

dispute as to the validity of an enduring power of attorney executed by a vulnerable person, in resolving the dispute the Court ought to focus on the present incapacity of the vulnerable person.

The full text of his Honour's paper is available [here](#).

BOOKS

Neil Williams SC and Alison Hammond, *Learning to Litigate: A Guide for Young Lawyers* (The Federation Press, 2022)

Learning to Litigate is an invaluable guide to modern litigation primarily targeted at young lawyers while also offering a useful refresher for all practitioners. Authored by a highly experienced silk and a young barrister with previous experience as a litigation solicitor, the text gives practical guidance on the litigation process from the perspective of both barrister and solicitor. The central theme of the text is that advocacy can be learned; a notion important to litigation practitioners at all stages of their career. The work is split into three parts: becoming a litigator, techniques in advocacy and the bigger picture.

Insight is provided into the importance of developing professional instincts and commercial awareness in Chapter 5. The authors observe that little is taught in law school capable of preparing lawyers for making critical recommendations to clients based on weighing competing considerations which are not based on the applicable law, such as the identity of the opponent, history of the matter, the judge or tribunal member and the risk appetite of the client. The tips given for developing these skills range from working with others who have sound professional skills, asking questions of their decision-making processes and the factors considered, and consciously testing assumptions by tracking successful predictions. On being "commercial", the authors remind readers that although legal knowledge is important, realism and practicality have a crucial role to play in litigious matters; the conclusion being that lawyers who appreciate the importance of commerciality in their advice can better fulfil client needs.

The authors also emphasise the significance of effective pleadings in Chapter 8. Reasons given for the practical importance of pleadings include confining the scope of document discovery and evidence, setting out the final relief sought, and providing a structure for submissions at the final hearing. The authors offer general practical tips for drafting effective pleadings and explain in helpful detail the key steps involved in preparing each type of pleading. The final chapter titled "The law and a life" leaves readers with an essential message for starting or continuing a litigation career: pay conscious attention to what is both urgent and important in your professional and personal lives, as the former should not consume the latter. This text is certainly a worthwhile read.

J Sargent of Counsel

Editors' Note: For a list of standard and historical legal texts readers may refer to the [ICLRQ Model Law Library](#).

LEGISLATION UPDATE

Amendments to the Federal Circuit and Family Court of Australia (Family Law) Rules 2021

On 28 November 2022 several amendments to the [Federal Circuit and Family Court of Australia \(Family Law\) Rules 2021](#) commenced. Notably, the changes include the removal of the requirement to file a Parenting Questionnaire with every initiating Application or Response to Initiating Application. This will make the filing process more efficient and cost effective for the parties.

Privacy Legislation Amendment (Enforcement and Other Measures) Bill 2022

The [Privacy Legislation Amendment \(Enforcement and Other Measures\) Bill 2022](#) was passed on 28 November 2022 with only minor amendments. In the wake of recent high profile data breaches data protection has become a key issue for many individuals and organisations. The Bill increases the penalty for serious or repeated interferences with privacy under s 13G of the *Privacy Act* for a person other than a body corporate from \$444,000 to \$2.5 million, and for a body corporate from \$2.22 million to an amount not exceeding the greater of \$50 million, three times the value of the benefit obtained or, if the court