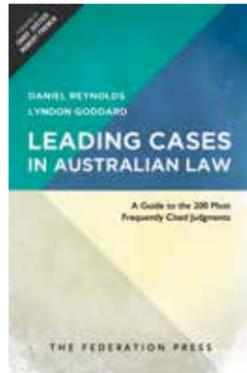


# books



## LEADING CASES IN AUSTRALIAN LAW: A GUIDE TO THE 200 MOST FREQUENTLY CITED JUDGMENTS

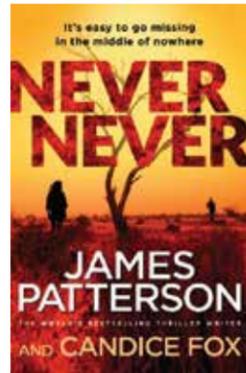
BY DANIEL REYNOLDS AND LYNDON GODDARD  
REVIEW BY JOSEPH SAMPSON

There are some ideas that are so simple it is baffling they took so long to materialise. Many years after electronic case databases made legal research immeasurably easier, a hard-copy collection of leading Australian (and some British) case law has finally landed.

This is the first Australian work to carry on the tradition from the UK and US of collecting leading cases in a volume of casenotes. The editors have chosen a sound methodology for selecting the cases: only the top 200 most-cited judgments by Australian courts have made the cut. This not only gives a broad sweep of important authorities, but also ensures the relevancy and effective lifespan of the book's contents are extended as long as possible.

The quality of the casenotes is excellent. Each contains a brief summary of the facts, a collection of *rationes decidendi*, additional insightful comments and sometimes an expanded formulation of principles from later decisions. References for further reading round out each case. The only quibble a reader might have is that useful information about the constitution of the bench has been left out, including the numbers and make-up of the majority and dissenting opinions. Dare I say it, the short summaries of facts and principles even make entertaining leisure reading for law nerds (which many of us are at heart, surely). The foreword by Chief Justice French contains a memorable defence of paper and ink publishing and a droll denunciation of the "frequent phenomenon of legal practice" in which "leading cases are cited like minor spells or cantrips in the hope that beneficial effects will flow simply from the invocation of their names."

In spite of my initial scepticism, *Leading Cases in Australian Law* may prove to be a worthwhile addition to a professional library. It is an engaging read, a welcome refresher and a handy reference for the most oft-cited principles of our common law. ■



## NEVER NEVER

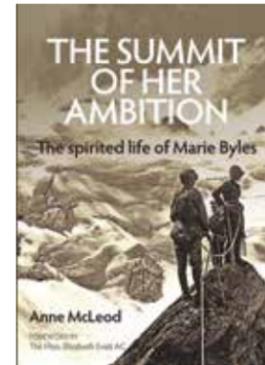
BY JAMES PATTERSON AND CANDICE FOX  
REVIEW BY JUSTIN MOSES

The practice of best-selling novelists co-authoring with lesser known writers is a perplexing one. Which author has contributed what content to the finished product? And what does the collaboration suggest about the future work (joint or individual) of the respective writers? *Never Never*, by James Pattison and

Australian author Candice Fox, prompts these questions.

Set at the fictional Bandy uranium mine in the middle of Western Australia's Great Victoria Desert, *Never Never* has all of the hallmarks of a James Patterson thriller. There is the mysterious disappearance of several mine workers; the gradually building evidence of a macabre modus operandi employed by an unknown villain; the investigating police office whose private life is presenting a massive distraction from the task at hand. Even though these plot elements are neatly interwoven to produce an engaging crime novel, the finished product is highly commendable rather than masterful. This suggests that Candice Fox has played the dominant role in writing. And that would make perfect sense. The characterisations are strongly Australian, as is the description of the landscape (although given the book's title, the desert could have played a more prominent role). While it is arguable that the identity of the killer can be guessed too early, the significant, unresolved personal issues of Detective Harriet Blue suggest that further episodes in her investigative career will be forthcoming.

Should that happen, Candice Fox will no doubt cement her standing as a leading Australian crime writer, as promised by her receiving Ned Kelly awards (Australia's leading literary awards for crime writing) in 2014 and 2015. Then, it will be her name rather than James Patterson's that appears in large font on the book's cover. ■



## THE SUMMIT OF HER AMBITION: THE SPIRITED LIFE OF MARIE BYLES

BY ANNE MCLEOD  
REVIEW BY JANE SOUTHWARD

Anne McLeod found out about Marie Byles when she stumbled on her book about Buddhism, *Footprints of Gautama Buddha*, during a holiday in India in 1993.

