



# ADELAIDE LAW REVIEW

*Editors:*

ANTHONY MOORE  
SIMON PALK

*Assistant Editor:*

*Book Review Editor:*  
VICKI WAYE

*Assistant Editors:*

MARY HEATH  
DAVID MONK

*Notes Editor:*

SUZANNE CORCORAN

*Chairman:* JAMES CORKERY

*Members:* ADELE ANDREWS  
TREVOR BALDOCK  
GEOFF BATEMAN  
JULIE CASSIDY  
DIANA DIBDEN  
GENEVIEVE EBBECK  
RICHARD FINLAY  
AMANDA HEITMAN

PAUL KEROLOGUE  
NICK KOSHNITSKY  
KATHLEEN MACK  
KATHLEEN McEVOY  
CHIN KEOW NAR  
MARCIA NEAVE  
MICHAEL SPARGO  
LAURA STEIN

*Business Manager:*

IONE BROWN

## ARTICLES

<i>Charles Bagot</i>	The Hon Sir Richard Blackburn OBE . . . . .	365
<i>Glenton Barton</i>	The 'Disposal' of an 'Asset' — Sections 160A and 160M of Part IIIA of the Income Tax Assessment Act . . . . .	435
<i>Keith Bennetts</i>	Bankruptcy: Its Consequences for Family Property . . . . .	413
<i>Adrian J Bradbrook</i>	The Relevance of the Cujus Est Solum Doctrine to the Surface Landowner's Claims to Natural Resources Located Above and Beneath the Land . . . . .	462
<i>Brian Davis</i>	The Marriage Amendment Act 1985 — The Reason Why . . . . .	32
<i>Fay Gale</i>	Disadvantage and Discretion: The Results for Aboriginal Youth in Relation to the Adjournment Decision . . . . .	348
<i>Andrew Kedzoir</i>	Short Selling in Australia . . . . .	327
<i>Justice MD Kirby</i>	The Politics of Achieving Law Reform . . . . .	315
<i>Eve C Landau</i>	Conciliation as a Mode of Settlement of Discrimination Complaints . . . . .	258
<i>Clem Lloyd</i>	Not Peace but a Sword! — The High Court under JG Latham . . . . .	175
<i>GPJ McGinley</i>	The Search for Unity: The Impact of Consensus Seeking Procedures in Appellate Courts . . . . .	203
<i>Kathleen Mack</i>	The Impact of the Consent to Medical and Dental Procedures Act 1985 (SA) on Common Law Principles of Informed Consent in South Australia . . . . .	448
<i>Anthony P Moore</i>	The Interpretation of the Real Property Act . . .	405
<i>Patrick Parkinson</i>	Doing Equity Between De Facto Spouses: From <i>Calverly v Green</i> to <i>Baumgartner</i> . . . . .	370

<i>Fiona Patfield</i>	The Modern Remedy of Account . . . . .	1
<i>JM Quinlan</i>	Justices and the Instigation of Criminal Proceedings on Complaint . . . . .	285
<i>Roman Tomasic</i>	Continuity and Change in the Sociology of Law . . . . .	70
<i>Varis Vitols</i>	Petroleum Taxation in Australia: The Resource Rent Tax Bills 1986 . . . . .	140
<i>CR Williams</i>	Issues at the Penumbra of Hearsay . . . . .	113
<i>Joy Wundersitz</i>	Disadvantage and Discretion: The Results for Aboriginal Youth in Relation to the Adjourment Decision . . . . .	348

## COMMENTS

<i>Suzanne Corcoran</i>	NCSC Discussion Paper on Insider Trading — Who Should be Considered an Insider? . . . . .	83
<i>Nicholas Iles</i>	Curial Inconsistencies in the Doctor's Duty of Care . . . . .	88
<i>Simon Palk</i>	The Courts v The Residential Tenancies Tribunal: Judicial Review by Any Other Name . . . . .	215
<i>AA Tarr</i>	Subrogation and the Ash Wednesday Bushfire Disaster . . . . .	232

## BOOK REVIEWS

<i>HA Amankwah</i>	<i>The Law of the Land</i> by Henry Reynolds . . . . .	488
<i>Laurence Boulle</i>	Maher, Waller and Derham, <i>Legal Process — Commentary and Materials</i> by Malcolm Smith and Kevin Pose . . . . .	484
<i>Bill Gammage</i>	<i>Law Makers and Wayward Whigs</i> by Alex C Castles and Michael C Harris . . . . .	359
<i>Matthew Goode</i>	<i>Drug Users and The Law in Australia</i> by T Carney . . . . .	248

<i>Philip McNamara</i>	<i>The Administrative Appeals Tribunal and Policy Review</i> by JM Sharpe . . . . .	245
<i>Philip McNamara</i>	<i>Evil Angels</i> by John Bryson and <i>Spies, Bombs and the Path of Bliss</i> by Tom Molomby . . . . .	246
<i>Elizabeth Naumczyk</i>	<i>The Study of Law</i> edited by Jim Corkery . . . . .	490
<i>Neville Rochow</i>	<i>Cross on Evidence</i> by David Byrne and JD Heydon . . . . .	107