

# COURT LIBRARY NOTES

The number of articles indexed this month has far exceeded what we can publish in *Balance*. If you would like a complete list, please contact the library.

## RECENT ARTICLES

### Aborigines, Aust

Syme, Cameron - Colonisation: The source of a presently enforceable fiduciary duty *Australian Indigenous Law Reporter* Vol 5(4) 2000 pp: 1-28

Cubillo v Commonwealth of Australia; Gunner v Commonwealth of Australia *Australian Indigenous Law Reporter* Vol 5(4) 2000pp: 29-48

### Banking law

Hooley, Richard - Lender liability for environmental damage *Cambridge Law Journal* Vol 60(1) 2001 pp: 405-417

### Bankruptcy

Ash, David - A step-by-step guide to bankruptcy notices *Law Society Journal* Vol 39(5) 2001 pp: 64-66

Pascoe, Scott - Bankrupts behaving badly *New Directions in Bankruptcy*, Vol 11(1) 2001pp: 21-22

Skinner, Brian J - Antecedent transactions in bankruptcy matters *New Directions in Bankruptcy* Vol 11(1) 2001 pp: 23-24

Field, Andrew - The law of bias revisited (and clarified by the High Court) *Law Institute Journal* Vol 75(7) 2001pp: 64

### Commercial law

Sneddon, Mark - Privacy regulation : Deadline for Australian business *Law Society Journal* Vol 39(5) 2001 pp: 44

### Easements

Butt, Peter - Easements: permitted use and indefeasibility *Australian Law Journal* Vol 75(7) 2001 pp: 407-408

### Education law

Davis, Rob - School bus safety *Plaintiff* Vol Issue 45 2001pp: 32-33

### Electronic conveyancing

Perry, Raymond - Digital signatures - security issues and real-world conveyancing *New Law Journal* Vol 151(6993) 2001pp: 1100-1101

### Electronic courts

McDonough, John - E-court initiatives in the Federal court *Brief* Vol 28(3) 2001pp: 18-19

### Environmental law

Devine, Carleen - Is environmental mediation on the way up or the way out? *Law Society Journal* Vol 39(5) 2001pp: 72-73

Hooley, Richard - Lender liability for environmental damage *Cambridge Law Journal* Vol 60(1) 2001pp: 405-417

### Evidence

Kirby, Michael - DNA evidence: proceed with care *Australian Journal of Forensic Sciences* Vol 33(1) 2001 pp: 9-13

### Fixtures

Butt, Peter - Selling fixtures separately from land *Australian Law Journal* Vol 75(7) 2001pp: 405-406

### Gaming

Stefano, Vince - The perils of pokies and plastic *Law Society Journal* Vol 39(5) 2001pp: 61-63

### GST

Treatment of barristers' fees for GST and PAYG *Law Society Journal* Vol 39(5) 2001pp: 30-31

Gibney, Paul - GST exemption for going concerns in commercial real estate *Law Society Journal* Vol 39(5) 2001pp: 32

Pattison, Susan - Party party costs can get nasty when the GST turns up *Law Society Journal* Vol 39(6) 2001pp: 36-37

Final GST ruling on settlements and judgments *Law Institute Journal* Vol 75(7) 2001pp: 37-38

Lombard, Michael - Fine tuning the Transport Accident Act *Law Institute Journal* Vol 75(7) 2001 pp: 70-75

### Insurance law

Arthur, John K - Possible avenues for policyholders following the collapse of the HIH Group *Law Institute Journal* Vol 75(7) 2001pp: 56-61

### Internet

Gillespie, Alisdair - Children, chatrooms and the law *Criminal Law Review* Vol

June 2001pp: 435-446

### Interpreters

Hale, Sandra - The complexities of the bilingual courtroom *Law Society Journal* Vol 39(6) 2001pp: 68-72

Crown, Barry C - Severance of joint tenancy of land by partial alienation *Law Quarterly Review* Vol 117 2001 pp: 477

### Judges

Young, P W - Judges as witnesses *Australian Law Journal* Vol 75(7) 2001 pp: 421-422

O'Neill, Aidan - Judicial politics and the Judicial committee: The devolution jurisprudence of the Privy council *Modern Law Review* Vol 64(4) 2001 pp: 603-617

### Landlord and tenant

Crown, Barry C - Severance of joint tenancy of land by partial alienation *Law Quarterly Review* Vol 117 2001 pp: 477-492

### Law office management

MacDermott, Bruce - Taking in a new partner? *Law Society Journal* Vol 39(5) 2001pp: 42-43

Malcolm, Jeremy - Free software for the legal office *Brief* Vol 28(2) 2001 pp: 15-

Raymond, Sue - Poor customer service spawns complaints *Bulletin* Vol 23(6) 2001pp: 34-35

Rating your technology uptake *Law Institute Journal* Vol 75(7) 2001pp: 26

### Legal Aid

Noone, Mary Anne - The state of Australian legal aid *Federal Law Review* Vol 29(1) 2001 pp: 37-56

### Legal costs

Treatment of barristers' fees for GST and PAYG *Law Society Journal* Vol 39(5) 2001 pp: 30-31

Pattison, Susan - Party party costs can get nasty when the GST turns up *Law Society Journal* Vol 39(6) 2001 pp: 36-37

Wells, Colin - Wasted costs *Solicitors Journal* Vol 145(27) 2001pp: 644

Final GST ruling on settlements and judgments *Law Institute Journal* Vol



75(7) 2001pp: 37-38

### Legal ethics

Ethical edicts : a matter of courtesy *Brief* Vol 28(2) 2001 pp: 26-27

### Legal profession

Rawstron, Sarah - The future looks bright *New Law Journal* Vol 151(6993) 2001pp: 1082-1083

