

GOVERNMENT ACCOUNTABILITY

AUSTRALIAN ADMINISTRATIVE LAW

THIRD EDITION

Government Accountability: Australian Administrative Law presents a thorough account of the administrative state and the mechanisms that exist to bring the state to account for its actions. It contextualises the theory and explanation of administrative law through carefully chosen case studies and events that offer practical examples of the principles discussed and how they are applied.

The third edition has been thoroughly updated to incorporate recent legal developments. In particular, there is expanded discussion of ‘materiality’ in the context of jurisdictional error. The examples used illustrate the operation of legal principles and reflect contemporary social and political circumstances.

Written by a team of experts in the field, and known for its clear, consistent and straightforward narrative with logical progression, *Government Accountability* remains a student-friendly guide to complex administrative law concepts.

Government Accountability: Australian Administrative Law is accompanied by a casebook, *Government Accountability Sources and Materials: Australian Administrative Law*, which provides curated cases and primary legal materials with helpful commentary.

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PREFACE

Government Accountability: Australian Administrative Law, third edition, is intended to provide a scholarly yet accessible introduction to Australian administrative law. We have aimed for an optimal combination of accuracy, clarity, concision and richness; qualities that are not always complementary. We have also endeavoured to provide the human, political, and historical context that makes administrative law so fascinating.

Throughout the book, detailed case studies are used to show how administrative law works in practice and to highlight strengths and weaknesses in the law. Where possible, we have chosen case studies that demonstrate multiple administrative law doctrines and mechanisms to reflect the reality that many parts of administrative law are related and may intersect in a single fact situation. Many of the case studies illustrate the application of the overarching themes of accountability and statutory interpretation.

This is the third edition of this book. We have thoroughly updated the text, including extensive discussion and synthesis of the emerging body of case law on materiality. Significant recent cases have been added, including *Hossain v Minister for Immigration and Border Protection*,¹ *BVD17 v Minister for Immigration and Border Protection*,² *Minister for Immigration and Border Protection v SZMTA*,³ *Frugniet v Australian Securities and Investments Commission*,⁴ *ABT17 v Minister for Immigration and Border Protection*,⁵ *Hocking v Director-General of the National Archives of Australia*,⁶ *MZAPC v Minister for Immigration and Border Protection*,⁷ *Charisteas v Charisteas*,⁸ *Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs v Viane*,⁹ *Plaintiff M1/2021 v Minister for Home Affairs*,¹⁰ and *Nathanson v Minister for Home Affairs*.¹¹

1 (2018) 264 CLR 123.
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9 (2021) 96 ALJR 13.
10 (2022) 96 ALJR 497.
11 (2022) 96 ALJR 737.

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