

Forbes Flyer No 35 (Spring 2017)

The newsletter of the Francis Forbes Society for Australian Legal History

History reports itself

History and law both look to the past, but for different reasons. Historians find things which they throw up as a mirror for ourselves. Lawyers grasp at the past for rules of conduct. Each, by and large, are looking to our present and our future, for both groups get very wary when they are called upon to tweak the source material. Rewriting history is the function of characters in *1984*, not the stuff of learned women and men.

In this issue of the Flyer, I include an article from [The Jurisprude](#), a blog where I am, among other things, working out an occasional commentary for Mr Broom's Legal Maxims. The article is about the wisdom and difficulties of retrospective laws, the subject of Broom's third maxim.

Rewriting is a necessary and troubling theme of relationships between indigenous and other Australians. This Flyer records two significant events on the legal front, the developing discussion around Aboriginality and constitutional integrity and, more mundanely but just as importantly, the ALJ's decision to celebrate its 90th year with an indigenous issue.

The rest of 2017 is a busy time for Australasian legal historians. There is the ANZLHS conference as well as a number of significant lectures in Sydney including the annual Forbes and Plunkett Lectures. Details appear below. David Barker's *History of Legal Education in Australia* will be launched in Sydney, and members are invited. Again, details appear below, as well as a review.

Finally, in case you think law and history is all about fact, this issue asks you to think about fiction as well. Please have a glance at the list of non-law books by NSW barristers over the last 200 years, and email me with comments and suggestions.

David Ash, Editor

Membership

Don't be shy. [Membership forms](#) can be downloaded with the press of button.

Five upcoming events arranged by the Society

28 September 2017 – The Forbes Lecture – the Hon Justice MJ Beazley AO

- Justice Margaret Beazley AO, President of the New South Wales Court of Appeal, will deliver the Annual Forbes Lecture on 28 September 2017 at 5.15pm in Banco Court, on the history of the Court of Appeal. The Banco Court is in the Law Courts Building, Queens Square, Sydney. [Martin Place and St James Stations are close by.](#)

4 October 2017 – The launch of *A History of Australian Legal Education* by Professor David Barker AM – the Hon Kevin Lindgren AM QC

- Members are invited to attend the launch of Professor Barker's book, *A History of Australian Legal Education* on 4 October 2017 at 5.30pm at Greenway Chambers (Level 10, 99 Elizabeth Street, Sydney). Professor Barker's book will be launched by the Hon Kevin Lindgren AM QC. If you are interested in attending, please RSVP by 27 September 2017 to John Xenos at rsvp@federationpress.com.au.

10 October 2017 – Sir Frederick Jordan's brushes with 'degenerate art' – the Hon Keith Mason AC QC

- The Honourable Keith Mason AC QC will present this lecture on 10 October 2017 at 5.15pm in Banco Court. The Banco Court is in the Law Courts Building, Queens Square, Sydney. [Martin Place and St James Stations are close by.](#)

18 October 2017 – Australian legal history: criminal law – the Hon TF Bathurst AC

- The next tutorial in the Society's series of tutorials in Australian legal history will be presented by New South Wales Chief Justice Bathurst on 18 October 2017 at 5.15pm in Banco Court. The Banco Court is in the Law Courts Building, Queens Square, Sydney. [Martin Place and St James Stations are close by.](#) The chief justice will be discussing the history of criminal law.



The Hon John Hubert Plunkett

[Source: Drawing by Edmund Thomas, Mitchell Library, State Library of NSW]

9 November 2017 – The JH Plunkett Lecture – Mark Tedeschi AM QC

- Mark Tedeschi AM QC will deliver the Annual Plunkett Lecture on 9 November 2017 at 5.15pm in the NSW Bar Association Common Room, to be chaired by the Attorney General, the Honourable Mark Speakman SC. The Common Room is on the Basement Level of Selborne Chambers 174 Phillip Street, Sydney. [Martin Place and St James Stations are close by.](#) The Lecture honours the memory of one of the State's pivotal Attorney-Generals. Plunkett (1802-1869) arrived in New South Wales in 1832. For more than 30 years thereafter he made a major contribution to colonial law and society serving, inter alia, as Solicitor-General and Attorney-General. In 1835 he published *The Australian Magistrate*, the first Australian legal practice book. He was the first Australian lawyer to be granted a commission as Queen's Counsel. Mr Tedeschi is the Senior Crown Prosecutor in New South Wales and the author of 'Murder at Myall Creek: The Trial that Defined a Nation', published by Simon & Schuster in 2016. Mr Tedeschi will deliver a lecture titled 'John Hubert Plunkett QC and the Myall Creek murder trials.'

The 36th Annual Conference of ANZLHS, Christchurch, 14-16 December

The 36th Annual Conference of the Australia and New Zealand Law and History Society will be held at the University of Canterbury, Christchurch, New Zealand on the 14th, 15th and 16th of December this year.

The conference theme is “Legal and social change – gradual evolution or punctuated equilibrium?”

This conference theme draws on evolutionary theory about how species form, and asks whether changes in the law and in the effects of particular laws on society occur through a gradual process of incremental change or through periods of relative stasis with intervening major shifts.

Keynote speakers for the conference include Professors Charlotte McDonald (Victoria University of Wellington); Kjell Modeer (Lund University), and Amanda Nettelbeck (University of Adelaide) and Dr Te Maire Tau (Ngai Tahu Research Centre, University of Canterbury).

For details including as to accommodation, go to the Society’s [website](#).

Aborigines & Australian Law

On 26 July, a panel discussion took place at Gilbert + Tobin’s office in Barangaroo. The panel was asked to speak to ‘This Whispering in Our Hearts: The Moral Tradition of Richard Windeyer’, a paper written by David Allinson, the Executive Officer of the conservative think tank [Uphold & Recognise](#).

The group’s particular focus is an indigenous recognition which preserves constitutional integrity while allowing a distinct indigenous voice to be heard. The advertised panelists were

Professor Greg Craven AO, the Hon Arthur Emmett AO, the Cape York Institute's Shireen Morris and Chalk & Behrendt's Geoffrey Winters. Readers may recall that Winters, a young gay indigenous lawyer, took the Liberal Party into Labor heartland by challenging Tania Plibersek in Sydney.

The audience also had the benefit of some words from Professor Megan Davis, UNSW Pro Vice-Chancellor Indigenous. Professor Davis was fresh from her appointment alongside former Queensland premier Peter Beattie to the ARL Commission. Significantly for current purposes, she was the guest editor for the ALJ's 90th edition, a special issue on indigenous Australians and the law. Details about the issue are [online](#); it is worth reprinting the summaries of the excellent range of articles:

- ***Indigenous Constitutional Recognition: Paths to Failure and Possible Paths to Success*** – Shireen Morris and Noel Pearson

This article argues that the purpose of constitutional recognition is predominantly practical, rather than just symbolic. The purpose is to positively reform the power relationship between Indigenous peoples and the Australian state, to empower Indigenous peoples and create a more mutually respectful relationship. The article examines the legal and political calculations involved in the main reform options. It explains why a purely symbolic or minimalist model for Indigenous constitutional recognition is likely to lead to referendum failure, and argues that the proposal for a constitutionally mandated Indigenous representative body presents the most viable path to referendum success.

- ***Testamentary Freedom and Customary Law: The Impact Of Succession Law on the Inheritance Needs of Aboriginal and Torres Strait Islanders in Australia*** – Prue Vines

The civil law needs of Aboriginal and Torres Strait Islander people in Australia have often been neglected in favour of seemingly more urgent criminal law matters. This is no less true of issues relating to the passing of property on death and the treatment of death and burial than of other civil matters. One of the myths regarding the legal system's treatment of Aboriginal and Torres Strait Islander people has been that because they did not own

much property there was little need to be concerned about succession issues for them. This turns out to be untrue in a profoundly important way.

- ***Opportunity is There for the Taking: Legal and Cultural Principles to Re-start Discussion on Aboriginal Heritage Reform in WA*** – Lauren Butterly, Ambelin Kwaymullina and Blaze Kwaymullina

The *Aboriginal Heritage Act 1972* (WA) was drafted at a time when there was no consultation with Indigenous peoples, and based on a Eurocentric, anthropologically grounded “museum mentality” that failed to understand that Indigenous heritage is living. All sides of the contemporary debate – Indigenous communities, the full range of the political spectrum and the mining industry – acknowledge that major reform is needed. This article provides guidance on how to achieve such reform – not in the sense of specific legislative provisions, but broad legal and cultural principles that must lead discussions about change.

- ***Two New Township Leases on Aboriginal Land in the Northern Territory*** – Leon Terrill

Township leasing is the Australian Government’s flagship land tenure reform for Aboriginal communities in the Northern Territory. Recently, agreement was reached for two new township leases, which are fundamentally different from earlier leases. This article describes how the new leases will operate. While often the focus is on the economic consequences of township leasing, the article describes how the more significant impact is on community governance and relationships around land use.

- ***Ensuring Ethical Collaborations in Indigenous Arts and Records Management*** – Terri Janke

Traditional cultural expression and traditional knowledge and its interface with intellectual property laws raise many challenges for law and policy makers, and are viewed as incongruent with conventional intellectual property laws. However, the case studies in this article examine how the law and protocols have dealt with this meeting place of

culture and law to consider what lessons can be gleaned. The author makes some concluding comments about her vision for a National Indigenous Cultural Authority.

- ***Thinking Outside the Constitution on Indigenous Constitutional Recognition: Entrenching the Racial Discrimination Act*** – Dylan Lino

Of all the major proposals to constitutionally recognise Aboriginal and Torres Strait Islander peoples, a constitutional ban on racial discrimination has been one of the most popular – and most contentious. According to some conservative commentators, this proposal would unduly empower the judiciary and would not amount to Indigenous recognition in any case. This article argues that protection from racially discriminatory laws is an important form of Indigenous constitutional recognition, and that the *Racial Discrimination Act 1975* (Cth) (RDA) represents a pre-existing form of “small-c” constitutional recognition. To address the political resistance against inserting a racial discrimination prohibition into the “big-C” Constitution, it proposes strengthening the RDA’s protection by entrenching it through a “manner and form” provision. More generally, supporters of Indigenous constitutional recognition should be thinking creatively outside the Constitution in imagining a just Indigenous – settler future.

