

Questions are asked throughout to ensure that the student is focusing on the main issues. The reader would obtain a greater benefit if more extensive answers were provided in the book. Alternatively, this problem may be overcome if the text is used in conjunction with a tutorial process. A further omission worth mentioning is the lack of depth to any given subject. For example, in dealing with restraint of trade, the authors do not discuss important factors to be considered, such as the longer the restraint of trade the more likely it will be held to be void. However, this problem is to be expected in a book of this nature in that it is intended to function merely as a companion to a more substantial text.

Another notable omission is the use of Australian authority, with a tendency to instead refer to English authority. In particular this can be seen in relation to estoppel with *Central London Properties v High Trees House*¹ being cited as the major authority, when *Walton Stores (Interstate) Ltd v Maher*² is a more accurate example of the Australian position on the issue. Furthermore, the similarity of *Contract Law* to a casebook prompts the question, what function is this text aiming to serve?

In conclusion, apart from these criticisms, if used in conjunction with other texts as recommended by the authors, the book may prove a useful tool to students that are struggling with the contract course.

*Natalie O'Connor**

Mooting Manual

**By Terry Gygar and Anthony Cassimatis
Butterworths, 1997, pp xiii, 166, \$32 (pbk)**

There is generally very little information available on the art of mooting—certainly nothing comprehensive. If a text deals with the presentation aspects of a moot, all too often it neglects the issue of preparation and research, perhaps presuming that a student already has the requisite skills. The *Mooting Manual*, in the spirit of all good

1 [1947] KB 130.

2 (1988) 164 CLR 387.

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'manuals', manages to cover virtually everything in a practical and straightforward manner. The text is clearly intended to be used in conjunction with a moot course, probably as the prescribed text, and is as much for the staff running the course as it is for the students enlisted in it.

The *Mooting Manual* begins with a detailed table of contents that enables information to be found quickly and easily. A point-by-point analysis introduces each new chapter, and there are chapter summaries included throughout the text. While the summaries are no doubt included to reinforce the reader's understanding of the area, they would prove very useful to anyone who simply wants a short answer to any last-minute questions, before setting foot in court. From a student's perspective this makes the text particularly user-friendly.

For those with more time however, there is a comprehensive list of references at the end of each chapter. This may be of interest to a lecturer preparing some introductory lectures on the skills associated with mooting.

The style of the book is both straightforward and clear without being overly simplistic or an insult to the reader's intelligence. The authors have made extensive use of anecdotes and examples, even providing moot problems to be worked through. This text is literally a step-by-step guide that takes the reader right through a moot problem from the ground up. It deals with the preparation and research of a topic, even down to details as to how many times to read a moot question before beginning work on it, and other issues of time management. It deals, in similar depth, with presentation: how to address the court, what to wear, what type of posture to adopt and the like.

However, the authors of the *Mooting Manual* rightly acknowledge that each law school is different and that not all suggestions will be relevant to every moot programme. For example, the authors recommend that a mooter should never take a script into the court, arguing that the speech should be virtually memorised. On the whole, this is sound advice, as it enables the speaker to make good eye-contact with the moot judge; but the authors are assuming that the moot programme requires each person to present for only around ten minutes each. At some law schools, where mooters are expected to speak for much longer, the complete memorisation of the moot argument may be a tall order. If the text was being used alongside a mooting course, these types of details would surely be clarified in lectures. Whatever the case, the basic principles that this book puts forward are sound.

The *Mooting Manual* provides similarly comprehensive advice to staff thinking of, or already running, a moot programme. For a supervisor,

the book advocates the circulation, prior to the moot, of the expectations of the marker. Constructive feedback is encouraged: the authors even provide examples of *how* to give constructive feedback so that it does not come across to the student as offensive or tactless. A supervisor is also provided with a sample 'Moot Marking Guide'. Certainly, no detail is overlooked. Two chapters have been dedicated to outlining the moot programme at Bond University and the University of Queensland (the authors hail from these respective Universities), which may prove valuable to staff actually wanting to set up a new moot programme at their University, as it explains the systems used there in some detail.

There is very little to be critical of in the *Mooting Manual*. This compact, well-presented textbook has sought to fill a void in the market, and for the most part has done it admirably.

*Alexandra Purvis**

Butterworths Casebook Companions: Torts

By Danuta Mendelson

Butterworths, 1997, pp 328, \$38 (pbk)

Torts, written by Danuta Mendelson, a Senior Lecturer in Law at Deakin University, is part of the Butterworths Casebook Companions series. It introduces the law of torts from an historical perspective, including its history, principles and policies. The Introduction states that it is intended to 'cover the major areas of tort law, including intentional interference with the person (battery and assault); trespass to land; the tort of negligence; nuisance; breach of statutory duty; vicarious and concurrent liability'.³

The book is aimed at students, with emphasis on developing the reader's legal reasoning and problem-solving skills. It provides historical and conceptual background to important cases, which students must read and analyse for themselves. Questions are asked in each chapter but no answers are provided. It is intended to be used in

* BA/LLB (Tas).

3 Mendelson D, *Torts* (Butterworths, 1997) p v.

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