

**CONSTRUCTION LAW
AND MANAGEMENT**

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This book is a remarkable collaborative effort of six lawyers, an engineer, a quantity surveyor and an architect. They are based in England, Scotland, Australia, Dubai and Hong Kong.

The first introductory chapter contains an overview of the English legal system as it applies to construction matters, and thereafter breaks into a series of expositions about the interface between construction law and project management. In sitting astride these two fields, it positions itself at a pretty advanced level. It not only explains why Parkinson's law has led to the use of critical chain method instead of more basic CPM methodology, but it dwells on the subtle differences between the reactions of UK courts and US courts to contractor's failure to update their programs.

In considering dispute resolution systems, it considers not only available routes under various standard forms and ad hoc arrangements, but the shortcomings (in a construction law context) of the early 'Getting to Yes' ideas about the use of alternative dispute resolution. There will be very few specialist construction lawyers around, and no generalists at all, who are already familiar with all of these issues.

This is not a book to keep on your shelf, to refer to when required. If you did not happen to know what is in this book, you would probably not think of going hunting in it for the detailed guidance that it offers. Rather, it is set up more in the nature of a text book to accompany a post graduate course, and indeed the chapters end with multiple choice self-test questions for the reader to check that this rather rich diet has been properly digested.

I should confess to an interest. I have worked alongside and occasionally against most of the contributors, and so opened the book already aware of their huge combined expertise, and expecting to find the combination of erudition and experience with which it is larded.

A word of warning: about a third of the book is concerned to a greater or lesser extent with English and international forms of contract which are not typically seen in Australia. And therein lies a conundrum. There is no doubt that, in a number of these areas, construction law in Australia has been in fairly loose touch only with major strides that have been taking place in other jurisdictions around the world. Should Australian lawyers say: 'This fancy stuff has nothing to do with me, or the way we do things here'. Or should he, or increasingly she, say: 'Yes, we can learn from this stuff, how to do things better, to help our clients procure their buildings more efficiently, and to resolve disputes much more effectively'.

For me, having practiced in both worlds, the answer is clear. The benefits of the more advanced techniques are considerable; they help win cases. And besides, practice which includes their use is much more rewarding than the stale old biff.

And so I commend this work, not merely to order it and leave it to languish in your library, but to read it, on the train, on the plane, or wherever else you find time. You will probably want some highlighter pens and post it notes with you as you read it. It will take a while to absorb it all.

