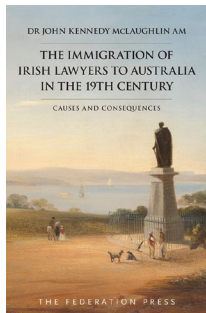




RECAP OF 2023 + OUR END OF YEAR SALE

We are very pleased to bring you our latest selection of books. We are featuring some new titles that will be publishing in December and January, highlighting some of the most significant books we published during 2023, and offering a range of titles available at 25% off if you order by December 20.

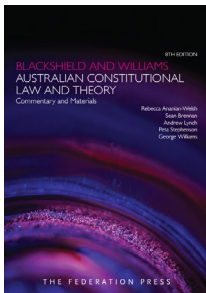
Plus, we are offering free shipping on all Australian orders placed by December 20 – use the code **EP1814** at checkout. We thank all of you for supporting Federation Press during 2023 and wish you all the very best for 2024.



THE IMMIGRATION OF IRISH LAWYERS TO AUSTRALIA IN THE NINETEENTH CENTURY: Causes and Consequences John Kennedy McLaughlin

Australia enjoys a rich Irish heritage. This important work of legal and social history shines a light, for the first time, on Irish lawyers in colonial Australia. The book explains how it was that so many young Irish immigrants chose the Australian Colonies for themselves, to make careers in the law. The book backgrounds how the divisions in Ireland – by class and religion – and a lack of opportunity led them to look elsewhere; the choices before them; and how they managed to infiltrate an already well-established, English trained, colonial legal profession. The author's fine appreciation of these immigrant lawyers' Irishness, humour and feistiness is woven throughout his engaging narrative. The author addresses a range of subjects including: whether the Irish lawyers brought with them the sectarianism prevalent in their homeland; the nature of the interactions between Irish lawyers and the Indigenous populations; and the significant impacts Irish lawyers had on the development of the colonies.

December 2023 • HB • 320pp • 9781760024536 • eBook 9781760024543 • RRP \$79.95

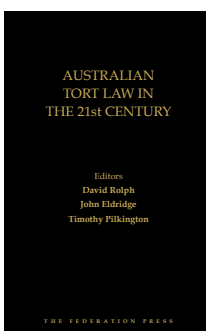


BLACKSHIELD AND WILLIAMS AUSTRALIAN CONSTITUTIONAL LAW AND THEORY: Commentary and Materials, 8th ed

Rebecca Ananian-Welsh, Sean Brennan, Andrew Lynch, Peta Stephenson, George Williams

An expanded author team brings fresh perspectives to this new edition of Australia's leading and most comprehensive treatment of constitutional law. The 8th edition has been thoroughly updated and redesigned to improve navigability and includes: new material on the Voice to Parliament and the outcome of the 2023 referendum; an up-to-date consideration of major High Court cases in areas including the executive, separation of judicial power, inconsistency, aliens power and implied freedom of political communication; improved coverage in the areas of executive power and the judiciary; and a new executive summary at the start of each chapter.

January 2024 • PB • c1600pp • 9781760024819 • eBook 9781760024826 • RRP \$185



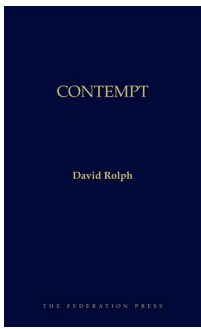
AUSTRALIAN TORT LAW IN THE 21st CENTURY

David Rolph, John Eldridge, Timothy Pilkington (eds)

Recent decades have seen the Australian law of torts undergo a significant transformation. The statutory regimes enacted in the wake of the *Ipp Report* have given rise to a considerable volume of case law. At the same time, the changing economic and social landscape has thrown up fresh challenges for the law to deal with. This volume – which is a companion to the well-received *Australian Contract Law in the 21st Century* – brings sustained attention to a number of subjects in this sphere which merit examination. It includes chapters from leading commentators on the law of torts, and will be essential reading for academics, judges, and all practitioners involved in litigation or providing advice with respect to tort liability.

