

that are Fish's trademarks. More importantly, it exerts a pressure on the thoughtful reader, forcing her/him to reflect on where she/he stands on this rather important matter. In doing so, Fish pays homage to what can be described as the most important role of the modern public intellectual: 'to question over and over again what is postulated as self-evident, to disturb people's mental habits, the way they do and think things, to dissipate what is familiar and accepted'<sup>44</sup> and 'to be opinionated, judgmental, sometimes condescending, and often waspish.'<sup>45</sup> Qualities that are all the more important when, on one analysis, universities cease being centres of critique. So, even if for no other reason, Fish's account of academic freedom is worth reading because it is thought-provoking, engaging and humorous. After all, who else might get away with writing, with an equal measure of self-aggrandisement and self-debasement, that academics *want* to be downtrodden and oppressed; for 'in the psychic economy of the academy, oppression is the sign of virtue [... making academics] indistinguishable from the faces of medieval martyrs'.<sup>46</sup>

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*Australian Feminist Judgments: Righting and Rewriting the Law*, edited by HEATHER DOUGLAS, FRANCESCA BARTLETT, TRISH LUKER and ROSEMARY HUNTER. Oxford: Hart Publishing, 2015, 382pp (£35 paperback). ISBN: 9781849465212.

Two months before the launch of *Australian Feminist Judgments*,<sup>47</sup> the *Sydney Morning Herald*, a Fairfax-owned daily broadsheet, reported the following: 'Female Judge asked to disqualify herself due to suspected "feminist" and "leftist" views.'<sup>48</sup> The article reported that New South Wales Supreme Court Justice Monika Schmidt had been asked to recuse herself from deciding a case on the basis that as a 'female judge, [she] was a feminist with leftist leanings, who would not give [the male applicant] a fair hearing'. Justice Schmidt rejected the application.

In running this headline, the *Sydney Morning Herald* chose to ignore an obvious alternative title: 'Vexatious litigant fails in attempt to disqualify judge on the basis of an unfounded allegation of bias.' Instead, the newspaper aired all too familiar 'concerns' about women judges: Justice Monika Schmidt *must* be a feminist because she is a woman; a feminist judge *must* be biased against male litigants; a male judge *must* be free from such bias.<sup>49</sup>

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44. M Foucault 'The concern for truth' in *Politics, Philosophy, Culture: Interviews and Other Writings 1977–1984*, ed LD Kritzman (New York: Routledge, 1988) p 265.

45. RA Posner *Public Intellectuals: A Study of Decline* (Cambridge, MA: Harvard University Press, 2003) p 35.

46. S Fish 'The unbearable ugliness of Volvos' in Fish, above n 38, pp 273–279 at 276.

47. H Douglas et al (eds) *Australian Feminist Judgments: Righting and Rewriting Law* (Oxford: Hart Publishing, 2014).

48. *Sydney Morning Herald* 12 October 2014.

49. On the Australian media's negative depictions of women judges, see M Thornton "'Otherness'" on the bench: how merit is gendered' (2007) 29 *Sydney L Rev* 391.

Subtitled ‘Righting and Rewriting the Law’ and edited by Heather Douglas, Francesca Bartlett, Trish Luker and Rosemary Hunter, the collection *Australian Feminist Judgments* challenges these assumptions and provides thought-provoking illustrations of what feminist decisions in Australian cases might look like. Inspired by the *Women’s Court of Canada* (WCC)<sup>50</sup> in 2007, and the UK project *Feminist Judgments (UKFJ)*<sup>51</sup> in 2010, *Australian Feminist Judgments* is a valuable extension of the emerging feminist judgment-writing genre.<sup>52</sup>

By way of brief background, the WCC involved feminist academics rewriting six decisions of the Canadian Supreme Court on the equality guarantee (s 15) of the Canadian Charter of Rights and Freedoms. *UKFJ* broadened its coverage beyond equality cases to include a wide range of public and private law topics not typically associated with ‘feminist issues’, including international law, property law and practice and procedure.<sup>53</sup> Nevertheless, the Canadian and UK models shared the premise that the feminist judgment must be confined by the ‘same constraints’<sup>54</sup> as the original decision. Thus the feminist judgment was restricted to the original facts as found by the lower courts and the academic critique that the parties could have drawn on at the time.

