

Death and the Maiden

**Directed by Roman Polanski;
Screenplay by Rafael Yglesias
and Ariel Dorfman; Rated R**

Based closely on Ariel Dorfman's hugely successful play of the same name, *Death and the Maiden* is a powerful film about the aftermath of torture. Set in an unspecified South American nation, the narrative focuses solely on three characters and their different ways of coping with horror.

Death and the Maiden explores notions of punishment, loyalty and revenge and asks whether a society can ever be 'normal' again after its government has committed physical and psychological atrocities against the people. Can you punish a regime?

Polanski's direction is superb as are the performances given by the cast of three, particularly Sigourney Weaver as a torture survivor. Despite its disturbing subject matter the film is also visually compelling. The release of *Death and the Maiden* is eerily timely given the recent announcement of a South African reconciliation commission.

Anyone with an interest in human rights and the morality of punishment should see this film.

Directed Verdicts of Acquittal

By the New South Wales Law Reform Commission; Discussion Paper 37; June 1995; 39 pp.

A week before the last NSW election the then Attorney-General, John Hanford, referred the issue of directed verdicts of acquittal to the NSW Law Reform Commission (LRC). Given the hysteria about law and order issues that characterised the campaigning by both the Government and the Opposition, a reference of this nature is hardly surprising.

The LRC's task is to determine whether the Crown should have a statutory right of appeal against acquittals directed by the bench in NSW. Such acquittals are rare and generally occur

because at the end of the prosecution case it appears that there is no charge to answer.

The LRC does not support introducing a right of appeal from a directed acquittal because of the difficulties associated with the drafting, interpretation and implementation of a provision that could reconcile Crown powers with traditional legal protection of the accused. The Discussion Paper also raises concerns about the possibility of double jeopardy.

The Discussion Paper is available free of charge from the LRC (tel 02 252 3855). Submissions are invited by 31 August 1995.

steps to control the consumption of alcohol by its members.

The *Alcohol Report* recognises the importance of collective rights in indigenous culture and is a welcome addition to the current debate on the deplorable state of ATSI health services.

The cost of the report includes a plain language community guide and postage (concessions available). For more information or to obtain the Report call Bernice Pemberton at the HREOC: tel 02 284 9600.

***BITS* was compiled by Frith Way. ■**



Alcohol Report: Race Discrimination, Human Rights and the Distribution of Alcohol

by the Race Discrimination Commissioner; HREOC 1995; \$19.95.

The *Alcohol Report* is intended to be a guide on the legality of measures undertaken in Aboriginal communities in central Australia to limit or prohibit the availability of alcohol.

Prohibitions have often met the objection from service providers and the Liquor Commission that they breach the *Racial Discrimination Act*. In the Report, the Race Discrimination Commissioner concludes that such prohibitions are saved from being discriminatory by the special measures provisions in the Act. The Commissioner has decided to issue certificates on application stating that in her opinion the prohibitions do not constitute a breach of the Act.

The Report does not purport to deal with the social problem of alcohol abuse but sets up a framework to empower communities to take practical

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rules. It is more effectively set out with subheadings, indexes and tables of cases and statutes to aid someone who is searching for a particular point of law. However, released six years ago, it is handicapped by its age.

While they are both fine books, *Media Law in Australia* has the distinct advantage of being up to date. It covers important recent developments such as the *Theophanus* case on the constitutional basis of freedom of communication in discussion of government and political matters, and the reorganisation of the electronic media through the *Broadcasting Services Act (1992)* (Cth).

Of course with the media constantly re-inventing itself and the unrelenting onslaught of technical and regulatory innovation, the threat of becoming outdated is a problem affecting *Media Law in Australia*. [warning: obligatory 'information superhighway' reference follows] Maybe they should stick the fourth edition on the Internet.

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