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Police "pat down" searches of juveniles constitute a violation of the right to privacy – *Dan Rogers*

In 2011, the Queensland Parliament received the Police Powers and Responsibilities and Other Legislation Amendment Bill 2011. The Bill has since lapsed as a result of our change of Government in 2012. The Bill's re-introduction is foreseeable. Of particular concern to this author was the introduction of a broad power allowing police to conduct "pat down" searches of children. The power represents a serious violation of the rights of children to privacy. There is no demonstrable justification for the new power and it is likely to exacerbate already strained relationships between police and our youth. This article looks closely at the Bill and reminds us of the importance of a careful and well considered approach to juvenile issues. 19

Pre-trial publicity, social media and the "fair trial": Protecting impartiality in the Queensland criminal justice system – *Isaac Frawley Buckley*

At the start of all criminal trials in Queensland, judges announce to prospective jurors that it is essential that they be, and be seen by all fair-minded people to be, completely impartial. Given the developments in media coverage of high profile crimes, investigations and trials can it still reasonably be expected that jurors are capable of this high standard of impartiality? And if we are no longer satisfied that they can be, do we simply lower our expectations of jurors or do we look for an alternative tribunal of fact? Against the backdrop of recent high profile matters in Queensland, with more on their way to trial in the years to come, it seems appropriate that the legal profession considers the potential flaws of the current jury system and contemplates whether there are more safeguards or restrictions that ought to be put in place to protect it. 38

"With a little help from a friend": Self-represented litigants, payment and legal profession regulation – *Nicky Jones*

This article reviews legal professional practice legislation, case law and policy regarding the tasks and activities which constitute legal work and who is entitled to carry out such

work. Its context is Wilson v Raddatz [2006] QCA 392, an application heard by the Queensland Court of Appeal during which it emerged that the self-represented applicant had paid a friend who was not a legal practitioner to prepare written submissions for court. The article examines legislation, case law and policy to assess whether the friend breached relevant law or policy by preparing the court submissions and thereby engaged in legal work or legal practice when not a lawyer, and by receiving payment for his assistance. The article also considers whether legal practice law disadvantages self-represented litigants by preventing them from reimbursing a friend for any outlay of time, effort and assistance. 52

Assisting a suicide: Potential succession law consequences – *Tina Cockburn* and *Barbara Hamilton*

The recent criminal law decisions where people have been convicted of aiding suicide raise important legal and ethical issues in relation to whether euthanasia should be legalised. These cases also raise issues of great significance for succession lawyers. Where, as in cases such as Nielsen and Justins, the person convicted of aiding a suicide is a principal beneficiary under the will of the deceased, various legal consequences, such as: forfeiture of the interest under the will; liability for breach of fiduciary obligation; and/or a finding of undue influence, may follow which may result in loss of such benefit. There are still some unanswered questions. First, will the common law forfeiture rule be applied to a person convicted of aiding suicide as distinct from manslaughter? Secondly, if there is a forfeiture, is the wrongdoer obliged to hold his or her forfeited interest on a constructive trust or to be treated as having predeceased the testator? Finally, should there be legislative reform of the forfeiture rule along the lines adopted in NSW and the ACT to modify the effect of the forfeiture rule where the court is satisfied that justice requires the rule to be modified, or would a better model for reform be the proposed NZ codified forfeiture legislation? 67

Lawful correction of children under s 280 of Queensland's Criminal Code: Retain, reform, or rubbish? – *Andreas Schloenhardt* and *Thomas Cottrell*

Section 280 of the Criminal Code (Qld) provides a defence for parents who chastise their children. The available case law suggests that there are few limits to this defence and that s 280 has been used to exculpate many violent outbursts by parents. This article examines the evolution, application, and role of s 280 in a contemporary context and develops recommendations for law reform. 75

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