

in that edition of Goff and Jones. I tried nearby pages, checked the index for the topic and perused all related pages, to no avail. I inverted the numbers, thinking perhaps the reference meant page 16. No luck. I then tried the same page in the 3rd edition. Wrong again. Desperate, I emailed Professor Cope to sort out the confusion. Three months later

came the reply. It seems the passage was removed from the 4th edition, although it did appear elsewhere in previous versions. So now I wonder if the whole theory of the law on proprietary remedies has been changed again...

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Crime and Criminology: An Introduction

Rob White and Fiona Haines; Oxford University Press, 1996; 239 pp; \$29.95 softcover.

Crime and Social Control: An Introduction

Rob White and Santina Perrone; Oxford University Press, 1996; 279 pp; \$29.95 softcover.

White and Haines have done a great service to Australian criminology. While *Crime and Criminology* is subtitled 'An Introduction' it is a thoughtful and very readable account of past and present criminological thinking which will serve not only those new to the field, but also veterans who wish to pause and reflect on 'what it all means', a not uncommon experience among working criminologists.

The first chapter is essentially a guide, How to Study Crime. Importantly the authors alert the reader to different ways of approaching the task, for example:

- vocational — reform and problem solving
- critical — raising deeper theoretical questions;
- levels of analysis — individual, situational, structural;
- political orientation — conservative, liberal, radical.

Here and throughout the book, they give examples, provide a useful chart, draw links between the phenomena discussed, and give a balanced and fair account of the matters focused on. This chapter should be especially useful for teachers attempting to assist students, both in criminology and other studies, in learning how to think critically in an organised and analytical manner.

The following chapters together provide a clear, succinct, yet fairly comprehensive and balanced discussion of various approaches to thinking about crime and its causes: Classical Theory; Biological and Psychological Positivism; Strain Theory; Labelling Perspectives; Marxist; Feminist; New Right; Left Realism; Republican; and

Critical. Each is organised in the following manner: Introduction; Social Context; Basic Concepts; Historical Development; Contemporary Example; Critique; Conclusion and Further Reading (there is also a 10-page list of references including a high percentage of Australian sources).

In their brief Conclusion, the authors provide a useful reminder of reasons for the existence of differing criminological positions on contemporary issues:

Each theory or perspective embodies particular values regarding 'what is' the nature of present society, and 'what ought to be' the best way to deal with social issues such as crime ... the doing of criminological theory, research and practical intervention is always at one and the same time a statement about the kind of world each of us would like to see, and a response to the world of which we are an integral part. [p.212]

Recognising the political importance of law-and-order debates, they also suggest that

in the light of current public perceptions about the 'crime threat' and general unease about the future of jobs, the environment, peace and respect for human rights, it is more essential than ever to think critically about the nature of crime, how it occurs, who it affects, and what can be done to prevent or control it. [p.212]

The book is designed for teaching, particularly at first year university level. It should prove highly successful for that purpose, as well as a useful 'refresher' for those already into the thickets of criminology (perhaps too deep to see the forest!).

Crime and Social Control is another introductory text co-authored by Rob

White, this time with Santina Perrone. It complements *Crime and Criminology* in subject matter and has the same attributes such as being clearly written, succinct, thoughtful, attentive to theory but not abstract, full of examples, helpful summary charts, and ample references (19 pages, much of it Australian material). Again, an excellent text for students and their teachers. It is also a provocative read for criminologists and those working in criminal justice.

The book is organised around 'five broad areas of topical concern and interest': the police; the courts; punishment and correction; community-based responses (including crime prevention, diversion and ADR); and victims. The authors thus 'provide a broad survey and introduction to the major institutions of criminal justice and the issues specific to these' commenting:

It is our hope that by combining baseline descriptions with substantive critiques of the institutions of criminal justice, the reader will be better able to appreciate the complexities, limitations and possibilities of the social control of crime in Australian society. [p.9]

It is to be hoped that this book will be read widely. As the authors note: '[a]n informed view of criminal justice is the best guarantee that the use of violence and coercion by the State will indeed reflect concerns with social justice' (p.9).

As noted, the two books complement each other and the authors of this volume signal the importance of the connection:

The specific ways in which crime control is constructed, and the different orientations of crime control, reflect varying conceptions of the nature of crime and criminality ... how we view the causes of crime has direct implications for how we respond to it and how we attempt to control it ... Thus an underlying concern of this book is to expose the *politics of social control* as this pertains to the criminal justice area. [p.8]

As this description suggests, the former book lays out major 'ways of thinking' about crime while this one is addressed to the policies, practices and politics of dealing with crime.

The authors do not set out to provide a comprehensive account of social control, both formal and informal, state and non-state. It seems a reasonable choice, in an introductory text, to concentrate on 'the state-organised reactions to crime and offending behaviour, with special attention being given to the formal institutions of criminal justice'

(pp.2-3). In so doing, they give a brief but helpful account of the state and an understanding of the role of the state from conservative, liberal and radical standpoints.

