# Index to articles and sections

### Administrative Appeals Tribunal (AAT)

new practice directions, 227-228

### Administrative law

Wednesbury unreasonableness (Minister for Immigration & Citizenship and Li), 168-170

### Barristers - see Senior Counsel

#### Rooks

Annotated Civil Liability Legislation – Queensland (3rd ed) (Douglas et al), 91

Australian Medical Liability (2nd ed) (Madden & McIlwraith), 264-265

The Contract of Employment (Irving), 92

Copyright and Popular Media: liberal villains & technological change (Cvetkovski), 214

Corporate Information and the Law (Gamertsfelder), 265-266

Evidence for Common Law States (NT, Old, SA & WA) (Field), 93-94

International Commercial Law (Shijian), 137-138

An Introduction to Criminal Law in Queensland & Western Australia (8th ed) (Devereux & Blake), 138-139

The Law of Succession (Dal Pont & Mackie), 139-140

Law of Torts (5th ed) (Balkin & Davis), 266-267

Legislation and Statutory Interpretation (3rd ed) (Hall & Macken), 93

Trafficking in Persons in Australia: myths & realities (Schloenhardt & Jolly), 267-268

Workplace Health and Safety Law in Australia (Foster), 94-95

### Children - see also Police; Sexual Offenders

```
chastisement of, 3-4
defence (Criminal Code, s 280), 75-90
application, elements and interpretation, 79-83
origins and evolution, 75-78
way forward, 83-89
```

# Civil liability

book review, 91

### Commercial law

international (book review), 137-138

### Community attitudes

courts and, 108

# Company law

corporate information (book review), 265-266

### Computers

### Conveyancing

misleading and deceptive conduct at auction (*Carter v Delgrove Holdings Pty Ltd*), 231-233 subject to finance (*Hauff v Miller*), 110-112 time for settlement (*Caprice Property Holdings Pty Ltd v McLeay*), 175-176

### Copyright

book review, 214

### Costs

Planning and Environment Court, 108

### Courts

community attitudes and, 108 holidays, 165

```
Criminal law - see also Sentencing; Sexual offences
   chastisement of children - see Children
   criminal histories of accused people, 107
   defence tactics, 107-108
   evidence – see Evidence
   juveniles - see Juvenile crime
   Moynihan Report, 164-165
   particulars, 234-237
   pre-trial publicity, social media and "fair trial", 38-51
       emotionally oriented media coverage, 42-44
      judicial directions, 38-42
      juror misconduct, 46-47
      recent developments, 50-51
       reforms to protect "fair trial", 47-50
      social media and online news, 44-45
   provocation and assault, 251-263
       Criminal Code ss 268 and 269, 251-254
          application and elements, 254-259
          future directions, 259-263
   Qld and WA (book review), 138-139
Defamation
   damages for non-economic loss, 166
Default interest – see Interest
Employment - see also Occupational health and safety
   contract (book review), 92
Evidence
   book review, 93-94
   character evidence (R v DBB), 177-181
   defence tactics, 107-108
Federal Circuit Court of Australia
   establishment, 108
Health law - see also Surrogacy; Tort law
   assisted suicide – see Suicide
   causation in medical negligence cases, 118-122
       Wallace v Kam, 118-121
       Waller v James, 121-123
   mature minors and refusal of blood products (X v Sydney Children's Hospital Network), 238-242
   medical liability (book review), 264-265
   parental consent for "special medical procedures" (Re Jamie), 182-187
High Court
   judges
       appointment, 5
       retirement, 5
Honours
   Order of Australia, 7
Human trafficking
   book review, 267-268
Industrial law - see also Occupational health and safety
   enforceable undertaking process (QUBE Ports Pty Ltd v Chief Executive Dept of Justice & Attorney-
```

General), 15-18

#### **Insurance**

compulsory third party insurers merge, 163-164 floods (LMT Surgical Pty Ltd v Allianz Australia Insurance Ltd), 171-174

### Interest

default under UCPR, 108 prompt payment and rate (Kellas-Sharpe v PSAL Ltd), 8-9

#### Judges

appointments, 5-7, 109, 166 retirements, 5-6, 109, 166-167

#### Juries

criminal histories of accused people, 107 fair trial – *see* **Criminal law** 

### Justice and the Law Society

organisation, 229

### Juvenile crime

boot camps, 3

### **Land Court**

procedural changes, 108

### Landlords - see Tort law

### Law and Justice Institute (Qld) Inc

establishment, 108-109

### Lawyers

billing practices, 4

### Legal profession

professional practice legislation, case law and policy, 52-66 legal practice law and policy, 53-61 self-represented litigants, 62-65 *Wilson v Raddatz*, 52-53

### **Legal Services Commission**

regulatory guides, 228-229

### Legislation

book review, 93

### Loans

prompt payment and rate of interest (Kellas-Sharpe v PSAL Ltd), 8-9

### Magistrates

appointments, 6, 166 retirement, 166-167

### Media

criminal law - see Criminal law

# Obituaries

McPherson, Bruce Harvey, 229-230 Underhill, Peter, 109

### Occupational health and safety

application of obligation to common law duty of care (Smith v Body Corporate for Professional Suites Community Title Scheme 14487), 124-127

book review, 94-95

Kirk principles (NK Collins Industries Pty Ltd v President of Industrial Court of Queensland), 188-192 publication of records of no conviction (DHG v Queensland), 243-245

