BOOK REVIEW

The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand

Simon Mount QC and Max Harris (Eds)

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I INTRODUCTION

The Promise of Law, edited by Simon Mount QC and Max Harris, collates the papers presented at the 2019 retirement conference held for the Rt Hon Dame Sian Elias. It marked the end of her 20-year tenure as New Zealand's 12th Chief Justice and the first to preside over the Supreme Court upon its establishment in 2004 as the highest court in New Zealand.

The Legal Research Foundation, in organising the conference, selected the programme and papers. By reflecting on the legacy of Dame Sian, esteemed members of the legal profession, both nationally and internationally, explore the future direction of New Zealand law in a collection of great breadth. Mount and Harris do an impressive job in its organisation. Though collected in her honour, many of the chapters do not orient themselves around Dame Sian. Rather, her legacy is felt in the depth of insight, courage and honesty put forward by the contributors.

The collection is divided into nine parts, with each part comprising two to three chapters on a specific area of law. More importantly, as Mount and Harris identify, there are themes that appear throughout the collection alongside a certain spirit that is inspired by the influence of Dame Sian's judgments. They summarise Dame Sian's approach as remaining "mindful of the promise of law" both in what the law owes to people and in what is possible through law.[1] In the most memorable chapters, this is the spirit that carries through: that lawyers do not lose perspective and that they remember the society they serve. Each theme and part stands to remind the reader of the power and ability that resides in the offices of the lawyer and the judge.

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1 Simon Mount and Max Harris "Introduction" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

II THEMATIC EXPLORATIONS

Four major threads emerge under the umbrella theme of law's promise: first, the distinctiveness of New Zealand society; secondly, by contrast, the experience of other jurisdictions; thirdly, the necessity of expertise as balanced against the wider context; and fourthly, the people on whom law has an impact.

New Zealand's Distinctiveness

If the law is to fulfil its promise to society, then those who preside over the law must understand its provenance and the people it serves. New Zealand's distinctiveness is explored and challenged in its colonial history, indigenous context and engagement with foreign law. Ned Fletcher and Claire Charters challenge the very foundations of the New Zealand state while the Hon Justice Joe Williams and Sir Kenneth Keith suggest new directions for indigenous rights.

Other authors examine New Zealand's position in particular areas of law, such as Janet McLean in exploring the principle of legality, John Burrows QC in characterising modern contract and tort law, Davey Salmon on the potential of climate litigation, the Hon Tony Randerson QC on the promise of the Resource Management Act 1991, and Dr Rodney Harrison QC on simplicity in New Zealand's administrative law.

Foreign Jurisdictions

These stand against the chapters that undertake a comparative exploration. The Hon Chief Justice Susan Kiefel and Cheryl Saunders take an in-depth look at Australia in rights and constitutional matters, Justice Rosalie Abella and Teagan Markin at Canada's administrative law, Kate O'Regan at human rights in South Africa, and Judge Nancy Gertner at America's experience in sentencing. Stuart Banner delves into the past in a survey of colonial history across the Pacific while Christina Voigt confronts the greatest challenge of the future: the global climate crisis.

All of this raises more questions than it answers. To what extent should New Zealand take into account the laws of foreign jurisdictions? How do we figure our distinctiveness from the rest of the world and best serve the needs of our people while learning the appropriate lessons from other countries? In the final part on the topic of judging, the Hon Sir Anthony Mason, Professor Jeremy Waldron, the Hon Justice Helen Winkelmann and Dame Sian engage in the balance to be struck in finding the best legal outcomes for New Zealand society.

Specialisation and Expertise

Many of the chapters speak to the expertise of the contributors in certain fields. While fulfilling the promise of law is an exhortation to remember law's underlying principles, oftentimes these are best realised through specialisation. The collection holds incredibly valuable scholarship. In the part on private law, Peter Watts QC explores the release fee as a remedy for breach of contract and the Hon Dame Justice Susan Glazebrook writes an excellent and in-depth analysis of what she calls "law's platypus": unjust enrichment. The Hon Justice William Young and Kris Gledhill separately explore Dame Sian's impact on the criminal law; Justice Young does so from first-hand experience while Gledhill undertakes a statistical analysis.