Eaton, Gary - Securing your new job *New Law Journal* Vol 151(6993) 2001 pp: 1084-1086

Hickman, Lucy - The big leap *New Law Journal* Vol 151(6993) 2001 pp: 1087-1088

### Legal professional privilege

Surdo, Anthony Lo - A quiet revolution has been happening in legal professional privilege *Law Society Journal* Vol 39(6) 2001 pp: 50-55

Brennan, Vince - Investigative powers may impinge on privilege *Law Society Journal* Vol 39(6) 2001 pp: 52-55

### Magistrates

Silverii, Jason - The Federal Magistrates Service one year on *Law Institute Journal* Vol 75(7) 2001 pp: 13

### Mediation

Devine, Carleen - Is environmental mediation on the way up or the way out? *Law Society Journal* Vol 39(5) 2001pp: 72-73

Georgiou, Basil - 'LEADRS' of the future *Brief* Vol 28(4) 2001pp: 11-13

### Motor vehicle accidents

Worthy, Patricia - Motor vehicle accidents - Trends and developments driving the law *Plaintiff* Vol Issue 45 2001 pp: 22-31

Ryan, Peter - Deaths after Victorian road crashes *Australian Journal of Forensic Sciences* Vol 33(1) 2001 pp: 29-33

Lombard, Michael - Fine tuning the Transport Accident Act *Law Institute Journal* Vol 75(7) 2001 pp: 70-75

### Negligence

Hunt, Peter - A question of priorities will determine highway immunity *Law Society Journal* Vol 39(6) 2001pp: 64-67

Katter, Norman A - "Ball Park" figures and the ambit of duty of care for negligent

misstatement *Australian Law Journal* Vol 75(7) 2001pp: 427-436

Ross, Johathan - Solicitors' liability to third parties *New Law Journal* Vol 151(6990) 2001 pp: 960-961

Mendelson, Danuta - Quo iure? Defendants' liability to rescuers in the tort of negligence *Tort Law Review* Vol 9(2) 2001 pp: 130-163

### Partnership

MacDernott, Bruce - Taking in a new partner? *Law Society Journal* Vol 39(5) 2001 pp: 42-43

### Personal injuries

Hunt, Peter - A question of priorities will determine highway immunity *Law Society Journal* Vol 39(6) 2001pp: 64-67

### Prisoners

Sebba, Leslie - When is a prisoner not a prisoner? "Service work" in Israel - and in Britain? *Criminal Law Review* Vol July 2001 pp: 543-559

### Privacy

Sneddon, Mark - Privacy regulation: Deadline for Australian business *Law Society Journal* Vol 39(5) 2001pp: 44-47

Senior, Maurie - New privacy laws to have big effect on public and private sectors *Bulletin* Vol 23(6) 2001 pp: 30-31

### Professional negligence

Hughes, Andrew - Disclosure in advocates' negligence actions *New Law Journal* Vol 151(6991) 2001 pp: 1013-1014

### Public authorities

Hunt, Peter - A question of priorities will determine highway immunity *Law Society Journal* Vol 39(6) 2001 pp: 64-67

Kelley, Michael - High Court removes nonfeasance immunity *Bulletin* Vol 23(6) 2001 pp: 32-33

### Real estate law

Gibney, Paul - GST exemption for going concerns in commercial real estate *Law Society Journal* Vol 39(5) 2001 pp: 32

### Remedies

Kohl, Uta - Injunctions v Damages (The age of the internet) old battle of remedies

revisited *Journal of Law and Information Science* Vol 11(2) 2000/2001pp: 160-181

### Rescuers

Mendelson, Danuta - Quo iure? Defendants' liability to rescuers in the tort of negligence *Tort Law Review* Vol 9(2) 2001 pp: 130-163

### Sports law

Blackshaw, Ian - Sports sponsorship and ambush marketing *New Law Journal* Vol 151(6991) 2001 pp: 1011-1012

Yeo, Stanley - The infallibility of rule-making sporting bodies *Tort Law Review* Vol 9(2) 2001 pp: 104-109

Yeo, Stanley - Accepted inherent risks among sporting participants *Tort Law Review* Vol 9(2) 2001pp: 114-129

Blackshaw, Ian - Sporting settlements *Solicitors Journal* Vol 145(27) 2001 pp: 640-641

### Taxation

Hockley, John - Tax effective investments *Brief* Vol 28(4) 2001 pp: 14-15

Andrew, Brian - Tax issues in cyberspace *Journal of Law and Information Science* Vol 11(1) 2000/2001 pp: 55-60

### Torts law

Mullins, Gerard - Choice of law in intranational torts - moving the goalposts *Plaintiff* Vol Issue 45 2001 pp: 6-9

Handford, Peter - Trimming the wings of vicarious liability *Tort Law Review* Vol 9(2) 2001 pp: 97-101

Nolan, Donal - Risks and wrongs - remoteness of damage in the House of Lords *Tort Law Review* Vol 9(2) 2001 pp: 101-104

### Trade practices

Stefano, Vince - The perils of pokies and plastic *Law Society Journal* Vol 39(5) 2001pp: 61-63

### Vicarious liability

Handford, Peter - Trimming the wings of vicarious liability *Tort Law Review* Vol 9(2) 2001 pp: 97-101

### Victims of crime

Sanders, Andrew - Victim impact statements: don't work, can't work *Criminal Law Review* Vol June 2001 pp: 447-458