- ***Administrative Law*** – Gemma McKinnon

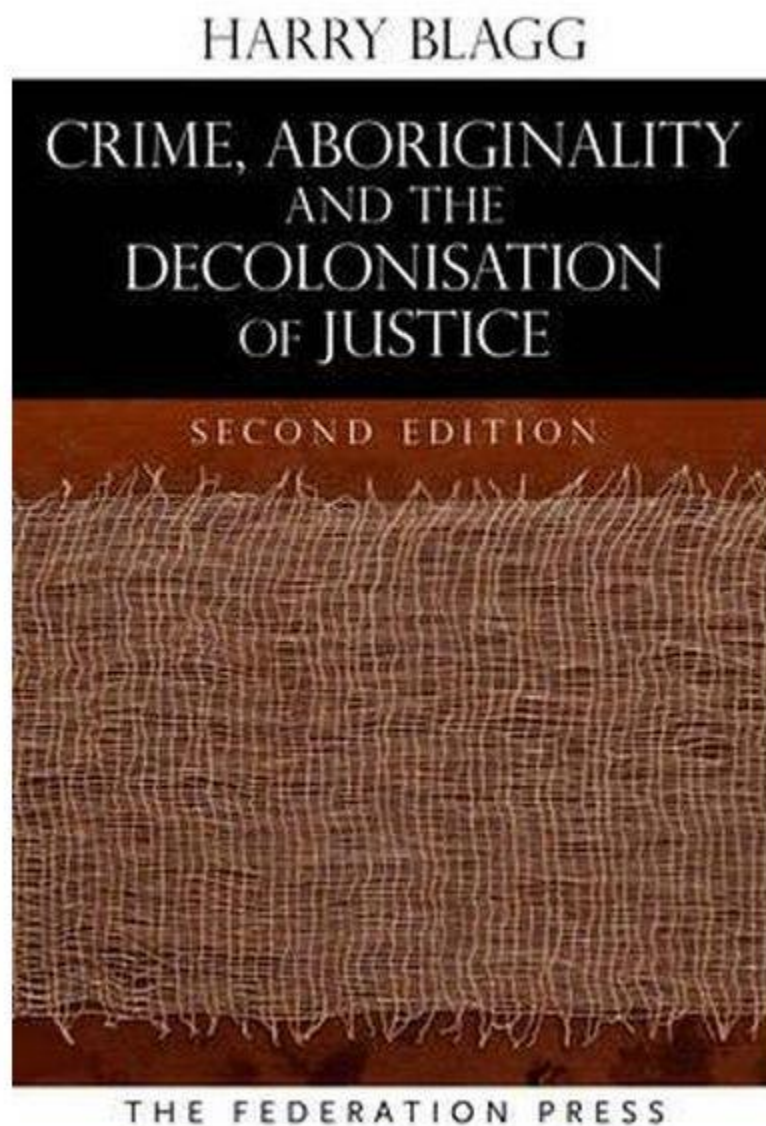
This article argues that administrative law is under-utilised by the Aboriginal community, particularly as a solution to legal issues in their early stages. It looks at administrative law in all of its practical forms, discussing why administrative law is of particular relevance to the Aboriginal community, and exploring why this relevance is not widely realised throughout the community.

- ***What Does National Equality Law Have to do with Closing the Gap?*** – Laura Beacroft

This article discusses the role that a strengthened national equality law can and must play in closing the gap between Indigenous and non-Indigenous life outcomes. With the Australian Government committed to reframing and humanising relations with Indigenous peoples, the challenge is more than tinkering with the status quo. It involves adherence

by Australian governments to laws that recognise Indigenous equality. Nondiscrimination is a key area that should be targeted in closing the gap initiatives. Disturbing patterns of government action and law-making that undermine the legitimacy of Indigenous equality, and politicise discussions about it, need to be turned around. Strengthening Australia's national equality law can assist in this task. The priority is enacting catch-up reforms to improve the scrutiny of special laws and to improve Indigenous participation, which are aligned with international and comparable nations' laws.

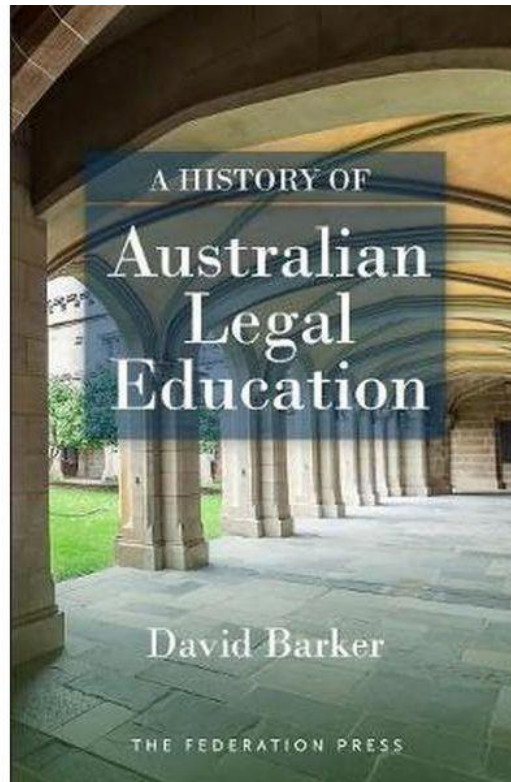
There is also Julian R Murphy's review of the second edition of Harry Blagg's *Crime, Aboriginality and the Decolonisation of Justice*, Federation Press, 2016, 212 pages.



For more information on the special edition, press [here](#).

David Barker, A History of Australian Legal Education, 2017,
Federation Press, 275pp.

Review by David Ash



*In ten years we're gonna have one million lawyers,
One million lawyers, one million lawyers.
In ten years we're gonna have one million lawyers.
How much can a poor nation stand?*

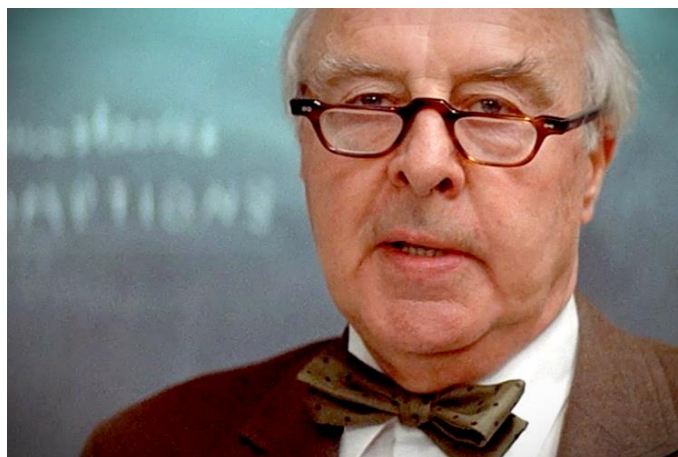
On 21 August 2017, the US president and millions of his fellow citizens celebrated a total solar eclipse. On 21 August 1770, a year or so after a transit of Venus, Captain James Cook laid claim to the eastern coast of Australia. Since then, Australia's national development has included identity struggles both internal and external. A theme of the latter has been the eclipse of British hegemony and the emergence of a US one.

Whether the 2017 eclipse indicates the emergence of Chinese hegemony remains to be seen. What we can say is that the shift from the UK to the US has been dogged by the rise of the lawyer. A meagre ten of Britain's 54 prime ministers read at Inns of Court, 11 if you include Disraeli who didn't complete his studies. Contrast this with the US, where over half of presidents have been lawyers. Is Australia's difficulty in working out where it stands with these two English-language powers reflected in our electoral diffidence, as just on one-half of our prime ministers have been qualified lawyers? Struth Ruth, whither thou goest or not?

Everything has its good bits and its bad, and the getting of a formal education in the law is no exception. Law is both a science and anything but. A science, in the sense that its essence is the asking of questions. Anything but, in the sense that its practitioners and their clients require finality. The question for legal education, as David Barker observes in this elegant history, is whether it "can satisfactorily meet the twin objectives of training individuals as legal practitioners and providing a liberal education that facilitates the acquisition of knowledge and transferable skills".

John and John Quincy Adams both went to Harvard and both became eminent lawyers. Neither, however, went to Harvard Law School; it didn't exist until 1817. Christopher Columbus Langdell was its dean for much of the second half of the 19th century and introduced the case method. The law school itself described the method in these terms; it:ⁱⁱ

- *Uses a court decision to exemplify principles of law*
- *Employs "hub-and-spoke" discussion between professor and student, otherwise known as the Socratic method*
- *Analyzes the dilemma after it has been resolved*



John Houseman discovers legal education. [Source media.salon.com/2013/04/houseman_paperchase2.jpg]

England – and therefore Australia – did not follow this development. Rather, the prevailing method was and for some institutions continues to be, lectures. Barker quotes the description of another commentator: “the imparting of information in the form of legal principles, rules and propositions... to be committed to memory for examination purposes.” It puts in perspective the casebooks which have often been issued as supplements to Australian texts; I suspect that they were intended to stimulate an adoption of the case method, and I suspect most students used them to read only what they had to, for the passing of exams.

Which method creates more positivists is a matter for debate. One major influence of both methods is a focus on the common law in contrast to the statute. It has been said of Sir Frederick Pollock – who with Sir Frederic Maitland dominated Oxbridge legal education during roughly the same period – that he:

... helped to establish law as an academic discipline and to arrange matters so that the common law was studied as the core of that discipline with statute only as a relatively unimportant appendage...

The idea of the statute as an appendage continues to have a profound effect in Australia. Bill Priestley QC has been an outstanding appellate judge. In 1992 he chaired a Law Admissions Consultative Committee which delivered a core of eleven subjects now known as the Priestley 11. This year, the editor of the *Australian Law Journal* the Hon Francois Kunc observed:ⁱⁱⁱ

Readers who have followed the debate about the adequacy of the “Priestley 11” will be aware that perhaps the most frequently suggested “new subject” is statutory interpretation. The volume and scope of statute law has grown well beyond what lawyers of past generations would have ever imagined. That expansionary trend continues.

As well as introducing the case method, Dean Langdell, who came from a modest background, also introduced the system of blind grading. Given that Columbus is the capital of Ohio, he would have been delighted to see the system footnoted by the US Supreme Court when it ruled in *McIntyre v Ohio Elections Commission*. Mrs McIntyre of Westerville, a northeastern suburb of Ohio, handed out unsigned and therefore illegal leaflets opposing a school levy.

Ohio has not shown that its interest in preventing the misuse of anonymous election related speech justifies a prohibition of all uses of that speech. The State may, and does, punish fraud directly. But it cannot seek to punish fraud indirectly by indiscriminately outlawing a category of speech, based on its content, with no necessary relationship to the danger sought to be prevented. One would be hard pressed

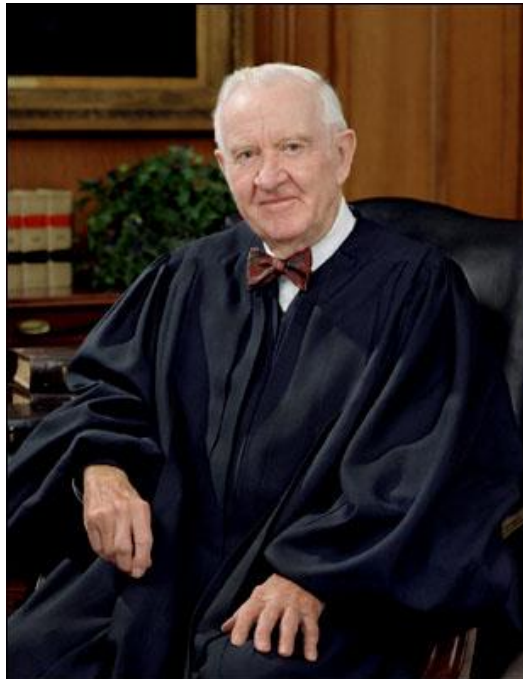
to think of a better example of the pitfalls of Ohio's blunderbuss approach than the facts of the case before us.

