

Judicial Review of Administrative Action by Mark Aronson and Nichola Franklin (Law Book Company, Sydney, 1987) pages 1–720 Price \$95.00 (hardback) \$67.50 (soft cover) ISBN 0 455 20721 6 (hardback), ISBN 0 455 20722 4 (soft cover).

The relative merits of this ultimately extremely impressive work tend to reflect those of administrative law itself. On the plus side, it is forward-looking, locked in the task of grappling with exciting new developments and vitally concerned with the complex relationship between the workings of government and the functioning of the courts. What may not provoke such enthusiasm in the reader, although the phenomenon would certainly not be unfamiliar to any student of administrative law, is the fact that discussion of a few topics in the work leaves one with a somewhat disappointed feeling that the matter at hand has not been resolved, but has rather vanished mysteriously into thin air without having left any firm impression of the substantive legal position.

In this respect, I have most in mind parts of chapters three, four and five. These chapters together deal with the subjects of what might conveniently be referred to as broad and narrow ultra vires. Here, the authors give over some 65 pages of a 700-odd page book to topics which, in most texts, would be treated in rather more detail. More space than this is devoted in chapter 12 to the single issue of freedom of information (vital though that issue is), while nearly as much is granted to a discussion of the remedies of certiorari and prohibition in chapter 18.

It would seem likely that this comparative brevity is at least partly responsible for the feeling of dissatisfaction outlined in the first paragraph of this review. By way of example, the much vexed vires-jurisdiction distinction in terms of grounds of review is not dealt with in any great depth. It may be that the distinction is at last on its death bed, but if so, it deserves fuller funeral rites than it receives here.

These comparatively minor criticisms aside, *Judicial Review of Administrative Action* has very real strengths, which will undoubtedly serve to make it a standard work in Australian administrative law. Not least of these is the fact that the book is lucidly written and clearly organized. It also exhibits a keen appreciation of the underlying governmental framework, the existence of which is so crucial to any understanding of administrative law. Significantly, in view of its ever-increasing prominence in this area, natural justice receives a treatment commensurate with its importance, with some three chapters totalling together in excess of 100 pages being given over to its discussion.

Of great use is the excellent chapter written by Peter Baynes on the subject of Freedom of Information. It is no longer possible to write a text upon the general subject of Australian administrative law without taking into account the effect of this vital legislation. It may also be noted that the chapters dealing with remedies are clear and instructive, and manage to avoid cluttering their discussion of a far from straightforward topic with the unnecessary diversions and distinctions found in some other works.

In summary, this is a very good book indeed. It will quickly (one would suspect almost instantaneously) be taken up with enthusiasm by the courts, the profession, academics and students. In an area which is developing as quickly as that of administrative law, the virtues of a book which looks resolutely from the present into the future, rather than seeking to jumble together the tangled skeins of the past, cannot be over-stressed.

GREG CRAVEN*

* LL.B. (Hons), LL.M. (Melb.), Lecturer in Law, University of Melbourne.