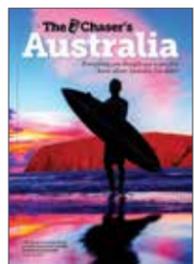
"I had no idea the author was Australian ... the first female solicitor of NSW who fought for women's equal rights in the law," McLeod writes.

McLeod started researching Byles, ploughing through letters, diaries and books at the State Library, as well as reading Byles' various books, many about her travels and bushwalking. She concluded: "Marie was a force of nature, but no saint."

McLeod has crafted a highly readable book about a truly inspiring woman who was ahead of her time. Solicitors will be impressed by the story of Byles' incredible determination to break down barriers. She was born in England in 1900 to a feminist mother and signal engineer father. The family moved to Sydney in 1911. In 1924, she triumphed over the patriarchal legal profession which had long opposed allowing women to practise law in NSW, even though in Victoria women had been solicitors since 1905. Five years after admission, after earning a second degree in economics, she set up practice in Eastwood. Byles fueled her soul with travel and environmental pursuits and much of the book covers her escapades as well as her search for peace through Buddhism, which are perhaps less satisfying elements of her story.

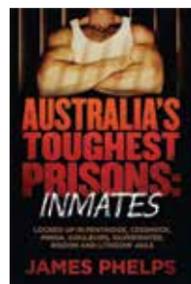
The Hon Elizabeth Evatt AC writes in the foreword that she met Byles in 1974 at a gathering of women lawyers at her home on the 50th anniversary of her admission to practice. "She was ahead of her time with her commitment to equality, peace, justice and humanity," Evatt writes. Enough said. Dive in and be inspired. ■

## OUT NOW



## THE CHASER'S AUSTRALIA

A tongue-in-cheek guide to Australian culture, divided into six hilarious sections: politics, history, the nation, sport and religion, culture and media and people. Editor-in-Chief Charles Firth has promised that the religion section "covers all the major denominations: AFL, NRL, soccer, cricket, even lawn bowls."



## AUSTRALIA'S TOUGHEST PRISONS: INMATES

These are the true and uncensored accounts of Australia's hardest inmates, from award-winning *Daily Telegraph* journalist James Phelps. Meet notorious criminals such as Martin Bryant – the man responsible for the Port Arthur massacre in 1996 – and discover the lethal underground trades, fights and secrets hiding inside Australia's toughest prisons.



## THE PATH TO SUCCESS IN CONVEYANCING AND PROPERTY LAW PRACTICE (E-BOOK)

The Australian Institute of Conveyancers named Garth Brown Conveyancer of the Year in NSW in 2015. This e-book is a step-by-step guide to successful conveyancing practice. Download at [conveyancers.net.au/books\\_stepbystep.htm](http://conveyancers.net.au/books_stepbystep.htm)

# MOVIE GIVEAWAY



## EMBRACE OF THE SERPENT

IN CINEMAS 28 JULY

We have 10 double passes to Spanish director *Ciro Guerra's* award-winning screenplay *Embrace of the Serpent*. The film is a gripping true story that follows the quests of two European explorers through the Amazon in search of a rare flower alleged to have healing properties. Stunning black and

white cinematography and evocative sound design won the film eight Colombian Oscars, a nomination for Best Foreign Language Film at the 2016 Academy Awards, and selection in multiple international film festivals including Cannes, Toronto and Sundance.

To enter, email postal contact details with **EMBRACE OF THE SERPENT** in the subject line to [filmmoffers@lawsociety.com.au](mailto:filmmoffers@lawsociety.com.au) by 8 August. Visit [lawsociety.com.au/lsgiveawayterms](http://lawsociety.com.au/lsgiveawayterms) for terms and conditions.

## MUST DO



## THE SUN-HERALD CITY2 SURF SUNDAY, 14 AUGUST

The City2Surf annual 14-kilometre road race is one of Sydney's most popular running events. The course takes runners from Hyde Park in Sydney's CBD, up the gruelling "heartbreak hill" and down to the iconic finish line at

Bondi Beach. Anyone can enter, from elite athletes to parents with prams and dress-up characters. This year nine lawyers from the Law Society of NSW will run to raise money for Ovarian Cancer Australia. Help them reach their fundraising target by donating through [ovariancancer.secure.force.com/CICD\\_Donations?id=70116000001IHrd](http://ovariancancer.secure.force.com/CICD_Donations?id=70116000001IHrd)

## Quiz answers (from page 16):

1. Regina, the Latin term for Queen, is used to refer to the Crown.
2. Section 44
3. Theresa May
4. The Lisbon Treaty
5. Two years
6. *Pokemon Go*
7. The Philippines and China
8. 40km/h
9. Sexual assault
10. Two years