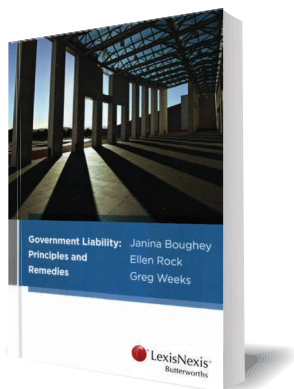


## IN PRINT

This month's books cover the Hon Frank Vincent's life story, government liability, rent review determinations and the law of jurisdiction.



## Government Liability: Principles and Remedies

J Boughey, E Rock, G Weeks, 2019, LexisNexis, pb \$128

At the time of writing, Australia was by government order quarantined, and most commercial activity curtailed with threats of fines and imprisonment for non-compliance. So, what happens if government legislates plain packaging of tobacco, if police raid a journalist's home or if a statutory authority causes a farmer's oysters to become infected with hepatitis? This is the theme of this book, ie, how do "private" remedies apply to government activities? A proposition/question thoroughly discussed on the basis that there is no clear delineation between private and public law, but an intersection of principles and remedies, applicable in many ways.

Traditional administrative law is designed to review executive government actions, but consider the changing nature of government actions in private equity partnerships, and outsourcing of services, including detention of individuals. There are "remedies" to check government actions for powerless citizens, eg, by merit-based tribunals and interventionist ombudsmen. But how does this relate to private claims of negligence, false imprisonment, breach of contract, abuse of power, malicious prosecution and discretionary compensation schemes for stolen generations and native title?

This book is a comprehensive study and exploration of established law, which takes the reader through the basics of common law and statutory remedies, some old and some recent, into the aptly named "remedies undeveloped in Australia". This great study refers to overseas experience and the possibilities of holding government, agencies and other instruments of government action, potentially responsible with an application of innovative remedies. This book provides a comprehensive explanation, in plain English, of the breadth of actual law and procedures applying to government, and an outline, and application, of unexplored areas of private law. A great resource for students and practitioners alike.

**David Parker**, sessional law lecturer