



Appeal bid fails for jury-stung 'celebrity'

The Court of Appeal this week examined judge-only trials in a judgment that will be much used around the state in years to come.

Clinton James Kissier was appealing against his conviction by a jury for a violent home invasion and his 4½-year jail sentence. Kissier argued he should have had a judge-only trial because of his media status in the Mackay region. Since 2006, Kissier had been something of a celebrity, featuring regularly in stories about his escapades. In 2006, he was the subject of much debate when he appealed through Mackay's *Daily Mercury* to be given one more chance.

Kissier reoffended a couple of times and made the columns of the newspaper.

His lawyers argued that as *The Mercury* had 40,000 readers it took in a large percentage of the available jury pool. The Court of Appeal dismissed it in a very detailed look at requirements for a judge-only trial.

It has been a decade since HIH insurance collapsed but the impact is still being felt around the courts.

In a hearing in which a former student sued his old school for injuries he received in PE class, it was revealed the school had no liability insurance at the time because of the fall of HIH.

Plenty of interest in a QCAT case listed for next week, in which Mount Isa's Irish Club is



Taking time for dad

Brisbane Family Law Centre's Clarissa Rayward (pictured) believes there is a way to overcome latest figures showing only 10 per cent of Australian men are friends with their dad and 30 per cent don't even speak to their father.

She said that in break-ups it was essential to reach a resolution that left both parents with a significant role in their children's lives. "With the number of divorces increasing, more and more children live in shared arrangements. It is encouraging research by the Australian Institute of Family Studies shows the system is finally ensuring the delivery of greater benefits for children through equal shared parental responsibility," she said.

fighting a decision to cancel its late licence. It is seen as a possible test case. The club has gone on the offensive as we are told it has distributed a four-page brochure attacking the decision to its 17,000 members.

And also plenty of interest in a QCAT decision in which a cleaning company got a two-year exemption from anti-discrimination laws to advertise only for women workers.

The company wanted to provide females for vulnerable women who did not want a man working in their home. QCAT wants full details before making a permanent order.

If the courts are any indication, lawn mower thieves are out in force. A thief before a magistrate court made his escape on a ride-on mower only for it to run out of petrol 100m down the road. He was caught by a very large and very irate owner.

Bad pun No 1: As the dispute about the sale of Brisbane's Albion Park paceway continued in the Supreme Court this week, one wag mumbled: "This case just keeps going around and around."

Bad pun No 2: A Manly rugby league fan with a black eye was in court on a public nuisance charge when an on-looker remarked: "Now, there's a real one-eyed fan."

A reminder that the Chief Justice of Canada Beverley McLachlin will deliver the Supreme Court Oration on Thursday in the Banco Court. Her honour's topic is "The Courts and the Media".

Justice Stan Jones didn't take long to get on the guest speaking circuit after his retirement last Friday.

Only hours after his valedictory he was the closing speaker

at the Society of Trust and Estate Practitioners Conference in Cairns. STEP chair Caite Brewer and her team organised an all-star line up of speakers. But, it was rotten luck the conference was on the same weekend as the famous Cairns Amateurs race meeting.

Logan solicitor Tim O'Dwyer is busy between his media appearances and teaching an undergraduate course on "Vendor and Purchaser" at the University of Queensland Law School.

The 75 final-year law students were spared the agony of a final exam but instead will have to write a 3500 word research paper.

Earsay was interested to see the subject - "Pitfalls of buying and selling off the plan apartments". The paper has particular reference to the recent vendor-purchaser disputes involving off-the-plan contracts

for units at Mirvac's Tennyson Reach development.

Anyone who believes Brisbane doesn't deserve a new higher court complex should spend a day in the current one.

I was recently sent this newspaper clipping: "When the rain was falling in one of its fiercely bad tempered spasms, the water came unpleasantly through the roof of the Civil and Criminal Courts and the ceiling of the Supreme Court Library". Not much has changed as that clipping was from *The Courier-Mail* on May 30, 1938.

In the latest edition of the Australian Bar review, CQUniversity's new Bachelor of Laws received high praise from former High Court judge Michael Kirby.

Mr Kirby wrote that CQUniversity's online-focused law degree would be a drawcard for students from non-

traditional backgrounds — many were likely to give back to rural and regional Australia on graduation.

Old timers around the courts were interested to see a man's name come up in an appeal. He was the main offender in an armed robbery but his co-offender was appealing.

As a teenager, in the 1990s, he was found not guilty of murder but guilty of manslaughter for setting fire to a vagrant on the Gold Coast.

In an unusual District Court appeal a former soldier had his Magistrate's Court sentence for hooning reduced to a fine.

However, a discussion point was the recording of a conviction as he now works in security in Afghanistan and is employed by the Federal government. The judge decided to leave the conviction recording in place.

It is often strange the slant defendants put on court proceedings.

A woman on Centrelink fraud charges was sitting in the District Court public gallery when she asked her lawyer to point out the prosecutor. "So he's the baddie," she was overheard to say. Perhaps, a case of role reversal?

Piety of movement at Brisbane's larger law firms with HopgoodGanim appointing a senior legal practitioner. Gavin Batchelor joins HopgoodGanim as a senior associate in the firm's resources and energy team.

He has worked in Australia, the UK, South East Asia and the Middle East for firms including Clifford Chance, Minter Ellison and a Saudi Arabian associate office of Freshfields.

Meanwhile, after 20 years working for some of Queensland's largest corporates, Craig Thompson has been appointed Shine Lawyers chief financial officer and company secretary.