



Blacks on the way to Adelaide
in custody, Yorkes
Peninsula, 1850. *Watercolour.*
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CHAPTER 45

THE ADMINISTRATION OF JUSTICE

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THE GENERAL READER might well think of the administration of justice as a specialised topic, for which relevant books would be easy to identify. On the one hand, however, it is intimately linked with the social and political history of Australia, so that any writer, and any intelligent reader, must make constant reference to works on general history, and even to works on particular aspects of Australian history. As an example, Michael Cannon's *The land boomers* (Melbourne, Nelson, 1976), offers insights into the administration of justice in Victoria in the 1880s and 1890s, especially that part of it concerned with insolvency. However no-one would immediately categorise the work as relating to the administration of justice. On the other hand, the topic comprises but one aspect of the Australian legal system, and therefore information on the administration of justice must be sought in the more general works. There are an increasing number of these, partly because of the proliferation of 'legal studies' in our high schools. The reader may gain much insight into the topic by reading such books; but apart from one example of the genre, they have been excluded from the bibliography.

It could be assumed that much information about the administration of justice may be found in the biographies and memoirs of those who have served as lawyers and judges. Yet, especially in the formative years of the colonies and of Federation, such men were unlikely to confine their public service to the bar or the bench. They participated fully in the political struggles of the day. As a result far less may be learned from such works than might be hoped. Two examples may be given. Fewer than twenty pages of Edward E. Morris's extensive *A Memoir of George Higinbotham* (London, Macmillan, 1895) are devoted to an account of his participation in the administration of justice—if we exclude the ten pages devoted to his efforts at consolidation of the Victorian statutes. John Reynolds, in his biography *Edmund Barton* (Sydney, A & R, 1979), observes that 'very little information concerning Barton's practice at the Bar has come down to us'. As a result, only four pages discuss his role as one of Her Majesty's counsel and only eight pages are devoted to his work on the high court. It hardly seemed worth including either work in the bibliography. Indeed, the reader may be disappointed in the amount of light thrown on the topic by even those biographies and memoirs that have been included.

Central to the topic, of course, is the development and functioning of courts of law—or, to give them their alternative title, courts of justice—and the work of those who serve them as practitioners and judges. But only in comparatively recent times have comprehensive accounts of their structure and origin been published. The bibliography can list only two works on Australian

courts as a whole, one published in 1946 and the second as recently as 1982. The High Court of Australia has merited some attention, and there are works dealing with both its history and its functioning. The supreme courts of the states have been less well served. There is a full history of the Supreme Court of New South Wales, and a separate biographical account of its chief justices. There are no corresponding published accounts of the history of the supreme courts of other states, though a brief history of the courts in Tasmania was edited by J.N.D. Harrison (1974). Some insights into the growth and functioning of the district courts of New South Wales may be culled from among the biographical details in a recently published work (Holt, 1976) dealing with the judges of these courts. Again, other states have not received similar treatment. Except, it seems, for the memoirs of one New South Wales magistrate, and a pilot study of the functioning of a handful of magistrates' courts in Victoria, these important courts, which deal with the majority of criminal cases and a large amount of civil litigation, have been ignored.

It would be easy to attribute the paucity of publications dealing with the history of particular state institutions concerned with the administration of justice to lack of interest on the part of publishers. It is more likely that a forecast lack of interest on the part of the book-buying public, and the resulting smallness of the expected market, have inhibited much publication in monograph form. But a great volume of work on the history of courts and the legal profession, and on other aspects of the administration of justice in Australia, is to be found in papers and articles in such publications as the journals of historical societies, the *Australian law journal*, and the steadily proliferating law reviews put out by law faculties in the universities.

Some monographs in the general field owe their appearance to 'official' inspiration. Examples of these are Sir Arthur Dean's (1968) history of the Victorian bar, and J.M. Bennett's book on New South Wales (1969). One other important publication, E.M. Russell (1980), owes its existence to Western Australia's sesquicentenary. Without the stimulus of similar occasions, it seems that readers wishing for an account of the history of the courts in South Australia, Queensland and Victoria, and a full history of the courts in Tasmania, will need to refer to the comprehensive works on court structures in Australia already mentioned.

