

THE QUEENSLAND LAWYER

Volume 34, Number 1

March 2014

EDITORIAL	3
CONVEYANCING AND PROPERTY LAW – <i>Dr Bill Dixon</i>	
The cost of changing your mind!	9
CRIMINAL LAW – <i>Andrew West</i>	
Impermissible submissions on sentence	11
HEALTH AND GUARDIANSHIP LAW – <i>Dr Malcolm Smith</i>	
Posthumous conception in South Australia: The case continues in Re H, AE (No 3) [2013] SASC 196	15
INDUSTRIAL LAW – <i>Dr Kristy Richardson</i>	
Racial taunts and bullying and harassment in the workplace	19
TORT LAW – <i>Amanda Stickley</i>	
Hospital’s failure to detain patient was necessary condition of the harm	23
ARTICLE	
Analysing the prospects of a successful application under s 180 of the Property Law Act 1974 (Qld) – <i>Bill Dixon</i>	
Section 180 of the <i>Property Law Act 1974</i> (Qld) makes provision for an applicant to seek a statutory right of user over a neighbour’s property where such right of use is reasonably necessary in the interests of effective use in any reasonable manner of the dominant land. In recent years, the Queensland courts have been confronted with a number of such applications. Litigation has also been common in New South Wales which has a statutory provision in largely similar terms. This article seeks to identify those factors that have underpinned successful applications, the obstacles that an applicant may encounter and the considerations that have guided the courts when considering the associated issues of compensation and costs.	27
BOOK REVIEWS – <i>Judge Michael Shanahan DCJ</i>	
<i>Legal Practice and Ethics</i> by Marlene Ebejer – <i>Dr Rosemary Robins</i>	39
<i>Administrative Appeals Tribunal</i> by Dennis Pearce – <i>Jason Dudley</i>	40
<i>Principles of Australian Constitutional Law</i> by Patrick Keyzer – <i>James Penrose</i>	41
MOORES V PEARCE – <i>Federal Circuit Court Judge Michael Jarrett</i>	
Moores v Pearce (Criminal law)	43

