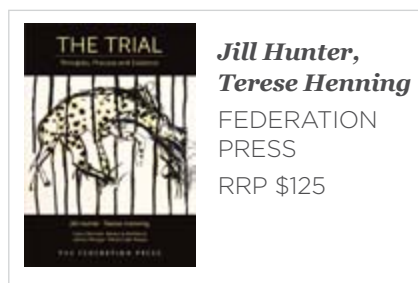


The Reading List

Book reviews for Society members,
by Society members

The Trial

Principles, Process and
Evidence



This is an engaging text book that ably delivers all that is expected from the title. It is difficult to make text books engaging and entertaining, but this is certainly one area of law where that is possible, and this book does not fail to be enjoyable.

I was slightly disappointed that the focus of so many cases incorporated into the text is predominantly criminal, albeit with mention of some civil matters. It may be that future editions will incorporate revisions aimed more at including civil litigation matters.

That said, the text is one which can easily be used by any practitioner who has a trial — be it a criminal or civil matter. This text manages to find the balance between being comprehensive and authoritative as it explores the principles and processes associated with trials, without overwhelming the reader, to the point of being redundant.

The chapter on legal privilege is in-depth and one which every student about to become a practitioner ought to read, regardless of their intention to practice either in-house or as a private practitioner. It superbly deals with the scope of this privilege and the concepts of dominant purpose, legal advice as opposed to litigation privilege and waiver of legal privilege under either the Uniform Evidence Act or at common law.

The chapters on witnesses and evidence, which take up a large portion of the text, are the thing you would expect to find in an advocacy text — the theories for the evidence hearsay rule and *Browne v Dunn* were simply stated in a way that will make it easy for either students or lay persons to read and understand. At the same time, the content has the depth that you would expect a seasoned practitioner to know.

One of the useful functions of this book is the Appendix, which contains an illustrative hierarchy table of key provisions from the Uniform Evidence Act and whether such a provision requires direction, leave or permission from the Court or advance notice to the Court.

This book is an easy read, made all the more interesting by the succinct summaries of fascinating criminal matters before each relevant judgment passage. It will likely be well-received by both students and practitioners. This should be a go-to text for many practitioners who see inside the courtroom enough to be aware of these processes, without being expert trial practitioners or advocates.

Jillian Flinders

PUBLIC SERVANT

Creating New Futures

Settling Children and Youth
from Refugee Backgrounds



Mary Crock
(editor)

FEDERATION
PRESS

RRP \$49.95

Creating New Futures is written at a time when a record number of people are on the move as refugees and other forced migrants. UNHCR estimated that in 2014 more than 59 million people around the world were displaced as a result of persecution, conflict, generalised violence or human rights violations. More than half of these people were children.

This book is a collection of essays by law academics, lawyers, researchers and social workers. It offers a cross-disciplinary look at the law, policy and practice which applies to how refugee children are admitted and resettled into Australian society. Insight is provided into how the child refugees themselves perceive resettlement. The book presents some of the findings of the 'Small Mercies, Big Futures' project.

The book is organised into three parts. Part I includes an essay by Mary Crock and Hannah Martin which provides a useful overview of the many legal and policy changes which have occurred in Australia in recent years and which impact on the admission of child refugees. Part II explains how children are selected for inclusion in managed resettlement programs. The role and capacity of UNHCR is clarified. Part III gives attention to the subjective settlement experiences of child refugees, including the particular challenges faced by unaccompanied child refugees. The accounts from children and young people of their experiences are very moving. In addition, Part III contains two chapters which migration law practitioners may find particularly useful, being Mary Anne Kenny and Ali Mojtahedi's article on the narrowing of family reunion rights for refugee children and Kim Rubenstein and Jacqueline Field's article on the restrictions which have been placed on the citizenship rights of children in such circumstances.

The core message of the book is that the settlement experiences of child refugees matter. Children from refugee backgrounds have often experienced severe trauma and hardships. Positive settlement experiences can facilitate healing and promote the child's growth and development which benefits both the child and Australian society.

The book is a useful and thought-provoking guide to the issues which emerge from the resettlement of child refugees in Australia.

Liz Hughes-Brown

WELCOME LEGAL