

COURT LIBRARY NOTES

LIBRARY NEWS

Fiji decision - The library has a copy of *Republic of Fiji v Prasad* which is the decision by the Court of Appeal of the Fiji Islands about the validity of the Fiji 1997 constitution and the coup by George Speight. If you would like an e-mail copy of the decision, please contact the library.

Mauet book - Thank you to the Law Society (via Justice Riley) and to Thomsons for each donating a copy of the book by Mauet listed below. These actions enable us to put a copy in the Darwin and Alice Springs libraries.

NEW BOOKS



This is a selection of the volumes received by the library in February 2001.

Fundamentals of Trial Techniques / Mauet, Thomas A.; McCrimmon, Les A. — 2nd Australian edition. — Sydney: LBC Information Services, 2001. xvii, 302 p.; 24 cm. 347.075 MAUE2 Location: D, AS

Sentencing: Aboriginal Offenders / New South Wales Law Reform Commission. — Sydney, 2000. (Report ; no. 96) 345.0772 SENT Location: D

RECENT ARTICLES

Aviation law

Fenton-Menzies, Paul - Turbulence ahead in aviation's blue sky? *Australian Journal of Administrative Law* Vol 8(2) 2001pp: 61-69



Class actions

Clark, Stuart - Representative proceedings in Australia: a work in progress *Law Society Journal* Vol 39(1) 2001 pp: 54-59

Consumer credit

Dobson, Paul - Consumer credit and human rights *New Law Journal* Vol 150(6963) 2000 pp: 1815-1816

Malbon, Justin - Shopping for credit: an empirical study of consumer decision-making *Australian Business Law Review* Vol 29(1) 2001 pp: 44-64

Contracts law

Coates, Geoff - Contributory negligence in contract *Plaintiff* Vol Issue 43 2001 pp: 43

Courts

Leigh, Andrew - Behind the bench: associates in the High Court of Australia *Alternative Law Journal* Vol 25(6) 2000 pp: 295-298

Priest, Phillip - The Court of Appeal five years on: some reflections *Victorian Bar News* Vol No 115 2000 pp: 16-19

Wager, Julie - The establishment of the drug court in Western Australia: Brief interviews *Brief* Vol 28(1) 2001pp: 8-10

Criminal law

Hutchinson, Allan C - Making false of it: a criminal lawyer's dilemma *New Law Journal* Vol 150(6964) 2000 pp: 1864-1865

Gibson, Geoffrey - Unfair trials *Law Institute Journal* Vol 75(1) 2001pp: 72-75

Damages

English, Rosalind - All up for grabs with exemplary damages? *New Law Journal* Vol 150(6964) 2000 pp: 1852,1861

McLaren, Ian A B - Multipliers in fatal accident claims *New Law Journal* Vol 151(6966) 2001 pp: 12-13

Defamation

Bleechmore, John - Defamation: the pleading of meaning or the meaning of pleading *Law Institute Journal* Vol 75(1) 2001pp: 48-51

Discrimination

Barlow-Stewart, Kristine - Genetic discrimination in Australia *Journal of Law and Medicine* Vol 8(3) 2001 pp: 250-262

Electronic filing

Luker, Trish - E-filing in the Federal Court *Law Institute Journal* Vol 75(1) 2001 pp: 79-81

Estoppel

Robertson, Andrew - Reasonable reliance in estoppel by conduct *University of New South Wales Law Journal* Vol 23(2) 2000 pp: 87-110

Expert evidence

Cremean, Damien - Expert evidence in tribunals *Journal of Judicial Administration* Vol 10(3) 2001 pp: 161-171

Fiduciary relationships

Abadee, Alister - A fiduciary's obligation to disclose in a commercial setting *Australian Business Law Review* Vol 29(1) 2001pp: 33-43

Carlin, Tyrone M - Fiduciary obligations in non-traditional settings - an update *Australian Business Law Review* Vol 29(1) 2001pp: 65-72

GST

Johnson, James - GST consequences of court orders and out of court settlements *Law Institute Journal* Vol 75(1) 2001 pp: 31-32

Hines, Michael - Property developers, GST and the margin scheme *Law Institute Journal* Vol 75(1) 2001 pp: 56-59

Cooper, Graeme S - A few myths about the GST *University of New South Wales Law Journal* Vol 23(2) 2000 pp: 252-263

New GST deal with settlements and agency arrangements *Law Society Journal* Vol 39(1) 2001 pp: 36

Pattison, Susan - Draft ATO ruling on GST and party party costs *Law Society Journal* Vol 39(1) 2001 pp: 37-38

