

This book is not intended to be a detailed account of industrial relations. Much more fact-gathering needs to be undertaken before such an account could be written. Nor is it an essay in labour economics . . . or a history of the political and industrial labour movements.

But when that has been said, there is nevertheless a strong impression which must be retained by anybody with any working knowledge or experience of worker-employer relationships that this book gives by its very nature a one-sided view only of the global picture. The chapter on "The Industrial Process" illustrates the point. In the thirty-five odd pages, the author looks in great detail at the legal aspects of the jurisdiction of the Conciliation Councils and the Arbitration Court as well as the legal rules of judicial review. Two pages only are devoted to collective bargaining and work-place bargaining. In these two pages, the author appears to display a sound grasp of the nature and effect of these aspects of the Industrial Process but, in looking at the Industrial Process, it is surely clear that the proportions ought to be reversed and, even in a lawyer's book, thirty-three pages given to collective and informal bargaining. The judgment of Geoffrey Lane J. in *Ford Motor Company v. A.E.U.F.W.* [1969] 2 Q.B. 303 shows how necessary it is for lawyers to be aware of, and knowledgeable in, the practices and customs of industry in order to arrive even at a correct legal solution. That case concerned the legal enforceability or otherwise of a collective agreement and the Judge examined the "climate of industrial opinion" as revealed in the industrial practice in determining the intentions of the parties. *Pete's Towing Services* too shows an awareness—in that case—by the Judge of the industrial realities and of their relevance to a finding of justification as a defence to the tort of inducement of breach of contract.

It is to be hoped therefore that Professor Mathieson might one day find the time to do the necessary "fact-gathering" and to produce a third volume to the excellent work he has produced to date.

J. A. Farmer

OUTLINE OF LAW IN AUSTRALIA, by John Baalman, Barrister-at-Law. Third edition by Jean Malor, Barrister-at-Law. Sydney: The Law Book Co. Ltd., 1969. vii and 257 pp. (including index). New Zealand price \$6.85 (cloth), \$5.00 (paper back).

In the preface to the first edition of this work, written in 1946, John Baalman made the comment that for the seeker after general knowledge, law is perhaps the least accessible of all subjects. Since 1946 a great number of books about law and about various branches of law have been written for the man in the street: but *Outline of Law in Australia* is still one of the best of them. John Baalman's style is vigorous, astringent, and stimulating, so that one of the principal virtues of his book is that it holds the attention of the reader and excites his interest.

The book was not written merely as a primer for law students. Indeed, it could hardly be recommended as such. The fledgeling law student needs, not a general picture of the various divisions of the law, but rather an introduction to the organisation of the courts and the profession, to the use of the tools of his trade—the statutes and the law reports—and to the techniques involved in using statutes and cases to find the law and to develop a legal argument. *Outline of Law in Aus-*

tralia is designed, to quote from the preface, "to reach those members of the community who, without any intention of adopting law as a profession, regard some knowledge of the rules which regulate their daily conduct as a sheer cultural necessity". The first chapter is devoted to the sources of law in England and in Australia, and the second to the administration of the law. The remaining five chapters deal respectively with personal relations (including capacity, nationality and citizenship, domicile, corporations, and family law), property, contracts, torts, and criminal law. There are no footnotes, names and citations of cases are omitted, and particular sections of statutes are not referred to. There is, however, on pages 239-241 a bibliography and reading list arranged under subject headings for those who wish to pursue any particular topic further. The historical background to the law is never neglected, and, in the way in which it is treated by the author, legal history adds immensely to the interest and readability of the text.

Within the limits which the author set for himself, *Outline of Law in Australia* is a very good book. It admirably achieves its object of providing for the layman a conspectus of modern Australian law in its historical setting. The editor of this third edition has, very properly, confined herself to bringing the subject matter up to date.

G. W. Hinde

**POLICE KILLINGS IN AUSTRALIA**, by R. W. Harding, LL.B. (Lond.), LL.M. (Columbia). Australia. Penguin Books Australia Ltd. 1970. 266 pp. (including index). New Zealand price \$1.20.

This Penguin Special deals with a neglected area of criminology: the powers of the police and the way they exercise them. The author, a Senior Lecturer in Law at the University of Western Australia, considers a number of killings by the police in the course of their duty, and, in addition, he looks at deaths caused by nightwatchmen and ordinary citizens when making arrests. The book is an extremely readable one; Mr Harding sets out the details of each case in a vivid and economical manner. He also outlines the relevant law in a necessarily brief and condensed chapter.

He makes some sharply critical comments about police procedures and about the suitability of an inquest as a forum for the examination of evidence regarding killings by the police of offenders and suspected offenders. The author makes his views very plain: in several of the cases dealt with, he suggests, there was not a completely unbiased and thorough scrutiny of police actions. He talks bluntly about the spinelessness of many coroners, the frequent non-representation of the relatives of the deceased, and the fact that the police themselves gather and sift the information that eventually goes into the Inquest Brief, a fact which "provides an opportunity for information to be censored or rearranged at source, before even the Coroner or the person assisting the Coroner gets to it." (p. 220)

In none of the cases discussed could it be confidently asserted that the result was an unjust one. However, as Mr Harding's careful analysis clearly demonstrates, the evidence relating to some of the kills reveals doubts and inconsistencies. Yet in no case was the policeman concerned charged with a criminal offence, let alone tried.