of authors: Articles Table of cases 221 Index to articles and sections 229