

COURT LIBRARY NOTES

ACCESS

Practitioners are reminded that the Supreme Court libraries are not open access libraries. Practitioners admitted in the NT and articulated clerks are welcome to use the libraries, after registering. Others persons needing to use the library must arrange access; in the first instance inquiries should be made to the Librarian.

NEW BOOKS

This is a selection of the volumes received by the library in August 2000.

Australian Trade Practices Legislation: Trade Practices Act, Trade Practices Regulations, Related Acts And Regulations; Consolidated To 1 July 2000 — 16th ed. — North Ryde, NSW: CCH Australia, 2000. 1 v.; 23 cm. 343.0720263 AUST16 Location: DAS

The Queensland Law Handbook. / Smith, Michele. — 6th ed. — New Farm, Qld.: Caxton Legal Centre, 2000. 1104 p.; 25 cm. REF 349.943 QUEE6 Location: D

Set-of / New South Wales Law Reform Commission. — Sydney: New South Wales Law Reform Commission, 2000. 70 p.; 25 cm. (New South Wales Law Reform Commission; 94) 346.077 News Location: D

RECENT ARTICLES

Aborigines, Aust - stolen generation

Richards, Melinda - Legal issues in the stolen generation litigation *Plaintiff* Vol Issue 40 2000pp: 17-20

Aged people

Main, Jim - Retirement villages legislation commences *Law Society Journal* Vol 38(7) 2000 pp: 32

Associations

Sievers, A S - Incorporation of Non-Profit Associations: the way ahead? *Company and Securities Law Journal* Vol 18(5) 2000 pp: 311-325

Bankruptcy

Lewis, Paul B - Repeat bankruptcy filer: some economic considerations *New Directions in Bankruptcy* Vol 10(2) 2000pp: 18-22

Benchmarking

O'Ryan, Stephen - Benchmarking and

productivity for the judiciary *Journal of Judicial Administration* Vol 10(1) 2000pp: 25-49

Commercial tenancy

Morison, Ian - Changes to Commercial tenancy law in Western Australia *Australian Property Law Journal* Vol 8(2) 2000pp: 185-190

Compensation

Ridge, Pauline - Just feel-good words? Recent Australian developments towards a restitutionary cause of action for pre-judgment interest *Australian Business Law Review* Vol 28(4) 2000 pp: 275-292

Competition

Stewart, Ian B - Mergers and competition: an analysis of section 50 of the Trade Practices Act *Australian Law Journal* Vol 74(8) 2000pp: 533-599

Hood, Antra - Anti-competitive detriment and public benefit in the Australian health care industry: a progress report *Australian Business Law Review* Vol 28(4) 2000pp: 293-312

Conveyancing

Byass, Kenneth - E-conveyancing is just around the corner *Solicitors Journal* Vol 144(31) 2000 pp: 748-749

Coroners

Lynch, Matthew - Legionnaires' disease and the coroner *Journal of Law and Medicine* Vol 8(1) 2000 pp: 23-26

Criminal law

Freiberg, Arie - Australian drug courts *Criminal Law Journal* Vol 24(4) 2000 pp: 213-235

Weatherburn, Don - Delays in trial case processing: an empirical analysis of delay in the NSW District Criminal Court *Journal of Judicial Administration* Vol 10(1) 2000pp: 5-24

Damages

Ridge, Pauline - Just feel-good words? Recent Australian developments towards a restitutionary cause of action for pre-judgment interest *Australian Business Law Review* Vol 28(4) 2000 pp: 275-292

Dangerous drugs

Freiberg, Arie - Australian drug courts

Criminal Law Journal Vol 24(4) 2000 pp: 213-235

Defamation

Kearns, Paul - Obscene and blasphemous libel: misunderstanding art *Criminal Law Review* Vol August 2000 pp: 652-660

Employment law

Bullen, Jane - Restrictive covenants *Solicitors Journal* Vol 144(29) 2000pp: 712

Catanzariti, Joe - Psychiatric injury in the workplace - a wider scope for recovery *Law Society Journal* Vol 38(7) 2000pp: 44-45

Entertainment law

Zalewski, Tony - Nightclubs & security: bouncing into a new era! *Plaintiff* Vol Issue 40 2000 pp: 28-32

Equity

Ong, Denis S K - Breach of fiduciary duty: the alternative remedies *Bond Law Review* Vol 11(2) 1999pp: 336-359

Evidence

Goldring - DNA evidence - the way forward? *Judicial Officers Bulletin* Vol 12(7) 2000 pp: 49-51

Expert evidence

Lonergan, Wayne - Australian judicial perspectives on expert evidence *Law Society Journal* Vol 38(7) 2000pp: 54-57

Family law

Bourke, Stephen - Superannuation and Family Law *New Directions in Bankruptcy* Vol 10(2) 2000pp: 15-17

Fiduciary duty

Ali, Paul U - Investor remedies against fiduciaries in rising and falling markets *Company and Securities Law Journal* Vol 18(5) 2000pp: 326-350

Ong, Denis S K - Breach of fiduciary duty: the alternative remedies *Bond Law Review* Vol 11(2) 1999pp: 336-359

Forum shopping

Mossop, David - The end of forum shopping? *Plaintiff* Vol Issue 40 2000 pp: 35-37

Health law

Hood, Antra - Anti-competitive detriment

and public benefit in the Australian health care industry: a progress report *Australian Business Law Review* Vol 28(4) 2000pp: 293-312