But even as contributors hone in on a topic, common threads, echoes and reflections arise throughout. This is not a problem of repetition or narrow-mindedness. It is instead a reminder that many distinctions in law are useful until they are not, and that the structures and tools of public and private law, of the global and the local, will run into one another. This is an exchange of ideas that is to be welcomed.

Humanising the Law

The humanity of the law comes through in the collection by way of its outlook in two temporal directions: in inviting challenge as to the future and in its reflective tone as to how far we have, or have not, come. The need to rethink our future approach is a reminder of the effects that law has on a society — if injustice arises, it must be addressed. This is felt most strongly for Māori rights, as Charters and Justice Williams hold New Zealand to account, and for Salmon and Voigt who make tangible the global effects of climate change.

The collection varies in tone because it is not simply a gathering of academic papers. Many of the chapters are written in a frank and personal tone, offering intimate ruminations and insights. These are the chapters that stand out, not only for being a pleasure to read but also as a reminder of why lawyers and judges devote their lives to the law. Judge Gertner writes one of the most memorable chapters. She canvasses the history and motivation of sentencing in American courts alongside her personal experience and a foray into the potential of neuroscience to alter the retributive stance to sentencing. In doing so, she brings to the fore those whom the law purports to serve, and she highlights law's shortcomings even as she hopes for fulfilment of the promise.

III OVERVIEW OF PARTS

Part One: Common Law Constitutionalism

New Zealand's constitutional structure — namely, the lack of a codified constitution — is a crucial aspect of its law and jurisprudence. Every so often, the codification debate rears its head in New Zealand: can the common law provide adequate legal protection for a nation's constitutional values as against Parliament's law-making powers? The two chapters in this part address an age-old debate with nuance and insight.

Saunders analyses what is at stake when a state moves to a codified constitution, taking Australia as a case study. She demonstrates that common law constitutionalism provided crucial foundations for Australia's codified constitution and continues to exert influence — much still relies on unwritten practices. Codification does alter the dynamics of the constitution, however, affecting judicial interpretation, confining judges and leaving less room for the nuance of common law constitutionalism. It is, in other words, not such a binary distinction.[2]

In lieu of codification, McLean explores the potential of the principle of legality as a moderate version of common law constitutionalism. McLean understands sovereignty as involving indirect rule by officials implementing the law. This disrupts the traditional view of the principle of legality as a contest between Parliament and the courts. Because the principle is a constraint on the implementation of legislation, it should be seen as holding the executive, and not Parliament, to account. While the principle has done work that the New Zealand Bill of Rights Act 1990 has failed to do, it still falls short of providing adequate protections on its own. But then, as she notes, so have written constitutions.[3]

Part Two: Law and Power on the Frontier

Part Two engages with colonial history. The very foundations of the New Zealand state are tackled in three chapters that take seriously the importance of history for the way in which it has influenced the present day. In order to embark in new directions, it is crucial to understand what it is we have inherited. Banner examines this inheritance through the varying methods of land acquisitions in the Anglophone colonies of the Pacific to identify how an initial state of affairs influences policies of land and redress today.[4]

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2 Cheryl Saunders "Common Law Constitutionalism under a Codified Constitution" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

3 Janet McLean "The Principle of Legality, Sovereignty and the Structure of the Constitution" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

4 Stuart Banner "Colonial Land Dispossession in Comparative Perspective" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

Fletcher's chapter, simply titled "Foundation", advances the idea that the English and Māori texts of the Treaty of Waitangi are reconcilable. He looks to the way the British treated with indigenous peoples for sovereignty, the reasons for British intervention in restraining British settlers in order to protect Māori, the Colonial Office's consistent treatment of Māori as owners of land, and general imperial practice to accommodate native systems of government and law. Fletcher formulates the initial promise for us to fulfil today.[5]

In many ways, this also marks the changing understanding of Māori sovereignty that Charters refers to in challenging the judiciary's silence on the legitimacy of the New Zealand state. It was in the not-too-distant past that such scholarship on New Zealand's origins would not have been accepted. Charters calls on the judiciary to set a new path going forward — one that acknowledges historical wrongs — with the hope of building a more just and inclusive constitutional foundation.[6]

Part Three: Where to for Indigenous Rights and Reconciliation?

