

Book review:

The Appellate Jurisdiction of the Courts in Australia

by Dean Mildren AM RFD QC

Matthew Littlejohn

Lawyer

Maurice Blackburn Lawyers

The appellate jurisdiction is an interesting creature, having come into broad existence relatively recently (at least in legal terms) in the mid-nineteenth century. This book, arriving some 140 years after the first appeals were heard outside the House of Lords, fuses the colourful history of the jurisdiction with a practical, strategic view of modern advocacy.

Almost all Northern Territory practitioners will be familiar with the author, who, for those new to the Territory, served as a judge of the Supreme Court here from 1991–2013 and still sits as an Acting Judge of that court. This long and distinguished career is highlighted in this book, as the author shares war stories and insights into relevant topics including how to prepare an appeal brief for counsel, how to engage the court in your argument, and how to present yourself to the Bench (tidy hair is a must).

Woven around these anecdotes is a body of expertly-researched and referenced procedural guides, separated into criminal, civil, and military appeal practice. Each section deals with the multitude of appellate jurisdictions across the country and points out where practice differs. Whether dealing with initiating an appeal, seeking leave, preparing written submissions, or seeking costs, at all times this book is written with an eye on the practical, and makes no assumptions about the experience of the reader. Indeed, the author identifies that this book is just as likely to assist a practitioner new to the appellate jurisdiction as one who has been around the traps for a while.

This book is a valuable go-to resource on all aspects of the practice and benefits from a wealth of real-world knowledge and technical skill and is recommended for anyone involved in the appeals process, appellant or respondent, counsel or instructor.

Matthew Littlejohn is the Regional Office Leader for Maurice Blackburn's new office in Darwin. Matthew has a background in the firm's class actions and medical negligence departments, before joining the Darwin personal injuries practice. In 2013, Matthew was associate to her Honour Justice Kelly in the Northern Territory Supreme Court and is glad to now have the opportunity to return to the Top End.