In the course of his reasons, Stephens J for the Court said:

Whatever the motivation may be, at least in the field of literary endeavor, the interest in having anonymous works enter the marketplace of ideas unquestionably outweighs any public interest in requiring disclosure as a condition of entry.

In a footnote furthering that proposition, the judge observed:

Though such a requirement might provide assistance to critics in evaluating the quality and significance of the writing, it is not indispensable. To draw an analogy from a nonliterary context, the now pervasive practice of grading law school examination papers "blindly" (i.e., under a system in which the professor does not know whose paper she is grading) indicates that such evaluations are possible – indeed, perhaps more reliable – when any bias associated with the author's identity is prescinded.



Do all US legal scholars wear bow ties?

[Sourced from the public domain]

A significant shift in the law's understanding of its own sovereignty has been occasioned by the growth of democracy, in particular the spread of the electoral franchise. A common law which allows commoners to become practitioners is A Great Thing; a common law of practitioners which excludes persons who are neither Anglican nor white nor male is quite another.

This change has percolated into and from our law schools. The most marked – not the only, but the most marked – growth in recent generations has been a huge influx of women students. There are many reasons for this, but the author rightly does not pass up mention of pioneers.

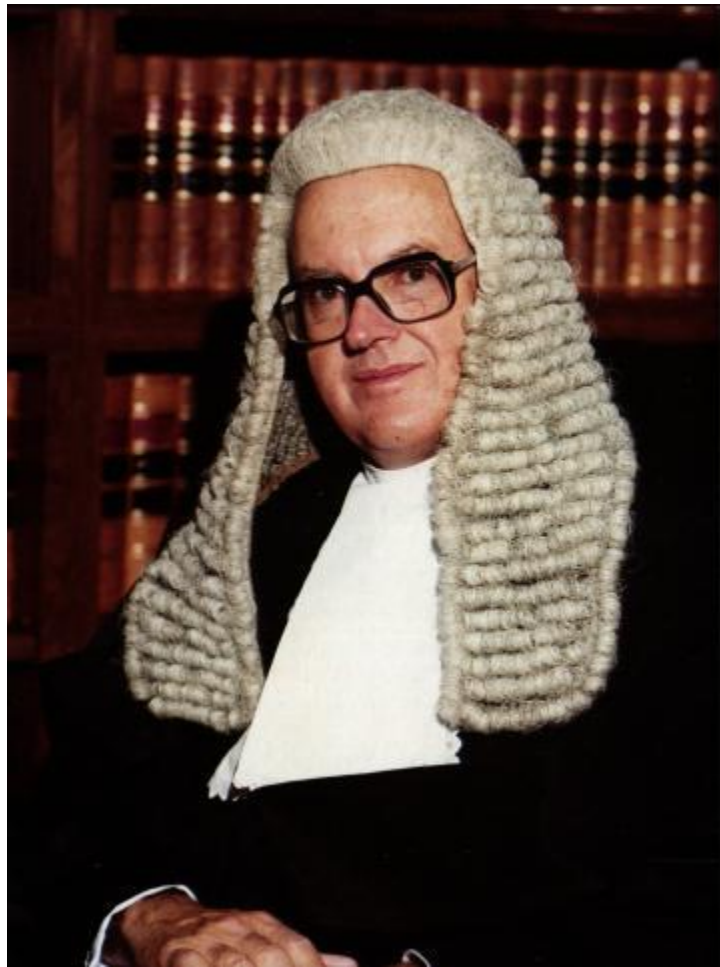
William Pitt Cobbett was Sydney University's pre-eminent legal academic at the end of the 19th but another who opposed the admission of women. It was rumoured that his sabbatical had to occur before the remaining powers-that-were could summon up the wherewithal to admit Ada Evans as a student. Pitt Cobbett's attempt to persuade her to move to medicine did not succeed and she graduated in 1902. Incidentally, Pitt Cobbett left a huge estate which created a number of problems, one reaching the High Court. As his biographer (FC Hutley, the distinguished jurist and law lecturer) later noted "In his death he joined the large band of distinguished lawyers whose unsatisfactory testamentary dispositions benefited his profession."

On the other side of the nation, Edith Haynes had been permitted to register as a student (and was articled to her father) but in 1904 was refused admission to the intermediate examination by the Western Australian Barristers Board. A writ of mandamus directed to the Board failed^{iv} and things only changed with the 1923 Women's Legal Status Act.



The great cave of the common law, or shades of Plato. [Sourced Kalgoorlie Miner, p 5, Thursday 11 August 1904]

Litigation, of course, is not the sole domain of female legal students. Harry Gibbs, later Australia's chief justice, sued the Queensland Barristers Board for failing to exempt him as a first class honours students from fees. He and his friend Tom Matthews won.^v



Student litigant to chief justice of Australia.

[Sourced from legalheritage.sclqld.org.au/exhibitions/sir-harry-talbot-gibbs-pc-ac-gcmg-kbe-qc]

The author characterizes the evolution of legal education in Australia as the pre-war formal, the post-war innovative, and the creative. Very few of us remain to recall the first, but the innovative was a colorful period for tertiary education everywhere: the writers of the Judean Peoples' Front sketch were at Cambridge in the 60s, after all. I well recall Sydney University's splits; the economics faculty; the philosophy department; battles in English (probably conducted in old English); and of course jurisprudential jousting in Phillip Street. The author gives particular space to the highly publicized battles at Macquarie University, catching the mordant observation of Bruce Kercher on this distraction from his development as a doyen of Australian legal history:

There was a lot of exaggeration in the press too. Eventually it broke into two factions and in the middle sat the majority of staff who watched the bombs fly overhead. Most of us ducked and tried to avoid the flak and got on with teaching and research.

It is the last evolutionary phase, the creative, which is the most important for legal education's current participants, for it draws together two developments which inform and plague modern tertiary education, commercialization and internationalization.

The apparent starting point for the last phase is 1989, the commencement of what the author dubs "An Avalanche of Law Schools". I say "apparent" because two important events had occurred two years before, the delivery of the Pearce Report and the commencement of the Dawkins reforms. Much of the value of this book is its effective overview of the ensuing years. Colourful comments from senior academics is included, for example David Weisbrot on the Report and Margaret Thornton on reform, respectively:

The Dawkins reforms, which brought an end to the binary system in Australia in 1988, signalled the beginning of the end of the idea of the university as envisaged by Newman, and its replacement with the idea of the university as a business.

and

The central message of the Pearce Report on Australian Law Schools was that legal education in Australia is being run on the cheap, and this is a Bad Thing. The moral for Vice Chancellors, University Councils, and Governments, however, is that legal education in Australia can be run on the cheap, and this is an Absolutely Splendid Thing.

The author covers significant areas beyond the academy, such as alternative entry points for students and access to free legal information. However, it is the marriage of legal training and the academy – a relatively recent affair in the common law – that is the great value of the author's work. Recently a well-regarded journalist in the Fairfax stable reported under the heading "Universities have been turned into aimless, money-grubbing student exploiters". Perhaps, but many say Fairfax might soon be out of business. Where do we strike the balance? David Barker provides no business plan. He suggests merely that the law schools stick to what they have done well, striking a balance of training practitioners and providing a liberal education. There will always be a place for the academic purists and the high priests of finance to have their battles, but I rather like Barker's implication that common sense is a learning in itself. As Newman said, Men will die upon dogma but will not fall victim to a conclusion.



And don't mind the use of "men": he also observed that "Ability is sexless".

[Sourced from johnhenrycardinalnewman.org/]

nova constitutio futuris formam imponere debet, non praeteritis (Or how to commit a legal crime)

We've all heard the maxim that ignorance of the law is no excuse and we'll see Mr Broom's take on it if I live long enough. If the traffic light is red and I drive on regardless and I survive, I can't complain if I didn't know there was a law by which I could be fined.



Which light is the law?

What if I drive through a green light, only to find that there is a law which says “Green means stop”. I suppose my ignorance is still no excuse, but I expect that the traffic magistrate would let me off with a warning.

Things move to a new level when we get pulled over and pinged even though the traffic lights haven’t been erected.

What to do?

Enter Sir Edward Coke, with *nova constitutio futuris formam imponere debet, non praeteritis*; in the hand of Mr Broom, “A legislative enactment ought to be prospective in its operation, and not retro-active”.



Coke in his early days, Recorder of London. [Public domain]

While the reason for the maxim is plain, there are many reasons why a legislature may want to enact an ex post facto law. Most come down to an assessment that such a draconian course is necessary because the gulf between what the courts of law say is lawful and what the courts of public opinion say is becoming an abyss. Which assessment itself falls inside one of leadership's more difficult tasks; Draco himself fell foul of the Athenian public when he attempted to do away with the blood feud.

In the white collar world there is always the question of tax. In the late 1970s, lawful tax avoidance in Australia had become so removed from the public idea of what was just that the ex post facto law was one of the tools brought in to right the balance.



Bottom of the harbour proponents appearing before court?

[© Jason Decaires Taylor]

But it is a mistake to think ex post facto laws simply criminalize what was not criminal. Amnesty laws are ex post facto.

And – a particular reminder in our globalising world – it is also a mistake to think that a given subject matter remains subjected to the same courts of law or courts of public opinion. The heirs of a colonial capitalist who had appropriated property with the consent of home country

law and the public opinion at home might find their complaints of “expropriation” by the law of the (now) former colony falling on the deaf ears of the (new) state’s (new) courts and (now freed) public; can a law of re-appropriation ever be post facto?

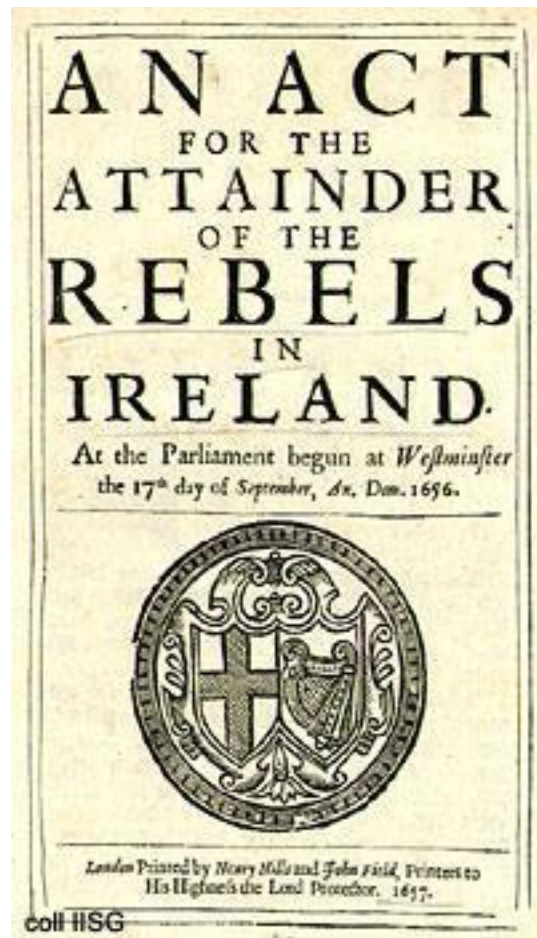
A half century or so before Broom’s work the US Constitution had attempted to put the position clearly, barring both federal and state legislatures from making ex post facto laws: see Art 1 Sec 9 cl 3 & Art 1 Sec 10 cl 1 respectively. Section 9 is headed “Limits on Congress” and the clause says simply “No Bill of Attainder or ex post facto Law shall be passed.”