Unfortunately, there is a paucity of such general works. Indeed, only three reasonably comprehensive histories of the law in Australia exist, and one of these, Castles (1982) must be regarded as a new edition of his earlier survey (1971). Beyond what these works offer, detail must be sought in periodical articles, and to some extent in memoirs and biographies, as well as in primary sources. Castles himself observes, in the preface to his 1982 book, that 'Much research remains to be done before anything like a full, detailed history of the law in this country can be written' (p iv). Of course, a good deal of such a history will inevitably transcend the boundaries of the present topic, and the general reader anxious for enlightenment on specific points will need to pick and choose, as he or she must now, from a mass of sometimes irrelevant material.

The enquiring non-specialist with an interest in this topic will want to find out, not only how courts of law have developed, and what is their present structure and jurisdiction, but also how well, or ill, they function. To what extent, in administering the law, may they be said to be administering justice? A difficulty in this respect is that those who administer the law have not, on the whole, been given to self-criticism. It is only in recent years that attempts have been made to find out what lawyers think of themselves and their work, what the general public thinks about lawyers, and what criticisms may be made of the administration of justice in our society.

Reference to works on the history of Australia will suggest that in the early days of New South Wales justice was administered haphazardly. No-one interested in the topic can neglect the evidence that emerged as a result of the inquiries of Commissioner Bigge, nor his second report on the administration of justice in New South Wales. These are well summarised in J.D. Ritchie (1970) and the reader who would go further is well served by the two volumes of *The evidence to the Bigge reports* (Melbourne, Heinemann, 1971) which he edited. But since that time, indeed until the publication of the more modern critical works to which oblique reference is made above, specific criticism, even specific praise, is rare and is not enshrined in monographs. Those who wish to get some picture of the way the law has worked over, say, the last 150 years

are, inevitably, forced to cull relevant passages from memoirs and anecdotal works, of which Blakett (1927) is perhaps pre-eminent.

Some feeling for the functioning of the law in the administration of justice may be had from such accounts of trials as have been published in monograph form. The bibliography includes only one selection of brief accounts of the more straightforward trials in Australian history. But it does include several examples of what might be called the pathology of the administration of justice, exemplified by such cases as the Dean case in New South Wales, the Ryan and Ratten cases in Victoria, and the Stuart case in South Australia.

A potentially rich source of information on the working of the courts is to be found in the files of newspapers. There was a time when the forensic drama, whether of the *cause célèbre* in the superior courts or the humble dispute before the local magistrate, was a prime source of entertainment and news—indeed, the Chamberlain case indicates that the forensic drama, especially when acted out in bizarre circumstances, retains its mass appeal. Those who have access to the files of newspapers, and the leisure to go through them, can undoubtedly glean a good deal of information on the topic. It is doubtful if court records, even if accessible, would provide much of value to those without legal training. Such judges' notebooks as survive could yield odd nuggets of information.

Of more potential interest are the publications compendiously known as 'law reports', recording decisions on a point or points of law of general interest in the superior courts. These began in New South Wales and Victoria in 1861; in other states they started later. Studying them is, of course, primarily the business of lawyers, and much of what is found is of purely technical or professional interest. But the non-specialist who can gain access to them, and has the time and patience to search through them, especially the earlier volumes, may well gain insight into the way in which justice has been administered in these courts over at least the last century and a quarter. Moreover, a glance at the proliferating specialist reports in, for example, local government law and workers' compensation law, will give the enquirer some idea of the degree to which the manifold activities of people in society are being administered, and the diversity of human disputes settled, by the techniques of the law. In particular, even a cursory examination of the various industrial reports must give the enquirer some feeling for the operation of what the late Henry Bournes Higgins (1922) described, perhaps a little optimistically, as 'a new province for law and order'.

If the courts of justice form the centrepiece of the topic, police and prisons—or to use the modern expression, corrective services—form the prologue and epilogue, at least to that aspect of the administration of justice which is concerned with criminal justice. As with the history of the law, a full history of the police in Australia is yet to be written. There is one well-known book (O'Brien, 1960) on Australian police forces as a whole and three relatively slight official histories of state police forces. There are a few accounts of particular aspects of police work—for example, mounted police and the use of Aboriginal trackers. Those who wish to have some insight into current problems of policing are referred to two studies (Biles, 1977, and Chappell and Wilson, 1972) of police–public relations, and a substantial book of readings (Milte and Weber, 1977) on the topic. References to the problem of policing will be found too in more general works on the criminal justice system—or, as the title of one such work has it, the criminal injustice system (Basten *et al.*, 1982).

These more general works on the criminal justice system also contain some material bearing on the working of the correctional system, and particularly that part of it which centres on prisons. The problems of prison administration go back to the foundation of our country as an epilogue to the British system of the administration of justice. The unchanging nature of these problems may be seen from even a cursory dip into the early history of the penal system.