January 2024 • HB • c330pp • 9781760024871 • eBook 9781760024888 • RRP \$180

HIGHLIGHTS FROM 2023

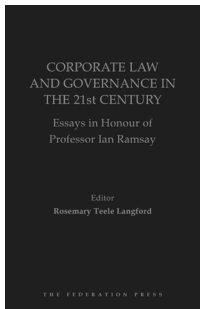


CONTEMPT David Rolph

This book is the first comprehensive treatment of the Australian law of contempt of court. It provides a rigorous but accessible exposition of the fundamental principles of this somewhat arcane area of law. It considers all forms of contempt, including civil contempt, *sub judice* contempt, contempt in the face of the court, scandalising the court and interference with the administration of justice as an ongoing process. It also examines the distinction between civil and criminal contempt and analyses the procedure and penalties for contempt of court. Essential reading for everyone involved in litigation.

Read the [Launch Speech](#) by the Hon Chief Justice Andrew Bell

October 2023 • HB • 960pp • 9781760024659 • eBook 9781760024666 • RRP \$265



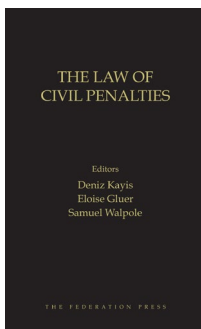
CORPORATE LAW AND GOVERNANCE IN THE 21st CENTURY:

Essays in Honour of Professor Ian Ramsay Rosemary Langford (ed)

This innovative collection features chapters by noted authors on important current issues in corporate law and governance in honour of Professor Ian Ramsay. Authors include former judges, the chair of ASIC, and prominent academics. Themes include: the impact of ESG issues on financial regulation, corporate governance and shareholders; emerging issues for duties of care and to act in good faith in the interests of the corporation; the complexity and scope of corporate law legislation and governance; and the impact of technology on financial regulation, the consumer credit sector and ASIC's regulatory strategies.

Read the [Foreword](#) by the Hon Ken Hayne AC KC

August 2023 • HB • 288pp • 9781760024598 • eBook 9781760024604 • RRP \$180



THE LAW OF CIVIL PENALTIES Deniz Kayis, Eloise Gluer, Samuel Walpole (eds)

Civil penalties play a central role in regulation in Australia. There has been an ever-developing corpus of cases – including three landmark decisions by the HCA – alongside the increasing enactment and use of civil penalty provisions. This book considers the purpose of civil penalties, the principles underpinning their imposition, and their deployment in different areas of the law as tools of regulation and enforcement. It features a variety of perspectives – judges, barristers, solicitors, academics, regulators, and NGOs – from which it examines the law of civil penalties and reflects upon potential further developments.

Read the [Foreword](#) by the Hon Robert French AC

August 2023 • HB • 352pp • 9781760024611 • eBook 9781760024628 • RRP \$180

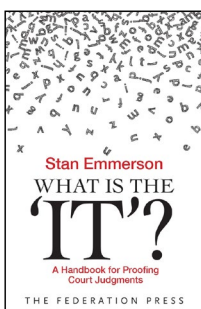


TAX AVOIDANCE IN AUSTRALIA, 2nd ed G T Pagone, Jonathan Woodger

This authoritative work provides a practical explanation of the main general tax avoidance provisions in Australia. The explanation is placed in the context of the perceived deficiencies with the previous provisions and the elusive nature of the distinction between impermissible tax avoidance and permissible tax planning. It explains each of the elements necessary for the application of the anti-avoidance provisions. The new edition also addresses the obligations on advisers and the potential liability they face when advising taxpayers, and has been thoroughly revised and updated.