Searle, Lyndsey - GST on settlements and court awards *Law Society Journal* Vol 39(1) 2001pp: 38

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Berns, Sandra - Through a glass darkly: legal education at century's turn

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Legal ethics

Wills, Michelle - The negotiator's ethical and economic dilemma: to lie, not to lie *Australian Dispute Resolution Journal* Vol 12(1) 2001pp: 48-57

Hutchinson, Allan C - Making false of it: a criminal lawyer's dilemma *New Law Journal* Vol 150(6964) 2000 pp: 1864-1865

Legal profession

Israel, Susan F - Disparities continue between women and men in the legal profession: gender issues in the 1999-2000 practising certificate survey *Law Society Journal* Vol 39(1) 2001 pp: 63-66

Mediation

Greenberg, Hani - Mediation: the role of assumptions in dispute resolution *Law Institute Journal* Vol 75(1) 2001pp: 68-71

Mediators

Wills, Michelle - The negotiator's ethical and economic dilemma: to lie, not to lie *Australian Dispute Resolution Journal* Vol 12(1) 2001pp: 48-57

Medical law

Duxbury, Alison - The international law implications of Australian abortion law *University of New South Wales Law Journal* Vol 23(2) 2000 pp: 1-34

Harcourt, Victor - The doctor's duty to follow-up: legal fiction, a return to paternalism or an exercise in risk management? *Journal of Law and Medicine* Vol 8(3) 2001 pp: 286-301

Native title

Pearson, Noel - Principles of communal native title *Indigenous Law Bulletin* Vol 5(3) 2000 pp: 4-7

Phillips, Susan - Enforcing native title agreements: Carriage v Duke Australia Operations Pty Ltd *Indigenous Law Bulletin* Vol 5(3) 2000 pp: 14-16

Negligence

Vines, Prue - The needle in the haystack: principle in the duty of care in negligence *University of New South Wales Law Journal* Vol 23(2) 2000 pp: 35-57

Personal injuries

Watt, David - The defence view: Negotiating personal injury claims

Plaintiff Vol Issue 43 2001 pp: 6-10

Davis, Rob - Negotiating personal injury cases: a survey of the attitudes and beliefs of personal injury lawyers *Plaintiff* Vol Issue 43 2001 pp: 12-24

Pre nuptial agreements

Watts, Garry - Binding financial agreements: possibilities & pitfalls *Law Society Journal* Vol 39(1) 2001pp: 60-62

Property crime

Stevenson, Richard J - The stolen goods market in New South Wales, Australia: an analysis of disposal avenues and tactics *British Journal of Criminology* Vol 41(1) 2001 pp: 101-118

Real property

Hines, Michael - Property developers, GST and the margin scheme *Law Institute Journal* Vol 75(1) 2001pp: 56-59

Refugees

McDonald, Colin - The coming of the boat people to Australia: brickbats and the non-material rewards of pro bono legal work *Victorian Bar News* Vol No 115 2000 pp: 20-24

Sentencing

Freckelton, Ian - Stalker sentencing and protection of the public *Journal of Law and Medicine* Vol 8(3) 2001pp: 233-239

Sports law

McGruther, John - Sporting contract disputes: a best-practice approach to the effective resolution of sporting disputes *Australian Dispute Resolution Journal* Vol 12(1) 2001pp: 7-19

Cockburn, Tina - Nigger Brown sign on sportsground not discriminatory *Plaintiff* Vol Issue 43 2001 pp: 40-41

Trade marks

Richardson, Megan - Shape trade marks in Australian courts *Australian Intellectual Property Journal* Vol 12(1) 2001 pp: 5-11

Luck, Janice - The registrability of shapes of goods as trade marks *Australian Intellectual Property Journal* Vol 12(1) 2001 pp: 12-18

Wills

Online wills should not overlook proper practice *Law Society Journal* Vol 39(1) 2001 pp: 30

NT LEGISLATION

Legislative changes in February 2001, notified in the *NT Government Gazette*

New regulations

1/2001 Territory Wildlife Regulations (14.2.01)*

2/2001 Supreme Court Rules Amdt (28.2.01)

Commencements

59/2000 Wills Act (1.3.01)

60/2000 Family Provison Amendment Act (1.3.01)

61/2000 Law of Property Amendment Act (No.2) (1.3.01)

62/2000 Public Trustee Amendment Act (1.3.01)

66/2000 Kava Management Amendment Act (19.2.01)

69/2000 Prostitution Regulation Amendment Act (19.2.01)

Repealed legislation

Wills Act 1938, 1969, 1984, 1985 & 1987 – Repealed by 59-2000

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