

the Perth office of the Commonwealth Director of Public Prosecutions. More structured interviews of a larger, more representative sample of women on social security would not only be more rigorous, but also lead to sounder conclusions.

Recent press reports of judges' attitudes to women in court make it clear that there is a need for more awareness of the discriminatory practices faced by women in the legal system. This report is important in that such problems can be examined and exposed with a view to positive change. However, if research is not initially extensive enough, it will have less impact. For social security offenders, focusing on discriminatory treatment is likely to obscure other more fundamental issues – and create deviant populations. It may be that combined factors such as being working class, poor, and having little education may have more to do with why social security recipients are sent to gaol than gender. For example, the differential and much less punitive treatment of taxation offenders as compared to social security offenders suggests that the particular experiences of women outlined in this report are not dissimilar to the experiences of all social security beneficiaries. While this report highlights useful issues, it does not go deep enough.

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Labour Law Text and Materials

by W.B. Creighton, W.J. Ford, R.J. Mitchell; Law Book Company, 1993; 1564 pp; \$125.00.

The authors of *Labour Law: Text and Materials* have achieved their aim – to provide a balanced exposition of the relationship between law and labour relations in Australia. They have done so comprehensively and clearly in 41 chapters over 1564 pages of text. It is difficult to do justice to such an extensive text in this brief review.

The second edition of *Labour Law* was published in January 1993. It is a fully revised version of the first edition published in 1983. While it is one of

the most up to date books, it does not cover the changes in late 1992 in Victoria with the introduction of the *Employee Relations Act 1992* or the recent developments in enterprise agreements at the State and federal level.

This is not just a text for people searching for extracts of cases, pithy summaries, and key provisions of legislation. The authors also go much further by analysing the practice and principles of industrial law in a political, social, economic, and philosophical context.

The book addresses the micro and macro levels of industrial relations, from the relationship between individual employee and employer, to the award system and the role of trade unions, government, the courts, and the Commission in formulating and implementing industrial law.

These authors rely on a wide range of resources. They cover leading Australian and overseas decisions, newspaper reports and letters to the editor, journal articles, extracts of awards and parliamentary debates. The bibliography is extensive – and throughout the text the reader is referred to interesting and varied material.

Case studies illustrate industrial law in practice. An example is the Queensland electricity industry dispute in the chapter on the dominance of federal awards. Here, the Full Bench's decision is discussed in the light of the history of industrial disputes in the electricity industry and the parties' approach to resolving the dispute. The example gives an insight into the powers of the Commission and its role in disputes.

The book is divided into five parts: the individual employment relationship; the Australian labour law system; trade unions and industrial organisations; industrial action; and occupational health and safety.

Clearly, there are many other areas that it could cover. There is little discussion about equal opportunity and anti-discrimination law – growing in importance. Likewise the authors have not tackled the corporatisation of workplaces through employee share schemes, or the application of sophisticated management theories and techniques to improve the workplace ethos,

productivity and profits. The authors have chosen to focus on traditional industrial law issues.

Throughout the book, the authors take the view that a sound understanding of Australian labour law requires appreciating the constitutional process and how it operates in a federal context. The process is more than the demarcation between Commonwealth and State power, or the identification of an interstate dispute. For example, chapter 14 considers the Commonwealth's constitutional power in the recent decision of *Polyukhovich v The Commonwealth* (1991) 172 CLR 501 and the use of the external affairs power (s.51 xxix). This in turn raises the issue of the impact of international labour laws and the International Labour Organisation's work in Australia. The book's coverage of international labour issues is enlightening.

If recent debate is any indication, Australian labour relations and industrial law will continue to play a significant role in Australian political and social life. People wanting to participate in the debate should be familiar with the industrial process and its history in Australia. This book provides this and much more. It will be an invaluable resource to experienced practitioners and to students of industrial law and relations.

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