

## BOOKS NOTED

*Butterworth's Australian Current Law 1963-1964*, edited by L. F. OSBORN, B.A., LL.B., 2nd ed. (Butterworth & Co. 1965), pp. 1-324. Price £2 17s.6d.

This paperbound volume will be of value, not only as a convenient guide to all cases reported in every series of Australian law reports during 1963 and 1964, but also as an index to new statutes, regulations and rules of general interest of every Australian State and of the Commonwealth appearing in the same period. As such, it is probably the most up to date general guide to Australian current law. Each subject dealt with is complete in itself and includes both the cases (under alphabetically arranged sub-headings) and the statutory information relevant to it. In some instances, reference is given to articles recently published in legal periodicals throughout the Commonwealth. Finally, a valuable table of all State and Commonwealth statutory provisions judicially considered in the 1963-1964 period appears separately at the back of the volume. There is no general index to cases, statutes or articles, but a comprehensive and detailed subject index renders the contents of this volume readily accessible.

*Australian Supplement to the Principles of Modern Company Law*, by L. C. B. GOWER, LL.M. (Lond.), 2nd ed., compiled by I. I. Kavass, LL.B. (Melb.), (The Law Book Co. of Australasia Pty. Ltd., 1964), pp. i-xviii, 1-224. Price £2 5s.

This supplement provides an Australian key to a well-known English treatise. The independent development of law in Australia has tended to limit the usefulness of highly reputed English law text-books. Professor Gower's book, although it makes some reference to decisions of the High Court of Australia, must be qualified in many respects for our purposes on account of legislative differences between Australian and English company laws. The inconvenient task of adaptation has now been done for us by Mr Kavass in his very useful Australian supplement. In view of the basic similarity between the two bodies of law, Mr Kavass has not re-written Professor Gower's book. But he has provided in relation to each chapter and page of the English work references to relevant statutory provisions in all Australian states, the Australian Capital Territory and the Northern Territory. The author indicates whether or not there is a corresponding section in our provisions, and notes any variation or divergence. Australian cases are cited if they are relevant to Professor Gower's text or mark a distinctive development in Australian company law.

*The Victorian Solicitor*, by ARTHUR HEYMANSON, B.A., LL.B., and KENNETH H. GIFFORD, LL.B., 2nd ed., (Law Book Company of Australasia Pty. Ltd., 1963), pp. i-xx, 1-278. Price: £3 16s.

This is a second edition of the well-recognized guide to the Legal Profession Practice Act and the rules made under it. Besides a detailed annotation of the Act and the various rules regulating the conduct of the legal profession, it contains an annotation of the Rules of the Council of Legal Education and a completely new treatment of the general precepts of professional conduct. One of the original authors, Mr E. H.

Coghill, has withdrawn on his elevation to the office of Master of the Supreme Court, and the second edition is the responsibility of Messrs. Heymanson and Gifford. The subject matter of such a work is constantly subject to change in view of such legislation as the Legal Profession Practice (Amendment) Act 1964, and important amendments to the Rules of the Council of Legal Education and supplements are to be issued to keep the work up to date. Like its first edition, this book is likely to prove a most welcome guide for the practising solicitor with its not un-complicated subject matter.

*Paradoxes in Prison Sentences*, by A. R. N. CROSS, D.C.L. (Oxford University Press, 1965), pp. 1-26. Price 6s.

The Oxford University Press is to be congratulated for making available in pamphlet form Professor Cross's Inaugural Lecture as Vinerian Professor of English Law in the University of Oxford delivered in March of last year. Professor Cross agrees that it is usual to consider that a judge, in fixing a sentence, is merely exercising a discretion, but he points out that the Departmental Committee on Persistent Offenders, as early as 1932, found that there is a 'large measure of agreement on general principles' among judicial authorities, and that sentences that do not conform with these principles are liable to be reduced on appeal. If such principles exist surely lawyers should examine them, and judges should play close regard to them so as to ensure that a man's sentence does not vary according to the particular judge who sentences him. Justice according to law should not end when the moral opprobrium of conviction has been placed on the defendant. Furthermore, should not judges give reasons for imposing a particular sentence? And would it not be better to make sentences of greater length than, say, five years indeterminate, so as to allow the executive to determine when the aims of punishment (as indicated by the courts) are fulfilled? These are some of the matters considered by Professor Cross with his accustomed clarity and insight in this lecture. It is well worth reading.