The studies by the late Sir John Barry of Maconochie of Norfolk Island (1958) and his successor, Price (1964), are essential reading for those who would understand nineteenth-century attitudes to penology and penal reform and for those who would gain an insight into today's problems. The former, indeed, introduces readers not only to the views of Maconochie himself,

but also to those two remarkable Quakers, Backhouse and Walker. Unfortunately there is a gap in penal history not yet filled by publications on other nineteenth century theories and development, for the full history of Australian prisons and Australian penal systems is yet to be written. There is much raw material in the shape of reports of prison authorities to governments, reports of royal commissions and other inquiries, and debates in, and answers to questions in, parliament.

Rinaldi (1977) gives a comprehensive description of the general state of the prison systems in this country in 1977. Oddly, from a historical point of view the West Australian penal system is best served, with the recent monograph by J.E. Thomas and A. Stewart *Imprisonment in Western Australia: evolution, theory and practice* (UWAP, 1978). The Victorian correctional system is well described in S.W. Johnston and R.G. Fox, *Correction handbook of Victoria* (Melbourne, Dept of Criminology, University of Melbourne, 1965). The history of Queensland's prisons in the last seventy or eighty years is sketched in *Nor iron bars a cage* (Brisbane, Boolarong Publications, 1982), an autobiography by J.R. Stephenson, who entered the service as a warder and retired as deputy commissioner. The turbulent history of the penal system in New South Wales in recent years has given rise to several accounts of the problem and the attempted solutions, notably by M. Findlay in *The state of the prison* (Bathurst, NSW, Mitchellsearch, 1982) and by G. Zdenkowski and D. Brown (1982) in their national overview.



BARRY, J.V.W. *Alexander Maconochie of Norfolk Island: a study of a pioneer in penal reform*. OUP, 1958. 277 p, illus, maps.

Uses the story of Maconochie's life as the framework for a survey of prison methods and reforms.

BARRY, J.V.W. *The life and death of John Price: a study in the exercise of naked power*. MUP, 1964. 204 p, illus.

Price succeeded Maconochie as commandant of Norfolk Island. A welcome study about an era which has been badly neglected by serious historians.

BARRY, J.V.W. *et al*, *Introduction to the criminal law in Australia*. London, Macmillan, 1948. 128 p.

Contains a historical introduction to the subject, an account of the codes that are characteristic of Australian criminal law, a discussion of general principles and a chapter on the penal system.

BASTEN, J. *et al*, *The criminal injustice system*. Sydney, Australian Legal Workers Group (NSW) and Legal Service Bulletin, 1982. 321 p.

Essays, from a radical point of view, criticising the criminal justice system under the headings: police interrogation, trial procedure, the politics of reform.

BENNETT, J.M. *A history of the Supreme Court of New South Wales*. Sydney, Law Book Co, 1974. 323 p, illus.

A valuable and scholarly account.

BENNETT, J.M. *Keystone of the federal arch: a historical account of the High Court of Australia to 1980*. AGPS, 1980. 145 p, illus.

A work of obvious importance by a leading Australian legal historian.

BENNETT, J.M. *Portraits of the chief justices of New South Wales, 1824-1977*. Sydney, Ferguson, 1977. 64 p, illus.

A sketch of the life of each chief justice accompanied by a colour portrait.

BENNETT, J.M. ed, *A history of the New South Wales bar*. Sydney, Law Book Co, 1969. 282 p, illus.

This book covers, in nine chapters written by various hands, the

growth of the bar from 1824 to the 1960s, its corporate organisations, and aspects of bar life.

BENNETT, J.M. AND CASTLES, A.C. eds, *A source book of Australian legal history: source materials from the eighteenth to the twentieth centuries*. Sydney, Law Book Co, 1979. 299 p. A valuable collection of materials, including primary sources.

BILES, D. *Crime and justice in Australia*. Canberra, Australian Institute of Criminology in association with Sun Books, 1977. 198 p.

A collection of essays on the administration of criminal justice, from police to prisons.

BLACKET, W. *May it please your honour: lawyers and law courts of the olden times in New South Wales*. Sydney, Cornstalk Publishing Co, 1927. 275 p.

A president of the NSW bar has said of this book: 'The Bar has already been well served by Wilfred Blacket's witty memoirs...' Insight given also into the administration of justice in country districts.