The Australian project shares many similarities with its UK predecessor.<sup>55</sup> In substance, for example, the Australian editors adopted Hunter’s seven-point checklist for ‘feminist judging’.<sup>56</sup> These key attributes include the traditional feminist concerns such as ‘ask the woman question’, ‘include women’ and ‘challenge gender bias’. Such methods ensure that the feminist judgments integrate women’s voices into both the construction and the application of legal rules, as well as the case narratives. According to Hunter’s checklist, however, feminist judgments also ‘contextualise and particularise’ legal reasoning and are ‘open and accountable about the choices’ facing judges. Applying these methodologies, a majority of the feminist judges in *Australian Feminist Judgments* rewrite cases that directly involved women (as litigants, or as victims of violence

**50.** The decisions of the Women’s Court of Canada (henceforth ‘WCC’) were published in the *Canadian Journal of Women and the Law*, vol 18, and are also available at <http://womenscourt.ca>. See further D Majury ‘Introducing the Women’s Court of Canada’ (2006) 18 Can J Women & L 1.

**51.** R Hunter, C McGlynn and E Rackley (eds) *Feminist Judgments: From Theory to Practice* (Oxford: Hart Publishing, 2010); henceforth ‘*UKFJ*’.

**52.** Douglas et al head their methodological discussion with ‘An Emerging Movement?’ (p 2). The question mark recognises Margaret Davies’ 2012 reflection that while the term “movement” might be premature’ to describe the feminist judgment-writing enterprise, ‘a modest degree of “ferment” may be apparent’. M Davies ‘The law becomes us: rediscovering judgment’ (2012) 20 *Feminist Legal Stud* 167 at 169. However, as the Australian editors indicate, further projects are under way (eg Northern/Irish Feminist Judgments Project, Feminist International Judgments project). See H Douglas et al ‘Introduction: righting Australian law’ in Douglas et al, above n 47, p 3.

**53.** A brief history of the Canadian and UK projects is also provided by R Hunter ‘The power of feminist judgments?’ (2012) 20 *Feminist Legal Stud* 135–138; and Douglas et al, above n 47, pp 2–3.

**54.** See R Hunter, C McGlynn and E Rackley ‘Feminist judgments: an introduction’ in *UKFJ*, above n 51, p 13; and D Majury, above n 50, at 6.

**55.** For example, the UK and Australian projects are similar in size: the UK project rewriting 23 cases and the Australia project 24, and also including a critical reflective essay explaining why a feminist judgment could not be written in a further case (see further below, text accompanying n 71).

**56.** Douglas et al, above n 47, p 8; and R Hunter ‘An account of feminist judging’ in *UKFJ*, above n 51, p 35.

or coercion). Such chapters include decisions on undue influence (*Louth v Diprose*, rewritten by Francesca Bartlett in ch 12), rape in marriage (*PGA v The Queen*, rewritten by Wendy Larcome and Mary Heath in ch 16) and workplace discrimination (*State of NSW v Amery*, rewritten by Beth Gaze in ch 26). However Lee Godden's feminist revision of a planning law decision (ch 9)<sup>57</sup> illustrates how Hunter's feminist methods provide distinctive perspectives on topics that, as noted by the editors, have received 'less attention' in feminist scholarship.<sup>58</sup>

