

1980s. This book can thus be recommended as an introductory guide to courses on policing, on criminology, or on the history of criminal justice in Australia.

*Stefan Petrow**

Philip Alston (ed), **Towards an Australian Bill of Rights**, Centre for International and Public Law, Australian National University, Canberra, and the Human Rights and Equal Opportunity Commission, Sydney, 1994, pp xv, 383, \$19.95 (pbk).

This publication is a collection of articles from legal academics, members of the judiciary, politicians and other senior public figures working in the sphere of human rights protection and promotion. Whilst it is entitled *Towards an Australian Bill of Rights*, the discussions are wide-ranging, surveying Australia's support for and application of international human rights initiatives, in addition to discussing the domestic and comparative aspects of Bills of Rights. This broad base provides a platform for an informed debate on the question of a Bill of Rights for Australia.

The text is introduced by Philip Alston who gives a general survey of the possibilities for the creation of a Bill of Rights in Australia and the methods by which it might be achieved. This is an excellent introduction to the debate, providing a basic reading for students in the area, and is thoroughly referenced. This introduction would serve as an ideal basis for a seminar on the subject for students, and is also clearly aimed at the informed general reader, an objective which is admirably achieved.

The main body of the text is divided into three parts. Part I, 'Putting the Debate in Context', presents a variety of writings on the particular minority rights and interests likely to be fundamental to a Bill of Rights. The outstanding contribution to this section is the article by Professor Charlesworth entitled 'The Australian Reluctance About Rights', which is a thoughtful, lucid and thorough critique of the development, and present status of, human rights in Australia. Further in Part I, Elizabeth Evatt treads carefully through the minefield that is 'Cultural Diversity and Human Rights'. This is a problem that will not go away, and needs to be evaluated carefully if a future Australian Bill of Rights is not to be an instrument of division.

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Part II, 'A Bill of Rights?', consists of an interesting range of opinions, domestic and comparative (with North America and New Zealand). Brian Burdekin presents his survey of rights and interests of domestic concern to Australia with passion. His evident frustration is a sad testament to the difficulties inherent in promoting and protecting rights.

Part III, 'International Dimensions', provides a bizarre conclusion to an otherwise stimulating and informative collection of articles. Gareth Evans offers a narrative entitled 'Human Rights in Australian Foreign Policy: Where to from Here?' Judging by his presentation, nowhere new. This submission is probably the least interesting in the publication, providing as it does an assortment of policy statements made repeatedly over the last ten years or so. In a purely academic sense it is pointless, but as a tool for seminars it would prove interesting for students of law and political science, chiefly for what is not said. The Gulf War, South Africa and the former Yugoslavia get brief mentions, although one of the more ethically challenged policies, that on East Timor, is not mentioned, save a mysterious statement that 'Australia has ... been active in providing advice to newly established human rights institutions, including in [sic] Russia, India and Indonesia.'⁷

Michael Kirby presents a discussion on 'The Internationalisation of Human Rights Law'. This discussion appears to have been written at least two years ago, which is not in itself a criticism. However, the material presented is not sufficiently developed and reads as a travelogue of 'Human Rights issues I have known and been involved in', rather than a coherent analysis of the impact of international human rights on Australian law. Given the author's known commitment to and eloquence on the subject, this section is something of a disappointment.

The final article is by Peter Thomson,⁸ entitled 'Human Rights Reporting from a State Party's Perspective'. This is an excellent survey of the reporting process, which would be invaluable to any student of human rights law in Australia. His discussion of the need for reportage, and constructive suggestions on improving the procedures in Australia, thereby improving the protection of human rights, is enlightening and informative.

To summarise, this collection of articles provides an excellent basis for discussion of the need, or otherwise, for a Bill of Rights in Australia, both for students and the informed general reader.

7 *Towards an Australian Bill of Rights*, p 262.

8 Principal Counsel, Human Rights Branch, Australian Attorney-General's Department.

Unusually for such a collection the index is extremely thorough, allowing easy access to particular discussions and issues. Whilst criticisms can be made of some of the content, that merely indicates the complexity and sensitivity of the area under discussion, and the range of interests addressed.

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