



CALLING ALL (LEGAL) NEOLOGISTS

Readers will recall our challenge from the last edition – to go where Washington Post readers have gone before but do it better. Our call for legal neologisms has produced some good'uns and, well... And, in what may well be a first for QBN, the much-vaunted QBN bottle of fine red WILL be awarded in the next edition for the entry judged the best by our learned and hard-to-please QBN judges. Barristers, it is said, rarely miss an opportunity to show how clever they are, so here's your chance. So, get into it. For the shy and retiring among you (*surely some mistake – Ed*), we are prepared to accept anonymous entries and semi-anonymous entries (i.e. those who want us to know their name in case they win the booty, but don't want the world to know how clever they are (*surely some mistake – Ed*)).

QUICK QUIZ ANSWER:

In 1899, after a train ambush, Winston Churchill was captured by the Boers. Imprisoned in Pretoria he escaped, at night, by catching a freight train moving east towards Portuguese Mozambique. He rode on bags stacked between the cars. At dawn, he jumped off the train and hid waiting for nightfall. With no water and only a little chocolate to eat, he became weak and approached a nearby house seeking help. Favoured by good fortune, he had approached the house of the only Englishman within 20 miles. The man was the manager of a

Dutch owned coal mine who had been allowed to retain his job on the strength of his oath to remain neutral. By harbouring the fugitive, the manager risked execution. He provided Churchill with food, shelter and a pistol. The manager then facilitated Churchill's escape by putting him on a box-car heading towards Lourenco Marques as Maputo, in Mozambique, was then called. That manager was named John Howard.

ANDREW LYONS

QUEENSLAND HOSTS NATIONAL FAMILY LAW CONFERENCE

The brand spanking new Gold Coast Convention Centre will be the venue for the 11th Biennial National Family Law Conference to be held from 26-30 September this year.

Under the theme *Explore Family Law – Beyond the Horizon*, prominent international, national and local speakers will deliver a program combining the latest developments, cases, research and practical instruction within the field of family law.

Needless to say, the professional program will be accompanied by an exciting social program making the most of the location and that perfect Gold Coast spring weather.

Registration will be available in May. You can express an interest in attending now, though, by contacting the conference managers: www.familylawsection.org.au or for more information contact Conference Managers, PO Box 1280, Milton, Qld. 4064. Tel: 3858 5592.

MAD

Alpert, Ex parte – Re Aird & Ors [2004] HCATrans 42 (3 March 2004)

Last Updated: 4 March 2004

[2004] HCATrans 042

IN THE HIGH COURT OF AUSTRALIA

Office of the Registry

Brisbane No B60 of 2003

In the matter of –

An application for Writs of Prohibition and Certiorari against COLONEL STEVEN AIRD, LIEUTENANT COLONEL BRYCE TITCUME, MAJOR PETER THUAUX, CAPTAIN SHANNON CALLAGHAN AND CAPTAIN SIMON WORBOYS, sued in their capacity as the members of a general court martial constituted under the Defence Force Discipline Act 1982

First Respondents

WING COMMANDER MICHAEL J.F. BURNETT, sued in his capacity as the judge advocate appointed to the said General Court Martial

Second Respondent

THE COMMONWEALTH OF AUSTRALIA

Third Respondent

Ex parte –

STEWART WAYNE ALPERT

Applicant/Prosecutor

GLEESON CJ; McHUGH J; GUMMOW J; KIRBY J; HAYNE J; CALLINAN J; HEYDON J

TRANSCRIPT OF PROCEEDINGS AT CANBERRA ON WEDNESDAY, 3 MARCH 2004, AT 10.17 AM

McHUGH J: Well, we have some artificial constraints on us. The Commonwealth does not want to argue that they can rely on the external affairs power. One would have thought they were home and hosed on that, a complete answer to your argument, if they would rely on it.

KIRBY J: And you do not want to rely on Chapter III, which might put you home and hosed.

MR LOGAN: Perhaps what one sees there is what used to be called "the balance of terror", with respect.

HAYNE J: Mutual assured destruction.