As in its predecessor, *UKFJ*, each judgment in *Australian Feminist Judgments* is introduced by brief commentaries outlining the context, reasoning and implications of the original decision and the feminist judgment's distinctive perspective. In addition, the Australian editors attend closely to the visual dimension of their brief, and like *UKFJ* embed the feminist judgments within the varied formatting of the original Australian law reports.<sup>59</sup> Although this editorial decision means that the collection lacks the aesthetic coherence of standard monographs, it is a visually arresting reminder that the feminist judgments are intended to be "'authentic" and legally plausible' alternatives to the original decisions.<sup>60</sup>

Interestingly, the Australian editors did not explain the motivations behind this undoubtedly time-consuming design choice.<sup>61</sup> I suggest that in this and other areas, the editors could have laid greater claim to the importance of a number of their methodological decisions. In the balance of this review, I highlight three key areas where *Australian Feminist Judgments* has departed from the UK model, and that provoke readers to reconsider the attributes, significance and limitations of feminist judging.

*Australian Feminist Judgments'* first point of difference is in the number of feminist judgments that rewrite cases that are not decisions of multi-member appellate courts.<sup>62</sup> One of the most striking of this category is the feminist judgment written by Honni van Rijswijk and Lesley Townsley in ch 19. Sitting as an imaginary judge named 'Townsley-Van Rijwijk J', they rewrite the decision of New South Wales Supreme Court Justice James Wood in *R v Webster*.<sup>63</sup> As Kirsty Duncanson's excellent com-

57. See *Wildlife Preservation Society of Queensland Proserpine/Whitsunday Branch Inc v Minister for Environment and Heritage* [2006] FCA 736.

58. Douglas et al, above n 47, p 14.

59. Significantly, however, *Australian Feminist Judgments* differs in format by including the years of the original decisions in the Table of Contents. This valuable change allows readers to navigate the collection chronologically. The alternative legal reality created by such a reading is striking: an Australia in which childcare was tax-deductible for primary carers from 1972 (ch 6)? In which the gendered context of assessing a well-founded fear was considered in self-defence cases from 1996 (ch 15)?

60. Douglas et al, above n 47, p 1 (emphasis added). In this context, the distinctiveness of ch 3 of the Australian project – deliberately *not* a feminist judgment – might have been made more visually striking.

61. Cf Hunter et al, above n 54, p 29.

62. The editors note that *Australian Feminist Judgments* includes 'some single judge decisions' (p 14). On my reading, these are six lower-court decisions: *Wildlife Preservation Society of Queensland Proserpine/Whitsunday Branch Inc v Minister for Environment and Heritage* (ch 9, environmental law); *Australian Competition and Consumer Commission v Keshow* (ch 11, consumer law); *R v Webster* (ch 19, sentencing); *R v Middendorp* (ch 20, sentencing); *R v Morgan* (ch 21, sentencing); and *McLeod v Power* (ch 25, racial vilification). In addition, in *Lodge v Federal Commissioner of Taxation* (ch 6) High Court Justice Anthony Mason sat alone.

63. [1990] NSWSC 700/90.

mentary explains, the original decision was one of ‘special, uncomfortable significance in the Australian imagination’ by virtue of its facts; the brutal rape and murder of 14-year-old Leigh Leigh.<sup>64</sup> The rewritten judgment demonstrates what the editors describe as the important ‘therapeutic potential’ of a feminist judgment, as the feminist judge sensitively retells the victim’s story as a central part of the sentencing of the young man who brutalised and murdered her.<sup>65</sup>

*Australian Feminist Judgments’* extension of the model of the earlier feminist judgment-writing projects to lower-court decisions is a significant and distinctive step. It is, of course, a trite point that ‘law’ happens outside superior courts and that its impact is significant for the litigants, the victims and the community at large. In 2012, for example, Professor Brian Opeskin’s statistical survey of Australian courts confirmed that magistrates courts were the ‘most important tier of the Australian court system, accounting for 53 per cent of judicial offers and 93 per cent of all [matters] lodge [d]’.<sup>66</sup> By extending its gaze to lower-court decisions, *Australian Feminist Judgments* sends the important signal that feminism, and feminist judging, is not simply a matter for the legal and judicial elite. The Australian editors do not explain whether this extension was fortuitous (brought about, for example, by the nomination of *Webster* for rewriting) or part of their design to interrogate the significance of feminist judging in trial courts.<sup>67</sup> Whatever their reasons, the editors can rightly claim credit for the inclusion of these thought-provoking chapters.

