

the whole he provides a comprehensive analysis of some of the principles relating to criminal investigation such as search and seizure, arrest and confessional evidence, taking into account the evidentiary consequences of a failure to follow proper procedure.

One minor criticism is that the structure of the book inhibits its flow. It is suggested that the issues could have been examined in the order in which they arise in practice, beginning with the pre-trial procedures such as arrest, search and seizure, and police questioning, moving to the trial and the evidentiary problems attached to the evidence obtained from such procedures. It is also suggested that the index could have been more detailed. For instance the index to confessional statements does not include references to factors such as conditions of admissibility, the *voir dire*, the judicial discretion, inducement of confessions, the Judges' Rules and the Police Standing Orders, although these issues are discussed in the text.

Despite the few structural faults in the book, and a failure to discuss some topics such as entrapment in more detail, Gillies has managed to canvass the many aspects of criminal investigation clearly, concisely and analytically. This book will provide informative reading for legal practitioners and students.

POLIXENI PAPAPETROU*

Federal Administrative Law by G. A. Flick (Law Book Company Ltd, Sydney, 1983) pp. i-xxvii, 1-251. Price \$35.00 (cloth), \$27.50 (limp) ISBN 0 455 20448 9; 0 455 20424 1.

In the course of the past decade Australia has come to be regarded as something of an administrative lawyer's paradise. Public lawyers in other common law jurisdictions have been casting envious glances in Australia's direction. The reason is plain enough. In 1968 the then Commonwealth Attorney-General, Sir Nigel Bowen, set in train a series of reviews into federal administrative law. Those reviews, in turn, produced recommendations for fundamental changes in the law. The recommendations were given effect to by three important enactments: the Administrative Appeals Tribunal Act 1975, the Ombudsman Act 1976, and the Administrative Decisions (Judicial Review) Act 1977.

Federal Administrative Law contains the text of each of these Acts and of relevant subordinate legislation. The text, in each case, is annotated. The annotations go well beyond the customary notes of decided cases. Dr Flick has drawn on a wealth of material which includes the reports of the committees whose recommendations are incorporated in the Acts, the annual reports to Parliament of the Ombudsman and the Administrative Review Council, and journal articles and books. There are, in addition, references to comparative materials which may assist in the interpretation and application of this legislation, particularly in its early years.

Not surprisingly, each of the enactments has been beset by 'teething troubles' as unforeseen problems of interpretation have arisen or drafting deficiencies have been discovered. Dr Flick has been careful to highlight the areas which stand in need of reform and to make suggestions as to the direction such reform should take.

A novel touch is added by the inclusion, after each annotated Act, of the Second Reading Speech which introduced it, as a Bill, to the Parliament.

The author has brought to the production of this work the combined experience of an academic lawyer, a practising barrister and a law reformer. The student will find it to be a useful starting point for any research into federal administrative law. Most of the relevant primary and secondary source material is conveniently collected in the places where one expects to find it.

The practitioner will find *Federal Administrative Law* of even more assistance than the budding essay writer. He will find all the relevant decisions in summary form. A random sampling by the

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reviewer failed to detect any notable omissions. The practitioner is given convenient access to all the forms he needs and to the Rules of Court. Even the addresses and telephone numbers of the registries and offices to which recourse will be needed are included! Perhaps the next edition may also contain some precedents.

Developments in this rapidly changing field of law will make regular updating essential if the book is to retain its value to the student and the practitioner. For this reason it is to be hoped that the text is encoded on a floppy disc. If it is not, the author's task in preparing future editions will be a daunting one.

R. R. S. TRACEY*

Ethics, Legal Medicine and Forensic Pathology by Vernon D. Plueckhahn (Melbourne University Press, Melbourne, 1983) pp. i-xv, 1-287 (including Index). Price \$39.50, ISBN 0 522 84252 6.

Dr Plueckhahn covers a wide field in this book, examining ethical questions which arise in the daily practice of medicine, describing various techniques useful in forensic medicine and also looking at important social issues. The discussion of medical and social ethics is comprehensive, in several cases leading to suggestions for legislative intervention, either to clarify a position or to remove anomalies. Beyond the examination of the doctor/patient relationship, particularly in regard to consent and confidentiality, Dr Plueckhahn devotes his attention to the more complex ethical problems caused by modern technological advances. This area, known as bioethics, involves such practices as organ transplants, improved means of life support, artificial insemination, *in vitro* fertilization, embryo transfer and genetic engineering. Not only can such activities be questioned on moral and ethical grounds, but the reasonable distribution of community resources must be encouraged. Moral issues predominate when priority of resource allocation is decided. Further, legal problems arise when, for example, a child is conceived after its father's death, or a surrogate mother claims custody of the child she has borne; further, should the law recognize a new proprietary interest in an unimplanted embryo? Dr Plueckhahn sees need for legislative reform in these areas, to control unethical practices, to answer unsettled questions and to provide a system of compensation, should technological advances produce unexpected harmful side-effects.

Legal questions are discussed at length in chapters on human tissue transplantation and the professional liability of doctors. In particular, the difficult issue of consent is treated, in relation to donation of vital organs and actions against doctors for assault arising from surgery. The definition of death contained in the Human Tissue Act 1982 (Vic.) is explained, and tests for ascertaining brain death are described. Ethical and legal issues overlap when the turning off of life-support systems is contemplated; finally, the author looks at the special problems of consent to blood transfusions involving Jehovah's witnesses. Professional negligence is covered in detail.

As well as his investigations of legal and ethical issues, Dr Plueckhahn explains many medical points, but without becoming so technical as to lose his non-medical readers. Thus chapters are devoted to the most common causes of sudden death and their determination in autopsy; these include wounds, road accidents, asphyxia, hypothermia, hyperthermia, electrocution and poisoning. Legal problems are found here too; for example, a doctor may need to decide whether a body found in the ocean was dead before it entered the water. The techniques for identification of corpses are discussed in the final chapter of the book.

Chapters on sexual offences and abortion give clear statements of the law in Australian jurisdictions, and explain the role of the medical practitioner in these areas. Inconsistencies in laws concerning sexual offences are indicated, with suggestions for reform. There is also an excellent chapter on the social,

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