Flowing on from a reassessment of New Zealand's foundations, Part Three looks at the future for indigenous rights. In a brief yet compelling reflection, Justice Williams highlights the importance of the reconciliation phase for Māori. He identifies the recognition of rights and reconciliation as separate phases that occur one after another. Over the period of rights and reparations, including greater constitutional recognition and Treaty settlements, the social and economic conditions for Māori have worsened or remained unchanged. Though New Zealand has not yet moved out of the reparations phase, he exhorts the nation to remember this in striving for reconciliation as a way to "coexist and flourish in the same space".[7]

While Justice Williams addresses societal attitudes and realities, Sir Kenneth takes a doctrinal tack in understanding the Treaty of Waitangi as a domestic contract. He draws on Ian Macneil's concept of relational contracts and emphasises that the Treaty forms the basis for ordering the future relationship between Crown and Māori. Given the reflective style of the chapter, there is no academic conclusion reached or doctrinal consequences explored. But it is an intriguing idea and it highlights the potential of the law to meet society's evolving understandings.[8]

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5 Ned Fletcher "Foundation" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

6 Claire Charters "The Elephant in the Court Room: An Essay on the Judiciary's Silence on the Legitimacy of the New Zealand State" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

7 Joe Williams "Co-existence in Aotearoa" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

8 KJ Keith "The Treaty of Waitangi as a 'Contract'? A Personal Journey? in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

Part Four: Environmental Justice and Climate Change

Part Four leaps to one of humanity's greatest challenges: the climate crisis. In an area that is both pressing and evolving, Voigt provides an informative overview of the crisis before examining the "turn to the courts". She concludes that climate litigation is on the rise and that it should be seized as a tool for accountability — judges can and should play a key role in the battle for a stable climate system.[9]

Salmon addresses climate litigation from a New Zealand perspective, arguing that the courts are well-placed to understand and tackle the problem because they are independent and not subject to the political process, they engage in evidence-based reasoning, and they have the power to grant real remedies. Although one might question whether the courts really are so open, Salmon surveys an impressive array of options for courts from tort to judicial review to the public trust doctrine, which will prove a valuable resource for future cases. Underpinning this is a hope in the potential for the law to have a tangible effect using the tools already at its disposal. In a field of understandable doom, Salmon writes with great clarity of tone — his realism makes the edge of optimism that much sharper for it.[10]

Focusing on environmental legislation in New Zealand, Randerson goes through the history of the Resource Management Act 1991. He stresses the importance of community participation in resource management processes not only as an expression of natural justice but also because it produces better decision-making. In light of this, Randerson concludes that the current framework is not adequate, and that New Zealand should be careful not to ignore the community at the expense of improving efficiency.[11]

Part Five: Topics in Private Law

Part Five delves into three separate topics in private law in a section where each of the chapters feels the most isolated but perhaps goes deepest into particular areas of doctrine.

Justice Glazebrook writes an in-depth analysis of "law's platypus": unjust enrichment. She draws comparisons between case law in the United Kingdom and New Zealand, noting criticisms of the four-stage test, which requires (1) enrichment of the defendant that is (2) at the expense of the claimant and (3) unjust, and (4) that there be no defences available to the defendant. She questions whether it can provide anything more than loose guidance, particularly in New Zealand where there has been much statutory

9 Christina Voigt "Climate Change at the Courts: The Role of the Judiciary in Cases related to Climate Change" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

10 Davey Salmon "Thoughts on Climate Litigation in New Zealand" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

11 Tony Randerson "The wheel turns full circle" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

intervention. An interlude in her analysis comes with a brief comment on looking to tikanga in developing a more "New Zealand" approach to unjust enrichment, with emphasis on utu as it relates to reciprocity and obligation in restoring balance.[12]

Watts writes on a High Court decision of Dame Sian's concerning the release fee as a remedy for breach of contract. Release fees are a form of damages the measure of which are the reasonable fees that should have voluntarily been paid by the contract-breaker to act in a way that breaches the contract. Watts prefers Dame Sian's approach in allowing the release fee over the narrow view of the United Kingdom Supreme Court that expectation damages are the only proper monetary remedy for breach of contract.[13]

