

That Disreputable Firm ...

The Inside Story of Slater & Gordon

by Michael Cannon, Melbourne University Press, Melbourne, 1998; 324 pp; \$39.95 hardcover.

That Disreputable Firm ... is not written for lawyers. Although it is fully referenced and a lengthy bibliography is included, it is a popular rather than an academic history. The focus throughout is on the human interest of the work of Slaters, rather than the law, and lawyers would find the absence of any discussion of the way in which Slaters have been able to stretch the boundaries of the law disappointing.

The book falls into two halves. The first recounts the history of the firm of Slater & Gordon itself. The second consists of a survey of the more famous cases in which Slaters have made their name.

I found the first half more interesting, partly because, while I have a vague idea of who Maurice Blackburn was, I had no idea of the original identities of 'Slater' and 'Gordon', or indeed if such people ever existed. Secondly, the early chapters are set in the 1940s and 1950s when Australia was gripped by virulent anti-left sentiment and some of the early Slaters personnel featured, either centrally or peripherally, in such events as the Petrov Royal Commission and the Communist Party referendum.

'Slater' was Bill Slater, private in the Army in World War I and elected to the Victorian Parliament as a Labor member for the country seat of Dundas in 1918 while Slater was still serving overseas. His legal career began with Maurice Blackburn but he opened his own practice in Melbourne under the auspices of the ARU. In 1924, when the Labor Government of George Prendergast was elected, Slater was appointed Attorney-General, at the age of 35. During several terms in short-lived Labor governments he pursued typical Labor causes, such as prison reform and workers compensation. In 1940 he was elected Speaker of the Victorian Parliament and in 1942 was appointed by John Curtin as Australia's first ambassador to Russia.

After the war, Slater returned to the Victorian Parliament as Chief Secretary under the Cain government but was

defeated by a John Wren-led campaign in 1949. He took a safe Labor seat in the Legislative Council and remained in that position until his death in 1960.

The 'Gordon' of the firm name was Slater's brother-in-law, Hugh Gordon, who became a partner in 1935. His role in the firm was shortlived as he was killed in action in 1943. Slater's decision to retain the firm's name as Slater & Gordon appears prophetic. Two of the best known contemporary members are Peter Gordon of the Melbourne office and Footscray Football Club fame and John Gordon, a Perth solicitor who joined the firm at the time of the asbestos cases. Neither of them is related to the original Gordon.

Bill Slater's political career enabled him to bring in several now well-known names to keep the practice running. First, Ted Hill, who joined as a law clerk and became a partner in 1943, but left the firm when he became secretary of the Victorian branch of the Communist Party in 1948; then Geoff Jones, who took over Ted Hill's share of the partnership and managed the firm for 36 years from 1948 until 1984. Ted's brother, Jim, worked in the External Affairs Department after the Second World War, where he came under investigation for alleged Soviet contacts. He left the Public Service in 1953 and was offered a job with Slaters by Geoff Jones. He stayed with the firm until his sudden death in 1973.

As a young solicitor practising in the 1960s, I had no personal contact with Ted Hill or Geoff Jones, but I did know Jim Hill and was opposed to him in many workers compensation cases. Whether or not he was a Soviet agent, he was one of the fairest and most decent lawyers I ever dealt with. I frequently rang him and asked him for advice on the law in cases in which he was not involved and I knew that it would not occur to him to exploit the opportunity to mislead a young, female, inexperienced solicitor acting for the enemy.

The second half of the book canvasses the major areas of litigation for which Slaters have become famous. The range of subject matter is impressive: asbestos, medically acquired HIV, product liability from Dalkon shields to peanut butter, claims against the Christian Brothers for sexual abuse of boys and of course OK Tedi. It is here that the book is basically unsatisfactory for a legal reader and even the lay reader might tire of the unswervingly 'goodies and baddies' approach.

The author has apparently never had a qualm about the capitalist system until he first discovered the unfailing evil of the corporate defendant. While admittedly there is not a lot to say in favour of most of the defendants involved, it is irritating to have the author railing against those defendants who dare to defend a claim brought against them, given that the decision to defend is almost invariably made by the insurer.

In the same vein, Michael Cannon never seriously contemplates that Slaters might have made the occasional mistake or misjudgment. The one recent case which occurred to me as in this category is the Cheryl Harris/Ian Smith case and this is hidden at the end of the chapter on the Christian Brothers, a placement justified by the chapter title 'Taming the sexual tiger'!

Nonetheless, despite these comments, the book makes for enjoyable reading. It reminds us of Slaters' long tradition of commitment and daring and provokes the thought that a legal text analysing the changes to the law brought about by Slaters litigation would be really fascinating.

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Crime & Social Exclusion

Edited by Catherine Jones Finer and Mike Nellis; Blackwell Publishers Ltd, Oxford, 1998; 175 pp; \$39.95, softcover.

Written as a rejection of the policies and beliefs that saw the Thatcher era of British politics dismantle the welfare state, *Crime & Social Exclusion* is a collection of essays from the left realist movement. Signalling a new direction in criminological debate, left realism emerged during the mid 1980s as a response to the dominant political ideologies of the then Conservative government. These policies had the effect of increasing blame and stigmatisation of the individual as the central cause of crime. Preferring to explain crime as a pathology, the source of crime and delinquency resided within the individual, a person capable of making rational choices and decisions, a person deserving some form of cure or correction.

Conservative social policy of this period is criticised for being unable to recognise the proper social dimensions of crime, and failing to understand the