and public repeal of the laws against homosexuality would effect *that* change overnight. But that cannot be what Mr Wilson means. Rather he is answering a question 'which the Wolfenden Committee recognised but did not resolve: should the law lead public opinion or follow it?' (p. 93). If the question is worth asking it is worth a more articulate answer than it gets here. When does public opposition to the repeal of repressive laws matter?

Mr Wilson's book is, regrettably, important. I have mentioned before that there is very little scholarly writing in Australia on the overreach of the criminal law. What debate there is tends to be the preserve of lawyers. In conducting the public opinion survey the author broke new ground. What was needed in addition to the results of that survey was a discussion of the relevance of such research data to law reform.

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The Law and Computers, by DOUGLAS J. WHALAN, LL.B.(N.Z.), LL.M.(N.Z.), PH.D.(OTAGO), (University of Queensland Press, Australia, 1970), pp. 1-22. Price $0.75.

At the outset, Professor Whalan states

> It has been customary for the new incumbent of a chair of law to devote his inaugural lecture to a consideration of legal education. . . . I do not hold myself bound by this precedent. (p. 1)

Consequently, the rest of the pamphlet covers the application of computers to law and the legal consequences of the mechanization of society. It is symptomatic of the rapid development of computers that it is difficult and sometimes impossible to apply precedent to legal problems which concern computers.

The author is to be congratulated on his deep understanding of the capacities and limitations of computers, although he does, on occasion, reveal the layman's tendency to assign human capabilities to a computer. While Sir Alan Herbert's examples can be both amusing and instructive, I found the quotation from *Haddock v. The Generous Bank Ltd Computer* a little disheartening. If the machine that made the mistake had been an accounting machine, there would have been no question of fining it £5,000 in its *personal* capacity. The use of such material can only increase the mythical status attributed to computers, which takes no cognizance of the fact that they are merely a more complex and efficient method of computation and that they are subject to a predictable rate of failure.

The discussion of Evidence, Tort, privacy and individual freedom does, however, reveal some very real problems with which the law will be increasingly faced as computerization takes place. The privacy problem is already with us and I agree with the author's suggestion that legislation should be enacted to protect the individual.

The other section of the pamphlet is devoted to the direct application of computers to legal work (ranging from the provision of more sophisticated office systems to their use as an aid to legislative control). The greater part is rightly devoted to a consideration of the analytical possibilities of the machine to provide more accurate and more meaningful data. Professor Whalan briefly mentions the costs involved in such application. (I stress that these cannot be underrated, but agree wholeheartedly that 'this factor must not be allowed to become a reason or excuse for postponing feasibility studies'.)

Finally, although this short pamphlet covers a vast ground, I found it very informative and I recommend it to all lawyers. The lawyer should not, at this time, be concerned with how a computer achieves its end result—the author's

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account of the differences between an analogue and a digital computer (p. 4) is really irrelevant or, at least, unimportant—rather he should explore all possible applications within his own field and consult with an expert on feasibility and practicality.

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Principles of Australian Administrative Law, by D. G. BENJAFIELD, D.PHIL.(OXON.), LL.B.(SYD.), and H. WHITMORE, LL.M.(YALE), LL.B.(SYD.), Fourth Edition, (Law Book Company, Australia, 1971), pp. i-xxxviii, 1-367. Australian Price $8.75 (Paper), $10.75 (Cloth).

The appearance of a fourth edition of this book only five years after the publication of the third is a testament to the rapidly changing face of administrative law. Mainly in England, but also in Australia, there have been several decisions of fundamental importance and there has been an increasing concern by legislators about the reform of administrative law. A summary of these activities is given by the authors in a new, final chapter.

Within its 367 pages, this book ranges across many important topics and, as a result, their treatment is brief. Although the book is primarily directed towards students and, no doubt, is intended to complement a casebook, a more expansive treatment of the doctrine of *ultra vires* and the rules of natural justice would have been desirable: for most administrative law litigation centres around these matters and each provides special difficulties for the student.

In several areas, recent cases have necessitated rewriting. In relation to the question of the alleged uncertainty of subordinate legislation, the authors discuss the recent House of Lords decision in *McEldowney v. Forde*[1] and its 'liberal approach' (p. 125), a view with which the reviewer is inclined to disagree. It will be interesting to follow the Australian attitude to this decision. At the time of publication of the third edition, the significance of *Ridge v. Baldwin*[2] for Australia was unclear. After some earlier hesitation, the High Court has, in *Banks v. Transport Regulation Board,*[3] adopted the House of Lords view of natural justice. It represents a radical departure from the so-called 'conceptual' approach and the authors refer to numerous cases which have followed *Ridge v. Baldwin.* The question whether a breach of the rules of natural justice renders a decision of an administrative tribunal void or voidable (which was left unresolved in *Ridge v. Baldwin,* and was further confused by the apparently opposite views of the Privy Council in *Durayappah v. Fernando*[4] and the House of Lords in *Anisminic Ltd v. Foreign Compensation Commission*[5]) is discussed fully by the authors. In recognizing this 'unfortunate state of confusion' (p. 155), they attempt a coherent answer to the question.

The authors' approach throughout is refreshing and critical. At many points they demonstrate the inadequacies of modern administrative law and examine the merits of the solutions found in the American and continental systems. Their final chapter, entitled 'Reform in Administrative Law', is an illuminating one. Unfortunately, as it clearly indicates, Australian reform is proceeding very slowly because of legislative reluctance to accept the recommendations of law reform committees.

This edition possesses the conciseness, completeness and critical insight which has characterized earlier editions, and has succeeded admirably in achieving the authors' object of rewriting and updating the contents of the third edition.

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1 [1969] 2 All E.R. 1039.
2 [1964] A.C. 40.
3 (1968) 42 A.L.J.R. 64.
4 [1967] 2 A.C. 337.
5 [1969] 2 W.L.R. 163.
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