The second distinctive choice of the Australian editors has been to allow some feminist judges to work outside the constraints of the structures, law and theoretical knowledge available to the original decision maker.<sup>68</sup> This occurs in three cases (*Kartinyeri*, rewritten by Irene Watson in ch 3; *Keshow*, rewritten by Heron Loban in ch 11; and *Tuckiar*, rewritten by Nicole Watson in ch 25). Each case raises questions regarding the manner in which Indigenous women’s voices could and should be heard within the Australian legal system.<sup>69</sup> As the editors explain, their intent was for the collection to speak to Australia’s unique settler-colonial history, and the ‘unresolved relationship between Indigenous peoples and the white legal system’.<sup>70</sup> In these three insightful chapters, the Indigenous ‘judges’ explore the limits of the feminist judgment-writing genre.

64. K Duncanson ‘Truth in sentencing: the narration of judgment in *R v Webster*’ in Douglas et al, above n 47, p 309.

65. Douglas et al, above n 47, p 11.

66. B Opeskin ‘The state of the judicature: a statistical profile of Australian courts and judges’ (2012) 35 Sydney L Rev 489 at 514.

67. The introductory chapters explain that the Australian project was a combination of suggestions from authors and invited contributions to ensure that the collection included ‘cases from a wide variety of legal fields’. See Douglas et al, above n 47, p 11.

68. Ibid, p 13.

69. Ibid, pp 34–36. Five chapters involve Indigenous peoples, but in two the feminist judges apply the original decision’s constraints. In ch 20, E Marchetti and J Ransley (writing as ‘Marsley JA’) rewrite *R v Morgan* (2010) 24 VR 230 to give the victim’s voice, and Indigenous elders’ views, a greater role in the Indigenous sentencing court process. In ch 25, J Nielsen rewrites *McLeod v Power* [2003] FMCA to explore the concept of whiteness as not-raced in a racial vilification case brought by a white-male prison guard against an Aboriginal woman.

70. Ibid, pp 9–10 and R Hunter ‘Australian legal histories in context’ (2003) 21 Law & Hist Rev 607.

In the first chapter after the editors' introductory essays, Irene Watson writes a critical review essay, rather than a feminist judgment, in response to the High Court of Australia's decision in *Kartinyeri*.<sup>71</sup> The case arose from a planning application affecting land associated with rituals sacred to Aboriginal Australian women. As Irene Watson points out, however, the sacred nature of the 'secret women's business' affected by the case quickly became lost, supplanted by black-letter arguments about the constitutional limits of Commonwealth legislative power. In her essay, Irene Watson explains why Anglo-Australian judgment-writing – by virtue of the linguistic, procedural and substantive conventions alien to Indigenous cultures, and particularly to the spiritual beliefs of Aboriginal women – could not accommodate the women's voices, even if feminist reasoning were applied.

In the collection's final chapter, Nicole Watson adopts a different approach to rewriting *Tuckiar v The Queen*,<sup>72</sup> a 1934 High Court case involving the sentencing of an Indigenous man convicted of murdering white settlers. Like Irene Watson, Nicole Watson concedes that a feminist judgment could not be written if it were subject to the case's original constraints. 'Justice' Nicole Watson's imaginative solution has been to write a feminist judgment in a different time and under different jurisdictional limits. Thus her chapter invents a 'First Nations Court of Australia', created under a 'treaty' between imagined parties: an Australian Republic, and a Confederation of Aboriginal and Torres Strait Islander Nations. As commentator Thalia Anthony explains, hearing the case in 2034, this fictitious court is 'tasked not with deciding the culpability of Tuckiar, but rather with piecing together the historical story of Tuckiar's widow, Djaparri'.<sup>73</sup> In this way, 'Justice' Nicole Watson is able to rectify the invisibility of Djaparri from the original court's narrative.

