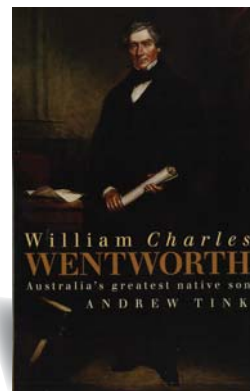
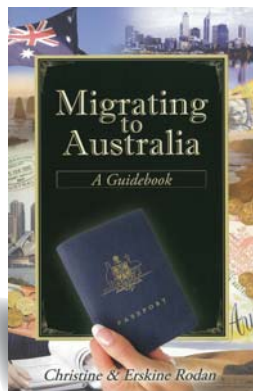
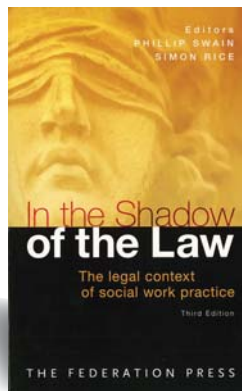
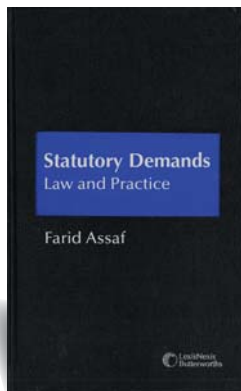


# INPRINT

This month's reviews cover statutory demands, the interaction of law and social work practice, a guide to Australian visas and a biography of pioneer, politician and lawyer William Charles Wentworth.



## Statutory Demands: Law and practice

Farid Assaf, *Statutory Demands: Law and practice*, 2008, LexisNexis, hb \$180.

*Statutory Demands: Law and practice* should be a key reference for all corporate insolvency practitioners. It is a true acknowledgement of the effectiveness, and hence popularity, of the creditor's statutory demand for payment of debt (the demand) as a quicker, cheaper and much less involved alternative to traditional (i.e. curial) debt recovery proceedings.

The text sets out the history and background of the demand, its substantive and formal requirements, the considerations concerning the making of an application to have the demand set aside and the results of non-compliance (i.e. winding up applications and insolvency).

The text concisely, exhaustively and methodically sets out the law concerning the demand in a single reference. It does so with copious legislative and case references. In addition, useful forms are included as are detailed checklists which would be of real benefit to practitioners, in particular those less experienced in this highly technical area of the law.

While the text will be very useful for practitioners of all levels of experience and ability, a word of caution is applicable (especially for the less-experienced): be particularly careful

to ensure that the text reflects the law at the time of your reading, and that the cases cited represent the correct position in your jurisdiction. It should be noted that as the author, a barrister, is based in NSW, a large proportion of the cases referred to are from the NSW Supreme Court. Further, a suggested inclusion for a subsequent edition may be particular templates, such as affidavits in support of opposition to a demand. While much useful information has been provided, this particular assistance was omitted.

In summary, the text is a great service to Australian corporate insolvency lawyers, from the graduate solicitor to senior counsel alike. Such is evident from the copies of this text present before hearings in both the Federal Court of Australia and the Supreme Court of Victoria. It might also benefit the profession if a similar publication concerning bankruptcy notices was published.

DAVID WEINBERG  
INDOVINO'S LAWYERS

## In the Shadow of the Law (3rd edn)

Phillip Swain and Simon Rice (eds), *In the Shadow of the Law: The legal context of social work practice* (3rd edn), 2009, The Federation Press, pb \$74.95.

The third edition of *In the Shadow of the Law* includes chapters from 12 new contributors.

New chapters cover issues such as domestic violence, working with interpreters, social work and sexuality, homelessness and housing rights, adoption and post-adoption practice, family law and social work and Indigenous Australians.

The book has five sections: foundations for practice, legal considerations in social work practice, practice with diverse populations, practice with diverse jurisdictions and a conclusion which focuses on a reconciliation of legal and social work practice.

Topical issues are canvassed in detail, such as elder abuse and the law and equality before the law for gay men and lesbians. Social work practice with refugees and asylum seekers is also covered.

Legal areas include keeping records in social work practice, procedural fairness and social work practice, courts and tribunals, evidence and mediation of disputes and the Australian family law system.

The book refers to case law and legislation and provides case studies throughout each chapter. References to articles, statistics and law reform committee reports and other relevant government reports in particular areas are useful. Both state and territory legislation in each area is canvassed so the guide is useful nationally.

The book should be used as a guide rather than a substitute for legal advice. Practitioners should be careful about relying on such guides when state and territory legislation is

considered. Amendments to legislation occur frequently within this field and accordingly books like this can date quickly. Practitioners should ensure they are using the most up-to-date information and use this guide only as a starting point for their research.

