

measurable potential benefit to humanity (p 18).

- The way in which we regard and use our remaining native forest areas has become a major public issue. At times the views of the forest industry and conservation groups seem diametrically opposed and irreconcilable. Yet the heart of the issue is a matter of balance — recognising that forests are valuable for a variety of reasons, and that forestry industry development needs to be balanced with the protection of other values, including biological diversity, air and water quality, soil conservation, wildlife habitat and recreation. The Government is committed to achieving this balance and is pursuing the following objectives to secure the future of both the forests and the forestry industry:
 - an environmentally responsible and sustainable forestry industry, with the highest standards of forest management
 - the conservation of biological diversity and viable, representative forest ecosystems
 - the promotion of efficient, value-added forestry industries (eg the processing of wood into pulp and paper products in Australia rather than overseas) (p 49).

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product liability

Only in growth, reform and change, paradoxically enough, is true security to be found.

Anne Morrow Lindbergh,
The Wave of the Future, 1940

In April, the ALRC issued a Discussion Paper containing draft legislation on product liability.

In the Discussion Paper the Commission said that current product liability laws are inefficient and unfair. They do not place the risk associated with goods on those who obtain economic benefit from manufacturing them. By imposing unnecessary costs they deny people access to their legal rights. The draft legislation proposed would match the economic benefits of manufacturing and supplying goods with the risks of the effects of those goods, and would reduce the costs associated with manufacturing goods and of claiming compensation. The Bill took account of concerns which were widely expressed in earlier consultations. The provisions include

- manufacturers' liability to pay compensation is closely matched to the involvement of the goods in the loss
- full account is taken of unreasonable behaviour by the claimant and the effect of other goods
- no compensation is payable if the claimant had assumed the risk that the goods would act as they did
- there is a defence where goods comply with 'mandatory standards'.

The claimant must provide information about how the loss was suffered and be available for cross-examination. This will enable manufacturers to determine quickly whether to settle or to dispute the claim.

The Commission organised a series of seminars in Sydney, Melbourne, Canberra and Brisbane, to discuss the revised proposals. It has also published a further economic report on the impact of its proposals (Research Paper 2A). The report, by Mr Richard Braddock, Senior Lecturer in

Economics at Macquarie University, found that the basis of liability suggested by the Commission would provide effective and equitable compensation to persons injured by goods, taking into account unreasonable conduct by the injured person and third parties. It would also reduce litigation costs.

Mr Braddock says that the ALRC's most recent proposals

are an improvement in the delivery of economically efficient compensation to persons suffering product related injuries. They would provide a very acute incentive for manufacturers . . . to produce safer goods, with accurate, adequate . . . information and warnings.

However, Mr Braddock indicated two matters which would have undesirable impacts on manufacturing industry and the Australian economy. These are

- the relation of the ALRC's proposals to other laws, particularly State laws providing compensation for workplace and other injuries, and
- the availability of a 'state of the art' defence.

Both these aspects of the ALRC's proposals were closely reconsidered before the ALRC presented its final report on product liability to the Commonwealth Attorney-General, Mr Lionel Bowen. The report will be made public when it is tabled in Parliament.

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the law and multiculturalism

When the Opposition spokesman for Immigration and Ethnic Affairs, Phillip Ruddock, told the Victorian Labor MHR Andrew Theophanous that he really couldn't

quarrel with multiculturalism as defined in the National Agenda documents, Dr Theophanous replied, "Ah yes, but are you in favour of full-blooded multiculturalism?" I don't know what Mr Ruddock's reply was, but I know what mine would be: "Not bloody likely."

Lauchlan Chipman, Foundation Professor of Philosophy, Wollongong University, *Sydney Morning Herald*, 1 August 1989

The Commonwealth Government launched its National Agenda for a Multicultural Australia on 26 July 1989. In doing so it described multiculturalism as a policy for managing the consequences of cultural diversity in the interests of the individual and society as a whole.

The Commonwealth Government has identified three dimensions of multicultural policy:

- cultural identity: the right of all Australians, within carefully defined limits, to express and share their individual cultural heritage, including their language and religion;
- social justice: the right of all Australians to equality of treatment and opportunity, and the removal of barriers of race, ethnicity, culture, religion, language, gender or place of birth; and
- economic efficiency: the need to maintain, develop and utilize effectively the skills and talents of all Australians, regardless of background.

These dimensions of multiculturalism are expressed in the eight goals articulated in the National Agenda. They apply equally to all Australians, whether Aboriginal, Anglo-Celtic or non-English speaking background; and whether they were born in Australia or overseas.

There are also limits to Australian multiculturalism. These may be summarized as follows:

- multicultural policies are based upon the premise that all Australians should have an overriding and unifying commitment to Australia, to