In contrast to these bookend chapters, feminist judge Heron Loban applies the authorities available at the time of the original decision of Justice John Mansfield of the Federal Court in *Australian Consumer and Competition Commission v Keshow*<sup>74</sup> (ch 11). The case raised issues of the application of consumer protection law to unfair contractual provisions entered into by Indigenous women. The feminist judgment is a thought-provoking reimagining of the decision in *Keshow*, demonstrating how a culturally sensitive application of the law to the facts might recognise the special significance to Indigenous women of their children's education.

Like 'Justice' Nicole Watson, however, 'Justice' Heron Loban's reasons are predicated on a fictitious jurisdiction, made up of a bench that includes an Indigenous judge as a permanent member. The creation of such a position would significantly alter the Federal Court's current constitution; a change only possible after a reconceptualisation of the current 'merit'-based discourse dominating Australian judicial appointments.<sup>75</sup> However, the adjustment in *Keshow* is comparatively 'small' when contrasted with the changes to legal sovereignty (and the time-machine)

71. *Kartinyeri v Commonwealth* (1998) 195 CLR 337. Although the High Court case focused on the Commonwealth's 'race' power in s 51(vi), the underlying dispute traversed many areas of substantive and procedural law. See K Bowrey 'Commentary on *Kartinyeri v Commonwealth*' in Douglas et al, above n 47, p 41.

72. (1934) 52 CLR 335.

73. T Anthony 'Commentary on *In the Matter of Djaparri (Re Tuckiar)*' in Douglas et al, above n 47, p 441.

74. [2005] FCA 588.

75. See eg Thornton, above n 49.

underpinning 'Justice' Nicole Watson's *Tuckiar* decision.<sup>76</sup> In fact, the constants of the *Keshow* judgment mean that in many respects it is the most provocative of these three chapters, as it forces readers to ask: Why is this adjustment necessary for the Indigenous women's concerns to be heard? In what ways is the Australian legal tradition incapable, or ill-equipped to redress these concerns? The nature of the *Australian Feminist Judgments* project does not provide its contributors scope to engage fully with these questions. However, by locating these chapters at the beginning, middle and end of the collection, the editors ensure that the reader is constantly questioning the capacity of feminist judging to redress inequality and how a creative and motivated legal community might respond.

A third novel contribution of *Australian Feminist Judgments* to the 'emerging movement' of feminist judging projects is the fact that a male 'judge', 'Justice' Jonathan Crowe, authored the feminist judgment in the child-custody case of *U v U* (ch 22).<sup>77</sup> In 2003, a majority of the High Court concluded that a mother could not relocate permanently to India with her daughter in order to take up employment and family-support opportunities unavailable to her in Australia. In his dissenting decision, 'Justice' Jonathan Crowe concluded that the High Court could legitimately take into account the interconnectedness of the 'best interests' of the primary caregiver and the child in reaching its decision.

While the editors do not highlight to the fact that 'Justice' Jonathan Crowe is the first male 'judge' in the feminist judgment-writing projects, his contribution reinforces the absence of 'female' as an essential requirement in Hunter's seven-point definition of feminist judging.<sup>78</sup> As the (Australian) judiciary remains male-dominated, 'Justice' Jonathan Crowe's decision is important symbolically as a rejection of the sexist assumptions, underpinning the challenge of bias made against Justice Monika Schmidt, that feminist reasoning is something only women judges do. The challenge to Justice Schmidt also manifested the reverse assumption; the claim that she *must be* a feminist because she is female. The fact that Australia has been a leader in the appointment of women to the bench means that the Australian project offers a distinctive lens through which to examine this assumption, by virtue of the number of women judges participating in the original decisions.<sup>79</sup>

