

In response to the COVID-19 pandemic, the UK Government decided to take swingeing lock-down measures in March 2020 that resulted in billions of dollars of business interruption loss to hundreds of thousands of enterprises in that country. In a landmark 2021 decision concerning insurance cover for such losses, a unanimous UK Supreme Court rejected “but-for” as the exclusive test of factual causation and confirmed that the law recognises that an unnecessary and insufficient factor may be a factual cause of an indivisible loss. The talk will describe the revolutionary procedure deployed in the case, how the Justices’ insightful introduction of non-insurance cases and commentary was crucial to the crafting of their decision and how profound an impact it may have across the entire landscape of the law.

For more information and to register see [here](#).

BOOK REVIEWS

Belinda Bennett & Ian Freckleton (Eds), *Australian Public Health Law, Contemporary Issues and Challenges* (the Federation Press, 2023)

For reasons which are obvious, public health has been at the forefront of international and domestic conversation since late 2019. In the face of the COVID-19 pandemic, unprecedented legislative and regulatory steps were taken by governments domestically and overseas including lockdowns, curfews and vaccine mandates. As a result, public health law has been in the spotlight to a significant degree. In that sense, *Australian Public Health Law, Contemporary Issues and Challenges* is timelier than ever.

This book, which takes the form of a collection of separate works edited by Professor Belinda Bennett of the Australian Centre for Health Law Research and Dr Ian Freckleton KC, covers modern day issues in public health law. The book covers a broad range of interesting and varied topics; from responses to the COVID-19 pandemic (and the related constitutional challenges to their validity), intellectual property law issues raised by medicines and vaccines, indigenous health, mental health, genomics, smoking and vaping and aged care.

The issues covered in this text are both current and topical. Indeed, it is Government responses and intervention in these areas that appear to be the hot-button issues. This text offers interesting and often thought-provoking insights into these areas, proffered by individuals well-versed in the field. The book is not a technical guide for the law on public health. However, it reflects informed views on topical issues and is a recommended read to anyone interested in expanding their knowledge and views about these areas – more than the perhaps surface level discussions which permeate through the news and social media.

L Gamble of Counsel

EDITORS’ SELECTION OF NEW QUEENSLAND CASES

- ★ *selected for reporting*
- ☆ *not selected for reporting, but otherwise noteworthy*

CRIMINAL LAW – WHERE THE APPLICANT WAS CONVICTED OF DRUG AND WEAPONS OFFENCES – WHERE THE SENTENCING JUDGE MISTOOK THE FACTUAL BASIS OF SENTENCE AS BETWEEN DEEMED AND KNOWING POSSESSION – WHETHER THE SENTENCING DISCRETION MISCARRIED – WHETHER PRESENTENCE CUSTODY SHOULD BE PARTIALLY OR FULLY DECLARED – PENALTIES AND SENTENCES ACT 1992 S 159A(1)

R v Atasoy [\[2023\] QCA 121](#) ★

This case was a successful sentence appeal where the applicant demonstrated a specific error. A noteworthy aspect of this case was how Flanagan JA (with whom Bond JA and Crow J agreed) approached declaring presentence custody under s 159A(1) Penalties and