

EDITORIAL

As was observed at this country's most recent constitutional conference, held in April of this year, New Zealand has been searching for a national identity since the late nineteenth century. Our "pioneering spirit" is an oft-cited theme, and one perhaps no more appropriately applied than in the political-legal arena. We can, of course, claim credit as the first country to extend the vote to women, as the birthplace of the welfare state, and as one of the few nations to outlaw nuclear weapons during the currency of the Cold War.

The onset of the twenty-first century has not diminished this pioneering spirit. The recent appointment of Dame Sylvia Cartwright to the office of Governor-General has been heralded as the beginning of a new era for women in the law. It has been repeatedly pointed out that women now occupy the top five constitutional positions in New Zealand – Prime Minister, Leader of the Opposition, Chief Justice, Attorney-General, and now Governor-General. However, despite other recent positive moves – such as proposed changes to the appointment criteria for judges so as to make judicial positions more accessible to women, the development of mentoring programmes in an effort to retain women in the profession, and the increasing willingness of law firms to develop "family friendly" employment policies such as maternity leave – we should not lose sight of the fact that women are still largely under-represented at the highest levels of many law firms, and are leaving the profession in disproportionate numbers. Whilst we applaud the accomplishments of our "top five" women, we look forward to the day when such appointments will be remarked upon solely for the achievements that they represent rather than for the gender of the appointee.

The year 2000 also heralds a new era for the Auckland University Law Review. Not only have we now launched our own web-site, but we have also made significant and necessary changes to our constitution in order to ensure our ongoing survival. No longer directly subsidised by the Faculty of Law, the Review will in future be published by a newly-formed charitable trust, and will be able to seek sponsorships and donations accordingly. We believe that this is the best means by which to retain the journal's unique status as the only law review in New Zealand which is edited entirely by students and confined solely to student writing.

As always, the Review this year offers discussion on topics of significance across the legal spectrum. Some of our articles provide a fresh perspective on such traditional areas of the law as statutory interpretation, evidential privilege, and the awarding of damages. Other pieces discuss such contemporary themes as the emergence of private prisons, the dispute-resolution process of the WTO, and the operation of the Complaints Review Tribunal. Commercial lawyers may take particular interest in the articles on tacit collusion and parallel importing. The Ko Ngaa Take Ture Maori section this year features essays on such diverse topics as

riverbed ownership, immigration and race relations, and Maori self-determination, whilst our Commentaries section discusses several recent judicial decisions and two significant pieces of legislation. Additionally, this year sees the introduction of a new breed of book review, which aims to analyse electronic legal resources alongside the more traditional printed variety.

We hope that you enjoy this year's pioneering effort. Our personal thanks must go to our contributors, to those members of the Faculty of Law who have given so generously of their advice and support, and in particular to the Review team, whose contribution is essential to this publication's ongoing success.

September Bell

Richard Hart

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