

Compensation for Native Title

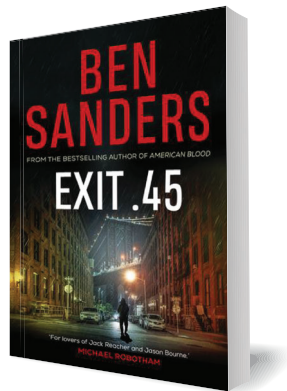
Dr William Isdale, The Federation Press, 2022, hb \$125

This book confronts the challenging question of how Australian law should determine compensation for First Peoples for the loss, diminution or impairment of native title. Framed through a Western methodological lens, Isdale delivers a compelling argument for a legal approach of similitude – “treating native title similarly to other interests”.

Compensation for Native Title takes readers on a journey from the broader context of rights and interests in land to the implications of native title; unpacking the nuanced ways compensation for a loss of native title is measured under Australian law on “just terms”. Countering frameworks that treat native title as distinct from other interests, Isdale embeds in his analysis a critique of the Timber Creek jurisprudence, particularly the attempted quantification of non-economic (spiritual and cultural) loss. He contends alternative approaches – which emphasise uniqueness – are subjected to inconsistent applications due to lack of practical coherence and, therefore, he argues, are prone to weaponisation, minimising potential for successful claim outcomes.

A welcome contribution to the legal scholarship, there is considerable merit and possibility in Isdale’s argument. The book offers practical measures for affording First Nations viable avenues for some form of reparations. It has the potential to act as a practical guide to legal and social justice professionals interested in promoting accountability and making justice a political reality for Aboriginal and Torres Strait Islander custodians and native title holders.

Daphne Arapakis, policy and research officer,
Koorie Youth Council



Exit .45

Ben Sanders, Allen & Unwin, 2022, pb \$30

I’m not going to tell you what happens, obviously.

We are in New York City. There is an ex-cop named Marshall who is investigating a murder and a disappearance and a kidnapping and the mob.

Marshall doesn’t give much away about the past or the future and can handle himself in a pinch. Oh, and he loves drinking coffee and namechecks his Bialetti stovetop espresso which is great although I’m not normally one for advertising in art. Although NYC seems to be up on skulduggery it seems to be otherwise still learning the art of coffee drinking. “Now you could get a cappuccino just about anywhere and . . . something called a flat white.”

The characters in *Exit .45* seemed to be either really helpful or not at all, Marshall makes a call and gets this response. “‘Right.’ The word drawn out so thinly, the t was almost lost. Marshall wondered if it was intended to convey skepticism, or just tiredness.”

Just from a craft perspective, I really admire the way Sanders has shaped *Exit .45*. There are twists and turns and so many characters that are linked or not that I would need a wall chart to work it out. And the plot moves at just the right beat.

This is classic 21st century hardboiled pulp.

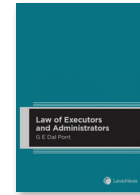
Are you getting the train in a couple of days per week? *Exit .45* would be perfect for the commute. ■

Tasman Ash Fleming, barrister and mediator



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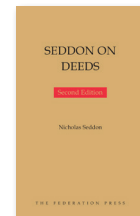
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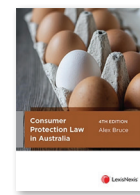
Non-member: \$165

Seddon on Deeds is the definitive Australian text on the law applicable to the use of deeds by practitioners. This book focuses on the

mechanics of using a deed and helps navigate the difficulties generated by different statutory provisions.

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