JENNIFER HOLDSTOCK  
CORNWALL STODART LAWYERS

## Migrating to Australia

Christine and Erskine Rodan, *Migrating to Australia: A guidebook*, 2009, LifeSuccess Publishing, pb \$34.95.

This helpful book has been written by two very experienced practitioners in migration law. It is aimed primarily at those wishing to apply for a visa to come to Australia. However, it will also prove useful to immigration lawyers, migration agents and students of migration law.

Written in simple and straightforward English, it provides a concise and informative overview of the various types of visas available. It sets out the various requirements for the grant of visas including the important question of whether the visa applicant must be in Australia at the time of application and time of grant of the visa. The book also examines review and appeal procedures for when your clients are refused visas.

Visually the text is well set out and provides, by way of graphic highlights, important information and flow charts as well as tabulated case studies to assist the reader understand the issues involved. It also contains a helpful glossary and index, some tips on saving your clients time and money, and a helpful section containing answers to frequently asked questions that prospective visa applicants may have. I recommend it.

CAHAL FAIRFIELD  
BARRISTER

## William Charles Wentworth

Andrew Tink, *William Charles Wentworth: Australia's greatest native son*, 2009, Allen and Unwin, pb \$49.99.

William Wentworth was a bundle of contradictions: a fiery gadfly who campaigned for civil liberties and trial by jury, who nevertheless proposed a "bunyip aristocracy", a sort of antipodean House of Lords. In 1816 he agonised about his choice of career – soldier or barrister? He compromised by becoming a belligerent advocate. He was a powerful, if strident, orator, an early recipient of a silk gown, and it was at one stage rumoured that he might be appointed to the Supreme Court.

The book highlights early Sydney's class-ridden divisions, especially between the Elitists and the Emancipists. Wentworth was tarred with the brush of convictism, despite the fact that his father, D'Arcy, who had been tried four times for highway robbery, was never actually convicted. His mother was a convict who met his father – the assistant surgeon – on a convict ship, and gave birth to William eight months later. (Andrew Tink concludes that the most likely explanation was prematurity; D'Arcy always acknowledged paternity and William bore a striking resemblance to him.)

Wentworth achieved a number of firsts: he wrote the first Australian book and co-founded the colony's first independent newspaper. With Blaxland and Lawson he was the first to cross the Blue Mountains. He was an early proponent of self-government, trial by jury and Confederation. Some of his achievements were of short duration: he bought the whole of the South Island of New Zealand from Maori chiefs and was the island's owner for a few weeks before Governor Gipps declared the transaction invalid. He became president of the Legislative Council in order to steer a reform Bill through the Upper House, and stepped down a month later when that objective was achieved.

Wentworth was always eager to overcome his tainted past, and gathered wealth in the process. He used the media and libel actions to achieve his ends. He helped to make Sydney the litigation capital of Australia, a distinction that has persisted. He was a formidable enemy, as Governor Darling and the Macarthurs discovered. This interesting biography holds a mirror up to early Sydney life. ●

GRAHAM FRICKE QC  
RETIRED COUNTY COURT JUDGE

## REVIEWERS WANTED

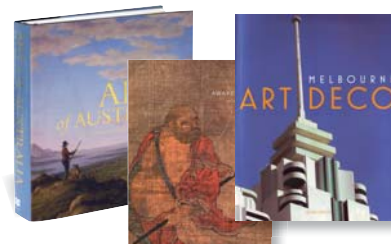
The *LIV* is always looking to increase its database of book reviewers.\* Keen readers with specialist knowledge who are interested in writing reviews (350 words maximum) should email Alison Shield at [ashield@liv.asn.au](mailto:ashield@liv.asn.au), outlining their areas of expertise and interest.

\*Reviewers keep the book they review.



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## CHRISTMAS GIFT IDEAS



### Melbourne Art Deco

By Robin Grow, 2009, Aust, soft cover, \$65

*Melbourne Art Deco* examines the rise, fall and resurgence of Art Deco in Melbourne from the 1930s to the present day. With contemporary images supported by archival material, this book offers an invaluable insight into the history and current state of one of the city's most popular styles.

### Art of Australia: Vol. One – Exploration to Federation

By John McDonald, 2009, Aust, hard cover, \$125

In this first volume of a brilliant new history of Australian art, John McDonald, the highly regarded art critic of the *Sydney Morning Herald*, takes us from the times of pre-history, settlement and exploration to the end of the colonial era.

### Awakenings: Zen Figure Painting in Medieval Japan

2007, USA, hard cover, \$144

Transmitted from China to Japan in the 13th century, Zen Buddhism not only introduced religious practices but also literature, calligraphy, philosophy and ink painting to Japanese disciples. This elegant book discusses these fields as they combined to encompass the evocative practice of figure painting within Zen Buddhism in medieval Japan.

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