

The text sets out some complex legal principles in easy to understand language and a well structured format and is a useful introductory text and reference tool.

*Emma Forbes*

## **REMEDIES IN EQUITY – THE LAWS OF AUSTRALIA**

*Remedies in Equity – The Laws of Australia* by David Wright Samantha Hepburn: Thomson Reuters, 2009, ISBN9780455228136, Pages: 426.

*Remedies in Equity* is part of *The Laws of Australia* encyclopaedic series with the Hon Michael Kirby AC CMG as editor-in-chief. This series, which now encompasses all Australian jurisdictions and more than 320 topics of Australian law, provides both students and practitioners alike with a broad-based, easy to use reference tool. The *Remedies in Equity* subset of *The Laws of Australia* series is edited by David Wright of the University of Adelaide and Samantha Hepburn of Deakin University.

As identified by the Hon Justice Clyde Croft of the Victorian Supreme Court in the text's foreword, "the starting point of any legal action should lie with its remedy ... a remedy is what the litigant seeks". With equitable remedies being far more numerous than common law remedies, this text's in-depth examination of particular equitable remedies provides the reader with an excellent starting point for litigation.

The text is divided into eight subtitles: declarations, specific performance, rescission, injunctions, compensation and damages, tracing, taking accounts, and delivery up cancellation and rectification. Each subtitle begins with a clear and concise definition of the remedy, followed by a brief look at the history of its development as well as examining the basis of the court's jurisdiction and discretion to grant each remedy, and how this jurisdiction can be enacted.

Throughout the text, each paragraph begins with a bolded summary statement, which makes it easy for the reader to quickly locate relevant information. The legal principles throughout the book are identified with reference to both legislation and case law in each Commonwealth, State and Territory jurisdiction. There is also extensive cross-referencing to further relevant information within the *Remedies in Equity* text, as well as to the broader *Laws of Australia* series.

Upon an initial perusal of the content in this text, one can be led to believe it is a largely superficial source of information, with little depth of content. Upon further examination it can be found that while the base text itself is quite a broad brushed approach to equitable remedies, the extensive footnoting and cross-referencing provides the reader with access to a wealth of information. Consistent with the encyclopaedic approach of *The Laws of Australia*, *Remedies in Equity* provides both students and practitioners with an invaluable base research tool, which can be expanded upon with ease by consulting further the relevant referenced materials where necessary.

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