

(pp.2-3). In so doing, they give a brief but helpful account of the state and an understanding of the role of the state from conservative, liberal and radical standpoints.

While there is a great deal of discussion currently about the withdrawal of the state, and we see this in the emergence of privatisation in the area of criminal justice (for example, police, prisons) the central focus of the book is nevertheless appropriate: the state — when, where, how and why it intervenes in crime and punishment. For, as the authors argue in their pithy conclusion:

the institutions and agencies of criminal justice are not fundamentally concerned with crime as such — they are the symbols of state authority, which in turn encapsulates the central social and power relations of a society. Social control, as a mirror of these relations, is as much an ideological intervention in the world of the majority as it is direct coercion in the lives of some. The ways in which social regulation in general is achieved and contested always manifest the conflict between the powerful and less powerful in society. [pp.244-5]

How is that conflict managed in a nation where true unemployment is far higher than the official figure of 8.5%, where about one-third of the population is in poverty, and the rich (getting richer each year while the poor go the other way) have the option to pay tax while basic public services are run down and multi-national capital thrives on its globalising diet?

An Employee's Guide to Unfair Dismissal

Inner City Legal Centre and Redfern Legal Centre Publishing, November 1997; free (with \$5 handling charge)

This is a 'hands-on' guide aimed at assisting employees negotiate their way through the minefields of an unfair dismissal application. It covers the New South Wales and federal unfair dismissal legislation, and advises employees how to select the appropriate jurisdiction.

The book is in a long tradition of excellent publications by Redfern Legal Centre Publishing designed to make legal rights and remedies accessible to people unable to afford, or not wanting, the services of a solicitor. However, an unrepresented person can only go so far before self-representation becomes difficult if not impossible. This book straddles the difficult position between on the one hand having to impart as much information as possible to make

The minimalist state of the Right is gearing up: free market, strong state. A society lacking in social justice, a highly polarised society facing 'structural readjustment', 'downsizing' and 'inefficiencies' in the workplace caused by 'militant unionism'; such a society will see, as we are seeing, the development of a law-and-order crime control agenda (and no doubt the Olympics will give it a kick onwards).

White and Perrone are well aware of this political grounding of crime policy and the dialectics of crime control. Thus they comment:

(T)he polarisations in society are ... similarly embedded in the practices and institutions of social control ...

The legitimate violence of the state is thus being directed at the symptoms of disorder. This inevitably places many officials of the state in an invidious position. To maintain public order, to prevent crime, to deal with the persistent offender, to cater to the needs of those most victimised, demands much more than the police or courts alone can give.

This is the central dilemma of criminal justice today — to envisage and implement a truly just and fair system in the context of a society massively divided and moving rapidly away from the ideals of equality, full participation and social cooperation. [p.246]

Indeed, it seems a very big ask!

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the remedies utilisable by people who are self-represented, and on the other hand recognising that it is not able to replace sound legal advice from practitioners in the field, due to the complexity of many of the provisions (particularly, for example, the election required between the types of termination after the conciliation stage). These technical barriers apply especially to the federal *Workplace Relations Act* unfair dismissal provisions which are far more technical than the previous federal legislation (not to mention significantly curtailed in terms of jurisdiction and remedies).

In view of this difficulty, *An Employee's Guide to Unfair Dismissal* is excellent. After an Introduction which covers threshold issues such as

jurisdiction and choice of forum, legal aid, explanation of legal terms, and so on, the booklet gives more detailed coverage in separate chapters of the New South Wales and federal provisions, respectively. Finally, it includes a list of further resources and contact points. To this end, the authors are clearly aware of the need not to give readers a false sense of security — that if they simply follow the recipe they will necessarily be able to achieve a satisfactory outcome on their own behalf.

A couple of minor reservations include the lack of prominence given to time limits early on in the booklet. Given that it is a 'self-help' book, these should have been given prominence early on, preferably perhaps with a table setting them out for each jurisdiction, including also appeal time limits. As it is, the first obvious reference to a time limit appears on p.21 of the book, in relation to a NSW claim. There is a reference on p.6, in the section headed 'Get advice early and quickly', but the time limit is buried in the same font as the text, and should be given much more prominence.

Secondly, and this is not the fault of the authors, some information is already out of date. For example, the reference on p.11 to the jurisdictional limit on non-award employees earning over a prescribed amount is already superseded. This is probably unavoidable when this sort of regulation changes so frequently, but it might be better to include a warning to let people know of the risk of frequent amendment.

Thirdly, some important legal concepts (such as the difference between genuine redundancy and dismissal) are not always dealt with succinctly or explained as clearly as they could be — but again, this is a difficult task for a book which is designed to be a handbook, not a law journal.

These are, however, minor criticisms of what is overall an excellent, and much needed guide for the ever-burgeoning number of employees who are dismissed, many of whom would probably not have been able to avail themselves at all of the unfair dismissal remedies without a manual such as this.

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Apology:

In *Bits* in the last edition we wrongly attributed the review of *Psychic Warrior* to Frith Way. Out apologies to the reviewer, Brad Cooper.