Read the [Foreword](#) by AJ Myers AC KC

August 2023 • HB • 356pp • 9781760024635 • eBook 9781760024642 • RRP \$145



WHAT IS THE 'IT'??: A Handbook for Proofing Court Judgments

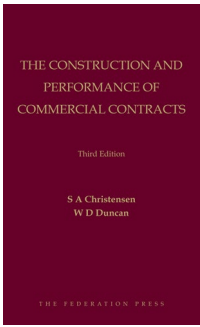
Stan Emmerson

The proofing of judgments is one of the most important, and most difficult, jobs a judge's associate will be asked to do. This book highlights techniques for proofing a judgment effectively, things to watch out for, and traps that are easy to fall into. The author is uniquely positioned to write this book, having worked closely with a generation of associates to High Court judges. Although it is primarily addressed to judges' associates, it will also be an invaluable resource for anybody who is involved in legal writing or editing.

Read the [Foreword](#) by The Hon Susan Kiefel AC

August 2023 • PB • 164pp • 9781760024765 • eBook 9781760024772 • RRP \$69.95

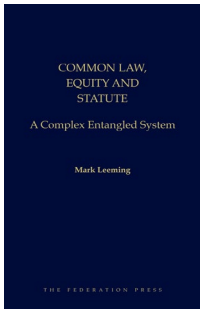
HIGHLIGHTS FROM 2023



THE CONSTRUCTION AND PERFORMANCE OF COMMERCIAL CONTRACTS, 3rd ed **Sharon Christensen, Bill Duncan**

The third edition of this work analyses a number of commonly found boilerplate clauses in commercial contracts and illustrates, through case law, how they have been judicially interpreted. Each chapter concludes with recommendations as to the issues that should be considered when drafting such clauses. The emphasis is upon the application of the principles of contract directly to the construction of contracts and is not merely a recitation of those principles. Recent appellate court decisions have been added to this edition to illustrate points of construction.

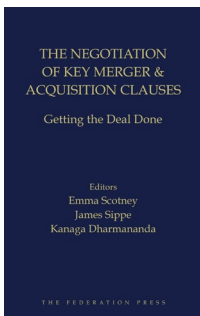
July 2023 • HB • 736pp • 9781760024550 • eBook 9781760024567 • RRP \$195



COMMON LAW, EQUITY AND STATUTE: A Complex Entangled System **Mark Leeming**

This strikingly original book analyses what is meant by the 'common law of Australia', what is the relationship between judge-made law and statutes, and how courts resolve novel questions of law. It explains why some questions are best regarded as aspects of the common law, why others are best regarded as questions of statutory construction, why some are difficult to characterise, and why this matters. It also explains why equity continues to be a distinct component of judge-made law, and it gives a nuanced account of precedent and the role of authority from different jurisdictions.

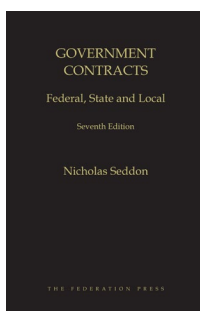
Read the [Opening Dialogue](#) and [Chapter 1 – Introduction](#) from *Common Law, Equity and Statute*
June 2023 • HB • 352pp • 9781760024574 • eBook 9781760024581 • RRP \$180



THE NEGOTIATION OF KEY MERGER & ACQUISITION CLAUSES: Getting the Deal Done **Emma Scotney, James Sippe, Kanaga Dharmananda (eds)**

Written by an experienced team of practitioners, this book provides an insight into M&A agreements in Australia. It addresses the negotiation of key clauses in M&A transactions from start to completion; detailing the typical underlying commercial considerations and critical issues behind the identified clauses. It then sets out standard approaches to such clauses. The book serves two purposes: a conceptual purpose, to show how a complex legal transaction can be traced to underlying commercial considerations; and a pedagogic purpose, to highlight the underlying structure of the M&A contract.

