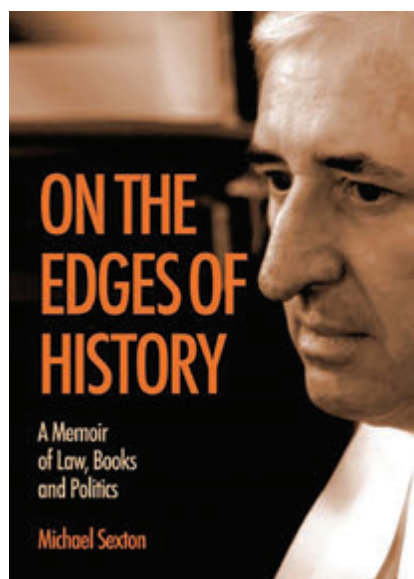


On the Edges of History: A Memoir of Law, Books and Politics

By Michael Sexton | Connor Court Publishing | 2015



In 1998 Michael Sexton was appointed as the Solicitor-General for NSW, a position he has now held for some eighteen years. In his latest book, *On the Edges of History*, Sexton offers an insight into many of the matters in which he has been involved whilst occupying the office, and provides accounts of some of his more challenging matters at the private Bar. Sexton also details key points in his professional career prior to being called to the Bar. The entire narrative is interspersed with an eclectic array of observations, ranging in subject matter from the failings of our criminal justice system, to the character traits of some of the leading figures in Australian political history. The book is part memoir, part reflection on the two spheres of Australian life in which Sexton is chiefly interested: our legal system and our politics.

Born in 1946, Sexton was one of the first of the post-war baby boomers. In the book's second chapter Sexton broadly outlines the details of his Catholic upbringing in 1950s Melbourne. His evident fascination with the forces at play within his community, as well as its central characters, suggests that Sexton could well have devoted more

than a chapter to this part of his life. However, instead Sexton hurtles across the decades to provide an account of some of the more notorious criminal cases in which he has appeared for the Crown. These include the various High Court challenges to NSW's sentencing legislation (in *Baker v The Queen* (2004) 223 CLR 513, *Elliott v The Queen* (2007) 234 CLR 38 and *Crump v New South Wales* (2012) 286 ALR 658), the multiple appeals brought by Kathleen Folbigg in relation to her conviction for the murder of her four children and Bruce Burrell's appeals against his conviction for the kidnap and murder of Kerry Whelan.

Sexton then takes us back to where his legal career commenced, in 1965, at Melbourne University law school. We are assured that in spite of the times, Melbourne University was not a hotbed of revolutionary sentiment. This is easy enough to believe. The picture Sexton paints of his life as an undergraduate is of a carefree and more innocent time, filled with classics conferences, games of squash and tennis, and black-tie balls. After university, Sexton did a short stint in the office of the Commonwealth Crown Solicitor, before taking up a position as Associate to Sir Edward McTiernan in the High Court. Then follows a period of time in the United States completing a master's degree at the University of Virginia. Whilst Sexton appears to have seriously contemplated commencing practice in Philadelphia and settling in America, it was the prospect of being involved in Whitlam's government that, Sexton says, lured him home to Australia.

Sure enough, in 1974 Sexton moved to Canberra, joining the Attorney-General's Department, and then the office of Attorney-General Kep Enderby. Sexton chose the dismissal of the Whitlam Labor government as the topic of his first book, *Illusions of Power* (first published

in 1979 and reissued in 2005), excerpts from which are included in this book. However, in this book, Sexton gives a more personal account of events, sharing his observations from within in the months and days leading up to the dismissal. Sexton also explains how it was that he came to write *Illusions of Power* (in his early years as an academic at UNSW), and reflects on its reception when first published. Insights are also offered into the writing of his second book, *War for the Asking*, on the subject of Australia's entry into the Vietnam war.

In the latter half of the book, Sexton describes his time at the Bar prior to becoming the Solicitor-General. It is these chapters, in which Sexton tells of his more difficult cases at the Bar, where his book is at its most intriguing. These cases include the prosecution of complaints by health authorities against Dr Geoffrey Edelsten, the "Mr Bubbles" defamation proceedings, and the Chelmsford Royal Commission.

Unquestionably, Sexton has been involved in some of the state's most fascinating matters. He is also not afraid to voice an opinion on some of the trickier questions that he believes confront our legal system. As a result, this memoir makes for an intriguing snapshot of Australian legal history, and a captivating read.

Reviewed by Juliet Curtin