

## EDITORS' NOTE

The Auckland University Law Review has once again had a successful year. Thank you to all who have volunteered their input and assistance. The 2009 Review spans a range of topics, perspectives, jurisdictions, and eras. There is a critique of the International Court of Justice's decision in *Bosnia v Serbia*; we are alerted to the increasing pervasiveness of closed-circuit television surveillance in New Zealand; and the desirability of a substantive defence of diminished responsibility is advocated. Of more commercial significance is an overview of the recent active income exception to the taxation of offshore New Zealand subsidiaries, and an examination of the imposition of fiduciary duties as between commercial parties. In addition, there is an historical narrative of the issues faced by Sir Isaac Newton during his Wardenship at the Royal Mint at the turn of the eighteenth century.

The Ko Ngaa Take Ture Maori article discusses the various interpretations given to Waitangi Tribunal reports, contrasting the views taken by historians, lawyers, and legal academics. Our commentaries section features an analysis of the contentious 'three strikes' Bill, as well as recent cases on leaky buildings and tax avoidance. It also contains reviews of books written by members of the University of Auckland Faculty of Law: an exposition on animal law co-edited by Peter Sankoff, and an historical account of the Law School by Prof. Brian Coote, published for the Law School's 125<sup>th</sup> anniversary.

It has been an exciting year for those involved with the Review. This year we hosted the first AULR Alumni and Editors Dinner, which we hope will become an annual event. The dinner was attended by a number of current and former editors from across the four decades of the Review's existence. We wish to convey our appreciation to all who attended. Special thanks are due to Hon. Sir Noel Anderson, our keynote speaker for the evening, Adam Ross for his generous assistance in organizing the event, and Aditya Basur for his kind support.

At the beginning of the year we relaunched the Review's website, which now features the complete alumni list, contents pages from the Review's archives, and photographs from past events. We are grateful to Timothy Roberts for his efforts in designing and maintaining the website.

Congratulations go to Sam Clearwater for winning the 2009 Minter Ellison Rudd Watts Prize for Legal Writing. The Prize is awarded annually to the author who submits the best piece of writing to the Review. This year we also had the pleasure of awarding Writing Prizes for 2008 and 2007; we would particularly like to thank Rt Hon. Sir Edmund (Ted) Thomas for judging the articles and UBS for providing the prizes. Congratulations to James Donovan for winning the 2008 Writing Prize for his article, "Deal Protection in Takeovers: A New Zealand Perspective", and to Marika Eastwick-Field for her 2007 article, "Sex, Drugs and Consent: A Recommendation for Rape Law Reform in Light of Issues Raised by Drug Rape".

This Review would not have been possible without the dedicated efforts of our editorial staff, and we wish them all the best as they continue in their studies or move on to join the profession next year. In particular, we would like to express our gratitude to Hope Horrocks, our Business Manager, for managing our accounts and tackling the unremitting piles of paperwork. We are also grateful to William Fotherby and Hannah Yiu for their guidance, encouragement, and help with staff training. Further, we wish to thank our Faculty Advisors, John Ip, Dr Michael Littlewood, and Prof. Paul Rishworth for assisting us with our many questions; Bruce Robinson for his technical assistance; Mary-Rose Russell, Stephanie Carr, and Prof. Rick Bigwood for sharing with us their proficiency with citations; and the Faculty for recommending articles for publication. Finally, we must also thank our sponsors: Chapman Tripp, Bell Gully, and Hudson Gavin Martin. Their financial support is much appreciated.

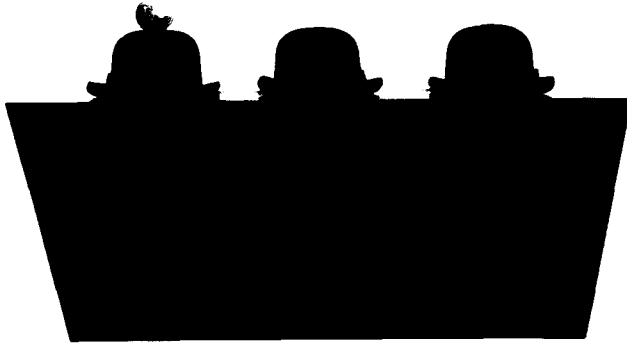
Last August, the Law School lost a beloved colleague, teacher, and friend with the passing of Prof. Michael Bruce Taggart. Mike contributed to the Review in 1977 with his article, "Contributory Negligence: Is the Law of Contract Relevant?", and with a case note in 1978. Mike will be greatly missed by the Faculty and students, and will always be remembered fondly whenever his books and articles are read.

It has been a privilege to be involved in the Review this year and a pleasure to lead the editorial team. We hope that this Review will be of value to all who read it. We wish the incoming editors success with Volume 16 and have every confidence that they will find their editorship to be a rewarding experience.

Samuel Beswick

Rina See

Auckland, October 2009



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