But like all constitutional proscriptions, they have to be seen in their context. Sir William Deane summarised the US position in the following terms:

At the time when the Constitution was adopted by the Australian people, it had long been recognized in the United States that the Bill of Attainder Clause did no more than make express what was, in any event, implicit in the doctrine of the separation of judicial from legislative and executive powers. Thus, in Calder v Bull, Chase J, in the course of what has subsequently been accepted as the classic exposition of the effect of that clause, wrote:

"The prohibition against their making any ex post facto laws was introduced for greater caution, and very probably arose from the knowledge, that the parliament of Great Britain claimed and exercised a power to pass such laws, under the denomination of bills of attainder, or bills of pains and penalties; the first inflicting capital, and the other less punishment. These acts were legislative judgments; and an exercise of judicial power." (Emphasis added by Deane J.)

In a context where the express prohibition of “ex post facto laws” was seen as merely declaratory of an aspect of the doctrine of separation of powers, it was a natural step to confine the scope of that phrase to its traditional meaning of ex post facto laws dealing with criminal offences.



Wouldn't happen now days, nosiree.

Sir William Deane's remarks are found in the Australian High Court's decision known as the War Crimes Act case.^{vi}

At the time the Court delivered its reasons, 14 August 1991, Mr Ivan Timofeyevich Polyukhovich had been resident in Australia for over 40 years, and a citizen for over 30. But it was allegations about his previous life which wrought the litigation. In the words of the International Crimes Database:^{vii}

Ivan Timofeyevich Polyukhovich was born in the village of Serniki in the Pinsk region, Ukraine. Polyukhovich became an Australian citizen in 1958. In January 1990, a case was brought against Polyukhovich in Australia for his alleged involvement in the mass killing of approximately 850 people from the Jewish ghetto in Serniki village and for killing 24 other people between August and September 1942. Their bodies had been exhumed in June and July 1990.

The region of Pinsk examples the rich, fascinating and tragic histories of pre-World War II Eastern Europe, a place where states great and small rose and fell and where that most extraordinary of stateless people, the Jews, could be lauded or slaughtered on a whim.

Pinsk is an exemplar in that it has produced many famous Jews including Chaim Weizmann, ironically the first president of what would become that people's state; Golda Meir, a prime minister of that state; and Simon Kuznets, a Nobel laureate in economics. It housed the parents of Ralph Lauren.



The Symphonic Orchestra in Pinsk.

[Sourced <http://www.zchor.org/pinsk/pinsk.htm>]

More darkly, it was an exemplar for violence aimed at Jews. Two decades before the jackbooted depravity of the Nazis and their allies, there had been the execution of thirty-five Jews by the Polish Army in the opening stages of the Polish-Soviet War. The event occurred during the opening stages of the Polish-Soviet War with the presiding officer asserting two things: that the dead had been at a Bolshevik meeting and that the Jewish population of Pinsk had attacked Polish troops.

As to the second, no credible evidence ever emerged and this allegation alone justifies the western press's tag, the Polish Pogrom at Pinsk. As to the first, contemporary comment suggests that they had not. However, the Gvat kibbutz in northern Israel was established in the memory of those who died and was established on avowedly Zionist-Socialist principles; there has never been a synagogue there.

For those of us from more stable countries who think it proper and civilised to keep our politics and our religion separate, Jewish socialism of the first half of the 20th century takes its place alongside the second half's liberation theology and civil rights movements. Reality tends to discord.

As to the massacre two decades on, that is the subject of the High Court case across the other side of the world, Polyukhovich was acquitted because there was not sufficient evidence to continue with the case. He died in 1997. A comprehensive account of the trial and the issues surrounding it was written by Adelaide journalist David Bevan. A detailed [review](#) of the book is available on Austlii.



The poignancy of a rubber boot found in the excavation at Serniki.

[Sourced from <http://sydneyjewishmuseum.com.au/collection/rubber-boot/>]

But is it right to describe Australia as stable? It really depends who is asked and when. What of Aboriginal Australia in 2017? A quarter century on, does it help the cause of stability to describe the High Court's decision in Mabo as anything but an elegant attempt to rewrite a history while avoiding the imposition of criminality on the persons responsible for that history?

At the pointy end of the intersection between morality and law, where a line must be drawn between hindsight and retrospectivity, Sir William Deane happened at least once to be in dissent (the War Crimes Act case) and at least once in the majority (Mabo). No easy question for so eminent a jurist, and just as hard for the rest of us.

Finally and moving from the mysteries of morality to the machiavellian mores of municipal machinery, the world of ex post facto laws – and the courts' struggle with them – plays an interesting role in the ongoing struggle between the branches of a government no longer embodied in a single person.

In olden times, there was neither a legislature nor a judiciary in any sense that we understand the terms today; there were the monarch's advisers on the one hand and his ministers of justice on the other. Those times are often thought to have changed with a bang in 1776, but there were many other whimpers, wails and wars over 700 years or so which also contributed to our present system, a system where the legislature and the judiciary are keen to ensure that the executive is kept in check.

One of the incidents of checks and balances is that the Johnny-come-lately legislature and judiciary themselves have to keep each other in check, as well as the more Establishment executive. In common law nations with written constitutions – the US, Australia and Canada spring to mind – the judiciary has two particular tools.

First, it gets to rule on whether the legislature is allowed to pass the law it has purported to pass. The most enduring example of this tool is the most famous, *Marbury v Madison*.

Secondly, it gets to rule on whether the legislature is legislating at all, or whether – a big no-no – it is in fact doing something else, such as, well, judging. This tool has been well-used by the judiciary in Australia over the last two decades, with a significant number of legislative acts being held to trespass on the area of government reserved by the constitution for the judiciary.

The use to be made of these tools in dealing with the question of ex post facto laws depends on which country's courts you happen to be arguing in and when you happen to be arguing it. In today's Australia, it is probably still correct to say that the first tool is unavailable: unlike the US, there is no Constitutional bar on ex post facto criminal laws, so as long as the legislation is with a head of power, the fact that it is ex post facto will not matter. As to availability of the second tool and while it will always depend on the wording of the legislation, I expect that the High Court will continue to exercise caution when passing on the legislature's ability to pass a declaratory statute with retrospective operation. For a stimulating look at the War Crimes case, I commend an article whose first sentence is "Frolicking with the Australian Constitution can be fun."^{viii}



Of course, we can just check the balances. [© Gary Varvel]

Law and literature

Law and literature have a close relationship. Richard Posner is probably the best known commentator; apart from being (until this year) a federal appeal judge and (yes, these things are measured) the most cited legal scholar of the 20th century, his “Law and Literature” is in its third edition. In Australia we have Nicholas Hasluck, justice of the Supreme Court of Western Australia, novelist, poet, and author of “The legal labyrinth: the Kisch case and other reflections on law and literature”. Kisch’s Australian experience is a fascinating study for anyone interested in the politics of citizenship (and the joys of dictation tests). Now, Malcolm Oakes SC has produced a list of members of the Sydney Bar who have published books beyond legal texts. The list covers 200 years. A copy is attached. The criteria are authorship of a work which does not have the better (or at least more well-informed) practice of law as its purpose and has 45 or more pages. It is hoped to formally publish a list in the new year. If you would like to comment or make suggestions, please email the editor of the Flyer at d.ash@fjc.net.au.

ⁱ Tom Paxton, chorus to “One Million Lawyers”. It was released in 1985. There are now 1,315,561: [ABA Lawyer Demographics, Year 2016](#).

ⁱⁱ <http://casestudies.law.harvard.edu/the-case-study-teaching-method/>.

ⁱⁱⁱ Kunc, “Current Issues” (2017) 91 ALJ 343, 345.

^{iv} *In Re Edith Haynes* [1904] 6 WALR 209.

^v [1939] Case 32 QWN 52.

^{vi} *Polyukhovich v Commonwealth* [1991] HCA 32; (1991) 172 CLR 501.

^{vii} <http://www.internationalcrimesdatabase.org/Case/1172>.

^{viii} James A Thompson, “Is it a mess? The High Court and the War Crimes case: external affairs, defence, judicial power and the Australian Constitution” (1992) 22 WALR 197.

