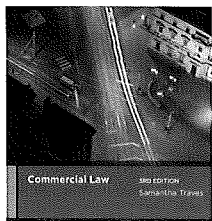


## Commercial Law



**Samantha Traves**  
3rd edition  
LexisNexis  
RRP \$125

LexisNexis

This text is of use to both practitioners and students.

It meets its stated objective of describing “*in a concise and readily understood manner those concepts fundamental to commercial law, important applications of those concepts and other discrete areas of law relevant to modern commerce.*”

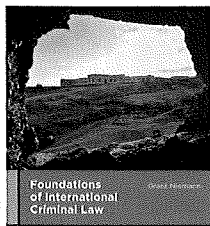
The third edition is a welcome update to the previous 2009 edition and includes important new chapters on the Australian Consumer Law and personal properties securities legislation. The book makes clear and accessible basic concepts of commercial law in an easy to access way. It addresses a number of fundamental principles which are sometimes hard to find authority for, for example, the law on the transfer of title by way of gift. It covers the topics well including sale of goods and consumer remedies. It does not include international sales contracts. It covers some basic material on the law of electronic commerce and includes helpful background on this rapidly developing area. This is in line with the philosophy of the text of covering not only definitional areas of law falling within the compass of commercial law but also those which are most relevant to commercial practice.

The text is divided into two parts. Part 1 deals with the objects and nature of personal property, ownership and possession, finding, and accession, specification and intermixture. Part 2 addresses common law concepts of agency, sale of goods, consumer transactions, transfer of property and title in goods, bailment, personal property security interests, insurance, guarantees and e-commerce.

Overall, this is well a written and concise exposition of an important subject. It explains the fundamental concepts succinctly and well.

**Paul Armarego, DibbsBarker**

## Foundations of International Criminal Law



**Grant Niemann**  
LexisNexis  
RRP \$109

LexisNexis

This is an informative and engaging text focusing on a distinct and evolving area of international law. The text's detailed analysis of the evolution of International Criminal Law (ICL), the institutional weaknesses of the mechanisms created to administer it, and the enduring problem of uniform and consistent enforcement are grounded in the author's extensive experience in this area of the law.

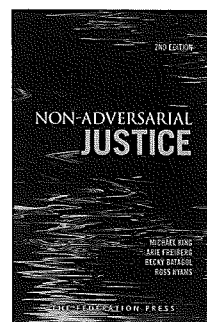
In traversing the evolution of ICL, Niemann focuses a critical eye on the tension between the principle of non-intervention premised on the sovereign rights of states, and the desirability of the universal and consistent enforcement of ICL, regardless of the nationality or official capacity of alleged perpetrators of egregious crimes.

Given the jurisdictional limits of the International Criminal Court (ICC) in particular, Niemann argues that ‘global civil society’ play a greater role in advocating for, and promoting, the universal enforcement of ICL. He proposes the creation of a ‘world people’s court’, functioning with the authority of global civil society. Such a court, which would be limited to hearing evidence and determining whether prima facie violations of ICL exist, would complement the ICC by drawing attention to the commission of international crimes by individuals and states, leading, hopefully, to prosecution by the relevant state or an international tribunal. It is these creative and well-argued solutions to the familiar problems of enforcement which are the great strength of this work.

While the text is primarily targeted at students, legal practitioners and other professionals, such as military commanders, who are required to turn their mind to international criminal law from time to time, will also find this text a valuable reference point.

**Harin Chandradeva, Defence Legal Division**

## Non-Adversarial Justice



**Michael King,  
Arie Freiberg,  
Becky Batagol &  
Ross Hyams**  
2nd edition  
Federation Press  
RRP \$60

This is a useful guide for practitioners, students and those interested in the justice system. It is also a book that will challenge practitioners and students and will deservedly create discussion in both legal operational and educational spaces.

The crux of this book is that the legal system and law is more encompassing than just the law and the justice system: it requires a holistic view — a range of context — in order to truly appreciate the law and legal system. The book insinuates that through this approach, which encompasses more than just ‘traditional’ law, that it is likely that the most beneficial outcomes for parties can be sourced, regardless of jurisdiction or subject matter.

The book provides information about an array of topics that fall within the non-adversarial justice space: holistic law, therapeutic jurisprudence, restorative justice, preventative law, and ADR. It also compares the Australian context with international counterparts, which assists in not only providing the background and context for these areas of law, but also in contrasting the operation of these in international jurisdictions.

One of the useful functions of this book is the state-based Australian comparisons, with some useful tables giving a quick comparison of State jurisdictions.

The book includes a chapter on ADR which is well written and engaging and one which all ADR practitioners should consider at least being aware of. ADR is a developing area which is becoming more mainstream, and which is likely to have large implications for the future of the legal profession.

Students, practitioners and indeed those professions with any regular involvement in the judicial system would benefit from reading this edition, which is a well written, engaging and informative text.

**Jillian Flinders, Public Servant**