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FOREWORD

1998 marks the 125th anniversary of the commencement of law teaching at the University of Otago. The University of Otago, New Zealand's oldest University, was founded in 1869, and in April 1873 it established the country's first law school. To celebrate this milestone, the Otago Law Review has published this special issue of the Review consisting of invited contributions from distinguished graduates of the Otago Law School who have achieved prominence as legal practitioners, judges or academic lawyers.

Following my own brief history of the Otago Law School, the substantive articles address a wide range of contemporary issues and themes.

Two of the papers explore fundamental jurisprudential issues. Professor Jim Evans asks what it means to say that someone has a legal "right", while Professor Jeremy Waldron draws attention to and seeks to explain the resilience of existing property arrangements in the face of demands for change based on current notions of abstract justice.

Four contributions offer perspectives on different aspects and applications of international law. Professor Donald McRae considers the impact of international trade law on the ability of national governments to adopt and enforce environmental regulation. Professor Peter Burns and Obiora Okafor outline the history of the United Nations Convention against Torture and examine the practice of the Committee charged with monitoring its implementation, while Justice Silvia Cartwright's paper provides a valuable insight into the process of negotiating and drafting an international human rights instrument — in this case an Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Professor Margaret Bedggood examines New Zealand's human rights record and argues for enhanced protection of human rights in New Zealand's domestic law.

Two articles deal with aspects of the criminal justice system. Justice Bruce Robertson considers the use of expert evidence of "battered woman syndrome" in criminal trials. Colin Withnall QC exposes deficiencies in the process of investigating and prosecuting serious criminal offences and calls for a review of the basic structure of our criminal justice system.

Christine French provides a detailed analysis of a critical and complex threshold issue of civil litigation — when does the Limitation Act 1950 operate to time-bar actions founded on contract or tort?

Justice John Hansen's paper addresses a matter which is the subject of increasing concern: what can be done to improve the efficient administration of our court system? His Honour draws attention to the problems of delay and expense associated with increasing demands on court resources, and outlines the steps being taken to introduce case management techniques to New Zealand courts in an attempt to remedy these problems.

Finally, Professor Craig Brown turns away from the familiar territory of insurance law and instead explores the rich connections between the law and his recreational passion — the hallowed game of golf.

This varied, indeed eclectic, collection of papers by a range of eminent contributors provides a fitting commemoration of 125 years of law teaching at the University of Otago.

John Smillie
Editor