Name	NSW	Title	Publisher	Place	Year	NLA Bib ID
a'Beckett, William	1837	The first gold rush at Melbourne and other poems	Mulini	Canberra	1999	1810806
a'Beckett, William	1837	Does the discovery of gold in Victoria viewed in relation to its moral and social effects, as hitherto developed, deserve to be c	Benjamin Lucas	Melbourne	1852	2960633
a'Beckett, William	1837	Out of harness	J J Guillaume	London	1854	910483
a'Beckett, William	1837	The earl's choice and other poems	Smith, Elder	London	1863	2115525
a'Beckett, William	1837	Lectures on the poets and poetry of Great Britain: with an introductory lecture on poetry in general	A Cohen	Sydney	1839	2474228
Bannister, Saxe	1824	Humane policy : or, Justice to the aborigines of new settlements : essential to a due expenditure of British money, and to the	T & G Underwood	London	1830	4735820
Bannister, Saxe	1824	British colonization and coloured tribes	William Ball	London	1838	2984591
Bannister, Saxe	1824	On abolishing transportation : and on reforming the Colonial Office in a letter to Lord John Russell	Effingham Wilson	London	1837	891723
Bannister, Saxe	1824	Pictorial maps for the illustration of the land, the sea, and the heavens, on the walls of large buildings and georamas : a letter	John Mitchell	London	1849	58696
Bannister, Saxe	1824	William Paterson, the merchant statesman, and founder of the Bank of England : his life and trials	William P Nimmo	Edinburgh	1858	1594185
Bannister, Saxe	1824	Remarks on the Indians of North America: in a letter to an Edinburgh reviewer	T & G Underwood	London	1822	2789361
Bannister, Saxe	1824	[ed] The writings of William Paterson, of Dumfriesshire, and a citizen of London: founder of the Bank of England, and of the Da	Judd & Glass	London	1859	6071275
Bannister, Saxe	1824	The Worthies of the working classes and their friends	T C Newby	London	1854	2916299
Bannister, Saxe	1824	[trans] A journal of the first French embassy to China, 1698-1700	T C Newby	London	1859	1724145
Barker, Ian	1980	Sorely tried : democracy and trial by jury in New South Wales	Dreamweaver Pub	Sydney	2003	3079918
Barry, Redmond	1839	Addresses	Lucas	Melbourne	1860	1904974
Barry, Redmond	1839	Music and poetry	Mason, Firth & M	Melbourne	1872	2071457
Barry, Redmond	1839	Lectures		Melbourne	1876	1904963
Barwick, Garfield	1927	Sir John did his duty	Serendip Publicati	Wahroonga	1983	2429226
Barwick, Garfield	1927	A radical tory : Garfield Barwick's reflections and recollections	Federation Press	Leichhardt	1995	2182393
Barwick, Garfield	1927	Precedent in the southern hemisphere	Magnes Press	Jerusalem	1970	2314791
Basten, John	1974	[ed] The criminal injustice system	Australian Legal W	Sydney	1982	1786340
Bavin, Thomas Rainsford	1897	Sir Henry Parkes : his life and work	Angus & Robertso	Sydney	1941	715700
Bavin, Thomas Rainsford	1897	Thomas Rainsford Bavin : extracts from his speeches, 1923-1932	Halstead Printing	Sydney	1933	594412
Bavin, Thomas Rainsford	1897	[ed] The Jubilee book of the Law School of the University of Sydney, 1890-1940	Halstead Press	Sydney	1940	2271981
Bean, Charles Edwin Woodrow	1905	Bean's Gallipoli : the diaries of Australia's official war correspondent / edited and annotated by Kevin Fewster	Allen & Unwin	Crows Nest	2007	3705991
Bean, Charles Edwin Woodrow	1905	[Official history of Australia in the war of 1914-1918 ; v. 1] The story of Anzac from the outbreak of war to the end of the first	Angus & Robertso	Sydney	1921	65699
Bean, Charles Edwin Woodrow	1905	[Official history of Australia in the war of 1914-1918 ; v. 4] The Australian Imperial Force in France : 1917	Angus & Robertso	Sydney	1940	3584026
Bean, Charles Edwin Woodrow	1905	[Official history of Australia in the war of 1914-1918 ; v. 5] The Australian Imperial Force in France, during the main German o	Angus & Robertso	Sydney	1937	423927
Bean, Charles Edwin Woodrow	1905	[Official history of Australia in the war of 1914-1918 ; v. 2] The story of Anzac : from 4 May, 1915, to the evacuation of the Gal	Angus & Robertso	Sydney	1934	75496
Bean, Charles Edwin Woodrow	1905	On the wool track	Cornstalk Publishi	Sydney	1927	1569989
Bean, Charles Edwin Woodrow	1905	[Official history of Australia in the war of 1914-1918 ; v. 3] The Australian Imperial Force in France, 1916	Angus & Robertso	Sydney	1937	2335906
Bean, Charles Edwin Woodrow	1905	Here, my son : an account of the independent and other corporate boys' schools of Australia	Angus & Robertso	Sydney	1950	971619
Bean, Charles Edwin Woodrow	1905	Gallipoli mission	Angus & Robertso	Sydney	1948	1733196
Bean, Charles Edwin Woodrow	1905	Anzac to Amiens : a shorter history of the Australian fighting services in the First World War	Australian War Me	Canberra	1952	1974629
Bean, Charles Edwin Woodrow	1905	The Dreadnought of the Darling	Hodder and Stoug	London	1916	943939
Bean, Charles Edwin Woodrow	1905	[Official history of Australia in the war of 1914-1918 ; v. 6] The Australian Imperial Force in France : during the allied offensive	Angus & Robertso	Sydney	1942	424061
Bean, Charles Edwin Woodrow	1905	Two men I knew : William Bridges and Brudenell White, founders of the A.I.F.	Angus & Robertso	Sydney	1957	736762
Bean, Charles Edwin Woodrow	1905	With the flagship of the south		Sydney	1910	868461
Bean, Charles Edwin Woodrow	1905	Making the legend : the war writings of C.E.W. Bean [selected by Denis Winter]	Queensland Unive	St Lucia	1992	544437
Bean, Charles Edwin Woodrow	1905	Flagships three	Alston Rivers	London	1913	2267349
Bean, Charles Edwin Woodrow	1905	In your hands, Australians	Cassell	London	1919	726305
Bean, Charles Edwin Woodrow	1905	War aims of a plain Australian	Angus & Robertso	Sydney	1943	749306
Bean, Charles Edwin Woodrow	1905	Letters from France	Cassell	London	1917	1830934
Bean, Charles Edwin Woodrow	1905	Gallipoli correspondent, the frontline diary of C.E.W. Bean [selected and annotated by Kevin Fewster]	George Allen & Un	Sydney	1983	422042

Beasley, Richard	1992	Hell has harbour views	Pan Macmillan	Sydney	2001	803472
Beasley, Richard	1992	The ambulance chaser	Pan Macmillan	Sydney	2005	3411099
Beasley, Richard	1992	Me & Rory Macbeath	Hachette Australia	Sydney	2013	6094386
Beeby, George Stephenson	1911	Concerning ordinary people : six plays	Gordon & Gotch	Sydney	1923	228070
Beeby, George Stephenson	1911	In quest of Pan : being a narrative of the adventures of certain Hyperboreans in search of the ultimate form of art expression	Tyrrells	Sydney	1924	1754308
Bennett, John Michael	1980	In witness whereof : lawyers, the law and society in New England and the Liverpool Plains : the nineteenth century	North and North V	Armidale	2001	2972756
Bennett, John Michael	1980	The life and influence of Sir Frederick Matthew Darley : Chief Justice of New South Wales 1886-1910	Macquarie Univer	Sydney	1969	1964888
Bennett, John Michael	1980	Sir William a'Beckett : first Chief Justice of Victoria, 1852-1857	Federation Press	Annandale	2001	1492579
Bennett, John Michael	1980	Sir Valentine Fleming : second chief justice of Tasmania 1854-1869, acting chief justice 1872-1874	Federation Press	Annandale	2007	4219000
Bennett, John Michael	1980	George Higinbotham : third Chief Justice of Victoria 1886-1892	Federation Press	Annandale	2006	3884047
Bennett, John Michael	1980	Colonial law lords : the judiciary and the beginning of responsible government in New South Wales	Federation Press	Leichhardt	2006	3643772
Bennett, John Michael	1980	Sir Henry Wrenfordsley : second Chief Justice of Western Australia 1880-1883	Federation Press	Annandale	2004	3282569
Bennett, John Michael	1980	Sir Alfred Stephen : third Chief Justice of New South Wales 1844-1873	Federation Press	Annandale	2009	4700790
Bennett, John Michael	1980	Sir James Martin : Premier 1863-1865, 1866-1868, 1870-1872 and Fourth Chief Justice 1873-1886 of New South Wales	Federation Press	Leichhardt	2005	3580776
Bennett, John Michael	1980	Reluctant democrat : Sir William Denison in Australia, 1847-1861	Federation Press	Leichhardt	2011	5718260
Bennett, John Michael	1980	Sir Charles Cooper : first Chief Justice of South Australia 1856-1861	Federation Press	Annandale	2002	653218
Bennett, John Michael	1980	A history of the Supreme Court of New South Wales	Law Book Co	Sydney	1974	1181005
Bennett, John Michael	1980	A history of solicitors in New South Wales	Legal Books	Sydney	1984	1319239
Bennett, John Michael	1980	Sir Archibald Burt : first Chief Justice of Western Australia 1861-1879	Federation Press	Annandale	2002	275788
Bennett, John Michael	1980	Sir James Cockle : first chief justice of Queensland, 1863-1879	Federation Press	Annandale	2003	3048461
Bennett, John Michael	1980	Sir John Pedder : first Chief Justice of Tasmania, 1824-1854	Federation Press	Annandale	2003	3048479
Bennett, John Michael	1980	Sir William Stawell : second Chief Justice of Victoria 1857-1886	Federation Press	Annandale	2004	3288748
Bennett, John Michael	1980	Portraits of the Chief Justices of New South Wales, 1824-1977	John Ferguson	St Ives	1977	2681759
Bennett, John Michael	1980	Sir James Dowling : second Chief Justice of New South Wales 1837-1844	Federation Press	Annandale	2001	1492620
Bennett, John Michael	1980	Sir Francis Forbes : first Chief Justice of New South Wales 1823-1837	Federation Press	Annandale	2001	3015273
Bennett, John Michael	1980	Keystone of the federal arch : a historical memoir of the High Court of Australia to 1980	AGPS	Canberra	1980	470300
Bennett, John Michael	1980	[ed] A history of the New South Wales bar	Law Book Co	Sydney	1969	2581150
Bennett, John Michael	1980	[ed] Some papers of Sir Francis Forbes : First Chief Justice in Australia	Parliament of NSW	Sydney	1998	647203
Bennett, John Michael	1980	[ed] Callaghan's diary : the 1840s Sydney diary of Thomas Callaghan, B.A. of the King's Inns, Dublin, barrister-at-law : (later a	Francis Forbes Soc	Sydney	2005	3308740
Bennett, John Michael	1980	[co-ed] A Source book of Australian legal history : source materials from the eighteenth to the twentieth centuries	Law Book Co	Sydney	1979	1289218
Bevan, Christopher J	1991	A Kinchela boy : a novel	Bideena Publishing	Sydney	2010	4893228
Bevan, Christopher J	1991	Parable of the two sons	Bideena Publishing	Sydney	2012	6156152
Bignold, Hugh Baron	1899	The world in arms	Deaton & Spenser	Sydney	1914	490682
Bignold, Hugh Baron	1899	May tournament : a tennis rhyme	George Robertson	Sydney	1896	1444048
Blacket, Wilfred	1887	May it please your honour : lawyers and law courts of the olden times in New South Wales	Cornstalk Publishi	Sydney	1927	1818841
Bladen, Frank Murcott	1891	Historical notes : Public Library of New South Wales	W A Gullick, Govt	Sydney	1911	82147
Bladen, Frank Murcott	1891	Historical notes : commemorative of the building of the Mitchell Wing	Public Library of N	Sydney	1906	524035
Bladen, Frank Murcott	1891	Historical records of New South Wales. Vol.1, part 1. Cook, 1762-1780	Lansdown Slattery	Mona Vale	1978	1280713
Bladen, Frank Murcott	1891	[ed] Historical records of New South Wales Vol.6. King and Bligh, 1806, 1807, 1808	Lansdown Slattery	Mona Vale	1979	1511023
Bladen, Frank Murcott	1891	[ed] Historical records of New South Wales Vol.4. Hunter and King, 1800, 1801, 1802	Lansdown Slattery	Mona Vale	1979	1511014
Bladen, Frank Murcott	1891	[ed] Historical records of New South Wales Vol.7. Bligh and Macquarie, 1809, 1810, 1811	Lansdown Slattery	Mona Vale	1979	3033630
Bladen, Frank Murcott	1891	[ed] Historical records of New South Wales Vol. 2. Grose and Paterson, 1793-1795	Lansdown Slattery	Mona Vale	1978	1511005
Bladen, Frank Murcott	1891	[ed] Historical records of New South Wales Vol. 3. Hunter, 1796-1799	Lansdown Slattery	Mona Vale	1978	3033612
Bladen, Frank Murcott	1891	[ed] Historical records of New South Wales Vol.5 : King, 1803, 1804, 1805	Lansdown Slattery	Mona Vale	1979	3033621
Bladen, Frank Murcott	1891	[contributor] History of New South Wales from the records	Charles Potter, Go	Sydney	1894	128298
Bladen, Frank Murcott	1891	[contributor] Tourists' handbook to the Hawkesbury River and North Coast Lake District : Woy Woy, Brisbane Water, Gosford	Govt Printer	Sydney	1907	2378482