Burrows traces the history of contract and tort from its beginnings in England through to New Zealand in the present day. In particular, he notes the impact of statutes in the modern era. While "statute is emperor", it has made the state of the law untidy, which grates against the desire for coherence. Burrows muses on coherence and whether there is a distinctive New Zealand character to the system of law. There is no definitive conclusion — only faith that the governing bodies will decide what is best for the country.[14]

Part Six: The Supervisory Jurisdiction and Administrative Justice

Administrative law concerns the exercise of executive power and typically finds its expression in judicial review. Justice Abella of the Supreme Court of Canada and Markin advance a compelling thesis that challenges the traditional Diceyan conception. On the Diceyan view, judicial review should attempt to strike a balance between Parliament's intention to delegate authority and the courts' obligation to uphold the rule of law. Thus, courts are to police administrative decision-makers. But the authors rework the relationship between the three branches of government and argue that deference to decision-makers forms and enhances the rule of law. The chapter provides a comprehensive overview of multiple jurisdictions while diving deep into Canada's position on the standard of review.[15]

Dr Harrison focuses on administrative law in New Zealand and asks whether simplicity has been achieved. He argues that New Zealand's style of judicial review rests on an underlying premise of illegality: judges do not want

12 Susan Glazebrook "The Place of Unjust Enrichment in New Zealand Law" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

13 Peter Watts "The release fee as a remedy for breach of contract — the judgment of Elias J in *Cash Handling* in the light of *Morris-Garner*" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

14 John Burrows "Contract and Tort — A Joint Venture of Judges and Parliament" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

15 Rosalie Silberman Abella and Teagan Markin "Thinking about Administrative Law in Canada: From Doctrine to Principle" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

to leave the interpretation of statutes uncorrected in the hands of administrative decision-makers. He commends the Supreme Court for choosing not simply to label cases as non-justiciable and being willing to scrutinise the issues in depth. The question of whether simplicity has been achieved is difficult to follow throughout the essay, though Dr Harrison concludes that the struggle for simplicity is ongoing. The paper ultimately identifies New Zealand's approach to deciding judicial review cases as an instinctual response of "we know [the answer] when we see it".[16]

Part Seven: Criminal Law

Part Seven engages the most with Dame Sian's legacy in a particular field, for criminal law is where the promise of law and its effect on people are most clearly felt. Not only is it punitive but its judgments tend to fall on the least fortunate in society. Judge Gertner — former judge of the United States District Court for the District of Massachusetts — reminds readers of how the law can prioritise its own ends at the expense of justice. She tracks the shift in the American sentencing landscape from seeking rehabilitation to exacting retribution alongside the pursuit of consistent sentences to a fault. Judge Gertner commends the New Zealand Supreme Court for taking an "intensely factual" approach instead of blindly relying on guidelines or consistency. She briefly explores insights from neuroscience in the hopes of opening the sentencing discussion to how past trauma affects the brain — a new direction that could indeed begin to fulfil the promise of the law for many people.[17]

Justice Young addresses three themes in Dame Sian's approach to criminal law: the appropriateness of judicial instrumentalism, the role of the New Zealand Bill of Rights Act in criminal law, and the tension between evidential efficiency and the traditional rights of defendants. For those less familiar with criminal law doctrine, the jumps between three quite different aspects can be difficult to make, but each section provides first-hand insight into the thinking of the Supreme Court.[18]

In an impressive statistical display, Gledhill sums up the facts and figures of the 102 criminal cases that Dame Sian ruled on throughout her career. Of those, 15 were dissents. He analyses her jurisprudence in relation to evidence and practice and procedure, sentencing, and substantive criminal law. While he is of the opinion that there have been questionable outcomes

16 Rodney Harrison "New Zealand Administrative Law: Simplicity Gained — Or Lost?" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

17 Nancy Gertner "What to Avoid: The American Experience of Sentencing" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

18 William Young "Chief Justice Elias and Criminal Law" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

from the Supreme Court as led by Dame Sian, he gives greater commendation to her dissents where the Court has diverged.[19]

Part Eight: Human Rights

While Part Eight echoes the themes and structure of Parts One and Six, it contains the greatest amount of comparative analysis by focusing on two foreign jurisdictions. O'Regan meets various scholarly challenges to human rights by drawing on the experience in South Africa. One might question whether such abstract and global debates can be satisfactorily addressed through a specific example from one jurisdiction — indeed, O'Regan's discussion of the philosophical disagreement implicitly hints at a functional understanding of human rights, meaning their existence and operation suffice. But the chapter is a reminder to link the theoretical discussion to reality and not to forget what is happening on the ground.[20]

