

Colossal impact on us all

conversation" is to be found in passages by, among others, W. K. Hancock, Robert Menzies, Barry Humphries and Geoffrey Blainey. It was Blainey, of course, who invented the term "black armband" history. Context is important. "To some extent," Blainey wrote in 1993, "the black armband view ... might well represent the swing of the pendulum from a position that had been too favourable, too self-congratulatory, to an opposite extreme".

In recent years the focus of many cultural warriors has been Indigenous history. But according to Paul Kelly, Australia's senior political journalist, "the ultimate issue is the reconciliation between the growing Asianisation of Australia and maintenance of the dominant Anglo-Saxon Judaic-Christian value system".

There is grist in this book for everybody's mill. Christopher Pyne might demur, but it could usefully be included on high school reading lists. □

across the Taiwan Strait, especially in mainland China.

The final part of the book is dedicated to a proposed solution – which Chang calls a "wiki" approach to cybercrime – that draws upon the success of the aviation safety reporting system, an independent, voluntary and confidential system that allows flight crew to report incidents in the interest of improving air safety (see "Review", *LSJ*, Feb 2013). Chang recognises and highlights the problems with his formulation but suggests they can be overcome with the proper gatekeeper and a very specific set of protocols.

Written as an academic paper, *Cybercrime in the Greater China Region* could come across as dry or repetitive for readers more familiar with the narrative thread of traditional non-fiction literature. The understandable refusal of Chinese officials to be interviewed for the study also means there are unfortunate gaps in the data, though many of the quotes Chang did manage to gather from the passionate but anonymous sources were thoroughly entertaining. □

Consumer Law and Policy in Australia and New Zealand

edited by Justin Malbon and Luke Nottage

The Federation Press

review by Shirley Benneworth

On 1 January 2011, after the requisite debates and reforms in all the nation's legislatures, and in the interests of a seamless national economy, Australian states and territories saw the realisation of *Australian Consumer Law (Schedule 2 of the Competition and Consumer Act 2010 (Cth))*. The imago, it was hoped, had emerged from the pupa.

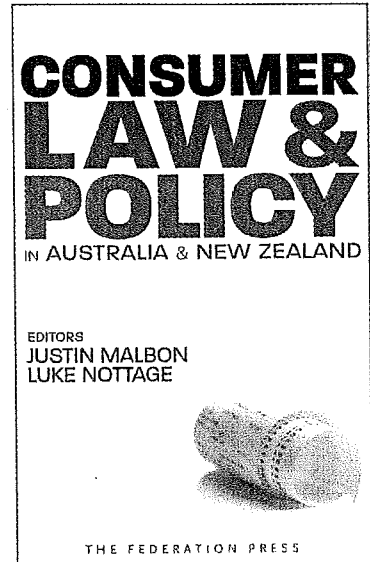
In this well-ordered book, the editors have encapsulated the necessary but labyrinthine processes that led to an acceptable outcome, and one that was far from certain. The credentials of editors Justin Malbon and Luke Nottage are formidable, and with contributions from 13 other experts, an outstanding resource has resulted.

The first chapter presents an introduction to the complexities of consumer law, then foretells aspects of those laws and the associated politics discussed in the subsequent chapters. Editor Nottage, and academics Jeannie Paterson and Kate Tokelley, discuss how the new laws operate, and assess previous regimens. Comparisons are made with reforms in Australia and associated developments in New Zealand, while also analysing the effects on other jurisdictions in Japan, Canada, the US and the European Union. Other contributors offer, in their allotted chapters, companion analyses, often with attention to the minutiae of the subjects explicit and implicit in the editors' introduction.

While the book is designed primarily for professionals and scholars, and those with an interest in legislative policies and their drafting, it may also have appeal in the wider community because of the colossal impact commercial transactions have on us all.

Policy considerations, with their inherently complex legislative history, are juxtaposed with relevant laws to attempt to predict emerging cultural and social change. Factors impacting on financial markets and consumers alike, and the resulting economic ramifications in Australia and beyond, are canvassed.

Of particular interest to many readers will be product (manufacturing) liability and the statutory protection the public



is afforded from the adverse effects of unsafe goods and services. At present, when a manufacturer or supplier becomes aware of a consumer product-related accident they must report it to the Australian Competition and Consumer Commission (ACCC), and that accident must demonstrably result in personal injury or illness.

In other countries, a report is required where there is just a potential risk of injury or illness, a far more onerous but protective responsibility.

The Australian consumer is further stymied by the usual requirement of confidentiality attached to reports to the ACCC, unlike in Japan, for example, where the equivalent regulator posts such reports on its website, identifying the manufacturers, and providing all specifications and other details of the offending products. Thus Japanese consumers can more readily gain knowledge of products which may cause them harm. Consumers in the EU and US are similarly protected.

In the foreword, written by the Hon K.E. Lindgren AM QC, a wish is expressed that the publisher and editors consider in due course a second edition of this estimable work. With the abundance of information for professionals in particular, and the ongoing need for consumer law adaption and evolution, and further, the need for more research in the regulation of unconscionable conduct in consumer and business transactions, this reviewer relates easily to K.E. Lindgren's position. □