Callinan, Ian	1985	After the monsoon	CQU Press	Rockhampton	2005	3293501
Callinan, Ian	1985	The Coroner's conscience: a murder mystery	CQU Press	Rockhampton	1999	1563942
Callinan, Ian	1985	The only case: a novel	Arcadia	Kew	2014	6574681
Callinan, Ian	1985	Betrayals	Boolarong Press	Moorooka	2011	5265804
Callinan, Ian	1985	The Russian master	CQU Press	Rockhampton	2008	4328012
Callinan, Ian	1985	Dislocation	Arcadia	Kew	2012	6250373
Callinan, Ian	1985	Appointment at Amalfi	CQU Press	Rockhampton	2003	1097976
Callinan, Ian	1985	The missing masterpiece: a comedy in a state art gallery	CQU Press	Rockhampton	2001	2710907
Callinan, Ian	1985	The lawyer and the libertine: a novel of passion and revenge	CQU Press	Rockhampton	1997	3042244
Cameron, Margaret	1987	From the beginning: a history of Coogee Prep	Coogee Boys Prep	Randwick	1995	2568658
Castle, Timothy David	1992	[co-author] The Dowling legacy: foundations of an Australian legal culture 1828-1844	Francis Forbes Soc	Sydney	2005	3508186
Castle, Timothy David	1992	[ed] Speeches of a Chief Justice: James Spigelman 1998-2008	CS2N Publishing	Neutral Bay	2008	4559373
Castle, Timothy David	1992	[co-ed] Dowling's Select cases, 1828 to 1844: decisions of the Supreme Court of New South Wales	Francis Forbes Soc	Sydney	2005	3306090
Clegg, Eric	1935	Famous Australian murders	Angus & Robertson	Sydney	1975	716752
Clegg, Eric	1935	Return your verdict: some studies in Australian murder	Angus & Robertson	Sydney	1965	2601710
Clegg, Thomas Bailey	1891?	The wilderness	John Lane	London	1907	2483269
Clegg, Thomas Bailey	1891?	The love child	John Lane, The Bodley Head	London	1906	
Clegg, Thomas Bailey	1891?	The Bishop's scapegoat	John Lane, The Bodley Head	London	1908	
Clegg, Thomas Bailey	1891?	Joan of the hills	John Lane, The Bodley Head	London	1909	
Cohen, John Jacob	1894	Judge John J Cohen: memoirs				1914962
Crispin, Ken	1972	The quest for justice	Scribe	Carlton North	2010	4778742
Crispin, Ken	1972	The Chamberlain case: the legal saga that transfixed the nation	Scribe	Brunswick	2012	6000918
Crispin, Ken	1972	Divorce: the unforgivable sin?	Hodder and Stoughton	Sydney	1988	438452
Crispin, Ken	1972	The crown versus Chamberlain, 1980-1987	Albatross Books	Sydney	1987	91005
Curlewis, Herbert Raine	1893	The mirror of justice	Law Book Co	Sydney	1906	824275
Dalley, John Bede	1901	No armour	Long	London	1928	
Dalley, John Bede	1901	Max Flambard	Long	London	1928	
Dalley, John Bede	1901	Only the morning	Long	London	1930	
Debenham, Arthur Edmund	?	The innocent victims: a warning to parents, a textbook of crimes committed by and against children	Edwards & Shaw	Sydney	1969	1288177
Debenham, Arthur Edmund	?	All manner of people	Edwards & Shaw	Sydney	1967	2502974
Debenham, Arthur Edmund	?	Without fear or favour: the biography of a career	Edwards & Shaw	Sydney	1966	954334
Dobraszczyk, Caroline Sophie	1989	Modern romances: short stories	Zeus Publications	Burleigh Heads	2011	5156879
Dowling, James Sheen	1845	Reminiscences of a Colonial Judge	Federation Press	Leichhardt	1996	1014541
Evatt, HV	1918	The task of nations	Duell, Sloan and Pearce	New York	1949	1724709
Evatt, HV	1918	Japanese peace settlement: statements by Australian Minister for External Affairs, the Rt Hon HV Evatt, MP	Department of External Affairs	Canberra	1947	772052
Evatt, HV	1918	Foreign policy of Australia: speeches	Angus & Robertson	Sydney	1945	739541
Evatt, HV	1918	The United Nations	OUP	London	1948	202274
Evatt, HV	1918	Post-war reconstruction: temporary alterations of the constitution, notes on the fourteen powers and the three safeguards	Govt Printer	Canberra	1940s	762310
Evatt, HV	1918	Australia in world affairs	Angus & Robertson	Sydney	1946	62381
Evatt, HV	1918	Australian Labour Leader: The Story of W A Holman	Angus & Robertson	Sydney	1942	1448922
Evatt, HV	1918	Rum rebellion: a study of the overthrow of Governor Bligh	Angus & Robertson	Sydney	1938	859719
Evatt, HV	1918	Injustice within the law: a study of the case of the Dorsetshire labourers	Law Book Co	Sydney	1937	2347398
Evatt, HV	1918	The King and his dominion governors: a study of the reserve powers of the Crown in Great Britain and the dominions	Cheshire	Melbourne	1967	1781946
Evatt, HV	1918	Liberalism in Australia: an historical sketch of Australian politics down to the year 1915	Law Book Co	Sydney	1918	733031
Evatt, HV	1918	The royal prerogative	Law Book Co	North Ryde	1987	42568
Field, Barron	1814	First fruits of Australian poetry	George Howe	Sydney	1819	2348311

Fitzgerald, John Daniel (Jack)	1900	Studies in Australian crime	Cornstalk Publishin	Sydney	1924	187242
Fitzgerald, John Daniel (Jack)	1900	The ring valley: a novel of Australian pioneering	Hodder and Stough	London	1922	2459583
Fitzgerald, John Daniel (Jack)	1900	Children of the sunlight: stories of Australian circus life	Bookstall	Sydney	1923	937184
Fitzgerald, John Daniel (Jack)	1900	Studies in Australian crime, second series	Cornstalk Publishin	Sydney	1924	710534
Fitzgerald, John Daniel (Jack)	1900	Greater Sydney and greater Newcastle	Bookstall	Sydney	1906	621849
Fitzgerald, John Daniel (Jack)	1900	Municipal statesmanship in Europe: what municipal reform has done	William Dymock	Sydney	1899	1646979
Francis, Henry Ralph	1859	Fly-Fishing for Trout and Grayling - Or, "Fine and Far Off"	Read Books		2010	
Francis, Henry Ralph	1859	"Junius" revealed	Longmans, Green,	London	1894	
Garran, Robert Randolph	1891	Prosper the Commonwealth	Angus & Robertso	Sydney	1958	710555
Garran, Robert Randolph	1891	Schubert and Schumann: songs and translations	MUP	Melbourne	1946	217303
Garran, Robert Randolph	1891	[trans] Heinrich Heine's The book of songs	Keating-Wood	Melbourne	1924	122872
Garran, Robert Randolph	1891	The coming Commonwealth: an Australian handbook of federal government	Angus & Robertso	Sydney	1897	60151
Garran, Robert Randolph	1891	[co-author] The case for union: a reply to the Case for the secession of the state of Western Australia	Govt Printer	Canberra	1934	986831
Gee, Kenneth	1949	Comrade Roberts: Recollections of a Trotskyite	Federation Press	Annandale	2006	3637439
Gee, Kenneth (writing as Kenneth)	1949	The saving of South Vietnam	Alpha Books	Sydney	1972	1774747
Gee, Kenneth (writing as Kenneth)	1949	A maid from heaven	Macmillan	Melbourne	1966	3942672
Geraghty, Christopher	1980	The priest factory: a Manly vision of triumph, 1958-1962 and beyond	Spectrum Publicat	Melbourne	2003	2449092
Geraghty, Christopher	1980	Cassocks in the wilderness: remembering the seminary at Springwood	Spectrum Publicat	Melbourne	2001	1511380
Geraghty, Christopher	1980	Dancing with the Devil: a journey from the pulpit to the bench	Spectrum Publicat	Melbourne	2012	5952103
Glass, Harold (writing as Benjamin)	1948	Sherman for the Plaintiff				
Glass, Harold (writing as Benjamin)	1948	Discord within the bar	Law Book Co	Sydney	1981	74257
Gleeson, Justin	1989	[co-ed] Rediscovering rhetoric : law, language and the practice of persuasion	Federation Press	Annandale	2008	4470783
Gleeson, Justin	1989	[co-ed] Constituting law: legal argument and social values	Federation Press	Annandale	2011	5233064
Gleeson, Justin	1989	[co-ed] Historical foundations of Australian law	Federation Press	Annandale	2013	6187754
Gleeson, Murray	1963	The rule of law and the Constitution	ABC Books	Sydney	2000	759585
Gordon, Alexander	1882	The future of the Empire: or, A brief statement of the case against imperial federation	Simpkin, Marshall	London	1889	156554
Green, Henry Mackenzie	1908	A history of Australian literature pure and applied : a critical review of all forms of literature produced in Australia from the fi	Angus & Robertso	Sydney	1962	1300105
Green, Henry Mackenzie	1908	The book of beauty	JM Dent and Sons	London	1929	2341175
Green, Henry Mackenzie	1908	Australian literature 1900-1950	MUP	Carlton	1951	2382219
Green, Henry Mackenzie	1908	Christopher Brennan: two popular lectures delivered for the Australian English Association	Angus & Robertso	Sydney	1939	1492126
Green, Henry Mackenzie	1908	Fourteen minutes: short sketches of Australian poets and their work from Harpur to the present day	Angus & Robertso	London	1950	3510984
Green, Henry Mackenzie	1908	A midsummer night's dream: a popular lecture for the Australian English Association	Australasian Medi	Sydney	1933	127992
Green, Henry Mackenzie	1908	An outline of Australian literature	Whitcombe and T	Sydney	1930	2212238
Green, Henry Mackenzie	1908	[ed] Australian poetry, 1943	Angus & Robertso	Sydney	1944	950307
Green, Henry Mackenzie	1908	[ed] Modern Australian poetry	MUP	Carlton	1952	552135
Green, Henry Mackenzie	1908	[co-author] The Howes and their press	Sunnybrook Press	Sydney	1936	2358110
Hand, Derrick	1969	[co-author] The coroner: investigating sudden death	ABC Books	Sydney	2004	3085662
Henchman, Hereward John Humf	1929	A court rises: the lives and times of the District Court of NSW - Supplement no 1 1959-1982	Law Foundation of	Sydney	1982	537911
Higgins, Ruth	2005	[co-ed] Constituting law: legal argument and social values	Federation Press	Annandale	2011	5233064
Higgins, Ruth	2005	[co-ed] Rediscovering rhetoric : law, language and the practice of persuasion	Federation Press	Annandale	2008	4470783
Higgins, Ruth	2005	The Moral Limits of Law - Obedience, Respect, and Legitimacy	OUP	Oxford	2004	
Hodgson, David	1962	Mind matters: consciousness and choice in a quantum world	Clarendon Press	Oxford	1993	1194956
Hodgson, David	1962	A plain person's free will	Imprint Academic	Exeter	2005	3412875
Hodgson, David	1962	Consequence of utilitarianism: a study in normative ethics and legala theory	Clarendon Press	Oxford	1967	976044
Holt, Henry Thomas Eulart	1925	A court rises: the lives and times of the District Court of NSW (1859-1959)	Law Foundation of	Sydney	1976	2220897
Jordan, Frederick Richard	1907	Appreciations	Ure Smith	Sydney	1950	749276

