

IN_PRINT

Creating New Futures: Settling Children and Youth from Refugee Backgrounds

Mary Crock (ed), *Creating New Futures: Settling Children and Youth from Refugee Backgrounds*, Federation Press, 2015, pb \$50

These days, asylum seekers and refugees receive a great deal of attention from diverse sectors. However, the focus is rather narrow, with most of the debate confined to how many refugees Australia should take, the appalling conditions in which asylum seekers are detained on Manus Island and Nauru, and the extraordinary lengths to which the Australian government is prepared to go to ensure that the Australian population is kept in the dark about the abuse occurring in our offshore detention centres. There is little consideration given to what becomes of refugee children who are settled in Australia. How do we help them to overcome the trauma of war and violence from which they have fled, and facilitate them successfully integrating into society in their new home. Within this context, the publication of *Creating New Futures: Settling Children and Youth from Refugee Backgrounds* is very welcome.

The foreword sets the tone for this collection with Dame Marie Bashir AD CVO recounting the way Australia received refugee children after the Vietnam War – close to 30,000 children who were without adults in their lives. The Fraser government accepted these children and asked society to embrace them. These children were welcomed and supported, while at the same time encouraged to retain their language and culture.

The 14 chapters that make up this collection cover a range of topics, including how well refugee children are settling into life in Australia, the mental health of young refugees, and educating children from refugee backgrounds.

Chapter 9 on trauma and recovery paints a disturbing picture of the impact of detention on refugee children. Louise Newman and



Ann Locarnini note the direct correlation between time in detention and anxiety, depression, post-traumatic stress disorder, self-

harm and suicide ideation, and that although mental health initially improves shortly after release, overall there are prolonged negative mental health outcomes.

Given that more than half of the displaced people around the world are children and young people, and that children are particularly vulnerable, this book is a valuable resource for anyone working with, or concerned about, refugee children.

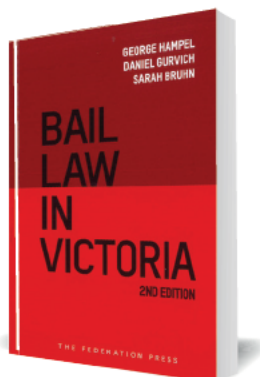
Professor Paula Gerber, Deputy director of the Castan Centre for Human Rights Law, Law School, Monash University

Bail Law in Victoria

G Hampel, D Gurvich and S Bruhn, *Bail Law in Victoria* (2nd ed), 2015, Federation Press, pb \$69.90

It has been a long time between editions of this book, the first having been published in 2003. In the wake of recent amendments to the *Bail Act 1977* (Vic), and with further change potentially on the horizon, the release of *Bail Law in Victoria* comes at an opportune moment.

Bail Law in Victoria is said to be “a practical guide to the law, procedure and advocacy in bail applications”. As such, the text does not aspire to provide a thorough analysis of the development of bail law in Victoria, of the authorities referred to, or of areas for (much needed) reform.



This is something of a pity. Such criticism can only go to strengthening a practitioner’s understanding of bail on a practical level.

Bail is a rich and dynamic legal discipline, especially in Victoria. At the same time, our *Bail Act* is a disgrace of legislative drafting. Bail law is still largely driven by ambiguity and there seems to be little consensus about the applicable common law principles. A good book on Victorian (and broader Australian) bail law is sorely needed.

However, true to its stated aims, *Bail Law in Victoria* is a useful reference guide for practitioners conducting applications for bail. The book covers the principles that arise in the course of applications for bail, as well as attendant issues such as sureties and the imposition of conditions. These principles are well explained, albeit structured counter-intuitively to the hierarchy of bail thresholds. The case summaries are appropriately brief, although some of the key authorities could have received more attention. Chapters on related areas such as the *Charter of Human Rights and Responsibilities Act 2008* (Vic), appeals and young offenders are useful. The latter chapters on evidence and practice and on advocacy are instructive and could also be further expanded.

While the formatting is somewhat unwieldy, with in-text citations preferred over footnotes, *Bail Law in Victoria* is a useful text to quickly refer to, particularly in the course of preparing an application for bail.

Adam Chernok, Barrister

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