Read the [Preface](#) to *The Negotiation of Key Merger & Acquisition Clauses*
June 2023 • HB • 9781760024352 • eBook 9781760024369 • RRP \$180

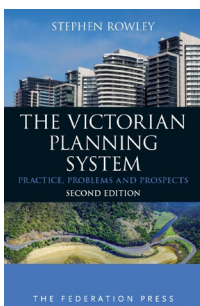


GOVERNMENT CONTRACTS: Federal, State and Local, 7th ed **Nicholas Seddon**

When government entities make contracts, the ordinary law of contract is only a part of the law that is engaged. This thoroughly updated new edition analyses the complex and developing mixture of private and public law that informs government contracting. While the focus is on the legal aspects of governments choosing to use contracts, it does, however, engage with the principal practical issues that need to be considered by government personnel. It is an essential resource for lawyers advising government or a counter-party in a government contract.

Read the [full review](#) of the 7th edition of *Government Contracts* from *Ch III Newsletter of the Federal Dispute Resolution Section of the Law Council of Australia*.

May 2023 • HB • 603pp • 9781760024444 • eBook 9781760024451 • RRP \$195

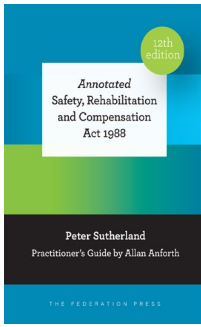


THE VICTORIAN PLANNING SYSTEM: Practice, Problems and Prospects, 2nd ed **Stephen Rowley**

Essential reading for all Victorian planning professionals. Rowley's book demystifies the planning system in accessible language and with an engaging narrative. Updates to the second edition include the finalised *Plan Melbourne 2017–2050*, the 'Smart Planning' program, the integrated Planning Policy Framework, revisions to residential development provisions and the *Environment Protection Act*, among others. Other new areas of discussion in this edition include planning in growth areas, biodiversity offsetting for native vegetation removal and Aboriginal heritage.

May 2023 • PB • 396pp • 9781760024338 • eBook 9781760024345 • RRP \$99

HIGHLIGHTS FROM 2023



ANNOTATED SAFETY, REHABILITATION AND COMPENSATION ACT 1988, 12th ed **Peter Sutherland**

The 12th edition of this well-known reference book provides the full text of the *Safety, Rehabilitation and Compensation Act 1988* current at 1 February 2023 and annotations of court and tribunal decisions to 1 February 2023. Sutherland discusses the meaning of 'injury' and 'disease' following *MRCC v May* [2016] HCA 19 and *Wuth v Comcare* [2022] FCAFC 42, as well as 'reasonable administrative action taken in a reasonable manner', medical treatment and construction of the approved Guide. Contributor Allan Anforth provides an updated Practitioner's Guide aimed at claimants and their representatives.

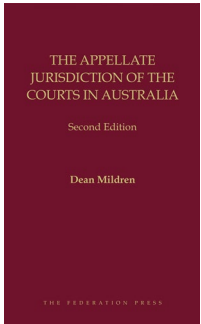
May 2023 • PB • 1056pp • 9781760024376 • eBook 9781760024383 • RRP \$165



AUSTRALIAN PUBLIC HEALTH LAW: Contemporary Issues and Challenges **Belinda Bennett, Ian Freckelton (eds)**

This book explores the changing scope of public health law. In 26 chapters, written by leading scholars, this innovative collection analyses the role of law in supporting health and safety for the community. It explores the intersections between public health law and human rights, analysing issues in genomics, access to medicines, mental health law and Indigenous health equity. Other topics addressed include: food, alcohol, tobacco and drug regulation; environmental law; communicable diseases; and workplace health and safety law.