BRADSHAW, F.M. *Selborne Chambers memories*. Sydney, Butterworths, 1962. 111 p, illus.

An account of some of the barristers who practised from Selborne Chambers in Sydney.

BRENNAN, F. *Too much order with too little law*. UQP, 1983. 303 p.

Discusses the legal and political bases of control of public order by restrictions particularly on demonstrations and street marches from a civil libertarian point of view. Concentrates on the period 1966-79 in Qld.

BURNS, C. *The Tait case*. MUP, 1962. 182 p.

The author describes this as 'a modest book, which attempts to tell of the controversy which followed when a government decides to hang a man'.

CAMPBELL, E.M. *et al*, *Legal research: materials and methods*. Sydney, Law Book Co, 1979. 276 p.

An outstanding guide to the printed sources of the law in Australia, including a number of chapters devoted to series of law reports and to statutory material. First published in 1967.

- CARTER, I.E. *Woman in a wig: Joan Rosanove, Q.C.* Melbourne, Lansdowne, 1970. 167 p, illus.
A biography of one who was for some time the only woman at the Victorian bar.
- CASTLES, A.C. *An Australian legal history.* Sydney, Law Book Co, 1982. 553 p.
The most comprehensive legal history of Australia; an expansion of an earlier work by the same author.
- CHAPPELL, D. AND WILSON, P. *The Australian criminal justice system.* Sydney, Butterworths, 1972. 854 p.
A series of papers on all aspects of the criminal justice system in Australia.
- COCKBURN, S. *The Salisbury affair.* Melbourne, Sun Books, 1979. 351 p, illus.
The story behind the dismissal by the South Australian government of a policeman whom many regarded as of the highest integrity—a model of the uneasy relations which too often exist between police and government.
- COWEN, Z. *Isaac Isaacs.* OUP, 1967. 272 p, illus.
Biography of a leading figure in Australian law and politics, both state and federal.
- COWEN, Z. *Sir John Latham and other papers.* OUP, 1965. 191 p.
The first 60 pages constitute the only account in book form of a distinguished lawyer, politician and high court judge, who served as chief justice from 1935 to 1952.
- CRAWFORD, J. *Australian courts of law.* OUP, 1982. 297 p.
The most comprehensive account of the machinery of justice in Australia today; includes chapters on the English background and brief accounts of the history of the courts discussed.
- CURREY, C.H. *The brothers Bent: Judge-Advocate Ellis Bent and Judge Jeffery Hart Bent.* SUP, 1968. 176 p, illus.
A sketch of the lives of two famous brothers whose influence on legal procedures was considerable, together with a chapter on their precursors.
- D'ALPUGET, J.B. *Mediator: a biography of Sir Richard Kirby.* MUP, 1977. 277 p, illus.
This biography gives a useful personal insight into the workings of the commonwealth system of conciliation and arbitration.
- DEAN, A. *A multitude of counsellors: a history of the bar of Victoria.* Melbourne, Cheshire for the Bar Council of Vic, 1968. 332 p, illus.
Described in Sir Charles Lowe's introduction as 'an invaluable and inevitable source of reference to the Bar and a source book for historians in the future'.
- DEBENHAM, A.E. *Without fear or favour: the biography of a career.* Sydney, Edwards & Shaw, 1966. 175 p, illus.
This autobiography of one who was a stipendiary magistrate in both country and city in NSW gives some useful insights into the workings of the courts which hear the great majority of cases in our community.
- DIXON, O. *Jesting Pilate, and other papers and addresses.* Sydney, Law Book Co, 1965. 272 p, illus.
Twenty-nine of the papers and addresses given by Australia's greatest judge, each of which is of value and interest, not only intrinsically but also for the purpose of historical record and research.