Chief Justice Kiefel, Australia's Chief Justice, looks at how human rights can be protected in Australia without a bill of rights. She surveys the Australian Constitution, statutory construction and the principle of legality, and the common law with reference to judicial review. Ultimately, though some may wish the Constitution to provide more protections, the duty of the judiciary is to engage with it as enacted and it can do so in a rights-protective way. One is reminded of the discussion on common law constitutionalism right at the start of the collection, showing the importance of the foundations of the law in fulfilling its promise to those whom it aims to serve and protect.[21]

Part Nine: Judging

Part Nine reflects on the practice of what it means to be a judge, with a strong focus on whether it is appropriate to refer to foreign law in a domestic jurisdiction. Sir Anthony, former Chief Justice of Australia, is unconvinced that harmonisation among the common law jurisdictions is necessary. He prioritises the idea that imported concepts must "fit" with the home jurisdiction and the local consensus within the community that governs the organs of government. Despite this, comparative law can illustrate shortcomings between jurisdictions even if the foreign principles cannot wholly apply. He ends with a tribute to Dame Sian as a "Great Dissenter" and the value of the "leeways of choice" in issues that are finely balanced.[22]

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19 Kris Gledhill "Dame Sian Elias and Criminal Law" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

20 Kate O'Regan "Contemporary Challenges for Human Rights: A View from South Africa" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

21 Susan Kiefel "Human Rights Without an Enacted Statement of Rights" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

22 Anthony Mason "Judging" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

Waldron explores the tension between borrowing insights from other jurisdictions and keeping a strong sense of New Zealand's identity. He warns against valuing distinctiveness for its own sake — against difference just to be different. Rather, we should only value distinctiveness for the problems that it solves in a particular jurisdiction, for if it is effective then it will aspire to become non-distinctive for its potential to be applied elsewhere. Waldron ends with the message taken from Dame Sian's views on the issue, that "we are all in this together". Beyond the specificities of a jurisdiction, a judge has an obligation to wider principles of the rule of law and law as a solution to the threats and aspirations to justice shared by all.[23]

The brief chapter at the end takes the unique form of recording a panel discussion on judging with Justice Winkelmann acting as chair, Sir Anthony, Waldron and Dame Sian herself. The two major questions explored are a judge's own sense of justice versus coherence and the rule of law, and whether judges should be more willing to look at evidence and legislative facts. It comes down to what is best for one's community. As Dame Sian succinctly puts it, "[k]now your society."[24]

IV CONCLUSION

The Promise of Law questions, challenges and poses solutions for the largest problems of our time. In doing so, it wrestles with law's promise to serve society and facilitate its best functioning. This promise finds expression in the major themes of New Zealand's distinctiveness, international perspectives, specific doctrine and the humanity of law. Each of these is a factor in deciding what is "best" — a task that is neither straightforward nor conclusive. Although some of the papers seem to come largely untouched from the conference, creating some unevenness in tone and structure, this is overwhelmed by the fact that it is a collection of great breadth, depth and heart. It is a worthy tribute to Dame Sian in the way it faces up to law's promise and shortcomings and does not shy away from confrontation or dissent.

Indeed, the fact that many of the chapters were written for the conference and not merely as academic papers is what breathes life into the book. It is rare to find so many giants of the legal profession in true and honest reflection on assessing how far we have come, understanding the importance of the past, and being courageous in venturing to new horizons. As Mount and Harris put it, it is a generous gift.[25] But while the book can state and evaluate law's promise, it alone cannot be the promise's fulfilment. As the collection

23 Jeremy Waldron "The Citation of Foreign Law" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

24 Helen Winkelmann and others "Panel Discussion: Judging" in Simon Mount and Max Harris (eds) *The Promise of Law: Essays marking the retirement of Dame Sian Elias as Chief Justice of New Zealand* (LexisNexis, Wellington, 2019) (forthcoming).

25 Mount and Harris, above n 1.

is animated by an awareness of all the lives that law can and does touch, it falls as an inspiration to all readers to act on and embody that fulfilment.