By my calculations, 11 of the 25 cases in *Australian Feminist Judgments* had at least one female judge sitting on the original bench.<sup>80</sup> The majority of these were cases involved Mary Gaudron, the first female Justice of the High Court and the only woman on its bench until 2003.<sup>81</sup> It is particularly useful to read these cases in light of the editors' introductory chapter, 'Reflections on Rewriting the Law'. Here, the editors draw on interviews with the feminist 'judges' about their decision making choices. In one of those interviews, for example, Anne Cossins (feminist judge in the case of *Phillips v*

76. B Naylor 'Unconscionability, education and Indigenous women: *ACCC v Keshow*', in Douglas et al, above n 47, p 179.

77. 211 CLR 238.

78. Although indicating a 'tentative' view that a 'feminist judge' must be a woman, Hunter left that question open in R Hunter 'Can feminist judges make a difference?' (2008) 15 Int'l J Legal Prof 7 at 8. As the editors note, *Australian Feminist Judgments'* interest is in feminist *judging methods*, not the attributes of a feminist *judge*: Douglas et al, above n 47, p 2.

79. For a history of women judges in Australia, see Douglas et al, above n 47, p 4.

80. By my calculations, women sat in the original cases in chs 3, 5, 7, 12, 13, 15, 16, 17, 23 and 26.

81. Mary Gaudron's cases were: *Kartinyeri* (ch 3); *Dietrich v The Queen* (ch 5); *Louth v Diprose* (ch 12); *Cummins* (ch 13); *Taikato v The Queen* (ch 15); *Phillips v The Queen* (ch 16); *RPS v The Queen* (ch 17); and *U v U* (ch 22).



*The Queen*<sup>82</sup>) observed: '[a]s a feminist judge, you don't want to let the side down so that the blokes come along and go, well, phff – see, there you go, female judges, ... they don't know what they're talking about'.<sup>83</sup> This pressure to be seen as 'as good as' the male judges recurs particularly strongly in commentaries by and about 'first' women judges.<sup>84</sup> Such reflections add further context to the use of 'formalism' as a feminist technique; a technique that, as the editors indicate, is adopted by a number of the feminist judges in *Australian Feminist Judgments*.<sup>85</sup>

Outside Justice Mary Gaudron's cases, two of the original decisions in *Australian Feminist Judgments* include the voices of *multiple* female judges.<sup>86</sup> The first of these cases, *Goode v Goode*,<sup>87</sup> is a family law case involving parental contact orders, the question of 'equal shared time' and the best interests of the children, in the context of a history of family violence. A Full Court of the Family Court of Australia, comprising entirely of women judges, made the original decision: Chief Justice Diana Bryant, Justice Mary Finn and Justice Jenny Boland. The feminist judgment, written by Zoe Rathaus and Renata Alexander, plots a strikingly different course to that of the original Full Court bench judges in outcome, statutory interpretation and narrative form.

The second case is the High Court's controversial 2012 decision of *PGA v The Queen*,<sup>88</sup> regarding rape within marriage. The joint majority (comprising Chief Justice Robert French, and Justices William Gummow, Ken Hayne, Susan Crennan and Susan Kiefel), held that a husband's immunity from prosecution for rape at common law had ceased to exist by the date of the alleged offences (1963). In separate dissenting judgments, Justices Virginia Bell and Dyson Heydon held that the immunity still operated until abolished by statute. The feminist judgment written by 'Justices' Wendy Larcome and Mary Heath offers an additional dissenting opinion. As commentator Ngaire Naffine points out, a striking feature of the feminist judgment is that it provides a 'powerful cathartic moment', offering an apology to married women for the legal wrong perpetuated by the common law; a narrative statement missing from the original decision and alien to traditional Australian judicial form.<sup>89</sup>

An examination of the feminist rewritings in these chapters confounds the expectations, long critiqued by feminist scholars, that women judges will speak in the 'same' voice; that all women judges will be feminists; or that all feminists will speak in the 'same' voice.<sup>90</sup> As the editors indicate, rejecting these expectations necessarily leads to a more nuanced discussion about why it is important that more women sit on the

82. (2006) 225 CLR 355 (a High Court decision on similar fact evidence in rape trials).