While there is a great deal of discussion currently about the withdrawal of the state, and we see this in the emergence of privatisation in the area of criminal justice (for example, police, prisons) the central focus of the book is nevertheless appropriate: the state — when, where, how and why it intervenes in crime and punishment. For, as the authors argue in their pithy conclusion:

the institutions and agencies of criminal justice are not fundamentally concerned with crime as such — they are the symbols of state authority, which in turn encapsulates the central social and power relations of a society. Social control, as a mirror of these relations, is as much an ideological intervention in the world of the majority as it is direct coercion in the lives of some. The ways in which social regulation in general is achieved and contested always manifest the conflict between the powerful and less powerful in society. [pp.244-5]

How is that conflict managed in a nation where true unemployment is far higher than the official figure of 8.5%, where about one-third of the population is in poverty, and the rich (getting richer each year while the poor go the other way) have the option to pay tax while basic public services are run down and multi-national capital thrives on its globalising diet?

The minimalist state of the Right is gearing up: free market, strong state. A society lacking in social justice, a highly polarised society facing 'structural readjustment', 'downsizing' and 'inefficiencies' in the workplace caused by 'militant unionism'; such a society will see, as we are seeing, the development of a law-and-order crime control agenda (and no doubt the Olympics will give it a kick onwards).

White and Perrone are well aware of this political grounding of crime policy and the dialectics of crime control. Thus they comment:

(T)he polarisations in society are ... similarly embedded in the practices and institutions of social control ...

The legitimate violence of the state is thus being directed at the symptoms of disorder. This inevitably places many officials of the state in an invidious position. To maintain public order, to prevent crime, to deal with the persistent offender, to cater to the needs of those most victimised, demands much more than the police or courts alone can give.

This is the central dilemma of criminal justice today — to envisage and implement a truly just and fair system in the context of a society massively divided and moving rapidly away from the ideals of equality, full participation and social cooperation. [p.246]

Indeed, it seems a very big ask!

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jurisdiction and choice of forum, legal aid, explanation of legal terms, and so on, the booklet gives more detailed coverage in separate chapters of the New South Wales and federal provisions, respectively. Finally, it includes a list of further resources and contact points. To this end, the authors are clearly aware of the need not to give readers a false sense of security — that if they simply follow the recipe they will necessarily be able to achieve a satisfactory outcome on their own behalf.

A couple of minor reservations include the lack of prominence given to time limits early on in the booklet. Given that it is a 'self-help' book, these should have been given prominence early on, preferably perhaps with a table setting them out for each jurisdiction, including also appeal time limits. As it is, the first obvious reference to a time limit appears on p.21 of the book, in relation to a NSW claim. There is a reference on p.6, in the section headed 'Get advice early and quickly', but the time limit is buried in the same font as the text, and should be given much more prominence.

Secondly, and this is not the fault of the authors, some information is already out of date. For example, the reference on p.11 to the jurisdictional limit on non-award employees earning over a prescribed amount is already superseded. This is probably unavoidable when this sort of regulation changes so frequently, but it might be better to include a warning to let people know of the risk of frequent amendment.

Thirdly, some important legal concepts (such as the difference between genuine redundancy and dismissal) are not always dealt with succinctly or explained as clearly as they could be — but again, this is a difficult task for a book which is designed to be a handbook, not a law journal.

These are, however, minor criticisms of what is overall an excellent, and much needed guide for the ever-burgeoning number of employees who are dismissed, many of whom would probably not have been able to avail themselves at all of the unfair dismissal remedies without a manual such as this.

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An Employee's Guide to Unfair Dismissal

Inner City Legal Centre and Redfern Legal Centre Publishing, November 1997; free (with \$5 handling charge)

This is a 'hands-on' guide aimed at assisting employees negotiate their way through the minefields of an unfair dismissal application. It covers the New South Wales and federal unfair dismissal legislation, and advises employees how to select the appropriate jurisdiction.

The book is in a long tradition of excellent publications by Redfern Legal Centre Publishing designed to make legal rights and remedies accessible to people unable to afford, or not wanting, the services of a solicitor. However, an unrepresented person can only go so far before self-representation becomes difficult if not impossible. This book straddles the difficult position between on the one hand having to impart as much information as possible to make

the remedies utilisable by people who are self-represented, and on the other hand recognising that it is not able to replace sound legal advice from practitioners in the field, due to the complexity of many of the provisions (particularly, for example, the election required between the types of termination after the conciliation stage). These technical barriers apply especially to the federal *Workplace Relations Act* unfair dismissal provisions which are far more technical than the previous federal legislation (not to mention significantly curtailed in terms of jurisdiction and remedies).

In view of this difficulty, *An Employee's Guide to Unfair Dismissal* is excellent. After an Introduction which covers threshold issues such as

Apology:

In *Bits* in the last edition we wrongly attributed the review of *Psychic Warrior* to Frith Way. Out apologies to the reviewer, Brad Cooper.