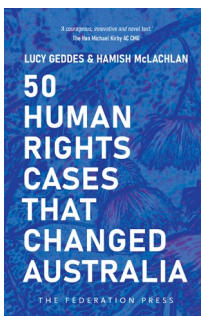
March 2023 • PB • 704pp • 9781760024178 • eBook 9781760024185 • RRP \$160



THE APPELLATE JURISDICTION OF THE COURTS IN AUSTRALIA, 2nd ed **Dean Mildren**

This book describes and discusses the principles of law and practice which guide Australian appellate courts at all levels. In addition, it deals with the jurisdiction and powers of appellate courts, and what alternative remedies are available if there is no right of appeal. Appellate courts also have original jurisdiction, and this is likewise considered. Civil appeals and criminal appeals are dealt with separately because, although there are commonalities between them, criminal appeals in particular give rise to different considerations. Other chapters cover appeals from military tribunals, the new Federal Circuit and Family Court of Australia, and the Federal Court.

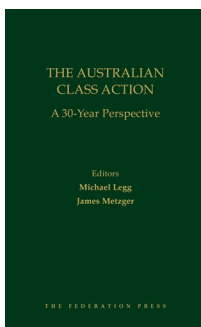
**Read the [review](#) by J Sargent of Counsel, in the *Queensland Law Reporter*
February 2023 • HB • 315pp • 9781760024291 • eBook 9781760024307 • RRP \$180**



50 HUMAN RIGHTS CASES THAT CHANGED AUSTRALIA **Lucy Geddes, Hamish McLachlan**

Written by two practising human rights lawyers, this book looks at Australia's 50 most significant human rights cases. These cases range from the seminal land rights case of *Mabo* and the celebrated freedom of speech cases of the 1990s, to lesser-known earlier cases on civil liberties and criminal procedure and more recent advances in the area of LGBTIQ+ rights, environmental rights, and the rights of people with disabilities. Each case summary explains the facts, the issues and the outcome of the case, and also contains key quotes from the judgment, commentary situating the case in its social and political context, and critical analysis of the case's impact.

February 2023 • PB • 374pp • 9781760024277 • eBook 9781760024284 • RRP \$69.95

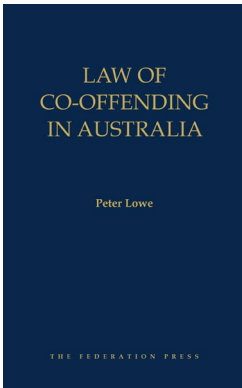


THE AUSTRALIAN CLASS ACTION: A 30-Year Perspective **Michael Legg, James Metzger (eds)**

Class actions are an especially controversial form of litigation. They are both loved and loathed. This book, with chapters written by leading Australian jurists and scholars, reflects on the major themes and controversies which have arisen during the 30 years following the enactment of modern class action procedures. Topics examined include the initial objectives, such as access to justice and the efficient resolution of multiple claims, and how the key requirements of procedural fairness, open justice and finality apply in the class action context. It also explores the role of lawyers and litigation funders as well as examining the class action through the lenses of law and economics, comparative law, and politics.

**Read a [review](#) the 7th edition of *The Australian Class Action* from the *Ch III Newsletter* of the Federal Dispute Resolution Section of the Law Council of Australia
January 2023 • HB • 336pp • 9781760024253 • eBook 9781760024260 • RRP \$180**