Jose, Arthur Wilberforce	1891	A short history of Australasia	Angus & Robertson	Sydney	1899	2233222
Jose, Arthur Wilberforce	1891	The Royal Australian Navy, 1914-1918	Angus & Robertson	Sydney	1935	3584420
Jose, Arthur Wilberforce	1891	Australasia: the Commonwealth and New Zealand	Dent	London	1901	2435400
Jose, Arthur Wilberforce	1891	History of Australia: from the earliest time to the present day	Angus & Robertson	Sydney	1924	1825393
Jose, Arthur Wilberforce	1891	Two awheel and some others afoot in Australia	J M Dent & Co	London	1903	941006
Jose, Arthur Wilberforce	1891	The growth of empire: a handbook to the history of Greater Britain	Angus & Robertson	Sydney	1900	1860902
Jose, Arthur Wilberforce	1891	[co-author] New South Wales: historical, physiographical, and economic	Whitcombe and Tombs	Melbourne	1912	2264441
Jose, Arthur Wilberforce	1891	The romantic nineties	Angus & Robertson	Sydney	1933	76884
Jose, Arthur Wilberforce	1891	History of Australasia: from the earliest times to the inauguration of the Commonwealth	Angus & Robertson	Sydney	1901	96314
Jose, Arthur Wilberforce	1891	[co-ed] The Illustrated Australian encyclopaedia	Angus & Robertson	Sydney	925-192	108336
Jose, Arthur Wilberforce	1891	Builders and pioneers of Australia	Books for Libraries	Freeport, N	1970	1927803
Jose, Arthur Wilberforce [as Ishm	1891	Sun and cloud on river and sea	Angus & Robertson	Sydney	1888	333222
Kerr, John	1938	Matters for Judgment: an autobiography	Sun	South Melb	1988	1856579
Kerr, John	1938	New Guinea: a series of lectures given in September 1961 to the NSW Branch of the Australian Institute of International Affairs	Anglican Press	Sydney	1962	1540357
Khan, Izaz	1980	Chainbreaker	Eldorado	Kirribilli	1993	2935096
Khan, Izaz	1980	Payback	Vicas Press	Lautoka, Fi	2011	6423146
Kildea, Jeff	1979	Tearing the fabric: sectarianism in Australia, 1910 to 1925	Citadel Books	Sydney	2002	1732410
Kildea, Jeff	1979	Anzacs and Ireland	UNSW Press	Sydney	2007	3821969
Kildea, Jeff	1979	Wartime Australians: Billy Hughes	Aust Dept of Veterans Affairs	Canberra	2008	4319839
Kirby, Michael Donald	1967	The judges	ABC Radio Publicity	Sydney	1983	1078762
Kirby, Michael Donald	1967	Reform the law: essays on the renewal of the Australian legal system	OUP	Melbourne	1983	1883384
Kirby, Michael Donald	1967	A private life: fragments, memories, friends	Allen & Unwin	Sydney	2011	5714569
Kirby, Michael Donald	1967	What would Gandhi do?	Penguin Group	Melbourne	2013	6382585
Kirby, Michael Donald	1967	Through the world's eye	Federation Press	Annandale	2000	392589
Kirby, Michael Donald	1967	Judicial activism: authority, principle and policy in the judicial method	Sweet & Maxwell	London	2004	3805040
Kirby, Michael Donald	1967	Criminal investigation & the rule of law	Law Reform Commission	Sydney	1979	529778
Kline, Victor	1974	The house at Anzac Parade	Francis Allen	Sydney	2013	6392465
Kline, Victor	1974	Rough justice	Allen & Unwin	St Leonard	1993	1323149
Kline, Victor	1974	The Story of the Good American			2015	
Lang, John	1841	The forger's wife, or, Emily Orford	Ward Lock	London	1855	2244304
Lang, John	1841	Clever criminals, or, Recollections of botany bay	Ward Lock	London	1871	6352649
Lang, John	1841	Mazarine	Mulini Press	Canberra	2004	3509382
Lang, John	1841	Will he marry her?	G Routledge & Co	London	1858	3561884
Lang, John	1841	The secret police, or, Plot and passion	Ward Lock	London	1859	273947
Lang, John	1841	Raymond	Mulini Press	Canberra	2004	3307247
Lang, John	1841	Violet, or The danseuse	G Routledge & Co	London	1857	3564061
Lang, John	1841	Botany Bay, or, True tales of early Australia	William Tegg	London	1859	4584058
Lang, John	1841	Wanderings in India: and other sketches of life in Hindostan	Routledge, Warne	London	1861	5980653
Lang, John	1841	Further tales from Botany Bay	Mulini Press	Canberra	2005	3637780
Lang, John	1841	Too much alike; or, The three calendars	Ward Lock	London	1855	6617723
Lang, John	1841	Legends of Australia: Frederick Charles Howard	Mulini Press	Canberra	1989	1735082
Lang, John	1841	Too clever by half, or, The Harroways	Nathaniel Cooke	London	1853	274001
Lang, John	1841	Lucy Cooper: an Australian tale	Mulini Press	Canberra	1992	1118395
Lang, John	1841	Legends of India: tales of life in Hindostan	Mulini Press	Canberra	2008	4656899
Lindsay, Geoff	1979	[co-ed] No mere mouthpiece: servants of all, yet of none	LexisNexis Butterworths	Chatswood	2002	261187
Littlemore, Stuart	1978	The media and me	ABC Books	Sydney	1996	2616224

Littlemore, Stuart	1978	Harry Curry: rats and mice, ugly, irascible, intolerant, clever	HarperCollins	Sydney	2013	6224439
Littlemore, Stuart	1978	Harry Curry: the murder book	HarperCollins	Sydney	2012	5787130
Littlemore, Stuart	1978	Harry Curry: counsel of choice	HarperCollins	Sydney	2011	5016844
Lowe, Robert (Viscount Sherbrooke)	1842	Speeches and letters on reform	Robert John Bush	London	1867	665169
Lowe, Robert (Viscount Sherbrooke)	1842	Poems of a life	Kegan Paul, Trenchard	London	1885	1850368
Lutwyche, Alfred J P	1853	A narrative of the wreck of the Meridian, on the island of Amsterdam	Waugh & Cox	Sydney	1854	1411560
Mason, Keith	1972	Lawyers then and now: an Australian legal miscellany	Federation Press	Annandale	2012	6104221
Mason, Keith	1972	Constancy and change: moral and religious values in the Australian legal system	Federation Press	Sydney	1990	440428
Mason, Keith	1972	Old law, new law: a second Australian legal miscellany	Federation Press	Annandale	2014	6573147
McHugh, Richard	1994	Charlie Anderson's General Theory of Lying	Penguin Australia		2015	
Meagher, Roderick Pitt	1960	[co-auth] Portraits on yellow paper	CQU Press	Rockhampton	2004	3070875
Menadue, Peter	1991	Crooked house	Peter Menadue		2014	
Menadue, Peter	1991	Paper Man	Peter Menadue		2014	
Menadue, Peter	1991	Murder Brief	Peter Menadue		2014	
Menadue, Peter	1991	Spiked	Peter Menadue		2014	
Michie, Archibald	1841	Observations on the working of the Victorian Education Act and on the alleged Roman Catholic grievance	George Robertson	Melbourne	1885	2174229
Michie, Archibald	1841	The case of Mr W H Barber	Kemp and Fairfax	Sydney	1847	1356501
Michie, Archibald	1841	Four Lectures	Stillwell and Knight	Melbourne	1869	2961759
Molomby, Tom	1975	The shearer's tale: murder and injustice in the Australian bush	ABC Books	Sydney	2004	3112692
Molomby, Tom	1975	Ratten: the web of circumstance	Outback Press	Collingwood	1978	1280855
Molomby, Tom	1975	Who killed Hannah Jane?	Potoroo Press	Sydney	1981	1681353
Molomby, Tom	1975	Is there a moderate on the roof?: ABC years	Heinemann Australia	Port Melbourne	1991	2652995
Molomby, Tom	1975	Spies, bombs & the path of bliss	Potoroo Press	Sydney	1986	304777
Nader, John	1962	Tardy justice: the Heinrich Wagner prosecution	John Nader	Sydney	2011	5786716
Naughton, Terry	1969	Places of judgment - New South Wales	Law Book Co	Sydney	1987	752845
Pembroke, Michael Andrew	1981	Arthur Phillip: sailor, mercenary, governor, spy	Hardie Grant Books	Melbourne	2013	6298591
Pembroke, Michael Andrew	1981	Trees of history & romance: essays from a Mt Wilson garden	Bloomings Books	Hawthorn	2009	4555942
Peterson, Eric	1984	The Poverty of Dialectical Materialism	Red Door	Summer Hill	1996	
Piddington, Albert Bathurst	1890	The next step: a basic family income	Macmillan	Melbourne	1921	1615337
Piddington, Albert Bathurst	1890	Worshipful masters	Angus & Robertson	Sydney	1929	1739140
Piddington, Albert Bathurst	1890	Spanish sketches	OUP	London	1916	2285353
Piddington, Albert Bathurst	1890	Bapu Gandhi	Williams & Norgate	London	1930	950666
Piddington, Albert Bathurst	1890	[ed] The fall of Satan: selections from Milton's Paradise lost, books V & VI	Angus & Robertson	Sydney	1893	2384292
Piddington, Albert Bathurst	1890	[trans] Young Italy, or, Romanticism: a translation of Gerolamo Rovetta's Romanticismo	Angus & Robertson	Sydney	1916	2994511
Piddington, Albert Bathurst	1890	[ed] Sir Roger de Coverley: Selections from the "Spectator"	Turner and Henderson	Sydney	1892	2393971
Porter, Chester	1948	Walking on water: a life in the law	Random House Australia	Milsons Point	2003	1001066
Porter, Chester	1948	The gentle art of persuasion	Random House Australia	Milsons Point	2005	3392586
Porter, Chester	1948	The conviction of the innocent: how the law can let us down	Random House Australia	North Sydney	2007	3943601
Pritchard, Sarah	1994	[co-author] Petitioning the CERD Committee: individual complaints under the Racial Discrimination Convention	Australian Human Rights Commission	Sydney	1998	1854055
Pritchard, Sarah	1994	[ed] Indigenous peoples, the United Nations and human rights	Federation Press	Leichhardt	1998	155636
Pritchard, Sarah	1994	Setting International Standards: An Analysis of the United Nations Draft Declaration on the Rights of Indigenous People	ATSIC	NSW	1998	157511
Robertson, Arthur Nugent	1881	Her last appearance	Mills & Boon	Melbourne	1914	
Robertson, Arthur Nugent	1881	Federation and afterwards: a fragment of history, AD 1898-1912	Angus & Robertson	Sydney	1897	3768003
Robertson, Geoffrey	1977	The justice game	Chatto & Windus	London	1998	1766689
Robertson, Geoffrey	1977	The tyrannicide brief	Chatto & Windus	London	2005	3622278
Robertson, Geoffrey	1977	Crimes against humanity: the struggle for global justice	Penguin	London	2006	3916381

