

In addition to analysis of the law the book contains generous discussion of policy. It reveals the paucity of vision of policy-makers and details their frequent and astonishing capitulations to powerful media interests. It is apparent that the ownership and control provisions are directed not to dispersing media ownership but to protecting the entrenched position of the oligopolists. In this context Armstrong introduces an interesting argument based on s. 92 of the Constitution that parts at least of the licensing provisions may be challenged so as to open up a more diverse and competitive media market.⁵

Indeed there are many areas of media law open to such speculation. Certain of the powers of the Tribunal may be invalid under the *Boilermakers* doctrine⁶ and its power to order when religious programmes shall be broadcast may offend against s. 116 of the Constitution.⁷ The Broadcasting and Television Act 1942 (Cth) vests powers in the Tribunal, the Minister and the Governor-General to direct and prohibit broadcasting in ways that can only be described as totalitarian.⁸ These are powers that have been used in the past but may not accord with Australia's newly recognized obligations to the international community to respect freedom of speech.⁹

These and other potential controversies merely await the lawyer's readiness. This book will be invaluable in that preparation. It is only unfortunate that the book has been so poorly produced and edited. Cheap paper, long paragraphs, citation and asides contained in the text instead of footnotes and an inappropriate type-face all conspire to make an otherwise lucid text almost unreadable.

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Some Aspects of Aid to the Civil Power in Australia by B. D. Beddie and S. Moss, Occasional Monograph No. 2 Department of Government Faculty of Studies (University of New South Wales, Canberra, 1982) ISBN 0 9593254 0 9.

This short monograph provides a detailed history of the various occasions, since federation, when State governments have called upon the Commonwealth to provide military aid in the maintenance of civil order. Whilst this is the primary focus of the monograph, it also includes an historical account of those instances when the Commonwealth has acted on its own initiative in preventing actual or potential civil unrest. These infrequent episodes in Australia's history almost exclusively relate to events of serious industrial conflict. The monograph explores the legal, political and industrial circumstances surrounding these incidents, and the intricate interrelationships between these various factors. Its coverage is thorough and illuminating, and certainly deserves close attention by anyone interested in doing research in this field. It is clearly a valuable contribution to a much neglected area of study.

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⁵ *Ibid.* paras 119-20; see also O'Brien B., 'Inchoate Rights to Interstate Communications under S. 92' (1981) 13 *M.U.L.R.* 198 as to how S. 92 may be used as an instrument of liberalization and freedom of communication.

⁶ Armstrong, *op. cit.* para 835; see *Attorney-General of the Commonwealth v. R.* (1957) 95 C.L.R. 529.

⁷ Armstrong, para. 530; but cf. *Attorney-General (Victoria) ex rel. Black v. The Commonwealth* (1981) 33 A.L.R. 321 (*The 'Dogs' Case*).

⁸ Armstrong, *op. cit.* chapter 4 'Programmes: General Rules' especially paras. 417, 418 and 419; and chapter 5 'Programmes: Special Rules' especially paras. 522-6.

⁹ *Koovarta v. Bjelke-Petersen and Others* (1982) 39 A.L.R. 417; Human Rights Commission Act 1981 (Cth), implementing the International Covenant on Civil and Political Rights 1966.

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The Workings of the Administrative Appeals Tribunal ed. by John Goldring (Canberra Series in Administrative Studies, Seminar Proceedings 4, Canberra College of Advanced Education) Price \$7.95. ISBN 0 85889 182 4.

This handbook comprises a selection of papers delivered at a seminar held in late 1979 by the School of Administrative Studies of the Canberra College of Advanced Education. The theme of the seminar is stated as being 'the Workings of the Administrative Appeals Tribunal' (the 'AAT'). The booklet is of primary interest, however, for the insights which it gives into the *indirect* 'workings' of the AAT — the departmental responses which the existence and operation of the supervening review exercised by the AAT have elicited.

Valuable contributions are made by Stephen Skehill and John Broome whose papers describe the administrative procedures adopted by the Departmental of Business and Consumer Affairs and of the Capital Territory as a result of the establishment of the AAT. It is salutary to read that these Departments have adopted positive approaches to the role of the AAT. The Departments have established Administrative Review Sections responsible for coordinating internal policies and responses not just to the AAT but also to the other components of the 'new administrative law' — the ombudsman, freedom of information and the Administrative Decisions (Judicial Review) Act 1977 (Cth). The cost of these measures in terms of staffing and resources would appear to be high,¹ but these costs are considered worthwhile for the resultant improvement in decision-making.²

Of the other contributions, only the general paper by Lindsay Curtis is interesting. It contains many thoughtful observations on the position and operation of the AAT in the administrative process. The paper is particularly notable for its intelligent treatment of the relationship between the judicial and the administrative models of decision-making. The two models are not juxtaposed as incompatible but are treated as forming poles of a spectrum towards the judicial end of which lies the AAT.

The remaining papers are mediocre and unnoteworthy. The booklet is largely free from typographical errors. Only one such error significantly alters the sense of the text — the use of 'not' for what (presumably) should be 'now' on line 6 of page 14. Since the chief utility of the handbook is the description of the effects which the AAT has had on administrators, it is a collection which is of interest primarily to the specialist interested in government administration. Less specialized readers will find use only in the papers of Curtis and Skehill and, in respect the remaining papers, may well find appropriate the concluding contributor's verdict on the AAT — 'Is it, then, too high a price? . . . living with limited and scarce resources and many conflicting priorities . . . it is.'

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¹ Skehill at 49-50, Broome at 61.

² But *cf.* Davey at 71.

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