

## Book Reviews

### **Butterworths' Student Companion Constitutional Law, Second Edition**

**By David C Price**

**Reed International Books Australia Pty Ltd, 1998, pp cxix, \$15.50 (pbk)**

Butterworths have complimented the existing body of student study companions with the second edition of constitutional law, adding to an extensive range of titles covering central aspects of the Australian legal system. In his capacity as a solicitor at Mallesons Stephen Jaques, the author David C Price has successfully managed to compile an up to date list of relevant authorities. The second edition has incorporated the significant number of 'important and recent cases' that have come before the High Court in the last three years concerning constitutional issues. A contrast of the contents list of both the first and second editions brings to light the addition of no less than twenty two authoritative decisions (1995 decisions inclusive), many of which have redefined Australian constitutional law.

Presented in a clear and concise manner, *Butterworths Constitutional Law* provides an outline of the basic facts and key decisions extracted from High Court cases including relevant quotations taken from the essential judgements.

It should be noted that the format of the book consists of an alphabetical arrangement of authorities on the basis of case names as against being arranged around specific subject matter or themes. Locating cases dealing with a particular issue is achieved by referring to the index, whereby case numbers, from 1 to 175, are associated with principles extracted from judgements concerning contentious issues.

The result is a 'reasonably' comprehensive selection of cases that provides an adequate starting point for further research and inquiry.

The format reflects the objective of the Student Companion series, which is to act as a summary of facts and decisions, that is, what was held to be a correct interpretation of the law. The ratio underlying the decision is given somewhat superficial attention as a consequence of the brief summarization of complex case law. Therefore, it is to be expected that acquiring an in-depth understanding of the underlying issues and principles necessitates further research from primary and/or secondary sources. Indeed, the author expressly states that *Butterworths Constitutional Law*, is 'intended for use in conjunction

with lecture notes, text books and other working documents',<sup>1</sup> thus recognising that the text does not stand as an authoritative commentary unto itself, but rather as a supplementary research aid. This is reinforced by the fact that a substantial list of related titles is outlined on the back cover to provide the enthusiastic student of constitutional law with immediate and relevant sources.

The author further contends that 'students will find the case law readily accessible in a compact, readable and easily memorised form'. Perhaps a more accurate assessment may characterise the book as a readily accessible *summary* of the case law stemming from Australia's leading precedents or authorities presented in a compact manner, averaging half to three quarters of a page per case.

Comparisons may be drawn between *Butterworths' Student Companion* series and the *Nutshell* range of similar study aids. As the name implies, the *Nutshell* series provides the law student with a brief summary of case law, in a format similar to that of Butterworths'. Both operate as succinct outlines of the key tenets of case law. As to whether one can be considered superior over the other remains a matter of personal taste.

Perhaps the only justifiable application of such a quick summary is simply as background material used to synthesise analysis of the case law.

This is, again, consistent with the intention of the author, which is to provide the student of constitutional law with a concise summary of the relevant principles. Given that the text does not purport to be anything other than a mere summary of the leading authorities, it may be seen that the book does indeed achieve this goal with a significant degree.

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1 Quotations taken from back cover of *Butterworths' Student Companion Constitutional Law* and comments from interview with Micheal Stokes.

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