

“Administrative Law”

Book Squib*

[Hayley Katzen and Roger Douglas, *Administrative Law*, Butterworths Tutorial Series, Butterworths, 1999, pp xxii, 342, RRP \$ 45.00, (\$39.60 with 12% Co-op discount), softcover only, ISBN 0 409 31570 2.]

The *Butterworths Tutorial Series* adopt a hands-on, problem-solving approach. As the series name implies, they can be used by students to facilitate independent learning or as the basis for tutorial discussions. In keeping with the broad goals of the series, *Administrative Law* aims to provide a simple and concise introduction to Australian administrative law. The text is intended to provide a basic framework or structure and to simply highlight important principles and decisions. It is not designed as an exhaustive treatment of administrative law, or even as a stand-alone text. However, the core areas of administrative law, judicial review and merits review, are dealt with so thoroughly that, teamed with a casebook and ones own teaching materials, *Administrative Law* could indeed serve as a prescribed text.

The structure of the book is clear and elegant. The text is divided into six parts. An Introduction provides key definitions and sketches the constitutional framework for Australian administrative law. Then follows merits review, judicial review and access to information. Part 5, *Other Avenues of Accountability*, includes a chapter on the role of the ombudsman and an excellent chapter on the organisational and political controls on decision makers. The final part of the text is a very welcome and valuable discussion of choice of forum issues

Throughout the text the emphasis is on simplifying and clarifying key principles, and focussing attention. For a law student struggling through a casebook and the less economic prose of some of the major texts, *Administrative Law* could well be a lifeline. Indeed, with its judiciously chosen seventeen chapters, lecturers seeking a recipe for condensing the complexities of administrative law into a confined number of teaching weeks could benefit from the lean, but not parsimonious, presentation adopted by Katzen and Douglas.

An outstanding feature of *Administrative Law* is the inclusion, at the end of each chapter, of a problem question and fully

worked answer. This technique is increasingly common in legal texts, but what sets this work apart is the freshness and creativity of the problems, which avoid the tedium typical of such exercises without being unduly eccentric. In terms of subject matter, these problems step away from the usual environmental and customs issues which tend to be laboured in administrative law hypotheticals and explore a challenging range of issues such as feminist and lesbian issues within the framework of the (fictional) victims compensation legislation. The resolution of each of these problems is detailed and expert, providing students with an excellent template for tackling administrative law, or indeed any legal, exam question. The tutorial questions are a great strength of the text, but run the risk of being neglected by students if not used formally in a classroom setting. Some more general discussion questions and a selection of suggested further readings are provided to round off each chapter.

A possible question mark hanging over *Administrative Law* arises not from any shortcoming in the text itself, but with the strategic positioning of the series itself. Given the tendency to prescribe students both an expensive casebook and one of the more conventional, weightier (literally) textbooks, there is a danger of *Administrative Law* being relegated to the ranks of the recommended readings. If such an elegant, useful and student-centred text is consequently under utilised in Australian law schools it will be a shame.

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