Human rights

Roberts, Susan - New role for HREOC and Federal Court in human rights complaints *Law Society Journal* Vol 38(7) 2000p: 69

Insurance law

McCarthy, Christine - What's in a name? Analysis of recent decisions on the meaning of words in insurance contracts and reinsurance treaties *Insurance Law Journal* Vol 11(3) 1999pp: 171-192

Otlowski, Margaret - Resolving the conundrum: should insurers be entitled to access to genetic test information? *Insurance Law Journal* Vol 11(3) 1999 pp: 193-215

Warne, Stephen - Insurance aspects of rented vehicles *Insurance Law Journal* Vol 11(3) 1999pp: 259-279

Judges

Kenny, Susan - Maintaining public confidence in the Judiciary: a precarious equilibrium *Monash University Law Review* Vol 25(2) 1999pp: 209-224

Young, P W - Disqualification of judges *Australian Law Journal* Vol 74(8) 2000 pp: 504

O'Ryan, Stephen - Benchmarking and productivity for the judiciary *Journal of Judicial Administration* Vol 10(1) 2000pp: 25-49

Landlord and Tenant

Wilkinson, H W - Ageing and defective parts - whose duty to repair? *New Law Journal* Vol 150(6940) 2000pp: 892-894

Legal professional privilege

Ward, Nigel - Legal professional privilege (part 2): The revised test for waiver *Bulletin* Vol 22(7) 2000pp: 24-25

Pattison, Susan - Production of documents need not jeopardise legal professional privilege *Law Society Journal* Vol 38(7) 2000pp: 40-41

Magistrates

Lowndes, John - Australian magistracy: from Justices of the Peace to Judges and beyond - Part 1 *Australian Law Journal* Vol 74(8) 2000pp: 509-532

Seago, Peter - Development of the professional magistracy in England and

Wales *Criminal Law Review* Vol August 2000pp: 631-651

Matrimonial property

Wade, John H - Arbitration of matrimonial property disputes *Bond Law Review* Vol 11(2) 1999pp: 395-434

Mediation

Bouille, Laurence - Minding the gaps - reflecting on the story of Australian mediation *Bond Law Review* Vol 11(2) 1999pp: 216-230

Medical negligence

Parker, Malcolm - Fault, negligence and the standard of care: a conceptual inquiry into medical critiques of medical litigation *Journal of Law and Medicine* Vol 8(1) 2000pp: 68-75

Medical records

Savulescu, Julian - Who has the right to access medical information from a deceased person? Ethical and legal perspectives *Journal of Law and Medicine* Vol 8(1) 2000 pp: 81-88

Mergers

Stewart, Ian B - Mergers and competition: an analysis of section 50 of the Trade Practices Act *Australian Law Journal* Vol 74(8) 2000pp: 533-599

Native title

French, R S - A hitchhiker's guide to the Native Title Act *Monash University Law Review* Vol 25(2) 1999pp: 375-420

Liverani, Mary Rose - Local Government moves to normalise Native Title *Law Society Journal* Vol 38(7) 2000pp: 64-67

Negligence

Moshinsky, Nathan - Liability in negligence of councils and public authorities *Plaintiff* Vol Issue 40 2000 pp: 6-12

Donohoe, Paul - Trends in liability of public authorities in tort *Plaintiff* Vol Issue 40 2000 pp: 21-26

Powers of attorney

Frydenson, Henry - EPAs: oh what a tangled web we weave *Solicitors Journal* Vol 144(32) 2000pp: 772-773

Professional negligence - lawyers

Moore, Darren - Plaintiff lawyers not negligent *Plaintiff* Vol Issue 40 2000 pp: 45

Psychiatric injury

Catanzariti, Joe - Psychiatric injury in the

workplace - a wider scope for recovery *Law Society Journal* Vol 38(7) 2000 pp: 44-45

Public authorities

Moshinsky, Nathan - Liability in negligence of councils and public authorities *Plaintiff* Vol Issue 40 2000 pp: 6-12

Donohoe, Paul - Trends in liability of public authorities in tort *Plaintiff* Vol Issue 40 2000 pp: 21-26

Public transport accidents

Cassidy, Belinda - Motor Accident Compensation Act's application to Glenbrook and other public transport accidents *Law Society Journal* Vol 38(7) 2000pp: 38-39

Real property

Hockley, John - Real Estate and the GST: a review *Brief* Vol 27(7) 2000pp: 11-18

Res ipsa loquitur

Smith, Stephen - Another look at res ipsa loquitur *Australian Law Journal* Vol 74(8) 2000pp: 506-508

Restrictive covenants

Bullen, Jane - Restrictive covenants *Solicitors Journal* Vol 144(29) 2000pp: 712

Retail tenancy

Duncan W D - Towards a uniform retail tenancy code for Australia - punching at shadows? *Australian Business Law Review* Vol 28(4) 2000 pp: 245-261

Retirement villages

Main, Jim - Retirement villages legislation commences *Law Society Journal* Vol 38(7) 2000pp: 32

Search warrants

Tain, Paul - Search warrants *Solicitors Journal* Vol 144(32) 2000pp: 779

Securities law

Ali, Paul U - Investor remedies against fiduciaries in rising and falling markets *Company and Securities Law Journal* Vol 18(5) 2000 pp: 326-350

Sentencing

Davies, G L - Do current sentencing practices work? *Criminal Law Journal* Vol 24(4) 2000 pp: 236-247