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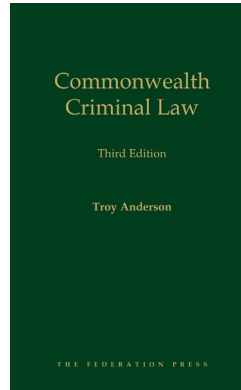
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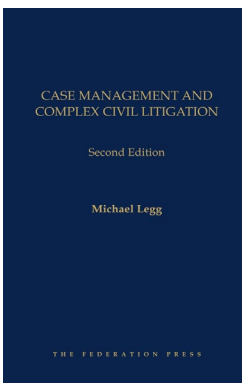
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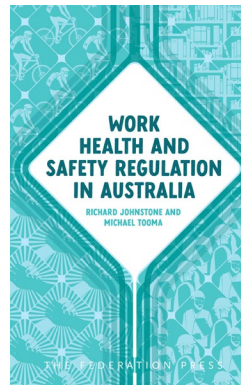
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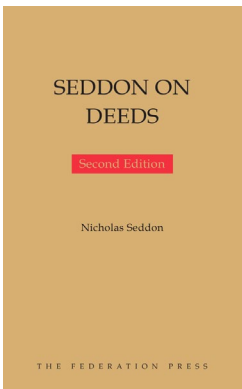
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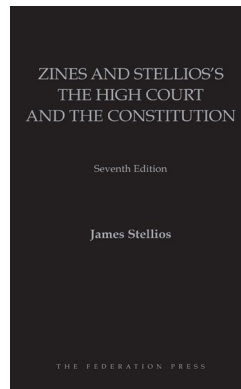
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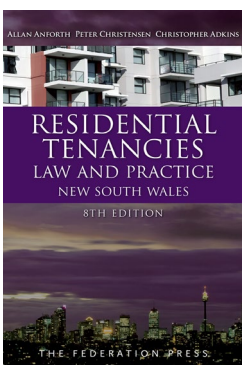
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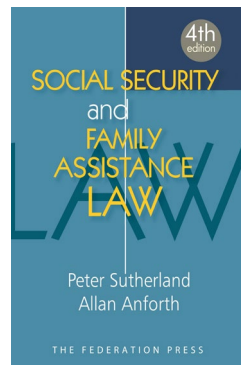
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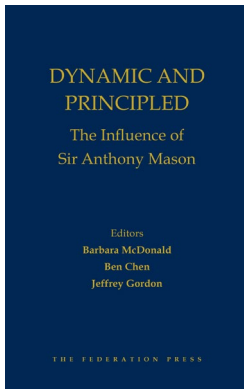
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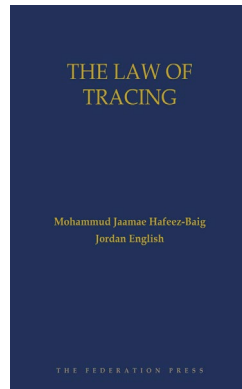
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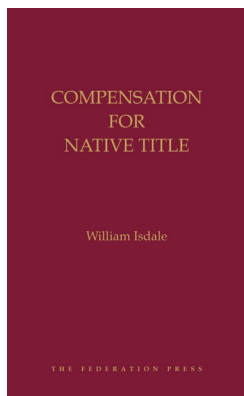
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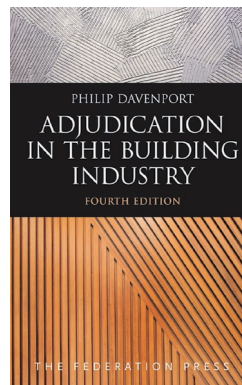
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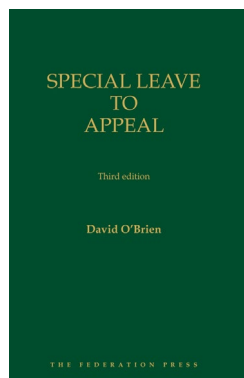
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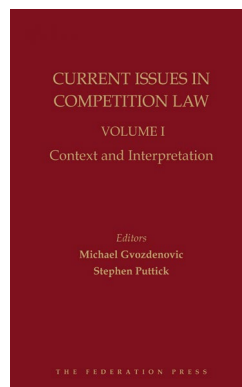
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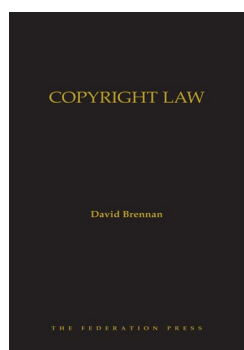
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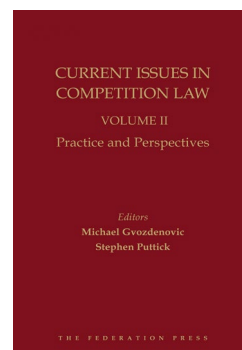
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