- FORBES, J.R.S. *The divided legal profession in Australia: history, rationalisation, and rationale.* Sydney, Law Book Co, 1979. 300 p.
A well-researched historical account of a controversial topic, with a critical discussion of the justification offered by its supporters.
- FORDE, J.L. *The story of the bar of Victoria, from its foundation to the amalgamation of the two branches of the legal profession, 1839–1891: historical, personal, humorous.* Melbourne, Whitcombe & Tombs, 1913. 309 p, illus.
Biographies of, and anecdotes concerning, members of the Victorian bar from 1839 to 1891, with accounts of cases in which they were engaged.
- FRY, T.P. *Australian courts and administrative tribunals.* Brisbane, University of Qld, 1946. 396 p.
Contains valuable material on courts in Qld.
- GRABOSKY, P.N. *Sydney in ferment: crime, dissent and official reaction, 1788–1973.* ANUP, 1977. 205 p, illus, maps.
An insight into the problems facing the administration of criminal justice in the capital of NSW since its foundation.
- HANNAN, A.J. *The life of Chief Justice Way: a biography of . . . Sir Samuel Way . . . for many years Lieutenant Governor and Chief Justice of South Australia, and Chancellor of the University of Adelaide.* A & R, 1960. 262 p, illus.
The biography of a man who for 60 years played an important part in the administration of justice in SA.
- HARRISON, J.N.D. ed. *Court in the colony: Hobart Town, May 1824.* Hobart, Law Society of Tas, 1974. 44 p, illus.
Published to mark the sesquicentenary of the Supreme Court of Tas.
- HEALEY, B. *Federal arbitration in Australia: an historical outline.* Melbourne, Georgian House, 1972. 165 p.
A useful short account of the development of federal arbitration of industrial disputes.
- HENRY, E.R. *Revelations of a retired lawyer.* Hobart, Orielson Press, 1980. 201 p, illus.
Described in the foreword as an entertaining record of the law courts, mainly those of Tas, and of those who practised in them for some 60 years.
- HIGGINS, H.B. *A new province for law and order.* Sydney, Workers' Educational Association of NSW, 1922. 181 p.
The reflections of the first president of the Commonwealth Court of Conciliation and Arbitration on the gradual development of standards and practices in the court's jurisdiction in the first fourteen years.
- HOLT, H.T.E. *A court rises: the lives and times of the judges of the District Court of New South Wales (1859–1959).* Sydney, Law Foundation of NSW, 1976. 258 p, illus.
Probably the only systematic account of the administration of justice in intermediate courts in Australia.
- INGLIS, K.S. *The Stuart case.* MUP, 1961. 321 p, illus.
An account of the proceedings in and the background of one of the most controversial trials in SA, that of an Aborigine for the murder of a white girl.
- JACOBS, P.A. *Famous Australian trials and memories of the law.* Melbourne, Robertson & Mullens, 1942. 218 p, illus.
One of the few collections of accounts of Australian trials.
- JOHNSTON, R. *History of the Queensland bar.* Brisbane, Bar Association of Qld, 1979. 213 p.
This work has substantial historical chapters on the profession and on 'the barrister and the community' but about half the work is strongly directed to individual biography.
- JOYCE, R.B. *Samuel Walker Griffiths.* UQP, 1984. 456 p, illus.
Detailed and scholarly biography of the lawyer, politician and first chief justice of the High Court of Australia.
- LA TROBE UNIVERSITY. Department of Legal Studies. *Guilty, your worship: a study of Victoria's magistrates' courts.* Melbourne, Legal Studies Dept, La Trobe University, 1980. 136 p.

