

Reforms in Government Service Provision  
Case studies:

Human services in South Australia

Public hospitals in Victoria

Correctional services in Queensland

Steering Committee for the Review of  
Commonwealth/State Service Provision  
Melbourne 1997

Review of GBE Governance Arrangements

Richard Humphry AO

AGPS, March 1997

Review of the adversarial system of  
litigation: Rethinking legal education and  
training

Issues Paper 21

Australian Law Reform Commission  
Sydney, August 1997

Report of The Ombudsmen : Nga Kaitiaki  
Mana Tangata

for the year ended 30 June 1997

Presented to the House of Representatives  
(New Zealand)

The CTC Roadmap : A practical guide to  
contracting

Department of Administrative Services  
National Capital Printing, Canberra, 1997

The High Court and The Constitution  
Fourth Edition

Leslie Zines

Butterworths, 1997

The Performance Improvement Cycle :  
Guidance for managers

Department of Finance May 1997

The Province of Administrative Law,  
Taggart, Michael (ed)

Hart Publishing Oxford UK

Twenty years of the Commonwealth  
Ombudsman 1977 – 1997

Commonwealth Ombudsman's Office  
Canberra June 1997

## Book Review

The Province of Administrative Law

Michael Taggart (ed)

Hart Publishing, Oxford, 1997

ISBN 1-901362-01-9 (cloth)

ISBN 1-901362-02-7 (paperback)

In its recent Issues Paper on *The Contracting Out of Government Services* the Council noted that the boundaries of private and public law were merging; the traditional view that administrative law applied only to public sector agencies had been challenged.

This collection of papers demonstrates that this blurring of public and private law is emerging in a number of jurisdictions in response to changes in service delivery and administration that are occurring in governments across the common law world.

The papers were presented at a conference held in Saskatoon, Canada, on 17-19 October 1996 under the auspices of the College of Law, University of Saskatchewan. With contributions from leading writers from Australia, Canada, New Zealand, the United Kingdom and the United States, this collection is a fascinating account of the ways in which legal systems in those countries have responded to the challenges of privatisation, contracting out, corporatisation and deregulation. It also provides an insight into the way those responses have differed from country to country on depending their constitutional and historical backgrounds.

The papers and their authors are listed below:

1. The Province of Administrative Law Determined?

*Michael Taggart*

2. Constitutionalism and the Contractualisation of Government

*Murray Hunt*

3. A Public Lawyer's Responses to Privatisation and Outsourcing  
*Mark Aronson*
4. Theoretical and Institutional Underpinnings of a Separate Administrative Law  
*John W. F. Allison*
5. Administrative Law for a New Century  
*Alfred C. Aman, Jr*
6. Public Service Law and the New Public Management  
*H. Wade MacLauchlan*
7. Administrative Law at the Margins  
*David Mullan*
8. Intermediate Associations and the State  
*Janet McLean*
9. The Reach of Administrative Law in the United States  
*Jack M. Beermann*
10. Public Law and Control Over Private Power  
*Paul Craig*
11. The Underlying Values of Public and Private Law  
*Dawn Oliver*
12. Criminal Justice from the Bottom-up: Some Thoughts on Police Rulemaking Processes  
*Hudson Janisch and Ron Levi*
13. The Politics of Deference: Judicial Review and Democracy  
*David Dyzenhaus*
14. The "Ebb" and "Flow" of Administrative Law on the "General Question of Law"  
*Madame Justice Claire L'Heureux-Dubé*
15. Feminism, Pluralism and Administrative Law  
*Alison Harvison Young*

This volume underlines the dynamic nature of administrative law. As Professor Michael Taggart notes in his introductory paper, those that expected the province of administrative law to shrink in parallel with the contracting state may, so far, be disappointed. Or as Sir Stephen Sedley (more colourfully but less optimistically) describes it in his Foreword "...as the second millennium gives way to third, ...the sculptural image of law enthroned is having to give way to a somewhat more cinematic one of people in gowns running up a downward-moving escalator."

This collection of intellectually elegant, sometimes radical but always accessible, papers will provide all those interested in administrative law, whatever their background or expertise, with a highly readable analysis of the past which also poses some fundamental questions about the future. (PL)