## Parole - see Sentencing

### **Planning and Environment Court**

costs, 108

#### **Police**

"pat-down" searches of juveniles, 19-37
Australia's approach to privacy and unlawful searches, 28-29
children's rights, 20-21
Police Powers & Responsibilities & Other Legislation Amendment Bill 2011, 21
police-youth relations, 29-33
recommendations, 33-36
relevant international law, 23-25
relevant regional law, 21-23
right to privacy, 25-28

### **Privacy**

police searches - see Police

### Procedural fairness

modern tribunals, 131-136

### **Queensland Public Interest Law Clearing House (QPILCH)**

annual report, 5

### Rule of law

application in disparate societies, 210-213

### **Self-represented litigants**

professional practice legislation, case law and policy, 62-65

### Senior Counsel

appointments, 7

Queen's Counsel reintroduced, 109

### Sentencing

consistency for Federal offenders, 113-117 court-ordered parole and suspended sentences, 163

### Sexual offences

unlawful sexual relations with child (R v CAZ), 10-14

### Smoking

local authority bans, 4-5

### Social media

criminal law - see Criminal law

# Statutory interpretation

book review, 93

### Succession

book review, 139-140

potential consequences of assisting suicide, 70-74

```
probate practice changes, 228
```

### Suicide

```
assisting, 67-74

Justins, 69

Nielsen, 68-69

potential succession law consequences, 70-74
```

### Surrogacy

overseas commercial surrogacy arrangements, 199-208 interpretation of Family Law Act, 202-208

### **Taxation**

education expenses capped, 165

### Tort law

```
book review, 266-267
causation
failure to administer drug (King v West Sydney Local Health Network), 193-198
landlord's duty and unsafe premises (Sheehy v Hobbs), 128-130
vulnerability and duty of care in claims of pure economic loss (Apache Energy Ltd v Alcoa of Australia
(No 2)), 246-250
```

#### Tribunals

procedural fairness, 131-136

### Vexatious litigants

orders, 165

### Women's Legal Service

White Ribbon Day, 229

## WorkCover Queensland

fees for junior counsel, 166

### Workplace health and safety - see Occupational health and safety

Youth justice - see Juvenile crime

# Index to reports

PROCEDURE	
Costs – Assessment – Review – Assessments conducted pursuant to <i>Legal Profession Act 2007</i> – Items not specifically objected to – Power to correct errors.  Southwell v Jackson	141
Costs – Assessment – Review – Grounds for review – Breaches of natural justice – Delay – Failure to disclose communications with other party – Alleged failure to take further submissions into account – Requirement that assessment be conducted efficiently – <i>Uniform Civil Procedure Rules</i> , r 720(2)(a)(c).   Southwell v Jackson	
Costs – Assessment – Review – Grounds for review – Conflict of interest – Effect of complaint as to delay in assessment – <i>Uniform Civil Procedure Rules</i> , r 719.  Southwell v Jackson	141
Costs – Assessment – Review – Particular items – Costs assessor's fees – Giving of reasons.  Southwell v Jackson	141
Costs – Assessment – Review – Particular items – Solicitor's profit costs – Care and consideration – Where co scale employed – Appropriate loading Southwell v Jackson	ourt 141
Costs – Assessment – Review – Particular items – Solicitor's profit costs – Care and consideration – Where time charging employed – Effect of costs agreement – <i>Legal Profession Act 2007</i> , s 340. <i>Southwell v Jackson</i>	141
Costs – Assessment – Review – Particular items – Solicitor's profit costs – Cost of drawing itemised bill – Lega Profession Act 2007, s 332(6).  Southwell v Jackson	al 141
Costs – Assessment – Review – Particular items – Solicitor's profit costs – Non-chargeable items – "Research services" – Matters within common knowledge of competent practitioner – "Self-education".  Southwell v Jackson	141
District Court – Civil jurisdiction – Practice – Procedure before trial – Commencement of action and pleadings Defence –Request for further and better particulars – Utility – Where defence pleads denial of allegation made in statement of claim.	
Roe v Link-up (Qld) Aboriginal Corporation	215
District Court – Civil jurisdiction – Practice – Procedure before trial – Commencement of action and pleadings Reply – General traverse to defence – Where specific allegation not pleaded to – Whether deemed to have been admitted – <i>Uniform Civil Procedure Rules 1999</i> , r 166.	
Roe v Link-up (Qld) Aboriginal Corporation	215
PROFESSIONS AND TRADES	
Auctioneers and agents –Offences and contraventions – Disclosures to prospective buyers –Amount, value or nature of any benefit receivable by third party for marketing services – What constitutes proper disclosur – <i>Property Agents and Motor Dealers Act 2000</i> , ss 138(1)(c), 138(2)(a).	
Peebles v Cross	269
Lawyers – Remuneration – Bills of costs – Generally – Interim bills – Assessment – Time for assessment – Leg Profession Act 2007, s 333 Turner v Mitchells Solicitors and Business Advisers Qld	gal 96
Lawyers – Remuneration –Taxation and assessment of costs – Queensland – Time for assessment – Where numerous bills rendered over period of time – Whether to be treated as interim bills – Application partly out of time – Discretion to assess – <i>Legal Profession Act 2007</i> , ss 335, 335(1), 335(5), 335(6). <i>Turner v Mitchells Solicitors and Business Advisers Qld</i>	96