83. Douglas et al, above n 47, p 33.

84. On 'first' women, and feminist judging, see *ibid*, p 1 fn 2. On Mary Gaudron, see P Burton *From Moree to Mabo: the Mary Gaudron story* (Perth: UWA Publishing, 2010); and H Roberts "'Swearing Mary": the significance of the speeches made at Mary Gaudron's Swearing-in as a Justice of the High Court of Australia' (2012) 34 Sydney L Rev 293.

85. Douglas et al, above n 47, pp 32–34.

86. *Goode v Goode* (2006) 206 FLR 212 (ch 23) and *PGA v The Queen* (2012) 245 CLR 355 (ch 16).

87. (2006) 206 FLR 212.

88. (2012) 245 CLR 355.

89. N Naffine 'Admitting legal wrongs: *PGA v R*' in Douglas et al, above n 47, p 260.

90. See further *ibid*, pp 4–6.

bench.<sup>91</sup> In his recent press conference appointing Justice Michelle Gordon to the High Court, Attorney General George Brandis scrupulously avoided responding to that question.<sup>92</sup> While the Attorney may chose silence, *Australian Feminist Judgments* encourages this discussion, particularly through the editor's novel extensions of the feminist judgment-writing project to encompass numerous single-judge decisions, to allow imaginative deviations from the 'brief' in key cases concerning Indigenous Australians, and to include the judgment of a male feminist judge. The *Australian Feminist Judgments* thus ensures that law teachers and students have fresh and stimulating material through which to interrogate these questions.

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*Consumer Law and Policy in Australia and New Zealand*, edited by JUSTIN MALBON and LUKE NOTTAGE.

Sydney: The Federation Press, 2013, v + 424 + (index) 9pp (\$115.00 paperback). ISBN: 9781862879089.

This edited book adopts a strong comparative focus and principally examines recent reforms in Australian consumer law against the backdrop of developments in New Zealand. The book further draws upon developments in consumer law and practice in Japan, the EU, Canada and the USA, and many of the traditional areas of concern for consumer law scholars, such as unfair contract terms, consumer credit, product liability and safety regulation, are critically examined. Yet the book goes further than many standard texts, particularly in the final chapters, with a consideration of consumer remedies and enforcement, an excellent chapter on regulatory consistency, and a chapter exploring e-commerce and the protection of the consumer. There is also a strong focus throughout the book on consumer law reform initiatives and legislative developments, particularly in Australia, with the book examining in good depth the Australian Consumer Law (ACL) reform package.

*Consumer Law and Policy in Australia and New Zealand* is broken down into 15 chapters and four parts. Two chapters are given over to responsible lending and consumer banking, but there is no overarching theme. Instead, part I examines 'General Themes', part II concentrates on 'Unfair Practices and Defective Products', part III explores 'Consumer Credit and Investment' and the final part is entitled 'Access to Remedies and Enforcement'. Maldon and Nottage have therefore compiled a very strong collection of thought-provoking chapters on a range of central topics in consumer law and policy, and the book ought to appeal to a wide readership. Students new to consumer law, not just in Australia and New Zealand but across the Asia-Pacific region, for example, where the book is likely to feature prominently in law school teaching programmes, will now have access to a rich source of comparative material in one publication. Regulators and consumer advocates across the region

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91. Ibid, p 9.

92. See <http://www.attorneygeneral.gov.au/Mediareleases/Pages/2015/SecondQuarter/14-April-2015-Appointment-of-the-Honourable-Michelle-Gordon-to-the-High-Court-of-Australia.aspx> (accessed 19 April 2015).