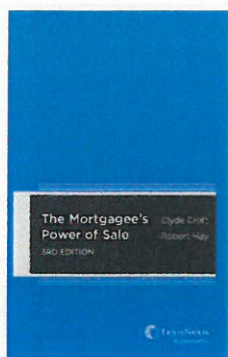


## Mortgagee's Power of Sale



C Croft, R Hay  
February 2012  
LexisNexis  
RRP \$210

The third edition of *Mortgagee's Power of Sale* provides a focused, up-to-date and practical exposition of the power of sale in respect of registered and unregistered mortgages of Torrens and general law land in NSW and Victoria. It does not consider chattel mortgages, leases or the *Personal Property Security Act 2009*.

The text is practical in focus and includes useful precedents in the Appendix together with comprehensive discussion of case law and legislation. It can be used as a quick reference with helpful 'in-text' cross-references. The text is logically laid out, contains helpful tables of cases and statutes together with a detailed index. The reviewer finds the text easier to navigate and more concise than the leading loose-leaf service covering the area.

The text incorporates a high level of scholarship. Authorities are clearly documented in the extensive footnotes together with examples. Controversial areas are explored, including a fascinating discussion of distribution of the proceeds of sale when exercising power of sale.

The mortgagor's position is also considered, with discussion covering lodgement of caveats and obtaining injunctions.

Whilst the summaries of particularly convoluted areas of law, such as that relating to the mortgagee's duty in exercising the power of sale, are excellent, the text would benefit from additional summaries and inclusion of checklists, particularly in procedural areas.

This text is commended to those who practise in banking or finance law in Victoria or NSW. For those in other jurisdictions, the discussion remains relevant for comparison purposes.

**Benjamin Adams,**  
**McSpeddenHarvey Lawyers**

## Termination of Employment



T Donaghey  
December 2012  
LexisNexis  
RRP \$210

This is an excellent textbook providing a focused analysis of the jurisdiction and state of termination law in Australia. *Termination of Employment* analyses the principles affecting both common-law and statutory termination of employment. The second edition of this title has undergone a significant review in light of the introduction of the *Fair Work Act* and proposed amendments to the legislation.

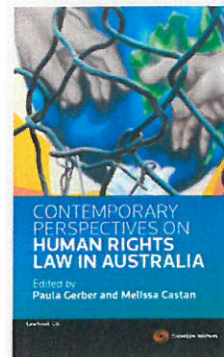
Helpfully, the book is divided into two parts. The first part addresses the role of the common and general law in the termination of employment. This part includes a detailed assessment on the formation of the common law contract of employment, its express and implied terms, breach and its incidents, and the effect of breach and the termination of employment. Practically, it provides a detailed analysis on the calculation of damages and equitable relief.

The second part focuses on the statutory termination proceedings in the tribunal and in federal courts. It has a neat overview of an application under fair dismissal in Fair Work Australia (now Fair Work Commission) and addresses the same fundamental elements necessary to pursue unfair dismissal, adverse action and unlawful termination applications. The author's experience as a barrister is evident as he provides an overview of the litigation process and insight into how proceedings are to be prosecuted as well as defended.

This is a single reference source for the majority of termination of employment issues and is recommended for law students and legal practitioners alike. I certainly consider it a valuable addition to most law firms' libraries.

**Lisa Barlin, Griffin Legal**

## Contemporary Perspectives on Human Rights Law in Australia



Paula Gerber,  
Melissa Castan  
October 2012  
Thomson Reuters  
RRP \$96

With an excellent foreword by the Hon Michael Kirby AC CMG, this book includes 22 chapters which effectively canvas Australia's human rights landscape. It addresses the role of the High Court, Australia's engagement with the UN, marriage and gender equality, indigenous rights, the rights of "boat people", children's rights, abortion rights, and anti-discrimination law in Australia.

The book also has chapters on prisoners' rights, the need to balance religious freedoms with other human rights, counter-terrorism measures, Muslims in Australia, the right to a healthy environment, disability and mental health issues, and the protection and enjoyment of our economic, social and cultural rights.

Importantly, the final chapter is devoted to the very real need to include human rights education in the Australian school curriculum. The education of our nation's children lays the foundation for future generations and incorporating an awareness of human rights into that education is crucial if we are to ensure a fair, just, healthy, transparent and accountable Australian society. To this end, the writer argues that the Federal Government should adopt legislative and administrative measures and policies which mandate a compulsory human rights education within all Australian schools.

Gerber and Castan have done an excellent job in covering the human rights law field in Australia by securing well-written contributions from many of Australia's human rights illuminati — academics, political scientists, human rights advisers, lawyers, a social justice commissioner — and of course, Michael Kirby.

This book is highly recommended and is essential reading for any Australian lawyer with a social conscience.

**Allison Ballard, Bradley Allen Love**