- Accounts by observers of what occurs in some of the metropolitan magistrates' courts in Vic, with some conclusions concerning the administration of justice in these courts.
- MACKINOLTY, J. AND RADI, H. eds, *In pursuit of justice: Australian women and the law 1788–1979*. Sydney, Hale & Iremonger, 1979. 300 p, illus.
- Papers examining some of the ways in which women have been, and are, affected by the law. Includes a list of discriminatory laws.
- MARR, D. *Banwick*. Sydney, Allen & Unwin, 1980. 330 p, illus.
- The first biography of one of the ablest of Australian barristers, who later became Chief Justice of the High Court.
- MILTE, KL. AND WEBER, T.A. *Police in Australia: development, functions, procedures*. Sydney, Butterworths, 1977. 511 p, illus.
- Papers, readings and case extracts on the role of the police in the community, police powers and problems of policing.
- MOLOMBY, T. *Ratten: the web of circumstance*. Melbourne, Outback Press, 1978. 279 p, illus.
- An account of a Victorian *cause célèbre*, provoking reflections on the pathology of our legal system and the adequacy of our methods of fact-finding.
- MORRIS, N.R. AND PERLMAN, M. eds, *Law and crime: essays in honor of Sir John Barry*. New York, Gordon and Breach, 1972. 259 p, illus.
- Includes an essay on Barry's judgments, two memoirs of the man, and an essay on reformatory aspects of transportation.
- MUDIE, J. *The felonry of New South Wales: being a faithful picture of the real romance of life in Botany Bay*. London, Whaley & Co, 1837. 362 p, map.
- Sketches of the administration of justice in the years 1822–36 by an archconservative magistrate. New edition published in 1964.
- MUKHERJEE, S.K. *Crime trends in twentieth century Australia*. Sydney, Australian Institute of Criminology with Allen & Unwin, 1981. 199 p, illus.
- Lavishly furnished with graphs and statistical tables, this sophisticated statistical work sets out and discusses trends in crime in Australia, 1900–76.
- NEUMANN, E. *The High Court of Australia: a collective portrait, 1903–1972*. Sydney, Dept of Government and Public Administration, University of Sydney, 1973. 131 p.
- A description of the socioeconomic status of judges of the high court, and a comparison with the judges of the United States Supreme Court. First published in 1971.
- O'BRIEN, G.M. *The Australian police forces*. OUP, 1960. 268 p, illus.
- The most comprehensive work on the police forces in Australia.
- PIDDINGTON, A.B. *Worshipful masters*. A & R, 1929. 316 p, illus.
- Contains memorials of some of the leading figures in the law in NSW.
- RICHARD, J. *H.B. Higgins: the rebel as judge*. Sydney, Allen & Unwin, 1984. 350 p, illus.
- Outstanding biography of a prominent Victorian barrister, politician, man of letters, judge of the High Court of Australia and the man responsible for the famous Harvester Judgment of 1907.
- RINALDI, F. *Australian prisons*. Canberra, F. & M. Publishers, 1977. 249 p, illus.
- The introduction describes this as 'the first book to deal generally with Australian prisons'.
- RITCHIE, J.D. *Punishment and profit: the reports of Commissioner John Bigge on the colonies of New South Wales and Van Diemen's Land, 1822–1823; their origins, nature and significance*. Melbourne, Heinemann, 1970. 324 p, illus.
- An account of the reports of Commissioner John Bigge on the colonies of NSW and Van Diemen's Land, the second of which dealt with the administration of justice.
- ROSENTHAL, N. *Sir Charles Lowe: a biographical memoir*. Melbourne, Robertson & Mullens, 1968. 214 p, illus.
- A layman's attempt to present an image of an eminent Victorian judge, with an account of his judicial career from 1926 to 1964.
- RUSSELL, E.M. *A history of the law in Western Australia and its development from 1829 to 1979*. UWAP, 1980. 413 p, illus.
- The only comprehensive history of the administration of justice in WA, it was written by the late Enid Russel in 1950 and edited and completed in 1979 by F.M. Robinson and P.W. Nichols.
- SAWER, G. *Australian federalism in the courts*. MUP, 1968. 262 p.
- A lively account of the High Court of Australia and the way it has dealt with constitutional matters.
- SEXTON, M. AND MAHER, L.W. *The legal mystique: the role of lawyers in Australian society*. A & R, 1982. 196 p.
- A critical look, from a radical viewpoint, at some aspects of professional practice and judicial decision making; includes chapters on the high court, lawyers and corporate clients, and the regulation of the profession.
- TENNANT, K. *Evatt: politics and justice*. A & R, 1972. 418 p, illus.
- The major biography of the late Mr Justice Evatt. First published in 1970.
- THERRY, Sir R. *Reminiscences of thirty years' residence in New South Wales and Victoria* (2nd edn). London, Sampson Low, 1863, 522 p.
- During the 30 years covered Sir Roger Therry was successively Attorney-General of NSW, resident judge at Port Phillip and a judge of the Supreme Court of NSW. The first edition, issued in 1863, was immediately withdrawn while the second edition of the same year corrected some errors and gives fuller justice to the work of Gibbs, Fitzroy and La Trobe. Facsimile edition, SUP, 1974.
- TOMASIC, R.A. *Lawyers and the community*. Sydney, Law Foundation of NSW and Allen & Unwin, 1978. 318 p.
- The account of a survey to find out what people in NSW think of the legal system, what access they have to it, and what redress they have if poorly served by lawyers.
- TOMASIC, R.A. ed, *Understanding lawyers: perspectives on the legal profession in Australia*. Sydney, Law Foundation of NSW and Allen & Unwin, 1978. 505 p, maps.
- This book brings together 23 essays, by lawyers and social scientists, on various aspects of the Australian legal profession.
- ZDENKOWSKI, G. AND BROWN, D. *The prison struggle: changing Australia's penal system*. Ringwood, Vic, Penguin, 1982. 440 p, illus.
- A radical critique of our penal system, provoked by recent troubles in the prisons in our largest state.

