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## AUSTRALIAN INSOLVENCY LAW, CASES AND MATERIALS

### REVIEW BY THOMAS O'BRIEN

*Australian Insolvency Law, Cases and Materials* by Christopher Symes, David Brown and Mark Wellard: LexisNexis Butterworths, 2016, ISBN 9780409340457, 710pp, soft-cover A\$139.

There is a preconceived idea amongst many law students, both in Australia and abroad, that insolvency law is an area of practice which is complex and confusing. Indeed, when one considers the significant time spent by the courts over the last century simply trying to define the broad meaning of "insolvency", it is understandable why students and practitioners alike can have difficulties comprehending the more sophisticated aspects of the law.

In *Australian Insolvency Law, Cases and Materials*, authors Associate Professor Christopher Symes, Associate Professor David Brown, and Mark Wellard, do their best to address these common student misconceptions. Comprising of 13 chapters dedicated equally to personal and corporate insolvency, the book provides a well thought-out summary of the relevant cases and materials concerning the history, development and current application of insolvency law in Australia.

Whilst the authors make no apologies for the fact that this book is targeted towards insolvency law students, it will similarly appeal to legal practitioners seeking to refresh their knowledge of fundamental insolvency concepts and relevant case law. In order to provide for this potentially wide audience, the authors have chosen not to presume any prior insolvency knowledge on behalf of the reader. Important concepts such as the bankruptcy process and corporate liquidation have therefore been explained using simple and succinct language, whilst useful diagrams are also included – for instance during discussion of debt agreements pursuant to Pts IX and X of the *Bankruptcy Act 1966*.

The most pleasing aspect of this book is the way in which it is organised. Each chapter and topic contained within features a useful preamble designed to highlight key concepts and information. The authors then turn their attention to the relevant case law and suggested readings, during which they neatly summarise the relevant facts, issues and decision of the court. Finally, and most importantly from a student's point of view, the authors provide an extract of the judgment alongside a succinct commentary on the decision. Case extracts range from important High Court authorities to interesting decisions of overseas jurisdictions.

Whilst these summaries and extracts provide important assistance to readers, it is worth remembering that the purpose of this book is to provide an introduction to the key cases and materials – not a forensic analysis on specific aspects of insolvency law. As such, this book is limited in the sense that it is unable to adequately address certain topics in the level of detail perhaps warranted. Fortunately however the authors recognise these limitations, and on most occasions they adequately direct readers to other sources where a more detailed analysis can be found.

Overall the book is well researched, well written, and is highly recommended for law students or anyone wanting to freshen up on Australian insolvency law more broadly.

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