Robertson, Geoffrey	1977	People against the press: an enquiry into the Press Council	Quartet Books	London	1983	679154
Robertson, Geoffrey	1977	Obscenity: an account of censorship laws and their enforcement in England and Wales	Weidenfeld and Nicolson	London	1979	686022
Robertson, Geoffrey	1977	An inconvenient genocide: who remembers the Armenians?	Vintage	North Sydney	2014	6540000
Robertson, Geoffrey	1977	The statute of liberty: how Australians can take back their rights	Vintage	North Sydney	2009	4508391
Robertson, Geoffrey	1977	Reluctant Judas: the life and death of the Special Branch informer Kenneth Lennon	Temple Smith	London	1976	2195000
Robertson, Geoffrey	1977	Dreaming too loud: reflections on a race apart	Random House Australia	North Sydney	2013	6374619
Robertson, Geoffrey	1977	The case of the Pope	Penguin	London	2010	4980372
Robertson, Geoffrey	1977	Mullahs without mercy: human rights and nuclear weapons	Vintage	North Sydney	2012	5976917
Robertson, Geoffrey	1977	Geoffrey Robertson's Hypotheticals: A new collection from the acclaimed ABC TV series	ABC Enterprises	Crows Nest	1991	1329626
Robertson, Geoffrey	1977	Does Dracula have AIDS? & other Geoffrey Robertson Hypotheticals	Angus & Robertson	North Ryde	1987	268331
Robertson, Geoffrey	1977	Geoffrey Robertson's hypotheticals: dramatisation of the moral dilemmas of the 80s	Angus & Robertson	North Ryde	1986	905521
Rose, Thomas	1898	The doom of man	Harold Murray	Sydney	1916	928331
Rose, Thomas	1898	The pilgrimage of man	Simmons	Sydney	1925	911011
Scarvell, Edric	1896	Caricatures			1898	1225647
Selby, David Mayer	1931	Itambu!	Currawong	Sydney	1963	1853083
Selby, David Mayer	1931	Hell and high fever	Currawong	Sydney	1956	2246176
Sexton, Michael	1984	War for the asking: how Australia invited itself to Vietnam	New Holland	Frenchs Forest	2002	77749
Sexton, Michael	1984	The great crash: the short life and sudden death of the Whitlam government	Scribe	Carlton North	2005	3545835
Sexton, Michael	1984	Uncertain justice: inside Australia's legal system	New Holland	Frenchs Forest	2000	566327
Sexton, Michael	1984	Australian eyes only	Bantam Books	Sydney	1989	2081810
Sexton, Michael	1984	War for the asking: Australia's Vietnam secrets	Penguin Australia	Ringwood	1981	1509775
Sexton, Michael	1984	[co-author] The legal mystique: the role of lawyers in Australian society	Angus & Robertson	Sydney	1982	168263
Sexton, Michael	1984	Illusions of power: the fate of a reform government	George Allen & Unwin	Sydney	1979	2824921
Sharp, Naomi	1998	[co-author] Petitioning the CERD Committee: individual complaints under the Racial Discrimination Convention	Australian Human Rights Commission	Sydney	1998	1854055
Spigelman, James	1976	Secrecy, political censorship in Australia	Angus & Robertson	Sydney	1972	398286
Spigelman, James	1976	Speeches of a Chief Justice: James Spigelman 1998-2008	CS2N Publishing	Neutral Bay	2008	4559373
Spigelman, James	1976	Becket & Henry: the Becket lectures	St Thomas More Society	Sydney	2004	3100278
Spigelman, James	1976	Transitions in the court: ceremonial speeches by chief justice Spigelman 1998-2011	NSW Bar Association	Sydney	2012	5755622
Spigelman, James	1976	[co-author] The nuclear barons	Holt, Reinhart and Winston	New York	1981	2982801
Stewart, Donald Gerard	1959	Recollections of an unreasonable man: from the beat to the bench	ABC Books	Sydney	2007	3627145
Stoljar, Jeremy	1989	My first mistake	Simon & Schuster	East Roseville	1992	299622
Stoljar, Jeremy	1989	The Australian book of great trials: the cases that shaped a nation	Pier 9	Sydney	2011	5179039
Street, Kenneth Whistler	1915	Annals of the Street family of Birtley	K W Street	Sydney	1941	1897602
Sumption, Jonathan	2005	The Hundred Years' War	Faber	London	1990	1976818
Sumption, Jonathan	2005	Pilgrimage: an image of mediaeval religion	Faber & Faber	London	1975	2151565
Sumption, Jonathan	2005	The Albigensian Crusade	Faber	London	1978	2483206
Sumption, Jonathan	2005	[co-author] Equality	J Murray	London	1979	2890073
Sumption, Jonathan	2005	The Hundred Years' War, Volume 4: Cursed Kings			2015	
Sumption, Jonathan	2005	The Hundred Years' War, Volume 1: Trial by Battle			1999	
Sumption, Jonathan	2005	The Hundred Years' War, Volume 2: Trial by Fire			2001	
Sumption, Jonathan	2005	The Age of Pilgrimage: The Medieval Journey to God			2003	
Sumption, Jonathan	2005	The Hundred Years' War, Volume 3: Divided Houses			2011	
Tedeschi, Mark	1977	Eugenia: a true story of adversity, crime and courage	Simon & Schuster	Cammeray	2013	6196788
Tedeschi, Mark	1977	Shooting around corners: photographs	The Beagle Press	Roseville	2012	5808098
Tedeschi, Mark	1977	Kidnapped	Simon & Schuster	Cammeray	2015	6851923
Therry, Roger	1822	Reminiscences of thirty years' residence in New South Wales and Victoria: with a supplementary chapter on transportation at	Sampson Low, Son & Co	London	1863	115430

Therry, Roger	1822	The speeches of the Right Honourable Lord George Canning: with a memoir of his life	J Ridgway & Sons	London	1836	156396
Tink, Andrew	1980	Lord Sydney: the life and times of Tommy Townshend	Australian Scholar	North Melf	2011	5758721
Tink, Andrew	1980	Air disaster Canberra: the plane crash that destroyed a government	UNSW Press	Sydney	2014	6484534
Tink, Andrew	1980	William Charles Wentworth: Australia's greatest native son	Allen & Unwin	Crows Nest	2012	6101009
Tink, Andrew	1980	Australia 1901-2001: a narrative history	NewSouth Publish	Sydney	2014	6534396
Tink, Andrew	1980	[co-author] In search of Pennant Hills: a history of the settlements known as Pennant Hills on the Pennant Hills Range 1788 to	Pennant Hills Loca	Kenthurst	2007	3887078
Turnbull, Malcolm	1980	Fighting for the republic: the ultimate insider's account	Hardie Grant	South Yarra	1999	102623
Turnbull, Malcolm	1980	The Spycatcher trial	William Heineman	Richmond	1988	483048
Turnbull, Malcolm	1980	The reluctant republic	William Heineman	Port Melbo	1993	2942241
Waddy, Lloyd Dengate Stacy	1963	Republic or monarch?: some notes for debaters	Australians for Cor	Sydney	1998	517300
Waddy, Lloyd Dengate Stacy	1963	The King's School, 1831-1981: an account	Council of the King	Parramatta	1981	199903
Waddy, Lloyd Dengate Stacy	1963	[ed] School's in with Robbo	The King's School	Sydney	1974	1225737
Waterstreet, Charles	1974	Precious bodily fluids: a larrikin's memoir	Sceptre	Sydney	2000	473911
Waterstreet, Charles	1974	Repeating the leaving: an unauthorised memoir	Sceptre	Sydney	2001	909538
Webster, Carol	1989	[co-ed] No mere mouthpiece: servants of all, yet of none	LexisNexis Butterw	Chatswood	2002	261187
Welshman, Kate	2004	The forbidden trail	Scholastic Australa	Lindfield	2015	6616760
Welshman, Kate	2004	The runaway foal	Scholastic Australa	Lindfield	2015	6616761
Welshman, Kate	2004	Posse	Random House Au	North Sydn	2009	4507924
Welshman, Kate	2004	Do you know who I love?	Scholastic Australa	Lindfield	2016	6806958
Welshman, Kate	2004	Make up or break up	Hardie Grant Egm	Richmond	2014	6453952
Wentworth, William Charles	1822	Australasia: a poem written for the Chancellor's Medal at the Cambridge commencement, July 1823	G and WB Whittak	London	1823	706698
Wentworth, William Charles	1822	A statistical, historical, and political description of the colony of New South Wales and its dependent settlements in Van Diem	G and WB Whittak	London	1819	1611232
Whitlam, Edward Gough	1947	The truth of the matter	Allen Lane	Ringwood	1979	4470124
Whitlam, Edward Gough	1947	The Whitlam government 1972-1975	Viking	Ringwood	1985	274915
Whitlam, Edward Gough	1947	Abiding interests	UQP	St Lucia	1997	1531350
Whitlam, Edward Gough	1947	The Labor government and the Constitution, 1972-75		Melbourne	1975	2016770
Whitlam, Edward Gough	1947	The road to China	Cosmos Books	Hong Kong	2010	5037977
Whitlam, Edward Gough	1947	On Australia's Constitution	Widescope	Camberwe	1977	1289980
Whitlam, Edward Gough	1947	The wit of Whitlam [compiled by Deane Wells]	Outback Press	Collingwoo	1976	956280
Whitlam, Edward Gough	1947	My Italian notebook	Allen & Unwin	Crows Nest	2002	1594631
Whitlam, Edward Gough	1947	Beyond Vietnam; Australia's regional responsibility	Victorian Fabian St	Melbourne	1968	450437
Whitlam, Edward Gough	1947	Labor party policy speech, 1972: Blacktown Civic Centre, 13th November, 1972	Standard Publishin	Canberra	1972	2917736
Whitlam, Edward Gough	1947	Labor and the constitution: three papers	Victorian Fabian St	Melbourne	1965	1626353
Whitlam, Edward Gough	1947	A Pacific community	Australian Studies	Cambridge	1981	1482999
Whitlam, Edward Gough	1947	Australia and South-East Asia: principal speeches made during the visit of Prime Minister of Australia to South-East Asia, 28 Ja	Australian Govern	Canberra	1974	2841034
Windeyer, Victor	1925	The Windeyers: chapters of family history	JB Windeyer	Red Hill	1992	49695
Windeyer, Victor	1925	Lectures on legal history	Law Book Co	Sydney	1957	728972
Windeyer, Victor	1925	Charles Windeyer, 1780-1855 and some events of his time	Haldane	Sydney	1977	701454
Windeyer, Victor	1925	Sir Charles Nicholson: a place in history	UQP	St Lucia	1978	2016132
Woods, Gregory D	1972	A history of criminal law in New South Wales: the colonial period, 1788-1900	Federation Press	Annandale	2002	653323